APR 5 1939

RADIO SCREEN STAGE

VARIETY

PRICE 25¢

Published Weekly at 154 West 46th Street, New York, N. Y., by Variety, Inc. Annual subscription, $10. Single copies, 25 cents. Entered as second-class matter December 23, 1905, at the Post Office at New York, N. Y., under the act of March 3, 1879.
COPYRIGHT, 1939, BY VARIETY, INC. ALL RIGHTS RESERVED.

Vol. 134 No. 4 NEW YORK, WEDNESDAY, APRIL 5, 1939 56 PAGES

N.Y. FAIR SLOWS BROADWAY

AIR-PIC TIFF PUZZLE TO PALEY

Hollywood, April 4.

'It's all too confusing to me. If the film heads have any grievance against radio they certainly haven't said so in so many words. In one breath they say radio is doing a great job and then they turn around and blame us for bad business at some of their pictures. What's it all about?'

William S. Paley, CBS prexy, had these comments to make on the state of affairs between the two great entertainment industries, which have been making faces at each other for many months even though Paley can't make out the significance or provocation. He said he was ready to talk it over with the studio antagonists at any time but so far had received no overtures for a sesh at the ironing board.

'I'd really like to talk it over with some of them to get a fresh viewpoint on what harm we've done pictures, real or fancied,' said Paley. 'So far I can't make heads or tails of what they want us to do. If they want to pull their stars off the air, well and good. We'll build our own as we have been doing. I think we've done a pretty good job of developing people for pictures so they owe us as much as we owe them. However, the two have been working together very harmoniously and it is implausible to believe that they would want to break up a winning combination.'

Aside from assurances that Hollywood would be a chief production center for many years to come and that television's imminence will be determined by the experiments in New York, Prexy Paley had little other trade comment to offer. He had been resting up in Arizona and returns to New York this week.

DRESSER FILMUSICAL FROM DREISER'S BIOG

Hollywood, April 4.

Theodore Dreiser's biography, 'My Brother Paul,' based on life of Paul Dresser, composer of 'On the Banks of the Wabash,' may reach the screen as a musical production. Book contains all of Dresser's ditties.

Universal has a lively interest in its possibilities and contracts may be signed shortly.

Carnegie's Accordion Concert

Charles Magnante has arranged an all-accordion concert to take place at Carnegie Hall, N. Y., April 13.

It will be built around a quartet which appears frequently on radio programs, consisting of Abe Goldman, Joe Biviano, Gene Von Hallberg and Magnante.

Please, Mr. Rockefeller!

Radio City Music Hall is reported recently seeking a rebate or adjustment of playing terms on a Selznick-International picture. After preliminary negotiations, matter was taken up with John Hay Whitney personally.

Whitney's rejoinder to W. G. Van Schmus, director of the Music Hall, is said to have been: 'Since when do the Rockefellers ask the Whitneys to excuse them from payment of their honest debts?'

FILM REALISM TO ENHANCE STAGE PROD.

Borrowing the technique of the screen and the scope of this medium for application to the stage for the first time, under patents that have been granted after years of research by the inventor, a new form of entertainment which may completely revolutionize the legit drama, at the same time affecting films because of oppositional features, is in the process of being born.

Robert Greathouse, who was associated with D. W. Griffith for years and in addition to film connections has also been in legit, including with the late Florenz Ziegfield, has been granted patents on an original method of synchronizing the technique of the screen with that of legit. Among other things, he brought the Shadowgraph to the Ziegfeld 'Follies' years ago, a means by which characters or objects on

(Continued on page 47)

Kirsten and Lauritz Are Having More Fits

After two years of backstage feuding at the Metropolitan Opera, N. Y., Kirsten Flagstad and Lauritz Melchior have brought their tiffing into the open and no longer take curtain calls together at the end of performances. Matter has caused considerable discussion among audiences and led to rumors that the soprano would not return to the Met next season. However, both she and Melchior have signed contracts to be back again.

Generally regarded as the Met's meal ticket because of their draw in Wagnerian operas, Miss Flagstad and Melchior have been growing increasingly jealous of each other for several seasons, according to other members of the company. To prevent either one stealing too much audience attention, they had an agreement that neither one would take a solo curtain call, either between acts or at the conclusion of a performance. But now that's all over, too.

LEGIT B.O. HURT; SEE BOOM LATER

Expo Working in Reverse as Theatre and Nitery Visitors Hold Off Coming to Metropolis Till After Opening—Film Houses Expect Slump First 2 Months of Fair, but a Bonanza Eventually

ACTORS CLIPPED

Letdown in theatre attendance on Broadway, complained about for some leading attractions but not applicable to all, which started even prior to the peak date of Feb. 22 (Washington's Birthday), is believed traceable to fewer visitors to the metropolis. It's figured that out-of-towners who usually come to New York, have postponed the trip until the start of the World's Fair. This is now verified by the hotels.

Film theatre operators and managers also predict that the first two months of the Fair scheduled to open April 30, will adversely affect business at the boxoffice, but the months of July and August should range anywhere from 25 to 50% better than for those months normally.

A drop is looked for with the spring opening of the fair in the belief that New Yorkers will crowd out to see Grover Whalen's big show,

(Continued on page 55)

PRISONER'S SONG

Got Voice Back So Ex-Radio Singer Wins Parole

St. Louis, April 4.

Several years ago when Raymond Woods, a radio warbler of Joplin, Mo., lost his voice and his means of livelihood, he obtained a gat and began a stickup career. He was nailed and sentenced to five years in the Missouri State pen at Jefferson City. While doing his time he underwent treatment for his throat and was cured. Several weeks ago his singing attracted attention from a Jefferson City radio station and he was given an opportunity to warble over the ether.

His former employer in Joplin heard Woods sing and started proceedings that resulted in Woods being paroled.

Redcoats Ride Kilocycles

Yorkton, Sask., April 4.

First use of radio-equipped cars by Royal Canadian Mounted Police is skedded for this year. Short-wave station to be set up at central point in neighboring province of Manitoba. Cars probably will operate out of Yorkton.

At present mounties use radio only in two daily newscasts from CKCK, Regina.

Mounting No. of Refugees Besieging B'way Stymied by Equity's Alien Rule

3 Friendly 'Enemies'

Hollywood, April 4.

Playing bit parts in Metro's '6,000 Enemies' are three old friends who once drew big money as directors.

They are George Melford, E. Mason Hopper and King Baggot.

ANTI-SALOON LEAGUE BACK AGAIN

Washington, April 4.

Old Man Prohibition—after more than five years in the security of the grave—last week picked on the broadcasting industry as first victim of his proposed 'comeback.' Before a senate Interstate Commerce Subcommittee Neville Miller, president of the National Association of Broadcasters, warned that a 'dangerous precedent' would be established if the Johnson bill, requiring prohibition of all liquor advertising over the radio, were passed. 'If one well-organized minority can successfully prohibit one form of advertising,' he pointed out, 'other such groups will be encouraged to do the same.'

Legislation drafted by Senator Edwin C. Johnson, Democrat of Colorado, was endorsed by Federal Alcohol Administrator W. S. Alexander, Philip Buck, F.A.A. general counsel, and members of the Anti-Saloon League, W.C.T.U. and other uplift organizations. A similar bill, which would inflict penalties on newspaper and magazine advertising as well as radio, was ignored while the NAB and the dry leaders scuffled over discriminatory provisions of the measure.

Marshall Goldberg's Pa Back to His First Love

Pittsburgh, April 4.

Now that football days are over for his son, Marshall Goldberg, all-American halfback from University of Pittsburgh, Sol Goldberg, former exhibitor, is making plans to reenter the film biz. Goldberg here sold his Elkins, W. Va., house to Manoa interests late last summer, claiming that he found it impossible to attend to business and follow the Pitt team around the country at the same time.

Younger Goldberg graduates from Pitt in June and may turn pro in fall, although he hasn't yet made up his mind. Understood his father will go back into biz somewhere in West Virginia, although not in Elkins, his home town.

Show business faces a complex problem of what to do about the mounting number of refugee professionals, artists of the stage and screen, composers and playwrights. They are appealing to all branches of the amusement field for opportunity to obtain engagements of one form or another. For the most part there is no bar to refugees, other than the lack of positions.

But that does not apply to the legit stage, for which Equity has alien limitations that are usually strictly enforced. The question of refugee players has been informally considered, but indications are that special provisions or concessions will soon be brought to the attention of Equity's ruling body. There is a crystalizing sentiment that some assistance should be worked out, despite the unemployment problem in the association's membership.

First indication that the refugee situation was looming in importance was a concession granted by Equity to a group of professionals forced out of dictator countries, who will appear on the Coast. Appeal for permission to form a type of sharing show venture was made by William Dieterle, former German film director, who is an ace on the Warner lot.

Dieterle's Group

Dieterle, among whose successes was 'Zola,' stated that he is providing all the funds necessary. One stipulation is that the refugee actors will receive not less than $40 minimum, the Equity requirement. The venture is to be classed as an alien unit, for which there are special

(Continued on page 55)

EUROPEAN JITTERS CRIMP LONDON LEGIT

London, April 4.

The West End legit here is experiencing its worst slump in years, even exceeding the poor biz that accompanied the International crisis last September.

The Associated Theatre Properties, operating seven houses, claim that biz now is the worst since the firm began functioning 14 years ago.

Reason for the skid is said to be not economic, as money is plentiful, but due rather to the present chaotic state of the European situation.

High-Tone Burley

Minneapolis, April 4.

Harry Hirsch, the Gayety's burley impresario, who occasionally has tossed grand opera, Shakespeare and other bits of serious drama into his offerings, now is planning to supplement the stripping and rougher stuff with Gilbert and Sullivan.

He'll swing a different G-S opry every week.

NEELY BILL PROPONENTS SPURN FILM INDUSTRY'S VOLUNTARY REGULATION

Pettijohn Advocates Roundtable Parleying, Myers (Allied) Doubts Results—Parade of Witnesses, Pro and Con on Measure

Washington, April 4.

Film producer proposal to attempt negotiation of a voluntary trade practice agreement, in conjunction with public groups, was spurned at the outset of today's (Tuesday) session of the Neely bill hearings, at which reform spokesmen renewed their barrage of appeals for 'freedom of choice.' After Senator Wallace E. White, Jr., the Maine Democrat expressed bewilderments how legislation would remove cause of complaints, Charles C. Pettijohn, Hays spokesman, offered to call a session of distributors, producers, exhibitors, and squawkers, and voiced confidence 'we can get an agreement if put it on the table quick, if the only object is to have local choice.'

'The industry is ready to withdraw from blocks booking any films which representative local groups dislike and offer others at a fair price,' the Hays official said.

Possibility of reaching an understanding was doubted by Abram F. Myers, chairman of Allied States Association board. Having rejected latest distributor committee proposition, spokesman for the Independ Theatre Owners said, 'Intelligent right of selection cannot be exercised unless goods are labeled.' Pix must be identified before any acceptable purchase plan is possible. Allied has presented many suggestions to major distribs, who always have turned them down, Myers said. Commenting exhibs no longer are given advance information about the future output that formerly was available, 'I'm before contracting for next season's supply.

Departing frequently from his prepared statement, Pettijohn opened 'I'm industry's fight with attacks on proponents after Henry R. Atkinson of Boston, representing Massachusetts Civil League, Boston chapter of Motion Picture Research Council, and 29 'public groups' had begged for 'community freedom' in selecting screen entertainment. Producer-distributor spokesman noted Atkinson 'never made, sold or exhibited a picture—nor did the people who wrote the bill.'

'I know of no business in the world that so many people think they can run and want to run and, in my opinion, can't run,' Pettijohn quipped.

Three Improvements

The only three ways of improving quality of films and insuring exhibition of the picture communities desires, Atkinson said, are national censorship, which is practically impossible and unsatisfactory; unofficial censorship at the source, which is not dependable; and enactment of the Neely bill which means 'Control over the screen from close to home.' The usual parade of spokesmen for women's organizations boosted the Neely proposal, including Massachusetts Civic League, American Home Economics Assn., American Assn. of University Women, YMCA and WTCU. Long letters from Dr. Ray Lyman Wilbur, head of the Motion Picture Research Council, contained admission 'some notable films' were produced in recent years, but studios still turn out too many 'stupid, commonplace features' which appeal to emotions of horror, fear and lust.

Rush act of block-booking abolishers was braked this week at outset of Senate hearings on the customary Neely bill. Although sponsors claimed ored for speedy action, Interstate Commerce Subcommittee, chairmanned by Senator Ellison D. Smith, Democrat, of South Carolina, intends to afford foes ample chance to demonstrate reason for apprehension and expects advocates to point to prospective benefits.

Wrangle over proc iure featured initial session Monday (3) before large audience of reformers and palpitating stenos waiting to ogle Robert Montgomery. Charge of unfair tactics last year—when legislation sped through the upper chamber—was fired by Charles C. Pettijohn, general counsel of Motion Picture Producers and Exhibitors of America, with Senator Matthew M. Neely, West Virginia Democrat, complaining enemies want to talk legislation to death.

General committee attitude was reflected by Senator Smith, who said he does not want to take any step which will retard development of American films and confessed he shirked obligation last year by not paying more attention to the proposal. After Pettijohn recalled similar legislation on Congressional schedule constantly since 1928, Smith decreed full opportunity for both sides to tell their views, although Neely appealed to backers to limit their testimony.

Neely Charges Stalling Via Flock o' Witnesses

'The proponents would delay action by putting on a lot of witnesses,' Neely told colleagues. 'Nobody can logically contend the senate is not thoroughly informed on this question. There were only two opponents of the bill in the senate last year. For the proponents to consume time is to waste time. If those who were for it last year have changed their minds, they were not going to be influenced by new testimony. I'll take my chances on being able to pass this bill without any support from any witnesses. I merely want to get it on the calendar.'

To this, Hays organization strategist reminded Neely the industry asked for and was denied hearing last year. Only one of the many bills ever has been taken up at public hearings and the committee which listened to evidence shelved the proposal. 'We have listened to every time but once'—last year when it was slipped through the committee without warning and hustled through the se ate with less than a full day's debate. If industry spokesmen cannot convince legislators of the dangers in the proposal, 'we'll take our medicine and fold up and go out of business,' Hayser stated.

Idea of examining the bill thoroughly was backed by Senator Alben W. Barkley, Democratic leader, as Senator Wallace E. White, Jr., the Maine Democrat who made the only vigorous argument against it on the floor last spring. Barkley observed there have been many changes in Senate roster since last hearings were held in 1936 and commented few members are likely to go back and read old hearings. New testimony-taking is imperative, in his estimation.

Agitation for abolition of basic distribution methods is based on conditions from 1929 to 1935, he said. At present the industry is 'an entirely different business with a different group of customers.' Great interest—via production code authority and cooperation with religious and civic groups—cited as reason why legislation is unnecessary under existing conditions.

No Moral Problem, It's Merely a B.O. Proposish

No moral problem is involved in film conveyancy, MPPDA attorney contended. Selection of films is 'merely a boxoffice proposition' with exhibitors—who disagree about desirability of such legislation. Nothing in the bill will eradicate dual or triple billing, but measure would destroy the voluntary self-government which has lifted quality of cinema output in recent years.

With independent exhibitors on hand to support bill, Pettijohn said 'the industry group favoring rental of pix separately are theatre owners who 'want to buy retail at wholesale prices.' They are the sort who would take the cream on the top of the bottle, leaving the milk for competitors, he stated.

Denial that film producers maintain large and powerful lobby in Washington opened Pettijohn's attack. Also scoffed at idea the industry has barraged lawmakers with propaganda, but offered to flood committee with communications from individuals who haven't scanned the bill if members desire. Many advocates who have deluged Congress with appeals for enactment are misled and do not understand true situation, he added.

Passage of legislation would be playing into hands of foreign rivals,

(Continued on page 47)

Goetz Party, with 'Chips' Pic, Now on the Coast

Ben Goetz, head of Metro's British production, arrived from London last week with Mrs. Goetz, Mr. and Mrs. Sam Wood and Greer Garson, co-star of 'Goodbye Mr. Chips,' print of which he brought with him. All are now in Hollywood where Goetz will confer with Metro studio heads on English productions for '39-40.

He has nothing set on this program, but stories on 'Busman's Honeymoon,' 'Ruined City,' remake of 'Journey's End' and 'National Velvet' are in preparation. Producer will also take up question of an English film laboratory, which was to have been constructed last year in cooperation with other American producers.

British GN Chiefs Due in N. Y. For Needed Product

Jeffrey Bernerd and Maurice J. Wilson, joint managing directors of Grand National Films, Ltd., of England, are due to arrive in New York tomorrow (Thursday) for conferences with E. W. Hammons, GN president. In view of reported unsettled GN product conditions, the British distributors are anxious to learn what product they can expect for the balance of this season.

It is not unlikely that Bernerd and Wilson will seek to close other product deals while in this country to make up the GN deficiencies. While Wilson is a rep of British financiers, it is understood the British GN did not put up any coin for Hammons' American requirements, but went along on a picture-to-picture proposition, which called for payment on receipt of prints in England.

Also Producing

London, March 28.

Jeffrey Bernerd and Maurice J. Wilson will also line up Hollywood names for a string of films they intend to produce shortly. Foremost is Dr. A. J. Cronin's bestseller, 'The Stars Look Down,' which was originally bought by Max Schach, of Capitol Films, then became the property of Grafton Films, a subsidiary of CP. Leading will be played by Michael Redgrave and Margaret Lockwood, who returns from Hollywood, with Carol Reed directing.

Then there is 'Newmarket Heath,' to be made in color, in which Frances Day may be starred. Film dealing with the life of Leslie Sourt, the composer, is another, for which Roland Young is sought for the title role. Also skedded are a remake of Eric Von Stroheim's 'Alibi,' from the French, which Stroheim is to direct, and 'Return of Markover,' in which Will Hay will star, with Billy Benet in support. Latter is part of contract just closed with Hay for three pictures.

WEISMAN FILES FINAL FOX THEATRES REPORT

Milton C. Weisman, receiver of Fox Theatres, filed a final report on the corporation's assets in N. Y. federal court yesterday (Tues.) and asked that the assets be turned over to Kenneth P. Steinreich and himself as trustees, appointed by Judge Martin T. Manton on Feb. 6.

Among the assets listed is $119,415 in cash. Claims totaling $38,400,000 were disposed of by the court for $8,100,350. The only claims still unsettled are those of William Fox for $7,186,627 and Alfred E. Fiegel, whose $248,047 claim was disallowed by the court, but who is appealing.

The report ran 734 pages.

Other News of Interest to Films

Australian film tops form council.....Page 13
Flicks on foreign biz.....Page 13
Odeon-WB product talks.....Page 13
Quota hike vetoed in England.....Page 13
Yanks win point in France on duals.....Page 13
Ben Lytell's address.....Page 23
Radio receivers: Bebe Daniels-Ben Lyon, Paris-Londres, Lupe Velez, Merle Oberon, Claude Rains, 'Circle'.....Page 26
Metro-Robbins 2c disk ultimatum.....Page 39
McClintic may make 'Lynton' claim.....Page 49

Pecks of Georgia File Another Trust Suit Against the Majors

Atlanta, April 4.

John W. Peck, Sr., Mrs. Gertrude Peck and John W. Peck, Jr., of Monroe, Ga., last week filed suit in Federal court here against nine motion picture companies seeking an injunction to prevent alleged stifling of competition in the Milledgeville, Ga., area and asking an additional $14,440 in damages. They charged 'unlawful restraint and monopoly' in their efforts to get first-class product to show in theatres in Eatonton and Sparta, Ga.

Named as defendants are Paramount, RKO-Radio, Vitagraph, Inc., United Artists, 20th Century-Fox, Columbia, Universal and Republic.

Peck, Sr., and Mrs. Peck early in March filed suit for $285,000 damages in same court charging eight picture companies with violation of Clayton Anti-Trust Act in distribution of films. They claimed they were forced out of theatre biz in Sylacauga, Ala., and Dublin, Ga., because defendants (Par, RKO, Metro, Vitagraph, 20th-Fox, UA, U and Col) conspired and agreed among themselves not to sell, lease or license to them any first-class feature film. This, they charged, followed building of opposition houses in these two spots by Roy Martin, Georgia chain operator. A. C. Bromberg, described as a distributor for some of the film companies, was also listed as a defendant in this suit.

Distribs to Exam. Indie

Federal Judge Edward A. Conger, in N. Y., has granted the application by Eugene Levy, George Walsh, Netco Theatres Corp., Paramount, 20th Century-Fox, Joseph Lee, Big-U Film Exchange, Inc., RKO Radio and United Artists to examine David and Philip Sherry, of Miller & Sherry Enterprises, Inc., of Kingston, N. Y., before trial. This is in connection with a $225,000 Sherman anti-trust suit brought against them filed by Orange County Theatres, Inc., which charges they could not get product for their Strand, Newburgh, N. Y.

Similar application to examine the Columbus Trust Co., of Newburgh was denied.

The examination will concern the

(Continued on page 43)

FILM-RECORDED WILLS, NEW FRENCH IDEA

Paris, March 27.

A certain section of the French legal profession is mulling the terms for a law which would make it possible to record wills with films instead of parchments duly sworn and subscribed to.

Although movement for the enactment of such a law has just gotten under way it already has many adherents, especially following the report that a metal film container has been developed in the U.S. which makes it possible to conserve films for unlimited periods.

Backers of the project point out that such a process would have numerous advantages. First, they point out, that instead of the heirs attending the reading of a will they would attend the 'showing' of a will.

Hays Staying in N. Y. Until About April 15

Although the annual session and quarterly directors' meeting is out of the way, Will Hays, head of Motion Picture Producers & Distributors of America, will remain in New York to be in touch with developments along the legislative front for about two weeks more. Final session of the directors' meeting was concluded Wednesday (29) after preliminary huddle earlier in the week.

Hays now contemplates going to the Coast about April 15.

PAR SIGNS HOWARD'S PIC

Difficulties over distribution of William K. Howard's indie 'Blockade' seemed having been settled, Paramount will release the film on April 21.

Howard is now on the Coast arranging a preview of the picture there.

N. Y. to L. A.

Neil F. Agnew.
Barney Balaban.
Robert Benchley.
Jack Benny.
Joe Bernhard.
Thomas V. Bodkin.
Helen Carew.
Thomas Coley.
Joan Crawford.
Greer Garson.
Hank Garson.
Robert M. Gillham.
Don Goetz.
Martin Gosch.
Stanton L. Griffis.
Alfred Hitchcock.
Mann Holiner.
Laurence Irving.
Dorothy Lamour.
Al Lewis.
Doro Merande.
Jack Mills.
Gabriel Pascal.
Roy Rickard.
Martha Scott.
Nate B. Spingold.
William Wadsworth.
Sam Wood.

L. A. to N. Y.

Jack Dolan.
Alice Faye.
Judy Garland.
Clifford Goldsmith.
Alan Hale.
Lillian Hellman.
James Hogan.
Joe Penner.
Vincent Price.
Irving Rapper.
Charles Ruggles.
Leon G. Turrou.

SAILINGS

April 14 (London to New York) Adolph Zukor (Queen Mary).

April 12 (Vancouver to Melbourne) Alex Hanlon, Alter Gerber, Salici Puppets, Ross and Edwards, Carr Bros. and Betty, Bozo Snyder, Loretta Grey, Murray Green and Elsa Lang, Jack Buckle, June and Trudell Van (Niagara).

April 12(Paris to New York) Jean Sablon (Ile de France).

April 7 (New York to London) James Roosevelt (Queen Mary).

April 1 (New York to Paris) Merle Oberon, Paul Draper, Jacques Rubinstein, Robert Florey, Mr. and Mrs. Sam Eckman, Jr., Mr. and Mrs. Edward Petry, Mr. and Mrs. Edmond Johnstone, Yvette Mercier-Gouin (Normandie).

April 1 (Los Angeles to Sydney) Stanley Bros., Senator Murphy, Four Franks, Carl and Leone, Mignon, Sammy Cohen (Monterey).

April 1. (New York to London) R. H. Bruce Lockhart, Mr. and Mrs. Richard Tauber (Aquitania).

April 1 (London to New York) George M. Cohan, Marie Burke (Queen Mary).

ARRIVALS

Gabriel Pascal, Greer Garson, Mr. and Mrs. Max Factor, Mrs. Erno Rapee, Mrs. Lucie Lillie, Sir Robert Peel, Mrs. Raymond Massey, Herbert Wilcox, John W. Hicks, Ben Goetz, Jeffrey Bernerd, Maurice Wilson, Mr. and Mrs. Sam Wood, Henri Bernstein.

2D TRADE PRACTICE DRAFT

PIX SHOULD ADOPT CODE

By John C. Flinn

(Formerly Executive Secretary of the NRA Motion Picture Code Authority)

With release for publication this week of the revised Trade Practice Code, copies of which are in the hands of all distributors and officers of exhibitor organizations that participated in the preliminary conferences, the film industry has demonstrated its ability to work out harmoniously a plan to solve its most difficult problem.

That problem is to provide fair and just arbitration machinery for settling trade disputes and controversies arising between distributor sellers and exhibitor buyers. In finding a satisfactory solution the industry automatically removes a most serious internal deterrent to progress. Practical handling of questions involving trade relations will replace delayed, legalistic procedure. Exhibition will be stabilized. Theatre operators will feel encouraged to solidify their holdings and improve exhibition structure. Hope of progress will dispel current uncertainties.

Close study of the revised draft governing trade practices and the arbitration setup (which is made a part of the instrument) results in the conviction that an excellent job has been done by the respective distributor and exhibitor negotiating committees. There remain some minor additions to be worked out and clarified, but on the whole the draft marks a long and firm step forward in trade relations.

By working from within, co-ordinating and cementing trade interests, which for years have held diverse and conflicting views on the conduct of film affairs, the proponents of the plan have succeeded in creating an instrument which, if not entirely perfect in every respect, is by far the fairest and most intelligently devised that has been offered since the termination of the NRA fair-practice code.

In the four years which have elapsed since the NRA blue eagle flew out the window, the film industry has been afflicted with numerous anti-trust suits, legislative attacks and threats, and civil actions. In the absence of any trade machinery to dispose of the simplest kinds of complaints and differences, the trade has followed the course of least resistance. Congressmen and the Department of Justice have been besieged with squawks and hollers that never should have gotten outside a branch manager's office.

Major companies have been unwilling to sit down and discuss with exhibitors mutual problems in the face of anti-trust laws and the administration's policy towards monopolistic industries.

There never has been greater need for some industry agency to handle disputes in an understanding, prompt and fair manner. The very nature of the film business in the daily transactions between exchanges and theatres brings to the surface for constant adjustment new questions involving fundamental principles of operation. During the 18 months of NRA supervision there were 2,431 individual complaints filed and examined before local adjustment boards, of which 536 cases subsequently were passed upon by the review board. Such figures show the need for a trade practice setup.

For the film industry to delay adoption of the new code on the theory that the Department of Justice might disagree with the program is to invite rather than evade further Government interference. With a code in operation, with fair and speedy administration and with overwhelming support from within the industry, the business is equipped to ask for and win public support in its favor.

Looking sound intra-industry relations, the industry continues to be the easy mark for reformers, self-seekers, and well-intentioned but uninformed self-appointed administrators.

Job of converting entertainment into boxoffice cash is the work of trained showmen. In many respects the rules of general business do not apply in the show world. Therefore it is important the trade should handle its own problems in its own way. But they must be handled skillfully and honestly.

In a time of world economic uncertainty, at a moment when the film industry, an American institution, may be required to use the full force of its propaganda power in the interests of this country's position in international affairs—in such a time a strong, virile industry must be established and maintained.

First step to a greater responsibility is the proof of ability to self-administer the industry problems.

The course is clear. The Trade Practice Code should be made effective as soon as possible.

9 EXHIB GROUPS NOW CONSIDERING

Dept. of Justice Also Gets Copy for Official Approval—Contains More Detailed Proposals Than in First Draft—Some Additions

RETROACTIVE TO JAN. 1

A revised trade practices agreement, embodying a basis for arbitration, was completed during the past week and is in the hands of nine exhibitor organizations for their consideration. The proposals of major distributors, excepting United Artists, contain several important additional provisions than were in the first draft.

The procedure of the nine exhib bodies will be to turn over copies of the trade practices pact to members of their boards, with supplemental consideration by exhibitors who are booked up with the various organizations.

9 Exhib Groups Get Draft

The first draft was sent to 10 organizations, whereas the revamped proposals were sent to nine. These include, as before the Motion Picture Theatre Owners of America and Allied States Assn., national bodies; and MPTO of Kentucky, MPTO of Virginia, ITO of Southern California and Arizona, ITOA, New York; Theatre Owners & Mgrs. of Rocky Mountain Region and Allied Independent Theatre Owners of Iowa & Nebraska. While the first draft was sent to the West Virginia Mgrs. Assn. and the Allied Theatres of Oregon, these organizations were not included in the new list of nine. A local exhib organization not getting the first but on the list for the second draft is the Intermountain Theatres Assn. of Utah. No explanation is made for the switches.

A letter from William F. Rodgers for the distributor committee accompanied printed copies of the trade

(Continued on page 10)

COURT FINALLY OK'S RKO REORG

Federal Judge William Bondy on Monday (3) confirmed the RKO plan of reorganization and approved the board of directors.

The court tossed out the argument submitted by Florence J. Sullivan, attorney for James Young, who was suing for $14,500 legal fees, on the settlement of Young's claim against RKO. She claimed violation of Amendment 5 of the constitution in that the plan deprived her of rights because it made no provision for her.

Judge Bondy's approval brings the RKO case nearer to final conclusion, but attorneys familiar with the reorganization predict a long wait before actual consummation. It is believed that Governmental investigations may take place on the charge of violation of anti-trust laws by having representatives of Atlas on both the RKO and Paramount boards.

UA Conv., L. A., May 8-10

United Artists sales convention will be held in Los Angeles May 8-10 at the Ambassador hotel. Every home office and sales executive as well as all producers and partners will attend.

• Mary Pickford will act as host to delegates on their arrival in L.A. on May 7.

UA Atty. Chides Goldwyn's 'Sulking'; Co. Emphasizes He's Tied Up 'Til '45

H'wood Diplomacy

Hollywood, April 4.

Replacement of George Seitz by W. S. Van Dyke as director of 'Andy Hardy Gets Spring Fever' is explained by Metro insiders as a matter of diplomacy. Seitz has been highly successful with the Hardy series, but Van Dyke is a smoother diplomat.

It appears one of the cast has grown so big that he has to be handled with kid gloves.

United Artists intends to resist any moves by Samuel Goldwyn not to live up to obligations of his producing-distributing contract which has until Sept. 2, 1945, to run. In a statement issued on Monday (3), Charles C. Schwartz, counsel for UA, answered in no uncertain terms reports from Goldwyn spokesmen that 'Goldwyn would not be left at the post' and that he was paving the way for new releasing deals if and when he parts company with UA.

'Since the failure of Goldwyn's attempt to secure voting control by having himself designated as sole voting trustee under a voting trust demanded by him,' said Schwartz, 'he has been sulking. He reminds us of a schoolboy who has been chastised and who avenges himself by making faces.

'Goldwyn and his company entered in a contract with United Artists for exclusive distribution of all his pictures, which contract does not expire until Sept. 2, 1945. This company has lived up to the spirit and letter of this contract and expects Mr. Goldwyn to do likewise for the full balance of its term. Any attempt on his part to arrange for distribution of his future pictures, in violation of his contract, will be most seriously and vigorously resisted.'

Trade Practice Agreement

Murray Silverstone on Monday (3) also attempted to clear up misinterpretation of United Artists' position on the trade practice agreement just worked out. He stated that distributors understood all along that United Artists, because of the nature of its organization, with 11 individual producers now in the setup, each dictating its own selling policies and trade practices, made it impossible for UA, as an entity, to become a party to any broad general agreement with exhibitors.

'The company is highly individualistic,' he said, 'and the trade understands our position.' Nevertheless, many of the points covered in the proposed trade pact actually have been in operation since inception of the company and today are still part of the producers' sales policy.'

Company's Future

Silverstone spoke of the strong position United Artist has achieved to date, mentioning the alignment of

(Continued on page 10)

'WUTHERING' IN MIDDLE OF M.H., RIVOLI ROW

Switch in the New York premiere of Samuel Goldwyn's production, 'Wuthering Heights,' from Radio City Music Hall to the Rivoli has raised a bit of a row. According to UA sales department and James A. Mulvey, Goldwyn's eastern representative, they had to pull the picture away from the Hall because it could not play on one of two promised dates, either April 13 or 20. Picture now opens at the Rivoli April 14.

UA claims the Hall was willing to play the picture on April 27 or May 4, which Goldwyn was unwilling to do, inasmuch as its advance selling campaign had been predicated on the 13th or 20th date.

Music Hall management so far refuses to comment on reports it would sue Goldwyn to enjoin picture from playing at the Rivoli, or that 'Wuthering Heights' was postponed because it had agreed to give playing time assigned to it to Warners' 'Dark Victory,' on the assumption Goldwyn would deliver it later on when wanted.

'Wuthering' may be the last picture Goldwyn will deliver to UA. While distributors have sold this production along with the two remaining pictures Goldwyn has in work at the present time, the Heifetz picture, 'Angels Making Music,' and a Gary Cooper production, 'The Real Glory,' the last two were sold to exhibitors on and as and if delivered basis.

According to James Roosevelt, Goldwyn v.p. who sails for England Friday (7), all signs point to a complete break between UA and Goldwyn, and the latter is casting about for other possible distribution arrangements for next year. He also stated that up to the time he left the Coast, no offers had been made by any UA partners to buy out Goldwyn's stock interests in UA.

Roosevelt also revealed that United Artists is not a party to the new standard trade practice agreement because UA board of directors had voted against joining the pact. Seems it proved virtually impossible to reconcile all UA producers on a concerted stand.

Boxall as Korda's G.M.

London, April 4.

Alexander Korda has aimed Harold Boxall to assume general managership of Korda Productions, Ltd. Deal was concluded by arrangement with MGM British studios, for whom Boxall had been acting in similar capacity.

Boxall's new alignment tops 20 years of film industry experience.

Par Execs on Coast Will Set 1939-40 Pix Lineup, Sales Plans

Lineup for 1939-40 for Paramount, on which no advance plans are tentatively set, and decision on a sales convention, will figure in discussions at the Coast studio in which Barney Balaban, Stanton L. Griffis, Neil Agnew and Bob Gillham, all of whom leave tomorrow (Thurs.) or Friday for the west, will figure.

Balaban-Griffis-Agnew trio will go by train, while Gillham flies from New York to Kansas City for stopover to confer with Cliff Lewis, from the studio, who is there on 'Union Pacific' campaign plans.

Par may hold a national sales convention in New York, thus affording its sales forces a chance to see the World's Fair. It will probably be the end of May or early June.

6 OF LASKY'S RADIO TYROS SIGNED BY RKO

Hollywood, April 4.

Six novices rounded up by Jesse L. Lasky via his 'Gateway to Hollywood' radio contest, have been signed by RKO-Radio Pictures. Finalists in the contest, Ralph Bowman and Rowena Cook, are cast in leads of company's forthcoming film, 'Career,' and have been renamed John Archer and Alice Eden, per original stipulation.

Impetus given talent scouting by the Lasky air show has resulted in a feverish search for new faces after a long economy spell during which tests were eliminated and attempts to secure new players were at a standstill. Studio now has made an appropriation for talent scouts to dragnet the country.

Lugosi's British Pic

Bela Lugosi, due in London this week for a vacation, is set to appear in 'Dark Eyes of London,' British production.

Lugosi will do 'The Shadow Creeps' when he returns from Europe, with Universal releasing

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

SUBSCRIPTION
Annual ..... $10 Foreign $11
Single Copies ..... 25 Cents

Vol. 134 No. 4

INDEX

Bills 46-47
Burlesque 42
Chatter 53
Dance Bands 38-40
15 Years Ago 43
Film Booking Chart 17
Film Reviews 15
Film Showmanship 8
Forum 55
House Reviews 44-45
Inside—Legit 46
Inside—Music 40
Inside—Orchestras 40
International News 13
Legitimate 48-51
Literati 52
Music 38-40
New Acts 45
Night Clubs 41-43
Obituary 54
Outdoors 55
Pictures 2-22
Radio 23-37
Radio Reviews 28
Radio—International 37
Unit Review 45
Vaudevilla 41-43

N. Y. HEARS THAT DEPT. OF JUSTICE MAY RULE 306 STRIKE CALL ILLEGAL

Atty.-General's Office Stepped In—If Findings of Illegality Are Upheld, Washington Would Order Strike Called Off—Film Execs' Capital Visit

By ROY CHARTER

A report on the findings of a Federal investigation in New York into the strike of Local 306, Moving Picture Machine Operators, following questioning of union officials, distributors and theatre operators, was forwarded to Washington yesterday (Tues.). Probe was hurriedly instituted last week to determine whether the strike of operators, carrying with it a walkout of exchange workers, was illegal and in violation of anti-trust laws. Reports in film circles are that official Federal opinion is that violation exists.

The Norris-LaGuardia act was taken into consideration for the purpose of determining whether wages and hours were concerned in the strike. General opinion is they weren't.

Immediate study and consideration of the opinions resulting from the Federal inquiry at N. Y. is expected from the Department of Justice and may mean an end of the strike on grounds of illegality. Should the Dept. of Justice determine that violation of the anti-trust laws exist, the procedure would be to forward a formal request to the unions to return their men to work at once. Failure to heed any such request, in that event, would no doubt result in a Federal order to compel it, but whether or not any delays, pending action by Washington, might result in continuance of the strike, cannot be said.

Report of the N. Y. findings, arrived at after only a few days of examination of principals involved, may be made public from Washington this week.

Investigation in New York was undertaken by Federal Attorney McGovern there, together with Berkley W. Henderson, who is special assistant to Attorney-General Frank Murphy in N. Y., and Joseph E. Brill, assistant attorney-general attached to the anti-trust division in Washington. This investigation was completed following questioning Monday (3) of former Judge Matthew M. Levy, special counsel for Local 306.

Federal steps followed visit to Washington last week of Nicholas M. Schenck, president of Loew's; George J. Schaefer, RKO president and Col. William J. Donovan, counsel for Irving Trust, receivers in the RKO 77-B reorganization.

With intervention of Federal authorities, State Mediation Board participation, Washington cognizance, ability of film exchanges to keep film rolling and a general strong stand by the distributors adding up as factors that may incline the unions toward a compromise of the strike against distribs, the outlook is equally as strong that the IATSE might carry its strike campaign for afield if not stopped by the government. Against a guess that the unions might backtrack, the guess in film circles is also that they have a tiger by the tail and can't let go now.'

Aside from what develops in the direction of mediation by state agencies in meetings under the supervision of Jules J. Freund, and as a result of the investigation ordered by the U. S. Attorney General's office, the second week of the union offensive remains a threatening matter and has virtually all branches of operation in a jumpy state. This condition of tensity prevails not only among film people, but also in union circles, with the next steps in both camps something to anticipate dubiously on an hourly basis.

The greatest apprehension felt, in the event the present strike isn't curbed by Federal or other authority, concerns the possibility of a widespread walkout, not only in the New York zone, but nationally. It is contended in some circles that the IATSE ambitions for unionization is nationwide and entails not only the booths—and stage—of theatres, but everyone employed in them, from ceiling to cellar.

Moves that have not gained appreciable headway in the unionization of everyone from house managers to charwomen were instituted two years ago. Assistant managers, treasurers, cashiers, ticket takers, doormen, ushers, porters, advertising men, cleaners and others are included in this category.

In the van of any such ultimate nationwide campaign by the IA, it is feared, may be a complete mobilization of American Federation of Labor talent, more particularly IA members, in the film field in Greater New York. The presumption is that because of the use of persons in exchanges who are not members of the Film Exchange local, 51-B, a strike-breaking condition would be considered to exist. Probable action, if taken, would be the picketing of theatres playing film coming from such exchanges, with result the operators and stagehands, in accordance with union regulations, could not cross the picket lines. When the operators picketed the exchanges this was the technique employed to take the exchange workers out of the film business.

Should the members of 51-B picket the theatres, several unions would be stopped by the picket lines. These would include, in addition to operators and stagehands, the musicians (where employed), plus building service workers (porters, cleaners, etc.) and engineers.

Lab workers, Local 702; Studio Mechanics, Local 54, and the Cameramen's Union, Local 644, if not involved through picket lines, might vote to go out in sympathy, the method employed in union strikes involving a brother craft. Locals 54 and 644 are both in the newsreel plants, however.

Far News a Target

The Lab Workers, singling out Paramount News last Thursday (30), refused to cross a picket line thrown in front of that plant, but, after officials of 702 were summoned to Washington by Thurman Arnold, they were back servicing Par within 24 hours. Picketing was withdrawal of 306 operators from in front of the Par newsreel and lab over near the Hudson river. Other labs have not been molested, largest Consolidated being in New Jersey, and so far there has been do difficulty in getting prints through, including for major distribs, newsreel and film companies. National Screen, largest of the trailer outfits, does not employ union exchange workers, and mails much of its film rather than ship it.

Warner Bros. and 20th-Fox are the largest printers of film in the east, while some companies, such as Metro, have most of their lab work done on the Coast. It is agreed in major circles that if lab problems should develop apart from any general walkout in theatres or elsewhere, all printing could be quickly ordered from the Coast.

Although some exhibitor accounts have been picking up business, and as early as possible for protection, using their own cars or cabs for transportation, delivery service has not been seriously menaced. Through one service, Horlacher Film Delivery, is refusing to cross picket lines.

Although film salesmen, bookers, cashiers and others in exchanges are developing blisters by doubling into 'backroom' duties, film is being moved satisfactorily. In spite of the difficulties and overtime being indulged, in none of the branches has there been a missout. Shows are being gotten out earlier than normal in many cases, as a matter of fact, due to uncertainties, and exhibitors are picking up their shows as much as four and five days in advance.

New film coming in is being remounted and prepared for use without any serious hitches. Film salesmen and others jumping in to handle this and other backroom work are being put up in nearby downtown hotels provided by the distributors. They are also being paid for the overtime they work.

Inspection Again

While last week all exchanges were not undertaking inspection of film, except to open cans returning from playdates to see if they still looked in condition from casual investigation, on Monday (3) Paramount and 20th-Fox began to inspect and rewind film. Pending this action, inspection had been left to accounts, with film also picked up by one exhibitor from another without a trip back to the exchange.

Help, mostly persons who had formerly worked for the exchanges as inspectors and rewinders, was put on

(Continued on page 17)

Strike Becalms 'Em

A sidelight on the strike is the calm around exchanges concerning complaints from exhibitors, demands for adjustments, etc.

'Things have never been so quiet in that respect in years,' the boys report.

$191,865 Legal Fees In Loew Stockholder Suit; Ellis $64,025

Granting awards in legal fees totaling $191,865, N. Y. Supreme Court Justice Louis A. Valen'e on Monday (3) decided the fees to be granted attorneys prosecuting the stockholders' action against Loew's, Inc., its officers and directors, which resulted in a return of $542,000 to Loew's by the five principal directors.

Emil K. Ellis, who headed the list of attorneys, received $64,025; Abraham L. Pomerantz received $20,000; Pollock & Nemerov received $28,500; Bijur & Hertz received $17,079; Garey & Garey received $11,886; Milton I. Milvy received $6,000; Maurice Rose received $7,000; Menden & Mann received $7,375, and Bernard J. Reis, accountant, was awarded $30,000. No decision has been reached yet on an appeal.

The suing stockholders technically can receive nothing for their efforts except a share in the dividends on the balance of the $542,000 after the attorneys' fees are deducted. The difference will be added to the treasury of the corporation at the end of the year and a dividend declared thereon.

Loew's board of directors is scheduled to meet today (Wednesday) with action on the preferred dividend the principal piece of business. Probable that common divvy action will not be taken until the next session in May. Common dividend of 50 cents already has been paid this year.

WILCOX IN U. S. TO LINE UP RKO TALENT

Herbert Wilcox, of Imperadio Productions, arrived from London last week on a quick trip to New York to arrange agreements for production of his first Imperadio picture, starring Anna Neagle, based on the life of nurse Edith Cavell. Michael Hogan, English scenarist, arrived with Wilcox.

Imperadio will do four pictures annually, RKO and Wilcox splitting the financing. Second picture this year will be 'Lord Kitchener,' for which Wilcox will also try to line up several RKO people while here. Miss Neagle is coming from England around May 1. He returns to London the end of this week.

Studio Contracts

Hollywood, April 4.

RKO renewed Lee Tracy's pact for two more pictures.

Jack Mulhall inked ticket at Metro.

Irma Wilsen's player option picked up by 20th-Fox.

Warners renewed Jo Graham's ticket as dialog director.

Columbia signed Ed Kelso, writer.

Alan Hale inked a Warner contract.

Republic handed player ticket to June Storey.

Paramount handed actor deal to Albert Dekker.

Michael Curtiz renewed as director at Warners.

Perc Westmore signed again as head of Warners makeup department.

Warners re-inked Olivia de Havilland.

20th-Fox lifted player options of Beulah Bondi and Arleen Whelan.

Noel Langley signed to one-year writer pact at Metro.

Revised Code's New Provisions

Revised code of trade practices, which was forwarded by distributors to exhibitor associations this week, contains some important provisions which have been added since the first draft was submitted last November. Current document which bears the date of March 30 is the second authentic presentation of distributor proposals.

Memorandum is divided into 16 different headings, with the important additional prospectus of the creation and working operation of arbitration machinery. In all, the code requires 17 pages of printed matter.

In the preamble it is stated that the signatories to the code, being distributors, exhibitors and organized groups of exhibitors of motion pictures, severally bind themselves to 'the observance of the principles, policies and practices set forth' in the draft.

Following are the salient points in the code:

1. **Exclusion privilege.** After reaffirming the schedule of cancellations of feature films as previously outlined (20% of films licensed for less than $100 each; 15% when the average is $100 to $250, and 10% for all averages in excess of $250) the code thereafter sets forth the manner of determining the specific number of features that may be cancelled when fractions of numbers occur. It also is explained the manner in which previous season prices shall be averaged when an exhibitor is playing part or all of his films on percentage of the boxoffice receipts.

Western pictures, reissues and foreign language films produced outside the United States and imported for exhibition in this country are excluded from the cancellation privileges.

Method by which an exhibitor may exercise his exclusion privileges (cancellation) are subject to specific terms and conditions, as follows:

'(a) a first run exhibitor shall give the distributor written notice with respect to each feature he elects to exclude within 14 days after the mailing by distributor of the first notice of availability thereof; any other exhibitor shall give such notice within 14 days after the close of the first exhibition of such feature in the city or town in which his theatre is located or the mailing of the notice of availability thereof, whichever is later, provided that if such feature is not exhibited on a prior run in such city or town and notice of availability shall have been previously mailed to such exhibitor, the distributor shall give such exhibitor a new notice of availability thereof and notice of exhibitor's election to exclude such feature shall be given within 14 days after the mailing of such new notice;

'(b) the exhibitor shall not, at the time of giving such written notice, be in material default under the license agreement;

'(c) exclusions shall be made according to the several price brackets provided for in the license agreement; but any number of exclusions to which an exhibitor is entitled may be made from the lowest price bracket;

'(d) if any exhibitor, having the right to do so, fails to exclude one or more features from higher brackets, he shall, for each such feature, have the right to exclude one feature from the lowest bracket; provided, however, that if at the time there are no unplayed available features in the lowest bracket, he may exclude a feature from the next lowest bracket.

'Upon the exclusion of any feature under this Section (1), the license therefor shall terminate and all rights thereto shall revert to the distributor and such exclusion shall be charged against the number of exclusions to which the exhibitor may be entitled, whether or not a new license agreement for the exhibition of such feature is subsequently entered into by such exhibitor.

'All disputes arising from the exercise or attempted exercise by an exhibitor of the exclusion privilege provided for in this Section (1) shall be subject to arbitration.'

In addition to the above exclusion privilege the exhibitor is given the further right of cancellation of any feature 'which may be locally offensive on moral, religious or racial grounds' provided he shall give the distributor written notice within 14 days after the conclusion of the first run exhibition date of the feature in the exchange territory.

2. **Trade Announcement.** It is provided that each distributor shall make a trade announcement at or prior to the beginning of each of its seasons (Sept. 1) containing such information as it may be practicable to announce at that time with respect to the number of films to be released.

3. **Block Booking Permitted for Exceptional Features.** This is one of the intricate provisions of the proposed code and deals with the licensing of a smaller number of films than the distributor's entire season's output. It is the intention to provide for licensing of outstanding popular product without compelling the purchase of inferior product that the exhibitor is incapable of absorbing because of previous commitments with other companies. The provision concludes:

'An exhibitor who has been a customer of a distributor and who has refused to contract for such distributor's features for the situation involved shall have no right to attempt to use this Article to compel such distributor to license to him from time to time its outstanding features.

'Any dispute as to whether such requested feature is an "Exceptional Feature" as above described or as to the number of features which it can reasonably be required by exhibitor in the situation or as to whether exhibitor is so attempting to use this Article, shall be submitted to arbitration by exhibitor within 14 days after the refusal by distributor to license to exhibitor the number of features requested by the exhibitor.'

4. **Preferred Playing Time.** This section treats of designation of playdates, one of the most debatable subjects between the two. Specifically, the distributor shall not designate any play-date for any flat rental films, but shall have the right to designate perferred playing time for percentage bookings under the following terms and conditions:

'If a distributor shall exercise the right to designate features for preferred playing time which it may have under a license agreement with respect to any feature licensed solely on a percentage basis, which is claimed to be unsuitable for such playing time and if exhibitor shall give distributor written notice of his objections thereto and the reasons therefor within seven days after the mailing of such notice of designation in case of a first run in a city in which an exchange is located or in any other case within seven days after the close of its first exhibition in the exchange city from which exhibitor is served or the mailing of the notice of designation, whichever is later, the question of such suitability shall be determined by agreement between distributor and exhibitor or, lacking such agreement, by arbitration. Unless distributor rejects the claim of exhibitor by mailing notice to exhibitor within seven days after the mailing by exhibitor of such notice of objections as above provided, distributor shall be deemed to have withdrawn such designation. If distributor, however, reject such claim, exhibitor shall commence arbitration proceedings to determine the dispute within seven days after the mailing of such notice of rejection.

'If the feature is determined, by agreement or arbitration, to be unsuitable for the designated preferred playing time, or the designation thereof be disallowed as above provided, distributor may, at its option, either (a) designate the feature to be exhibited upon the same license terms on other days of the week or (b) then or thereafter substitute another feature to be exhibited on preferred playing time upon the terms designated for the feature objected to; in the latter case the license fee for the feature originally designated shall be such as may be designated by the distributor within its right under the license agreement.'

5. **Some Run Available.** This clause provides arbitration machinery to settle differences between distributors and exhibitors of subsequent runs when the distributor already has licensed product to a first run and seeks to protect first run film rental revenue by exclusive contracts.

6. **Regular Customer.** As this division treats with independently operated theatres in competition with circuit owned houses, it is given in full:

'To meet objections of certain exhibitors to so-called "selling away to a circuit," a distributor will not refuse to license its features to its regular customer, not a "circuit customer," in order to license them, for the same run in the same competitive

(Continued on page 19)

PIX MOVE FOR LABOR PEACE

Terms of Basic Film Royalty Pacts For Stage Plays Set by Dramatists

Terms of the basic motion picture royalty contract, applying to the sale of film rights to stage plays at the same time of the deal for the legit production, will be released late this week by the Dramatists Guild. Contract covers the third of the three ways of selling the screen rights to plays. Other methods are (1) the outright sale after legit production, and (2) a royalty deal after the legit production.

Minimum advance of $25,000 against royalties is provided in the new contract. Such royalties are subject to Guild approval and must be based on the film's gross receipts. In such a deal, if the stage play is not produced in accordance with the contract, the screen rights revert to the author and he has the option of repaying a portion of the advance to the film company.

It is stipulated that the run of the legit production may not be terminated unless proof is furnished the Guild that continued operation would involve a loss to the manager or is impossible for some other reason. If the producer insists on closing the show the author may take over operation. In case the film company goes bankrupt or fails to release the picture within two years, all its rights to the play revert to the author. No film purchaser may transfer the rights to another company not signatory to the new minimum basic contract.

The film producer must furnish complete, itemized accounts and permit the author or the Guild's negotiator access to its books for inspection or audit and must bear the expense of proof if the accounts are questioned. The author's share of the gross must be held in trust for him, segregated from the film company's other funds.

Contract, which runs until Jan. 1, 1940, provides for arbitration of disputes or conflicting claims and permits waivers or modifications by the Guild council if special circumstances warrant.

Although provision for the minimum basic royalty contract was contained in the Guild's two-year-old minimum basic legit production contract, no actual documents had ever been drawn up until the deal was consummated for the production and film sale of Philip Barry's 'The Philadelphia Story.' Contracts with the Theatre Guild for the legit production and with Katharine Hepburn for the screen rights were signed simultaneously. It is the only deal for film rights consummated at the same time as the legit production contract.

RIPLEY'S FILM FIRES, BUT HE CURBS PANIC

Battle Creek, Mich., April 4.

Fire destroyed several hundred feet of Robert L. Ripley's 'Believe-It-Or-Not' cartoons here last week and perited about 2,000 persons present in Kellogg auditorium to hear Ripley's lecture.

Films were being projected, apparently from a faulty set, when the machine burst into flames and shot fire 10 feet high. Spectators nearly panicked rushing to exits, but Ripley finally calmed them and resumed his lecture after 15 minutes' delay.

Crosby, Hope, Lamour In 'Road to Mandalay'

Hollywood, April 4.

Bing Crosby, Dorothy Lamour and Bob Hope are the stellar trio in 'Road to Mandalay,' which Harlan Thompson will produce at Paramount.

Shooting starts when Crosby finishes 'The Star Maker.'

How So Unlike Calif.

Hollywood, April 4.

Held up by fog for nine days, Republic finally found enough California sun to finish two westerns.

William Berke washed up 'Three Texas Steers' at the Corrigan Ranch and B. Reeves Eason completed the Gene Autry starrer, Blue Montana Sky,' at Agoura Ranch. Delays cost several thousand dollars.

Jack Benny Changes His Plea; Fined $10,000, Year-and-Day Suspended

Changing his plea from 'not guilty' on the smuggling charge against him, Jack Benny yesterday (Tues.) was fined $10,000 by Federal Judge Vincent L. Leibell in N. Y. and an additional sentence of a year and a day was suspended on condition the actor reports regularly to probation officers in Los Angeles. The comedian flies back to the Coast (Wed.) to resume radio and picture commitments. His next for Paramount is 'The New Yorker.'

Benny expressed regret at having become carelessly involved in the situation and said he had 'no guilty knowledge of crime.' Value of the gems purchased by Benny and smuggled into the U. S. was $2,131, on which approximately $700 in duty was payable.

DARRIEUX TIED UP TO HER PARIS MGR.

Paris, April 4.

Danielle Darrieux, French screen star who made only one picture in Hollywood for Universal, apparently will remain in France making productions for Gregor Rabinovitsch unless U enters into some compromise agreement with the French producer. Miss Darrieux told VARIETY that Article 10 of her contract with Universal expressly specifies that the performance thereof is automatically postponed as long as her contract with Rabinovitsch remains valid. She claims that this means 1943, unless a compromise is entered into by U with Rabinovitsch.

'Following the lawsuit which I had brought against Rabinovitsch,' Miss Darrieux said, 'at Universal's request, a decision was rendered stating that only the contract with the latter was valid and that I must work exclusively for him. Under the agreement which I have signed with Universal, said company had inserted a provision whereby I had to bring legal action against Mr. Gregor Rabinovitsch so as to obtain cancellation of the agreement which I had signed with him prior to signing with Universal.'

Miss Darrieux states that she is not under exclusive contract to Universal.

Universal's home office had no comment to offer whatsoever on the Danielle Darrieux situation.

U Testing Price

Hollywood, April 4.

Vincent Price, currently in 'Outward Bound' on Broadway, became a transcontinental air commuter for a screen test at Universal yesterday (Monday) and then hopped back to New York.

Test was for one of the male leads in 'Modern Cinderella,' Irene Dunne starrer to be produced and directed by John M. Stahl.

Gage Clark is in 'Outward Bound' at the Playhouse, N. Y., this week, replacing Vincent Price during the latter's absence on the Coast for a screen test.

PRODUCERS WAVE THE OLIVE BRANCH

Deals with Crafts Aim at Minimum Six-Hour Work Call for 12,000 IA Members—Upped Scales in Many Groups—Scribes Weigh Counter-Proposal

EXTRAS PURGE

Hollywood, April 4.

Drive by the producers to end long siege of studio labor strife has resulted in tentative deal with 900 editors, contract with Screen Directors Guild, partial agreement with American Society of Cinematographers, and understanding with technical workers that is expected to result in adoption of six-hour minimum work call. Present minimum for 12,000 members of International Alliance of Theatrical Stage Employees is three hours.

New pact calling for substantial wage increase for most of the members in Society of Motion Picture Film Editors is expected to be inked this week. Only a few minor wrinkles remain to be ironed out at conferences between Pat Casey, producer labor contact, and Ed Hannan, Society prexy.

Hours of editors are cut from 60 to 54 per week. Both editors and assistants will be paid straight for preview time away from studio, with credit for 'golden hours' (double time) if they have to return to the studio after preview and work more than 16 consecutive hours.

Film librarians are placed in classification of their own and will receive $1 hour. Scale formerly started at 62½c an hour, with only a few receiving as much as $1 per hour. Sound affects men also will be placed in separate classification to be known as re-recording editors. Their pay will be tilted from $1.10 hour to $70 week for 54 hours.

New wage scale for apprentices provides for 60c an hour for the first year, 70c the second year, and 80c the third year. Apprentices now receive 50c an hour regardless of how long they have been employed.

New scales for Society members will be retroactive to Oct. 24, when Wage-Hour bill became effective. Officials estimate workers will receive approximately $20,000 in penalty time or back pay.

Closed Shop If—

Producers have agreed to give American Society of Cinematographers a closed shop if it can be worked out without conflicting with International Photographers Local 659 of the International Alliance of Theatrical Stage Employees. Hal Mohr, president of Local 659, is also a member of the governing board of ASC. Situation may be complicated by petition Local 659 now has on file with the National Labor Relations Board asking to be certified as bargaining representative for all employees of camera department. Only other point in dispute is request of ASC for 12-hour lay off period between calls.

Demand for six-hour minimum work call for 12,000 members of IATSE was made by Jeff Kibre, leader of autonomy group in Technicians Local 37 at conference called by Dr. Towne Nylander, regional director of the National Labor Relations Board. Parley was attended by Mendel Sliberberg and Alfred Wright, representing the producers, John F. Cateles, Harold V. Smith and Frank Stickling, IA international representatives, and Kibre and his attorney, George Bodie.

Tentative agreement was reached for producers to recognize the duly elected bargaining representatives of members of Local 37 and to deal with them rather than international officers of the IATSE. It was also agreed that film executives would

(Continued on page 17)

Par Calls In an Additional $2,500,000 Bonds; Dumont Tele's Own Financing

Cabot, Ames' Tax Bites

Washington, April 4.

All but one-third of a $1,535 income tax bite against Bruce Cabot and Adrienne Ames, film stars, dropped last week by the Board of Tax Appeals.

Delinquency penalty of $512 against Cabot was upheld. Levies were on 1934 income.

Dorothy Lamour's Police Detail; Rec'd Extortion Letters

Dorothy Lamour is being put on the train today (Wed.) by detectives following receipt Monday (3) at the Paramount, N. Y., where she has completed two weeks of personal appearances, of an extortion letter demanding the Par star post several hundred dollars at a spot in a local bus terminal.

Writer of the note warned Miss Lamour that if she valued her life not to notify the police, but the N. Y. Par brought in cops immediately to investigate and detectives were assigned to stick by until she boarded the train for Hollywood.

McGUIRE LEAVES M-G AFTER 'ZIEGFELD' JOB

Hollywood, April 4.

After four years at Metro as scenarist and producer, William Anthony McGuire will leave the studio upon completion of script for his original screen play of 'Ziegfeld Girl.'

Mervyn LeRoy, under whose supervision McGuire was to have produced the film, will assume active production of 'Girl.'

Gable 'Alaska' Next After 'Wnid' Abates

Hollywood, April 4.

Clark Gable goes into 'Alaska' at Metro shortly after he completes 'Gone With the Wind' at Selznick International. Plays role of a priest in the novel by Addison Marshall.

Robert Hopkins and Anita Loos are screenplaying.

Betty Field Recovered

Hollywood, April 4.

Betty Field, Broadway ingenue currently making 'What a Life' for Paramount, has returned to the studio after several days' layoff due to laryngitis. It had been erroneously reported that she was seriously ill with pneumonia.

Actress is tentatively set for a second picture for Paramount and is being sought by Metro on loan. Contract calls for her to be back in New York Aug. 1. She was in George Abbott's original legit production of 'What a Life,' subsequently leaving the show to go into the same producer's 'Primrose Path.' She left the latter play to take the Paramount offer. Mary Mason replaced her in 'Primrose.'

Capra Tees Off 'Smith'

Hollywood, April 4.

Frank Capra's 'Mr. Smith Goes to Washington' finally got under way at Columbia on Monday (3). Considerable rewriting was necessitated by objections from Boy Scout organizations which squawked at the manner in which James Stewart, playing the lead, was depicted as a tool of unscrupulous politicians.

Capra put in a week at Malibu on the rewrite.

Calling in of an additional $2,500,000 worth of bonds in the past week by Paramount means that Par now has taken approximately $7,500,000 worth of liens from the market since the first of the year. Bank loans have covered part of the obligations called, thereby saving 2-3½% interest annually on the total amount. A portion of the total was taken care of from the company funds outright.

All of recent moves to take care of outstanding bond obligations are part of Par's program to strengthen its financial position.

Allen B. Dumont Laboratories registration of two classes of stock with the Securities & Exchange Commission last week indicates to Wall Street that Paramount will participate but little in any additional financing for Dumont in connection with its television project outside of about $75,000 already put into the research. Instead, Par is understood to have decided that this should be handled by banking interests.

New Dumont Labs registration covers $750,000 in 10-year 5% notes, warrants for 9,375 shares Class A stock and 39,375 shares of Class B stock. Notes will be convertible into stock at 65 a share, and will be offered holders of Class A and B stock. Lehman Bros. and another banking house will underwrite.

Even though not advancing any additional coin at the present, Paramount still holds an option to buy stock.

$307,000 Suit by H-W Circus Head Against U Over W.C. Fields Pic

Harry Y. Bary, general manager of the Hagenbeck-Wallace Circus, has filed a $307,000 action in the N.Y. Federal court against Universal Pictures, Lester Cowan, W. C. Fields, Al Wagner and Ann Dempster, doing business as the Al Wagner Theatrical Agency on four causes of action. The first charges plagiarism of his story, 'A Circus Episode' in the Universal film 'You Can't Cheat an Honest Man.'

The second states that Bary had under contract, one Alvarmo Pietro Blacaman, who has an animal act. The plaintiff alleges that he was approached by Cowan and Fields to use this act in their U Picture. He agreed but the defendants through Al Wagner agency, took his client away from him.

The third action complains that the defendants allegedly notified the Immigration Dept. that his circus was in litigation, that he was broke and unable to take care of his acts. As result the Blacaman act was taken from him only to be returned after his protest to the Department had brought an investigation.

Lastly, he asserts, Universal promised to use his circus in the picture but used Blacaman's animals instead.

Besides money damages, he seeks an injunction, accounting of profits, and the elimination of all scenes showing the Blacaman troupe in the picture.

Disney Canning Stoki

Philadelphia, April 4.

Crew of six from the Disney studios are here to make sound tracks by Leopold Stokowski and the Philly orch for Disney's new unnamed musical feature. Stuart Buchanan, studio exec, Hal Rees, chief of the sound department, and four technicians expect to remain from six to eight weeks.

Seven compositions will be recorded in the special studio setup in the basement of the Academy of Music. There will be eight pieces in the film, with one, 'The Sorcerer's Apprentice,' having already been completed.

Nova Scotia's Slam at Pix; Aimed Specifically at F. P. and Nathanson

St. John, N. B., April 4.

Famous Players and N. L. Nathanson of Toronto, Canadian head of the company, are specifically aimed at in a bill introduced in the Nova Scotia legislature on March 31, in the first provincial attempt to regulate film exchanges.

The bill would empower the Provincial Board of Film Censors to license and regulate all film exchanges distributing films in Nova Scotia. The exchanges would be compelled to provide the board with intimate information on the distribution of the pictures, and the rental prices to the exhibitors. The exchanges would also be forced to establish permanent offices and representation in the province, with base in Halifax, the capital, and largest community.

Malcolm Patterson, a government member of the assembly from Cape Breton West, was the sponsor of the bill which made legislative history. He severely condemned the Famous Players and Nathanson, claiming both were trying to drive the independent theatre operators in Nova Scotia and elsewhere out of the trade by discriminatory tactics.

'Theatregoers of Nova Scotia are being compelled to pay into a racket being carried on in Ontario,' said Patterson in opening his charges.

'According to the independent theatre operators of the province, a concern known as Famous Players is carrying on business in this province. It is theatre operating company with a manager named Nathanson in Toronto. This concern owns a great many theatres throughout Canada. Nathanson also is head of distributing companies which own and control practically all the important pictures that are shown in this province. In conjunction with the Nathanson distributors, they are today carrying on a system of discrimination against the smaller theatres and, if it continues, the small theatres will have to close and a monopoly will be created.

'Famous Players and the Nathanson distributing agency, in conjunction, gave a Sydney, N. S., theatre operator the right to select his pictures and to fix the times for the pictures to be shown. Yet, if a film were shown in Sydney, the same one could not be shown in neighboring towns at the same time or for months afterwards.

'It seems to be that the people of this province who patronize the different theatres are compelled indirectly to contribute to Famous Players. They pay a legitimate price, plus a tax paid to Nathanson.

'We can slam off this racket and prevent this man Nathanson and Famous Players from taxing the people of this province who attend theatres.'

Fitzgibbons Denies

J. J. Fitzgibbons, vice-president and director of theatre operations for Famous Players, denied his company is discriminating against Nova Scotia exhibitors. He said, when apprised of the Patterson statement and charges, 'Anyone who has studied the theatre business knows these things are ridiculous. There is no foundation for saying we aren't running our business in Nova Scotia according to regular business practice. Certainly it can't be said, so far as I know, that we are competing unfairly in Nova Scotia, according to regular theatre operation practice.'

Famous Players is not the most heavily represented theatre chain in the maritime provinces, although that company has the largest houses in the Atlantic region. F. G. Spencer of St. John has 10 theatres, owned or leased. J. M. Franklin of St. John has six. owned.

At St. John, the Famous Players has two exchanges, and at the same base, one in the name of Paramount and the other, Regal Films. P. J. Hogan has been Paramount exchange manager for many years, and A. E. Smith has been the Regal exchange manager for equally as long service. Both cover the maritime provinces and Newfoundland personally, at intervals, in addition to the regular calls by the salesmen.

NW Allied Disclaims

Minneapolis, April 4.

Northwest Allied has disowned the theatre divorcement bill belatedly introduced into the Minnesota state legislature and will not use its influence or efforts to obtain its passage. At a meeting of members it was decided to ignore the measure, but to oppose bills which would make theatre cash gift nights illegal and establish daylight saving in the state.

Sponsorship of the divorcement bill is shrouded in mystery. It did not make its appearance until the session was approaching its end. Adjournment is scheduled for April 14.

Northwest Allied originally was committed to a fight for a Minnesota theatre divorcement law during the current session, but the repeal of the North Dakota statute before the U. S. Supreme Court passed on its constitutionality caused the body to drop its plans. Steffes pointed out that fully three years would elapse before the Minnesota law could be made effective, compelling Paramount Northwest circuit to relinquish its 85 theatres, and that, in the meantime, the matter undoubtedly will be brought to a much quicker head, inasmuch as divorcement is one of the objectives of the Federal government's present anti-trust suit against a group of major producers.

3 Bills in Del.

Wilmington, April 4.

Three bills with a direct bearing on the film industry have been tossed in Delaware's legislative hopper within the past few weeks and now rest in committee. Two will admittedly never get out of the pickling vat, while another, to give Wilmington a referendum on Sabbath films, is considered to have an even chance of passing on the floor.

Sunday pix measure, introed by Senator Paul Rinard, would give cities of over 25,000 population the right to vote on whether they want films after 2 p. m. on the Sabbath. Wilmington is the only city large enough to be affected. Several Catholic groups are fighting the legislation.

The other measures are a bill aimed at long trailers and the Pepper bill, which would give Juvenile Court censorship powers over films. Trailer act seems to have no backers among politicians, clubwomen or church people, while theatre men are bitterly against it.

No Censor Bill in S. C.

A censorship bill in South Carolina has not been introduced, as reported, according to the National Council for Freedom from Censorship, which is throwing its full force against further censoring of film.

Regarding the Michigan censorship bill, introduced recently, as a very vicious one, the Council is bitterly fighting its passage. It is also working for the repeal of the Ohio scientific statute, on the books many years.

U's 3 Sales Regionals Start 15th in Cincy

Return of Joe Seidelman, v.-p. in charge of foreign, gives Universal its full complement of home office officials who will attend three regional sales conventions this month. First opens April 15 in Cincinnati with three-day session at the Netherland-Plaza. Chicago sales confab opens April 18 at the Palmer House. On the Coast, the convention will be in San Francisco at the St. Francis. Each regional will be for three days.

W. A. Scully, sales manager; Nate Blumberg, president; Seidelman, F. J. A. McCarthy, eastern sales manager; W. J. Heineman, western sales manager; Louis Pollock, O. C. Binder, James Jordan, F. T. Murray, Andrew J. Sharick and Morris Alin will attend the three sessions.

WB Patriotics Go On

Hollywood, April 4.

Warners winds up its 1938-39 Technicolor shorts, slate in May with 'Bill of Rights' and 'Rose of Monterey.' Crane Wilbur directs both films.

Studio starts 1940 sked in June with 'Monroe Doctrine.'

FAST MARQUEE CLIMB

Hollywood, April 4.

Margaret Lockwood shares top billing with Douglas Fairbanks, Jr., in 'Ruler of the Seas,' to be produced by Frank Lloyd at Paramount.

This is her second role since coming to America. First was in 'Susannah of the Mounties' at 20th-Fox.

REPORT CROSBY SET FOR LONDON VAUDE

London, April 4.

Bing Crosby and Ted Lewis are among the American names reported lined up for the summer vaudeville policy scheduled for the Palladium here, which quits its present 'Crazy' show first week in June.

The new 'Crazy' show opens in the fall after the usual tryout in Brighton. Meantime the 'Crazy' gang will make another film for Gainsborough.

TMAT TO ORG. HUB THEATRES

Boston, April 4.

Test case of the authority of the local motion picture division of the Theatrical Managers, Agents and Treasurers Union to act as bargaining agents for 'front house' employees of film houses in this area will come up some time during the week of April 12. Thomas E. Roache, chairman of the Boston branch of the picture division of TMAT, has petitioned the Massachusetts State Labor Relations Commission for an election, by secret ballot, during that week, and the date will be announced this week.

Roache claims his union, which recently began an organizational drive in this city, should have jurisdiction over house managers, assistant managers, student managers, and press agents. The first such group to signify willingness to come under this jurisdiction are the front house crews of the two Loew theatres, Orpheum and State. Roache maintains that five out of nine employees defined by the commission members (more than the 51% required by law), but that the Loew executives declined to recognize the union on the grounds that its members are executives and not employees. Intimidation through a discharge and a 'forced resignation' is also charged by TMAT.

The State Labor Relations Commission has since ruled on the Loew case, definitely establishing the status of the union members as 'employees.' Gustave A. Gerber, counsel for the national TMAT organization, is slated to come to Boston for the elections which will have a direct bearing on the certification of the union as official bargaining agent. The election results will probably set a precedent for future overtures to such chain organizations as M. & P. and RKO in this district.

Legit houses here are well organized by TMAT, as are the Boston Garden and Boston Arena. This spring the union plans to go after the race tracks and ball parks.

Detroit Too

Detroit, April 4.

Local theatres are being bothered by union organizational efforts among ushers, cashiers, assistant managers, et al., but thus far have thwarted attempts by tossing organizers out.

Mpls Also Worried

Minneapolis, April 4.

Twin City exhibitors are worried over efforts now being made to unionize ticket sellers and takers, ushers and janitors. They fear move will lead to higher operating costs and insist they can't shoulder any additional burdens now because income is at rock bottom and expenses at an all-time high.

Yeshiva's Refugee Dinner Grossed $3,500 to $4,000

Between $3,500 and $4,000 was grossed for the Yeshiva College, New York, by the committee of the Motion Picture Industry which put on a dinner and show at the Hotel Astor, N. Y., Sunday night (2). W. G. Van Schmus, chairman of the committee, was unable to be present at the dinner due to illness and after starting the committee off had to turn over many of the details to George J. Schaefer. Van Schmus is in St. Luke's hospital.

Among speakers from films were Schaefer, Louis Nizer and James Roosevelt, while those taking bows on the dais included Ned Depinet, Jack Cohn and Murray Silverstone.

Amount realized by the film committee goes toward scholarship for refugees from Europe.

Indies Complain Distribs Too Tough on Film Readjustments

Counter-Quiz

Minneapolis, April 4.

Twin City independent exhibitors are resenting the questionnaire which Metro is requiring them to fill out, inquiring intimately into their financial condition, when they apply for film reductions or adjustments. The exhibitors must give all details of operating costs, including the salaries or other income they derive from their theatres before M-G even will consider any reductions or readjustments, they complain.

President W. A. Steffes of Northwest Allied has suggested that when M-G asks for a boost they demand that it fill out a similar questionnaire for them, stating, among other things, the salaries of executives, tops and salesmen at the exchange.

Minneapolis, April 4.

Twin City independents are complaining that distributors here are getting increasingly 'tough' in the matter of readjustments.

The exhibitors insist that their business during the past three months, due to weather and general conditions, has been 'the worst ever' and they've been operating in the red much of the time. In the face of this, they feel, the distributors' 'unjustified' and 'hard-boiled' attitude is all the more 'discouraging.' Other costs, as well as films, are at an all-time peak, making things all the tougher, it's pointed out.

Formerly, according to the exhibitors, they could go to the distributors and obtain readjustments on unplayed pictures, or attractions falling down at the boxoffice, amounting to as much as 50%, but that's all changed now.

On their part, the distributors assert they've been 'much too good' in the past and they're not going to be suckers any longer. They say their blind and other checks have put them 'wise' to the fact that many independents have taken 'unfair' advantage of them. One of them cites an instance of an independent exhibitor grossing $2,500 on a picture costing him $75.

N.Y. SMALL TOWN SUNDAY BILL

Albany, N. Y., April 4.

The small town Sunday picture bill, withdrawn by Assemblyman William T. Webb, manager of Smalley's theatre, Sidney, N. Y., after it had reached third reading, was reintroduced last night by Assemblyman James E. Owens, of Ossining. Ministerial objections are said to have been a strong factor in causing Webb's action at a time the measure seemed set for passage in lower house. The bill permits 20% of the qualified electors in a village to petition for a referendum calling a vote on an ordinance permitting Sunday films and sports after 2 p. m. and requires the board of trustees to submit it to the voters. If passed, it becomes a law without further ado.

Bill is designed to force action where board of trustees has neglected, failed, refused to act, or defeated such an ordinance. Exhibitors favor the proposal.

Maine Kayoes Sundays

Augusta, Me., April 4.

The State Senate has K.O'd a bill to legalize Sabbath films, after the house had voted favorably on it.

Curfew by Midnight

Charlotte, N. C., April 4.

Neil McGill, manager of the Imperial, was given a summons on a charge of operating a theatre on Sunday. Police entered the house at 12:05 a.m. Sunday and found the picture still being shown. It ended at 12:15 a.m.

McGill said he had tried to bring the program to a close by midnight, but as a protection displayed a sign in the lobby stating, 'All entertainment after midnight will be shown free of charge.'

Hirliman Returns, Sally Rand Pic to GN Release

Hollywood, April 4.

George Hirliman's 'Sunset Murder Case,' starring Sally Rand, returns to Grand National for distribution. Picture was originally filmed for GN some, but later withdrawn when Hirliman decided to use it as a roadshow.

Hirliman is dickering with the studio for production of a group of musical westerns.

Telco on the Market

Washington, April 4.

Permit to peddle 30,000 shares of $1 per capital stock was sought from the Securities & Exchange Commission last week by Telco Corp. of Los Angeles. Firm is a film processor for motion picture films.

Statement showed 25,000 shares will be handed over to stockholders with tickets issued prior to registration and 5,500 would go to Robert Hoyt, firm president, in payment of indebtedness and patents. Public offering, without an underwriter, would be priced at $2, with proceeds earmarked for debt and working capital.

'BUCCANEER' SUIT AGAINST PARAMOUNT

Depositions of Bill Pine, Dixie Davis, Frank Calvin, C. Gardner Sullivan, Harold Lamb, Irene Francis, Gladys Rosson, Edwin Justus Mayer, Jeanie MacPherson, Grover Jones, Bill Hebert, Emil Barrye and Preston Sturgis, on behalf of Paramount Pictures, will be taken in California in connection with a suit brought by Zelma B. Tilden against Paramount, Cecil B. DeMille and Adolph Zukor.

The plaintiff claims the plagiarism of her play, 'Captain—What the Devil' in 'The Buccaneer.' She asks an accounting of profits and damages.

'Gunga' Filching Charged

Los Angeles, April 4.

Harry Gould filed a damage and injunction suit here claiming copyright infringement on the story of 'Gunga Din.'

Named as defendants are RKO-Radio, George Stevens, Pandro Berman, Ben Hecht, Charles MacArthur, Fred Guiol and Joel Sayre.

National Screen Wins Against Trailer Made

Suit for damages by National Screen Service Corp., against Trailer Made, Inc., Leador Schwartz, and Pathe Film Corp., was settled in the N. Y. federal court last week when the action was discontinued against Pathe, and a judgment was entered against the two other defendants.

Suit claimed the infringement of music in the defendants trailers. The latter agreed that they had infringed unintentionally, and a permanent injunction was recorded against them.

As to the 39 infringing pictures already out, the exchanges and branch offices are notified to return the trailers to their N. Y. offices, and to destroy the sound tracks.

National Screen Service is authorized to examine all the recorded music of the defendants and to destroy any that infringe. In case of a dispute as to whether or not the music does infringe, John Rocchetti, of the Sam Fox Publishing Co., is to act as final arbitrator.

Examination in the future, from time to time of any of the sound tracks, was granted to the plaintiff as were $3,000 counsel fees. Counter suit was withdrawn.

'Fools' on a Spool

Hollywood, April 4.

Columbia is readying a series of six shorts, 'Fools Who Made History,' for its 1939-40 program. Briefies deal with men whose ideas benefited humanity, although they were considered screwy at the time.

First is about Dr. Morton, discoverer of anesthesia.

TRIPLE DISHES WITH DUALS

Warners' Admish Slashing in Philly Belt; Longer Shows Also, but No Duals

Philadelphia, April 4.

Warner Bros., following slashes of prices in all midtown houses two months ago, has started a similar process in keys and nabes. While the deluxe's cut was made with much fanfare, the new tobogganing is taking place quietly in order to upset as little as possible the already overjumbled clearance situation here. WB circuit is also experimenting with other hypoes for nabe biz.

About 10 Warner houses, many of them important key nabes, are understood to have taken the knifing already, with more scheduled. Most of the cuts are only a nickel. Although indies have long been talking of decreasing their scales, none has taken that action since Warners started. In a lot of cases their contracts with exchangea forbid further slashes, while in others prices are so low already there's nothing more can logically be done.

Price cuts in the deluxers are now felt to have been an error. There was a pick-up in biz first week under the new scale, but the net result has turned out to be the same number of patrons as previously, but less money from each one.

Latest idea to up grosses is the three-hour show. This is an attempt to get around double-features and to keep Philly from becoming a dual territory. Shorts, newsreels and everything else possible are being fed in to make up the lengthy bill. In some out-of-town houses in the territory, these marathon shows are being tried in lieu of premiums.

Coast's Price War

Hollywood, April 4.

Fox-West Coast Theatres announced yesterday (Tues.) a sharp drop in admission prices in four of its neighborhood houses. Price war between the chain and indies in competitive situations caused a drop from 30 and 35c top to 15c.

If widespread price-cutting results, F-WC is prepared to make further cuts to 10c wherever similar action is taken by the indies.

PAR'S HOLDEN SET FOR COL.'S 'GOLDEN BOY'

Hollywood, April 4.

William Holden, juvenile tyro under contract to Paramount, but who has yet to appear in a picture, has been borrowed by Columbia for the principal role in 'Golden Boy.' Director Rouben Mamoulian and producer William Pearlberg picked Holden after several months of casting headaches. They put the picture in work April 12.

Paramount scouted Holden at the Pasadena Community Playhouse and he was to have made his screen debut in 'What a Life.' His services, in future, will be split between Paramount and Columbia.

MacDonald's N.W. Concert

Seattle, April 4.

Jeannette MacDonald concert is booked by Hamrick-Evergreen for its Music Hall (2,300 seater) for May 4.

Dan Redden is looking after the house with mail sale opening to rush biz. Indications are for a sellout at $2.75 top.

Eddy's N. Y. Benefit

Nelson Eddy makes his first New York concert appearance in four years when he shows at the Metropolitan opera house April 16 for the benefit of the Met's Pension Fund.

'Its last appearance in Gotham was in March, 1935, at Town Hall.

Colony Pix Sets Sextet Of Melodrama Features

Hollywood, April 4.

Colony Pictures is producing six melodrama features for states rights release in addition to the six Ken Maynard westerns already scheduled.

'Emergency Landing,' first of the sextet, rolls early next month, to be followed by 'Extra Edition,' 'Dead Man's Island,' 'Golden Glove Kid,' 'Military School' and 'Road King.'

LEE WILLIAMS' 10 ARK.-OKLA. HOUSES

Oklahoma City, April 4.

Purchase of seven theatres in Arkansas and Oklahoma towns has been announced by K. Lee Williams, president of Williams Theatres, Inc., new circuit operating from Oklahoma City. This makes total of 10 houses since Williams began buying Jan. 1. Further deals are now pending in the same territory.

Acquisitions include three in Broken Bow, Oklahoma, these being the Best from Charles Buffum, the Tower and Arrow, from S. B. Callaham.

At Nashville, Ark., the New was purchased from H. H. Baker of Emerson, Ark. The Liberty, and Gem, same city, secured from R. B. Hardy. Other house was the Dixie at Ashdown, Ark., purchased from B. K. Walker.

Original three houses include two in De Queen, Ark., and one at Dierks, Ark.

The Criterion, Empress and Royal theatres at El Reno, Okla., have been purchased from F. E. Loomis and Orville Enloe by Consolidated Theatres, Inc., subsidiary of the Griffith Co. Circuit takes over April 15.

Lowenstein Adds 3 More

Ardmore, Okla., April 4.

Harry Loewenstein, operator of three theatres here, has purchased three more houses, the Temple from Al Yomans, the Star from R. L. Black and the Fox from Max Burger.

Loewenstein Theatres, Inc., is affiliated with the Griffith Amus. Co. of which Harry Loewenstein is a stockholder and director.

New Cleve. Nabe

Cleveland, April 4.

Shore Amuse Co. has completed New Shore, first nabe house in suburban Euclid Village, which will open Easter Sunday with 'Gunga Din.' Cost $300,000, seating 1,800. Frank I. Cost, who supervised Garden for last three years, manages new house.

Philly Battle

Philadelphia, April 4.

Proposed erection of a film house in the swank Mt. Airy section of Philly was fought in court here last Thursday by the owners of residential property in the neighborhood. Judge Otto R. Heiligman, of Common Pleas court, took the matter under advisement.

Lillian Schultz, owner of the site, and member of the zoning board, who okayed it for a theatre, were named defendants by Frank B. Todd, Jr., acting for himself and other property owners in the vicinity.

Wallace's 1st at U

Hollywood, April 4.

'Victoria Docks at Eight' is first chore for Richard Wallace under his new producer-director contract at Universal.

James M. Cain is scripting from an original by Rufus King.

LOOP WONDERS WHEN IT'LL END

Quadruples in the Chicago Sector Not Unusual, but Giveaways with Double Features Is a New Low—Exhib Leaders Would Put Powwows to Put an End an End to It

B. O. PROFIT NIL

Chicago, April 4.

With doubles, triples and even quadruples a regular part of the motion picture parade in this town, the exhibs continue to go overboard on added bargains at the boxoffice. Doubles and triples with dish giveaways are not new; but uncommon is the latest stunt of giving away as many as three dishes at one time on a single admission ticket for two pix.

Everything comes in bunches. First pictures, and now dishes. And the exhibitors frankly admit that in a few weeks even three dishes may be too little to give to patrons. Last year two features looked like the tops in bargains, but at present a double feature exhibitor is considered a piker. The same goes for the theatre giving away a single dish to a patron, as the rival exhibitors load up their customers with dishes in plural quantities.

Jack Kirsch, president of Allied, is seriously considering calling the exhibitors together in an endeavor to work out some means of halting this rush into overboard expenses. More conservative of the exhibitors are already talking of some agreement among the theatres to call a halt to this epidemic which can mean only headaches to the boxoffice. Indications are that Balaban & Katz and Warners will also take cognizance of the situation and work out some method of returning to a normal exhibition policy.

There seems little doubt that the public around these parts has been overfed and overdosed with too many pictures on a single bill, and the giveaways are generally agreed to have just about worked themselves out.

Banko Theatre Raid

Racine, Wis., April 4.

A squad of police officers directed by the Racine district attorney's office swooped down Thursday night (30) on the Venetian theatre, downtown, and seized all paraphernalia connected with the operation of bank night. Armed with a warrant charging operation of a lottery, the officers entered the Venetian while customers were watching the picture. The raid came after a man won $1,500 in a drawing, but W. W. Storms, assistant district attorney, indicated there is a doubt if he will be able to collect the award.

Preceding the drawing, theatre was jammed with more than 1,500 customers, while another estimated 2,000 waited outside. No arrests were made, but house manager, Don Nichols, was told to report to the d.a.

Banko Chisel

St. Louis, April 4.

A scheme to make certain that the bank nile cash offered at the Grand theatre, Breese, Ill., near here, would be won by one of three men was exposed last week when Chief of Police A. S. Holtgrave of Breese nailed William Baker, 36, Venice, Ill., on a charge of fraud. Baker told the chief that he and two confederates would be present on bank night at the Grand and when a call for a volunteer to select the winning number was made one of the trio would respond with a 'palmed' number, the duplicate of which was held by one of the others. According to the police the trio copped $80 in three weeks.

Joseph Brand, Venice, was fined $50 and costs and Guy Simpson, also of Venice, was socked $60 and costs when they pleaded to a fraud charge. Baker furnished $1,000 bonds to answer a similar charge. A year ago the Illinois Supreme Court ruled that bank nite was a lottery but southern Illinois exhibitors have continued the b.o. stimulant.

Duals Here to Stay for Long Time, Says RKO's Levy; Not So Easy to Kill

New Low

Chicago, April 4.

High in picture bargains was nudged last week by the northside Rosewood which gave its public four features, a comedy, cartoon, sports reel and news. Features: 'Great Guy,' 'Gambling Ship,' 'Tundra' and 'Shadows Over Shanghai,' a Three Stooges two-reeler in addition to the single reels. Show ran slightly less than six hours.

House charges 15c mats and two-bits at night.

Hollywood, April 4.

Double bills are here to stay for years to come, take it from Jules Levy, RKO's general sales manager, back from a tour of the key cities, where he talked with the nation's leading exhibitors.

'Dualers,' Levy declared, 'are as much an integral part of the show business as are the films themselves. Hollywood says it is going to kill off double bills by ceasing to make B pictures. Producers distinguish between B and A pictures by glancing at budgets, but budgets don't tell the story. There are as many $1,000,000 B pictures as there are low-budget ones.'

Levy brushed aside the idea that major studios can solve the problem by making fewer features. He pointed out that if the biggies stop making cheap films, the quickies will increase their production. Exhibitors, he declared, don't care who makes the pictures as long as they fill the bill.

'Some large theatres in big cities,' he added, 'can get by with a smash hit, aided by a short, a cartoon and a newsreel, but the great mass of exhibs are taking those same smash hits and hooking them up with second features in a desperate effort to draw customers. The public is shopping more cautiously than ever before.'

PHILLY THEATRE AIDES ROBBED OF $700

Philadelphia, April 4.

Two armed bandits held up five employees of the Orpheum theatre here on a narrow staircase leading from the balcony up to the manager's office Friday (31) night, locked them in a storage space and escaped with $700. Apparently familiar with the employees' movements at the WB house, they staged the holdup shortly after 10 p.m., while some 300 patrons were watching the show. The bandits were waiting on the staircase as Lee Kline, the manager, came up with the day's receipts. They walked ahead of him for a few moments, making Kline think they wanted to see him on business, and then swung around when one cried, 'That's him.'

Both flashed guns. One snatched the bag with the money. Opening a small hatch in the wall, they forced Kline into the storage space. A few minutes later, Ann Perrine, the cashier, came up. They forced her into the closet. In turn, three ushers came up to get into street clothes and were locked in the little storage closet. Among the theatre's employees, only the doorman and porter were at liberty. The doorman didn't see the bandits as they left.

Meanwhile, Kline and the others pounded on the door with a length of lead pipe. Half an hour later, the porter, Vincent Esposito, heard them, broke the lock and pulled them out.

Ithaca, N. Y., April 4.

Police are investigating the theft of $269 from the Strand some time Saturday night. The thief apparently used a key to obtain entrance and then secured safe by the combination, locking it again after removing the money, most of which was in small change, including $175 in dimes.

Tomassino Held Up

New Haven, April 4.

Michael Tomassino, local theatre owner, was held up by gunmen outside his garage here Sunday (2) night and relieved of $400 cash and personal belongings. Victim almost got away with $275 of the roll by tossing it in his car when bandit wasn't looking, but sickup artist drove off with the car and all.

WB'S NEW TORCHY

Hollywood, April 4.

Jane Wyman replaces Glenda Farrell in 'Dead or Alive,' first of a new series of Torchy Blane features at Warners.

Picture rolls Thursday (6) with William Clements as pilot.

PASCAL TO COAST ON 2D FILM FOR METRO

Gabriel Pascal, producer of 'Pygmalion,' arrived from Europe Thursday (30) together with Lawrence Irving, British art director, both leaving for Metro studios on the Coast over the weekend to polish up the script of G. B. Shaw's 'Doctor's Dilemma.' C. Aubrey Smith, Roland Young and Sir Cedric Hardwicke are cast for 'Dilemma,' and Pascal will try to borrow Greer Garson from Metro. Film goes into production in England in June.

Only outside picture Pascal will do, aside from some seven Shaw plays, is 'Lady Lindy,' based on the career of Amelia Earhart. Producer stated he has closed deal with George Palmer Putnam, the aviatrix's widower, for the rights, and the latter will collaborate on the script. Picture is to be made in Hollywood next year.

Regarding status of Wendy Hiller, British actress, who has denied she is under long-term contract to Pascal, latter stated there are disagreements between them on the old contract and that a new one is being worked out with actress' attorney.

W. E. Pension Fund In Excess of $50,000,000

Western Electric's pension fund for employees topped the $50,000,000 mark last year, according to report made yesterday (Tuesday). Company now includes a number of former Electrical Research Products, Inc., employees on its payroll. Fund paid out nearly $2,000,000 last year under the plan in accident, sickness and death benefits.

Western Electric has more than 30,000 employees and about 1,280 retired employees getting pensions for their service.

Hansen's Bankruptcy

Los Angeles, April 4.

Mark M. Hansen and the Hansen Theatres, Inc., were thrown into involuntary bankruptcy by three creditors, Norman Feintech, Erna Shapiro and C. H. Hensel.

Creditors charge Hansen transferred real estate to his wife.

FILM SHOWMANSHIP

Hollywood Players Capture Dodge City At Record Premiere

By ARTHUR UNGAR

Dodge City, Kan., April 4.

Most thorough and intensive exploitation campaign was put on by Warners for opening its film, 'Dodge City,' here Sat. (1). It marks new trend in exploiting and premiering pictures in the locale indigenous to subject-matter, and makes hinterland feel itself as important and big with its $3 premiere as Hollywood in the past with its five and ten-dollar openings.

More than 350 people were brought here by Warners via special trains and planes. There were 175 in the Hollywood contingent; 75 from Boston, New York, Chicago and way stations, all of latter being press. Also scores of exhibs from south and southwest and from neighboring states. Besides 30 film names in Hollywood entourage, governors of Kansas, New Mexico and Colorado were on hand as honor guests.

Around 75,000 people taxed facilities of this 10,000 population town to every extent, with hotels and all accommodations being exhausted, with folks sleeping in parks, around railroad depot, and many even going into quiet confines of historic Boot Hill cemetery for slumberous relief.

Dodge City outdid itself in handling premiere, which was held in three houses—the Dodge, Cosy and Crown, which have combined seating capacity of 2,900. The Dodge charged $3 for the opening, and the others $2.

Following deluxe show, three houses went on steady grind all night until midnite Sunday, and played during that time to around 30,000 admissions, or triple town population.

Hollywood contingent was, of course, center of focus. Their train of 14 cars had two auxiliary sleepers attached at Syracuse, Kans., and then came into Dodge City with an aerial escort of 25 planes and a fleet of motor vehicles. Sirens screeched all way into Dodge City, with planes never being more than 15 feet above ground. It was a colorful and thrilling sight for the mobs as well as the pic crowd.

With the train anchored in Santa Fe depot, visitors were assembled for parade, which had about 20,000 participants and took about two hours to pass given point. Natives and pic crowd were dressed in period costumes and used the period mode of transportation. Following the parade, visitors were lunched at local hotel, then taken to stadium for rodeo, during which they did two broadcasts, one over 90 NBC stations and other over Mutual, with George Fischer coming on from Hollywood to handle latter. WB players, including Errol Flynn, Ann Sheridan, Alan Hale, Big Boy Williams, Lane Sisters, John Payne, Hoot Gibson, Buck Jones, Gilbert Roland, Claire Windsor, Lya Lys, Harry Rosenthal, Allan Jones, Maxie Rosenbloom, Humphrey Bogart, Mary Maguire, Frank McHugh, Jane Wyman, Frances Robinson and Wayne Morris, participated in events. They then covered three premieres for personal appearances, with Maxie Rosenbloom handling, the m.c. chore.

Entire arrangements were handled by Warner publicity department crews from New York and Hollywood, with men having been assigned here for three weeks to do local building, and with Hollywood and New York forces handling exploitation and publicity en route and while here. Jaunt cost Warners around $75,000, and they admit its cost already retrieved in advance publicity. Train from Coast stopped at all towns during trip east, and likewise going home, for players to make platform appearances. In eight stops east more than 50,000 people were at railroad tracks to greet contingent and get autographs.

Train left here Sunday morning (2) at seven to return to Hollywood.

Old Coach Bally

Boston, April 4.

Ancient stagecoach and four notwery-spanking greys rolls around Boston to excite attention for opening of 'Stagecoach' (UA) at Loew's State and Orpheum.

Coach was used for many years on the old Worcester Road and was loaned by the Wayside Inn first plugged by Nathaniel Hawthorne, located in Sudbury and now owned by Henry Ford.

By John C. Flinn

The story behind the story of Vernon and Irene Castle is a tale of expert showmanship which lifted two gifted ballroom dancers to heights of popularity in America and Europe to which no dance team before or since has ascended.

Surely there must be some measure of time more accurate than the years. Glimpsing backward to the period which immediately preceded the great war, one views a world much further removed from New York of today than the scant 25 years which separate the then of 1914 and the now of 1939. The Castles were of that time. Their brilliant and spectacular careers, the dancing craze which they started and nourished, the mark they have left on American life and manners, and the impress of their remarkable personalities on millions of persons who never saw them but whose lives were affected by their doings, constitute a chapter that is unique in theatrical history.

Younger generation of today would have a difficult time visualizing exactly what the Castles did as professionals and the significance of their unique contribution to society and the theatre.

No mixed team act ever influenced so wide a sphere both in and outside of the theatre. Only Will Rogers, who came later, may be said to have acquired comparable popularity and fame.

The new RKO film, starring Fred Astaire and Ginger Rogers, in the Castle saga now showing at the Radio City Music Hall, has caught something of the spirit of New York in pre-war days. The visualization, however, has been treated from the comedy angle with the intent of plucking some fun from the fashions and customs of the period.

Actually, New York in 1913, was a very compacent sort of a place. Times were good. The city was thoroughly recovered from the financial stress of 1907. Woodrow Wilson occupied the White House, succeeding William Howard Taft. Newspapers were full of the controversy over the Federal Reserve System legislation. Europe, except as a place which prosperous families visited, just didn't figure in the American scheme of things.

Hotel life revolved around the old Waldorf, at Fifth avenue and 34th street; the Plaza, St. Regis, Astor, Holland House, Knickerbocker, McAlpin, Rector's and the Metropole. The popular restaurants were the several Shanley establishments, including one in the Putnam building, now the Paramount, Delmonico's, at 44th street and Fifth avenue; Sherry's, diagonally across the street in what is now the Guaranty Trust Co.'s uptown branch; Mouquin's, in Sixth avenue, and innumerable smaller prices.

Nearly all the legitimate theatres now standing were operating in 1913, although Broadway's skyline was unmarked by any large motion picture theatre, except the Strand at 47th street. Films played in store shows, although Marcus Loew had finished the Greeley Square and had taken the lease on the Herald Square theatre at 35th street. George M. Cohan was appearing in 'Broadway Jones' at the Cohan; George Bernard Shaw's 'Fanny's First Play,' was at the Comedy; 'Little Women' was a hit at William A. Brady's Playhouse; Edward Knoblock's fine play, 'Milestones,' with Haidee Wright, was at the Liberty, and Laurette Taylor was in the midst of a two-year run of 'Peg O' My Heart,' by J. Hartley Manners, at the Cort.

Word had come to Broadway of the success in Paris of a dancing team composed of Vernon Castle, erstwhile eccentric English comic in several of Lew Fields' Broadway musical productions, and his young American wife, Irene. They were dancing at the Cafe de Paris. Word attracted professionals and publicity was that Elisabeth Marbury, known as an astute and far-seeing entrepreneuse, was sponsoring their European engagement.

First appearance of the Castles in a New York theatre was in February, 1913, with Julia Sanderson and Joseph Cawthorne in 'The Sunshine Girl,' produced by Charles Frohman at the Knickerbocker. Castle played the second comedy lead. Other principals were Flossie Hope, Alan Mudie, Eva Davenport, Tom Lewis and Eileen Kearney. Following appeared in the VARIETY review:

'Castle was prominent all the time through his dancing. A dance in which he was seconded by Miss Castle was quite the hit of the evening, while the tango near the finish with Miss Sanderson ran a close second.'

RIDING THE CREST OF SUCCESS

Before the winter of 1913 was over Miss Marbury established Castle House in East 46th street, opposite the Ritz. Dancing instructors were installed. The Castle System of polite ballroom dancing was taught to hundreds. Jim Europe's crack colored orchestra was the official Castle band and was the most sought after musical organization in New York for special social events, coming-out parties and balls. Out-of-town dancing teachers came to New York for post-graduate courses under Vernon Castle's personal direction. The dance craze was spreading.

What was happening was a breaking down of social manners and customs that had maintained since the turn of the century. The automobile was coming along and a transition of living was under way. The Castles exemplified the change. Men and women were seeking entertainment and diversion outside of the home and neighborhood. Public dancing was something unheard of in many good hotels and restaurants, and was not indulged by people of moderate means. Dancing meant formality. Big city dance halls were joints—and worse.

The Castles released pent-up desires for wholesome fun. They typified the gay, handsome, young American couple. They proved it was possible for a man to dance with his wife and enjoy himself. The one-step, the Castle Walk, maxixe and variegated steps were simple routines, quickly learned. Their names became synonymous with the dance vogue which, already having started in a crude form on the Pacific Coast, swept the country.

Under such an avalanche, which brought along other top professional teams, the Castles' position at the crest of the movement was maintained by Miss Marbury with shrewd skill. A transcontinental tour booked by Pat Casey was undertaken; the Castles were entertained by society leaders everywhere; the fashion magazines played up Mrs. Castle's costumes and millinery. Every possible avenue of exploitation was covered.

WOMEN'S BOBS BORN BY ACCIDENT

Elsie Janis relates that the origin of the famous Castle hair-hob was the result of a petulant piece of impatience on the part of Mrs. Castle when she was visiting in a Paris hospital. Uncomfortable because of the summer heat, she reached to a nearby table, picked up a pair of scissors and cut off her hair. When she returned to Deauville, where she and Vernon were dancing, she trimmed the hair was trimmed to a Dutch bob, atop which she wore a dainty white lace cap. Within 48 hours half the women in Deauville had cut their hair in similar fashion. The most revolutionary change in women styles in half a century had taken place.

When the Castles returned to New York in the fall of 1913 they were engaged by Louis Martin to dance at the Club Maxixe, Lexington Ave. 41st street. At the height of their success as ballroom dancers they made their debut in a vaudeville house at Hammerstein's Victoria, in February, 1914. Later they opened their own Sans Souci in the Longacre building.

The Castles were in Deauville when the World War broke out. They returned to New York and opened at the New Amsterdam theatre under Charles Dillingham's management in 'Watch Your Step,' Irving Berlin's musical revue. Now they were at the peak of their fame. Vernon played one of the leads in a company that included Harry Kelley, Elizabeth Murray, Frank Tinney and Justine Johnstone. Mrs. Castle had a small speaking part and introduced a song but the Castle teaping was the standout. At the close of their engagement Castle enlisted in the British aviation service. His tragic ending at Ft. Worth, Texas, caused widespread sorrow.

Not only in New York but throughout the country the dance urge found expression universally. Other dance teams became popular and featured new and modified steps. Meanwhile Irene Castle Walton attracted a large following. They were billed heavily for a number of years in the class hotels. Another popular team was Joan Sawyer and Wallace McCutcheon. Her other dancing partners went overseas on entertainment in service with the British army, were Carlos Sebastian and Jack Jarrott. Bonnie Glass, a fine dancer with heavy society backing, was another who figured prominently in the early years of the dance era. She danced with various partners.

In the Astaire-Rogers film the character played by Edna May Oliver as Maggie Sutton is the counterpart of the real life role played by Miss Marbury in the life of the Castles. Showmen place high value on her share in the success of the Castles. It was she who saw the signs of the time, who guided the dancers carefully through their early years, setting the ground for their great success. Miss Marbury kept their publicity moving constantly. She was a tireless worker in their behalf.

The names of Vernon and Irene Castle blaze again in lights after 25 years. In effect, the brilliance of their short but meteorlike career never has dimmed through a quarter of a century. The advertising billing of the film at the Music Hall is evidence enough of the lasting power of showmanship. It is:

The Story of Vernon and Irene Castle
Starring
Fred Astaire and Ginger Rogers.

The Castles had that thing that makes them first. They were the champions.

Money Back Guarantee If You Don't Like Film

Oklahoma City, April 4.

Genuine and sincere money-back guarantee will soon be posted by houses of the Griffith Amusement Company circuit showing better types of pictures, it has been announced here.

The offer will be made only on 'good' pictures and will be backed up by a cash refund. Stunt will be extensively ballyhooed on screens when trailers are shown for these better attractions; also in newspaper advertising and posters.

'Dark Victory' (WB) is first film on which the offer will be made to the public.

New Acts

(From VARIETY, Feb. 16, '14.)

MR. AND MRS. VERNON CASTLE DANCING
10 MINS.; THREE
HAMMERSTEIN'S, N. Y.

Accompanied by a special orchestra of 12 colored instrumentalists, Mr. and Mrs. Vernon Castle gave an exhibition of modern 'society dancing' at Hammerstein's Monday evening that was distinguished for charm, style, rhythm, fluidity and originality of stepping. They opened with a maxixe, followed by a sort of Argentine tango, finishing with the almost famous Castle Walk.

For an encore, a whirlwind waltz brought down the house.

Jolo.

Lundigan Day Sets Off '3 Smart Girls' Ballyhoo in Sy'cuse

Syracuse, April 4.

Finest example of producer co-operation seen here in years made possible bright exploitation for Syracuse showing of 'Three Smart Girls Grow Up' at RKO-Schine Keith's here last week.

At the request of Gus Lampe, Syracuse district manager for Schine houses, Universal Studios made a special recording of a message from William Lundigan, former Syracuse radio announcer, who played opposite Deanna Durbin in the film. In the recording, Lundigan expressed greetings to Syracuse friends and gave the picture quite a plug.

The disc was aired over WFBL, where Lundigan formerly was employed, and was played up as the feature of 'William Lundigan Day.'

At the request of Lampe, Mayor Rolland B. Marvin issued a proclamation officially setting aside the day the picture had its local premiere as 'William Lundigan Day.' Lampe also secured the endorsement of the Chamber of Commerce for the special 'day.'

Studio's prompt response to Lampe's request and special care in shipping the disc by air to make sure it would be here for the premiere made possible a hanner get-away for the picture.

STAR, FILM TAGS KEPT SECRET, SO BIZ BIG

Oklahoma City, April 4.

Houses of the Griffith Amusement Company put on the circuit's annual April Fools' Night. The name of the features and the stars were kept secret in each instance but public was guaranteed a good show.

Theatre staff at each house did the unusual, limited only by each manager's imagination. At some houses ushers dressed in girls clothes, while cashiers wore boys suits. In others, ushers asked the patrons to show them a seat and occasionally the cashier insisted on giving the patron a quarter instead of taking one for the admission ticket.

Cashiers tried to sell washing machines and lingerie; managers stood around and looked dumb and were unable to answer any questions. Breaks were set in the film for flashing old-time slides such as 'Ladies Please Remove Your Hats' and all such similar stunts.

Winners of Paris Trip To Be Picked This Week

Winners in the 'Marie Antoinette' trip to Paris essay contest are being picked this week by Metro and outside judges. Contest held as part of M-G-M international good-will service, with the French government cooperating to make the jaunts possible.

Actually only four essay scribes will get the all-expense trips, two other awards going to the exhibitors handling the ballyhoo exploitation campaign on this Metro picture. Contests were carried on by 31 different branches of M-G-M. Expenses will include all costs from any point in this country to Paris.

Judges were Edward Knight, of the French Lines; A. D'Ornano, of the French Tourist Bureau; William Lewin, National Education Assoc.; W. R. Ferguson, exploitation chief for Metro, and David Blum, secretary of Metro's foreign department.

Mr. and Mrs. Gable's Oldie Gets Timely Pitt Revival

Pittsburgh, April 4.

Harris booking office here was quick to capitalize on marriage last week of Clark Gable and Carole Lombard. Couple of days after couple's elopement hit the front pages, Harrises shot in old 'Par flicker, 'No Man of Her Own,' which co-starred Gable and Miss Lombard, at Senator, on double bill with another reissue, 'Cimarron.' House pulled 'Navy Secrets,' a first-runner, to make room for 'Man.' Advertisements made it read 'Mr. and Mrs. Clark Gable.'

Only few months ago, 'Man' played a date at first-run Fulton for third time.

Wilby-Kincey Theatre Draws Biz with Stunts

Spartanburg, S. C.

Carolina, top Wilby-Kincey layout, is tops with showmanship. House awarded 25 dueats to winners in a Loretta Young ('Wife, Husband and Friend') jigsaw puzzle conducted through local morning - evening sheets, also conducted an 'oldest sweethearts' contest for the Stewart-Lombard film, 'Made For Each Other.' Prizes went to couples married greatest number of years.

Meanwhile, State clicked heavily with a newshoys tie-up for Jackie Coogan film, 'Newsboys' Home.' Stunts included circulation department tie-ins with newsboys' parade, special show for them, etc.

Chi in the Middle of Holidays; 'Ice Follies' Fair $12,000, Ditto For 'Ambush'-Vaude at State-L.

Chicago, April 4.

Both Holy Week and Passover take place at the boxoffices this week, and by the unusual picture which is able to withstand these influences. Outstanding for its ability to buck the downward trend this week is the Balaban & Katz flagship, Chicago, which is playing the all-colored 'Made-to-Swing' unit on the stage and 'Wife, Husband and Friend' on screen. B.&K. gave the stage show lavish publicity and advertising.

At the Palace, 'Love Affair' and vaude, in for a second week, indicate a profit for the house. Advertising on this picture has been fine. Another holdover is 'Pygmalion,' which has been the outstanding flicker of the season, going into its eighth week at the Apollo.

B.&K. opened two new pictures Saturday (1), putting 'Ice Follies' into the United Artists and 'Fast and Loose' in the Roosevelt. Both indicate difficulty in hitting a real tempo. Better luck is being experienced at the vaudfilm Orienta and State-Lake, which evidence some ability to get by this week.

Estimates for This Week

Apollo (B&K) (1,200; 35-55-75)—'Pygmalion' (M-G) (6th wk). About at the end of its run, which has been remarkable. Around $5,500, good, currently. Good $8,000 last week. 'Grand Illusion' (World) slated to follow.

Chicago (B&K) (4,000; 35-55-75)—'Wife, Husband' (20th) and 'Mikado in Swing' unit on stage. Lavish stage show on the rostrum billed over picture and doing the business of the town. Good $35,000 in sight. Last week, 'Oklahoma' (WB) and vaude, mild $22,100.

Garrick (B&K) (900; 35-55-75)—'Oklahoma' (WB). Not much for repeat at $4,000 currently. Last week, 'Midnight' (Par), so-so $4,500.

Oriental (Jones) (3,200; 25-40)—'Strange Faces' (U) and 'Forged Passport' (Rep) and vaude. Looks good at $12,000, all right. Last week, 'Tailspin' (20th) and 'Code of Streets' (Rep), good $14,100.

Palace (RKO) (2,500; 35-55-65-75)—'Love Affair' (RKO) and vaude (2d wk). With turn in okay $12,000, currently considering Holy Week. Last good $19,200 last week.

Roosevelt (B&K) (1,500; 35-55-65-75)—'Fast Loose' (M-G). Opened Saturday (1), but doesn't figure for much trade and evidences mild $5,500 in initial session. Last week (2d), 'Princess' (20th), $8,300, so-so.

State-Lake (B&K) (2,700; 25-40)—'Ambush' (Par) and vaude. Holding to fair $12,000 currently, with solid stage show stiffening the boxoffice. Last week, 'Four Girls' (M-G) and vaude, neat $13,800. House is developing steady patronage.

United Artists (B&K&JVs) (1,700; 35-55-65-75)—'Ice Follies' (M-G). Got off Saturday (1) and looks like fair start at $12,000. Last week (2d), 'Each Other' (U.A), fair $9,900; gross slipping in midweek.

Durbin Strong 8½G As Seattle B.O.s Hold Up

Seattle, April 4.

Holy Week is not hurting much here.

'Love Affair' good enough to hold second week at Fifth Avenue, but is still doing nice biz. Liberty, ace Jensen-von Herberg house, closed for around two weeks or so to revise its face lifting, including new marquee, front, lighting and island ticket booth.

'Three Smart Girls Grow Up' is ringing up great $8,500 at Paramount.

Estimates for This Week

Blue Mouse (Hamrick-Evergreen) (850; 32-37-42)—'Midnight' (Par) and 'Illegal Traffic' (Par). Moved over from Paramount looking for good $2,600. Last week, 'Wife, Husband' (20th) and 'Artists in Wilder' (20th), slow $1,700.

Coliseum (Hamrick - Evergreen) (1,900; 21-32)—'Idiot' (M-G) and 'Girl Downstairs' (M-G). Getting $2,500 slow. Last week, 'Trade Winds' (U.A) and 'Thanks Everything' (20th), $2,700, fair.

Fifth Avenue (Hamrick - Evergreen) (2,349; 32-37-42)—'Love Affair' (RKO) and 'Man Votes' (RKO) (2d wk). Indicate good $4,900. Last week, same films, big $6,100.

Music Box (Hamrick - Evergreen) (850; 32-37-42)—'Pygmalion' (M-G) (5th wk). Anticipate good $2,000 for finale. Last week, same film, big $3,300.

Orpheum (Hamrick - Evergreen) (2,600; 32-37-42)—'Fr Missouri' (Par) and 'Pacific Liner' (RKO). Indicate okay $5,000. Last week, 'Oklahoma, Kid' (WB) and 'O'Connor' (M-G) (2d wk), okay $3,500.

Palomar (Sterling) (1,350; 16-27-37-42)—'Newsboys' Home' (U) and 'Lost Express' (U), dual plus vaude. Expect big $4,600. Last week, 'North Yukon' (Col) on a. 'Wife's Relations' (Rep) and vrude, good $4,300.

Paramount (Hamrick - Evergreen) (3,039; 32-37-42)—'Three Smart Girls' (U) and 'Society Smugglers' (U). Anticipate great $8,500. Last week, 'Midnight' (Par) and 'Illegal Traffic' (Par), big $6,500.

Roosevelt (Sterling) (800; 21-32)—'Made Me Criminal' (WB) and 'Going Places' (WB). Expect only $1,800, slow. Last week, 'Zaza' (Par) and 'Little Tough Guys' (U), $2,300, good.

NO BUFF. JOY; BEERY FAIR $8,000

Buffalo, April 4.

Activity at local boxoffices is simmering down into normal averages of the season. 'Little Princess' at Buffalo, a booking effort to attract school vacation business, is unable to do much against the tide.

Managements generally have given up for the week. Most film offerings are merely fillers.

Estimates for This Week

Buffalo (Shea) (3,500; 30-35-55)—'Princess' (20th). Plenty of kid business, but will be lucky to get around $10,000, fair. Last week, 'Love Affair' (RKO), good $12,500.

Century (Shea) (3,000; 25-35)—'Boy Slaves' (RKO) and 'Road Demon' (20th). Indicate only $5,500, poor. Last week, 'New York Sleeps' (20th) and 'Arizona Wildcat' (20th), very poor $5,000.

Great Lakes (Shea) (3,000; 30-50)—'Maddest' (M-G) and 'Pardon Nerve' (20th). May see fair $8,000. Last week, 'Prison Bars' (UA) and 'Never Die' (Par), $10,500, very good.

Hipp (Shea) (2,100; 25-40)—'Jane Arden' (WB) and 'Great Man Votes' (RKO). Probably under $4,000, very poor. Last week, 'Fast and Loose' (M-G) and 'One Third Nation' (Par), mild $6,000.

Lafayette (Ind.) (3,300; 25-35)—'Happened One Night' (Col) (reissue) and 'Juvenile Court' (Col). So so $5,000. Last week, 'Blondie Boss' (Col) and 'Dr. Meade' (Col), subaverage $5,000.

Lent, Shriners, Spring Clip Omaha; 'Tailspin' Dual Healthy $9,500

Omaha, April 4.

Holy Week, last week's Shrine circus and a period of mild weather are having their affect on the boxoffice tone, although grosses generally ahead of Holy Week last year.

Best pace is at the Orpheum, with the dualed 'Tailspin' and 'Riding Crooked Mile.' Bob Burns 'I'm From Missouri,' at Omaha, is doing better than last Burns release, 'Arizona Raw Traveler.' The Brandeis is just fair with 'Blackwell's Island.'

Estimates for This Week

Avenue - Dundee - Military (Goldberg) (950-810-650; 10-25)—'Jesse James' (20th) and 'Paris Honeymoon' (Par), dual, split with 'Fisherman's Wharf' (RKO) and 'Flirting Fate' (M-G). Very good, $2,500. Last week, 'Kentucky' (20th) and 'Zaza' (Par), dual, split with 'Man Votes' (RKO), 'Big River' (20th) and 'Down Farm' (20th), tripler, $2,800, excellent.

Brandeis (Singer-RKO) (1,250; 10-25-35-40)—'Blackwell' (WB) and 'Beauty Asking' (RKO). Fair $3,800. Last week (2d), 'Love Affair' (RKO) and 'Saint Strikes Back' (RKO), good $4,600.

Omaha (Blank) (2,200; 10-25-40)—'From Missouri' (Par) and 'Persons Hiding' (Par). Good $6,800. Last week, 'Mr. and Mrs.' (M-G) and 'Charlie Chan' (20th), $7,500, pretty good.

Orpheum (Blank) (3,000; 10-25-40)—'Tailspin' (20th) and 'Crooked Mile' (Par). Good $9,500. Last week, 'Oklahoma Kid' (WB) and 'Musketeers' (20th), good $9,500.

Town (Goldberg) (1,250; 10-20-25)—'Dark Rapture' (U), 'How Time Ber' (Rep) and 'To Victor' (GB), last two first-runs, tripler, split with 'Man Votes' (RKO), 'The Frog' and 'Paris Honeymoon' (Par). Fair $1,500. Last week, 'Pride Navy' (Rep), 'Miss Ex' (Rep), and 'Rolling Westward' (Mono), tripler, all first-runs, split with 'Illegal Traffic' (Par), first-run, 'Kentucky' (20th) and 'Zaza' (Par), tripler, good $1,800.

First Runs on Broadway

(Subject to Change)

Week of April 6

Astor—'Pygmalion' (M-G) (18th wk).

Capitol—'Broadway Serenade' (M-G).

Criterion—'Within the Law' (M-G).

Globe—'Prison Without Bars' (UA) (8).

Music Hall—'The Story of Irene and Vernon Castle (RKO) (2d wk).

Paramount—'Midnight' (Par) (5).

Rialto—'On Trial' (WB) (4).

Rivoli—'Three Smart Girls Grow Up' (U) (4th wk).

Roxy—'Alexander Graham Bell' (20th) (2d wk).

Strand—'Dodge City' (WB) (7).

Week of April 13

Astor—'Pygmalion (M-G) (19th wk).

Capital—'Broadway Serenade' (M-G) (2d wk).

Criterion—'Mutiny on the Bounty (M-G) (revival).

Globe—'Prison Without Bars' (UA) (2d wk).

Music Hall—'Dark Victory' (WB).

Paramount—'Midnight' (Par) (2d wk).

Rialto—'The Flying Irishman' (RKO) (12).

Rivoli — 'Wuthering Heights' (UA) (14).

Roxy—'Return of the Cisco Kid' (20th) (14).

Strand—'Dodge City' (WB) (2d wk).

'FOLLIES'-AMS RED 14G, PITT

Pittsburgh, April 4.

Worst Lent around here in flock of years is winding up this week at the box bottom. Biz is not only off in downtown area, but also all over territory, with grosses on all fronts off 25 to more than a month now by at least 25% over year ago. Easter expected to bring slight respite.

Only thing that's getting any coin at all is 'Huckleberry Finn' and that chiefly on strength of Mickey Rooney's b. o. pull. Flicker itself pretty generally rapped but juve trade is saving it from doldrums. 'Hound of Baskervilles' is picking up Alvin a slight bit, but topping last fortnight's biz at this spot isn't any trick, since previous week's take hit a new low for house. 'Ice Follies' and Major Bowes show are just filling in at Stanley.

Estimates for This Week

Alvin (Harris) (1,350; 25-35-50)—'Baskervilles' (20th). Sherlock Holmeser well liked, but hit town at wrong time and won't see more than average trade. Looks like around $4,700, counting on extra day. House holds over to keep 'Hound' going couple more days in order to hold 'Three Smart Girls Grow Up' (U) off until Good Friday, but latter picture opens tomorrow (5). Last week, 'Winner All' (20th) and 'Miss X' (Rep), in 5 days, pretty close to a new low at $2,100.

Fulton (Shea-Hyde) (1,750; 25-40)—'Star Midnight' (RKO) and 'Lost Patrol' (RKO). Couple of reissues merely in for the ride. Stick 10 days, not because business warrants it, but because management is unwilling to shove in 'East Side of Heaven' (U) before Saturday (8). Maybe around $2,600 for the eleven days ahead. Last week (3d), 'Princess' (20th) got fair enough $2,000 in four days of it.

Fenn (Loew's-UA) (3,300; 25-35-50)—'Huck Finn' (M-G). Mickey Rooney's b. o. force bringing 'em in despite Holy Week and adverse notices. Paced for better than $13,000, which isn't bad at all. Last week, 'Beach comber' (Par) slipped in stretch after fast start and pulled up short of $13,000.

Senator (Harris) (1,800; 25-40)—'Zaza' (Par) and 'Navy Secret' (Mono). Latter picture reissued on Monday (3) for 'No Man of Her Own' (Par), management figuring that ber-Clark Gable' thing might help. Reissues aren't pulling around here, however, except in rare instances and current management can stand much chance of topping $1,900. Last week 'Eagle and Hawk' (Par), another oldie, and 'Mystery of Mr. Wong' (Mono), $1,800, n. g.

Stanley (WB) (3,800; 25-40-50)—'Ice Follies' (M-G) and 'Bowes' World's Fair Revue.' Ams usually fairly strong b. o. draft here, but they've caught this time in the general collapse. Poor $14,000. Last week 'Cafe Society' (Par) and Janis Williams' Coquettes-Eddie Peabody, $13,000, very poor.

Warner (WB) (2,000; 25-40)—'Saint Strikes Back' (RKO) and 'Secret Air' (WB). Will be lucky to crack $3,000, poor. Last week, 'One Third Nation' (Par) and 'Boy Trouble' (Par), around $3,400, poor.

It's Holy Week but 'The Castles' Socko at $100,000; 2d Week of 'Mo.' Plus Stage $32,000, Durbin 16G 3d

The Dorsey Brothers are against each other for two days this week, today (Wed.) and tomorrow (Thurs.). Tommy opens today (Wed) with 'Midnight' at the Paramount, with big things predicted of him, while Jimmy is winding up a lacklustre engagement at the Strand tomorrow night (Thurs.). Pioneering along with 'You Can't Get Away With Murder,' Jimmy Dorsey failed to top $23,000 the first week and on the holdover will be about $17,000. This is the lowest figure for the Strand since it started pit bands six months ago.

While this is Holy Week, with Jewish Passover failing at the same time, things could be worse with one exception. This is the Capitol, where 'Society Lawyer' dips near an all-time low for the house at around $11,000. 'Bulldog Drummond's Secret Police,' at the Criterion, is also playing to a lot of empty seats in a losing fight to get over $5,500.

The brighter things in life are highlighted by the figure of $100,000 or near by 'Vernon and Irene Castle' at the Music Hall. 'Alexander Graham Bell,' strongly advertised and exploited, with additional aid from the ether, while no sensation at the Roxy is doing well to hit $45,000 or better. It holds through Easter week.

Lack of serious Lenten and Holy Week disturbance is further attested to by a $32,000 second (final) week for 'I'm From Missouri,' with Charles Barnet, Dorothy Lamour and Mischa Auer at the Paramount, ending last night (Tues.). This, with a first week of $38,000 here, adds to very satisfactory profit.

Third week of 'Three Smart Girls,' at hand, is probable $18,000, quite all right, and it remains through Easter with 'Wuthering Heights' scheduled for April 14.

Rialto pepped up a little with 'They Made Her a Spy,' which ended its week Monday night (3) at $16,000. 'On Trial' is the successor. Another new picture of the past week, 'Let Us Live,' wound up its first week at the Globe last night (Tues.) at $9,000 and remains an additional week with 'Prison Without Bars' due Saturday (8).

The State is among those that lack gait, chance looking only $13,000, meagre profit, with 'Honolulu' and Tony Galento. This may be considered disappointing in view of the anticipated pull Galento would bring to the b.o. He is doing the boxing part of the picture, but, like if what 'Honolulu' did at the Capitol a few weeks back is any criterion covering that picture. It got only $20,000 — eight days at the Cap, poor. An indication of the high hopes held for Galento was a book-up deal at $2,000 and a split starting at a gross of $34,000, nearly double what State is doing.

Estimates for This Week

Astor (1,012; 25-40-55-65) — 'Pygmalion' (M-G) (17th week). Long-run picture at pop scale is doing a little this week to about $8,500, but still plenty of profit. Last week nearly $9,000, probably carrying until around May 1, to be followed by 'Mikado' (U).

Capitol (4,820; 25-35-55-65-$1.25)—'Society Lawyer' (M-G). No spunk at all and at $11,000 close to all-time low of house scored recently a year ago. Last week 'Sid Madden' (M-G) under $14,000, poor.

Criterion (1,662; 25-40-55)—'Drummond's Fr.'. Dwindling along for less than $5,500, very disappointing. In ahead, 'I Was a Convict' (Rep), $8,400, muddy going.

Globe (1,274; 25-40-55)—'Let Us Live' (Col). In for 10 days and good at $9,000 for seven days ending last night (Tues.). 'Prison Without Bars' (UA) opens Saturday (8). The final week of 'Blackwell's Island' (WB) was $7,500.

Palace (1,700; 25-35-55)—'Darling Daughter' (U) and 'Dodge City' and 'Ware Take All' (20th) (1st run), dualed. Approximately $7,500 appears the answer with this pair. Last week's duet, 'Wife, Husband' (20th) 1st run and 'Woman Doctor' (U), also $7,500, mild.

Paramount (3,664; 25-35-55-85-99) — 'Midnight' (Par) and Tommy Dorsey's orchestra. Opening Wednesday following two weeks of 'I'm From Missouri' (Par), together with Charles Barnet orchestra, Dorothy Lamour and Mischa Auer in person. Final lap, finished last night (Tues.) was good, good pace and around $45,000 the first seven days, fine profit.

Radio City Music Hall (5,980; 40-60-84-99-$1.65) — 'Vernon and Irene Castle' (RKO) and stage show. A very fast dance at $100,000 or close, this being Holy Week. Stays over through Easter week when strength should be greater. Last week, 2d for 'Love Affair' (RKO), $78,000, good.

Rialto (750; 25-40-55)—'On Trial' (WB). Opened here yesterday morning (Tuesday) after week behind it of 'Made Her a Spy' (RKO) at $8,200, better than of late.

Rivoli (2,092; 25-55-75-85-99)—'Smart Girls' (U) (3d week). Considering scale here and opposition of stage-show houses, Durbin item is doing very well: this week (3d) about $16,000, after second week of $23,500. Stands a fourth, with 'Wuthering Heights' (UA) to open April 14.

Roxy (5,836; 25-40-55-75) — 'Bell' (20th) and stage show. Far from being a smash, still pretty good for above week at $45,000 or over, and holds through Easter. Last week 'Baskervilles' (20th) held its head above water satisfactorily for $37,500.

State (3,450; 35-55-75)—'Honolulu' (M-G) (2d run) and stage bill with Tony Galento. Picture, weak at the Cap first run, isn't finding expected strength in Galento at probable $19,000 one week, but a little profit. Last week 'Made for Each Other' (UA) (2d run) and Sappy Felton band, near to $20,000, okay.

Strand (2,767; 25-40-55-75-85-99)—'Get Away Murder' (WB) and Jimmy Dorsey (2d-final week). This may be one of the weakest here and doubtful for $17,000 this week (2d), but this is Holy Week. The first seven days was under $23,000. Last week, 'Dodge City' (WB) and Guy Lombardo, booked for three weeks straight, open Friday (7).

DET. WAY OFF: 'BLONDIE'-VAUD N.G. $16,000

Detroit, April 4.

Due to run-of-mine product for Holy Week, B.O.'s generally are in the doldrums. 'Blondie Meets the Boss,' plus stage show at the Fox, is getting mediocre biz.

Estimates for This Week

Adams (Balaban) (1,700; 30-40)—'Three Smart Girls' (U) (2d run) plus 'Son Criminal' (Col), dual. Durbin opus moved here after nice week at Fox, looks for good $6,000. Last week, 'Frankenstein' (U) and 'Lone Wolf' (Col), okay $5,500.

Fox (Fox-Detroit) (5,006; 30-40-85)—'Blondie Boss' (Col) plus stage show. Paced for mediocre $16,000. Last week 'Three Smart Girls' (U) and Mitzi Green heading vaude; strong $23,500.

Michigan (United Detroit) (4,000; 30-40-65)—'Never Die' (Par) and 'St. Louis' (Par). Doesn't figure to get yonder $11,000, fair. Last week, $10,000 for 'From Missouri' (Par) and 'Fast Loose' (M-G).

Palms State (United Detroit) (3,-000; 30-40-50)—'King Turf' (UA), plus 'Wong' (Mono). Pre-Easter dip here, good at around $4,000, n.g. Last week, 'Each Other' (UA) and 'Mitzi Green' and 'Chinatown' (Par), only fair $7,000.

United Artists (United Detroit) (2,000; 30-40-65)—'Ice Follies' (M-G). Figures to get only fair $8,000, but will hold for Easter trade. Last week, okay $8,000 for second sesh of 'Pygmalion' (M-G) following good $12,500, opening stanza.

GARFIELD BIG $19,000 IN B'KLYN; 'KID' GOOD

Brooklyn, April 4.

Outstanding among downtown deluxers is the John Garfield flicker, 'Blackwell's Island' at the Paramount. Loew's Metropolitan also is copping coin with 'Huckleberry Finn.'

Albee is bright with 'Three Musketeers.'

Estimates for This Week

Albee (3,274; 25-35-50)—'Musketeers' (20th) and 'Mr. Moto' (20th). Nice $15,000. Last week, 'Oklahoma Kid' (WB) and 'Never Die' (Par) (2d wk), Nifty $18,500. Last week, $20,000.

Met (3,618; 25-35-50)—'Huck Finn' (M-G) and 'Fast Loose' (M-G). Good $19,000. Last week, 'Honolulu' (M-G) and 'Mutiny Elsinore' (M-G), nice $15,000.

Paramount (4,126; 25-35-50)—'Blackwell' (WB) and 'Boy Trouble' (Par). Swell $19,000 and will hold. Last week, 'Cafe Society' (Par) and 'King Chinatown' (Par), $18,500, good.

Strand (2,870; 25-35-40)—'Jane Arden' (WB) and 'Long Shot (CN). Quiet $5,000. Last week, 'Sudden Money' (Par) and 'Mystery Plane' (Mono), unexciting $5,500.

Holy Wk., Passover Take Philly Toll; 'Missouri'-Venuti-Lewis N.G. $17,000

Philadelphia, April 4.

Religious holidays and the proximity of Easter are taking their toll this week at the b. o. Although there's no school for the kids, this is figured to fan more draught into the nabes than the deluxers. Shopping rush hitting grosses and, despite fairly good film weather, they are only so-so. Last night (Monday) was slow as a result of Passover, but for the same reason there was a small business biz today.

Vaudfilm Fox is hanging up a new low this week since it adopted the present combo policy a couple months ago. With 'Missouri,' Joe Venuti's orch and Joe Lewis on the stage, there'll be no more than $17,000 in the till for the week, unprofitable, although the nut is rather reasonable. 'Hound of the Baskervilles,' given a nice teeoff by the crix, is moving rather slowly at $12,000; still profitable, however.

Failure of 'Flying Irishman' (RKO) at Stanton brought one of the strangest and most unanimous flurries of regret ever evidenced by film critics here. Doug Corrigan pic was pulled by Warner Bros. in five days with only $1,200 in the till.

Finish brought columns of praise for both picture and aviator from newspaper c.o.ers. All expressed surprise at failure of the film to attract business. There was a good deal of admiration expressed for the way in which the hero's story was told and for Corrigan's acting ability, considering the fact that he's a flier, not an actor. Publicity was tried to help somewhat on subsequent runs.

Estimates for This Week

Aldine (WB) (1,303; 32-42-57)—'Midnight' (Par) (2d wk). Not terrific, but satisfactory at $9,000 in view of grosses being down in the other houses. Initial jap, good $14,000.

Boyd (WB) (2,350; 32-42-57)—'Baskervilles' (20th). Very good hound by crix, but meeting with mixed word of mouth. Pretty fair $12,000. Last week (2d), 'Love Affair' (RKO), fair $10,000.

Earle (WB) (2,756; 26-32-42)—'Stagecoach' (UA) (3d week). Still racing along. Very pleasing $7,000. Last week, 'Daughter' (WB) (3d run), okay $6,400.

Fox (WB) (2,423; 32-37-42-57-68)—'Missouri' (Par) and vaude. Joe Venuti's orch, Joe E. Lewis, Ria Le Roy and Neila Goodelle on the boards, but a letdown from nifty grosses which this house has been getting. Lowest yet at $17,000, unprofitable. Last week, 'Blackwell' (WB) with Joan Davis and Jack Donahue's orch on stage, fair $20,000.

Karlton (WB) (1,066; 32-42-57)—'Princess' (20th) (2d week). Temple continues in her inability to pull in midtown Philly, although nicking up slightly in proportion to first week's $3,800. Last week, 'Honest Man' (U) (2d run), very nice $4,600.

Keith (RKO) (1,670; 32-42-57)—'Love Affair' (RKO) (2d run). Repeating the first-run strength with $4,500, following a double session at the Boyd. Last week, 'Oklahoma Kid' (WB) (2d run) $3,200.

Palace (WB) (1,100; 26-42)—'On Trial' (WB). Pic got little exploitation, which product at this new first-run spot needs. Rather weak at $4,400. Last week, 'Blondie Boss' (Col), fairish $4,900 under the hype of the comic strip name and dated plugging.

Stanley (WB) (2,916; 32-42-57)—'Three Smart Girls' (U) (2d wk). Despite hefty applause from crix, good word of mouth and the name Durbin, this isn't quite pulling the wax it should. Nicking off only about $9,000 for this term after $14,000 in the opener. Latter figure lower than usual to earn b. o.

Stanton (WB) (1,457; 26-32-42)—'Madden' (M-G). On the basis of cornerstones, this is doing better than anything in town. Being held over for 10 days to get the house back to Saturday opening policy and will grab off about $6,800 for the week. Last week, 'Flying Irishman' (RKO), pulled in only five days with but $1,200 in the till.

'WIFE, HUSBAND' TEPID $5,500 IN DULL O. C.

Oklahoma City, April 4.

Holy Week is hitting the b.o.s plenty hard.

Murder will be 'Wife, Husband and Friend' at Criterion, but only average $5,500. Last week everything came off with 'Daring Daughter' taking deepest nosedive.

Estimates for This Week

Criterion (Stan) (1,500; 25-35-40)—'Wife, Husband' (20th). Best in sight is average $5,500 and probably not much that much. Last week, 'Daughter' (WB), nose-dived to very poor $3,900.

Liberty (Stan) (1,200; 20-25)—'Off Record' (WB) and 'Strange Faces' (U), split with 'Boy Trouble' (Par) and 'Motor' (20th). Good for average $2,500. Last week, 'King Under-world' (WB) and 'Secrets Sky' (U), split with 'Last Warning' (U) and 'Everybody's Baby' (20th), average $2,300.

Midwest (Stan) (1,500; 25-35-40)—'Song Plains' (M-G). Poor $3,500 best in sight. Last week, 'St. Louis' (Par), n.g. $3,700.

Plaza (Stan) (750; 25-35-40)—'Daughter' (WB). Moveover from Criterion getting poor $1,100. Last week, 'Beachcomber' (Par), so-so $1,400.

State (Noble) (1,100; 20-25)—'Lit-tle Men' (Mono) and 'Billy Kid' (Rep). Bit below average at $2,400. Last week, 'Lone Wolf' (Col) with 'Pride of Navy' (Rep), floundered at $2,000.

Trower (Stan) (1,000; 25-35-40)—'Dress Parade School' (M-G). Below average at $2,300. Last week, 'Cafe Society' (Par), $2,100, n.g.

HUB'S BIZ SAGS; 'HONOLULU' OK $31,000

Boston, April 4.

Stormy and spring weather and the immediate Easter are blamed for the allbis for this week's relative slump, but the good product is showing up all right.

'Honolulu,' on a dual bill, is better than average. 'Love Affair,' dualed, is okay in its second week.

Estimates for This Week

Boston (RKO) (3,200; 20-30-40)—'Star Midnight' (re-issue) (RKO) and 'Lost Patrol' (RKO) (2d run), dual, with vaude for four days; and 'Daughter' (WB) and 'Great Man Votes' (RKO) (2d run), dual, for three days. Aiming at satisfactory $8,000. Last week, 'Stolen Faces' (U) and 'Renegade Trail' (Par), dual, with vaude, for four days, and 'Star Maker' (U) and 'Lost Patrol,' double, three days, good $8,500.

Fenway (M&P) (1,332; 25-35-40-55)—'One-Third Nation' (Par) and 'Never Say Die' (Par). Fair $5,000 promised. Last week 'Blackwell' (WB) and 'Arizona Wildcat' (20th), n.s.h. $4,300.

Keith Memorial (RKO) (2,907; 25-35-40-55)—'Love Affair' (RKO) (2d wk) and 'Society Smugglers' (U) (1st wk). Good at healthy $15,000. Last week 'Affair' and 'Crowded Hours' (RKO), dual, big $27,000.

Metropolitan (M&P) (4,367; 25-35-40-55)—'Daughter' (WB) and 'Torchy Chinatown' (WB). Medium $14,000 gait. Last week 'Midwinter' (Par) and 'King Chinatown' (Par), sad $11,000.

Orpheum (Loew) (2,903; 25-35-40-55)—'Honolulu' (M-G) and 'O'Connor' (M-G). In $17,000 groove, good. Last week, 'Stagecoach' (UA), and 'Whistling Enemies' (Col), dandy $19,000.

Paramount (M&P) (1,797; 25-35-40-55)—'One Third' (Par) and 'Never Die' (Par). Medium $7,500. Last week, 'Blackwell' (WB) and 'Arizona Wildcat' (20th), pale $6,500.

Seollay (M&P) (2,538; 25-35-40-50)—'Blackwell' (WB) and 'Cafe Society' (Par) (both 2d run). Skidding to $4,000. Last week, 'Wife, Husband' (20th) and 'Tailspin' (20th) (both 2d run), $4,000, poor.

State (RKO) (3,600; 25-35-40-55)—'Honolulu' (M-G) and 'O'Connor' (M-G). Good $14,000 indicated. Last week, 'Stagecoach' (UA) and 'Whispering Enemies' (Col), $15,000, good.

Trade Practice

(Continued from page 3)

practice agreement. Rodgers' letter stated that 'we have not yet completed a revision of the provisions with respect to arbitration machinery,' and 'it is obvious that this is not complete and further elaboration will be necessary in the light of discussions and of your counsel's suggestions, but we believe that the statements of principle contained in it and in the revised memorandum enclosed herewith will furnish the foundation for the arbitration machinery desired.'

The letter also stated that a copy of the pact was being sent the Department of Justice in accordance with assurances of counsel that the Department would be kept informed of the results of the industry conferences. Rodgers suggested that a joint conference be held with the Dept. of Justice at the earliest possible date for the purpose of obtaining its approval of the proposals and of considering methods of putting them into effect.

Rodgers advised that United Artists had withdrawn from participation in the conferences but gave no reason for such withdrawal.

U. A.'s Setup Is Different

UA refused to go along with other distributors because the company is set up differently than others and could not agree to any such provision as a cancellation privilege. Under the revised draft this is 10% when rental exceeds $250 or $250; 15% when between $100 and $250, and 20% when under $100.

UA never granted a cancellation privilege, whereas all other companies have permitted a 10% withdrawal, because UA, strictly a distribution company, has contracts with individual producers which do not allow this. In other words, should UA attempt to allow 10 to 20% cancellation, an exhibitor buying the whole program could drop all of Sam Goldwyn's or any other producer's product.

Additionally, UA pictures, all identified, are sold separately in accordance with the contracts this distributing organization has with Goldwyn, Alexander Korda, Dave Selznick and others. Thus, should an exhibitor have bought Selznick's pictures alone this year, only two being supplied, it would be impossible to figure any kind of a cancellation privilege.

UA dropped its score charge several years ago and does not consolidate this charge in film rentals. It has under taken other reforms on its own and in no case, it is declared, has forced shorts. Company does not furnish a newsreel.

It is believed that while UA cannot participate with other distribs on the entire trade practices draft, including cancellation privileges, it will strive separately and apart and the like, it will go along on other points such as arbitration. To do this would simply require a clause to cover its various forms of contracts which UA uses.

Trade practices concordat is retroactive on all contracts signed since Jan. 1 for 1939-40 season. The distributors have been selling film with this understanding and appending a clause to contracts agreeing that if and when trade practice reforms are adopted, all provisions would apply.

Chides Goldwyn

(Continued from page 3)

11 separate producers now in the organization with the exception of Mary Pickford, who will not contribute any product toward next's season's schedule, all actively producing and distributing the lowest distribution costs obtainable anywhere in the business.

This is made possible, he said, 'by virtue of the fact that UA's reserves accumulated during the past 20 years, together with such factors as no preference stock outstanding, no debentures, no bank loans, no frozen assets and all producers contributing their own financing, with the exception of Walter Wanger, all contribute toward an absolutely liquid company.'

Charles Chaplin is definitely going ahead with 'The Dictator' and is writing all the dialog himself. Doug. las Fairbanks, Sr., started cameras rolling on 'The Californian' on Monday (3). Ernst Lubitsch, on termination of his picture commitment for Metro, will actively start producing for UA around Jan. 1, 1940, and will make three pictures over a two-year period. In addition to delivery of these pictures from the Lubitsch-Sol Lesser combination, Lesser will also have his own separate unit and will deliver at least one picture annually, production to be on a basis comparable with other high-calibre pictures from UA producers.

David M. Loew is abandoning production of the Joe E. Brown type of picture and under a term contract with UA will turn out two quality pictures annually. Loew will finance his pictures personally, produce on the Selznick-International lot, and is now negotiating deals for stars and story properties. One possible deal said to be in work would bring an alignment of a name director and Loew on production, on a 50-50 basis. Loew spoke in high praise of David O. Selznick; considers he is one of the outstanding producers in the industry and looks for 'tremendous expansion' based on undisclosed plans UA and Selznick are working on. Selznick will produce three pictures for next season, two of which will be 'Intermezzo' and 'Rebecca.'

United Artists will file its answer to Goldwyn's suit in Federal court next week. Schwartz will defend the suit for UA, jointly with O'Brien, Driscoll & Raftery.

Howard's 'Intermezzo'

Hollywood, April 4.

Leslie Howard closed with Selznick-International to play lead and be associate producer on 'Intermezzo.' John van Druten is scripting for a May production start.

Duals Plentiful, But No K. C. Biz; Garfield Fair 5G

Kansas City, April 4.

A stampede of double bills is on generally, with four of the six first-run situations carrying added features. Despite quantity of film offerings, no marked improvement in the mediocre quality of pictures.

'Pygmalion,' at the Esquire, is worthy of some attention going into third week of subsequent run. Picture inaugurated policy in this house and subsequent run may be solution for the small theatre.

Estimates for This Week

Esquire (Fox Midwest) (620; 10-25-40)—'Pygmalion' (M-G) (3d week). Film not in big numbers, but surprising with its steadiness. Currently $1,500 following previous $2,000 and $2,500 weeks.

Midland (Loew's) (3,573; 10-25-40)—'Fast Loose' (M-G) and 'Four Girls' (M-G). Average magnetism here and fair at $9,500. Last week, 'Ice Follies' (M-G) and 'Let Liver Live' (Col), $10,500, okay but not up to expectations.

Newman (Par) (1,900; 10-25-40)—'Never Die' (Par) and 'Eagle and the Hawk' (Par) (reissue). Only fair at $5,300. Last week (2d), 'Four Missouri' (Par), satisfactory $5,000.

Orpheum (RKO) (1,500; 10-25-40)—'Blackwell' (WB) and 'Fisherman's Wharf' (RKO), duet. Bobby Breen name, heretofore relied upon as first rank, relegated to second place here. No more than fair biz in sight, $5,000. Last week (2d), 'Love Affair' (RKO), gave nice account of itself at $5,000, following first week's $7,000.

Tower (Fox-Midwest) (2,050; 10-25-40)—'Baskervilles' (20th) and 'Family Next Door' (U). Straight films resorted to again. Mild at $6,300, but films in the black more at this figure than with vaude. Last week, 'Society Smugglers' (U) and Louis Armstrong's orch on stage, with admish scaled up to 55c, registered under expectations at $9,700.

Uptown (Fox Midwest) (1,200; 10-25-40)—'Baskervilles' (20th). Only one of first-run houses with single bill currently. Figures around average at $3,000. Last week, 'Culver' (U) and 'Risky Business' (U), moved over from previous week's showing at Tower, fairish $2,700.

PROV. HAS B. O. BLUES; 'FAST' DUAL SLOW 10G

Providence, April 4.

Holy Week doldrums hitting mainstemmers, with big generally slow. 'Fast and Loose,' at State, is highest with only fairish $10,000 in offing.

Estimates for This Week

Albee (RKO) (2,000; 25-35-50)—'Culver' (U) and 'Society Smugglers' (U). So-so $4,500 indicated. Last week 'Without Bars' (UA) and 'Crowded Hours' (RKO), fair $5,800.

Majestic (Fay-Loew) (1,400; 25-35-50)—'Madden' (M-G) and 'Blondie Boss' (Col) (2d run). Creepy $3,500. Last week 'Pygmalion' (M-G) and 'Whispering Enemies' (Col) (2d run), nice $6,000.

Fay's (Indep) (2,200; 25-35-40)—'Wong' (Mono) and vaude. Heading for peppy $7,500. Last week 'On Trial' (WB) and vaude, good $7,800.

Majestic (Fay) (3,200; 25-38-50)—'Baskervilles' (20th) and 'Risky Business' (U). Poor $5,000. Last week 'Wife, Husband' (20th) and 'Everybody's Baby' (20th), disappointing $4,000.

State (Loew) (3,200; 25-35-50)—'Fast Loose' (M-G) and 'Mystery Plane' (Mono). Paced at fairish $10,000. Last week 'Madden' (M-G) and 'Blondie Boss' (Col), hefty $13,000.

Strand (Indie) (2,200; 25-38-50)—'Eagle and Hawk' (Par) (reissue) and 'Orphan Annie' (Par). Holding own for good $6,000. Last week 'Midnight' (Par) and 'Frontiersmen' (Par), garnered good $9,700 in 10-day run.

Mpls. Hits Bottom; $5,000 Rooney Fair

Minneapolis, April 4.

With Holy Week intensifying the local boxoffice depression, aggregate of four grosses is headed toward the irreducible minimum. Nary a single showhouse will come anywhere near attaining the figures, and the takings, in every instance, will be of sorry proportions.

No less than three of the four film newcomers—'Little Princess,' 'Huckleberry Finn' and 'Spirit of Culver'—hold their strongest appeal for the juvenile trade. This crowding in of so many kid pictures simultaneously is probably attributable to the fact that it's Easter vacation week for the youngsters and the showhouses hope to cash in on matinee trade. It also may be due to a desire to get out of the way product which could not mean strong boxoffice here under any circumstances, instead of 'wasting' superior attractions on Holy Week.

It's been a long time since Shirley Temple meant anything at the b.o. here, and 'The Little Princess' has the State still in the doldrums. As for 'Huckleberry Finn' Mickey Rooney is helping the Orpheum. The one new out-and-out adult offering, 'Fast and Loose,' is winning some favor, but is luring heavy sugar to the Century. However, 'Pygmalion,' in its fifth downtown week, continues to keep the World well in the black.

Estimates for This Week

Aster (Par-Singer) (900; 15-25). 'Inside Story' (20th) and 'Society Smugglers' (U), dual first-runs. Mild $1,500. Last week, 'Spirit of Culver Sage' (Par) and 'Boy Trouble' (Par), dual first-runs, split with 'Lady Vanishes' (20th) and 'Nancy Drew' (WB), also first-runs, pretty good $1,500.

Century (Par-Singer) (1,600; 25-35-40). 'Fast and Loose' (M-G). Helped because it's lone newcomer and vaude unit. Fairish $6,000 in prospect. Last week, 'Beachcomber' (Par) (2d week), $3,200, light, after good 6d first week.

Gopher (Par-Singer) (998; 25). 'Spirit of Culver' (U). Mixed comment, with one among critics and customers. Has to split youngster trade with two other powerful competitors. Will do well to top light $2,500. Last week, 'Four Girls' (M-G), $3,100, good.

Orpheum (Par-Singer) (2,800; 25-35-40). 'Huck Finn' (M-G). Kids falling hard for this one, but adult trade not so keen. Rooney, however, pulling some customers. En route to fairly good $6,500. Last week, 'Daughter' (WB) and 'Last Breeze' orch, Stepin Fetchit on stage, $15,000, big.

State (Par-Singer) (2,300; 25-35-40). 'Little Princess' (20th). Shirley Temple continues on boxoffice downgrade here. Will have difficulty in reaching $5,000 in dull 7 days. Last week, 'Wife, Husband' (20th) yanked after six bad days, $3,500.

Time (Berger) (398; 15-25). 'Star Midnight' (RKO). Reissue drawing moderately well, due to cast presence of Ginger Rogers and Ginger Rogers. May reach fair $700. Last week, 'Assassin Youth' (Indie) (3d week), light $400.

Uptown (Par) (1,200; 25-35). 'Honolulu' (M-G). First neighborhood showing. Light $1,800 indicated. Last week, 'Gunga Din' (RKO), $3,000, good.

World (Steffes) (350; 25-35-40-55). 'Pygmalion' (MG) (5th wk). This one has landed solidly. Off this week, prefer to hold for Last windup, but may last another canto, or even longer. Fairly good $1,500 in sight. Last week, $1,900, good.

'Princess' Shabby Fairly Good $6,500

With Holy Week intensifying the local boxoffice depression, aggregate of four grosses is headed toward the irreducible minimum. Nary a single showhouse will come anywhere near attaining the figures, and the takings, in every instance, will be of sorry proportions.

No less than three of the four film newcomers—'Little Princess,' 'Huckleberry Finn' and 'Spirit of Culver'—hold their strongest appeal for the juvenile trade. This crowding in of so many kid pictures simultaneously is probably attributable to the fact that it's Easter vacation week for the youngsters and the showhouses hope to cash in on matinee trade. It also may be due to a desire to get out of the way product which could not mean strong boxoffice here under any circumstances, instead of 'wasting' superior attractions on Holy Week.

It's been a long time since Shirley Temple meant anything at the b.o. here, and 'The Little Princess' has the State still in the doldrums. As for 'Huckleberry Finn' Mickey Rooney is helping the Orpheum. The one new out-and-out adult offering, 'Fast and Loose,' is winning some favor, but is luring heavy sugar to the Century. However, 'Pygmalion,' in its fifth downtown week, continues to keep the World well in the black.

Estimates for This Week

Aster (Par-Singer) (900; 15-25). 'Inside Story' (20th) and 'Society Smugglers' (U), dual first-runs. Mild $1,500. Last week, 'Spirit of Culver Sage' (Par) and 'Boy Trouble' (Par), dual first-runs, split with 'Lady Vanishes' (20th) and 'Nancy Drew' (WB), also first-runs, pretty good $1,500.

Century (Par-Singer) (1,600; 25-35-40). 'Fast and Loose' (M-G). Helped because it's lone newcomer and vaude unit. Fairish $6,000 in prospect. Last week, 'Beachcomber' (Par) (2d week), $3,200, light, after good 6d first week.

Gopher (Par-Singer) (998; 25). 'Spirit of Culver' (U). Mixed comment, with one among critics and customers. Has to split youngster trade with two other powerful competitors. Will do well to top light $2,500. Last week, 'Four Girls' (M-G), $3,100, good.

Orpheum (Par-Singer) (2,800; 25-35-40). 'Huck Finn' (M-G). Kids falling hard for this one, but adult trade not so keen. Rooney, however, pulling some customers. En route to fairly good $6,500. Last week, 'Daughter' (WB) and 'Last Breeze' orch, Stepin Fetchit on stage, $15,000, big.

State (Par-Singer) (2,300; 25-35-40). 'Little Princess' (20th). Shirley Temple continues on boxoffice downgrade here. Will have difficulty in reaching $5,000 in dull 7 days. Last week, 'Wife, Husband' (20th) yanked after six bad days, $3,500.

Time (Berger) (398; 15-25). 'Star Midnight' (RKO). Reissue drawing moderately well, due to cast presence of Ginger Rogers and Ginger Rogers. May reach fair $700. Last week, 'Assassin Youth' (Indie) (3d week), light $400.

Uptown (Par) (1,200; 25-35). 'Honolulu' (M-G). First neighborhood showing. Light $1,800 indicated. Last week, 'Gunga Din' (RKO), $3,000, good.

World (Steffes) (350; 25-35-40-55). 'Pygmalion' (MG) (5th wk). This one has landed solidly. Off this week, prefer to hold for Last windup, but may last another canto, or even longer. Fairly good $1,500 in sight. Last week, $1,900, good.

LA CAVA HURRIES 'GIRL' FOR GINGER ROGERS

Hollywood, April 4.

Gregory La Cava's RKO production of 'My Fifth Avenue Girl,' starring Ginger Rogers, is being hypoed to hit cameras immediately after completion of Miss Rogers' current starrer, 'Little Mother.'

Morrie Ryskind is screenplaying from mag yarn by Frank R. Adams.

Now Get Tough, Randy

Hollywood, April 4.

Randolph Scott gets top spot in 'Frontier Marshal,' starting May 15 for Fox.

Sol M. Wurtzel produces and Allan Dwan directs the high-budget western.

Salt Water Special

Hollywood, April 4.

Merian C. Cooper gets the directorial chore on the Jules Verne story, '20,000 Leagues Under the Sea,' at Metro.

Picture is slated for release on the 1939-40 program.

Only Durbin, $16,000, Shows Life As Competish Murders Frisco B.O.s

San Francisco, April 4.

Warm weather over the weekend sent 78,000 to the Treasure Island site of the Frisco expo Sunday (3), another 25,000 to opening ball game in Seal's Stadium and thousands to the polo game in Golden Gate Park. This exodus, plus the competish from 'Folies Bergere' at the fair grounds, is proving disastrous to the picture b.o. on Market street.

Deanna Durbin, in 'Three Smart Girls Grow Up,' is the honey down town this week. She is giving the Orpheum the best biz it has had in a long time. Manager Hal Geides, wisely dropped the idea of a double bill and instead is presenting a supporting program of shorts.

But it's murder elsewhere.

Estimates for This Week

Fox (F-WC) (5,000; 35-55-75)—'Backerviller' (20th), 'Everybody's Baby' (20th). Biz very poor at $11,000. Last week, 'Midnight' (Par) and 'King Chinatown' (Par), got $15,000, fair.

Golden Gate (RKO) (2,850; 35-55)—'Family Next Door' (U) and vaude, headlining Hugh Herbert, who is in picture. Although $12,500 not big, can't complain too much. Last week, 'Love Affair' (RKO) and vaude, closed strong at $12,500.

Orpheum (F&M) (2,440; 35-55)—'Three Smart Girls' (U) and vaude is also showing March of Time, Walt Disney's 'Ugly Duckling,' and 'San Francisco's 1915 World Fair.' Play from the youngsters, who are vacationing this week, is strong and a great help during the matinees. Hopeful of big $16,000, best Durbin biz here so far. Last week, 'Blondie Boss' (Col) and 'Risky Business' (U), poor $4,500.

Paramount (F-WC) (2,740; 35-55-75)—'Second Mrs. Madden' (MGM) and 'Fast Loose' (M-G) (2d wk). Just coasting along until 'Alexander Graham Bell' (20th) comes in tomorrow night. Will close to tune of fairish $7,500. Last week, good $14,000.

St. Francis (F-WC) (1,400; 35-55-75)—'Oklahoma Kid' (WB) and 'Wife's Relatives' (Rep) (3d wk). Should garner fair $4,000 in third week. Last week, good $6,000.

United Artists (Cohen) (1,200; 35-55-85)—'King Turf' (UA) and vaude, effort to stimulate biz, special preview of 'Wuthering Heights' (UA) was held last week, but business was $8,000, very poor. Last week (3d), 'Each Other' (UA), $5,500.

Warfield (S-F-WC) (2,680; 35-55-75)—From 'Missouri' (Par) and 'Lady Vanishes' (20th). Pulled after four days to terrible $4,000. 'Broadway Serenade' (M-G) was rushed today (Tuesday). Last week (2), 'Princess' (20th) and 'Winner' (20th), fort grit $8,000 in six days.

'Honest Man'-Tony Martin OK 12G in Slow Cleve.

Cleveland, April 4.

Drained out by Metropolitan Opera double-headers over weekend and soaked by beginning of rainy season, houses are reconciled to a proverbially dull Holy Week biz. Palace showing the most snap with 'You Can't Cheat Honest Man' and Tony Martin in p.a., but matinees are way off.

Hipp is copping the best afternoon trade with 'Little Princess' for new attractiveness, and probably will shove it to Allen for a h.o. 'Sergeant Madden' is slow at State.

Estimates for This Week

Alhambra (Printz) (1,200; 10-20-35)—'Whispering Enemies' (Col) and 'Society Smugglers' (U). Nice enough for four days at $2,200. Last week 'Inside Story' (20th) and 'Wife's Relatives' (Rep), fair $1,800.

Allen (RKO) (3,000; 20-35-42-55)—'Love Affair' (RKO). Just average house that goes for long-haing meio, $3,600. Last week 'Oklahoma Kid' (WB) also a skidderoo, $3,500, only half the expected figure.

Hipp (Warner) (3,700; 30-35-42-55) —'Little Princess' (20th). Strictly juve-and-family draw, $12,000 pleases crowds too thin. Last week 'Love Affair' (RKO) well liked by femmes, who spent $13,500, okay.

Palace (RKO) (2,300; 30-35-42-55) —'Can't Cheat Honest Man' (U) plus Tony Martin in p.a. with Cesar Romero and Wally Brown in vaude unit. Smartly balanced bill that is getting 1 Play, worth $13,000 and much more in a better week. Last week 'Blackwell's Island' (WB) with Larry Clinton orchestra; band section too weak and unknown to rep hereabouts; $10,000 would have hurt it if was a low-budgeted show.

State (Loew's) (3,450; 30-35-42-55) —'Sgt. Madden' (M-G). It's a good Beery one but this year has been glutting them and will have to pray for a break above the $10,000 mark. Last week 'Six Thin Dimes' (20th) and 'Sec' slouched off by cricks; less than $10,000.

Stillman (Loew's) (1,972; 30-35-42-55)—'Huck Finn' (M-G). School kids being on holiday is only reason for this shift from State; working hard to earn fair $3,500. Last week 'Within-Law' (M-G) slept through stanza for a near seasonal low for $2,500.

Key City Grosses

Estimated Total Gross
This Week $1,310,000
(Based on 23 cities, 165 theatres, chiefly first runs, including N. Y.)
Total Gross Same Week
Last Year $1,443,500
(Based on 23 cities, 162 theatres)

Cincy Biz Perks; 'Follies' Snappy 10G, 'Culver' Off

Cincinnati, April 4.

Ace cinemas are chalking up favorable returns in Lent's final week. 'Ice Follies' is cutting the best figure, with returns on 'Great Man Votes' also surprisingly good.

'Spirit of Culver' is out of step and 'Wife, Husband and Friend' is n.s.h., but combo of 'Star of Midnight' and 'Lost Patrol' is fetching good trade.

Estimates for This Week

Albee (RKO) (3,300; 25-42)—'Ice Follies' (M-G). Okay $10,000. Last week, 'Three Smart Girls' (U), very good $14,000.

Capitol (RKO) (2,000; 35-42)—'Three Smart Girls' (U) (2d run). Pleasing $4,500. Same last week on 'Love Affair' (RKO) (2d run).

Family (RKO) (1,000; 20-30)—'Convict' (Rep) and 'Society Smugglers' (U), split with 'Torchy Blane' (WB) and 'Whispering Enemies' (Col). Normal $2,100. Last week, 'Thin Loose' (RKO) and 'Forged Passports' (Rep), split with 'Secret Service' (WB) and 'Tough Kid' (Mono), $2,200, okay.

Grand (RKO) (1,200; 25-40)—'Love Affair' (RKO) (3d run). Nice $2,700. Last week, 'King Turf' (UA) (2d run), very good $1,600.

Keith's (Libson) (1,500; 35-42)—'Culver' (U). Slow $3,200. Last week, 'Blackwell' (WB), mild $3,500.

Lyric (RKO) (1,400; 35-42)—'Star Midnight' (RKO) and 'Lost Patrol' (RKO), dual revivals. Good $4,000. Last week, 'Honest Man' (U) (2d run), okay $4,500.

Palace (RKO) (2,600; 35-42)—'Wife, Husband' (20th). N.s.h. $8,500. Last week, 'Oklahoma Kid' (WB), fair $9,500.

Shubert (RKO) (2,150; 35-42)—'Man Votes' (RKO) (2d run). Surprisingly good $4,200. Last week, 'Darling Daughter' (WB) (2d run), limp $3,200.

Lincoln, Nebraska, Bows With 'Follies,' Good $4,400

Lincoln, April 4.

Nebraska, a new 1,238-seater on the site of the old Orpheum, opened (29) with 'Ice Follies' and is the A spot of the town. Getaway biz very fancy, first night's house going to charity at $1 per. Regular scale is 10-25-40.

Nice, former acer, is having its second dual feature in history, having taken the Lincoln's policy, and the Lincoln turning down the action alley. Variety is limping along, likewise the Liberty, both suffering from film shortage.

Estimates for This Week

Colonial (NTI-Noble-Monroe) (750; 10-15) 'Trigger Smith' (Mono) and 'Patrol Round 18' (WB), split with 'Rough Rider' (Rep) and 'Love, Honor' (WB). So-so, $800. Last week, 'Tropic Plains' (Spec) and 'Navy Secrets' (Mono), split with 'Wine, Women' (WB) and 'Texas Stampede' (Col), slim $700.

Liberty (NTI-Noble) (1,000; 10-15-25)—'Whispering Enemies' (Col) and 'Lady Mob' (Col). Light $1,000. Last week, 'Lone Wolf' (Col) and 'Adventures' (Col), poor $1,000.

Lincoln (LTC-Cooper) (1,600; 10-15-20-25)—'Valley Giants' (WB). Set for week single; probably $2,400, not bad with 10c topped off the regular top price. Last week, 'Fast Loose' (M-G) and 'Everybody's Baby' (20th), good $4,400.

Nebraska (LTC-Cooper) (1,238; 10-25-40)—'Ice Follies' (M-G). Opening for house, so pace active. Will get $4,400 in nine days, good.

Stuart (LTC-Cooper) (1,600; 10-25-40)—'Fast Loose' (20th) and 'Secrets Nurse' (U). Second dual in history for the house. Business good, $3,600. Last week, 'Princess' (20th), good $3,700.

Varsity (NTI-Noble) (1,100; 10-15-25-35)—'King Turf' (UA). Light $1,900. Last week, 'Let Live' (Col), slim $2,300. Skedded for 10 days, but went only eight.

H.O.s Dominate Port.; 'Pyg's' 3d Good $4,000

Portland, Ore., April 4.

'Darling Daughter,' at Broadway, and 'Love Affair,' at Paramount, are the burg's top winners, both in second stanzas. 'Pygmalion,' in third week at the UA, is also profitable.

'Stagecoach' is now in fourth week at Mayfair, winding up run of very successful biz.

Estimates for This Week

Broadway (Parker) (2,000; 30-35-40)—'Daughter' (WB) and 'Newsboys' Home' (U) (2d wk). Good $4,700. First week, excellent $5,900.

Mayfair (Parker-Evergreen) (1,500; 30-35-40)—'Stagecoach' (UA) and 'Society Smuggling' (U) (2d wk). Holding up nicely for $2,200. First week, $2,400, after two-strong weeks at Broadway.

Orpheum (Hamrick-Evergreen) (1,800; 30-35-40)—'Oklahoma Kid' (WB) and 'Beauty Asleep' (RKO) (2d wk). Good enough $3,500. First week nice $4,600.

Paramount (Hamrick-Evergreen) (2,000; 30-35-40)—'Love Affair' (RKO) (2d wk) and 'Everybody's Baby' (20th). Nice return at $4,500. First week, with 'North Shanghai' (Col), strong $5,600.

Rivoli (Indie) (1,100; 20-25)—'It King' (Par) and 'Thanks Memory' (Par). Good $1,500. Last week, $1,500. Last week, 'Young Heart' (UA) and 'Submarine Patrol' (20th), good $1,600.

United Artists (Parker) (1,000; 30-35-40)—'Pygmalion' (M-G) (3d wk). Good $4,000. Second week okay $5,200. First, $6,500.

LULL IN BALTO; 'FAST' FAIR 8G

Baltimore, April 4.

There's a usual pre-holiday lull all around except at combo Hipp, where 'Fisherman's Wharf,' Bowes' 'Swing School' unit and March of Time are attracting nice returns. There's some fair action for 'Fast and Loose' at Loew's Century.

Rest of town is marking time for advent of Easter and strong lineup of product.

Estimates for This Week

Century (Loew's-UA) (3,000; 15-25-40)—'Fast Loose' (M-G). Holding fair pace to $6,000. Last week, 'Ice Follies' (M-G), nice $9,100.

Hippodrome (Rappaport) (2,205; 15-25-35-40-55-66) — 'Fisherman's Wharf' (RKO), plus Bowes' 'Swing School' unit and March of Time. Nice $11,000. Last week, second of 'Love Affair' (RKO) (2d run), and added fair $9,700 to okay first session's $14,000.

Keith's (Schanberger) (2,406; 15-25-35-40)—'Thief of Nation' (Par). Not doing much; $3,500. Last week, 10 days of 'Cafe Society' (Par), fairish $4,500.

New (Mechanic) (1,556; 15-25-35-55)—'Baskerviller' (20th) (2d wk). Marking time till Easter and adding mild $2,500 to uneventful first week's $3,100.

Stanley (WB) (3,280; 15-25-35-40-55)—'Can't Take It' (Col) (revival). Attracting some trade and possible $4,500. Last week, 'Missouri' (Par), n.g. $3,400.

Tourists Hypo Wash. B.O.

Kyser-Blackwell' Wham $24,000; 'Affair's' 2d Week Torrid $10,500

Washington, April 4.

Town is jammed with cherry blossom gawkers and the b. o.'s are busy. At Earle, Kay Kyser's orch is dragging 'Blackwell' into a wham second record proportions. Capitol, which usually gets most tourist trade, is getting enough overflow from Kyser to take second place with 'Sergt. Madden' and Eddie Peabody on stage.

Two among eight films are in second week of 'Love Affair' at Keith's, which is beating first week of 'Cafe Society,' at Palace.

Estimates for This Week

Capitol (Loew) (3,434; 25-35-40-66) —'Madden' (M-G) and vaude: Eddie Peabody and Sybil Bowan topping stage bill, but won't get over average $18,000. Last week, 'Wife, Husband' (20th) and vaude, poor $14,000.

Columbia (Locw) (1,234; 25-40)—'Pygmalion' (M-G) (2d run) (2d wk). Second week of return to mainstem looking at small $5,600. Last week, same pic, good $8,500.

Earle (WB) (2,216; 25-35-40-86)—'Blackwell' (WB) and vaude. Kay Kyser's orch yanking in the cherry blossom gawkers and natives in record proportions. May top smash $24,000. Last week, 'King Turf' (M-G) and Shirley Ross' p. a., poor $10,000.

Keith's (RKO) (1,830; 35-55)—'Love Affair' (RKO) (2d wk). Holding toward great $10,500. Last week, same pic, fine $14,000.

Met (WB) (1,600; 25-40)—'On Trial' (WB). Will play six days in lieu of usual nine days to allow next pic to open after Good Friday. Won't better under-average $10,000. Last week, 'Princess' (20th), fair $9,500.

REPEAT BIG WIND LEADS

Hollywood, April 4.

Dorothy Lamour and Jon Hall, leads in 'The Hurricane,' will be teamed again by Samuel Goldwyn this summer in 'Canal Zone.'

Wilson Collison is scripting.

L. A. Has Slim Holy Week Pickings, As Houses Hold Back New Films; Garfield-'Relatives' Weak $13,000

Broadway Grosses

Estimated Total Gross
This Week $276,700
(Based on 12 theatres)
Total Gross Same Week
Last Year $237,700
(Based on 12 theatres)

'MIDNIGHT,' 7½G, SHINING THRU L'VILLE PALL

Louisville, April 4.

No doubt that Holy Week will run true to form, with respect to b.o. grosses in this town, but bright spot is the patronage going to 'Midnight' at Rialto. Claudette Colbert and Don Ameche are tugging in good shape and will cop best biz of town.

Stage show at the National is just so-so on three-day weekend showing.

Estimates for This Week

Brown (Loew's-Fourth Avenue) (1,500; 15-30-40)—'Stagecoach' (UA) and 'Blondie Boss' (Col). Moved over from Loew's State pointing to fair $1,700. Last week, 'Buck Finn' (M-G) and 'Lone Wolf' (Col), fair $1,600.

Kentucky (Switow) (900; 15-25)—'Made Criminal' (WB) and 'Woman Again' (Col). Fading fast from season slowup and not likely to better mild $1,500. Last week, 'Wings Navy' (WB) and 'Frankenstein' (U), fair $1,700.

Loew's State (Loew's) (3,100; 15-30-40)—'Madden' (M-G) and 'North Shanghai' (Col). Not cutting much and will have to be satisfied with fair $5,000. Last week, 'Stagecoach' (UA) and 'Blondie' (Col), tallied fine $8,000.

Mary Anderson (Libson) (1,000; 15-30-40)—'Blackwell' (WB). Biz off currently, due mainly to Lent and construction work on new marquee and front. Headed for so-so $3,000. Last week (2d), 'Oklahoma Kid' (WB), light $2,600.

Ohio (Settos) (900; 15)—'Give Sailor' (Par) and 'Men Such Fools' (WB), split with 'Prison Nurse' (U) and 'One Way Passage' (WB). Won't beat week $900. Last week, 'Blondes Dangerous' (U) and 'Sparky' (Par), split with 'Vivacious' (RKO) and 'Mote' (20th), fairish $1,200.

Rialto (Fourth Avenue) (3,000; 15-30-40)—'Midnight' (Par) and 'Sudden Money' (Par). Colbert and Ameche in strong vehicle and proving in beating Lenten dullness prevalent on main stem. Should hold up well enough for top forte $7,500. Last week, 'Princess' (20th) and March of Time, fair $6,400.

Strand (Fourth Avenue) (1,400; 15-30-40)—'Arizona Wildcat' (20th) and 'Everybody's Baby' (20th). Jones Family coupled with Jane Withers opus pulling oke $3,500. Last week, 'Culver' (U) and 'Society Smugglers' (U), pretty good $3,400.

Los Angeles, April 4.

Holy week pickings mostly slim in town, with four of 10 first-runs having holdovers and two others continued first-runs. Newcomers are 'Tail Spin' with 'Three Musketeers,' given equal billing at State and Chinese, and 'Blackwell's Island,' coupled with Higgins family opus at the Warner day-daters, Downtown and Hollywood.

State-Chinese combo should bring $22,600, okay, but 'Blackwell's' looks good enough at $18,900. Midnight, on holdover at Paramount, doing okay, likewise 'Love Affair' at Pantages and RKO.

Estimates For This Week

Chinese (Grauman-F-WC) (2,024; 30-40-55-75)—'Tailspin' (20th) and 'Musketeers' (20th), dual. Okay $9,800 in sight. Last week, 'Ice Follies' (M-G) and 'Fast Loose' (M-G), neat $10,000.

Downtown (WB) (1,800; 30-40-55-65)—'Blackwell' (WB) and 'Wife's Relatives' (Rep), dual. Just ordinary $7,000. Last week (2d), 'Oklahoma Kid' (WB) and 'Jane Arden' (WB), good $6,000.

Four Star (F-WC-UA) (900; 40-55) —'Lady Vanishes' (GB) (2d week). Holding nicely, second week to $2,800, after good $4,000 on first seven days. Holds three days of third week.

Hillstreet (F-WC) (2,758; 30-40-55-65)—'Blackwell' (WB) and 'Wife's Relatives' (Rep), dual. Should hit so-so $6,000. Last week, 'Oklahoma Kid' (WB) and 'Jane Arden' (WB), okay $6,100.

Paramount (Par) (2,812; 30-40-55)—'Love Affair' (RKO) (3d-final week) and 'Spirit of Culver' (U) dual. Will gross fair profitable $8,500 on six-day third week. Second stanza ended with big $10,900.

Paramount (Par) (3,595; 30-40-55) —'Midnight' (Par) and stage show (2d week). Holdover week better in second stanza than first stanza, with prospect of $12,000. Initial week $18,000, not so hot.

RKO (2,872; 30-40-55)—'Love Affair' (RKO) (3d-final week) and 'Spirit of Culver' (U) dual. Adding another profitable $8,500 on six-day third week. Second full week ended with $8,600, good.

State (Loew's-Fox) (2,414; 30-40-55-75)—'Tailspin' (20th)' and 'Musketeers' (20th), dual. Looks like good $12,600. Last week, 'Ice Follies' (M-G) and 'Fast Loose' (M-G), disappointing $10,400.

Warner (Par-F-WC) (2,100; 30-40-55)—'Ice Follies' (M-G) and 'Fast Loose' (M-G), dual. Not very hot box-movement, so not in sight is weak $2,200. Last week, 'Pygmalion' (M-G), for continued first-run after long stay at Four Star, very good $4,100. 'Arizona Wildcat' (20th) added for good measure.

Wilshire (Par-F-WC) (2,296; 30-40-55-65)—'Ice Follies' (M-G) and 'Fast Loose' (M-G), dual. Another week stanza with answer about $4,300. Last week, 'Wife, Husband' (20th) and 'Arizona Wildcat' (20th), on moveover, weak $4,000.

'HONEST MAN' PAYS IN HEALTHY DENVER, 9½G

Denver, April 4.

All the first-runs are close to average, with the Denham's split-week doing the best comparatively, although the Denver and Orpheum are each taking good biz.

Estimates for This Week

Aladdin (Fox) (1,400; 25-40)—'Daughter' (WB). After week at Denver. Nice $3,500. Last week, 'Topper' (UA), nice $3,500, after week at Denver.

Broadway (Fox) (1,100; 25-40)—'Ice Follies' (M-G) and 'Saint Strikes Back' (RKO), both after week at Orpheum. Fairish $2,500. Last week, 'Love Affair' (RKO) and 'Crowded Paradise' (RKO), nice $3,000, after week at Orpheum.

Denham (Cockrill) (1,750; 25-40)—'Honest Man' (Par). Holds five days to finish 16, and 'Persons Hiding' (Par), three days. Very good $8,500. Last week, 'Midnight' (Par) (2d wk), nice $8,000.

Denver (Fox) (2,525; 25-40)—'Honest Man' (U). Very good $9,500. Last week, 'Daughter' (WB), good $9,000.

Orpheum (RKO) (2,600; 25-35-40) —'Madden' (M-G) and 'Marry' (RKO). Good $6,600. Last week, 'Oklahoma Kid' (WB) and 'Saint Strikes Back' (RKO), good $9,000.

Paramount (Fox) (2,200; 25-40)—'Lady Mob' (Col) and 'Dark Rapture' (U). Fair $3,500. Last week, 'Blondie Boss' (Col) and 'Newsboys' Home' (U), good $4,500.

Rialto (Fox) (876; 25-40)—'Topper' (UA) after a week at each Denver and Aladdin, and 'Inside Story' (20th). Fair $1,700. Last week, 'Wings Navy' (WB), after a week at each Denver and Aladdin, and 'Lady Vanishes' (GB), nice $2,000.

DATED FOR *Easter* FROM COAST TO COAST

...Korda's Exploitation Special That Gives a Lightning Response To Stepped-Up Showmanship With Record-Cracking Crowds!

OPENING FOR THE BIG HOLIDAY PLAYING TIME AT—

Four Star, **LOS ANGELES**
indefinite run starting April 8th

Globe, **NEW YORK CITY**
long run engagement starting April 8th

Balaban & Katz Garrick, **CHICAGO**
starting April 7th

Loew's Plaza, **WORCESTER**
starting April 8th

Loew's Stillman, **CLEVELAND**
starting April 7th

Warner's Roger Sherman, **NEW HAVEN**
starting April 12th

CORINNE LUCHAIRE in PRISON *without* BARS

HARTFORD CALLING...

Dan Finn of Warner Bros. on the wire to say that an hour after "Prison Without Bars" opened at the Strand, the theatre was filled, 200 were standing, lobby was jammed and sidewalk line measured a full block. (Hats off to John Hesse for his great showmanship in starting the Strand campaign 8 DAYS IN ADVANCE)

[*New seasan's highs established at the Great Lakes, Buffalo; Avon, Utica; Regent, Elmira; Ritz, Albany and RKO Albee, Providence*]

-with

EDNA BEST · BARRY BARNES

MARY MORRIS · LORRAINE CLEWES · SALLY WISHER

Directed by **BRIAN DESMOND HURST**

Associate Producer **IRVING ASHER**

RELEASED THRU UNITED ARTISTS

P.S. Did you see that great 3-page publicity break in Life Magazine that pre-sold the picture in 1,900,000 homes?

African Consolidated, 20th in Battle Over So. African Distrib of UA Films

Cape Town, March 17.

South Africa's film industry envisions a battle of giants in the impending struggle for business between African Consolidated Theatres and 20th-Fox. ACT has stated it has signatured pacts for United Artists product. Previously 20th-Fox had announced it would handle all UA product in this country.

Otto W. Holle, South African director for 20th-Fox, claims his company has the contract and can prove it. On the other hand, ACT claims a contract was signed in New York giving it UA pictures.

ACT says its contract with UA covers 'Drums,' 'Divorce of Lady X,' 'Over the Moon,' 'Algiers,' 'South Riding,' 'Stand-In' and 'Blockade.'

The N. Y. Slant

Reaction in New York to the current dispute between ACT and UA in So. Africa is that this is another step in the attempt of an American company to crash into the South African territory for years dominated by African Consolidated Theatres (Schlesinger). Metro started the ball rolling several years ago by opening a theatre in the Union of South Africa. However, latter has not pushed building activity of late and has no offices in that country. Company has deals to spot its product into Consolidated theatres.

Presently, 20th-Fox is planning to open one or more theatres in that sector. Last word in N. Y. was that UA might distribute through 20th-Fox. It sells to ACT on picture-to-picture basis.

Attitude of Paramount, RKO and Warner Bros. thus far is that they do not consider pioneering in South Africa, especially against the veteran Schlesinger interests, a profitable proposition. These three companies a year ago signatured three-year product deals in N. Y. with Consolidated whereby Schlesinger's circuit would buy their product.

ODEON-WB PRODUCT TALKS WITH UA'S OK

London, April 4.

Negotiations are reported proceeding between Oscar Deutsch, head of Odeon Theatres here, and Warners for Deutsch to book the WB product over the Odeon chain.

Deal is believed a remedy for Deutsch's product shortage and carries the absolute approval of United Artists, partner with Deutsch in the theatre chain.

Current London Plays

(With Dates When Opened)

'Me and My Girl,' Victoria Palace —Dec. 18, '37.
'Room for Two,' Comedy—Sept. 6, '38.
'Dear Octopus,' Queens—Sept. 14, '38.
'The Corn Is Green,' Duchess — Sept. 20, '38.
'Quiet Wedding,' Wyndham's—Oct. 14, '38.
'Goodness, How Sad,' Vaudeville—Oct. 18, '38.
'Geneva,' St. James—Nov. 22, '38.
'Under Your Hat,' Palace—Nov. 24, '38.
'Number Six,' Aldwych—Dec. 21, '38.
'They Walk Alone,' Shaftesbury—Jan. 19, '39.
'Magyar Melody,' His Majesty's—Jan. 20, '39.
'Design for Living,' Haymarket—Jan. 25, '39.
'Tony Draws a Horse,' Strand—Jan. 26, '39.
'Gas Light,' Apollo—Jan. 31, '39.
'French Without Tears,' Piccadilly —Feb. 3, '39.
'Little Ladyship,' Lyric—Feb. 7, '39.
'The Mother,' Garrick—March 3, '39.
'Robert's Wife,' Savoy—March 6, '39.
'Black and Blue,' Hippodrome—March 8, '39.
'Gate Revue,' Ambassadors — March 9, '39.
'Sugar Plum,' Criterion—March 15, '39.
'Mrs. Van Kleek,' Playhouse — March 17, '39.
'Dracula,' Winter Garden—March 20, '39.
'Johnson Over Jordan' Saville—March 21, '39.
'Family Reunion,' Westminster — March 21, '39.
'The Man in Half Moon Street,' New—March 22, '39.
'Dancing Years,' Drury Lane — March 23, '39.
'Heaven and Charing Cross,' St. Martin's—March 29, '38.

DISTRIB, EXHIB GROUPS SEEK INDIE TELEVISION

London, April 4.

Kinematograph Renters Society, representing all major distributors, and Kinematograph Exhibitors Assn., are to go jointly to the postmaster general with demand to allow commercial television to operate independently of the British Broadcasting Corp. Plea is backed by major electrical interests and based on assumption rapid increase of home visio will hit theatres to tune of $60,000,000 annually.

Sponsored television for theatre use only is held to be the only salvation and would enable industry to offset BBC home service. Post office, acting for the government, has final say on all broadcasting problems in Great Britain.

BIG QUOTA HIKE IN ENGLAND VETOED

The British Parliament recently turned down the request for a materially increased quota percentage on foreign films (largely U. S.) before April 1 when the scheduled increase automatically went into effect, it was revealed in New York this week. Quota for second year of British Act is 20%, instead of 15% within the first 12 months. Oddly enough the request for a larger percentage, in hopes of increasing production in England, was even turned down by labor reps in Parliament.

The new quota percentage represents an increase of 17 single credit features for the eight major American companies as a requirement for distributing in Great Britain. This means about $1,275,000 more will be paid for British quotacredit films in the next 12 months by American companies than in the year just ended.

Based on an estimate that U. S. companies would distribute 350 features in Great Britain in the next 12 months, this means 70 singlecredit quota films or double or triple credit equivalents must be produced in England within a year or that percentage of British-made films must be purchased by U. S. companies for distribution outside of England. Single-credit quota pictures totalled about 53 for major companies in the first year of the act.

If any increase in the percentage is made between now and next April it will have to be recommended first by the Film Council and then approved by Parliament.

French Film Shortage Closes 5th N. Y. Arty

Dearth of product forced another foreign language theatre in New York to shutter, making four that currently are dark. Threat of a lack of quality French productions was forecast six or eight months ago, it being related then that both foreign-language exhibitors and distributors feared such a situation would develop early in 1939. Filmarte, which has housed a majority of long-run French screen hits in the last three years, closed April 1. This makes the Squire, Belmont, Continental and Cinema 49 dark, with only the Little Carnegie currently playing a first-run French film.

'Grand Illusion' only a couple of weeks ago finished a record run at the Filmarte but two different French-made features shown in the last two weeks failed to mean much at the boxoffice. Filmarte management plans to reopen as soon as product can be obtained. Unless available before May, house may not reopen until fall because it seldom runs during the summer.

Situation for arty houses presently is further complicated by the fact that there is virtually no independent British-made film available for successful runs.

The Payoff

London, March 27.

If there's a cycle of jungle pictures in America credit Hitler! When Arthur W. Kelly, United Artists v.-p. in charge of foreign operations was here recently, he told the press boys the only way U.S. distribs can get their coin out of Germany is to buy some freak commodity, such as a rhino or an elephant, ship it, either for use at the studio, or for sale to recover the cost.

One rhino, in fact, had recently been shipped, and UA, to clear another debt, recently took a cargo of Nazi harmonicas.

HUDDLES IN N. Y. SET ON ANZAC LEGISLATION

American industry executives are expected to huddle shortly on the Australian situation as it affects its distribution, especially in New South Wales. Discussions probably will await the arrival of Harry Hunter, Paramount's Aussie manager; Dan Carroll, manager of Fox's showcase in Sydney, the Prince Edward; and Charles Munro, head of Hoyts' circuit. They are due in New York about April 17.

Clay Hake, 20th-Fox manager, already is in N. Y. and N. Bernard Freeman, Metro's manager, is due in N. Y. this week. Ralph Clark, Warner Bros.' Australian manager, who has been in the U. S. for more than a month, may remain over for the confabs. Norman B. Rydge, chairman of Greater Union Theatres, also is in N. Y., but here primarily to secure product for his circuit.

The 25% rejection right voted by the New South Wales government to its exhibitors, along with other legislation passed there against American distribs, is expected to be discussed.

Wm. Rowland's Spanishers For RKO at $50,000 Each

William Rowland is back from Mexico City with a print of 'Perfida,' Spanish-talker he turned out for RKO. He will make another for RKO in Mexico City under his deal calling for three Spanish features. First was made at the Eastern Service studios, Astoria, L. I., which ran a reported $50,000 in cost.

In making the pictures, Rowland figured he could bring it in cheaper in Mexico, but due to delay caused by union troubles, net nick of 'Perfida' also ran to $50,000.

More Magyar Shows

London, April 4.

The Hungarian State Ballet, sponsored by the Hungarian government, opens at the Adelphi here at the end of the month for four to six weeks.

The Monte Carlo Ballet follows at the Adelphi, if His Majesty's is unavailable, which would indicate that 'Magyar Melody,' musical presently at the latter, will either move or close by then.

Compulsory 15% N.S.W. Exhibition Of Anglo Product May Be Extended To All Aussie; See Reciprocal Pact

Sydney, March 15.

The 15% compulsory exhibition of British product is reported ready to become effective shortly in New South Wales. It's understood that the British Board of Trade is now favorably inclined towards allowing Australian pictures into British territory in return for the 15% compulsory screening of British pictures throughout New South Wales.

The British authorities would prefer the act to become a federal measure, thereby swinging the 15% coverage all over the Commonwealth instead of confining it solely to N. S. Wales. It's said, however, the federal government would rather see how the plan works out in a single state before extending it under federal operation.

British producers are urging the Board of Trade to agree to reciprocal trading in order that their product will ultimately find an avenue of release in N. S. Wales instead of remaining in the vaults.

Hoyts, the biggest picture theatre operators in Australia, recently made a deal to play the Charles Laughton-Eric Pommer pictures over its chain. It is a long time since Hoyts spotted a British picture into any of its ace houses. The deal was made by Charles Munro solely on the quality of the product offered, it's stated.

NIX 'FANNY,' BUT LONDON OK'S 'HEAVEN'

London, April 4.

Despite a cast headed by Lucie Mannheim and Frederick Leister, 'Lady Fanny,' a musical farce based on the old Jerome K. Jerome comedy, 'Lady Fanny and the Servant Problem,' proved a poor entry in its debut at the Duke of York's last week (28). It folded Saturday (1).

'Heaven and Charing Cross,' by Aubrey Danvers-Walker, a newcomer to London dramatic circles, was well acted and equally well received in its West End debut Wednesday night (29) at St. Martin's. A somewhat sordid cockney melodrama, it has a reasonable chance of clicking. Mary Clare has the lead part.

AUSSIE FILM TOPS FORM COUNCIL

Sydney, April 4.

Film Exhibitors Council of Australia was formed here yesterday (Monday) with circuit officials predominating the membership. Council replaces the Film Board of Trade arrangement. Besides offering to assist the Films Commission in New South Wales, it has expressed willingness to play ball with American distributors.

Idea of the council is to coordinate the industry on a national scale.

Charles Munro, of Hoyts circuit; Norman B. Rydge, of Greater Union Theatres circuit; Sam Snider, of Snider-Dean circuit; Dan Carroll, of the Birch-Carroll-Coyle chain and manager of the Prince Edward theatre, Sydney, Paramount's showcase, and two representatives of the Motion Picture Exhibitors Assoc., make up the Film Exhibitors Council.

The Film Board of Trade idea was not a success in Australia, decision to wash up its affairs having been made more than a month ago.

Only one of four circuit men named to the Australian Council, Sam Snider, is in Australia at present. Norman B. Rydge is in New York on product deals while Charles Munro and Dan Carroll are on their way to the U. S. from Sydney.

Ethel Levey Divorced

London, April 4.

Ethel Levey, former wife of George M. Cohan and a former musical comedy star, was granted a divorce from Claude Graham White here last week.

It was her second marriage.

Rydge's Realignment Of U. S. Film Product For Aussie Houses

Realignment of major product in Australia looms this month as a result of Norman B. Rydge's recent visit to the U. S. Although he has been in New York City little more than a week, several major companies were reported as looking favorably on what his Greater Union Theatres circuit in that country has to offer. That chain numbers 45 deluxers in Aussie.

Rydge had only deals with Republic, Monogram, Universal and certain pictures from Paramount and Metro. Latter two majors needed much of their ace product for their own theatres in Australia. However, reports persist that the's theatre operating deal for the Prince Edward, Sydney, may be changed so as to leave Paramount free to sell either to Greater Union or Hoyt's chain.

Rydge came out last week against the 25% rejection clause given New South Wales exhibitors through law, and is also opposed to forcing American companies to produce in Australia, feeling that this should be left to local producers down under.

Hicks on Czecho, Italo And Gen'l Int'l Pix Biz

John W. Hicks, Jr., foreign head of Paramount Pictures, who came in from London (30), views the film situation in Czechoslovakia pessimistically. Situation is same as when Germany took over Austria last year; sales branches there as well as in Prague will become part of the Berlin exchange.

There has been no change in the Italian situation, according to Hicks, who does not believe anything has happened since the Italian government's stand. Fred Lange, Paramount representative in Europe, is now in Rome to look the field over and to assist in liquidating the company's offices in Italy should there be no change from complete withdrawal effective first of year.

Hicks has sent a sales representative to Spain to appraise the situation there for full resumption of Paramount distribution in that country.

Before leaving for America, Hicks arranged for Par production of a Swedish picture for the Scandinavian market and two French pictures to be made in France, not designed for American distribution. Hicks revealed that Adolph Zukor will sail for New York on April 15, but was in the dark regarding any proposed trip to Australia which Zukor was reported scheduled to make with Hicks.

Yankee Distribs Gain Major Point With Nix of Dual Exit in French Bills

Paris, April 4.

The most objectionable feature to U. S. distributors in the 'Statut du Cinema,' which would have eliminated double features in France, has been discarded with the presentation of the bill to the Chamber of Deputies. Clause limiting programs to 3,200 meters, if approved, would have hit American companies hard since their features have been predominantly used as the second feature on French dual programs.

The limitation of the programs via the bill would have been made since an average French feature runs about 2,500 meters and the rest of the bill would have required shorts to fill.

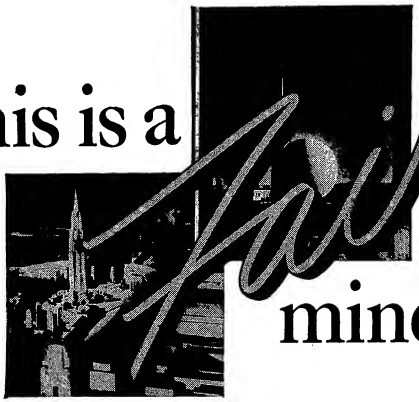
The international crisis has delayed tabling of the bill. It is now problematical when the Chamber will be asked to vote on it.

American company reps, however, are still working with exhibitors against other provisions of the bill, and have enlisted the aid of certain French distributors who became peeved because they were not consulted about the statute.

United States officials here continue to maintain the measure is a direct violation of the trade treaty between France and the U. S. Treaty says: 'The French government will take no new measures which would have the effect of placing American films in a position, in comparison with French films, or those of any other foreign country, less favorable than that which they now enjoy.'

The bill now is framed to hit American companies on the dubbing tax and possibly application of restrictions on U. S. imports.

This is a *fair* minded country



And This Is A FAIR-MINDED COMPANY

A Company that Believes in

FAIR DEALING WITH ALL

A Company that Believes in

FAIR PROFIT TO ALL

A Company that Believes in

FAIR PLAY ALL THE WAY

That Company Is

WARNER BROS.

FOUR DAUGHTERS
THE SISTERS
BROTHER RAT
ANGELS WITH DIRTY FACES
DEVIL'S ISLAND
DAWN PATROL
THEY MADE ME A CRIMINAL
WINGS OF THE NAVY
BLACKWELL'S ISLAND
THE OKLAHOMA KID
YES, MY DARLING DAUGHTER
DODGE CITY
YOU CAN'T GET AWAY WITH MURDER
CONFESSIONS OF A NAZI SPY
NAUGHTY BUT NICE
JUAREZ
I AM NOT AFRAID
EACH DAWN I DIE
FAMILY REUNION
THE KID FROM KOKOMO
DARK VICTORY
HELL'S KITCHEN
THE DEVIL ON WHEELS

The Story of Vernon and Irene Castle

(MUSICAL)

RKO Radio release of George Haight production (under Pandro S Berman supervision). Stars Fred Astaire and Ginger Rogers. Features Edna May Oliver, Walter Brennan, Lew Fields, Etienne Girardot, Janet Beecher. Screenplay, Richard Sherman; adaptation, Oscar Hammerstein and Dorothy Yost; from books by Irene Castle; Camera, Robert de Grasse; special effects, Vernon Walker; Douglas Travers; music, Victor Baravelle; dances, Hermes Pan; art direction, Carroll Clark; technical supervisor, Irene Castle; editor, William Hamilton; one original song, Con Conrad, Herman Ruby, Bert Kalmar; 40 old pop songs. At Rivoli Theatre, N. Y., beginning Friday (7), for week March 29, '39. Running time: 93 MINS.

Vernon Castle.....Fred Astaire
Irene Castle.....Ginger Rogers
Maggie Sutton.....Edna May Oliver
Walter.....Walter Brennan
Lew Fields.....Lew Fields
Papa Aubel.....Etienne Girardot
Mrs. Pope.....Janet Beecher
Emile Aubel.....Rolfe Sedan
Artist.....Leonard Carey
Dr. Foote.....Robert Strange
Student Pilot.....Douglas Walton
Papa Louis.....Clarence Derwent
Charlie.....Johnny Lucas
Claire Ford.....Frances Mercer
Grand Duke.....Lionel Pape
Hotel Manager.....Donald MacBride

The Story of Vernon and Irene Castle,' to give this RKO feature the full title which Miss Castle insisted upon, is sure-fire boxoffice. Whether or not the Castles mean anything to the younger present-day set, it's top-flight cinematic entertainment. Judged on that standard alone it will more than satisfy. Once in, all must come away with a new appreciation for the full meaning of the title and what the dancing Castles of 25 years ago represented, particularly in relation to what is known as modern ballroom dancing. It's one of the best Astaire-Rogers films. Their last film, Carefree' under Berman's auspicies, the 'Castles' b.o. will undoubtedly compel continuance of the team. Actually regarded as a film entertainment, it's another switch on the backstage story, this time dealing with the much-in-love marriage team of ballroomologists whom fate and astute management catapulted from vaudeville stints into international acclaim and fortune.

Film holds a wealth of nostalgic appeal for the show-wise as well as general film audiences. The medley of some 40 yesteryear pops, skillfully scored and interpolated into the running plot, is the common denominator for all types audiences. Those who knew Irene Castle in her prime work will delight in the old-style street-scene atmosphere. The intimates, much more limited, of course, will like Edna May Oliver's interpretation of Elizabeth Marbury, who was so largely responsible for the Castles' economic welfare; Lew Fields as Maggie Sutton, presumably a switch on the Sutton Place sector wherein the lady broker, agent and manageress was such a prominent resident. Castle Inn, Castle-by-the-Sea and all the rest of it come under the show-wise atmospherics.

The Story of Vernon and Irene Castle' is her uniquely in that it deals with an autobiographical subject. The Douglas Corrigan film is about the only one which, like Miss Castle technically-advised, Her published memoirs, 'My Husband' and 'My Memories,' are the main background of the film. Her personal life story has been seemingly transmuted into celluloid with considerable faithfulness and a m'nimum of bombast or heroics. She (when designed replica of her) assumes she wore for Miss Rogers' use. And yet the sum total makes for sound, solid screen diversion.

Lew Fields, in whose 'Hen Pecks' Castle was but a minor stage member, is present to re-create their slapstick barbershop scene, a far cry from the dancing Vernon Castle, until Irene Castle daughter of the famed Dr. Foote of New Rochelle, almost bullies him into abandoning the Pinocchio and Pinocchio nose in favor of the art that made them both famous. The rest of their success story dated from the time that the shrewd Maggie Sutton gets them an audition at the Cafe de Paris, where their easy ballroom dancing gets a vogue. Comes the war and Castle enlists in the Canadian Royal Flying Corps, weathers actual crashes, but meets untimely death as a flying instructor in Texas.

Film ends on a sad note. Castle has arranged with a private orchestra to rep'ise his and Irene's favorite medley of tunes. He returns her from Hollywood where she was making 'Patria'—shots of silent film production are included—and, as dramatically set marital reunion is interrupted by a call for additional air maneuvers for benefit of a visiting brigadier-general. It is during this aerial circus that Castle met a brave death rather than collide with another student flyer.

In between, the montage effectively impresses the story that was the Castles—when she set a vogue with the Castle bob, when Castle clears beauty salons, bonbons, hats, shoes made their impress on a nation; when the Castle Walk, Castle Polka, Castle Inn, their start of the foxtrot, their 'Too Much Mustard' two-step, their introduction of the maxixe. Texas Tommy, the 'Rose Room' tanko and other innovations were familiar the world over.

Miss Rogers and Astaire are excellent as the Castles. The illusion is always there; their deportment is more Vernon and Irene Castle than Astaire and Rogers. Their dance sequences are less spectacular but more consistent with the normal plot progression. The solo snatches are just that, such as Astaire's opening routine on the New Rochelle railroad platform, interrupting a Sunday outing of the Brooklyn Batchelors; or Miss Rogers' audition with Janet Beecher as McCoy in 'Yama-Yama Man.' Their 'Free Moutarde' two-step in the cafe de Paris sequence is probably case-history, and the electric reunion of the pair while he's on furlough in Paris, during the war days, is another highlight as they reprise a routine that first made 'em click in the fashionable dives.

Although technically on the backstage principle, the romance is the dominant factor, and this wholesome relationship between the married, married stage partners should interpret itself handsomely with the family trade.

The support and production is all super stuff. Miss Oliver's brittle characterization, Walter Brennan as the faithful retainer are highlights; Lew Fields is himself, although that brunet Westmore thatch doesn't quite carry off the illusion. Etienne Girardot is paired with Rolfe Sedan as aged and faithful managers (French) but it's a negligible contribution, the editing being a close job right down the line, keeping the footage completely within 90 minutes. Janet Beecher, thus, while also featured, isn't too conspicuous as Irene's mother.

The technic is topnotch, most notably, of course, the scoring by Victor Baravelle. Yesteryear pops smartly condensed a musical montage of 40 pops. This sounds almost like the impossible task, but there's also the photographic montage by Douglas Travers, assisting lensers Robert de Grasse and Vernon Walker, figured importantly and well. There is but one original tune, 'Only When You're Big in Army,' by the late Con Conrad, Herman Ruby and Bert Kalmar. On the camera, generally, it's a dandy job, save one sequence that doesn't flatter Astaire. He looks too noticeably gaunt and drawn in that take.

R. E. Dwiggins and George Haight's direction-production, under Pan Berman's general supervision, high in quality. Credit is due Richard Sherman screenplay from the Oscar Hammerstein-Dorothy Yost adaptation. Abel.

Alexander Graham Bell

20th-Fox release of Kenneth MacGowan production. Directed by Irving Cummings. Features Don Ameche, Loretta Young, Henry Fonda, Charles Coburn, Gene Lockhart, Spring Byington. Story, Ray Harris; screenplay, Lamar Trotti; editor, Allen McNeil; music, Lou Levy; Sammy Fain; time: 97 MINS.

Alexander Graham Bell.....Don Ameche
Mrs. Bell.....Loretta Young
Thomas Watson.....Henry Fonda
Gardner Hubbard.....Charles Coburn
Mabel Hubbard.....Gene Lockhart
Mrs. Hubbard.....Spring Byington
Sandy Watson.....Georgie Tapps
Grace Hubbard.....Polly Ann Young
Joseph Hubbard.....George Ernest
George Sanders.....Bobs Watson
Barnes.....Russell Hicks
Chauncey Smith.....Paul Stanton
President Western Union.....Ralph Sanford
Ross.....Harry Davenport

The drama of the birth of the telephone is a comparatively tame affair with Don Ameche as Alexander Graham Bell, Henry Fonda as his assistant, and Loretta Young as the missus. Neither Ameche nor Miss Young succeed in overcoming what they normally do and the romance which punctuates the story of the inventor of the telephone seems to take hold with any sense of firmness. The film will do fair business but the romance which lies behind this picture as much as the men, and the latter may have a precedent-setting effect. Miss Young isn't entirely parallel to Ameche's portrayal of the inventor.

While 'Bell' will fare satisfactorily, it does not suggest record-breaking business. The exploitation possibilities are strong, however, and the live wire managers and publicists will find many promising avenues leading to an advertising approach. The Ameche-Young-Fonda names are also of value.

Kenneth MacGowan's production of the original turned out by Ray Harris, with adaptation by Lamar Trotti, is studied, methodical and deliberate. Paced evenly but slowly, it is a routine record of Bell's early life, his struggles and final victory over a wire that will transmit sound. Its presentation also calls note of the efforts of Western Union to claim priority rights to the invention of Bell, monopolize the market and washes W. U. of any unfair intent.

Never getting under the skin as a love story, struggling to develop the dramatic scenes are a little too much for Ameche also. His outburst in a telephone booth when Western Union takes the telephone away from him, calls for greater emotional intensity than Ameche possesses. Miss Young is sweet, per usual, but not particularly impressive. Fonda, faithful and tireless assistant to Bell, is excellent.

Trotti's scenario opens in New England in 1873 and, among other things, has made room for some external stuff such as a bunch of kids, suffering badly from theatricalism, wat a window singing songs of a Christmas eve. Other artificialities also figure. The dialog adaptation is suitable but lacks soak.

Backgrounding of the story is satisfactory and the photography of the crew under Zoltan Korda exists to competence in that direction. *Char.*

Broadway Serenade

(MUSICAL)

Hollywood, April 1.

Metro release of Robert Z. Leonard production. Stars Lionel Barrymore. Features Frances Langford, Jane Wyman, Ian Hunter, Frank Morgan, Diana Lewis, Ray Bolger. Screenplay by Chorles Lederer, from original by Jane Allen; Camera, Oliver T. Marsh; Hans Kraly, Songs, Herbert Stothart, Edward Ward, Gus Kahn, Bob Wright, Chet Forrest, Walter Donaldson. Dances, Seymour Felix; Dolly Bernstein, Leon Leonardi; presentation, Merrill Pye; camera, Oliver T. Marsh; editor, Ben Lewis; Hoffman Wright, Harold F. Kress. Previewed at Westwood Village, March 30, '39. Running time: 111 MINS.

Mary Hale.....Jeanette MacDonald
James Geoffrey Seymour.....Lew Ayres
Larry Bryant.....Ian Hunter
Secretary Collier, Jr.....Frank Morgan
Joey, the Jinx.....Wally Vernon
Judy Tyrrell.....Binnie Barnes
Penny.....Virginia Grey
Mrs. Seymour.....Cecilia Parker
Harriet Ingalls.....Katherine Alexander
Nan.....Esther Dale
Mrs. Olsen.....Esther Dale
Jerry.....Frank Jenks
Everett.....E. Allyn Warren
Hotsy.....Ann Morriss
Mr. Fellowes.....Frank Orth
Mrs. Fellowes.....Ethel Griffies
'Squeaker'.....Leon Belasco
Effie, the Maid.....Ann Morriss
Singer.....Kenneth Stevens

Extravagantly produced, 'Broadway Serenade' has several sets that are in the super-elaborate class. Musically, it runs through the catalog from swing to grand opera. With all its lavishness, it impresses only as mild box office material. Way over length, clipping of 30 minutes would have helped a lot. Production numbers are, on the whole, overplayed and become tiresome. This is particularly true of the Jeanette MacDonald sequence which allows the picture's momentum complete. Finale takes it across in a clash of musical clegancy.

Picture provides Jeanette MacDonald with numerous chances to display wide range of her vocal abilities. There are snatches of pop tunes, concert and classical numbers by Miss MacDonald. Kaleidoscopic montage, utilized too often, covers time lapses with stage production, flashing billboards, marquee billing, closeups of Miss MacDonald singing, and other similar devices. When the star is not interrupted in the middle of a song—and this happens several times—her tunes are sung well in sync with the film, further adding to the confusion.

Story runs along formula lines for a backstage yarn. Happily married, vaude team of Miss MacDonald and Lew Ayres become successful when she goes into a musical revue and is courted by show's wealthy backer. Lew Ayres becomes jealous, hits the bottle, sinks to the depths. Composing music to forget the past, he comes up with a hit song. Meanwhile, Miss MacDonald has secured a divorce and ready to marry the backer, Lew Ayres and Ian Hunter, rush to go into his show—and back into his arms.

With story substance lacking, and what narrative there i chopped up by numerous production numbers and montage effects, yarn suffers mightily. Frank Morgan provides some breezy comedy, as does William Gargan as the show's press agent.

Picture is first solo starrer for Jeanette MacDonald. It's also Robert Z. Leonard's initial chore as a producer-director for Metro. Plenty of coin went into th: negative.

Sepia toning process which has been used frequently y Metro in th. past on its biggest production yet distinguishes 'Broadway Serenade.'

WINNER TAKE ALL

20th-Fox production and release. Directed by Otto Brower. Features Tony Martin, Gloria Stuart, Henry Armetta, Slim Summerville, Kane Richmond. Story by Jerry Cady; adaptation, Frances Hyland. Albert Ray; camera, Edward Cronjager. At Paramount, N. Y., dual, week March 30, '39. Running time: 62 MINS.

Steve Bishop.....Tony Martin
Julie Stewart.....Gloria Stuart
Pana Gambini.....Henry Armetta
Muldoon.....Slim Summerville
Pauly Mitchell.....Kane Richmond
Tom Walker.....Joseph Sauers
Nina Gambini.....Inez Palange
Tony Gambini.....Joseph Pirro, Jr.
Panirelli.....Pedro deCordoba
Maria Gambini.....Lucia Carroll
Rosa Gambini.....Eleanor Virza

'Winner Take All' is one of those romantic comedies that become more ingratiating to the family audience as the plot and the behavior of the characters get sillier. Everything is carried off with an excess of good nature, including those episodes where the double-cross and the knife in the back serve as the basis for genteel comportment. The situations are all easy of anticipation and the combination of humor and action makes the hour pass sufficiently fast.

If it is the picture's intent to kid the prize fighting racket, the sheer casting of Tony Martin in the role of a tough guy goes pretty much for a loss. As a leatherpusher Martin is in a class by himself. Martin and his singing pals don't look as if taken seriously and the chances are that nobody will. He doesn't sing a note in the picture and when he plays his supper when, as an itinerant from the cow-country, he winds up broke and hungry in a spaghetti joint.

Operators of this restaurant are Ma and Pa Gambini—the latter's eyes spurts into wild and wooly makebelieve when the cowboy turned waiter Martin is prevailed upon to take part in a benefit prizefight. Martin wins by a knockout, joins a stable of musical pugs and his stock skyrocketed to fame with a series of setups. The sudden acclaim and money go to his head and after a course of nightclubs there's a rude awakening, with Martin himself being in the canvas taking the full count. When he discovers that the shellacking had been engineered by Pauly (Gloria Stuart) friend, as a sportswriter, had discovered his dubiete talents, and who still was sweet on the girl, he goes to the top. Martin repents and in a subsequent encounter with the same fighter, knocks out in the final minute of the final round. The squared-xrend scenes stick close to probability form, particularly in the last bout when Martin, after taking a severe lacing throughout, still has enough left in him to slap his opponent (Kane Richmond) to sleep.

As Papa Gambini the irresponsible Henry Armetta proves okay at carrying the laugh load in this one. Slim Summerville is his usual self in humor as Martin's faithful trainer. Miss Stuart totes the inconsequential assignment with seriousness from start to finish, while Richmond plays a Rollo Boy pug who doubles for Cupid, in and out the ring. *Odec.*

They Made Her a Spy

RKO release of Robert Sisk production. Stars Allan Lane, Sally Eilers. Features Leslie Brooks, Frank M. Thomas. Directed by Jack Hively. Screenplay, Michael Fessier and Joe Pagano, from story by Lionel Houser; adaptation, Houser; Frank Redman, director, Roy Webb; camera, Nicholas Musuraca; editor, Harry Marker. At Rivoli, N. Y., week March 30, '39. Running time, 59 MINS.

Sally Blake.....Sally Eilers
Hunty.....Allan Lane
Leslie.....Leslie Brooks
Major Shaw.....Frank M. Thomas
Mr. Blake.....Sheldon Leonard
Brock.....Addison Richards
Lt. Jones.....Inez Palange
Col. Wilson.....Pierre Watkin
Lucius.....Louis San Heyd
Louise.....Lorraine Rogers
Sergeant.....Lew Kelly
Canby.....Alec Craig
Seldon.....Charles Halton

Class B action melter is stereotype romantic spy stuff. Unpretentious production as to story, names, etc., but holds up well enough for doubleer with the top picture. Film is peppered with holes of logic, but the incidents keep moving and there are a good passably exciting sequences. All in all, a so-so job.

Obvious yarn deals with the pretty girl who is sent by the U. S. intelligence service to track down the spies who caused her brother's death. She poses as a spy, wins the confidence of the plotters and brings about their capture. Another parachutist turns out to be a spy and also out to uncover the culprits. That provides the heart angle—what is supposed to be a surprise twist—and the whimsy fades.

Sally Eilers is the beauteous sleuth, playing an incredible part in straight-novey fashion. Allan Lane is the Rover Boy reporter, while Fritz Leiber is the spy chief and Frank M. Thomas the intelligence service head. Direction is run-of-the-mill. *Hobe.*

Miniature Reviews

'The Story of Vernon and Irene Castle' (RKO). Topflight Astaire-Rogers filmusical, headed above par grosses.

'Alexander Graham Bell' (20th). Production will need teasing to get the women. Ameche-Loretta Young-Fonda top cast.

'Broadway Serenade' (M-G). Jeanette MacDonald starred in backstage filmusical, extravagantly produced. Hard b.o.

'Winner Take All' (20th). Fairly amusing cowboy prizefighter yarn.

'They Made Her a Spy' (RKO). Ordinary action melter for lower drawer dualling.

'Society Lawyer' (M-G). Fairish murder mystery with sophisticated background. For duals.

'Bulldog Drummond's Secret Police' (Par). Routine detective thriller. For second-rate dates.

'Adventures of Jane Arden' (WB). Initial try in newspaper reporter comic strip series is disappointing but fair for duals.

'Kid from Texas' (M-G). Mild actioner of polo cowboy. For the duals and kids.

'I Am Not Afraid' (WB). Remake of 'Star Witness' dull meller. Filler for the duals.

SOCIETY LAWYER

(WITH SONG)

Metro release of John W. Considine, Jr., production. Features Walter Pidgeon, Virginia Grey, Directed by Edwin L. Marin. Screen play by Frances Goodrich, Albert Hackett. Leon Gordon and Hugo Butler, based on story by Arthur Somers Roche. Camera, Charles Clarke; editor, George Foley. At Capitol, N. Y., week March 30, 1939. Running time: 77 MINS.

Christopher Durant.....Walter Pidgeon
Pat Abbott.....Virginia Grey
Tony Gazotti.....Lee Carrillo
Bert Crettington.....Edward Ciannelli
Phil Siddall.....Lee Bowman
Mr. Dwight.....Frank Puglia
Judy Barton.....Ann Morriss
Mrs. Dwight.....Frank M. Thomas
Lieut. Stevens.....Frank M. Thomas
Alf.....Edward J. Brophy
Alfred.....Tom Kennedy
Henry V. Adams.....Clarence Kolb
Schmidt.....Pierre Watkin
Jan Wolfe
Murtock.....Paul Guilfoyle
City Editor.....Joseph Crehan

Fairish entertainment. Its players are well known if not first rank boxtude stars. The story unfolds a gangster melodrama with sophisticated trimmings and after the minutes of unspoiling has provided enough complication to hold interest and create illusion.

Pidgeon is a lawyer who gets a bad man off. The bad man (Carillo) is prosecuted by the U. S. Marines to the rescue every time the lawyer or his sweetie needs saving. Mobsters livening up the proceedings by indiscriminate decorating, and throwing parties that have the swank of a Chicago gangster out at the Marines, occasionally strain credulity. Picture is not well thought out. The gangster guy is a jam. E-zardo Carillo is appropriately disagreeable, but fundamentally not much more than a stick-mouthed heavy. Pidgeon is strictly routine on characterization. Four authors often produce a story that is strictly routine.

The late Herbert Mundin plays a valet role for comedy relief. *Land.*

Bulldog Drummond's Secret Police

Paramount release of Edward T. Lowe production. Features John Howard, Heather Angel, H. B. Warner, Scotty Beckett, Patterson, Reginald Denny, E. E. Clive. Directed by James Hogan. Based on novel, 'Temple Tower,' by H. C. McNeile; adaptation, Garrett Fort; Wendell Mayes; editor, Arthur Schmidt; photography, Merritt Gerstad. At Capitol, N. Y., week March 29, '39. Running time, 59 MINS.

Capt. Hugh Drummond.....John Howard
Phyllis Clitheroe.....Heather Angel
Colonel Nielson.....H. B. Warner
Aunt Blanche.....Elizabeth Patterson
Algy Longworth.....Reginald Denny
Inspector Nayland Smith.....E. E. Clive
Dorini Islanyoni alias Leo Carroll
Albert Boulton.....Forrester Harvey
Professor Dowell

Bulldog Drummond's secret police turns out a routine mystery thriller for secondary booking, but not to be depended upon to carry the burden of a double bill. With 59 playing dates singly, theatre will require considerable to fill out in view of the low running time.

Drummond series no doubt has its followers. This one may be considered a bit of comedy, but with the rest and while it is produced as well as directed in a routine manner, there is nothing to generate much more the interest from-straying too far. A budget of modest proportions no doubt has kept the production virtually the action taking place in and around an old castle.

Film follows the lines of least resistance, though managing to develop a fair amount of action, a few thrills and a bit of comedy. Best effort to inject more than the usual number of laughs which pictures of this type generally have proved in a lower net than may have been anticipated. Reginald Denny and Scotty Beckett figure principally in the comedy division but their antics and lines are generally inapid. Familiar members of the Drummond cast, including John Howard, Heather Angel and H. B. Warner, direct themselves satisfactorily without straining, and Forrester Harvey, as a nutty professor type, is excellent. Leo Carroll provides suitable menace and E. E. Clive is a good servant character. *Char.*

Adventures of Jane Arden

Warner Bros. production and release. Stars Rosella Towne. Features William Gargan and James Stephenson. Directed by Terry Morse. Screenplay, Vincent Sherman, Lawrence Kimble and Charles Grayson; based on comic strip of same title created by Monte Barrett and Russell Ross; photography, Arthur Todd; editor, Harold McLernan; dialog director, Jack Mintz; assistant director, Phil O'Connell. At Strand, Brooklyn, dual, week March 31, '39. Running time: 63 MINS.

Jane Arden.....Rosella Towne
Tom Ryan.....William Gargan
Dr. Vandera.....James Stephenson
Pinky.....Frankie Darro
Fernie Moore.....Dennis Moore
Mr. Moore.....Frank Puglia
Bill Clifton.....Edgar Edwards
Officer Flynn.....Pierre Watkin
Martha Blanton.....Marie Wilson
Bouncer.....John Ridgely
Thug.....Jos Devlin
Thug.....Charles Wilson
Freyhamann.....George Renavent
Italian.....Eddie Conrad

Just before the final fadeout of this picture, there is a hint that Jane

(Continued on page 19)

THE 10 BEST PICTURES OF 1939!

A Prediction by Leo of M-G-M

Metro-Goldwyn-Mayer presents ROBERT DONAT in "GOODBYE, MR. CHIPS" with GREER GARSON. A Sam Wood production. Screen Play by R. C. Sherriff, Claudine West, Eric Maschwitz. From the book by James Hilton. Produced by Victor Saville.

I saw "GOODBYE, MR. CHIPS".

I saw a picture which is assured of a top spot among this year's Ten Best.

I saw Robert Donat's performance as "Mr. Chips", destined to be a leading contender for this year's Academy Award.

I saw a new star born to the box-offices of the world, Miss Greer Garson, whose beauty shines from the screen with tenderness and truth, stirring hearts that seek your theatre for emotional thrill.

I saw an entertainment that will take its place among the immortal works of the screen, a picture for humanity's masses, to be beloved by people in every walk of life, to be played with sensational success now and to be revived in years to come.

I am proud of "GOODBYE, MR. CHIPS" for it is typical of the attractions which have made M-G-M a symbol to picture-goers of the finest in films.

Picked for 1939's new female star sensation, Miss Greer Garson as Katherine in "Goodbye, Mr. Chips."

Picked for 1939's Best Male Performance Award, Robert Donat as "Mr. Chips."

Peace Move

(Continued from page 5)

cease and desist from interferring with workers, that no cognizance would be given to the old closed shop agreement negotiated by the IATSE, leaving Local 37 free to negotiate its own deal.

Surveying the Increase

Conference was called by NLRB examiner in an effort to settle complaint of Kibre charging collusion between the producers and IATSE tops, and asking for an investigation of operations of the IATSE. Studios have been making a survey to determine the cost of raising the minimum work call from three to six hours. Figures will be disclosed when conference with NLRB is resumed.

Tops in American Federation of Labor stepped into the IATSE autonomy fight when international presidents of the film crafts instructed their members to maintain a neutral attitude. Studio painters, utility workers and others, however, insisted they would support the autonomy fight of local officers of Local 37 regardless of any instructions received from their international.

Counter-proposal of major film companies to Screen Writers Guild is still under consideration. The producers offered a seven-year contract, with a 70% Guild shop the first year, 75% the second year, and 80% thereafter. They also agreed scriveners could work for themselves during layoff periods with motion picture rights to any stories turned out reserved to the producers. Writers had asked for an agreement that would not run for more than three and a half years.

Final action is expected in the State Assembly this week on an amendment to the State Labor Code which would permit the Screen Actors Guild to arbitrate disputes between agents and their clients. Measure has been unanimoused favorably to the Senate and no serious opposition is expected. Passage of bill enables SAG and Artist Managers Guild to sign pact calling for licensing of all agents.

New purge of extras has been ordered by the SAG in an effort to cut ranks to the number where those regularly engaged in the industry will be able to earn a livelihood. Move is expected to reduce number of extras in good standing to approximately 4,500, exclusive of 1,000 members registered in New York.

Ban on Dual Cards

Letters have been mailed to Teamsters, IATSE, Makeup Artists and other film crafts advising them that SAG members carrying dual cards must drop one or the other. Agreement for scores of wranglers to drop SAG cards was reached at a joint conference between SAG tops and Joseph Tuohy, business representative of Studio Transportation Drivers Local 399.

More Coin for Supes

Extras earned $652,190 during the first three months this year, an increase of approximately $66,811 during the same period last year. Total job placements for the period was 60,500, compared with 54,000 during first three months of 1938.

Al Speede, business representative of Local 40 of International Brotherhood of Electrical Workers, has gone to Sacramento on legislative business affecting studio workers.

Studio Utility Employes Local 724 has adopted a resolution to support campaign of local officers of Technicians Local 37 to regain autonomy from IATSE.

Pat Casey expects to leave for New York late this week to confer with conferences with film executives and union leaders.

LIBSON CUTS CINCY CLEARANCE BEAUCOUP

Cincinnati, April 4.

Agitation by subsequent-run exhibitors here against undue clearance of 57 days between first-run RKO-Rice Libson houses and the suburban theatres, which follow them, has subsided. Libson, who returned here from Florida last week, has agreed to cut protection of 42 days for the first-run theatres to 30 days, and also agreed to play pictures at the second-run Paramount within 14 days after its first-runs.

Indies here are reported satisfied with Libson's concessions. Suburbans will now be able to play product 44 days after first-runs instead of 57.

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 reviews as given in VARIETY and the running time of prints are included.)

COPYRIGHT, 1939, BY VARIETY, INC. ALL RIGHTS RESERVED

Rev. in Var.—Reviewed in Variety N. T. Min.—Running Time in Minutes

WEEK OF RELEASE	Rev. in Var.	TITLE	Co.	TYPE	TALENT	N. T. Min.
1/20/39	2/2	FRONTIERS OF '49	Col	Western	B. Elliott-L. De Alcanis	54
	2/22	CONVICT'S CODE	Mono	Melodrama	R. Kent-A. Nagel-M. Eburne	63
	2/15	AMBUSH	Par	Rom-Dr	G. Swarthout-L. Nolan	61
		ARIZONA LEGION	RKO	Western	G. O'Brien-J. Johnson	56
	12/14	SMILING ALONG	20th	Mus-Com	G. Fields-M. Maxwell	85
	1/25	MOTO'S LAST WARNING	Fox	Mystery	P. Lorre-R. Cortez	71
	1/25	GAMBLING SHIP	U	Drama	R. Wilcox-H. Mack	62
	2/22	OFF THE RECORD	WB	Comedy	P. O'Brien-J. Blondell	70
1/27/39	1/25	LONE WOLF'S SPY HUNT	Col	Melodrama	W. William-I. Lupino	69
	1/25	FOUR GIRLS IN WHITE	M-G	Rom-Dr	A. Marshall-F. Rice	72
	1/25	IDIOT'S DELIGHT	M-G	Com-Dr	Shearer-Gable	109
	2/15	DRIFTING WESTWARD	Mono	Western	Jack Randall	47
	12/21	PARIS HONEYMOON	Par	Rom-Com	B. Crosby-F. Gaal	63
	2/1	PRIDE OF THE NAVY	Rep	Rom-Dr	J. Dunn-R. Hudson	68
	1/11	JESSE JAMES	20th	Drama	T. Power-N. Kelly-Fonda	105
	1/11	KING OF UNDERWORLD	WB	Drama	H. Bogart-K. Francis	69
	1/25	MADE ME A CRIMINAL	WB	Melodrama	J. Garfield-Dead End Kids	62
2/3/39	2/1	HONOLULU	M-G	Com-Rom	E. Powell-B. Young	85
	3/15	SUNDOWN IN PRAIRIE	Mono	Western	T. Ritter-D. Fay-C. King	53
	2/8	ST. LOUIS BLUES	Par	Mus-Rom	L. Nolan-D. Lamour	85
	2/8	FISHERMAN'S WHARF	RKO	Com-Dr	B. Breen-L. Carrillo	71
	11/9	THE ARIZONA WILDCAT	20th	Comedy	J. Withers-L. Carrillo	65
		PIRATES OF THE SKIES	Fox	Action	K. Taylor-K. Hudson	63
	12/28	TORCHY IN CHINATOWN	U	Melodrama	G. Farrell-B. MacLane	58
2/10/39	3/8	TEXAS STAMPEDE	Col	Western	C. Starrett-I. Meredith	57
	2/15	NORTH OF SHANGHAI	M-G	Drama	B. Furness-J. Craig	56
	2/22	HUCK FINN'S DOWN	Mono	Com-Rom	M. Kenny-M. Ginsby	68
	1/25	NAVY SECRETS	Par	Melodrama	G. Withers-F. Wray-D. Robinson	62
	1/18	PERSONS IN HIDING	RKO	Drama	L. Overman-J. C. Nash	69
	1/15	BOY TRAPPER	Rep	Drama	A. Shirley-A. Baldwin	76
	3/22	WOMAN DOCTOR	Rep	Western	F. Inescort-H. Wilcoxon	65
	2/1	HOME ON THE PRAIRIE	20th	Drama	G. Autry-S. Burnette	58
	1/18	SPIRIT	UA	Western	A. Payne-R. Bennett-C. Farrell	53
	1/18	MADE FOR EACH OTHER	UA	Rom-Com	C. Lombard-J. Stewart	90
		WINGS OF THE NAVY	WB	Drama	G. Brent-O. de Haviland	88
2/17/39	2/15	FAST AND LOOSE	M-G	Com-Dr	E. Montgomery-R. Russell	76
		LITTLE PAL	Mono	Drama	M. Rooney-E. Bellamy	66
	4/5	BOY MEETS MAUDE	Par	Comedy	C. Ameche-M. Boland	70
	1/25	GUNGA DIN	RKO	Drama	C. Grant-D. Fairbanks, Jr.	120
	2/8	THE THREE MUSKETEERS	20th	Mus-Com	D. Ameche-Bits Bros.-B. Barnes	71
	2/15	MEN WITHOUT WORK	UA	Drama	A. Menjou-V. Costello	85
	2/22	CAN'T CHEAT HONEST MAN	U	Comedy	W. C. Fields-Edgar Bergen	76
	3/1	NANCY DREW, REPORTER	WB	Melodrama	B. Granville-J. Litel	67
2/24/39	2/22	LET US LIVE	Col	Mus-Dr	H. Fonda-M. O'Sullivan	69
	2/22	LET FREEDOM RING	M-G	Drama	Nelson Eddy-V. Bruce	87
		STAR REPORTER	Mono	Drama	W. Hall-M. Hunt	62
	2/15	ONE THIRD OF NATION	Par	Drama	S. Sidney-L. Erickson	90
		SUNSET TRAIL	Par	Western	W. Boyd-C. Rogers	
	2/22	FORBIDDEN PASSAGE	Rep	Melodrama	F. Scott-J. Lang	64
	2/15	BEAUTY FOR ASKING	RKO	Rom-Com	L. Ball-A. Lane	64
	2/8	PARDON OUR NERVE	20th	Com-Mel.	L. Bari-J. Gale-G. Williams	67
	4/5	SOCIETY SMUGGLERS	U	Drama	P. Foster-J. Hervey	76
	2/8	YES, DARLING DAUGHTER	WB	Comedy	P. Lane-J. Lynn	85
3/3/39	9/7	PYGMALION	M-G	Comedy	L. Howard-W. Hiller	96
		MYSTERY OF MR. WONG	Mono	Mystery	B. Karloff-D. Tree	69
	2/8	CAFE SOCIETY	Par	Rom-Dr	M. Carroll-F. MacMurray	88
	3/8	I WAS A CONVICT	Rep	Melodrama	B. McLane-B. Roberts	62
	3/1	TWELVE CROWDED HOURS	RKO	Melodrama	R. Dix-L. Ball-J. Aldridge	63
	2/15	WIFE, HUSBAND, FRIEND	20th	Rom-Dr	L. Young-W. Baxter	79
	2/8	STAGECOACH	UA	Drama	C. Trevor-J. Wayne	95
	3/29	RISKY BUSINESS	U	Melodrama	G. Murphy-D. Kent	66
	3/8	SECRET SERVICE AIR	WB	Melodrama	R. Regan-J. Litel	61
3/10/39	3/8	BLONDIE MEETS BOSS	Col	Comedy	F. Singleton-A. Lake	75
	3/8	ICE FOLLIES OF 1939	M-G	Rom-Dr	J. Crawford-J. Stewart	81
	3/29	MYSTERY PLANE	Mono	Action	J. Wilcox-F. Young	69
	9/30	THE BEACHCOMBER	Par	Drama	C. Laughton-E. Lanchester	80
		ROUGH RIDERS ROUND-UP	Rep	Action	R. Rogers-M. Hart-R. Hatton	
	3/1	SAINT STRIKES BACK	RKO	Drama	G. Sanders-N. Hamilton	64
		INSIDE STORY	20th	Drama	M. Whalen-J. Rogers	
	10/5/38	PRISON WITHOUT BARS	UA	Melodrama	C. Lombard-E. Best	68
	3/1	SPIRIT OF CULPEPER	U	Comedy	J. Cooper-F. Bartholomew	69
	3/15	THE OKLAHOMA KID	WB	Melodrama	J. Cagney-R. Lane	80
3/17/39	3/22	LONE STAR PIONEER	Col	Western	Bill Elliott	54
		WITHIN THE LAW	M-G	Melodrama	R. Russel-J. King-P. Kelly	85
	3/22	KING OF CHINATOWN	Par	Drama	A. M. Wong-A. Tamiroff	56
	2/22	LIFE TAKES A NIECE	RKO	Comedy	S. Sothern-L. Darvie	92
	3/29	MYSTERY WHITE ROOM	U	Mystery	R. Cabot-H. Mack	58
	4/5	ADV. OF JANE ARDEN	WB	Melodrama	R. Towne-W. Gargan	58
3/24/39	3/1	WHISPERING ENEMIES	Col	Drama	J. Holt-D. Costello	63
	3/22	SERGEANT MADDEN	M-G	Drama	W. Beery-A. Curtis-T. Brown	78
	4/5	TRIGGER TRUE	Mono	Western	Ken Maynard	51
	3/15	MIDNIGHT	Par	Comedy	C. Colbert-D. Ameche	92
	3/8	MY WIFE'S RELATIVES	Rep	Comedy	J. L. and E. Gleason	63
	3/8	THE FIGHTING MARINE	RKO	Rom-Dr	D. Grant-A. Dunbar	73
		TROUBLE IN SUNDOWN	20th	Western	G. O'Brien-I. Keith	
	11/30	EVERYBODY'S BABY	20th	Comedy	J. Prenty-R. Gleason	61
	3/22	THREE WISE GIRLS	U	Mus-Rom.	D. Durbin-M. Hunter	87
	3/8	BLACKWELL'S ISLAND	WB	Drama	J. Garfield-E. Lane	71
3/31/39	3/8	LADY AND THE MOB	Col	Comedy	F. Sinatra-I. Lupino	65
		ROMANCE OF REDWOODS	Col	Drama	C. Bickford-J. Parker	
	4/5	SOCIETY LAWYER	M-G	Drama	W. Fidgeon-V. Bruce-Carrillo	77
	3/22	SUDDEN MONEY	Par	Comedy	C. Ruggles-M. Rambeau	60
		SILVER ON SAGE	Par	Western	W. Boyd-E. Reynolds	66
	3/22	ALMOST A GENTLEMAN	RKO	Drama	J. Ellison-H. Wood	64
		MEXICALI ROSE	RKO	Rom-Mel.	G. Autry-S. Burnette	
	3/29	HOUND OF BASKERVILLES	20th	Mystery	R. Green-W. Barrie	78
		FAMILY NEXT DOOR	U	Comedy	H. Herbert-J. Hodges	
	3/29	ON TRIAL	WB	Melodrama	M. Lindsay-J. Litel	62
4/7/39	4/5	BROADWAY SERENADE	M-G	Mus-Rom.	J. MacDonald-L. Ayres	111
		UNDERCOVER AGENT	Mono	Melodrama	S. Dean-R. Gleason	
	3/22	I'M FROM MISSOURI	Par	Comedy	Bob Burns-G. George	77
	3/15	BOAT AFFAIR	RKO	Rom-Dr	I. Dunne-L. Boyer	70
	3/22	MR. MOTO IN DANGER IS'D	20th	Drama	F. Lorre-J. Hersholt	70
		EAST SIDE OF HEAVEN	U	Mus-Rom.	B. Crosby-J. Blondell	
	3/29	WUTHERING HEIGHTS	UA	Drama	M. Oberon-L. Olivier	103
		DODGE CITY	WB	Outdoor	E. Flynn-O. de Haviland	
4/14/39		FIRST OFFENDERS	Col	Melodrama	W. Abel-B. Roberts	
		STREETS OF N. Y.	Mono	Drama	Jackie Cooper	
		CALLING DR. KILDARE	M-G	Melodrama	L. Ayres-L. Barrymore	
	4/5	DEUBINO-SECRET POLICE	Par	Drama	J. Hall-Heather Angel	55
	3/8	NEVER SAY DIE	RKO	Comedy	M. Raye-B. Hope-E. Cossart	
	4/5	THEY MADE HER SPY	RKO	Drama	S. Eilers-A. Lane	67
	4/5	THE RIDERS	20th	Western	J. Wayne-R. Rogers	62
	4/5	ALEXANDER GRAHAM BELL	20th	Drama	D. Ameche-L. Young-Fonda	
		WOMEN IN THE WIND	WB	Melodrama	K. Francis-W. Gargan	
4/21/39		LUCKY NIGHT	M-G	Rom-Com	R. Taylor-M. Loy	
		DANGEROUS FINGERS	Mono	Melodrama	J. Stevenson-B. Lyons	
		BACK DOOR TO HEAVEN	Par	Drama	W. Ford-A. Macmahon	
		FIXED DUGAN	RKO	Comedy	L. Tracy-P. Shannon	
	4/5	WINNER TAKES ALL	20th	Rom-Com	T. Martin-G. Stuart	81
	3/15	BIG TOWN CZAR	U	Drama	B. Mauzan-E. Sullivan	105
	3/15	DARK VICTORY	WB	Drama	B. Davis-G. Brent	

N. Y. Strike

(Continued from page 4)

by Par and 20th, in some cases women who had quit in prior years to get married. Par also has stopped the pickup of film among exhibitors, ordering everything sent back to the exchange after being played.

While other exchanges may also put on inspectors, Metro and RKO are reported fearful of hiring anyone from the outside for shipping and inspection rooms on the ground that this may precipitate picketing by 51-B of the Loew and RKO theatres. Other distribs do not have large chains like these. However, as pointed out in distributor circles, if the Exchange Workers Union wants to picket theatres because 'strike-breaking' exists at the N. Y. branches, use of salesmen, bookers, etc., being non-union, could also be construed as 'scabbing'.

A problem not as yet met, but which will have to find a solution if the strike continues, concerns screening of new film coming in. With the operators out of home offices and exchanges, no screenings are possible, yet these are highly important in view of the nature of the film business. United Artists held a screening Friday night (31) of 'Wuthering Heights' at a theatre in the Chanin building, fully-equipped, which it rented. Others may be forced to try using this and any other unaffected projection rooms it can find, if not putting non-union ops in its own screening cubicles. The one operator employed at Republic's h.o. is still on the job.

One report is that non-union operators are being lined up against any emergency that might occur. Projectionist schools have been turning out a flock of operators of late years, most of whom have not been able to get into Local 306 because the membership there is full up at around 2,200 men. In addition to possible importation of men from around the country, Empire, basic cause of the present trouble, also might furnish a couple hundred men.

Cocalis' Breaks

In the event of a walkout of operators in Greater New York, the most ironical feature would be that Sam Cocalis, the Century circuit and a couple dozen smaller indies wouldn't be affected since they don't employ IA (A) men. Distributors are in a spot because these indies refuse to employ 306, yet they would face no interruption of operation at their own Empirement theatres.

A temporary quarters for 51B, which never maintained an office and does not have much funds, has been set up in one of the downtown buildings. Most of the members of the union are exchange workers earning as low as $24 a week and deeply regret the loss of their pay. A few, on their own initiative and including one worker who suddenly became a father, are reported getting advances from the exchanges against their return to work later. Because they could not cross picket lines to collect pay due them when they walked, exchanges carried money outside home offices to pay off the backroom bunch.

The question of group insurance covering the exchange workers is another matter. Disposition of the exchanges to continue the insurance a reasonable length of time pending a possible return of the men and women to the back rooms, but approval on that is up to the insurance companies. Cost of dropping the insurance now and rewriting it figures aside from sympathetic interest which is manifest among all district and branch managers for the unionized exchange bunch now out on strike.

Hope for mediation of the strike, with cessation of the walkout by exchange workers and ops pending a possible settlement, is predicated on meetings before the State Mediation Board, where it is felt some progress is being made. At first hearing a committee of theatre chain representatives who feared momentary walkouts of projectors and still do, the board during the past week also listened to former Judge Matthew M. Levy, of counsel for Local 306. He was to report back to the State Mediation Board but, together with Joseph D. Basson, 306 president, was called to Washington Thursday (30) by the U. S. Attorney General's office for questioning. He returned to New York Monday (3), to heed a call from the U. S. Attorney's office in N. Y. in an investigation of the situation by Federal Attorney McGovern and aides from Washington.

AT LAST! . . . DRAMA EVEN GREATER THAN THEIR DANCING!

Sensationally Different!

"BOX-OFFICE NATURAL"
–Film Daily

"TRIPLE-PLATED BOX-OFFICE"
–Motion Picture Daily

"SURE-FIRE FOR STRONG BOX-OFFICE"
–Hollywood Reporter

"SHOULD REPAY HANDSOMELY"
–Hollywood Variety

"TOP SHOW FOR TOP MONEY"
–Jay Emanuel Publications

HOLDOVER RADIO CITY MUSIC HALL!

OPENING THIS WEEK IN SCORES OF KEY RUNS THROUGHOUT THE NATION!

Film Reviews

Adventures of Jane Arden

(Continued from page 15)

Arden would carry out her reporter-sleuth activities again in another mystery. But it probably will interest only the most ardent Jane Arden fans after seeing this initial attempt to transfer the Monte Barrett-Russell E. Ross cartoon character to the screen. The first adventure of the comic strip heroine in Hollywood is disappointing. Fair for some dualiers but a weak effort to start off a series, as apparently intended.

The girl reporter of the newspaper strips here doesn't follow too closely the type or story associated with daily readers or radio listeners who tune in each morning to the WJZ-NBC air serial. And consequently, it is likely to be a letdown for the Arden fans. This might have been excused if the few original twists were effective or the title role had been made more standard.

Three scripters did the Arden newspaper yarn and the result is an incredible fable about murder, jewel smuggling and beauteous femmes being employed as pawns by a smuggling ring. Terry Morse, as film editor, was given this as his initial directorial assignment. Her first important role. Rosella Towne is the Jane Arden character. She has possibilities but this film permits her limited opportunities.

William Gargan is cast as the managing editor of a Manhattan daily, Jane Arden's boss. He wrestles manfully, but remains a capable actor miscast. Dennie Moore is the agony column editor to supply Jane's which she doesn't. Benny Rubin, as her sweetie, plays almost straight and manages a couple of laugh tries. Prettiest girl in film, Maris Wrixon, is shot down early by the smugglers. Stanley Ridges, as the villainous Dr. Vanders, contributes the smoothest portrayal, making it stand up so well that it overshadows even the femme lead. Peggy Shannon is relegated to a villainess' fate.

Jane Arden can be made valuable screen merchandise but this first try has it going no place in particular.

Wear.

THE NIGHT RIDERS

Republic release of William Berke production. Features John Wayne, Ray Corrigan, Max Terhune. Directed by George Sherman. Original screenplay by Betty Burbridge, Stanley Roberts; based on characters created by William Colt MacDonald; camera, Jack Marta; score, William Lava. Previewed in Projection Room, N. Y., March 30, 1939. Running time: 67 MINS.

Stony Brooke	John Wayne
Tucson Smith	Ray Corrigan
Buttons Jones	Max Terhune
Soledad	Doreen McCaffrey
Bruce Randall	Douglas Fowley
Tulbot	George Douglas
Jackson	Tom Tyler
Sheriff	Kermit Maynard
Lorna	Nancy Saunders
Rancton	Walter Willis
Anderson	Edward Peil
Harper	Edward Peil, Sr.
Hixon	Wally Albright
Wilkins	Jack Ingram
Allen	William Ruhl

Fairly consistent in turning out well-written westerns for the Three Mesquiteer series, Betty Burbridge and Stanley Roberts have outdone themselves on 'Riders.' Despite the aura of incredibility, as a whole the finished negative raises the Mesquiteer standard a notch. Exhibs have a selling point in John Wayne, leader of the trio, based on the appeal given his performance in 'Stagecoach.'

While written around an almost impossible happening—the claiming of 13,000,000 acres of ranchland via a grant made in 1764 by a King of Spain—the story develops a little from the usual western fare. Basically it is the same stuff the Three Mesquiteers; they still get the cheers at the finale for being champions of the oppressed and go about the latter in their best workmanlike manner.

Charter to the aforementioned land grant is forged and possession gained by the U. S. Government which creates untold hardships and eventual eviction for the tenants of land when exorbitant lease rates are demanded. Mesquiteers are one of the panel owners evicted for being unable to get up the fee. They don't like being kicked out and decide to investigate. They take the form of modern Robin Hoods in the guise of hooded horsemen to harass messengers of the land baron and eventually clear the whole thing up.

All performances are above average for sagebrush tales, directing smoothly paces the footage, and photography is okay throughout. Story lately lies in with history near the close. Trio are under sentence of death for their nocturnal activities for ambushing messengers of the land baron and returning the money to land owners. Evidence dug up by a femme friend of the trio causes President Garfield at a moment after he's assassinated. Friendly sheriff, realizing their crimes were for the people's good, loads firing squad's guns with blanks, thereby saving the Mesquiteers for the next in the series.

THE KID FROM TEXAS

(WITH SONG)

Hollywood, April 1.

Metro release of Sidney Salvyn production. Features Dennis O'Keefe and Florence Rice. Directed by S. Sylvan Simon. Screenplay by Florence Ryerson, Edgar Allan Woolf and Albert Mannheimer; original story by Milton Merlin and Byron Morgan. Song, Ormond Rathven. Milton Merlin and Albert Mannheimer; score, Dr. William Axt; camera, Sidney Wagner; montage, Blanche Sewell; editor, Frederick Smith. Previewed at Uniopa March 28, 1939. Running time: 70 MINS.

William Quincy Malone	Dennis O'Keefe
Sherry Thomas	Florence Rice
Bertie Thomas	Anthony Allan
Aunt Minerva	Ruth Donnelly
'Smitty'	Buddy Ebsen
'Hairy' Kinney	Virginia Dale
'Duke' Hastings	Robert Wilcox
Mary Brown	Jack Carson
Mabel	Helen Lynd
Peter	Charles H. Kerrigan
Adam Lambert	Tully Marshall

Metro cleaned and reblocked an old yarn which served as a William Haines starrer for this one. Fast start with some subtlety and thought for slapstick comedy situations gives promise of a nice package of entertainment, but the story switches to a rather involved romantic drama for the second half it flutters into comedy scenes and winds up in rather unsatisfactory fashion.

Dennis O'Keefe is a breezy and smart-aleck cowhand who spent years to be a polo player. Opportunity comes when he stows away on shipboard for England and Ireland. In disclaying his polo prowess he falls in love with heiress Florence Rice. Unknowing to her and pals, O'Keefe hops off to join a wild west troupe, and introduces polo to the crowd. With the assistance of Indian team playing the swank outfit that ditched him, O'Keefe gets even in the polo game and gets Miss Rice and Virginia Dale, former winning out in the rather static finish.

Picture will suffice as supporter in the duals, and moderately satisfy in those bookings. Its main purpose is to uncover newcomer for O'Keefe in Miss Dale. Former shows spark that might carry him along as a light comedian if the William Haines and Reginald Denny types of 12 years ago. Girl has a personality that gives out on rates and should be looked for future buildup by the Metro production forces.

Director S. Sylvan Simon handles the comedy situations in fine style, but is handicapped by script material provided the last half. Story weaknesses prevent picture from hitting lower brackets of key duals genuinely. For kids and action houses where patrons will overlook the yarn's tiriness.

Boxo.

BOY TROUBLE

Paramount production and release. Features Charles Coburn, Mary Boland, Donald O'Connor, Lee Bowman, Adapted by Lloyd Corrigan and Monte Brice; screen play, Corrigan and Brice; story, Ethel Hill. At Paramount, Brooklyn, April 1, 1939. Running time: 78 MINS.

'Homer' Fitch	Charlie Ruggles
Sybil Fitch	Mary Boland
Butch	William Lundigan
Patricia Fitch	Joyce Mathews
Nathan Wilson	Donald O'Connor
Joe	Billy Lee
Mr. Spively	Andrew Tombes
Dr. Benschlager	Dick Elliott
Mrs. Jepson	Zeffie Tilbury
Mrs. Cunningham	Georgia Caine
Mrs. Pike	Barbara Brown
Mother	Josephine Whittell
Pop	Roger Imhof
Mrs. Cunningham	Georgia Caine
Mrs. Pike	Barbara Brown
Mother	Grace Hayle
Pop	Charles Wagenheim
Grocer Bradley	Spencer Charters

Good old hokum with an emotional wallop that almost lifts it out of the 'B' class. Should satisfy nearly all types of audiences. It's a sure bet for the family trade.

Director Archambault gets praise for his handling of a story that expertly mixes pathos with laughter and keeps the action going with plenty of stunts and unexpected twists.

Mary Boland and Charles Ruggles are excellent and shine brightest with two youngsters, Donald O'Connor and Billy Lee. Performances all around are uniformly good, but in the last analysis, the picture leans heavily on Ruggles, who scores in a tailor-made part out of which he squeezes every ounce of effect.

The Fitches are a small-town childless couple, pretty upset in the matter of their domestic ways. Mr. Fitch (Ruggles) is a Caspar Milquetoast, easily upset when the routine habits are disturbed and with an unhappy faculty of blundering into situations not of his making.

Mrs. Fitch (Miss Boland), thinking only of her husband's happiness, is intent upon adopting an orphan (Lee) and also a homeless waif (O'Connor). Fitch, who takes a family bereavement in the stride, is upset by the newcomers. He orders Mrs. Fitch to get rid of the youngsters, and sets his heart against showing any signs of affection or understanding for them.

Numerous other event in the meantime surprise against him, and when the orphanage takes Billy Lee back for a more suitable adoption, and the other lad also takes to the high road when he finds he is not wanted, Fitch shows signs of weakening. Other complications, such as the loss of his job, a mortgage from his wife and the crucial illness of little Billy brings things to a high emotional pitch and everything finally working out happily in the end.

Ruggles' best scene is that at the bedside of the sick child when he gives the child a reason to live and turns the crisis favorably.

Exhibitors can use more pictures of this type.

TRIGGER SMITH

Monogram production and release. Stars Jack Randall; features Frank Yaconelli, Joyce Bryant. Directed by Allen James. Original screenplay, Robert Emmett; camera, Robert Lonsdale; editor, Howard Dillinger. At Colonial, Lincoln, April 1.

Jack Randall	Frank Yaconelli
Jayne Bryant	Warner Richmond
Dolfing	Nolan Leary
Frank Yaconelli	Jack Carson
Ted

"THE STORY OF ALEXANDER GRAHAM BELL" IS ONE OF THE SWEETEST BOXOFFICE STORIES EVER TOLD!

(And remember, this is Holy Week!)

•

HELD OVER AT ROXY, N.Y.!

in one of the greatest runs in Roxy history!

For example —

Sunday the Roxy was sold out to standing room only within 40 minutes of doors' opening ... and continued S.R.O. solidly for 9 hours and 25 minutes! 61,877 people jammed house in first three days!

THE STORY OF

ALEXANDER GRAHAM BELL

THE KEYSTONE OF YOUR FUTURE

Frank Harris' Dixie Group of 13; Theatres and Exchanges in Moves

Atlanta, April 4.

Frank Harris, former mgr. of Lucas & Jenkins' half dozen community theatres here, is booking for group's 13 houses, with Al Whitlie, former assistant to Jack Rialto, in charge of North Georgia and Carolina houses.

Walter Meier last week was made mgr. of Cameo, outfit's downtown house, replaced at Kirkwood by Horace Denning.

George Wilby and Associates, operators of an expanding Georgia theatre chain that has reached into Carolinas, has moved into larger quarters in Walton building, on Film Row.

personnel sent Tommy Read, manager of chain's Paramount to similar post at outfit's Fox, 4,400-seat deluxer. Read replaces Hudson Edwards, who has gone to Savannah as L.&J.'s city manager, vice Robt Robinson, resigned. Chain operates five houses in Savannah.

Read's successor at Paramount is unnamed as yet, district manager E. E. Whitaker sitting in saddle temporarily.

Joe Engel in Albany

Albany, April 4.

Joe Engel took up the reins at Universal's Albany Exchange Monday (3), replacing Gerald Leary, who has not been well, and received a leave of absence. Engel, former manager of the Cleveland branch of Universal, is a newcomer to this territory.

Greenblatt Aides Rogers

Arthur Greenblatt has been appointed assistant to Budd Rogers, v.p. and g.m. of Alliance Films Corp. Greenblatt was lately eastern district manager for Gaumont British in New York. Rogers is U. S. sales rep. for Alliance, a British organization.

Philadelphia, April 4.

Charles Stiefel will take over the Susquehanna theatre about July 1 from the Affiliated Theatre Circuit, which now operates it. Stiefel bought the building some time ago and will not renew Affiliated's lease when it expires.

Nixon's Grand, which recently shuttered after its umpteenth unsuccessful attempt at a combo policy, will reopen Saturday (8) on a straight film policy. It will run last run product at 10c. and 20c. admish. Joe Weiner, brother of Harry Weiner, Columbia exchange manager here, will operate the house.

Barham's Fix-Up Trip

Tracy Barham, operator of Paramount's Ohio, Kentucky and West Virginia theatres, was in New York during the past week to confer on new equipment for some of his houses. In addition to fixing up the Palace, Marion, O., the Marion in that town is to be remodeled. Charles Burton, in charge of the Par maintenance department, is in Barham's territory on remodeling and re-equipping plans.

Dortic Joins WB

Pittsburgh, April 4.

Charles Dortic, Grand National exchange manager here, has quit to join Warners sales staff, assigned to cover West Virginia territory for local office, taking over from Maurice Kincler, who's been servicing that district since Bobby Dunbar was elevated to office manager. Kincler has resigned. Max Shulgold, GN salesman, moves into Dortic's spot.

Joe Kauffman, U exchange chief, transferred from Pittsburgh to similar post in Cleveland, will be honored here at a testimonial dinner by showmen April 24 at Roosevelt hotel. Harry Hendel, indie exhib, is in charge of affair.

Segal's Berth

Youngstown, O., April 4.

Harry Segal, resident manager of the Harris-Strand here for some months, transferred to the Family, Pittsburgh. Segal's place here taken by Henry Miller, Jr., from Pittsburgh house. Segal came here to take charge when William Murray died, and has remained pending the selection of a resident manager by the circuit executives.

Ohio Shifts

Canton, O., April 4.

Joe Wheeler appointed manager of the Chakeres Grand, Circleville, to succeed Ralph Winters, assigned another Chakeres theatre. Wheeler is former manager of Clifftona, Circleville.

Jimmy Fisher, manager of McKinley, Niles, O., seriously ill in a Youngstown hospital, has resumed his duties.

J. Real Neth, operator of the Neth theatres, Columbus, who suffered a broken right leg when he fell on an ice several weeks ago, back at his desk.

After three weeks in Florida, Joseph E. Shagrin, Youngstown, is back managing the new Foster theatre there. Shagrin resigned as manager of the Paramount and Park in that city, to devote his entire time to supervision of the newer nabe in the steel city.

George S. Ellis and Earl L. Ochsenbein, local managers for the American and State, East Liverpool, conferred here recently with George A. Delis, district manager for the Inter-State Theatres, Inc., with which group the East Liverpool houses are affiliated.

Jerry Reinhart, associated with Reinhart Theatres here, recovered from attack of flu and back at his desk. His father, Harry Reinhart, owner of the local subsequent run group bearing his name, is vacationing in Honolulu.

F. H. Hathway has added the Struthers theatre, Struthers, O., to his group, which include the Ritz, Palace and Campbell, all in the Youngstown district.

Denver, April 4.

William G. Smith, head of Empire Pictures, closed with George Hirliman, indie producer for roadshow distribution of 'Tell Your Children' in all states west of and including Colorado.

Sid Dean Back in Harness

Seattle, April 4.

Sidney Dean, former sales mgr. and assistant to the late H. T. Moore, owner and manager for many years of the Rialto, Tacoma, is the new manager. He's assisted by John Overley, who comes back after some years out of the show biz, when he was also with Moore. At age of 64 H. T. Moore died suddenly at Phoenix, Ariz., Jan. 26, where he had gone for his health.

First important change in managers at local theatres in blue moon finds Dan Redden succeeding Bill Hamrick as manager at Paramount; Clyde Strout advancing from asst. at Orpheum to manager of Colisseum, where he succeeds Redden; Earl Anderson promoted from door to assistant to Don Geddes, mgr. at Orpheum, and Marion Fox, from door, to assistant to Redden at Paramount, succeeding Charles Barnes.

Alpine's Face-Lift

Salem, W. Va., April 4.

The Alpine, completely remodeled, redecorated and refurnished, reopened. Charles Anderson is head of the circuit.

Okla.'s Improvements

Oklahoma City, April 4.

Harry G. Walgreen doing $12,000 improvements on his Blue Moon, Lindsey, Okla., with new seats, roof, supports, concrete floor, glass enclosed cry-room and lighting.

James & Jones have installed a new air-conditioning system in their Jewel theatre here.

Sinestrandt and Amuse. installed new chairs in Liberty, Harrison, Ark., and Rialto, Searcy, Ark.

Jack Weiss, formerly operating at Cement, Okla., opening new theatre in Harrah, Okla.

M. J. Tomlins refurbished his Quanah theatre at Fletcher, Okla.

Levi Metcalf's new air conditioning at Ritz, Purcell, Okla.

Forrest Swigar returned to Oklahoma City to become new manager of Plaza, for Standard. He resigned as manager of the Tower to enter the shoe business in New Orleans.

Don Woods Back to K. C.

Minneapolis, April 4.

Don Woods, Paramount sales manager here, resigned to join the Warner sales staff in Kansas City, his former home. Was Grand National branch manager in Minneapolis, formerly. Par has not named his successor yet.

M. & P.'s New One

Boston, April 4.

M. & P. Theatres (Mullin and Finanski) have put through real estate deal whereby they acquire about 85,000 square feet at Cleveland Circle in Brookline, center of a heavily populated residential district. Theatres M&P will build a modern Colonial film house there later this year.

TITLE CHANGES

Hollywood, April 4.

'Panama Lady' is release title for 'The Second Shot' at RKO.

'Inside Information' latest handle for 'Metropolitan Police' at Universal.

RKO switched from 'Salute to Hate' to 'Conspiracy.'

'Bridal Suite' is final tag on Metro's 'Maiden Voyage.'

Install A-P-W
Onliwon Cabinet Toilet Tissue
ECONOMY WASHROOM SERVICE

ANOTHER PATHE FILM DIVVY WITHIN 30 DAYS

Pathe Film Corp., which a few weeks ago declared a stock dividend of its Pathe Laboratories issue, probably will issue another divvy of the same sort within the next 30 days. Both declarations are on a basis of one share of new Pathe Lab stock for 100 shares of Pathe Film held.

With the issuance of the second dividend, reported as being set for early declaration, Pathe Film will have carried out its whole plan of reorganization whereby the parent corporation (Pathe Film) was set up as a holding company and the operating company established under the title of Pathe Laboratories. According to the plan, Pathe Film had two years to carry out this alignment, but officers are understood to favor issuing the new stock and completing final details.

Pathe Film (parent corporation) really is a holding company for Du Pont Film Mfg. Co., but officials will not change the title for the time being. Pathe Lab. stock is listed in Over-the-Counter market while Pathe Film is on the New York Stock Exchange.

If the operating company, Pathe Lab, shares should be placed on the stock exchange or curb exchange, it is likely the Pathe Film might change its title—possibly to that of Du Pont Film Holding Co., in order to prevent confusion among traders.

Harry McDonald Lands Koerner's RKO N.E. Div.

After reported consideration of Tom Gorman, Chicago RKO manager, and Edward Smith, former Paramount theatre operator, as successor to the New England division, RKO decided on Harry McDonald, manager of the Albee, Providence, for the spot. He takes control April 7, with headquarters in Boston. Charles Koerner transferring to the Pacific Coast to handle the RKO division formerly headed for years by Cliff Work, now production head at Universal.

Koerner has been delayed in leaving for the west pending decision on who would succeed him over the RKO theatres in Boston, Lowell and Providence.

McDonald, for years with RKO as a theatre manager, left a few years ago to take over the Normandie, Boston nitery, which specialized in name bands, but toward the end of the year he sold out and on Jan. 1 returned to RKO as manager of the Providence house. He is a brother of Charles McDonald, RKO division manager in New York.

Dayton Realigned

Dayton, O., April 4.

Joe Goetz, assistant to Col. A. F. Frudenfeld, RKO division manager at Cincinnati, made RKO manager for Dayton, succeeding Millard M. Blaettnar, and William A. Clark, recently in exploitation work with United Artists, made manager RKO Keith house, succeeding Duane Hatfield. Changes effective immediately following announcement of resignations of Blaettnar and Hatfield. Blaettnar with RKO here 15 years and city manager five years.

Technicolor's $1,334,243 Net, 700G Above 1937

Technicolor, Inc., and Technicolor Motion Picture Corp., its subsidiary, showed net profit in 1938 about $700,000 greater than in the preceding year. Net was $1,334,243 as against $630,718 in 1937. Net sales totalled $4,646,991.

The net profit was further trimmed by $258,072, the amount deducted for Federal income tax and life insurance expense. Premiums on life insurance on the president and general manager resulted in a deduction of $25,635. Company paid $1 dividend last year.

It was announced that the corporation had made its new high speed negative commercially available. Also noted that a division of the Technicolor plant for production of 16-millimeter Technicolor-Kodachrome picture prints, by reduction printing from Teck positive originals, was placed in operation last November.

Technicolor, Ltd., British affiliate, showed a profit of $33,740, as compared with a substantial loss in the preceding year.

Dissenion Reported Within Allied Groups in Northwest and Pennsy

Minneapolis, April 4.

With the National Allied States convention scheduled for Minneapolis June 13-15, Northwest Allied leaders are trying to smooth troubled waters stirred up because President W. A. Steffes has failed to stop his associate and former organization president, Bennie Berger, from buying 'runs' of Metro pictures for the Paradise, nabe, and showing them ahead of competing independent uptown houses and at a lower matinee admission.

Steffes owns a joint interest with Berger in the Paradise, but insists the latter is in sole control of the theatre's operation. Furthermore, he contends, the organization cannot dictate to the distributors how or at what prices they should sell their product, any more than it can dictate to exhibitors how much they should pay for film.

It is essential to keep the organization alive and prevent any split up, Steffes feels. He has made known that he himself will not accept the presidency again, however, under any circumstances.

Steffes claims that there is only one discontented member who is trying to cause trouble and he does not believe that this single malcontent will be able to draw some of the others away from Northwest Allied and form a rival exhibitors' organization. He also charges that this member always has been delinquent in his dues.

The member in question has taken the position that there are other grievances besides the Paradise theatre situation. He argues that the organization should concern itself less with such national and state legislative matters as, for example, the proposed amendment which requires the levying of heavy dues. He wants dues substantially reduced and urges that the body devote its efforts principally to bringing down film costs and eliminating 'unfair' trade practices.

Philly Allied Schism

Philadelphia, April 4.

Allied unit here, formed only three months ago, is reported already in the throes of internal reorganization and dissension. David Yaffe, counsel for the organization and assistant to Sid Samuelson, $7,500-a-year president, is understood to be on the way out. Walter Woodward, field organizer, it is also reported, will resign soon.

One of the reasons for Yaffe's demise, it is said, is the purchase by his father of a house in competition to that of an influential Allied member, which has resulted in considerable bickering. Yaffe, recently out of college, is supposed to have been given the Allied job as part of a deal resulting from his father's leasing of the Rialto theatre to Affiliated Theatres Circuit, headed by Dave Milgram. Milgram was founder and spark plug of the Allied unit here and arranged for young Yaffe's position with it.

Recent embarrassing incident was the purchase of the Unique theatre by Yaffe's father. This is only four blocks from the Casino, operated by Felt Bros., members of Milgram's Affiliated circuit and of Allied. Product and competitive difficulties are ready to break out at any moment between the houses. Milgram, as a result, is said to have withdrawn his support of Yaffe.

EXHIB'S 1-7 YEARS FOR THEATRE ARSON

Minneapolis, April 4.

Oscar Arneberg, of Minneapolis, has been sentenced to one to seven years in prison for arson in connection with the burning of his Lyric theatre, Browerville, Minn., near here.

The theatre was destroyed by fire March 2. Arneberg confessed that he had splashed gasoline through the interior, set it afire and then drove to Minneapolis. He admitted the fire was set to collect $2,700 insurance on the furnishings. Damage was estimated at $10,000.

New York Theatres

THERE'S A BETTER SHOW AT THE RKO THEATRES

STARTS FRIDAY, APRIL 7th
ERROL FLYNN in "DODGE CITY"
A Warner Bros. Picture
TODAY ONLY
Eleanor Powell "HONOLULU"
"Two-Ton" TONY GALENTO
GUY LOMBARDO And His Royal Canadians
STRAND BROADWAY AND 47TH ST.

HELD OVER
"3 SMART GIRLS GROW UP"
UNITED ARTISTS RIVOLI Broadway at 49th St.
Doors Open 9:30 A.M. MIDNITE SHOWS

Loew's State TIMES SQ
TODAY ONLY
Eleanor Powell "HONOLULU"
"Two-Ton" TONY GALENTO
THURSDAY "CAFE SOCIETY"
Fred MacMurray
Madeleine Carroll
Days APOLLON & His Varieties

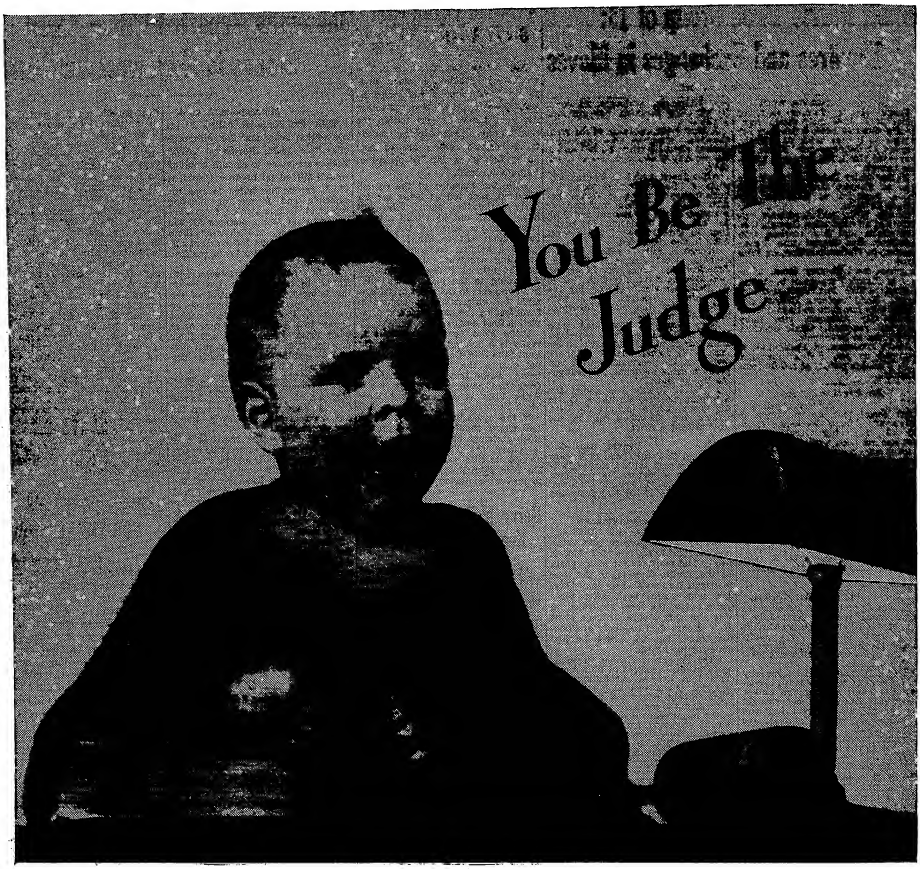
PARAMOUNT TIMES SQUARE
CLAUDETTE COLBERT
DON AMECHE
"MIDNIGHT"
IN PERSON
TOMMY DORSEY AND HIS BAND

NOW! "SOCIETY" LAWYER"
Walter Pidgeon
Virginia Bruce
Leo Carrillo
Capitol
Broadway at 51st Street
THURS. (April 6)
Jeanette MacDonald in "BROADWAY SERENADE"

RADIO CITY MUSIC HALL
HELD OVER
THE STORY OF VERNON and IRENE CASTLE
Spectacular Stage Productions

Astor Doors Open 9:30 a.m. 25c to 1 p.m.—at all times 9 a.m. and 40c 9 p.m. midnite show every nite
Continuous Performances, Popular Prices
LESLIE HOWARD in Bernard Shaw's
PYGMALION
18th Big Week! As M-G-M Hit

7th Av. & 50th St.
ROXY
ALL SEATS 25c TO 1 P.M.
HELD OVER
"Alexander Graham Bell"
—On the Stage—
New Stage Show



●Pick up any national magazine . . . any newspaper . . . look at any billboard . . . read the movie ads . . . then look at any National Screen Trailer . . . and you'll see why we say:

No printed account . . . no matter how graphically written . . . can thrill its readers . . . excite its readers . . . amuse its readers . . . one-tenth as much as seeing and hearing the event itself!

Listen to any radio broadcast . . . then see a trailer and you'll see why we say:

Nothing compares to seeing and hearing the actual event itself!

No form of advertising . . . no matter how smart, can give you the one hundred percent coverage you get from National Screen Trailers . . . and at the lowest cost per person reached!

NATIONAL Screen SERVICE

. . . Prize Baby of the Industry! —

SPONSOR RIGHTS DEFINED

BOXTOPS AND ROLLO

The radio industry must and eventually will meet and answer the objections raised by clubwomen critics of kid programs. The sooner the business comes to grips with the problem the smarter it'll be. Apparently there is a too-easy assumption that because one women's radio organization succumbed to a few baubles and a little blarney, all are equally unworthy of industry respect. This attitude presupposes that the leadership of women's clubs is uniformly phoney. This is not a safe assumption.

One observation has recently been made which, if it is an accurate indication, augurs trouble. At a recent luncheon conference the clubwomen who resented the glib use, by radio officials, of the word 'yammer,' to characterize their (the women's) complaints about kid shows, retorted that the 'yammering' of the clubwomen is increasingly finding a sympathetic echo in fathers. It is claimed that there's a tendency to schedule such discussions at night so that the old boy can get in his ideas. That is a matter of another flavor, if true.

If business men in their alter-ego as parents are convinced that something ought to be done about radio programs for children, then the broadcasters had better lengthen their list of things to fret about. At least the restrictions now on the books should be tightened. There is indication that this is already the case (see NBC's new regulations as reported in this issue).

Meanwhile parental complaints of uneaten cereals piled up on pantry shelves, of Junior cadging coins to get 'giveaways' that can be purchased without a boxtop in the local novelty store, does radio no good. Neither does it help when Junior doesn't get the right article through a clerical error that can't be corrected.

Nobody will perhaps worry that in the dim distant future a generation of kids will grow up convinced that all advertising is boloney.

WLW CITES LOSSES IN APPEAL

Cincinnati, April 4.

Filing of a brief Monday (3) with the U. S. District Court of Appeals in Washington was the final action by the Crosley Corp. in its latest legal step to restore the power of WLW to 500,000 watts. James Shouse put in several days last week in Washington, going over and signing papers filed with the court by attorney Duke Patrick.

One of the actions was a petition for supplemental release, pending the court's decision, from the FCC order which stripped WLW of its super power and cut it down to 50,000 watts, effective March 1.

To support its claim, WLW alleged actual losses of revenue, due to rate reductions granted time buyers because of the power cut. WLW is striving for an early decision from the court, which involves the question of the court's jurisdiction in the matter.

'WHAT'S MY NAME?' AS ALLEN SUBSTITUTE

Fred Allen will be replaced for the summer with the quizzer, 'What's My Name?' when the comic retires for his 13-week vacation July 5. Deal was closed by Young & Rubicam in behalf of Bristol-Myers with the Rockwell-General Amusement Corp. Fred Uttel and Arlene Francis have the leads.

'Name' had a year's run on Mutual under the Philip Morris banner, and under B-M's sponsorship will precede another quizzer, Kay Kyser's College of Musical Knowledge (Lucky Strike), giving the NBC red (WEAF) link two consecutive hours of questions and answers Wednesday nights.

Grabhorn's Added Chore

Philadelphia, April 4.

Murray Grabhorn, national sales-manager for WFIL, will add to his duties sales promotion. Jerry Moore, former sales promotion manager, left recently. Grabhorn, who formerly spent all his time in New York, will now spend about two days a week in Philly. Move is designed to more closely coordinate sales and program departments.

Joe Connelly, WFIL's p.a. will assist Grabhorn on the promotion details.

Probably No Bernie Time Holder; American Tobacco Discounts on Safe Side

It's doubtful whether American Tobacco will use a franchise holder for its Half-and-Half spot on CBS Sundays when the Ben Bernie show steps out June 25 for a summer layoff. Account has piled up enough over-all billings for the year to retain the period as well as the full discount allowed by the network.

Bernie and his troupe are slated to return to the network Oct. 1. Young & Rubicam has the program.

KRAUTTERS, CROSLEY ALUMNUS, JOINS WCKY

Cincinnati, April 4.

Bolstering his biz staff, in preparation for WCKY's power boost from 10,000 to 50,000 watts, L. B. Wilson, president, added Emerson C. 'Jim' Krautters in the new post of sales promotion manager Saturday (1). Krautters resigned a month ago as assistant general sales manager of WLW-WSAI. He had been with the Crosley organization since 1930.

Wilson expects installation of his new transmitter to be completed by around May 15.

An NBC affiliate, WCKY took on the net's 'Orphan Annie' series Monday (3) and gets its 'Hobby Lobby' show April 26. Both programs are switches from WSAI.

WCKY is now feeding four quarter-hour dance music programs weekly to NBC from the Hotel Gibson, in which the station has its Cincinnati studios and main office. Lee Shelley's orch is current at the Gibson.

Booth Vice Walker For Quiz Show Hoke

Milton Blow agency has decided June Walker, legit actress, isn't hokey enough to handle scenes in a quiz program, 'Guess Where?', for Philip Morris cigarettes. Agency dropped her for Shirley Booth, who opened Friday (31) over Mutual.

Fearing that the straight quiz features of the program won't stand up as entertainment, the agency wants to get laughs; the laughs are part of the 'clues' given serious-minded contestants. Nydia Westman had originally been lined up, even before Miss Walker.

Ed Gardner is directing show in place of Jack Johnson, who took orders from Max Marcin.

Falstaff Brewing Corp. of St. Louis has named the Chicago office of Sherman K. Ellis & Co. to handle its account.

NBC CHALK-LINES RADIO ADVERTISER

Detailed Must Nots Reduced to Clear-Cut Written Statements for First Time—After a Period of Opinion-Canvassing Will Become Official Code

IT'S BROAD

NBC for the first time (see following page) has incorporated all its program standards and policies in a single printed compilation. The compilation, in mimeographed form, has been sent around to a group of agencies for private examination and comment. After these comments have been sifted, the booklet will be revised and put to press. Copies will be distributed not only to the trade but to the network's mailing list of educators, publicists, statesmen, officeholders and pressure group leaders.

In the past the network has kept its advertisers advised of program standard or restriction changes through either personal letters or mimeographed run-offs. The network now feels that the time has come for these policies to be knit into and summarized into a single work, so that advertisers and their agencies will have clear-cut rules to go by.

The restriction phase of the booklet is preceded by a lengthy treatment of the formative background of the network, its relations with affiliated stations, the functions of its advisory council and its obligations to the listening public. The preface also includes a review of NBC's policies on special events, religion, education, government and politics, labor, agriculture, women's programs, children's programs and sports.

After explaining in detail the network's position on controversial subjects, the mimeographed booklet tells about the NBC rules on submission of continuity, discussion of pending litigation, appeals for funds, and point-to-point communications. There follows a thorough expatiation on advertising standards, contests and offers, medical accounts, standards of acceptability, unacceptable business and children's programs.

NEW FRONTS TO COLUMBIA BLDGS.

CBS will remodel the outside of its new acquisition, the old Juilliard School of Music building on 52nd street, as well as the interior. Network had previously decided to confine all alterations to the inside of the structure. Juilliard structure is around the corner from the web's home office, at 485 Madison avenue.

Network will soon also start on the alteration work of the main floor of the Madison avenue building. The front entrance will be remodeled and the lobby will be widened so that a street floor, waiting room and information booth can be set up.

Dorothy Kilgallen May Sub for Walter Winchell

Dorothy Kilgallen, columnist on the N. Y. Journal-American, may replace Walter Winchell when he takes his vacation in July.

Lennen & Mitchell, agency on the Jergens account, is doing the dickering.

CBS Heartened, Sees Amos-Andy Ending Monthly Gross Lag; Gross for NBC at $4,170,856

With the billings on the Amos 'n' Andy show (Campbell Soup) and its new summer policy serving as important factors, Columbia expects to resume the leading position in the time sales field within the next few months. NBC's red (WEAF) link has been ahead of CBS on gross billings for 11 consecutive months. How much that $100,000 a month from the A & A serial means to CBS is indicated by the fact that Columbia's billings for the current week (the first in April) will be 16% better than they were for the like month of April 1, 1938. It also means that CBS' downward curve has ended after running consistently that way for 12 months.

NBC last month (March) grossed $4,170,856, which is record high for any month in the network's history and 9.6% better than the March, '38, tally. Columbia's time sales this March tallied $2,925,684, or 3.6% less the network grossed for March, 1938.

Breakdown of NBC's March gross gave the red link $3,132,832 and the blue (WJZ) network $1,038,020. NBC's previous record month was January, '39, when it grossed $4,033,-900.

Mutual garnered $306,976 this March, or 31.8% more than prevailed for the like month of 1938.

Chain Income from Time Sales

NBC

	1939	1938	1937	1936
January	$4,033,900	$3,790,516	$3,541,999	$2,681,815
February	3,748,695	3,498,053	3,295,762	2,714,300
March	4,170,856	3,806,831	3,614,283	3,037,883
Total	$11,953,451	$11,098,400	$10,452,064	$8,433,998

CBS

	1939	1938	1937	1936
January	$2,674,057	$2,879,945	$2,376,620	$1,901,023
February	2,541,542	2,680,335	2,284,317	1,909,146
March	2,925,684	3,034,317	2,559,716	3,172,382
Total	$8,141,283	$8,594,597	$7,202,653	$5,982,551

MUTUAL

	1939	1938	1937
January	$315,078	$269,894	$213,748
February	276,605	253,250	231,286
March	306,976	232,877	247,421
Total	$898,659	$756,021	$692,455

Bert Lytell to Address American Management; Business Men's Interest

Bert Lytell will address the American Management Assn. meeting in New York city next Wednesday, April 12. Organization is composed of men who guide company policy.

Lytell was selected to give the entertainment viewpoint because his career has included stardom in dramatic stock, silent films, Broadway legit, vaudeville and radio. His invitation bespeaks the increasing interest of business men in the lessons to be learned from the theatre world.

LORILLARD SHOW TO NBC

Larry Clinton Will Plug Sensation—Holiner West for Lennen & Mitchell

Another half-hour of Lorillard's business goes to NBC this summer. Tobacco combine has signatured Larry Clinton through Lennen & Mitchell to plug Sensation cigarets on the red (WEAF) link (Mon., 7:30 p.m.), starting July 3.

NBC gets Old Gold's Bob Benchely-Artie Shaw stanza May 21. Latter show will with the shift go in for guest stars. Mann Holiner, Lennen & Mitchell radio director, moves out to the Coast with the OG cast this week. While in Hollywood Holiner will line up talent replacements for Woodhury's Sunday night dramatic show (NBC), from which Charles Boyer retires in July for 13 weeks. Intent is to keep the payroll on this show down during the summer so that bigger femme names can be bought to support Boyer next season.

ECHOES HEARD IN HIATUS MOVES

Columbia officials denied Monday (3) the report that the network's salesmen have been displaying confusion when asked by ad agencies to explain the meaning of certain phases of CBS' new summer hiatus and billings discount policies. Rejoinder of the CBS spokesmen was that the only confusion they knew of was that which NBC salesmen during agency calls were trying to create by distorting the intent of these CBS policies.

Feeling at CBS is that NBC has placed itself in a strategic position by letting Columbia take the initiative in formulating a summer layoff policy which is closely interlined with year-around billings and discount structure. NBC, it was pointed out, can now go out and make the best bargains possible with its major accounts and use them as the basis of its own new summer layoff and discount policies.

Axel Gruenberg of WWJ Joins Wright at NBC, Chi

Detroit, April 4.

Axel Gruenberg, production manager at WWJ here for several years, will take a similar job with NBC, Chicago, starting April 17.

His boss will be Wynn Wright, former program chief at WWJ, who is now producing for NBC in Chicago.

NBC'S TENTATIVE PROGRAM CODE

UNACCEPTABLE BUSINESS

As a protection to the public and in accordance with the basic standards of the Company, a number of products and services are not acceptable for broadcast advertising on the Company's networks or operated stations. Sound principles of professional business and social ethics have served as a guide in formulating these standards. In cases where the nature of a product or service may affect the sensibilities of listeners adversely, accounts may also be rejected.

Of course, many accounts offered the Company may not fall into any of the classifications that are listed below. In such instances the Company considers them individually and reserves the right to decide upon their suitability to broadcast advertising. In reaching its decisions in matters of this kind, the Company considers the interests of the advertiser as well as those of the public and its own.

The following classifications of products and services are unacceptable for broadcast over the facilities of the Company:

1. Professions in which it is conceded to be unethical to advertise. For example, doctors, lawyers, dentists, and others.

2. All forms of speculative finance and real estate intended to promote the purchase of specific stocks, bonds, properties, etc. Proposed programs advertising the general services of financial institutions will be subject to approval in each specific case after consideration of company policies in light of federal, state and local regulations relating thereto.

3. Catharics, including foods or beverages advertised for their value as cathartics. Also products generally known and used exclusively as cathartics, even when cathartic references are not made in advertising broadcast copy.

4. Personal hygiene products, including body deodorants or products advertised for that purpose.

5. Reducing agents as well as foods and beverages designed solely to perform that function.

6. Products to restore natural color to hair, eyebrow dyes, hair growers, depilatories, and products advertised to remove wrinkles.

7. All forms of furtune telling and any such services which may be construed to belong in this general field.

8. Cemeteries, memorial parks, morticians, casket manufacturers, tombstone builders, etc.

9. Alcoholic beverages.

10. Firearms and fireworks.

CHILDREN'S PROGRAMS

Because of the obligation of the National Broadcasting Co. to its juvenile audience, it is necessary that meticulous supervision be exercised over all programs appealing to children, and therefore we must insist that scripts of children's programs be submitted a minimum of three business days in advance of the broadcast.

All standards of this Company shall apply to children's programs, and, in addition, the following specific standards must be followed:

1. All scripts for children's programs must be carefully written, having in mind the particular audience for which they are intended.

2. All stories must reflect respect for law and order, adult authority, good morals and clean living. The hero or heroine and other sympathetic characters must be portrayed as intelligent and morally courageous. The theme must stress the importance of mutual respect one man for another—and should emphasize the desirability of fair play and honorable behavior. Cowardice, malice, deceit, selfishness and disrespect for law must be avoided as traits in any character that may be presented in the light of a hero to the child listener.

Adventure stories may be accepted subject to the following prohibitions:

1. No torture or suggestion of torture.

2. No horror—present or impending.

3. No use of the supernatural or of superstition likely to arouse fear.

4. No profanity or vulgarity.

5. No kidnapping or threats of kidnapping.

6. In order that children will not be emotionally upset, no program or episode shall end with an incident which will create in their minds morbid suspense or hysteria.

7. Dramatic action should not be over-accentuated through gun play or through other methods of violence. To prevent the overstimulation of the child's imagination, sound effects intended to anticipate or simulate either death or physical torture are not permitted.

Commercial Copy

It is consistent that fair play and considerate behavior be reflected through the commercial copy as in the script itself. Advice 'to be sure to tell mother'—'ask mother to buy'—must be limited to twice in the program.

The child is more credulous, as a general thing, than the adult. Therefore the greatest possible care must be used to see that no misleading or extravagant statement be made in commercial copy on children's programs. When promises are made as to the benefits to be derived from use of the product advertised, it will be necessary to submit proof that such promises can be kept.

Gift Offers

1. Contests and offers which encourage children to enter strange places and to converse with strangers in an effort to collect numbers of box-tops or wrappers may present a definite element of danger to the children. Therefore, such contests and offers are not acceptable.

2. No appeal may be made to the child to help characters in the story by sending in box-tops or wrappers; nor may any actors remain in character and, in the commercial copy, address the child, urging him to purchase the product in order to keep the program on the air or make an appeal of any other nature.

3. No premium that depends upon its alleged 'luck' bearing powers for its attractiveness or in any fashion appeals to superstition will be approved.

4. The forming of clubs is often introduced on children's programs. Sometimes initiation requirements and other rules of such clubs are disseminated in code form. Full details concerning the organization of a children's secret society or code must be submitted to the National Broadcasting Company at least ten business days before its introduction on the air.

5. The National Broadcasting Co. must be given assurance that no premium offered over its facilities is harmful to person or property.

CONTESTS AND OFFERS

1. Full details of proposed offers, including samples of premiums and 'build-up' copy must be submitted for investigation and approval at least five full business days before the first announcement is to be broadcast.

2. No premium that depends upon its alleged 'luck' bearing powers for its attractiveness or in any fashion appeals to superstition can be approved.

3. Announcement of all approved offers must mention the termination date at least two weeks before the offer is withdrawn. Should the offer be good for a period under the two weeks, the closing date must be announced when the offer is first broadcast.

4. If consideration is required, the advertiser must agree to honor any complaints indicating dissatisfaction with premium by returning the consideration. The advertiser must also hold NBC and the stations free from all liability in connection with the offer. Where offers require a consideration, the premium may not be described as a 'gift' or as 'free.'

5. Dramatic action of radio drama may not be used as a basis of appeal for help in the commercial portion of the program. The fictitious character of the radio play may not be introduced into the commercial as follows: 'By sending in a box-top (wrapper or other consideration, including money) you will help Widow Jones to pay off the mortgage' or 'you will help to send Johnny to school.' This is an approach to the public on a false premise, since such an emergency is a matter of fiction and not of fact.

Proposed prize contests must be submitted to NBC in advance of the first public announcement in any medium and at least ten days prior to the first broadcast of information concerning such contest. NBC will permit the broadcasting only of contests which comply with the following regulations:

1. Contests must offer the opportunity to all contestants to win on the basis of ability and skill rather than on chance. Games of chance are not acceptable. The basis upon which contestants' submissions are judged must be clearly stated in each announcement of the contest. The opinion of the judges is final and must be so stated in the continuity. Closing date of the contest must be made known to NBC when the contest goes on the air. If the contest is to be of short duration, its closing date must be stated during the first broadcast announcement of the contest; if of long duration, the termination date must be announced at least two weeks prior to the closing date. While clients may require contestants to submit box-tops, wrappers or other evidence of purchase of products, it is recommended they also provide that reasonable facsimiles thereof will be equally acceptable.

2. When contests are conducted by the advertiser, decisions should be made promptly and the names of winners must be released as soon as possible thereafter. The announcement, whenever possible, should be made during a later program of the same series. When the making of the complete announcement is undesirable because of its length, NBC should be supplied with the names of winners and other necessary information so that it may be in a position to answer inquiries which it receives.

3. Long, involved, or complicated offers which may confuse the audience and anything that may create ill-will on the part of non-winners must be avoided.

4. Contest awards or prizes must be approved by NBC prior to the first announcement of the contest.

BASIC PROGRAM STANDARDS

1. The deity's name, powers and attributes are permissible only when used reverently. Only when the sacrament of baptism, marriage, and burial are used reverently and are absolutely essential to the plot may they be included in script.

2. Statements and suggestions which are offensive to religious views, racial characteristics and the like must not appear in the program.

3. Material which depends upon physical imperfections or deformities such as blindness, deafness, or lameness, for humorous effect is not acceptable.

4. Sacrilegious, profane, salacious, obscene, vulgar or indecent material is not acceptable for broadcast, and no language of doubtful propriety will be used.

5. The introduction of murder or suicide is definitely discouraged at all times, and no details as to the technique employed may be given. It is the aim of the Company to provide drama plots free of morbidity and depressing effects.

6. No description of anti-social practices may be mentioned in radio programs, and mention of such practices must, in many cases, be avoided.

7. Emphasis on insobriety is not permitted.

8. Figures of national prominence as well as the peoples of all nations shall be presented with fairness and consideration.

9. Except in the case of factual news statements, appearances of or reference to persons featured in criminal or morbidly sensational news stories are not acceptable.

10. The use of the word 'flash' is reserved for the announcement of special news bulletins exclusively and may not be used for any other purpose except in rare cases where by reason of the manner in which it is used no possible confusion may result.

11. False and misleading statements and all other forms of misrepresentations must be avoided. This applies to misrepresentation of locale or program as well as to all other matters.

Advertising Standards

So that there may be no misrepresentation, announcement of sponsorship must be made on all commercial programs.

In order that programs may be individual and distinctive, and thus maintain the interest of the audience, they should not resemble too closely other programs. Since the primary purpose of the broadcast program is to please or enlighten the listener, the program should be designed to provide good entertainment or agreeable instruction. To attain these ends, the avoidance of unpleasant or gruesome statements is essential. Courtesy and good taste should govern the manner in which announcements are made.

Statements which tend to undermine an industry by attributing to its products generally faults and weaknesses true only of a few and statements which are derogatory to an individual, an institution, a group or an industry are considered by this Company to be unfair business practices and will not be permitted. Libel and slander must, of course, be avoided.

CROSS REFERENCE

When an advertiser using more than one network for advertising of the same or other of his products finds it desirable to refer to his program on a competing network, such reference must be confined to mention of the title of his program, the product advertised, the talent employed and the day on which the program is broadcast. Mention of the hour or the broadcasting facilities used may not be made.

The necessity for enforcing these standards is clear when one realizes that NBC discourages all types of announcements which might in any way divert part of an audience from one network or station to another. As everyone knows, the real strength of any station or group of stations depends largely on their ability, first, to attract, and, secondly, to retain the sustained and loyal attention of an audience. The effectiveness of all radio facilities for advertising purposes must be based on this magnetic influence which builds and holds the listening audience together. Naturally, any announcement which refers to another program broadcast from some other source, whether or not it may be competitive, greatly weakens this effort of a network or station to keep its audience intact. For this reason, cross-reference must be avoided, regardless of whether or not such reference is made to programs on other NBC facilities or to programs on stations or networks operated by competing companies.

Tiresome repetition or too much detail should be avoided. For instance, instead of reiterating the advertiser's name and address when inviting mail, the public should be requested to send their responses in care of the station over which the program is heard.

It should, of course, be needless to state that false and misleading statements and all other forms of misrepresentation are entirely contrary to public interest and must be eliminated. This applies to the locale of a program as well as to all other matters of misrepresentation. It may not be stated that a program is coming from another point when in reality it is coming from a broadcasting studio.

The Company reserves the right to investigate the accuracy of all statements and claims made in copy submitted for broadcast over its stations and cannot accept statements or claims that cannot be proved to its satisfaction.

As a safeguard against misuse of broadcast facilities for unfair competition, commercial programs shall not refer to competitive products, directly or indirectly, by company name, by individual name or by brand name.

It is necessary that statements of prices and values be confined to specific facts. Misleading price claims or misleading comparisons tend to challenge the integrity of all advertising and must not be used. It is also well to avoid broadcasting the prices of several articles in quick succession, as this is apt to confuse the listener.

When dramatized commercials are used that involve statements by doctors, dentists, druggists, nurses or other professional persons, the lines must be read by members of these professions reciting actual experiences, or explanation must be made by the announcer that the scenes enacted are fictitious.

Any plans for displays, sampling or distribution of material on NBC premises should be discussed with the Company at least a week prior to the broadcast at which it is intended any of these are to be introduced. Wherever possible, the Company will endeavor to assist the advertiser to carry out his plans. There are products, however, that may not suitably be introduced for sampling in studios, and there are times when displays may conflict with the preceding program. Therefore, the Company asks to be advised of the advertiser's plans along these lines and reserves the right to reject them if found to be impossible of execution.

When a living character is impersonated, authorization of impersonation must be furnished and announcement must be made clear at least once in the program that impersonation was made.

The laws of a number of states prohibit the use of a person's name or likeness (photographic or otherwise) for trade or advertising purposes without the written consent of such person. When there is submitted to NBC any script containing a testimonial or other use of a person's name for trade or advertising purposes, it must be accompanied by an original or photostatic copy of the written consent of the person whose name is to be used. Upon request original consents will be returned to the agency for its files after copy has been made by NBC.

Testimonials must reflect the authenticated experiences or opinions of competent living witnesses, and testimonials will not be accepted that contain claims unacceptable in other forms of commercial copy.

Announcers or other representatives of the Company may not give testimonials on the air, and endorsement of the advertiser's product or promises for its performance may not be given in the first person singular by Company members.

$85,000 W'KLY TALENT BILL

Westheimer Suit Vs. General Mills Dismissed; Silence Envelops Case

St. Louis, April 4.

Reasons leading up to the dismissal last week of the $100,000 suit filed last November by Westheimer & Co., a local advertising agency, against General Mills for lifting an advertising idea are shrouded in mystery, an agreement having been made by attorneys for both sides to decline further comment. The case was dismissed by stipulation and with prejudice to the plaintiff in United States District Judge John C. Collett's court.

J. H. Kinealy, attorney for Westheimer & Co., said his lips were sealed by the agreement made with a St. Louis law firm that represented Grossman, King, Morley, Kerr & Taylor, Minneapolis, attorneys for General Mills. Louis E. Westheimer of the firm declined to discuss the matter, referring all inquiries to Kinealy. The stipulation reads: 'It is hereby stipulated by and between the plaintiff and defendant in the above entitled action, through their respective attorneys, that the court may forthwith enter an order in this action dismissing the action with prejudice and upon the merits of both counts in the petition, each party to pay its own costs and disbursements in this cause.'

The suit filed Nov. 3 by Louis E. and Samuel Westheimer and Harold W. Mesberg, doing business as Westheimer & Co., asked for $75,000 damages and $25,000 allegedly unpaid for services. The petition stated that on April 2, 1937, the plaintiff disclosed an advertising idea to General Mills, and on April 30, 1937, Mesberg made a trip to Minneapolis and made more definite disclosures to the defendant, who is alleged to have said it would be considered if more specific information was given. Subsequently, the petition recited, General Mills used advertising of a similar kind prepared by another company.

Westheimer & Co. in an amended petition alleged that Mesberg talked to Samuel C. Gale, director of advertising for General Mills, who asked for specific information in the form of written proof from newspaper publishers that they would accept the plaintiff's plan, which was in the nature of character strips for newspapers. The petition also averred that Westheimer & Co. was the sole, exclusive and confidential owner of the idea.

General Mills filed an answer in which it denied any binding commitment and said that the advertising idea was not originated by the plaintiffs, but had been previously used. The case was assigned to Judge Collett's court and the dismissal was unexpected.

HARLOW ROBERTS TO BLACKETT-SAMPLE

Chicago, April 4.

Harlow Roberts becomes radio buyer for the Blackett-Sample-Hummert agency here. Roberts has been with the Purity Baking company here and previously had been with the Pepsodent company.

Jack Laemarr and Gene Fromherz, who have been doubling up in the B-S-H radio buying department, are understood continuing on in the department for the time being.

KMOX Engineer a Suicide

St. Louis, April 4.

Harry C. Fischer, a radio engineer employed at KMOX, committed suicide in the basement of his home last week by shooting himself in the head with a revolver. His mother-in-law, Mrs. Lena Watson, heard the shot and found Fischer in a coal bin.

Members of the family said Fischer has been despondent and several times had threatened to end his life. He was 33 years old.

Quiet, Please

Lou Ruppel, Columbia's new press chief, wants the staff to cut down on the noise around the office. Loud talking, particularly, is banned. Ruppel, who used to work in newspaper city rooms, thinks that a minimum of noise is conducive to a maximum of efficiency.

He also doesn't want them to whistle while they work.

CBS Sales Rep For KMBC Shows But Halley Stays

Kansas City, Mo., April 4.

Columbia Artists, Inc., will act as New York and Hollywood sales reps for KMBC-tested Arthur B. Church Productions. Deal was closed last week between Church and Herbert Rosenthal, head of the CBS artists bureau.

George Halley remains in Chicago to direct the midwest sales of KMBC shows, the new tieup making it unnecessary to commute frequently to New York.

LONG JUMPS BANNED FOR WWL ORCHESTRA

New Orleans, April 4.

Vincent F. Callahan, manager of WWL here, has decided there will be few if any more personal appearances for the staff orch in remote towns. Last week the boys came back at 6 a.m. from an engagement and 30 minutes later went on the air.

Callahan heard the program which was supposed to be a peppy 'get-up' spot with the boys blowing very sleepy music and decided on the new policy upon his arrival at the office.

ADD: AMERICANA

New Form of April Fool Hoax Is Phoney Street Quiz

Omaha, April 4.

Two locals, posing as a radio announcer and technician, came up with an April Fool hoax Saturday when they faked Man on the Street broadcast with big crowd of shoppers on hand.

Announcer, who gave name as Doggy Hansen, and his partner, Pat Mayfield, carried on lengthy interviews with citizens only to climax it with 'Hey folks, you're not on the air. This is an April Fool joke.'

Capehart Taken Over

Ft. Wayne, April 4.

Farnsworth Television & Radio corporation took over properties of The Capehart, Inc., Ft. Wayne, and General Household Utilities company of Marion, Ind., in a deal completed Thursday (30). Capehart assets listed as $265,000. Some 600,000 shares of stock in new firm offered for sale last week by Rollins & Sons, Inc., New York.

Charles M. Niezer, former president of Capehart, is expected to be named to the Farnsworth Corp. board.

In Kate Smith Playlets

Regina Wallace and Tom Shirley have joined the cast of the 'Life of Henry Aldrich' series on the Kate Smith show. They're in the parts formerly played by Lea Penman and Clyde Fillmore.

YOUNG & RUBICAM NEARS 2ND PLACE

As 1938-39 Season Approaches Conclusion Popularity Ups and Downs of Big Shows Reveal Considerable Change—Kate Smith Widens Gap Over Rudy Vallee

OTHER TRENDS

With the billings that it's slated to pile up during the summer, Young & Rubicam gives promise of becoming No. 2 agency time spender on the networks for 1939. This spot has previously been held by either Lord & Thomas or J. Walter Thompson. Y & R will have eight nighttime shows running through the warm months and a possible ninth, out of the 13 programs the agency has currently on NBC and CBS. Thompson's weekly schedule will be reduced to three hours, the two Standard Brands shows and the Kraft Music Hall. Latter's Kellogg 'Circle' is on its fourth list.

In the matter of talent payrolls Y & R has lead this season's agency list with around $85,000 a week. Thompson's peak figured in the neighborhood of $70,000 a week.

So far this season Y & R has had seven and half nighttime hours to Thompson's six. Y & R accounts slated for summer exit are International Silver, Half and Half, Swansdown Flour (General Foods) and Grapenuts (GF). All these retirements come around the end of June.

L & T's Two Clicks

Of the newcomer programs Lord & Thomas rates as having two of the outstanding clicks, Kay Kyser (Lucky Strike) and Bob Hope (Pepsodent). Compared to last year's ratings of the same program, Thompson has managed to keep the Kraft Music Hall, Chase & Sanborn Coffee Hour and 'One Man's Family' on an even keel, gained 20% on the Lux Radio Theatre and has suffered a popularity loss of 25% on the Royal Desserts-Rudy Vallee show. The 'Circle' is a newcomer and a question.

Young & Rubicam's program list, when compared along similar lines, shows the following results:

Program	Comparative Status
Jack Benny	Even
Fred Allen	Even
Silver Theatre	40% up
We the People	60% up
Kate Smith	45% up
Hobby Lobby	15% up
Ben Bernie	10% up
Lum and Abner	10% down
Al Pearce	15% down
Phil Baker	50% down

Kate Smith showing on the Thursday 8-9 p.m. CBS niche opposite Rudy Vallee on the NBC red is one of the most notable achievements of the season. It's now around 23 to Vallee's 18 in C. A. B. A long-time hoodoo in favor of Standard Brands has thus been shattered.

FIRECRACKERS EXPLODE AS MORT DOWNEY SINGS

Ft. Wayne, April 4.

Two firecracker explosions nearly wrecked Eddy Duchin's network show Monday (27), which originated at the Catholic Community Center in Ft. Wayne.

Central Catholic high school's basketball team won the national Catholic title the night before in Chicago. Local celebrators started a victory demonstration a few second after game was over, and continued celebration for three days.

Despite police protection, a group of students succeeded in tossing firecrackers under the window at the Center, just as Morton Downey was singing his first two songs.

Preliminary Concessions Difficult, Says Paine, If State Nuisance Tactics Go On

John G. Paine, chairman of the American Society of Composers, Authors and Publishers, met last week with a committee from the National Association of Broadcasters headed by President Neville Miller to discuss the basis of a new licensing contract. Some progress was reported to have been made. Authorized by the ASCAP board to carry on the negotiations with Paine are Gene Buck, prez, and Louis Frohlich, of general counsel.

No mention was made at last week's meeting of a suggestion that Miller made some time to Paine about giving the NAB written assurance that the fact that a broadcaster pays ASCAP no fee on the commercial hours allowed the network grafts in return for sustaining programs will not be made the ground for canceling an ASCAP license. These free hours have never been included by broadcasters in their computations with ASCAP but Miller wanted to make sure that this angle was clarified before entering into discussions for a new deal.

Failure of Paine to act on this request has caused some members of the NAB board to wonder about the ASCAP general manager's motive. The NAB board was under the impression that Paine had promised to give Miller a letter waiving the right to collect on these free hours.

Paine declared Monday (3) that he had merely advised Miller that he couldn't issue such waiver until he had determined whether some way could be found for the networks to shoulder this fee. He said that at the time the proposition was put to him he was under the impression that the broadcasters wanted to put their relations with ASCAP on a friendly basis, but that soon afterward ASCAP was bombarded with hostile state legislation, of whose instigators the Society had no doubt. Paine then decided that if this was to be the broadcasters' tactics it would be no easy task for him to work out the preliminary concessions asked of him by the NAB.

Taking It Big

Hollywood, April 4.

The unpredictable Harrison Holliway has done it again. When Amos 'n' Andy finished out their NBC string on KFI, station's headman ordered an announcement tagged on to their broadcast that hereafter they can be heard on KNX.

First time that a loser hereabouts took it so graciously and raised the other 'ellows' duke. All other references had been merely 'another network.'

Tex Outlets Boil At Mexican Shift Of Gov.'s Air Biz

Austin, Tex., April 4.

Radio circles of the state are doing some seething at latest action of Gov. W. Lee (Pass-the-Biscuits) O'Daniel in announcing commercial programs of his flour mills would be switched from state stations to XEAW at Reynosa, Mexico, recently purchased by his friend and adviser, Carr P. Collins. He was elected primarily through the aid of Texas stations.

Particularly burned up. It is understood, is the Texas State Network which has been dishing out free time every week for the governor to flay his opponents, his particular the members of the state legislature with whom he is now having considerable difficulty.

The announcement of switch of the commercial programs to the high-powered Mexican station was made by Pat O'Daniel, governor's eldest son and president of the flour company.

O'Daniel will probably continue to use the TSN free time as long as it is given him. On a recent airing of this program he stated, 'professional politicians' might force him off the network, and that he had 'arranged' to switch his program to a 'powerful station' if necessary.

Florida Flips

By ROD REED

Ft. Lauderdale, April 4.

Frankie Frisch is now an announcer. From one gas house to another.

In Vermont, a radio station bought a newspaper. Dog, beware the man!

Threatened litigation has caused a program to change its name from 'Where Am I?' to 'Where Are We? to 'Guess Where.' Next title: 'Where's Our Lawyer?'

AFM regards the novachord as a menace because it mimics a whole band. Should demand scale for each key.

Station licenses may be lengthened from six months to a year. Giving twice as long to worry about renewal.

Television won't be a threat to the films until a receiver is perfected that also produces chinaware.

HORMEL'S COASTER

Hollywood, April 4.

John Conte and Martha Mears have the leads in new Hormel program, 'It Happened in Hollywood.' Both will sing and act.

Goes three times a week from KNX.

WFIL TO ATTACK THE WOR-WJZ MYTH

Philadelphia, April 4.

WFIL is preparing a brochure to blast what it terms the 'WOR-WJZ myth.' WFIL is on the Mutual and NBC blue tapes. Idea that WOR and WJZ are heard as well in Philly, 90 miles from New York, that another releasing point here isn't needed has long irked WFIL. The Ayer brochure will employ parts of Ross Federal surveys WFIL itself had made and parts of one ordered by N. W. Ayer & Son.

Ayer survey was made on the 'Lone Ranger' show, which is sponsored by Gordon Baking Co. on WOR and by an Ayer client, Supplee-Wills-Jones Milk Co. on WFIL. Agency feared that inasmuch as the show was heard on WOR for three months before WFIL began to air it, listeners may still be tuning to the original station. Results of the survey, it will be claimed in the WFIL promotional piece, show at 9 to 1 preference in Philly for WFIL over WOR.

Roger W. Clipp, WFIL g.m., two weeks ago told VARIETY that WFIL has 'ceased publishing surveys because, with everyone interpreting them to suit himself, they too often bounce back.'

DETAILS WASHED UP, WORLD GOES TO CBS

Final contracts for the purchase of a controlling interest in the World Broadcasting System and its subsids will be closed by CBS when William S. Paley returns from the Coast next week.

Percy L. Deutsch will remain as head of CBS' transcription division.

Follow-Up Comment

Kellogg's 'Circle,' on the NBC red (WEAF) link Sunday nights, continues to drift in the direction of innocuous desuetude. Beyond a few moments of the Marx Bros.' crossfire and the dramatization of W. W. Jacobs' shocker, "The Monkey's Paw," last weekend's (2) could have been touted as a surefire cure for insomnia.

Small talk was pretty pallid throughout, particularly the hair-pinnish bandinage perpetrated by Groucho Marx and Alexander Woollcott. It sounded as though the program had gone Algonquin with a vengeance and with that Basil Rathbone, Madeleine Carroll—and the listeners—as the innocent bystanders. Woollcott also recited a cute little story about a little juggler, while Miss Carroll made it tough on her admirers with that offkey enterwoulding. In its attempt to lean backward into kittenish informality the program showed that the joints were getting a little too creaky and that it might take more than impresario oil to save the situation.

Three Jesters and Peg La Centra are teamed in a clicko skaiping series Wednesday and Friday nights over NBC blue for Gulden's mustard. Without too much production or needless window dressing, the show offers lively pop tunes and ballads, skillfully sung. Since all three members are more or less familiar, announcements are wisely skipped.

Jesters are to be commended for doing too much harmonizing or over-arrangement. Include one comedy number for nice variation. Miss La Centra also demonstrates her usual ability of straight-away song-selling, with infectious rhythm and impressive style.

Two long commercials and a mention are not too heavy on the sales pressure.

'County Seat,' five-nights-a-week sustainer serial over CBS, is somewhat more adult than most daytime emoters, but is still pretty much a broad hoke drama that has strayed around the clock. Stresses the easy-to-get heroine interest, with the broad appeal and no subtlety to confuse the peanut-munching contingent. Stanza caught a week ago Friday night (24) dealt with the budding scheme of bright young soda clerk to put his finger on the foreclosure dike and save Hackett's pharmacy and Amos Clark's general store in the hamlet of Norville, Ind.

Some juicy philosophy is chucked in about the warm human fellowship (checker matches during the long evening are mentioned) that are what men live or die for. Richard Merriwhich here forms the 'Over-My-Dead-Body' club to thwart the grasping mortgage holder. All smartly scripted and played to lend ultra-rural listeners and those who aren't dug-in-for-a-day-of-hoke serials. Ray Collins is 'starred' as Hacket, the philosophical druggist, with Clipp Carson as the hero, Gene Leonard as the general storekeeper and Arthur Allen as a banker with a heart. Will Geiger is billed as scripter and Jack Wilson also gets credit as director.

Barry Wood, with Leith Stevens orch backstopping, is currently tossing a nerty 15-minute sessions Friday nights over CBS. It's a offer, billed 'Romantic Melodies.' A soft-voiced crooning baritone with a faint resemblance to Lanny Ross, Wood follows the billing closely. He sings pretty, rather sweetly and with clear enunciation and a showmany choice of songs.

When caught last (24) he offered 'It's Never Too Late,' 'Sing a Song of Sunbeams,' 'Good for Nothing' and 'I Can't Stand a Broken Heart Chance.' Considering the time of day and length of the show, it's a soft-voiced, crooning baritone with a faint resemblance to Lanny Ross.

NBC MESHING NET TO COSS

Spot Campaigns

(New, Renewed or Pending)

Esty's Ballyhoo for Spot Radio

William Esty Agency, New York, is circularizing business prospects with an elaborate presentation on spot broadcasting. In addition to offering data on how this phase of radio can best be used, the self-promotional piece tells about the agency's ability and successes with spot campaigns. Made part of the presentation is a 10-inch recording in which the sales points are further clarified through the device of a telephone conversation between a prospective client and the agency.

Presentation, which because of its detailed treatment is the first of its kind coming from the agency field, points out that Esty can handle everything from 15-second stuff to half hour programs. Also that the copywriter who prepared the material for a $8,000 magazine ad is likewise assigned to turning out spot announcements.

Recorded phone conversation winds up with the agency man stating that further information can be obtained by addressing a letter to the quoted address or calling the following number, all of which adheres closely to the traditional spot announcement device.

Bayuk Cigars, Inc., Philadelphia ('Bayuk Phillies')—renewal of 18 15-minute programs, 'Inside Sports with Jack Stevens,' starting May 1, ending June 9, 1939. Mondays, Wednesdays and Fridays, early p.m. WNAC, WEAN, WTIC and WTAG. Through Ivey & Ellingon, Inc., Philadelphia.

Armstrong Cork Co. of Lancaster, Pa. (Quaker rugs), through B. B. D. & O., New York, placing 'Heart of Julia Blake,' transcription, thrice weekly for one year on KSFO, San Francisco.

West Coast Soap Co. (Powow Cleaner and White Navy Granulated Soap), through Emil Brisacher & Staff, is sponsoring weekly 15-minute round-table discussions of problems of child-rearing, conducted by Hubert C. Armstrong and titled 'Parents' Powow', over KPO, San Francisco, through June 6.

Richfield Oil Co., 1-min. transcriptions, Monday to Friday, through Sherman K. Ellis.

Walker Chick Remedy Co., 1-min. transcriptions, daily, through Weston-Barnett, Inc., Waterloo, Ia.

Steiner's (wall paper and paints), Baltston Spa, N. Y., 18 announcements, starting April 29, through Leighton & Nelson.

River Bank Canning Co. (tomato paste) to participate in Martin Dean five-a-week show over Mutual. Commercial Radio Service is the agency.

Kopper's Coke Company has renewed for 26 weeks its every-hour-on-the-hour news airings on WDAS, Philly.

Philadelphia Electric Co. signed 13-week termer with WPEN for 17 spots weekly. Six will be given on Italian shows, six on Jewish, and five on Mabel Love's WPEN-Daily News Women's Service Club. Spots will plug home appliances.

Dodge and Plymouth dealers of Greater Cincy are tagged for WKRC's nightly sports review, conducted by Allen Stout, beginning April 3.

Pioneer Hi-Bred Corn Co., 26 100-word announcements via R. J. Potts agency, Kansas City, Mo., on WOWO, Ft. Wayne.

Chris Hansen Laboratories, Chicago (Junket Quick Fudge), 51 one-minute transcriptions, through Mitchell-Faust, Chicago, on WTMJ, Milwaukee.

Thomas Leeming Corp. (Baume Bengue), through William Esty agency, New York, 10 weekly spot announcements.

North American Accident Insurance Co. of Chicago, through Franklin Bruck agency, renewed its twice-weekly morning newscasts with Bob Andersen over KFO, San Francisco, for another 13 weeks.

Fred Fear & Co. (Easter egg dyes) spotting pre-Easter series of announcements. Through Menken agency, New York.

Shaw Co. (Kajol Gold Leaf shampoo), through J. Walter Thompson, on KSFO, San Francisco, with 13-week participation twice-weekly in Elma Latta Hackett's 'Friendly Homemaker' morning quarter-hour.

Pacific Guano Co. of Oakland (Nu-Taps garden pest eliminator), through Tomaschke-Elliott, using KSFO, San Francisco, for 13 day announcements weekly over four-week period.

J. A. Folger Coffee Co., through Ray R. Morgan, Los Angeles, sponsoring 'Tonite's Best Buys' program once weekly for 13 weeks on KSFO, San Francisco.

WXYZ, Detroit, which originates the 'Green Hornet' serial, has rejected an offer from Camel cigglies to bankroll 'Hornet' because of its probable effect on jive listeners.

Horlick's has signed to bankroll airings of WXYZ's 'Lone Ranger' over WGN, Chicago, and vicinity. Spot was left open when Bond Bread recently replaced Silvercup Bread as 'Ranger' sponsor in Newark, Toledo, Detroit and Cincy, Bond having no distributing setup in Windy City.

Add: New Biz

St. Louis, April 4.

First contract landed by John Maloney, a recent addition to the sales staff at WEW was from the owner of the Mammoth Marine Hippodrome who is exhibiting his show on several flat cars near the Union Station here. The exhibit includes a stuffed whale, a headless woman, marine vegetation, diving equipment, etc.

Owner bought a 15-minute daily program through which he bally's his show which is doing swell biz. The contract landed by Maloney will run as long as the show remains in town.

WCAE, Pittsburgh, new business: *Victor Brewing Co.*, three quarter-hour spots weekly for 13 weeks, talent to be furnished by W. Earl Bothwell agency.

Baur Bros., disc announcements twice daily, six days week, for 13 weeks.

Independent Wall Paper Co., announcements (75 words) three times weekly for 16 weeks.

WGY, Schenectady, new business: *Hires Root Beer*, weather reports on supper hour spot, 26 weeks, through O'Dea, Sheldon & Canady, New York.

John E. Cain Co. (mayonnaise), 60 transcribed announcements, staggered schedule, starting April 10, through Chambers & Wiswell, Boston.

A. L. Parsons & Son (Ford dealer) quarter-hour musical clock, thrice weekly, starting April 10, through Leighton & Nelson, Schenectady.

Ivanhoe Mayonnaise, 13 participations in Household Chats, starting March 30, through Moser & Cotins, Utica.

Dryden & Palmer (Gravy Master), 12 participations in Market Basket, beginning April 4, through Samuel E. Groot Co., New York.

Du Pont (Cel-O-Glass), twice weekly announcements, through BBD&O.

Spencer Shoes, 13-week announcement order on staggered schedule, through Chambers & Wiswell.

Scott Paper Co., Market Basket participations, to June 9, through J. Walter Thompson.

W. T. Grant Co., 10 participations in Market Basket, starting March 31.

NBC'S 8% TOPPED BY CBS' 10.8%

Board of Directors Passes the Word to Bring Intake and Yield Within Better Harmony

STEPS UNCERTAIN

Operating heads of NBC are under instruction from their RCA board of directors to try to get a closer approximation between net profit and gross income than has prevailed with the network in recent years. It was pointed out that CBS' percentage of earnings continue each succeeding year to outmatch NBC's. No indications were given as to the targets of economy or reorganization.

Columbia in 1938 showed a gross income of $32,662,992 from the sale of facilities, line and talent and a net profit of $3,541,741 for the year. NBC's gross intake from the same sources amounted to $42,211,268, while the net profit figured $3,451,971. NBC's gross was about 25% better than Columbia's but the latter got a net profit of 10.8% on each gross dollar whereas NBC garnered 8%.

In 1937 NBC had a gross income of $41,583,000 but netted over $3,700,000.

Bureau of Missing Business

(This department will be devoted to discussion of types of advertising that, for one reason or another, usually offer resistance to radio. Often, as in heavy goods, the product does not lend itself to consumer advertising; again, as in insurance or utilities, overlapping political or industrial factors operate against radio.

In any event, the object of this series is to stimulate thought and exchange of ideas. Persons within the trade are invited to express themselves, either on specific subjects brought up, or on related aspects overlooked or not covered.)

NO. 2—DEPARTMENT STORES

That frustrated wistful look in the eye of the station's commercial manager is from his unrequited courtship of the department stores. The merchants who say it in big black type spread out over acres of white space in the daily newspapers have been singularly cold to the ogling of radio. It's a case of habit, of close personal ties between newspaper business offices and store advertising managers. They say, too, that it is necessary to picture with drawings and photographs many items of merchandise; they cannot be accurately or satisfactorily described to the ear alone.

Part of the paradox of the department store's attitude toward radio is that the stores are often notable for showmanship, for stunts, for ballyhoo, for the use of entertainment to attract customers. In the toy department the store may have magicians, rope-spinners, clowns. Its book department will have celebrities, literary teas. Other departments will glamorize in umpteen ways. Stunning models parade the latest fashions in and out of the tables in department store restaurants while the women 'ah' and the husbands gulp hard.

Very particularly department stores are supposed to be relatively open-minded to any and all means of making an impression on would-be buyers. The whole theory of loss leaders is to entice customers into the store on the theory they'll buy other things. Fortunes are spent on show windows. Stores like Lord & Taylor, Russek's, Saks Fifth Avenue and Bonwit-Teller in New York city are, in their displays, far in advance frequently of theatrical exploitation finesse. Their Fifth avenue windows are so consistently brilliant they actually draw 'first night audiences.'

But radio has had only scattered success in cracking department store advertising. Marshall Field did support an early-morning show. Macy's does whoop it up over its own station WOR. Bloomingdale's has done radio advertising. Here and there isolated cases are reported. Montgomery Ward and Sears-Roebuck perhaps have been identified with the air quite a lot. Nevertheless many an account is stuck with glue and copper nails to newspaper and only newspapers.

A common complaint is that the newspaper provides text and the store need provide only its copy. Its so simple, so familiar. Being a good, well-established newspaper with A.B.C. auditing the reader's interest is demonstrable and already obtained. Stores fancy the Associated Press or the United Press or I. N. S., as the producers of the show. They shy off radio where they, the stores, must provide the show as well as the copy. Here enters the snobbish element on occasion. A store often has a very sharp conception of itself. It prefers the newspaper of the greatest conservatism, the deepest community roots. To some extent large department stores determine the outward personality of the dailies. At least there is no fundamental psychological conflict between advertiser and medium.

In the case of radio every habit of the store, every ounce of precedent, even subconscious to quibble with success, every emotional reluctance of the owners (often stiff, aloof, second or third generation wealth) has to be overcome. The available radio talent is sometimes deemed unworthy of the store; or the store will not pony up for the kind of talent its executives would think acceptable.

[Variety is now gathering further data on this subject—very important to radio stations and more will appear anon. Meantime stations and other interested parties are invited to comment, pro or con.]

Sales Managers Exec Board Sets Plans for Adv. Federation Luncheon

Chicago, April 4.

Executive committee of the sales managers group of the National Association of Broadcasters met here late last week under the chairmanship of Craig Lawrence, sales chief of KSO-KRNT, Des Moines. Initial subject under discussion was the participation of the sales managers group at the convention of the American Federation of Advertisers in New York this June. Group decided to toss a general open luncheon at that AFA meet with prominent advertising men scheduled for a couple of addresses.

Second item discussed was the coming NAB convention in Atlantic City in July, with the sales managers deciding to hold a general lunch get-together on the opening day to explain to all members the aims and plans of the newly organized Bureau of Radio Advertising. This Bureau itself was the third item taken up by the executive session, with Ed Kirby and Paul Peter of NAB on hand to outline the proposals.

Bureau is designed to supply stations with basic information of radio advertising field, such as program ideas, commercial data and research info. It will serve as a general clearing house of all information pertaining to radio sales, and will attempt to give specific information on advertisers and sales possibilities instead of general abstractions. Bureau is also preparing a presentation booklet on radio generally. This will be in loose-leaf form and will present radio and the advantages of radio as an advertising medium.

Others in for the meeting were Ed Flanigan of WSPD, Toledo; Purnell Gould, WFBR, Baltimore; Charles Phillips, WFBL, Syracuse; William Cline, WLS, Chicago; Owen Uridge, WJR, Detroit; Frank Bishop, KFEL, Denver; Charles Caley, WMBD, Peoria; Barney Lavin, WDAY, Fargo; Ellis Atteberry, KCKN, Kansas City (Kans).

Trend of Contests

NBC last week distributed to advertisers and agencies the network's compilation of offers and contests for 1938. The analysis discloses the types of offers and contests and in a few cases the response figures are shown.

Number of offers didn't vary much from those in 1937. Comparison for the past three years follows:

Year	Offers	Contests
1938	288	69
1937	284	74
1936	383	89

'GROUCH CLUB' GOES CROSS-COUNTRY 16TH

Chicago, April 4.

Grouch Club program, which has been on the west coast for General Mills, gets a cross-country hook-up over the NBC red web starting April 16. Will ride on Sunday at 5:30 p.m. CST for 30 minutes.

Will plug the Corn Kix product. Origination stays on the Coast, though set through the local Blackett-Sample-Hummert agency.

SUES NBC FOR 'LIFT' OF HALL OF FAME IDEA

The suit of Leo Lindner against the National Broadcasting Corp., for $25,000, was revealed Friday (31), in the N. Y. supreme court, when the plaintiff sought leave to amend his complaint. Suit claims the defendant of an idea of broadcasting the dramatization of lives of heroes, whose busts are in the New York University, 'Hall of Fame.' In provision for compensation if the idea was adopted.

It is alleged that the 'American Portraits' program uses this idea and the plaintiff wants to be paid.

Ray Wilson to Be Wed By His Preacher-Dad

Cincinnati, April 4.

Willis Ray Wilson, Jr., WLW-WSAI writer-producer, will save the preacher's fee April 15 when he marries Marianne Dixon, dancer, of Detroit. Knot will be tied here in home of Owen Vincent, program director of the Crosley stations, by Wilson's dad, pastor of a Methodist Episcopal church in Chicago.

Clarence West, WSAI traffic manager, enjoyed a similar break a while back.

Wilson is a brother of Don Wilson, on VARIETY staff in N. Y.

The Smoothies Booked

The Smoothies trio (Babs and Charley Ryan and Joe Little) are set for the Griffin All-White summer program over CBS. With Hal Kemp.

Starts May 2.

Mary Mason, who recently replaced Betty Field in 'Primrose Path,' at the Biltmore, N. Y., has joined the cast of 'Life and Love of Dr. Susan,' daily serial for Lux over CBS.

"HE'S A
RIGHT
ST MA
"HE'S A
Paramount
Pictures

WHO IS RIGHT?

His prison buddy? The stuffed shirt banker, whom he dares to laugh at? The boyhood pal who stands by him? The school teacher who loves him as a son? The girl who loves him with all her young flaming heart? They all have their own answer! But who is right?

YOU'LL BE RIGHT!

...when you play this great emotional drama...the biggest box office thriller of the year!

Bernard Steele presents

"BACK DOOR TO HEAVEN"

with Wallace Ford · Patricia Ellis
Stuart Erwin · Aline MacMahon

Based on a Story by William K. Howard · Screen Play by John Bright & Robert Tasker · Produced and Directed by William K. Howard

TWO WEEKS OFF, BUT OPEN HOUSE WEEK NOT WELL KNOWN TO STATIONS

Slow in Getting Under Way Coordination of Vast Nation-wide Series of Local Tieins Between Dealers and Stations

Plans for the observance of the nationwide 'Open House Week' April 17 are slowly maturing. This is the inaugural ballyhoo of a year-round campaign to sell the status quo of broadcasting to the American people. It has the blessing and cooperation of the Radio Manufacturers Ass'n. (In fact, most of the $10,000 preliminary for liaison work is from that source.)

Various steps taken nationally by the National Association of Broadcasters are supplemented by the networks, transcription companies and other units. It is perhaps the first example of the entire radio industry getting together on a single joint effort. Typical of the moves under way is the distribution to each of its 420 members of 200 window streamers by the N.A.B. These will call public attention to open house week.

World Broadcasting is making a series of transcriptions entitled 'Eight Hours a Day' for the use of non-network stations. A single phonograph record, 'The Giant Speaks,' was made last week at WCAU, Philadelphia, by Paul Frailey from a script by Lewis Kendall. This will be used at pep rallies of radio set dealers in various towns to bring this element of the business into harmony and understanding with broadcasters.

A nation-wide sampling of broadcaster plans made over the weekend by VARIETY tended to disclose a belated state of preparation. In some cases the characteristic answer to 'what are you going to do to observe open house week?' was a startled 'huh?' From Los Angeles, home of the preoccupied, came the telegraphic message: 'Not one station has even heard of radio open house week.'

Clay Morgan is directing the NBC participation which will have a variety of tie-ins. The old 'ABC of NBC' series will be revived, as will 'This Is Radio.' Most of the sustainers will be studded with announcements or direct dramatizations. NBC hopes many of its advertisers will slip in copy mentions of radio's importance in the business prosperity of the country. Whether there is time or grounds to hope for newspaper cross-reference is uncertain. There will be lots of window displays arranged through affiliates and the m. and o. units. If practical, the WJZ transmitter at Bound Brook, N. J., and the WEAF transmitter at Bellmore, L. I., may be thrown open. Radio City itself has a regular 40-cent tariff on visits. Not likely this would be disturbed. Varied reminder stuff will be scattered through all NBC program and publication activities.

RCA Magic Key program which has been carrying pro-industry propaganda of late is going off the air. An official statement on subject from NBC's mimeograph mill reads as follows:

'Because it is felt that it has achieved its objective, the Magic Key of RCA will soon be retired from the air by the Radio Corp. of America, and plans will be considered for a new type of program. The Magic Key, which has been heard continuously for three and a half years over one of the largest commercial NBC hookups, was designed as part of an institutional advertising campaign to familiarize the public with the relationship among the various companies making up the RCA family. All programs stressed the wide diversity of RCA's contribution to, and the magnitude of its investment in the radio industry, and its unique ability to serve the public 'all the way' in radio and television.

'After three and a half years It is the opinion of the sponsor that the desired result has been obtained, and that the time has come for a different type of program with a sales rather than an institutional objective. A program of this type is being considered for RCA's future broadcast advertising and will be announced as soon as a formula has been devised which it is felt will deal with the corporation's current problems as satisfactorily as the Magic Key did with the educational phase of its advertising.'

Columbia has given Leon Levine, assistant director of educational programs, the task of coordinating its activities. These will include, specifically, use of eight or nine sustainers. Teachers and students will be told about the campaign on the 'School of the Air.' A panel of radio listeners will be mustered for 'The People's Platform' and a dramatization about radio people will be used on the Columbia Workshop. 'Americans at Work' will turn out to be employees on broadcasting's payroll.

Many-Sided Promotional Bally at WOW, Omaha

Omaha, April 4.

Under the momentum of Johnny Gillin, a trade-minded broadcaster, WOW will probably be more active than the average station in observing open house week April 17th.

It falls in middle of WOW's own anniversary month. Steps include:

1. Contest for best letters completing the sentence "WOW is my favorite station because..." in 50 words. Prizes will be two first-class tickets (round trip) to the San Francisco World's Fair, provided by Union Pacific.

2. Snapshot contest, with cash prizes for best photos showing WOW listeners at their loud speakers. Prizes, $150 total.

3. A 30-minute show of WOW talent will appear before a dozen leading business men's luncheon clubs during the month, as WOW's birthday present to business.

4. Former WOW casts, and stars of WOW network and transcription shows, are preparing salutes in Hollywood, Chicago, and New York, in transcription form. These salutes will form the basis for a series of special birthday month broadcasts on WOW. WOW will also attempt to swing a big public luncheon, with visiting stars (one or two) brought here from Chicago.

5. A series of programs saluting small towns and rural areas, in WOW's territory, will be aired during the month. Congratulatory telegrams received will be read on these programs.

6. A series of programs is planned called 'Roll Call of WOW Features,' in which vigorous promotion will be given to programs already on the air.

7. During open house week elaborate technical displays will be set up, including facsimile receivers. Special hostesses will be on the job afternoons and evenings, to show visitors through the station. Studios will be decorated with flowers, etc.

8. A series of special events programs will be aired from points in Omaha, using Foster May, pointing out progresss made in WOW's 16 years of service.

9. Staff slogan contest, with prizes, is under way but none definitely chosen yet. 'WOW is yesterday's dream, today's reality, and tomorrow's necessity is liked.'

New Orleans Celebration Chairmanned by Callahan

New Orleans, April 4.

Vince Callahan will chairman the local radio week celebration. General manager of WWL contemplates community use of heralds, car cards, direct mail, spotlight ads in dailies and radio announcements.

All local stations will be open to visitors for the week.

New Studios Good Chance For WCKY Observation

Cincinnati, April 4.

No definite plans for observance of Radio Open House week by Cincy stations had been formulated up to Monday (3). WCKY and WCPO, with downtown studios, undoubtedly will chime in with the general MBA set-up, as will WKRC, located in the hilltop Hotel Alms. L. B. Wilson's WCKY probably will take advantage of the event to show off its new studios and quarters in the Hotel Gibson and also take over the hotel's big ballroom for special audience broadcasts.

Open house is a day-in-and-day-out procedure at Crosley's WLW-WSAI studios, several miles from the downtown section, with thousands of visitors weekly.

Close and Cordial Ties In Frisco with Set Merchants

San Francisco, April 4.

With formal dedication of the $400,000 radio building at the Golden Gate International Exposition as a likely high spot of local broadcasters' observance of National Radio Open House during the week starting April 17, plans are being formulated here for whole-hearted cooperation with the National Association of Broadcasters' movement to promote radio's growth, etc.

At a preliminary meeting held here last Friday (31) broadcasters voiced their interest in the campaign, but definite plans have not been formulated. Special material offered by NAB has been requested.

Ralph Brunton, general manager of KJBS and a leader in local NAB activities, has secured a promise of support from Al Meyer, head of the Leo J. Meyberg Company, Northern California RCA distributor. Meyer's support is important to the broadcasters because of his strength in the retailer field.

Little difficulty is expected in getting local dealers to cooperate with the NAB-Radio Manufacturers' Association campaign. In fact, a number of them have been cooperating for several months with KGO and KPO, using picture displays and other material plugging local radio shows and artists as well as network

(Continued on page 54)

N.A.B. Explains Objectives

Bulletin sent to N.A.B. members last week to stir up co-operation for National Radio Open House week reads as follows:

PLANNED THAT OPEN HOUSE PARTY YET?

Station promotional and publicity men and women are beginning themselves those days. Getting ready for the open house week, starting April 17.

This is the week we invite the public to come to our studios to see and hear the inside story of American radio, first hand.

They will learn, as we all have long since learned, that the beginning and the end of the story of American radio is its program service, PRIVATELY AND COMPETITIVELY OPERATED.

They will learn that because broadcasters have proven their ability to create and produce programs that people want to hear, a giant new industry and a mighty new social force has been created for the benefit of all America.

HOW LARGE IS THE RADIO INDUSTRY?

Let's not overlook one important fundamental: the entire radio manufacturing industry, its system of distribution through wholesalers and retailers, gets back to the simple fundamental that people buy radio sets primarily to listen to. In other words, this great industry, giving employment to thousands of people, is based upon the continued ability of the American broadcaster to produce programs worth hearing.

How well broadcasters are doing their job is eloquently illustrated in the size of the radio industry:

Employment:	In factories	90,000
	In wholesale establishments	25,000
	Radio retailers	56,000
	Salesmen, repairmen and servicemen	150,000
		321,000
Regularly employed in radio stations		17,000
Employed on part-time contract basis		5,000
		22,000

TOTAL EMPLOYED ALL BRANCHES OF THE RADIO INDUSTRY, 343,000 (or nearly a million people—if we estimate dependents of those employed whose welfare directly depends upon American radio.)

The 17,000 regular station employees receive $770,000 in weekly payroll. The part-time 5,000 receive an average of $110,000 in weekly wages.

This less is

Less year the American people spent $210,000,000 for six million new radio receivers, because they wanted to listen.

And because they wanted to listen, they spent:

$40,000,000 for replacements and tubes.

40,000,000 for other parts.

40,000,000 to service and repairmen.

And while the programs come to them without any cost, and while each home consumes but a few pennies in electric current, nevertheless the sum total of these few pennies for electric current used in the operation of radio receivers totaled $150,000,000 in 1938, it is estimated.

This is a giant industry.

It directly helps the prosperity of the country in its own operations, to say nothing of what it does in the movement of merchandise and the widening of employment for those industries which use it to carry their messages to the consumers.

Moreover, in the United States there are 40,800,000 radio sets; over half of the total number in the whole world.

What a tribute these figures are to the American System of Broadcasting!

These facts should form the nucleus of a display in the lobby of every radio station.

And Also, downtown and uptown, in the windows of aggressive radio retailers, you will find room where they can be featured so that the passing throngs may get the story, too.

(For a few dollars, a local sign painter or a local display-art firm can whip them into shape for you.)

BUT THIS ISN'T ALL THE STORY

To please the listeners, advertisers alone invested $50,000,000 in the finest talent from stage, concert and entertainment fields. Here's a $50,000,000 show given the public absolutely free.

Add to this the enormous cost of religious and educational programs in the public service field, the news broadcasts, special events and sports, and pick-ups from abroad which come through the radio loudspeaker at no cost whatever to the listener—here's a story to tell.

Yet this isn't the whole story.

For radio is more than an industry, and more than a medium of entertainment.

Radio is also the Voice of American Democracy.

This is clearly brought out in 'The ABC of Radio,' which NAB released a few months ago. In thinking up displays around this idea, we suggest it be referred to.

SO INCORPORATE SOME OF THESE SALIENT FACTS IN YOUR STUDIO AND LOBBY DISPLAYS.

WHN FIRST IN NEW YORK! (THE WORLD'S RICHEST MARKET) THIRD IN THE UNITED STATES!

As BILLBOARD PROVES WHN TO BE 1ST IN EXPLOITATION

So ADVERTISERS' SALES PROVE WHN TO BE 1ST IN RESULTS

WHN 1540 BROADWAY NEW YORK CITY DIAL 1010

★ RESULTS OF BILLBOARD'S SURVEY OF THE NATION ON EXPLOITATION!

Criticized, Ad Manager Cancels

Star-Times' KXOK Affected by Reprisal for Editorial About Airplane Manufacturers

St. Louis, April 4.

An editorial that criticized airplane manufacturers for recent air disasters caused the Chicago and Southern Airlines, Inc., last week to cancel its time contract with KXOK and also all advertising contracts with the St. Louis Star-Times Publishing Co. owner and operator of the station. In a letter addressed to Elzey Roberts, publisher; Frank W. Taylor, managing editor, and John C. Roberts, general manager of the station the airline company said it would contract for no more space or time until 'we are definitely sure that this policy has been changed.'

The letter written by D. D. Walker, v.p. of sales for Chicago and Southern said if the paper desired to criticize some industry, or portion of that industry, they should make some investigation before making statements such as those contained in the editorial. Copies of the letter of cancellation were sent to execs of the TWA, Marquette Airlines, Inc., and American Airlines.

25 Discs Cut In 7 Days By Thesaurus

NBC transcription division (Thesaurus) has turned out 25 more shows, 'The Listeners Club,' for the Imperial Club of Canada, plugging Sweet Caporal cigarets. They're being run off at the rate of five a week, with 150 made to date. The 25 were produced in seven days with Oscar C. Turner directing.

New series includes Peter Donald, m.c. and scripter; Joe Lilley's Whispering Choir, Landt Trio, Quintones, Funnyboners, Carol Weyman, Harry Breuer's orchestra, Toscha Namrowd's Gypsy ensemble and Mary Eastman with Joseph Meresco's orchestra.

WIP SIGNS WITH ACA

Stenogs Refuse to Join Union But Its Partly Vertical

Philadelphia, April 4.

Contract giving the entire WIP staff minimum raises of 10% is being readied for signaturing this week between the American Communications Association, CIO, and Ben Gimbel, Jr., prez. Termer takes in announcers, engineers, production men and porters, including 31 of the outlet's 56 employees. Stenos and other help refused to join the ACA and come in under the agreement.

Biggest wage tilts go to the gab staff, whose basic pay has been upped from $20 to $30 a week, with increases of $1.50 a week every six months. The raise (not the wages themselves) is retroactive for two years. That means a $6 raise immediately for some employees plus an additional $5 a week that all the spielers are getting.

Panelmen already had a pact and got only slight increases. The two production men got flat 10% and the porters $2 a week.

ACA has commenced bargaining with Westinghouse for a pact for KYW engineers. Month-to-month agreements, which was as far as the company would previously go, were discontinued three months ago. Regular signed contract will be substituted. ACA represents only the panelmen at KYW.

Political upheaval in Camden, N. J., has made bargaining by the ACA almost impossible for employees of WCAM. Outlet is municipally-owned. Agreement must be reached with the mayor and director of public safety, but the union is having difficulty in finding who is officially holding those positions. Unless there is a clarification shortly, an appeal to the National Labor Relations Board is planned.

Dickson & Ford is new name of Radio Publicity Advertising Agency of Toronto. Rowland Ford, formerly of CJOR, Vancouver; Roy Ward Dickson is producer of Nova-Kelp's quiz, 'What Do You Know?', now running on 22 Canadian stations.

Call for Screwballs

A. E. Nelson is arranging a novelty giveaway reminiscent of the famed Eight-ball club. Doc Rockwell's Brain Trust Foundation, over the NBC blue Tuesdays, is to give away lapel decorations, making them screwballs.

He had to get Grover Whalen's permission, as the insignia is a tiny screw which is not unlike the World's Fair periphere and tryion.

Petry Opens in St. Louis

Chicago, April 4.

Ed Petry rep firm will open a St. Louis branch shortly, with George Kercher of the local staff hopping down to take charge.

St. Louis, like Detroit, will be supervised out of Chicago under the general eye of Ed Voynow.

HILLBILLIES SCRAM

Demand for $75 Initiation to AFM Cleans Out Philly

Philadelphia, April 4.

Hillbilly menace, bane of legit musicians in more westerly towns, is negligible here since the union stopped differentiating between them and ordinary tooters and demanded they carry cards.

Only a few are now operating in this territory, rest having been forced to climb upon their mules and scram rather than pay the $75 initiation fee.

MINNESOTA NETWORK FILES AREA ANALYSIS

St. Paul, April 4.

Minnesota Network has issued its first piece of comprehensive promotion since the formation of the group. It's in the form of a file holder and contains detailed info as to coverage, population, retail sales and spendable income. There is also a technical analysis of each outlet.

Stations in the new link are KSTP, St Paul-Minneapolis; KROC, Rochester; KYSM, Mankato, and KFAM, Saint Cloud.

Richard W. Garner, formerly with H. W. Kastor, Chicago, now promotion manager of WSAI, Cincy.

'Not Mentally Unsound, Just Radio Fan'

Relatives Fight Aged Lady's Bequest of $500 to Announcer Bill O'Connell

Boston, April 4.

Bequest of $500 by a Boston woman to Bill O'Connell, radio announcer for the Yankee and Colonial Networks was contested in court here last week on the grounds that the woman, Mrs. Agnes Mae Watson of Dorchester (Boston), had 'acquired an overwhelming passion, affection and love' for the announcer.

Will was contested by a cousin of Mrs. Watson who died last June, aged 63. Counsel for plaintiff maintained the woman suffered hallucinations, that she once imagined O'Connell was coming to Sunday dinner, and that she slept with a letter from the announcer under her pillow. Counsel for the beneficiaries countered that she was not mentally unsound, but 'merely a radio fan.'

Capitol Family the Oldest

Capitol Theatre Family Hour, now the oldest program on the air, celebrated its 852d week on the radio last Sunday (2).

Major Edward Bowes still is at the directorial helm.

G. W. Hill Defied

Regina, Sask. April 4.

Livestock auctioneers can spiel faster than George Washington Hill's Lucky Strike tobacco yodeler.

So claims Don Wright, CJRM production chief, after putting Dave Runkle, auctioneer, on the air from Regina Winter Fair during a hog sale.

ZENITH'S Q. T. ON VISIO

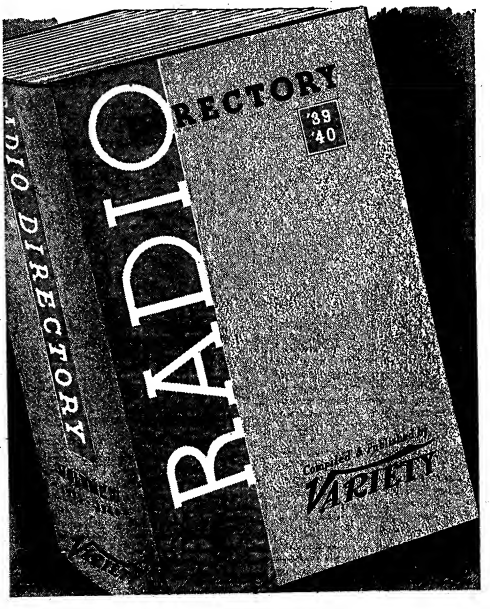
Company Dislikes Publicity—It Hurts Radio Set Sales

Chicago, April 4.

Zenith radio firm put on a television broadcast last week, but demonstration was kept strictly within the firm, going only into the homes of the executives and the engineers.

Zenith has kept news on television broadcasts down to an absolute minimum since they have discovered that on the day any big story breaks on television the sales of radios drop approximately 10%.

Acknowledged Leader in the Field



1,200 Pages
2/3 Actual Size

THE 1939-40

VARIETY RADIO DIRECTORY

will surpass previous editions in the presentation of new and interesting and necessary research.

ADVERTISING RATES

Full page.....$175.00
Half page..... 90.00
Quarter page..... 50.00
Bleed, per page, extra...$25.00
Color, per page, extra...$25.00

(These rates are net)

NEW YORK
154 W. 46th St.

CHICAGO
54 W. Randolph

HOLLYWOOD
1708 No. Vine St.

LONDON
8 St. Martins Pl.
Trafalgar Square

AFRA UNFAIRLY CITED BY NBC AS EXCUSE FOR PICK-UP POLICY, SAY STATION REPS

Declare Network Demand for Auditing Control Over Recorded Rebroadcasts, Not Generous to Station Giving Up Exempt Time—NBC's Contrary View

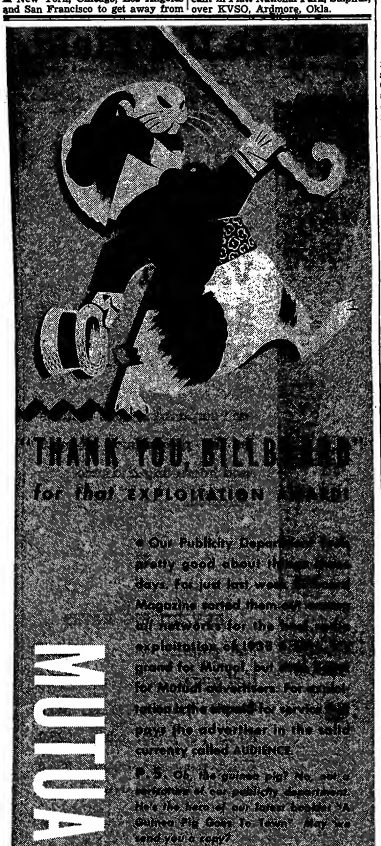
Station reps claim that NBC is stretching the truth when it advises affiliated outlets that the contract between it and the American Federation of Radio Actors makes the network solely responsible for recorded versions of NBC commercial programs. The reps are showing opinions from AFRA counsel in support of their viewpoint.

Contention arises from the willingness of certain stations to make instantaneous recordings of NBC commercial broadcasts and air them later on a spot basis. NBC holds that in such cases all billings will have to be done through the network since it alone is made responsible by AFRA for keeping the records straight when it comes to transcribed versions of its own programs.

In answer to station rep queries AFRA counsel pointed out that the union is only concerned with the transcribed version when it is used in New York, Chicago, Los Angeles and San Francisco to get away from paying talent for a rebroadcast. The situations questioned by the reps involve only those points that would have been included anyway in the original basic hookup and would have not necessitated a network rebroadcast.

The reps feel that if an affiliated station is willing to give up one of its network exempt spots for the airing of such instantaneous pickup the recompense should be on a spot basis and the network has no right to insist that the time be billed through it. The network argues that, aside from the AFRA angle, it has a vested right in the rebroadcast of the pickup. In the first place it brought in the account, and in the second place the radio law gives it complete authority over all programs that it originates.

Oklahoma Gas & Electric Co. bankrolls third annual Easter pageant in Platt National Park, Sulphur, over KVSO, Ardmore, Okla.



Philly Summed Up

Philadelphia, April 4.

Philly stations might as well all be 100 watters for the quantity of live talent they are able to provide is the complaint of Jack Korn, prez of the J. M. Korn ad agency here. Korn maintains that for years he has been searching for suitable talent for shows for the numerous local accounts that he services, but without avail.

Agency exec doesn't know who to blame. Stations, he feels, are partially to blame for not developing more talent; Philly advertisers are at fault because 'most of them balk when a $100 talent charge is even mentioned,' and New York is to blame for being so close.

MRS. HOLT IN CINCY; AFRA SPREADS

American Federation of Radio Artists is now concentrating on consolidating its position in New York, Chicago, Los Angeles, San Francisco and other key cities. Trying to gain contracts with stations and networks in all the more important spots.

Sustaining and commercial contracts with NBC, CBS and Mutual are running with union's officials stating they have had only a few minor complaints or requests for concessions. Three paid checkers are employed in New York, with others in the main network origination points. There are also several hundred member-deputies.

With the granting of a local charter to Cleveland last week, AFRA now has locals in New York, Chicago, Los Angeles, San Francisco, Detroit, Cincinnati, St. Louis, Racine, Montreal and Denver, with chapters in Miami, Boston, Birmingham, Schenectady, Philadelphia and Pittsburgh.

AFRA in Cleveland

Cleveland, April 4.

Some 18 staff members of WHK and WCLE were granted a charter for a Cleveland local last week by the AFRA. Twin stations have 30 members eligible for the union.

WHK-WCLE charter is one of the first granted outside of New York, Los Angeles, Chicago and 'Frisco. Group will immediately start organizing at WTAM and WGAR.

Mrs. Holt in Cincy

Cincinnati, April 4.

Mrs. Emily Holt, national executive secretary of AFRA, has been in town since Wednesday (29) conferring with officers and members of the local group, organized several months ago by Major James D. Holmes, national field representative of the federation.

A general meeting of the Cincy membership is expected to be held before the end of the week, after which execs of five stations here will be approached on the matter of agreements and scales.

PERPETUAL PERFORMANCE

Hillbillies Follow Incredible Time Sked Including Long Trip Daily

St. Louis, April 4.

Skeets and Frankie, hillbillies at KMOX, have a schedule that reads like a time table. Starting the day at 5:30 a.m. they play on the Country Journal program until 7 a.m. From 8:15 to 8:45 they are on the Ozark Varieties, sponsored by the Slack Furniture Co. From 9 to 9:45 a.m. they rehearse for an afternoon program that starts at 3 p.m. This one, Barnyard Follies, is sponsored by the Drug Trade Products and lasts for two hours.

Then because they have a contract to play hillbilly music at Herrin, Ill., 140 miles from St. Louis, from 9 p.m. to 1 a.m. they must make the round trip in an auto. They manage to get in about three hours sleep each a.m.

Washington Lobby

Washington, April 4.

Last laugh is being enjoyed by Melvin H. Dalberg, one of the FCC purgees who was ousted last fall without any explanation or reasons but with implication his work was not satisfactory. In three recent instances the D. C. Court of Appeals has spanked the Commish for reversing reports submitted in prior years by Dalberg while he was on the examining force. Most recent instance was in the Hannibal (Mo.) case where the judges admonished the FCC to pay closer attention to examiners' findings.

Curtailment of governmental pleas for free radio time is a likely result of the economy drive now in progress at the Capitol. Flabbergasted lawmakers have been applying the knife to publicity appropriations on the ground that too many New Deal agencies have a spendthrift attitude when it comes to dishing up info for the taxpayers. Instead of trying to explain to the voters, the government should seek to cut the costs, in the minds of a majority in Congress. So the cash available for scripting and making transcriptions is being reduced for the fiscal year opening July 1.

Digest of several hundred station codes of program standards has been readied for the NAB committee on means of boosting quality. With the aid of Gomer Bath, assistant manager of WMBD, Peoria, the trade body headquarters staff has analyzed suggestions from many quarters, lumping the ethical statements on points which seem generally appreciated and listing divergent ideas on matters at issue. While the FCC is fussing with the question, the industry committee at its New York meeting latter half of the week will be able to see in black-and-white what the preponderance of station proprietors think should be the attitude toward such topics as cliffhanger kid shows, excessive sponsor copy, treatment of medicinal products, etc.

WOR CANCELS ARTISTS' PACTS

WOR, Newark, has cancelled the commitments it had with its sustaining artists, effective last Saturday (1). Move, which washes up all prevailing contracts, is connected with the station's commercial baseball schedule and the provisions of the AFRA agreement.

Under the old arrangement sustaining artists were employed on a weekly guarantee. The new method will be to work 'em without contract and use them on a per broadcast basis. Their frequency of employment will depend on the periods left open after the station's baseball obligations have been filled.

Prossner Bosses KTHS

Hot Springs, Ark., April 4.

John I. Prossner is succeeding Steve Cisler as general manager of KTHS, local Chamber of Commerce outlet.

Cisler resigned to operate his own station WHRC, New Albany, Ind. (Louisville), starting May 1.

LeVere Fuller at WSAY

Rochester, N. Y., April 4.

LeVere Fuller, veteran radio announcer and script writer in Schenectady and Rochester, returns to station WSAY as program director after three years' absence. He has been in advertising work and handling Bingo contests.

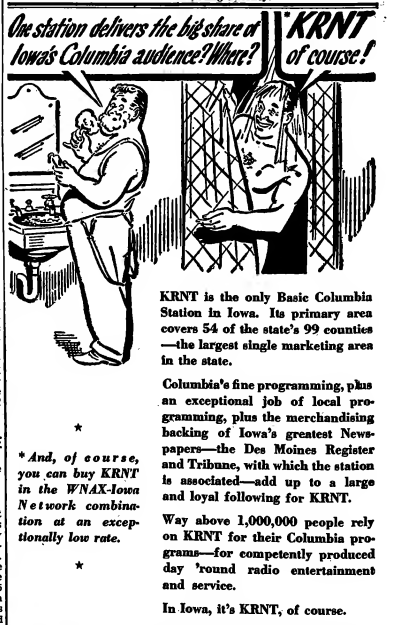
Fuller succeeds Robert Webster who has gone to Buffalo.

Radio-Video-Audio Files

Albany, N. Y., April 4.

Radio-Video-Audio Corp. has been chartered to conduct a radio and television business in Manhattan. Capital stock is 200 shares, no par value. Directors are: Edward F. Roehm, William B. Weinberger, Edward J. Walch.

Jerome G. Futerman, N. Y. C., is filing attorney.



KRNT is the only Basic Columbia Station in Iowa. Its primary area covers 54 of the state's 99 counties—the largest single marketing area in the state.

Columbia's fine programming, plus an exceptional job of local programming, plus the merchandising backing of Iowa's greatest Newspapers—the Des Moines Register and Tribune, with which the station is associated—add up to a large and loyal following for KRNT.

Way above 1,000,000 people rely on KRNT for their Columbia programs—for competently produced day 'round radio entertainment and service.

In Iowa, it's KRNT, of course.

And, of course, you can buy KRNT in the WNAX-Iowa Network combination at an exceptionally low rate.

KRNT DES MOINES • Basic CBS • 1320 K.C. 5000 WATTS L.S. • 1000 WATTS NIGHT Represented by THE KATZ AGENCY

THE ONLY BASIC COLUMBIA NETWORK OUTLET IN IOWA

WHAS

the Number One medium in a Number One Market

SCORES A NUMBER ONE SCOOP!

Effective April third, Paul Sullivan, repeatedly pronounced America's number one non-network news commentator, will be head of the news staff of WHAS. His nightly news casts are to be sponsored by the Brown-Williamson Tobacco Company.

When his familiar "goodnight and thirty," symbol of news as news should be, to millions of people, goes out on the WHAS wave length, it will mark another step in the upward movement of this compelling, dominant station.

WHAS is prepared to offer a sales vehicle of Paul Sullivan calibre for your product.

May we show you how effectively and economically this can be accomplished?

50,000 Watts
CBS

WHAS

COURIER-JOURNAL AND LOUISVILLE TIMES STATION

LOUISVILLE, KY.

Represented Nationally by EDWARD PETRY & CO.

Background Buzz

SOUTH

Nan, Hazel and Dot Williamson, trio, orch of strings and woodwinds comprising new program, 'Sweet and Lovely' on WBAP, Fort Worth. Popular numbers of the sweet variety are played.

Jaques Abram, guest pianist for the Oklahoma City Federal Symphony and Baroness Leda Wrangell, Russian recent guests on 'For Women Only,' KOMA, Oklahoma City, program conducted by Catherine Cunningham.

Elaine Newby doing series of book review programs on WNAD, Norman, Okla.

Anne Robertson, newest addition to the staff of KGNC, Amarillo.

Jack Howell has been named new commercial manager of KOMA, Oklahoma City.

Virgil Evans, owner, and James Mugford, program director of WSPA, Spartanburg, S. C., back from FCC hearing in Washington on new station petition. Evans recently was elected to S. C. state legislature. Charles Batson, manager of WFBC, Greenville, S. C., also a witness.

Richard Pattison, former WSPA (Spartanburg, S. C.) announcer and newscaster, in Indianapolis.

B. George Barber, Jr., formerly news editor and special events director of WSIX, Nashville, has become production manager of WJHL, Johnson City, Tenn.

MIDWEST

Newest additions to the sales staff at KWK, St. Louis, are Lou Tiernan, formerly with the Spreckles Sugar Co., and W. H. Averill, recently with the Brown & Bigelow Advertising Co.

Lee Chesley, news editor at KWK, St. Louis, back after long illness and handing out cards explaining absence to save his voice.

Mary Lou Wickard, sec. to Gene Kemper, publicity director at KWK, St. Louis, has announced her engagements to non-pros.

James Woodress, assistant news editor at KWK, St. Louis.

Joe Karnes, warbler, has switched from KMOX to KSD, St Louis.

John Harvey, formerly assist. account exec. on the General Mills account with Blackett-Sample & Hummert, has joined sales staff of KMOX, St. Louis.

Lloyd Smith, asst. sales mgr. WEW, St. Louis, resigned to become mgr. WCLS, Joliet, Ill. New additions to WEW's sales staff are Ed Goldsmith and John Maloney, St. Louisans.

Dick Kopf has joined the Chicago end of Paul Raymer.

June Curran, warbler on KXOK, St. Louis, to wed Belson Burton, bowling alley prop. on April 26.

Al S. Foster, gen. mgr., WEW, St. Louis, has purchased home in University City, suburb.

John O'Hara and Ray Schmidt of KWK, Frazier Laux and Cy Casper from KMOX, and Allen Franklin from KXOK are St. Louis sportscasters with local ball clubs in spring training camps.

Frank Eschen, program director, KSD, St. Louis, conducting annual Greater St. Louis Spelling Bee each Saturday p.m. Program will last eight weeks.

Louis Aiken, formerly with WLW, newest addition to sales staff KMOX, St. Louis.

'The Land We Live In,' historical series sponsored by Union Electric Co. over KMOX, St. Louis, wound up March 26 with episode 53.

Art Soltz, formerly of KLPM (Minot, N. D.), now transmitter operator for KDAL, Duluth-Superior. Replaces Art Bergom, who left to take over the government airways stations at Rockford, Ill.

WCCO releasing beaucoup publicity on ground breaking for new 648-ft. vertical antennae, to be ready for service about June 1. Though station is a 50,000 watter, new tower is to be constructed so as to easily carry 500,000 watts (just in case).

Grosse Smith, classified ad manager of the Denver News for nine years, has joined KFEL Denver, as salesman.

Dick Leonard, night news editor KVOD, Denver, is the first reporter to be made honorary member of the Colorado State Police Protective Association. Honor given because of his help in hit-run accident solutions.

A smoker was given at the University club, Milwaukee, by the staff of WTMJ for salesman John Jessup, who goes to a new berth in the Pacific northwest.

Charles Golling has joined the continuity department of WTMJ, Milwaukee. Until recently he was in the sales department of Brantjen & Kluge, Inc., Chicago, and was at one time on the staff of WEMP.

Jerry Hoekstra, director of public affairs Dept. of KMOX, St. Louis, is again handling St. Louis origination for CBS net. 'Aster Sunrise Series' from 10,000 seat Municipal Theatre in Forest Park.

Bob Dunham, gabber, KMOX, St. Louis, who reached semi-finals in Wrigley 'Gateway to Hollywood' back at stint.

Lloyd Anderson, gabber, KXOK, St. Louis, has joined WHIO, Dayton, O., in same capacity. Was formerly with WILL, the University of Illinois station.

Clarence G. Cosby, national sales representative for KXOK, St. Louis, back at stint after three-week trek into the East.

Waivers by CBS in New York and Merle S. Jones, gen. mgr. of KMOX, St. Louis, enabled Marvin Mueller, gabber at local CBS outlet, to pick up a $100 fee for announcing Al Pearce's NBC broadcast while he was appearing at Fanchon & Marco's Fox theatre.

EAST

Montgomery Ward's Musical Clock, unwound daily by Forrest Willis on WOKO, Albany, clicked off its 1,000th hour March 25. Guests included Al Kellert, continuity writer, Mary O'Neill, and Carl Playford's Harmonica combo.

Secret marriage of Katherine O'Nell of WRC-WMAL program department and Tommy Knode of the Washington Daily News uncovered last week. Kew-tee ceremony took place last September, colleagues were informed.

Don Ameche trekked into Connecticut during recent eastern visit and bought himself a house for Easton, where many radio and other show biz celeb are ensconced.

Jay Wesley, sports commentator for WEEI, Boston, has been gathering advance dope on the baseball season in Florida at the training camps on the Boston Bees and Red Sox.

Marcia Landry, the 'fashion expert,' interviewed various stylists last Saturday (1) over WOR on the subject of spring. She was 'sensational.'

We Turned Mousetraps Into Space Traps

and CAUGHT A WHALE!

Remember the old story of the mousetrap and the beaten path?

It, so we decided long ago at WSM, wouldn't work in radio without a change or two. In radio you don't sit and wait for the world, you build your mousetraps (broadcasts if you please) and send them out to catch the listeners. And whether or not you catch any listeners depends, in the final analysis, on two things, *how well* you build and *how far* you send.

This explains why WSM has spent many years gathering one of the largest and most versatile single station talent staffs in America, why WSM broadcasts run the gamut from blackface to basso profundo, from Sunday School to swing. *To catch an audience we have deliberately gone about the business of making our traps as varied and as interesting as we possibly could.*

This policy, coupled with the clear channel power of WSM's 50,000 watts, has succeeded in capturing a whale of an audience. Its size can be demonstrated by the mail we pull. Its loyalty can be conformed by any sort of audience test you choose. Its buying power is best demonstrated by the number and class of advertisers who use the WSM space trap technique to capture new markets for *their* products.

May we show you facts and figures about this audience and its buying ability?

WSM 650 KC 50,000 WATTS NASHVILLE TENNESSEE

National Representatives Edward Petry & Co

The Faith of Our Audience Comes First

WAGE-HOUR CHANGES DUE

Washington, April 4.

Relief for broadcasters forced to raise pay of high-priced employees or after work schedules was in sight this week following introduction in Congress of a set of amendments to the wage-hour law exempting white-collar people engaged in a semi-executive capacity. Passage of the revision bill is generally expected, since the changes bear the endorsement of Elmer Andrews, administrator of the year-old statute.

The bill, offered by Rep. Mary T. Norton, New Jersey Democrat, who heads the House Labor Committee, would wipe out the requirement of time-and-a-half pay for work in excess of 44 hours weekly whenever regular compensation is $200 a month or more. This would cover numerous announcers, staff performers, technicians, and upper bracket desk workers who now are entitled to get a 50% bonus for every extra hour. Unless they have a union contract which requires overtime pay for work beyond a certain span.

Broadcasters have been subject to the statute since last October, inasmuch as radio is a phase of interstate commerce according to the Communications Act and numerous court decisions upholding the validity of that law.

Counterpart to New York Perry Bill, Aimed at Disc Sales, Introed in Pennsy

Philadelphia, April 4.

Duplicate of the bill recently introduced in the New York legislature to prohibit sale of recordings or transcriptions made from a radio broadcast was dropped in the hopper at Harrisburg last Wednesday. It was sponsored by Rep. Charles E. Voorhees at the behest of the National Association of Performing Artists. Musicians' Union is also behind it. Same two groups are back of the N. Y. measure.

Wave of protest against the bill by radio men here sprang up following misleading stories of the act's intent in the daily papers. Newswriters in Harrisburg, with no understanding of the bill, sought a political reason behind it. Result was a story in the Philly Ledger which declared: 'It will be against the law to make a phonograph record of a candidate for political office by using his own words recorded from a radio broadcast.' Story then went on to show how such a disc made an alleged liar out of former Governor Earle.

Paul Parisseau, editor of Le Sport, to write French language newscast for Campbell's Soup, six times weekly, over station CKAC, Montreal.

TOM FIZDALE

Wins Exploitation Award

Tom Fizdale Selected as Leading Publicity Organization in Radio Exploitation.

BILLBOARD in announcing the Award said:

"RADIO'S EXPLOITATION METHODS BECOME INCREASINGLY IMPORTANT . . ."

FIZDALE IS ONLY NATIONAL RADIO PUBLICITY ORGANIZATION

". . . Fizdale was responsible for a topnotch stunt in the Gracie Allen 'Surrealist Painting Exhibit,' that not only drew space in news columns of newspapers but also in art columns, radio and picture columns and a flock of pictures—including roto sections. . . . Other stunts worked by this office: radio gossip scripts to stations, press books to radio editors on shows handled, press books giving publicity material to stations, Benny Goodman Carnegie Hall swing concert, publicity manual for stations."

Tom Fizdale takes this opportunity to thank the Billboard Award Committee, his clients and his staff of 41 in

NEW YORK 485 Madison Avenue ELdorado 5-5380 | CHICAGO 360 N. Michigan Avenue Central 7371 | HOLLYWOOD 8532 Sunset Boulevard BRadshaw 2-3101

(ADVERTISEMENT)

NATIONAL DEFENSE MEANS BIGGER BALTIMORE PAYROLLS

and that means

BIGGER RESULTS FOR WFBR ADVERTISERS

THESE BUSINESS ITEMS MEAN MARKETING OPPORTUNITIES TO ALERT MERCHANDISERS

√Big U. S. Navy plane contract

√$26,000,000 for bombers for France

√Martin Aircraft plant doubles its size

√$9,654,000 contract for shipbuilding plant

√Bethlehem Steel plant increases output

√41 new industries came to Baltimore in 1938

√64 Baltimore plants expanded in '38

√Homebuilding doubled in first 2 months of '39

Baltimore has largest percentage of HOMEOWNERS of any large U. S. city.

$ $ $ $ $ $ $

Come and get it via WFBR

IN BALTIMORE ITS WFBR

NATIONAL REPRESENTATIVES EDWARD PETRY & CO.

ON THE NBC RED NETWORK

ASHEVILLE MAN CLEARED OF 'STIGMA'

Washington, April 4.

Long and desperate fight of Harold H. Thoms, publisher of the Asheville Daily News, to establish his 'good character' with the Commish was won last Wednesday (29) and a permit for construction of a 100-watter granted. Applicant's arrest and conviction in 1936, under an archaic North Carolina libel law, caused a turndown on the request in January last year, but U. S. Court of Appeals for the District of Columbia entered an order remanding the application to the FCC for further hearing after Thoms filed an appeal. Commish denial was predicated on the single issue of applicant's character—assertedly blemished by conviction under the bewhiskered State statute which makes it unlawful 'for any person to publish in any newspaper, pamphlet, or otherwise, any article derogatory to any candidate for public office, unless such publication is signed by the party giving publicity thereto and being responsible therefor.'

Commish, in its reversal, reviewed facts obtained in the rehearing and cited favorable examiner's report which followed it. Although no exceptions were filed up to the examiner's report, Thoms requested oral argument, held last December. Following facts were brought out:

Art Rush Resigns

Hollywood, April 4.

Art Rush has resigned as head of Columbia Artists management and his post taken over by his aide, Murray Brophy.

Rush, who was formerly with RCA Victor as manager of its phonograph record and transcription departments, joined CBS two years ago.

F. C. C.'s WASHINGTON DOCKET

MAJOR DECISIONS

Washington, April 4.

North Carolina: Three-year battle of Harold H. Thoms, publisher of the Asheville Daily News, to clear himself of 'character' charge arising out of a 1936 conviction under an ancient North Carolina libel law, successfully terminated when Commish reversed an earlier decision and granted his plea for a new station to be operated on 1270 kc with 100 watts. (See separate story.)

Ohio: Extension of operating time for WTOL, Toledo, tentatively approved by the Commish. Transmitter, now using 100 watts days only, on 1200 kc, will not change power or frequency but plans considerable program improvements if it is allowed to operate nights. Now devoting slightly more than half its time to wax broadcasts, live talent will be employed approximately 62% of the time during the day operation and 84% of the time after 6 p.m., if plea is granted.

WTOL, which lost money during the first three months of operation but is now making a small profit, has carried CBS New York Philharmonic program Sundays as its only chain program—given it at the station's own expense. Also has broadcast six night programs by Commish permission, including a debate between two Senatorial candidates which WSPD, Toledo, refused to clear time for.

Station owned by Community Broadcasting Co., was represented by John M. Littlepage and T. P. Littlepage, Jr.

Oklahoma: In another proposed finding Commish indicated satisfaction with the proposal of KTOK, Oklahoma City, to boost day power from 100 to 250 watts.

While mutual interference would occur between KTOK and KCRC, Enid—the latter being limited to its approximate 1.2 millivolt per meter contour and KTOK being restricted to its 1.1 ditto—applicant station's signal intensity would be improved and a substantial number of additional persons would be provided with a 'useable signal' daytimes, Commish found. Station has ample cash resources and only $75 would be required for equipment changes. Is the only station in the town identified with NBC, the Oklahoma Network and NBC's blue network.

Ben S. Fisher, John W. Kendall and Charles V. Wayland appeared for applicant.

Oregon: Semi-okay on the application of Mrs. W. J. Virgin (KMED), Medford, handed down by Commish after reversal of its original denial. Station will be permitted to jump daytime juice from 250 watts to 1 kw but issue out on a plea that nighttime increase be held in abeyance until the North American Regional Broadcasting Agreement becomes effective.

South Carolina: Two-way scramble for a station at Greenwood ended in defeat, with dismissal and denial of two applications for the coveted permit. Applications of E. DeVore Andrews and Mrs. Annie L. Andrews (Greater Greenwood Broadcasting Station) for a transmitter to be operated on 1420 kc with 250 watts days, 100 watts nights, tossed out with prejudice after applicants entered a motion to dismiss their application before an examiner recommended the application be dismissed.

More likely suggestion of W. A. Barnette, for a 250-watter daytime station on 610 kilocycles was denied because applicant aimed too high, in his request for a regional frequency which he proposed to use solely for daytime service. Barnette also appeared to be suffering from a slight paucity of cash, although Commish declared that despite the fact he 'made a rather limited showing of money available' it appeared that 'the likelihood of financial support for the station proposed is sufficiently apparent to warrant a construction permit.'

H. L. Lohnes and E. D. Johnston appeared for the Greater Greenwood Broadcasting Station, with Paul D. P. Spearman and Alan B. David representing W. A. Barnette.

Washington: Inadequate talent, plus lack of necessary financial capital, disposed of the hopes of Inland Empire Broadcasting Co., Parco, on its application for a station to be operated on 1310 kc with 100 watts. Scanning assets of the company, headed by Donald E. Henry, Commish remained skeptical of the ability of applicant to construct proposed $6,000 transmitter and pay $470 monthly expenses. Only $7,600 in the bank to build and operate the station. It was pointed out.

G. Robert Huston and Frank Stollenwerck appeared for applicant.

Wisconsin-Louisiana-Tennessee: Three boosts and a frequency change denied to three separate transmitters in Wisconsin, Louisiana Tennessee. Scramble of interference between themselves and other transmitters was the main reason for Commish chill. Though each station had a good alibi for its aspirations, service clashes were deemed too important to grant any of the pleas.

In the case of Hearst Radio, Inc., Milwaukee (WISN), FCC predicated its denial principally on limitation of CKCO, Fruitland, Ont., to its approximate 5.4 millivolt per meter contour. In the event that applicant's request for a night juice-jump from 250 watts to 1 kw were granted, Grant would result in substantial curtailment of present service areas of existing stations, Commish found. Limitation of WJBO, Baton Rouge, La.—one of the three applicants—also would result, though in a lesser degree.

Public need has been demonstrated for continuance of the present interference free service area of WJBO by protection of its service area from curtailment by WISN, Commish declared, but 'public need has not been shown for an additional or enlarged service area.' Grant of the request for a boost from 500 watts to 1 kw (excepting Mondays from 8 to 8 p.m.) and the change of WISN's application would result in mutual interference and a consequent limitation to WJBO to its approximate 1.6 millivolt per meter contour at night, it was stated.

Third application—of WAPO, Chattanooga, Tenn., was tossed out because of involvement with other stations and a considerable limitation of its own nighttime service.

'Operating as proposed station WAPO would be limited to the approximate 4.3 millivolts per meter contour at night, whereas, regional stations are normally expected to serve to their 1 mv/m contours at night,' Commish said. 'Operating as proposed, the daytime service area of Station WAPO would be considerably reduced at night the interference free service area may be extended in some directions to serve more people in the aggregate, but in a southwesterly direction there would be a substantial curtailment in the service area and persons residing in such portion of the area would be deprived of service.' Station had asked boost from 100 watts nights, 250 watts days, to 500 watts nights, 1 kw days, with frequency shift from 1420 to 1120 kc.

Attorneys were John M. Littlepage, William A. Porter, and T. P. Littlepage, Jr., for Hearst Radio; John W. Gwynne, Karl A. Smith and Lester Cohen, for Baton Rouge Broadcasting Co., Inc. (WJBO), and Ben S. Fisher, Charles V. Wayland and John Kendall for W. A. Patterson, WAPO.

MINOR DECISIONS

Alaska: KGBU, Ketchikan, present license extended temporarily pending determination on request for renewal, in no event later than May 1.

Michigan: WXYZ, Detroit, granted extension of authority to transmit sustaining programs from WXYZ to Canadian stations under supervision and control of Canadian Broadcasting Corp., through wire-line facilities of the Michigan Bell Telephone Co., for the period from April 16 to Oct. 16.

New York: Carman R. Runyon, Jr., Yonkers, granted license for new experimental broadcast station to be operated on 86000-401000 kc and above, experimentally only with 5 kw.

Ohio: WKRC, CBS, Cincinnati, granted use of 5 kw for all daytime operation, using directional antenna system. (Now operating on 550 kc with 1 kw night, 5 kw days, using 1 kw when WOSU, Columbia, operates.)

LARRY FLYNN FILES FOR WAAB FACILITIES

Washington, April 4.

Fight between John Sheppard, 3d, and Lawrence Flynn, ex-employee of the Yankee-Colonial outfit, is on again. After withdrawing complaints which had proprietor of WAAB and WNAC, Boston, on the anxious seat for more than six months, Flynn has bobbed up with an application for the 1410 kc berth occupied by WAAB, Sheppard's regional outlet which recently received its renewal license after investigation of charges it was operated contrary to law and in disregard of public interest.

If the application (filed in the name of Maydowe Broadcasting Corp.) is pressed, there will be an automatic airing of the complaint which Flynn filed a year ago, based on political conduct of the Sheppard management. Originally the Commish attorneys reported the squawk had apparent merit, so WAAB's renewal plea was slated for hearing. Following lively debate, the Law Department backed down, Flynn yanked back his accusations, and the FCC was left no reason for not granting the six-month papers, since its principal witness had retracted. In order to obtain the Sheppard plant's assignment, Flynn will have to demonstrate it is not operating in the public interest or that he can do a better job for the Hub listeners.

BOB GOODHUE'S NEW TIE

Bob Goodhue, formerly with the radio dept. of the William Morris Agency, has a deal with the radio section of the Louis Schurr office. Shift was effective Monday (3).

For the past half year Goodhue was producing on his own and in conjunction with Joe Koehler's Radio Events, Inc., N. Y.

THOSE WHO KNOW CINCINNATI BEST BUY WKRC

Cincinnati firms have a complete understanding of the local radio situation. So they buy WKRC. Because they have found WKRC reaches and sells greater Cincinnati's 1,045,600 consumers.

WKRC's local sponsors—the most important group of Cincinnati firms using radio...a veritable blue book of prominent Cincinnati companies.

FIRM	PRODUCT
Procter & Gamble	Camay Soap
Rubel Baking Co.	Heidelberg Rye
Carter Coal Co.	Olga Coal
Allied Florists Assn.	Flowers
Fifth-Third Bank	Personal Loans
Ubiko Milling Co.	Lifeguard Dog Food
Semet-Solvay Co.	Coal & Coke
Capitol Clothes Shop	Men's Clothiers
Hotel Alms	Hotel Service
Miami Butterine Co.	Fairview Margarine
Albers Super Markets	Alberly Coffee
Wurlitzer Company	Musical Instruments
Eueger Furniture Co.	Furniture
Monarch Foods	Food Products
Rainbo Bread Co.	Rainbo Breads
Tennenbaum Bros.	Furniture
Dodge Bros. Dealers	Dodge Autos
L. T. Patterson & Dealers	Chrysler & Plymouth Cars
Gran Piano Co.	Steinway Pianos
Wexler Millinery	Millinery
Queen Optical Co.	Glasses, etc.
Queen City Carpet Co.	Carpet Cleaning
Weinberg Baking Co.	Weinberg's Breads
Kilgen Organ Co.	Organs
Banner Baking Co.	Taystee Bread

WKRC COLUMBIA'S STATION FOR CINCINNATI

550 Kilocycles. Owned and operated by the Columbia Broadcasting System; Represented by Radio Sales

Muzak May Be Medium for Schools

Catholic Priest Would Key Programs to 240 Parochial Schools—Looks for a Sponsor

Muzak, wired entertainment service, is currently meeting with officials of the Roman Catholic Archdiocese of New York, headed by Rev. William R. Kelly, superintendent of 240 parochial elementary and high schools in the area, to arrange for a Muzak service network by which musical programs, lessons and speeches could be transmitted directly into classrooms. Service would be sponsored and is the idea of Father Kelly, who is now in the throes of digging up a backer or backers. Latter would probably be a milk company or along those lines, with ad spiels heavily censored.

Hookup would include an originating point at Father Kelly's offices in midtown N. Y., as well as from Muzak studios for music, via which the priest could break in at any time during the school hours with announcements, etc. Three-hour demonstration was put on for the priest Saturday (1). System would reach about 104,000 pupils.

WLW'S 85,000 CALLS

Cincy Station Surveys Towns Within 200-Mile Radius

Cincinnati, April 4.

During the week ended March 28, WLW, conducted a coincidental telephone survey in which 85,000 calls were made in cities within a 200-mile radius of Cincy. Points included Dayton, Springfield and Columbus, O.; Indianapolis and Ft. Wayne, Ind., and Lexington, Ky. Ross-Federal handled the out-of-town calls, and Alberta Burke & Associates did the local job.

According to Jim Shouse, general manager of the Crosley stations, the survey is the biggest of its kind thus far.

WLW also is using questionnaire blind ads in this month's issues of the Ohio, Indiana and Kentucky Farmer, official Federal Farm Bureau publication, to check the listening habits of persons in the rural districts.

TO COVER
GREAT BRITAIN
YOU MUST USE
RADIO NORMANDY
Full Particulars of Air Time and Talent from
International Broadcasting Company, Ltd.
37, Portland Place, London, W.1.

Clarify Coudert-Moffatt Bill on Libel Actions

Albany, N. Y., April 4.

Important clarifying amendments have been made to the Coudert-Moffat bill amending the civil practice act with a new section in relation to privileges of radio broadcasting. Measure, which retains its place on third order reading in the Assembly, now reads: 'An action, civil or criminal, can not be maintained against a reporter, announcer, commentator, speaker, editor, broadcaster, or proprietor of a radio broadcasting station, facility or system, for the publication therefrom by radio broadcasting apparatus of a fair and true report, oral or written, of any judicial, legislative or other public and official proceedings, or for any title or headnote to such a report which is a fair and true title or headnote thereto. This section does not apply to a libel or slander contained in any other matter added by any person concerned in the publication; or in the report of anything said or done at the time and place of the public and official proceedings which was not a part thereof.

Act would take effect immediately. Passage is expected in both houses.

Prescott Robinson, announcer at station CFCF, Montreal, relieved of all other studio assignments in order to handle four newscasts daily.

DETROIT BASEBALL SET

Will Be Heard Over WXYZ and WWJ—Ty Tyson Repeating

Detroit, April 4.

Detroit Tiger baseball games will go out over WWJ and WXYZ's Michigan network this season, under cosponsorship of White Star gasoline and General Mills. Latter co-bankrolled with White Star two years ago but was replaced by Kellogg's last season.

WXYZ will not carry both home and away games as it did last year but, with Harry Heilmann at the mike, will skip it out over the seven other stations of its state web. Ty Tyson, who's handled baseball contests for WWJ for many years, will be at mike again this year.

Broadcasts will cover all games played by Tigers for the first time, due to New York Yankees' radio okay this season. Out-of-town contests will be reconstructed at this end from telegraphic reports, as formerly. No decisn yet on what'll be done when and if Tigers play a night game in Cleveland next September, but likely stations will be able to carry only a resume because of nocturnal commercial commitments.

Clogged WNEW Schedule Snarls Baseball Deal

WNEW, N. Y., finds itself in the unique position of not being able to clear time for the carrying of descriptions of the baseball schedule of the Newark entry in the International League which it aired last year. Contract from the Atlantic Refining Co., who sponsored the games last year, is again waiting.

Station has a participatingly sponsored two-hour 'Music Hall' show in the afternoon from 3-5 p.m., with most of the sponsors signed for time covering greater part of the summer.

The Boys Design a Hat

Cincinnati, April 4.

Trickiest thing here in femme headgear, at least in radio circles, is the facsimile hat which was sprung Friday (31) on Evelyn Traut, secretary to Ronald J. Rockwell, WLW technical supervisor. Gets its name from being a ringer for a lid purchased the day before by Miss Traut.

Creation concocted by Charles Butler, control room supervisor, and several Crosley engineers. Was made from a wax record, topped with a wire box, from which dangle strips of Scotch tape in ribbon fashion. After discovering the imitation, the sec went the technical ribbers one better by wearing it instead of her regular bonnet.

WAGA, Atlanta, Gets Ball Games for Mills, Goodrich

Atlanta, April 4.

WAGA grabbed the baseball plum in this territory this year and is prepared to air home and road games between Crackers, Atlanta's Southern BB Ass'n entries and adversaries at Ponce de Leon Park. Games are being sponsored jointly by General Mills (Wheaties and Corn Kix) and B. F. Goodrich Rubber Co., account being placed by Knox Reeves Adv. Agency.

Joe Hill, of WAGA staff, will mike the games from press box in grandstand. This will mark first year that both home and road games have been aired under commercial sponsorship, league having removed restrictions against home games. Sunday home games will not be aired.

BBC will continue Louis Levy's 'Music From the Movies' programs for another three months.

N. Y. BASEBALL TO BRIDGEPORT

Bridgeport, April 4.

WICC will be linked with WABC, New York, for Arch McDonald's play-by-plays of Giants and Yankees home games (General Mills, Mobile Gas and Procter & Gamble), starting April 18.

Tie-up returns Shepard Bridgeport-New Haven exhaler to working association with key of CBS, which WICC two years ago left for NBC-Blue. News of alliance with WABC renewed reports that WICC will return to Columbia, a jucier revenue source than the Blue chain has proved. CBS is now represented in New Haven and Waterbury by WBRY.

Odd angle on WICC's New York baseball arrangement is that station missed first part of 1938 season's Boston schedule because of objections of Gotham clubs, which claimed Bridgeport broadcaster was in restricted 50-mile radius of New York. WICC will now have to forego Frankie Frisch's Boston play-by-plays on Colonial network, although it is already carrying Frisch's dinner-hour chatter. WATR, Waterbury indie, is nearest Connecticut outlet for Frisch game descriptions.

Grimes Phones Montreal

Montreal, April 4.

New baseball program being sponsored by Champlain Oil Co. over stations CFCF and CKAC brings all local sports writers on the air for the first time as guest speakers.

Show produced by Bill Harwood, with Frank Starr emceeing over CFCF, introduces a different local sports scribe twice weekly in both languages.

Burleigh Grimes, manager of the Montreal baseball team, phones in from the training grounds in Florida for each program to give listeners the lowdown on the players.

Webs No Like FCC Monopoly Charts

Washington, April 4.

Nearing the end of the chase, the FCC chain-monopoly probers last week received a mountain of charts and statistical tables from which they are expected to conclude whether it is desirable to permit interlocking ownership of radio stations and the network method of program and advertising distribution. Wind-up may occur this week, climaxing nearly five months of testimony that now has run into more than 60 volumes of transcript.

Drawing few conclusions, DeQuincy V. Sutton, a Comish accountant, occupied the witness chair nearly all of last week's sessions, identifying documents in profusion. Bulk of questioning by attorneys representing the principal chains was directed at ascertaining the method of computation in anticipation of a more thorough grilling as to what the tables show. Shortage of copies for counsel handicapped the industry defenders.

The chief exhibits dealt with the financial experience of various stations, few of them identified and hardly any recognizable from the descriptions given the Commish. Breakdowns listed time hours, total revenues and amount of time used by and income received from webs. Sutton hesitated to interpret his statistics, leaving all deductions, inferences and conclusions up to the Commish.

Dispute CBS Options

Several of his computations were attacked by Paul A. Porter, representing CBS; Philip H. Hennessey, for NBC; and Louis G. Caldwell, for MBS. Point that roiled the Columbia barrister was Sutton's observation that, with three exceptions, survey shows CBS has an option on 100% of the time of basic stations. Porter drew out the admission that this condition existed in 1937, but has been rectified in numerous instances by different contracts and emphasized that only in rare instances did the web consume more than a small proportion of the time available for network commercials. All of the network reps challenged the fairness of some comparisons between stations of the same general type located in different markets, protesting that the Commish statisticians overlooked factors with a vital bearing on the placement of business.

Network stations may be more likely to attract business from local advertisers, Sutton conceded while being quizzed on his contrasts between indie plants and affiliates. Because they are more likely to have a following through the chain features.

In getting around to multiple ownership, the Commish received more than 100 exhibits purportedly showing 'community of interest.' Generally Sutton lumped as members of this or that 'group' all plants in which a single person or several individuals had a 'substantial' stake, without going deeply in his explanations into the actual control. Sought to show, for example, that CBS and NBC have a finger in a lot of transmitters ostensibly owned by persons not related to the chain companies. Pointed to numerous cases where officers or directors of the web corporations were listed as owners of stock in the presumably independent affiliates. On the whole, his presentation was a who's-who in the broadcasting business, with the groupings admittedly arbitrary.

WBAL
means business
in Baltimore

DON'T MISS
PALMOLIVE'S
"HILLTOP HOUSE"
STARRING
BESS JOHNSON
By Adelaide Marston
Dedicated to the women of America.
The story of a woman who must choose between love and the career of raising other women's children.
WABC-CBS—10:30-10:45 A.M. E.S.T.
78 Stations Coast-to-Coast
WOR—4:30-4:45 P.M. E.S.T.
Monday Through Friday
Direction BENTON & BOWLES, Inc.
Management ED WOLF, RKO BUILDING, New York

Boston Police Reserves Called Out—Thousands Turned Away!
PAUL WHITEMAN
AND HIS ALL-AMERICAN BAND
• Broke all Box Office Records at Candy Shop, Mechanics Hall, Boston, March 30th and 31st, playing to 47,000 persons—Estimated 15,000 turned away Friday Night.
Booked EXCLUSIVELY By
ARTISTS MANAGEMENT, Inc.
17 EAST 45th STREET NEW YORK
Telephone—MUrray Hill 2-1888
Tune In
CHESTERFIELD PROGRAM
CBS, Coast-to-Coast
Wed. 8:30 P.M., EST

LEW PARKER
LOEW'S STATE, NEW YORK
Week March 30th
Also Appearing on
ENNA JETTICK SHOW
"STEPPING ALONG"
WABC, Saturday, 9:30-10:00 P.M.
Direction
COLUMBIA ARTISTS BUREAU CHAS. V. YATES

Paul Whiteman's FOUR MODERNAIRES celebrate their FIRST ANNIVERSARY for CHESTERFIELD tonight

CHUCK GOLDSTEIN WM. CONWAY (Arranger)
RALPH BREWSTER HAROLD DICKINSON
FOUR MODERNAIRES
With Appreciation to "Pops" (the World's Greatest Orchestra Director), Liggett & Myers, Our Producer, Phil Cohan, Decca Records and Our Friends for Their Many Kindnesses
Dir.—ARTISTS MGT. BUREAU, 17 East 45th, New York City Press Rep.—IRVING STROUSE, RKO Bldg.

New British Programs

Spring Schedule Includes Various New and Revived Items on BBC

London, March 24.

Band shows are again the big bet of BBC's program set-up for spring period, and in April-June there will be around half a dozen regular series of the type. Several shows move off the air, about 10 new ones are in preparation and certain distinctive individual dates have been penciled in by Variety Department's director John Watt.

Among latter will be Watt's own specialty—reproduction of Disney cartoons for radio. He did a series of these several years back and listener pressure has persuaded him to revive the technique.

Films will provide the inspiration for at least one other individual date when an either version of Columbia's 'One Night of Love' goes on the wavebands. Recent broadcasts of 'Mr. Deeds,' 'Monte Carlo,' 'This Man is News' and other screen material have proved the suitability of such shows for radio adaptation.

Chief items on the bowing out list are 'Band Wagon,' which closed this month; 'In Town Tonight,' which dies with its 200th performance May 27, followed by 'Monday Night at 7' two days later, though both the latter may be revived in the fall. To be continued are 'Lucky Dip' magazine shows; 'For You, Madam,' composite weekly program with femme appeal; monthly 'Birthday Party,' introducing celebs who have anniversaries to record; 'Afternoon Revue' nursery show for budding talent; Louis Levy's fortnightly 'Music From the Movies'; fortnightly remote broadcasts of gypsy music from the Hungaria.

Among new series top place goes to 'Roundabout' shows, occupying Wed. nite spot formerly held by 'Band Wagon.' All BBC regions will cooperate on this program, which will feature Syd Walker, 'radio's wandering junk man,' and its air spot is being kept warm by 'Fol de Rols' concert party, now doing six dates on the same evening. 'Gentlemen, You May Smoke' will be given fortnightly with strong masculine ap-

(Continued on page 55)

BRITISH SWING IT

Jamming Bunch on BBC—Also Does Luxembourg Series for Kraft

London, March 24.

British Broadcasting Corp. going jitterbug in earnest. New combo, 'Heraids of Swing,' comprising mostly key men from Ambrose, Jack Hylton and Lew Stone bands, agented by Leslie Macdonnell, Rockwell-O'Keefe's English representative, have been signed as a weekly program, playing solely swing music for BBC.

Swingers have also been signatured for series of Kraft Cheese programs by J. Walter Thompson Co. on Radio Luxembourg, which has been done on the air by Billy Cotton in the last three years.

First program to be ethered April 5. There is also likelihood of a series of an interchange of broadcasts with Artie Shaw.

New at CKLW

Detroit, April 4.

Recent additions at CKLW include Jack Spencer hillbillies, of Chicago, to replace Hal O'Halloran's hillbillies, who've trekked to WLW, Cincy. Frank Crombie, 'Tall Texan' warbler from WREN, Buffalo, is doing a morning stint.

Buelah Clark, of YMCA, who's conducting reducing classes as replacement for Wallace shows (General Mills).

London Calling

'Mansion of Melody, broadcast from Radio Normandy, is a new method of program presentation for British audiences. It was adopted by IBC to boost Mansion Polish.

Henry Hall, former BBC maestro, taking over dance music arrangements at the Mayfair hotel from April 17.

Three men and a girl are to spend three weeks in the wilds of Afghanistan, where they will film a number of scenes for a travelog.' A car will be fitted out as a mobile film unit.

Lord & Thomas' radio department placed a new contract with IBC for Quaker Oats and Quaker Flakes for another year on Radio Normandy, making third year in succession.

Big Bill Campbell is to do UK radio first western serial, starting April 18. Being called 'Cabin in the Hills,' and will have cowboy arias and what have you, with Big Bill adding an installment of his own life story of the west to the broadcast.

Wright's Coal Tar Soap has booked a series of twice weekly radio Normandy afternoon quarter hours with IBC through their agents, Service Advertising Co.

Bernard Shaw's 'Arms and the Man' is too much of a mouthful for BBC to tackle in the lump, so they're having three bites at it, April 14, 18, 21. John Richmond producers and Peggy Ashcroft and Barry Jones will be in the cast.

Armbands of Different Hues Regulate Nearness of Approach to Royalty

Saskatoon, Sask., April 4.

Because a battery of mikes causes him to stammer, only two microphones—both gold plated—will be allowed in front of King George VI on any of the five occasions he will broadcast during royal tour of Canada in May-June. Winnipeg on Empire Day, May 24, will be only place His Majesty will speak during prairie tour.

Two mikes will feed CBC network, secondary or standby network, public address system and also newsreel cameras. A score of latter expected.

Elaborate precautions being taken to insure King's safety, especially along parade routes in various cities where stops are to be made. All radio men working on broadcasts will have to wear armbands, carry credential cards and special buttons—same goes for press and photogs. Color of armband will indicate how close wearer can get to royal party. All broadcasts will be directed by CBC, even local stuff. Station staffs in every city must co-operate is fact emphasized by CBC advance agents in charge of programming who are holder may find self shot by over vigilant police.

CBC will provide all commentators for broadcasts, local announcers in each city to act as alternates or assistants. Estimated 2,000 radio men in Canada will be issued special armbands for tour.

Muzak Gets Renault

First sponsor has been lined up for the new Muzar Sponsored Program service which feeds music, news, time signals, etc., to some 135 New York bars and grills. Buyer is Renault Wines Co., which came in for 16 time signals a day for 13 weeks with options to 52 weeks, starting Monday (10).

Harold Stretch, former time salesman for WNEW and WHN, N. Y., was taken on last month as a special sales rep by Muzak. It was he who corralled Renault.

LINE OKAY IS STILL UNCLEAR

Montreal, April 4.

British-American Oil Co. is reported angling for a regional French network for a new program here. Question is whether the private French-language stations will be able to get permission from the CBC to use telephone lines. Alternative would be for British-American to take the CBC regional network.

Understood that negotiations are held up pending clarification of line problem, as B-A would prefer to use selected private stations.

WAAW RETAGGED KOWH

Vernon Smith From Lawrence, Kansas, Is Manager

Omaha, April 4.

Station WAAW, operating under new call letters KOWH, went on the air Saturday (1) under the ownership of Omaha World-Herald. Exchange operated it for past 17 years. Vernon H. Smith, formerly at WREN, Lawrence, Kan., has been named manager. Operates day time only.

WOW, top station here, gave a 30-minute salute to KOWH Saturday night as a gesture.

NBC's Engineer Tried To Smooth Cuban Jam But Deal Was Protested

Havana, April 4.

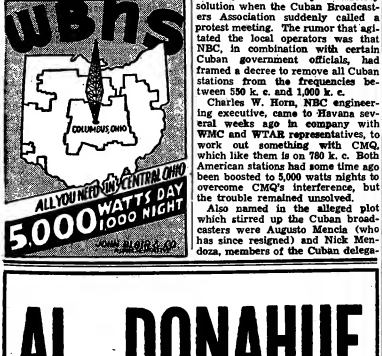
Efforts of NBC and two of its affiliates, WMC, Memphis, and WTAR, Norfolk, to induce CMQ to move to another wavelength or make its directional antenna effectual have struck a snag temporarily. The situation looked as though it were on the way to a mutually satisfactory solution when the Cuban Broadcasters Association suddenly called a protest meeting. The rumor that agitated the local operators was that NBC, in combination with certain Cuban government officials, had framed a decree to remove all Cuban stations from the frequencies between 550 k. c. and 1,000 k. c.

Charles W. Horn, NBC engineering executive, came to Havana several weeks ago in company with WMC and WTAR representatives, to work out something with CMQ, which like them is on 780 k. c. Both American stations had some time ago been boosted to 5,000 watts nights to overcome CMQ's interference, but the trouble remained unsolved.

Also named in the alleged plot which stirred up the Cuban broadcasters were Augusto Mencia (who has since resigned) and Nick Mendoza, members of the Cuban delegation to the Interamerican Radio Convention of December, 1937, and Senator Wifredo Albanes, who was the convention's president. The maneuver, it is reported, was opposed by Major Asensio, chief of the Cuban army's signal corp, even before the broadcasters got wind of it. Horn later assured the local broadcasters that he knew nothing of the alleged plot and at a subsequent meeting of the association a statement from him on this score was read to it.

It is understood that Horn tried to get CMK, which is on 720 k. c. to switch wavelengths with CMQ but this proposition fell through when the former outlet wanted $5,000 for the favor.

Horn declared at his Radio City office last week that the excitement which his visit to Cuba had encountered was puzzling to him since it had had no foundation in fact. He said that he still felt that the situation would be solved by cooperative methods.



AL DONAHUE
and HIS ORCHESTRA
Now Playing
Palace Theatre, Youngstown, O.
Vocalion Records
Direction: ROCKWELL-O'KEEFE
GENERAL AMUSEMENT CORP.

JOAN EDWARDS

Celebrating my first anniversary today with Paul Whiteman and the Chesterfield Program. Wednesdays from Coast-to-Coast over C.B.S.

I am deeply grateful to my radio friends and Chesterfield smokers for their loyalty and support. My everlasting gratitude to Paul Whiteman, Phil Cohan, Douglas Coulter, Donald Langan and the Liggett & Myers Tobacco Co. for making this engagement so enjoyable

Joan Edwards

Personal Management: HENRY H. DAGAND
Radio City, New York City

Drastic Melchiorre Bill in Committee; Levy, Rosenbaum Call It Unwise

Philadelphia, April 4.

Drastic measure to outlaw ASCAP has been introduced in the Pennsylvania state legislature. Secrecy surrounding it has radio stations, nitery ops, theatres and other interested parties almost all unaware of its introduction, although it was revealed this week that it was actually placed in the hopper two months ago, Feb. 6, and referred to the judiciary general committee the following day.

Bill was introed by Rep. Charles Melchiorre, of South Philadelphia. Entirely unfamiliar with ASCAP, he told VARIETY, the operation of the performing rights society was brought to his attention by a small tap room owner in his district. Operator of the boite, an Italian, was incensed to receive a bill for $60 from ASCAP. He took the matter to Melchiorre, who promised to do something about it for him inasmuch, Melchiorre said, as the man didn't have $60. And so was born Pennsy's anti-ASCAP bill. The measure, prepared by the Legislative Reference Bureau, maintained by the legislature to draft bills, is similar to ASCAP acts in other states. It provides for the establishment of an office by the secretary of the Commonwealth in which authors could register their works at 25c each. They would then specify on the sheet music or record the selling price. In this would be included the royalty.

Melchiorre explained to VARIETY: 'I feel that authors and composers have a perfect right to royalties on their work, but ASCAP is entirely unfair in the disproportionate amount it assesses, especially on owners of small taprooms who live at best only from hand to mouth.

'My idea is to give the author his royalty when the music is bought. If sheet music now sells for 35c, under the bill I introduced, the price could be increased to 40c or 50c or 75c. The additional money would go to the author, with the publisher getting his fee out of the original selling price. Then, once the composition has been purchased, it may be used freely anywhere. There is no double payment as at present when a royalty is paid once when the music is bought and once again when it is played.'

The bill seems to have very little support here, particularly in view of the lack of publicity it has received. Melchiorre is determined, however, that it will not die in a committee plckling vat and is prepared to demand this week on the floor that it be released. He is particularly determined to get it out since he feels H. A. Brown, local rep of ASCAP, has been unsympathetic in adjusting levies on tappery owners, such as the ones in his district.

Nitery ops queried here were, on a whole, in favor of Melchiorre's bill. Influential leaders in the radio industry, however, were definitely against it. Dr. Leon Levy, prez of WCAU, declared: 'You can't get something for nothing. Authors must get their royalties and there is nothing, as far as we can determine by a careful study of the law, to prevent them from naming an agent like ASCAP to collect their fees for them. Anyone who takes advantage of the Melchiorre bill, if it should be passed, will probably not only have to pay ASCAP anyway in the long run, but will also have to pay lawyers' fees.'

Samuel Rosenbaum, prez of WFIL and of the Independent Regional Network Affiliates, was just as emphatic in his disapproval of the bill. 'It will be unwise to fight ASCAP with any measure such as this,' he stated. 'The actual complaint of Mr. Melchiorre's constituents is not a matter of law, but of business. It merely requires an adjustment of the fee nearer to what the user of the music wants to pay, a matter of bargaining.'

Melchiorre's bill charges that 'under the guise of copyrights there has grown up private fixing combinations, monopolies and pools in connection with making available for public use copyrighted vocal and instrumental musical compositions . . . and results in the use of copyright privileges as instrumentalities of oppression and extortion.'

Act makes it illegal for any performing rights society such as ASCAP to operate in Pennsy under penalty of fine of not more than $5,000. This also applies to out-of-state groups.

George VI in Song

Mills Music, Inc., tied itself in on the forthcoming visit of the British King and Queen with the publication of a new song. It's titled 'A Toast to the King and Queen.'

Title page contains a photo of Their Majesties by permission of the British Travel Association.

WM. MORRIS HAS 24 BANDS

With a complement of 24 bands, which it gathered since inaugurating its band department—only one of which was not picked up intact—the William Morris agency has signed Bob Zurke, pianist with Bob Crosby's outfit, and will build a band around him. He will leave Crosby within the next month.

Ed Fishman, head of the Morris band dept., claims to have Zurke's contemplated outfit already signed to a recording contract; with whom was not disclosed.

John Philip Sousa 3d's outfit is the only one of the 24 which the agency had a band in building.

Jitterbug Promoters Get Heckled by Vibrating Brigade; Nab Pickets

Omaha, April 4.

Omaha's Jitterbug Jamboree got jammed with picket troubles on closing night after week's run here Saturday (1) when contestants, most of them local high school femmes and boys, picketed city auditorium. State's anti-picketing law hauled them to police station, where troubles which started Thursday got an airing.

Trouble started when one contestant lost a coat, got bigger when contestants claimed they were getting gypped. A guarantee of $14 per week was interpreted by them to mean tips and prize money extra, but promoters counted extra as part of guarantee, they claimed.

Seven pairs of 'bugs' were escorted out by police, paid their way in and heckled the remaining contestants. They were tossed out second time and then picketing started.

On the Upbeat

Freddie Castle's option picked up at Ritz hotel's Club Petite, Pittsburgh, for four additional weeks.

Baron Elliott band booked for opening of Kennywood Park, Pittsburgh, season April 22.

Don Ravel Orchestra, Inc., has been chartered to conduct business of organizing orchestras, bands in Manhattan. Meyer Shapiro, Irving Davidson, Frances Waisain, 51 Chambers street, N. Y. C., are directors. Capital stock is 200 shares, no par value.

Bill Roberts into Persian Room of Hotel Sir Francis Drake, San Francisco, April 13, following Carlos Molina's band which goes to Chicago. Roberts has been playing in the Persian Room during the cocktail hour. Band will increase to 10 pieces and broadcast over Blue and Red Network when it takes over Molina spot.

Eddy Duchin set at Waldorf-Astoria for eight weeks starting June 2.

Al Kavelin orchestra comes into New York this week from Pittsburgh to cut for Brunswick and Muzak.

Enrico Madrignera opens at the Pierre hotel, N. Y., May 4 for an indefinite stay.

Band Bookings

Glen Gray orchestra, Sunnybrook Ballroom, Pottstown, Pa., April 8; Ritz Ballroom, Bridgeport, Conn., April 9; Bellevue Stratford Hotel, Phila., 10; Masonic Temple, Rochester, 11; State Armory, Elmira, N. Y., 12; Armory, Oneida, N. Y., 13; Armory, Amsterdam, N. Y., 14; Arena, New Haven, 16; Boston, 18; Bucknell U., Lewisburg, Pa., 21; Arcadia Ballroom, Brooklyn, 22; Hill School, Pottstown, 28; Broadwood Hotel, Phila., April 29.

Pinky Tomlin orchestra, U. S. Grand Hotel, San Diego, April 12; indefinite.

Ben Cutler, Book-Cadillac Hotel, Detroit, tomorrow (6); indefinite.

Joe Ricardel orchestra, Garbo Restaurant, N. Y., April 1, indefinite.

Gray Gordon, Binghamton Policemen's Ball, April 14; Lakeside Park, Barnesville, Pa., 15; Rockr Glen Park, Scranton, 16; Roosevelt Hotel, N. Y., 18; Auditorium, Holyoke, 27; Glen Island Casino, N. Y., 28; Montclair, N. J., Golf Club, April 29.

WHAT IS NAME BAND?—PENNSY ANSWERS

Philadelphia, April 4.

Following considerable confusion here as to who is the 'employer' of members of an orchestra and who, as a result, must pay social security and unemployment compensation taxes, the Pennsy Unemployment Compensation Board has issued a clarifying interpretation.

Distinction made by the board is that in 'name' bands the leader, operator or owner of the band pays the tax. In 'non-name' bands, the employer of the musicians is considered to be the dance-hall proprietor, the sponsors of a party, night club owner or whoever it may be who hires the band. The person he deals with to get the musicians is considered only a 'contractor,' and it is held immaterial whether or not he plays in the band.

In determining what constitutes a name band, the interpretation says 'the mere adoption of a name' by an orch means nothing. 'The chief characteristic distinguishing a name orchestra from a non-name orchestra is the permanency of the organization and the personnel performing in the orchestra. In general, an orchestra will be considered a name orchestra when, in addition to being designated by a name, it has a fixed personnel extending from engagement to engagement and holds itself out to the public as a permanent business organization. Name orchestras may also be distinguished from other orchestras where the leader of the orchestra contracts with the members thereof for their services at a fixed salary, either by term or by engagement, and where the leader is liable for the payment of such salary without reference to the discharge of the purchaser's obligation.'

Similar study is now being made to cover acts. As in New York, there is a difference of opinion as to whether the booker or the 'purchaser' should pay the taxes.

SUE 'TICK TOCK RHYTHM' MAESTRO ON PATENT

Albert H. Wolsfeld, known as Allan Fielding and Al Fields, filed a Federal court action in New York yesterday (Tues.) against Gray Gordon, the RCA Mfg. Co., Inc., and National Broadcasting Corp., claiming infringement of his patent for 'A Combined Clock Face and Metronome.'

Gordon is claimed to have used the device at Edison hotel in New York and RCA of having made records with Gordon's 'Tick Tock Rhythm Orchestra.' NBC is accused of having broadcast the music of Gordon using the same device.

An accounting and an injunction are sought.

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 (March 27-April 2). Total represents accumulated performances on the two major networks from 8 a.m. to 1 a.m. Symbol * denotes film song, † legit, all others are pop.*

TITLE	PUBLISHER	GRAND TOTAL
Deep Purple	Robbins	47
Between Can Will	Merrick	44
Little Skipper	Feist	39
Moon Is a Silver Dollar	Robbins	37
Gotta Get Shuteye	Berlin	36
Penny Serenade	Shapiro	34
I Get Along Without You Very Well	Famous	32
Masquerade Is Over	Crawford	32
We've Come a Long Way Together	Feist	32
Hold Tight	Exclusive	30
Our Love	Chappell	29
This Is It...†Stars in Your Eyes	Chappell	29
Could Be	Santly	27
I Cried for You	Miller	27
Little Sir Echo	Bregman	25
I Want My Share of Love	Harms	23
Begin the Beguine	Harms	22
I Promise You	ABC	22
It's Never Too Late	Berlin	22
Sing Song of Sunbeams...*East Side of Heaven	Santly	20
Good for Nothin' But Love	Witmark	19
I Long to Belong to You	Red Star	19
Sweet Little Headache...*Paris Honeymoon	Paramount	19
Funny Old Hills...*Paris Honeymoon	Paramount	16
Honolulu...*Honolulu	Bregman	16
It's All Yours...†Stars in Your Eyes	Chappell	16
Step Up and Shake My Hand	Witmark	16
Don't Worry 'Bout Me...†Cotton Club Revue	Mills	15
I Have Eyes...*Paris Honeymoon	Paramount	15
This Night...*Honolulu	Bregman	15
Umbrella Man	Harms	15
Chopsticks	Shapiro	14
Every Day of the Clock	Witmark	14
Have a Heart	ABC	14
I'm Building a Sailboat of Dreams	Shapiro	14
Trade Winds	Witmark	14
My Heart Belongs to Daddy...†Leave It to Me	Chappell	12
Poor Pinocchio's Nose	Green Bros.	11
Romance Runs in the Family	Ager	11
Tain't What You Do	Leeds	11
How Strange...*Idiot's Delight	Feist	10
Go Go for That...*St. Louis Blues	Paramount	10
If I Had My Way	Paul Pioneer	10
It's All So New to Me...*Ice Follies	Feist	10
Night Must Fall	Marks	10
Patty Cake	Fox	10

MCA Sends Peace Mission to Mollify 'Monopoly'-Crying Philly Unionist

Politico Salute

Chicago, April 4.

Orchestra leaders currently on location here are dedicating at least one number a night to Chi's Mayor Kelly. It's at the request of James C. Petrillo, head of the Chicago local of the American Federation of Musicians.

In asking the leaders to comply, Petrillo explained it wasn't necessary but that 'it would be a fine gesture.'

MUSICIANS ROUT THUGS

Cleveland, April 4.

Using a pocket-knife to defend himself, Cletus Muenker, 21, orchestra leader, helped rout two stick-up men armed with a gun and killed one of them during a free-for-all fight in his car.

Muenker, Robert Finley, his drummer, and pianist Remington Arnold were sitting in front of Canteen Cafe after a job when the gunmen jumped them. Latter had just stuck up the cafe and wanted to use musician's car for a getaway. One shoved a gat in Arnold's face when he refused to give up his wallet but drummer made a pass at him. Only thing that saved him from being blasted down was fact that the revolver's hammer came down on his hand instead of on the cartridge. While two of the tunesmiths were beating up this yegg, Muenker pulled out knife used to trim his sax reeds and slashed the other mugg across the face. Then he stabbed the No. 1 trouble-maker in the leg, cutting an artery so severely that he couldn't jump out when the car stopped. His friend, booted out of the car, pulled him out and then ran away.

By the time the police got the No. 1 gunman to the hospital, he had bled to death. He was identified as Leonard Kocian, 19. Killing was termed justifiable by police prosecutor.

Cops found Kocian's pal, known as Edward Skiba, the next day in a pool hall through a card found in dead man's pocket. Orchestra boys emerged from fracas with only mild casualties. Finley had a blood blister in his right palm where the gun hammer pinched it. Muenker suffered a scalp cut while Arnold was uninjured.

Philadelphia, April 4.

Squawk last week that Music Corporation of America and Consolidated Radio Artists hold a monopoly on network time for remote band broadcasts brought a peace mission from MCA over the week end to see Rex Riccardi, secretary of the Musicians' union here. 'Riccardi complained that it was impossible to get a network line into the Walton Roof here because Joe Frasetto's band, currently there, isn't under MCA or CRA management. He said they pay a lump sum to the webs for late evening time and unless they give the okay the networks are of the opinion a band isn't good enough to be aired.

Lou Mindling and Bart McHugh came to see Riccardi to assure him that everything could be worked out. The orch will probably go on the Mutual web, Riccardi said, unless Jack Lynch, operator of the Walton Roof, demands NBC or CBS. In that case, Riccardi declared he would continue his battle.

Frasetto's crew made a one-time appearance on CBS a couple weeks ago and wasn't renewed. Lawrence Lowman, v.p. in charge of operations, said at the time he didn't think the orch strong enough for the big time competish it faced on Saturday night. Riccardi termed that just a subterfuge.

Tooter secretary declared his whole interest was to equalize employer competition, because the Benjamin Franklin hotel has an MCA traveling band and gets a line, while an employer who hires local musicians is left in the cold.

Andy Kirk's Double Date

Andy Kirk orchestra plays and gets paid for two one-nighters in the same evening, April 15, at Flint, Michigan. Band is set for General Motors employe shindig, playing from 9 to 12:30 for white hoppers and 1:30 to 4 a.m. for colored.

Outfit leaves Saturday (8) for two months of one-time stands through the midwest and New England.

Emerson Gill goes into New Penn, Pittsburgh, April 8, for indefinite engagement. Placed by Joe Hiller for CRA.

15 Best Sheet Music Sellers

(Week ending April 1, 1939)

Deep Purple	Robbins
Penny Serenade	Shapiro
Little Sir Echo	Bregman
Umbrella Man	Harms
God Bless America	Berlin
Heaven Can Wait	Remick
Hold Tight	Exclusive
Masquerade Is Over	Crawford
I Get Along Without You Very Well	Famous
I Promise You	ABC
Could Be	Santly
Gotta Get Some Shuteye	Berlin
*You're a Sweet Little Headache	Paramount
I Cried For You	Miller
Cuckoo in the Clock	Berlin

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

Columbia Name for American Record Co.; Brunswick Label for 35-Centers

Albany, April 4.

Columbia Phonograph Company, Inc., has been chartered to conduct a business in the recording of voices, sounds, etc., in New York, with Frank K. White and Adrian Murphy (employes of CBS), among the directors. Attorney Ralph F. Colin, 165 Broadway, is third director. White owns four shares; the others three apiece. Capital stock is $10,000, $10 par value.

Rosenberg, Goldmark & Colin, are filing attorneys.

Above incorporation represents the formal change of name of CBS' phonograph subsidiary. The American Record Co. tag is discarded and instead of three corporations embracing the ARC's various operations there will be one, the Columbia Phonograph Co., Inc. The latter label was taken over by Herbert J. Yates, former head of the American Record Co. several years ago and made the insignia of the combine's classical catalog. The indications are that the Columbia label will be returned to the popular field, replacing Brunswick as the company's 35c. popular record.

Also that Brunswick will take over Vocalion's coverage of the 35c. field.

PHILLY AFM FORBIDS HAMMOND, NOVACHORD

Philadelphia, April 4.

Ruling forbidding its members to play either a Hammond organ or a novachord with an orchestra has been issued by the Musicians' Union here. Edict follows complaints that the instruments lend such fullness to a small crew that they make it possible to dispense with half a dozen musicians.

Members may play the instruments in solos.

'Mailorder Legislation' Rapped in Vermont

John G. Paine, general manager, and Louis Frohlich, of general counsel for the American Society of Composers, Authors and Publishers appeared last week before the Senate Judiciary Committee of the Vermont legislature in Montpelier to oppose the anti-ASCAP bill which had already passed the House.

Measure was in text similar to those that have been introduced in some 20 other states and which are described in ASCAP circles as 'mail-order legislation.'

Vallee Opens Astor Roof In May; Bernie on July 3

Rudy Vallee's orchestra opens the New York Astor hotel's Roof early in May and will stick there until July 3, when Ben Bernie's crew replaces.

Bernie is considered an especially advantageous booking by the Astor because of his out-of-town draw. He was one of the top grossers in Chicago during that city's expo.

Jack Teagarden's orchestra follows Bob Crosby's band into the Blackhawk, Chicago, May 8. Crosby goes on tour and returns to the cafe late in the summer.

Judiciary Committee Okays ASCAP Crimper

Oklahoma City, April 4.

The Anti-ASCAP bill introduced into the house two weeks ago has been recommended for passage by the house judiciary committee following hearings of arguments on both sides before the committee.

A small radio station owner and state representatives of ASCAP argued sides before the committee rendered its decision.

Judge Tells Arnstein A Pat and Mike Story; Decision Is Reserved

Federal Edward A. Conger, reserved decision on an application by all defendants to dismiss the suit of Ira B. Arnstein against them. The case which ran well over four weeks closed Wednesday (31). Decision not expected for fortnight.

The suit's last days saw a battle between Arnstein and Sigmund Spaeth, expert witness for the defendants. Spaeth's testimony was to the effect that none of the songs were plagiarized.

The judge in reserving decision told Arnstein a story about Pat, Mike and socialism, the theme of which was that many a good man is walking the streets, unable to get work, even if he deserves it. This was in regard to an impassioned plea that the judge force the American Society of Composers, Authors and Publishers to admit him to membership.

Suit alleged the plagiarism of some 50 songs of the plaintiff, and asked damages of $2,000,000, besides charging a conspiracy on the part of the defendants. These include ASCAP, The Music Publishers Protective Assn., the Song Writers Protective Assn., NBC, CBS, Warners Brothers Picture, Inc., M. Witmark and Sons, The Broadway Music Publishing Co., E. B. Marks Music Co., Mills Music Co., Harms Inc., The Sam Fox Publishing Co., Nathaniel Shilkret, Emery Deutch, Gene Buck, John G. Paine, E. C. Mills, Harry Fox, Edwin H. Morris, M. Wattenberg, Louis Bernstein and Paul Jonas. The action began Nov. 24, 1937.

Hillbillies, Watch Out

John H. Hammond, recording exec of Brunswick-Vocalion, is due for a trip of exploration in the southwest. He will talk authentic native talons.

Hammond will visit Texas and Oklahoma in particular.

DECCA'S TRADE MARK SUIT

Decca Records, Inc., is suing in New York supreme court against Max Sussman, doing business as Sussman Radio Service, and Max Sussman and Jack Bernstein as Deka Radio Appliance Co., charging infringement of trademark. The defendants allegedly manufacture and sell phonographs under the names of Deka and Deca.

An accounting and an injunction are asked.

Jack Mills to Coast

Jack Mills left Friday (28) for a five to six-week swing that will take him to the Coast and back. He will visit his offices in Chicago, St. Louis, Kansas City, New Orleans, Los Angeles and San Francisco.

Mills has a picture company tieup waiting for him to discuss in Hollywood. He's due in that town next Wednesday (12).

AVAILABILITY REVAMP IS PROBABLE

Indications are that the entire publishers' availability setup will be given a thorough going over when the availability committee of the American Society of Composers, Authors and Publishers meets today (Wednesday). The general reshuffling of availability ratings, if it does through, will be the first since the inception of the committee three years ago. Because of this task there is a possibility that distribution of the pubs' royalty checks for the past quarter will be postponed from the usual date. Under ordinary conditions these checks would be in the publishers' hands this Monday (10).

Three choices face the availability committee: (1) making a drastic reduction in the ratings of two particular firms; (2) revising the list from top to bottom and (3) letting the changes ride to the next quarter. Dominant sentiment on the committee favors doing the job of reconstruction at once and thereby eliminating the general dissatisfaction with the ratings that now exists among not only publisher members of ASCAP, but the committee itself. With the wholesale revamping out of the way there would be no need of the committee to sit on availability protests for at least another six months. Committee was slated to meet Monday (3), but the chairman, Edwin H. Morris, was suffering from a sinus attack and one of its members, Max Dreyfus, remained at his Brewster, N. Y., home because of ill health.

Royalty payoff for the first quarter will not be as big as it was for the final quarter of 1938, but it will exceed the distribution made for the initial three months of 1938. The income from radio continued to be off during the past three months.

ASCAP's writer classification committee awarded top prize money for the initial quarter of '39 to the writers of 'Deep Purple,' 'Umbrella Man' and 'F. D. R. Jones.' Purse for each of these tunes was $1,250.

Pinky Tomlin sold his waltz, 'Love Is All,' to Universal as a Deanna Durbin ditty.

Bitterness Flares at ASCAP Banquet

Lou Klein, Fred Fisher Among Those Airing Personal Matters—Buck Has to Tell 'Em Off

Presence on the dais of such distinguished fellow members as Geraldine Farrar and Henry Hadley didn't discourage some of the attendees at the annual meeting-dinner of the American Society of Composers, Authors and Publishers in the Ritz Carlton hotel last Thursday (30) from engaging in their yearly attack on the Society's royalty payoff methods. At times the air was thick with reflections on certain ASCAP directors and at one point Gene Buck had aside his presidential gravel to counter-blast a railing songwriter.

The bitterest words came from Lou Klein, a songwriter member, who singled out Joe Young, a writer-member of the board, for special verbal attention. Klein charged that regardless of his years of membership he was still kept in the lowest class because the writer members on the board who do the classifying of their own clan were only interested in retaining the lion's share of the writers' coin for themselves. He said that many of those on the board hadn't been active or written a hit in years but they were still collecting top money from the Society.

Buck Steps In

As Klein's tirade turned to naming names Buck took up the issue and reminded Klein that he himself was engaged at one time in a business—advising amateur songwriters about disposing of their wares—which might have had something to do with the writer classification committee's attitude toward him. Klein expressed resentment at the intrusion of this angle but the crossfire between himself and Buck soon subsided.

Later Fred Fisher, writer and publisher, stepped into the arena with a bit of sarcastic comment involving Louis Bernstein, head of Shapiro, Bernstein & Co. Fisher charged that because he and Bernstein have a suit on over the renewal rights to 'Come, Josephine, In My Flying Machine,' the publishers classification committee, of which Bernstein is a member, gives him only $25 a quarter on availability. Bernstein had left the gathering some time before Fisher arose to make his speech and Fisher got no comeback.

Metro-Robbins Resume Demand For 2c Per Disc From Recorders

SPA Council Meeting On Disk Fee Issue

Executive council, New York division, of the Songwriters Protective Association is slated to meet tomorrow (Thursday) to discuss the question of resuming negotiations with publishers on a new uniform writers contract.

Also the advisability of informing publishers that the SPA membership will look to the forme- to collect a minimum of 2c royalty on phonograph records.

Murray's, Snarled Legally, Will Go After the Bounce Trade When Road Clear

When it settles its legal difficulties—its now in bankruptcy—Murray's on the Bronx River Parkway, Tuckahoe, N. Y., will install a name band policy in opposition to Glen Island Casino, on Pelham Bay, some miles away. Idea is to cut in on the younger trade which was drawn to the Casino last season by Larry Clinton, Will Osborne and other bands of the caliber.

Murray's has been dickering for the Count Basie orchestra to tee-off the policy, but won't do anything definite 'till it gets clear of legal red tape. Change of policy will include a change in name and a quick refurbishing. Whatever outfit goes in will buck Glenn Miller, who opens at the Casino, May 17. Murray's now has Will McCune.

TONY MARTIN BATONS JIMMY JOY'S BAND

Pittsburgh, April 4.

The band which Tony Martin's bringing to Stanley, WB deluxer, on Friday (7) is the Jimmy Joy outfit although it's being billed as 'Tony Martin and His Orchestra, featuring Jimmy Joy.' Latter is known in dance circles, having gotten his start around here decades ago when Johnny (Scat) Davis, now of Warners, and Andy Andrews, of Al Pearce gang, were his featured musicians, but this will mark his stage debut.

Last time Martin played Stanley less than year ago, he toted Dave Brubeck's house crew on stage. Stanley follows Martin with Fred Waring crew, and no further stage bookings beyond that. Harry Kalmine, WB zone manager here, expected back from Florida vacation in few days and will go directly to New York to line up additional stage attractions.

Metro-Robbins combine has revived the royalty tug-of-war between music publishers and phonograph record manufacturers by serving notice upon the latter that, effective this Monday (10) it will not accept as fees anything less than the full statutory rate of 2c. The firms involved in this latest M-R policy are Leo Feist, Inc., Robbins Music Corp. and Miller Music, Inc.

Decision to stand strictly on its statutory rights was made by Metro-Robbins after it had been notified by several of its writers that they expected to be paid off on the basis of a 2c royalty and that they would hold these firms responsible for any deviations in fees. In again abandoning the 1½c basis Metro believes that the position taken by the writers is sound. If the recorders decline to apply for licenses on the 2c basis they have the alternative of merely serving notice of use and submitting an accounting at the end of each 30-day period. In either case the fee will be 2c.

History

The Metro-Robbins group has never been part of the publishing group seeking to induce phonograph record manufacturers to pay a special royalty for discs used in coin-operated machines. By independent action M-R upped the fee to 2c a few months ago and early last month agreed to return to 1½c when the recorders pointed out that all other pubs were again accepting that royalty fee. The Metro-Robbins group has always been of the opinion that there should be naught but a flat royalty for phonograph records regardless of where they are played or how they are used and that any attempt to regulate the fees otherwise couldn't help but wind up in a clash on the question of whether the additional mechanical fee isn't transgress on the performing rights provisions of the copyright law.

Insistence on the 2c fee was abandoned generally after the Decca Record Co. threatened to bring a conspiracy action against Warner Bros. and others and to cite them before the Federal Trade Commission. In recent weeks WB and the Max Dreyfus interests have been talking about starting a test suit against the various recorders on the coin-machine angle.

'NO CBS MUSIC BUY NOW'—LEVY

Philadelphia, April 4.

Report current in New York for the past few weeks that CBS might enter the music publishing biz was denied as imminent by Ike Levy, second largest stockholder in the web and chairman of the board of WCAU. Levy declared that with Columbia's recent acquisition of World Broadcasting and the American Record Company it has plenty to keep its execs occupied.

'We're going to digest what we have for at least the next six months,' he told VARIETY, 'before attempting to bite off anything else.'

THE BOYS BUSSE LEFT BOOKED BY WM. MORRIS

Entire band which Henry Busse replaced with a new setup upon going into the Hotel New Yorker recently, has been signed to a managerial contract by the Williams Morris Agency. It will work under the name of Bob Baker, one of the members of the ex-Busse outfit.

Outfit has been tentatively set to follow Russ Morgan into the Chez Paree, Chicago.

Mary Lee, 14, on Air Date

Mary Lee, 14-year-old singing protege of Ted Weems, makes a guester with the Chase & Sanborn hour this Sunday (9). Weems picked her up in Illinois while on a recent theatre tour.

Leader took her out to the Coast on the tour where she played a part in the WB film 'Nancy Drew, Reporter.'

52d St., Incubator of Name Bands, Looks to Have New Click—Herman

By BERNIE WOODS

Famous Door, 52d street (New York) swing spot, is getting a name as an incubator of bands since reopening last fall with the Count Basie band. Latter crew made a hit in the two by four joint, then left for a fairly successful road tour. Little known, comparatively, before that date, Basie has taken a place alongside the leading colored bands. Door officials are currently reputed to be dickering to bring him back for a run some time this summer. Plans are being made to enlarge the spot to accomodate another 50 patrons or so through a rearrangement of the rear part of the room.

Red Norvo and Mildred Bailey followed Basie into the Door but internal dissension culminated in a sudden closing, a splitup of the leaders, and the temporary scattering of the outfit. It later reorganized with the same complement and is set for a return date at the Benjamin Franklin hotel, Philadelphia, opening Saturday (8). Miss Bailey is on her own.

Charlie Barnet, following, like Basie, also clicked. Barnet had been playing the coffee-and-cake circuit of one-nighters, etc., but after opening at the Door with a slightly refurbished band skyrocketed to popularity. He completed a two-week date at the Paramount, N. Y., last night (Tuesday) where hot jive followers audibly demanded some of his recorded tunes.

Woody Herman's band, which had been bouncing around between the New York and Brooklyn Roseland danceries, and latterly in Boston for Charlie Shribman, opened at the Door week before last. Herman wasn't in the spot a week before word seeped around of another new click on 52d street.

WOODY HERMAN ORCHESTRA (15)
With Mary Ann McCall
Famous Door, N. Y.

Herman's crew, a solid 14-piece versatile outfit, will go places as a result of this showing. Both the leader and the outfit behind him have everything that some of the bands now on top can boast, and in some respects go many of 'em a few better. Leader himself is apparently sii-America. Looks good in front of the band, sings well, lips a lot of clarinet (and occasional alto sax), and carries it sil with an informal, ingratiating personality.

Musically the outfit is exceptionally clean, whether getting off on current pops or standards. Arrangements, done from within the band (this is Isham Jones' old crew, with seversl replacements, and is now cooperative) give simost every number a lift. It's bounce stuff and plenty moving. There are several particularly good arrangements in the band's book. One of its best is probably 'Penny Serenade' which Herman should get on wax as soon as possible. Tune is fading but his arrangement gives it new life. Others are 'Big Morning,' 'Woodchoppers' Ball' and the theme, 'Blue Evening.'

Herman follows Basie and Barnet when it comes to power. It's got that, but can also go to the other extreme. Latter shows up in the arrangement of Jimmy Van Heusen's 'Heaven Can Wait,' portions of which are done in soft style featuring a flute team. Band is loud at times when in hot form, but that's to be expected here. Rhythm section impresses as the most solid section of the band.

Good impression gathered at a live hearing is duplicated when listening to the crew on the air. Crew is three NBC shots a week. They give the same lift, are nicely balanced, and should convince band fans there's a new fave on the horizon. As a rule the Door has always been a tough spot for radio remotes handling remote pickups because of its size, the jive bouncing around in what's hardly bigger than an oversized parlor. Some of Barnet's shots were poorly balanced, but a mike rearrangement for Herman seems to have overcome that.

Herman's setuo instrumentally is: four saxes, with the fourth alternating on a trombone, one trombone, one flugel horn, three trumpets and four rhythm. That's exclusive of Herm's clarinet and sax. Men are: Saxie Mansfield, Joe Estren, Pete Johns, Ray Hopfner, reeds; Joe Bishop, flugel horn; Neal Reid, trombone; Steady Nelson, Willie Willard, Mac McCorquodale, trumpets; Frank Carlson, drums; Tommy Linehan, piano; Hy White, guitar, and Walt Yoder, bass.

Mary Ann McCall handles the vocals. Her swing style should go right along with the outfit as it blows. Does 'em all, fast, hot, or ballad equally well. She's the gal that momentarily replaced Effie Wright with Tommy Dorsey few months back, but was forced to bow out when the managers demanded Miss Wright's name on Dorsey's recently completed theatre tour. Frankie Carle and a solo pianist are in with Herman. Miss Faye's hot styled stuff is a nitery natural and called for two encores when caught. She works hard.

Herman will be replaced at the Door the end of this month by Teddy Wilson's new band, which is in for six weeks. Door officials are said to be keen on Herman back for another 10 stanzas after Wilson's exit and before the contemplated return of Basie.

HARRY JAMES ORCHESTRA (15)
With Bernice Byers, Jack Palmer
Hotel Pennsylvania, N. Y.

Underway almost two months, Harry James' new band has come along far from its teenoff stage, although there are several things still to be smoothed out. It apparently has already built a following among the younger patrons of the Penn. One of the things making it hard to miss is its closeness to the style of James' former, Benny Goodman.

Inasmuch as James is one of the top trumpeters, it's natural that the brass section is his crew; he's expected as the leader to show his wares. But the section stands out too much and too often. It's composed of three horns besides the leader's and when they get off, backed by two trombones, the four saxes have a hard time shining through. When James isn't pushing air through his mouthpiece solo he's chiming in with the trio. Usual four rhythm complete the setup. It'll get there.

Power didn't seem to bother Penn checkgrabbers when caught (31), several arrangements prompting 'em to stop hopping and stand around in front of the bandstand. Equally appreciated is the crew's slower tempoed, muted numbers. That's when promise really shows and is an indication of what the outfit will offer when it settles further and tones down a bit.

James' air shots reflect the abundance of brass and another thing that's not apparent in a live hearing. That's his drummer's consistently heavy foot on the base pedal. At times when listening to a remote the thud of the drum vibrates on a set's sound board in monotonous earpunishing manner.

Bernice Byers and Jack Palmer handle the vocals. Miss Byers is a brunet swingstress who handles her assignments smoothly and in nice style. Palmer wasn't heard when caught. James leave the Penn tomorrow (6) to may way for Ray Kyser, who comes in Saturday (8).

Song Infringement Suit Vs. Gordon-Revel, Feist

Robert Brooker Wyatt filed a federal court action in New York Thursday (30) against Jack Gordon, Harry Revel, 20th Century-Fox Film Corp. and Leo Feist, Inc., claiming the plagiarism of the chorus of his song, 'In a Bassinet' by the Gordon-Revel song, 'This May Be the Night,' used in the film 'My Lucky Star.'

An accounting of profits, damages and an injunction are sought.

Dislikes the Symbol

Philadelphia, April 4.

A. A. Tomei, former prez of the Musicians' local and now a member of the Philly Orch, presented a resolution at a meeting of the Central Labor Union last Thursday. But before he started to speak, he pushed the mike away. When delegates complained that they couldn't hear him, he explained:

'I've always been against mechanized music.'

Inside Stuff—Orchestras

Jimmy Dorsey's orchestra at the Strand theatre, New York, went leaderless for last two shows Sunday (26) night in a situation similar to George Hall's date at the Strand the week previous. Dorsey got word after completing a chore on the 'Show of the Week' program on WOR that his father had suffered a stroke at the Bernardsville, N. J., home of Tommy Dorsey. Will Osborne, whose outfit exited the Strand Thursday (23) to make way for Jimmy, returned and guest conducted the first show Monday morning, Dorsey getting back in time for the second. Father is recovering.

George Hall recently was absent two days from the State because of the death of his wife.

Reference to Horace Heidt's injury in a University of California football game during maestro's recent appearance on Fitch bandwagon over NBC drew a burn from Si Steinhauser, radio ed of Pittsburgh Press. In his column the following day, Steinhauser called Heidt to task for misleading either the Fitch scripters or himself. Newspaperman insisted Heidt had told him during a recent Pittsburgh visit that he had never played football in his life and that the whole story was a press agent fabrication. Radio ed even named flock of Pittsburghers who were present at time of interview and overheard Heidt's statement.

After leaving the Commodore Hotel, N. Y., about May 15 or so, the Sammy Kaye orchestra will probably stick around within the jurisdiction of N. Y. Local 802 of the AFM in order to complete the nine-month consecutive stretch enabling it to secure 802 cards. They would be available to the band sometime in July. However several out of town dates have been offered to the band which, if taken, would make it necessary to start the stretch over again.

Bregman, Vocco & Conn credit an unusual demand for 'And the Angels Sang' to Benny Goodman's Victor recording of that tune which one of Goodman's boys, Ziggy Elman, composed, and Johnny Mercer lyricized. First and only waxing by the band, long prior to BVC's starting to plug it, has created audience demand so that other leaders are now seeking out who publishes the tune.

Bands of brothers Tommy and Jimmy Dorsey, originally reported as opposing one another from the N. Y. Strand and Paramount, will still be in different corners day and date but with a little more distance between.

Jimmy closes at the Strand tomorrow (Thursday) opening Friday at the Flatbush, Brooklyn, for the Brandts. Tommy Dorsey goes into the Par, N. Y., today (Wednesday).

Victor Records is getting out special exploitation for the Tommy Dorsey recording of 'Little Skipper.' Dorsey's youngster, Tommy Dorsey, 3d, is actually nicknamed Little Skipper and Victor has had photogs out at Dorsey's Bernardsville, N. J., estate mugging the kid in various poses, etc., which will tie in with the waxing.

Coleman Hawkins, tenor sax man who's been in London for past five years, expects to return to U. S. this summer. Hawkins has been cutting records and circulating through England and Scotland as a guest sax tooter with many of England's musical combinations.

Bing Crosby and Kate Smith, among the radio vocal stars, and Guy Lombardo's orchestra are the most closely followed by the out-of-town bands to hear the latest tunes. Anything on their radio programs generally gets wide general attention from contemporary maestros in the sticks.

For the past several weeks Rockwell-General Amusement Corp. has been exploiting the activities of the Larry Clinton orchestra through the circulation of miniature telegrams labeled 'Dipsy-Doodlegrams.' Printed up to resemble Postal Tele wires, the forwarded notes are said to be the idea of Clinton himself.

Inside Stuff—Music

Chappell & Co. and Mills Music, Inc., have come to an amicable settlement over a question that arose from the numbers recently interpolated into the 'Pins and Needles' show. Some time after Mills tied up the score Chappell put the musical's composer, Harold J. Rome, under contract. When Chappell sought to obtain numbers subsequently inserted into the show Mills protested, pointing out that its own contract had a proviso which gave them the rights to all P & N songs during the run of the show, whether originally included or later interpolated.

Billy Rose is breaking in a musical score on Broadway prior to the World's Fair. The new Dana Suesse-Ted Fetter-Rose songs will be first interpolated into Rose's Casa Manana (N.Y.) revue April 6, when he brings girly shows back in place of straight vaudeville. Later in the summer the same set of songs will be fitted into Rose's Aquacade show at the N. Y. World's Fair.

Bibliography of those of his race prominent as authors and composers has been compiled and published by W. C. Handy. Volume, a slim one, is entitled 'Negro Authors and Composers of the United States.'

In a recent ad of salutations to Jack Robbins, Mitchell Parish's name was misspelled. He lyricized 'Deep Purple' to Peter de Rose's tune.

SOUSA MEMORIAL SHOW

A memorial to John Philip Sousa, at which the composer's more notable works will be played, is set for Carnegie Hall, N. Y., May 4 by the Fordham University band under the direction of Capt. Ernest A. Hopt.

Guest conductors will be B. A. Rolfe, Arthur Pryor and John Philip Sousa 3d.

Bill Roberts orchestra opens unlimited engagement April 13 in Persian Room, Hotel Sir Francis Drake, San Francisco. Deal set by Dick Dorso of CRA.

Will Osborne opens tonight (Wednesday) in the Cocoanut Grove, of the Park Central, N. Y.

Paul Whiteman plays the Million Dollar Pier, Atlantic City, Sunday (9).

SONGS FROM
ROBBINS
Fastest Selling Hit In 10 Years
DEEP PURPLE
By Peter De Rose and Mitchell Parish
Here's One For The Money
THE MOON IS A SILVER DOLLAR
By Mitchell Parish and Sammy Fain
Gordon and Revel's Newest Song Smash
I NEVER KNEW HEAVEN COULD SPEAK
20th Century-Fox Picture, "Rose of Washington Square"
This Year's 2 Greatest Novelty Hits
GOTTA PEBBLE IN MY SHOE
By Charlie Tobias and Al Feldman
VARIETY IS THE SPICE OF LIFE
By Abel Green, Pat Ballard and Larry Clinton
ROBBINS MUSIC CORPORATION
799 SEVENTH AVENUE · NEW YORK

OLD SONG SUGGESTIONS
JIMMY McHUGH'S
"DOIN' THE NEW LOW DOWN"
MILLS MUSIC

4 ACES
ABC MUSIC CORP.
799 SEVENTH AVE N Y
FRANK HENNIGES Prof. Mgr.
by ALICE FAYE
BEN OAKLAND & SAM LERNER
I PROMISE YOU
Written by MICKEY ROONEY
HAVE A HEART
From the BIG Film "BLONDIE MEETS THE BOSS"
Y' HAD IT COMIN' TO YOU
The Greatest Song Since LITTLE MAN YOU'VE HAD A BUSY DAY
LITTLE GENIUS

VAUDE IN-BETWEENERS WANE

The 'Protection' Clause Snarl

It's been so long since there has been any real competish among vaude theatres, actors have either forgotten, or are overlooking, the 'protection' clauses in their contracts. To many of 'em it's something new, but actually the 'protection' thing dates way back.

An instance of an actor forgetting the 'protection' clause occurred this week when Benny Meroff, who played the Flatbush, Brooklyn, last week, was approached for a three-day date at the Indie Rivera, in the same borough. Only then did Meroff discover that his contract with the Flatbush prevented him from playing any theatre in that area for 30 days. Benny Rubin, at the Rivera this past weekend, finds himself in a similar spot regarding an offer from the Flatbush.

In some instances theatres waive the 'protection' clause on subsequent dates due to special circumstances, but the Brandts, who operate the Flatbush, refused Meroff a release.

BILL TO LIMIT AGENTS TO 5% NIXED IN PA.

Philadelphia, April 4.

Bill introduced in the legislature two weeks ago to limit commissions charged by bookers to 5% was killed in committee last week. It was dumped into the hopper by Representative McLester, of Butler county, without the knowledge of either actor or agent groups here. Quick action by both resulted in its pickling.

Agents claimed that it would have been impossible for them to continue in business had the measure passed. They were sustained in their claim by Tom Kelly, biz manager of the American Federation of Actors local here, who aided in having it killed.

The act would have limited the commish on any engagement less than 10 weeks to a maximum of 5%. On any engagement for longer than 10 weeks the booker could have collected his fee for only a maximum of 10 weeks.

Entertainment Managers Association, booker group, here, has a set of proposals now being moulded into bill form for introduction in the legislature shortly. The 10 percenters aim to be taken out of the employment agency classification and placed in a category of their own, claiming they have no relation to an ordinary employment office.

Under the proposed act, the agents would continue under the supervision of the Department of Labor and industry, but would fit into a newly-created entertainment division.

MPLS. NITERY LOSES RUM PERMIT, FOLDS

Minneapolis, April 4.

Another loop night club has had its liquor license revoked for afterhour and Sunday liquor sales, in violation of the law.

Latest to feel the axe is the Paradise, the most prosperous of all local niteries before the heat went on again a few weeks ago, which has closed. Previously the Derby ran afoul of the law because of afterhour sales and also folded.

Night club biz here is at its lowest ebb in years.

Folds Pit Cafe

Pittsburgh, April 4.

Vince Sortino, trumpeter in the Stanley's house orchestra, who has kept pit job while operating the Villa Sortino, has folded the spot because of poor biz. His father had managed place during son's theatre working hours.

Place proper has been leased as a dance studio, and Sortino will continue to run downstairs room as a cocktail lounge without entertainment or music.

Kitty Carlisle's Solo Week

Kitty Carlisle goes into the Loew's Capitol, Washington, May 5 for a week. She's presently on the Coast. No further dates lined up.

The Lyons office booked.

KID WPA; FINED

Two Vauders Pay AFA $5 in Setting Precedent

Hollywood, April 4.

First fines levied against actors on the Coast for kidding the WPA were paid in Long Beach, Cal., by vauders Bonnie Boice and Tommy Ladd, who were assessed $5 each by the National Council of the American Federation of Actors

Slade Taylor, Coast rep of the AFL, imposed the fine and said if convicted of same offense at a union trial it would have cost them $10 apiece.

ONE-DAY VAUDE IN N. HAVEN CLICKS

New Haven, April 4.

Picking Palm Sunday (2), one of show biz's worst days to inaugurate a series of one-day vaude programs, the Arena here put in a three-hour show that drew a royal welcome from 6,500 patrons.

Spot, a sports auditorium, did well previously on sponsored vaude benefits and management decided to experiment on its own. A group, headed by Nate Podoloff, operator of the Arena, booked Paul Whiteman plus Paul Tremaine and eight acts for a feeler. The response assured booking of Glen Gray's Casa Loma troupe for April 16, and started the ball rolling for a third bill April 30. Tentative plans call for a show every other week.

Opening bill also included Tommy Reynolds' band, fronted by Tremaine; Lou Saxon, m. c.; Slip, Slap and Slide; Sally Ann Harris; Fred Pisano & Co.; Sidney Enders; Ernie Mack; Rose Marie, and Varsity Co-Eds. Whiteman worked entire second half of bill and featured Joan Edwards, Clark Dennis and the Modernaires.

Scale of 55-85c at mat and 55-$1.10 evening drew fair afternoon house and virtual capacity at night. Venture showed a profit.

UNION NIX MAY PUSH WB SPOT INTO VAUDE

Philadelphia, April 4.

Flesh shows, shifted by Warner Bros. from its Earle to the Fox two months ago, is seen returning to the Earle for the summer on May 19. This would result from refusal of the musicians' union to allow the circuit to switch orchestras between the two houses for the 15 weeks preceding Labor Day.

Situation is that the Earle tooters are in on a 52-week contract, made before it was thought of switching flesh from the house. The Fox crew, on the other hand, has only a 37-week contract, allowing for the hot weather rest. During the 15 weeks it is absent, Warners asked to be allowed to send the band over from the Earle. A compromise to allow the shift for eight weeks was the union's best offer. Therefore, inasmuch as it can't switch the bands, the circuit is seen doing the next best thing, switching stage shows.

EITHER IN HIGH OR LOW CLASS

Medium-Priced Shows This Season Almost Extinct, Regressing from Days When They Were the Rule —RKO Most Notable Backer of Shows in Lower Brackets

CHEAPIES GROW

Vaudeville this season has witnessed the almost complete extinction of medium-priced shows. Either layouts nowadays are in the very high-priced bracket, or else they are in the $150-a-day and under, mostly the latter class.

Result is a vivid contrast in shows nationally rather than a step-ladder effect. Formerly the moderate-priced bills were the rule, rather than the exception. Now the rule is for name bands at any price while these theatres which cannot bear the high budgets have swung to the reverse and are playing the cheapest acts possible.

Most notable supporter of the cheap shows is RKO, now playing 'em at the Flushing, Queens, and Madison, Brooklyn, a one-day layout at the Madison, recently, is said to have cost the house less than $100 for five acts. Two singles in the show drew less than $10 each, while an Indian act that closed is reported to have gotten hardly enough for a wampum bracelet.

Indie Stretch Bankroll

In sharp contrast to the major circuit, however, some of the indies are apparently stretching the bankroll to the limit. The Flatbush, Brooklyn, operated by the Brandts, is an outstanding example with its current show. Headlining Willie and Eugene Howard, and including Rita Rio's femme orchestra, Molly Picon and June Carr and Jo Rollo, the bill is very much in the high-budget class. Next week this house plays Jimmy Dorsey's orchestra, plus other acts, for another big outlay of coin. Other indie spots that have been splurging on stage shows are the State, Hartford, operated in part by A. & B. Dow, and the Rivera, Brooklyn, booked by Al Rogers and Bill Miller.

But non-name vaude of the $3,000-budget type is almost completely missing. It either holds no attraction for the public, or the managers don't seem willing to gamble with that type of show.

RKO Cheaps Click

RKO's cheap shows have proven a definite click at Keith's, Boston, where the circuit plays three acts, plus dual pictures, on a four-day basis. Rest of the week it's just duals. Stage shows cost the theatre on an average of $750 for the four days and profits have been steady.

In former years Boston supported the biggest of stage shows both at Keith's and at the Paramount. The RKO Memorial was once one of the top two-a-day variety houses in the country. Now, however, Keith's cheapie is the only vaude in town.

Cheap shows have grown to such an extent, despite the short profits, that several former big-time vaude agents and bookers are now sponsoring 'em. Billy Jackson sets the shows in RKO's New York theatres; Phil Morris and Charles Levison have a 10-people hillbilly unit that they're wildcatting through the east for short coin, and Jack Linder has built a circuit of seven one, two and three-day houses through New Jersey, where he books shows on a strictly percentage basis.

Dayton Vauder Quits

Dayton, April 4.

Next week's stage show at the RKO Colonial, Dayton, O., with John Boles topping, winds up flesh fare for the season, which started last Labor Day.

House goes straight screen April 14.

Aussie Growing as a Market For U. S. Acts, but Salaries Are Moderate; Neil Shopping in N. Y.

The American vaudeville act, which seemed headed for extinction, has comparatively recently turned to a new sphere of influence, the Australian field, to salvage something of the lush two-a-day.

The increasing importance of this field is evidenced by the marked rise in the past three years of American acts booked for Australian time. Main user of American acts, the Tivoli circuit, has been considerably successful in its drive to make 'em vaude-conscious Down Under, while the Fuller chain, headed by Sir Ben Fuller, sparked by the successful shows by Tivoli, is also pushing a vaudeville upbeat.

The main arguing point for an American act to play, say, for the Tivoli circuit, is the fact that in the long run he has more to show in monetary returns than if he were working in America. Salaries are generally higher in the U. S., but the Tivoli chain, which guarantees an American act's passage from the Coast to Sydney and return, also guarantees at least 10 weeks' work. Australia pays few acts over $500 weekly, with most of the imports much under that figure.

Acts first open their Australian tour with five weeks at the Tivoli theatre, Melbourne, where they're part of a 10-act unit that includes a name comedian and a 16-girl line. This date is followed by five weeks in Sydney. An option in the contract permits an act to secure more work at the termination of the 10-week guarantee, which would then take it to New Zealand. A Tivoli working arrangement, too, with Hoyts Theatres, also permits a turn to be given additional time. Then, too, there are only two shows a day and no Sunday performances. Tivoli makes four tours a year to New Zealand and plays its units as 'variety revues.'

Nell in N. Y.

Frank Nell of Tivoli, currently in New York on a shopping tour for acts, makes trips to the U. S. every two years or so for that purpose. Tivoli's bookings are about 95% American.

Great distance between Australia and U. S. overshadows the possibility of American names possessing a corresponding popularity Down Under. It's strictly a case of performers getting over on their merits.

Even Willie and Eugene Howard, who toured for 14 weeks with 'Hollywood Hotel,' were unrecognized in Australia for their names. They recently returned to America. Will Mahoney, one of the U. S. two-a-day faves, is an indication of an American click going over to Australia. Signed to the usual 10-week contract by Nell, Tivoli has exercised its option to the point where it's played the comedian 32 weeks as head of a unit. He's now scheduled also to do a picture for Cinesound. Another click has been Larry Adler, who recently played 20 weeks for Tivoli and Hoyts.

Fuller's vaude comeback includes his intention to build a chain of theatres for the exclusive use of personals in New South Wales and New Zealand. American acts would predominate, with a few Continentals also included.

Another vaude outlet comprises the picture houses in Aussie, many of 'em employing large bands, which usually take the headline acts from the strictly variety theatres for subsequent dates. A one-act show is not an uncommon sight in the de luxe film spots.

Six Acts Sail

Six American acts, headed by Sammy Cohen and Senator Murphy, sailed Saturday (1) from Los Angeles to Sydney, where they will tour in vaudeville for the Tivoli circuit. Others to sail were Stanley Bros., Four Franks, Carl and Leoni and Mignon.

Turns booked for Tivoli time by Nell, and slated to depart shortly, include Anna May Wong, Garay Joaquin, Evers and Dolores, Burgess Lamont, Alfredo and Dolores, Jack Wright, Andrini Bros., Dick Lucas, Bonnie Grant, Gerald and Annette, Lester and Imogene, Mardo and Kay, Hiller and Riley, Professor Lambert, Keene Twins, Vic and Lamarr, Ming Toy, Anderson and Allen, Ted and Mary Taft.

Nell sails for the Continent shortly on a further shopping tour, and then returns to Sydney. His American reps are Sam Kramer, on the Coast, and Charles Allen, in New York.

Hanlon's Unit

Alec Hanlon is taking a unit to Australia, opening in Melbourne in mid-May and touring indefinitely under the local management of Sir Ben Fuller. Possibility the trek may be extended to include Africa. Troupe sails next Wednesday (12) from Vancouver. It will play the legit houses Down Under.

Outfit, numbering 34 performers, will include Salich's Puppets, Rose and Edwards, Carr Brothers and Betty, Bozo Snyder, Loretta Grey, Murray Green and Elsa Lang, Jack Bickle, June and Trudell Van, and 12 girls. Hanlon, whose 'Hollywood Hotel' show is already touring Australia, will return to the U. S. in August to ready more units.

Sails to Australia

Chicago, April 4.

Al Zimmey sails for Australia in June for 10 weeks of Down-Under time. Also under option for vaude dates in Europe.

Plays State-Lake here week of April 21 following stay at the 606 Club here.

BRANDTS SLATE 3 MORE N. Y. VAUDERS

Feeling their way with stage shows at the Flatbush, Brooklyn, now in its third week under a combination policy, the Brandt Bros. plan extending similar in-person entertainment to the Audubon on the upper west side of N. Y.; Windsor, in the Bronx, and the Carlton, Jamaica, L. I.

William Brandt declares that name bands, together with acts, the policy used at the Flatbush, will be booked for the other theatres. It's possible the same shows will play the four houses, being booked for the four weeks at the one time.

Audubon, Windsor and Carlton are being put into shape for stage shows. Policy goes into effect in September.

GALE-CARSON CANCEL DUE TO AUTO CRASH

Chicago, April 4.

Team of Gale and Carson are out of the current Oriental bill following an auto smashup in Ohio Friday (31) morning while the team was driving from New York with Raymond Wilbert, also on the same bill.

Wilbert suffered a head gash, which required stitches, but he's working the Oriental date currently. Charles Gale suffered a cracked rib while Walter Carson suffered a fractured hip and severe cuts and bruises. He is now at the American hospital here.

Car was demolished when it went over a soft road shoulder near Edgerton, O.

Night Club Reviews

TOP HAT CLUB

(UNION CITY, N. J.)

Union City, N. J., April 1.

Julie Wintz orch, Dan Healy, Gertrude Briefer, Thelma Nevins, Three Wiles, ensemble.

Formerly the Elks Club, this elaborate four-story building in the core of Union City, just across the Hudson from New York, is now a class nitery with a complete layout and a heavy nut. There are ample facilities for handling a sizable mob, and the whole thing is expensively and handsomely done. Entrance is into a main foyer, a large, high-ceilinged room with a huge bar in the center. Banquet rooms and porches adjoin it, and there are bowling alleys on the floor below.

Second floor, reached by elevator or stairs, includes another foyer, a cocktail lounge and the nitery proper. Latter occupies a spacious room, with a moderately low ceiling, a balcony around three walls, a terraced floor with tables seating about 800, and the huge circular stage extending well out toward the center. There are bandstands at either side of the stage but backed up against the proscenium. A silky looking curtain does not cover the forestage, which is used for dancing between shows. A small instrumental unit uses the second bandstand, alternating with Julie Wintz's crew for terping. Although the room is unusually attractive, with a remarkable degree of intimacy considering its size, its acoustics are faulty.

Three-a-night show includes Dan Healy as m.c., three acts and a large ensemble of girls. Latter are the principal item of the bill, both as to looks and numbers. Idea, borne out by the audience the night caught (90), is to concentrate on male patronage. As an attraction, the gals are okay. They're billed as numbering 60, but counted up to 44. Still, when they're all out together they crowd the stage and offer some eye-pulling routines. They are on for three numbers, all of which are long, but ingeniously routined.

Of the acts, Gertrude Briefer (New Acts), dancer, comes nearest to a real click. She's on twice, plus a briefie with the entire troupe for the finale. Three Wiles, male vaude team that's been around several years, offers its unchanged tap stuff, topping off with a military routine. Passable if not startling.

Singer is Thelma Nevins (New Acts), svelte looker, who's apparently used to small spots and is lost in present surroundings. She's handicapped by the bad mike, but nevertheless does too much acting and not enough vocalizing. Virtually inaudible in all but the loudest tones, while her enunciation just ain't. Dan Healy is a thoroughly ingratiating m.c. with an admirably simple style, but he's also hampered by the mike's shortcomings. Show is staged by Mildred Ray, a forte job.

Kay Blair, singing in the second-floor cocktail lounge, has fairly lusty pipes, smart showmanship, infectious rhythm sense and an apparently inexhaustible repertoire of songs. Jerrie Smith, an ample Negress who seems to have about six sets of fingers, supplies brilliant piano accompaniments with occasional solo bits. It's a strong combo. John Hanna operates the spot. Minimum is $1.50 for the nitery. *Hobe.*

BOY FOY
Dressed by
SIDNEY FISHER
75/77 Shaftesbury Avenue
PICCADILLY, LONDON, ENG.

SAVOY-PLAZA, N. Y.

Hildegarde, Gerry Morton's Orchestra (7).

Hildegarde, now the co-star with Raymond Paige of 99 Men and a Girl radio program, for U. S. Rubber, achieved her standing the hard way, progressing within a select circle among the New York, London, Paris and Palm Beach class cafes. As an international chanteuse, Miss Hildegarde, U. S.-born, has been so frequently crossing the Atlantic that her manner is almost Continental, and as such it's good showmanship.

But, primarily, she supports an indelible personal charm with a highly effective style of planologistic song salesmanship that accounts well for her consistent migrations among the fashionable world capitals. This is a third repeat for Hildegarde at the Savoy-Plaza's Cafe Lounge where, with the puckish Dwight Fiske, she has been the best b.o. in this smart boite. In between, such singers as Georges Metaxa, Mill Monti, et al., have filled in, but for protracted engagements, Fiske and Miss Hildegarde seem to have the edge. She mixes up her stuff nicely, ranging from such little known Noel Coward-isms as 'Play, Orchestra, Play' (out of his ill-fated 'Operette') and 'Counties Mitzi,' to a French number, with a dash of 'Heart Belongs to Daddy' and 'Get Out of Town.' She gives new lyric values to the Cole Porter tunes.

In place of Emile Petti, long here, Gerry Morton fires his nifty-spirited of dansparters from his Steinway, the maestro also doing a dandy assist at the piano for the chanteuse. She alternates before and behind the keyboard, in itself a good change of pace.

No couvert at the Cafe Lounge; $2 minimum. *Abel.*

SHOW BOAT

(PITTSBURGH)

Pittsburgh, April 1.

Al Fremont orch (10), Leola Frazier, Joan Grey, Billy Keaton, Barbara McDonald, Santos & Elvira, Lane & Carroll, Brent, DeWald & Madeline, Line (8).

Obviously John Maganotti is determined to shoot the works at Show Boat in a 10-or-die gesture. Big here of late has been terrible, falling off to practically nothing in last couple of months, but instead of slashing entertainment, as per usual nitery custom, Maganotti has gone out and brought in biggest cafe show ever to hit town.

It's a unit produced by Joe Casper and, while quality may be just fair, quantity is on hand and ringsiders in this burg have always had a habit of overlooking shortcomings when the gals are attractive and the bare skin is opulent. In a town where a floor show of 10 people is something of an event, this one with twice that many should at least create plenty of interest. That's what Maganotti is figuring on, although Holy Week seems to be a rather precarious time to launch the experiment.

The midnight show runs an hour, and half of it's pretty sluggish, but alcoholics by that time is supposed to be a sufficient cover-all. Best bets in performers Casper has rounded together are Barbara McDonald and dance team of Lane and Carroll. Miss McDonald's a little, sex-appealing blonde who sings a nice personality song, but registers best in her slick tap specialties. She's got something on the ball. Lane and Carroll, nice-looking couple, start out to do a regulation ballroom waltz when the music suddenly goes hot. The gal hits off some licks and bumps much to her partner's consternation and finally

(Continued on page 43)

Burlesque Review

GAYETY, MPLS.

Minneapolis, April 1.

Ada Leonard, Charles Country, Billy Foster, Louise Miller, Ray Parsons, Petite Carol, Danny Jacobs, Mlle. Jeanne, Dick Vernon, Mignon, Don & Marie, Brennan & Stonebacker, Line (18).

The initial offering of the annual spring stock burlesque season here reveals no new departure in presentation. Harry Hirsch, the theatre's impresario, is clinging to the formula that has kept burlesque alive at this spot for years, while elsewhere, for the most part, this type of entertainment long since has died.

Hirsch splits his seasons in two parts, running 14 to 16 weeks in the fall and winter and five to eight in the spring. A limited amount of available first-rate talent and an inability to vary the shows account for this procedure. After stretches of darkness there is a sufficient local clientele that grows sufficiently hungry for burlesque to assure briefly profitable operation. When patronage starts dwindling Hirsch immediately shuts shop.

Starring Ada Leonard, the current show's scenery and costuming are elaborate for burley; lighting is first-rate and there's snappy, moderately good dancing by the line. Thanks to Charles Country and Billy Foster's funmaking, the show boasts better than average comedy strength. It moves fast, but there's still the ever-present fault—lack of diversity.

Miss Leonard makes two brief appearances, both highly effective. Her stripping, following her vocal of 'My Heart Belongs to Daddy,' arrests the optics completely.

Petite Carol is an attractive redhead stripper, whose singing and dancing precede her disrobing. Two other strippers, the French Mlle. Jeanne and a captivating blonde, Mignon, peel skilfully and gracefully. Louise Miller, the prima, sings satisfactorily and works well in straight roles with the comics. Don and Marie are an exotic Spanish dancing team and Brennan and Stonebacker, males, do taps.

The comedy bits in which Country and Foster figure are, of course, crammed with extreme double entendre. Support from the straights, Parsons and Jacobs, helps no little. The former is one of the best in his line to appear at this theatre and, in addition to lending good comedy support, sings well and does impressions of well-known radio commentators in a well-received specialty. A restaurant scene, with some old comedy refurbished, and a music shop bit are provocative of most laughs.

Fourteen dancing girls and four statuesque models comprise the chorus, which is ably directed by Bobby Pegrim. Lavish productions include a Spanish fiesta and a ballet featured by Mignon's toe dancing. *Rees.*

N. Y. Burley Reopening

The Continental, on Broadway, reopens with an Allen Gilbert burlesque show April 8. It's the second try at burley produced by Allen Gilbert for this house. Spot opened two months ago as a strip spot, subsequently folding.

House had previously been used for foreign films.

Summer Burley Try

Philadelphia, April 4.

Troc, burley house here, will attempt to remain open all summer with stock this season instead of shuttering to duck the heat, as usual. Fairly good biz all winter has given impetus to the plan.

Plan is to retain a chorus and change principals every two weeks.

Ran Wilde's orchestra moved into the Hof Brau, San Diego, Cal.

Phil Selznick took over the It Cafe, Hollywood, opening with Mauri Vaughn's orchestra.

Saranac Lake

By Happy Benway

Mannie Lowy's frau threw away her crutches and can now limp around on her sprained gam.

Father Blais, chaplain of the actors' colony, has gone to Malden, Mass., to bedside of his mother, who's seriously ill. She's 80.

Camp Intermission, the William Morris spot, has been given a going-over to be ready for Mrs. William Morris.

April 1 is the general checkup day with the ozoners. The general report is that over 20% are skedded to be honeymoon-bound.

Jean Wolf and Patricia Wallace at the hospital for a checkup.

Rose (Will Rogers) Clark got her good health papers and left for home.

Bed routiners given good reports at the Rogers include Jim Seeley, Richard Moore, Carl Kern, Jack Edwards, Eddie Dowd and Edward McDonald.

Dr. George Wilson, medico-in-chief at the Rogers, elected president of the Saranac Lake Medical Society. Dr. Warriner Woodruff named v. p.

(Write to those who are ill.)

Long-Note Jerry Colonna Set for Summer Personals

Jerry Colonna, now on the Bob Hope Pepsodent radio show, has been lined up for 10 weeks of personals following the folding of the program for the summer. He opens with a two-week shot at the Paramount theatre, N. Y., June 28.

Walter Batchelor agency handled.

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

AUSTRALIA and NEW ZEALAND
ARTISTS DESIRING A PLEASANT TRIP to the Antipodes and the South Seas should communicate with the RECOGNIZED BOOKING AGENCY FOR AUSTRALASIA.
Australian conditions provide for 8 shows only daily and no Sunday work. Good local salaries all particulars, dates and photos to
FAMOUS ARTISTS AND PRODUCTION AGENCY
Stuart F. Doyle, Managing Director
State Theatre Building, Sydney
Cables—"Features," Sydney
New York Representative—
M. L. WILLSON
Walker & Redman, 39 Broadway
New York

Best Coffee in England
QUALITY INN
Leicester Square
LONDON, WEST-END

HARRY RICHMAN Ses:
'LORD & STEWART,
19, Albemarle Street,
LONDON, W. 1.
Are England's Best Tailors.'

ANY PERSON knowing the whereabouts of James Mackeand, vaudeville actor, born Toronto, Canada, about fifty-two years ago, complexion fair, height about five feet nine inches, last heard of in New York City about 1918, conducting vaudeville troupe "Jim Muck & Company," communicate at once with John W. Rowland, Barrister-at-Law, 330 Bay Street, Toronto, Canada.

ALWAYS WORKING
Just Returned from 7 Months' Tour of Australia-New Zealand
"Whitey" Roberts
Booked for England in September
—Now—
Golden Gate Theatre, San Francisco

HOPE MINOR and EDDIE ROOT
Held Over—Hollywood Beach Hotel, Fla.
Until April 6

CARL SIMPSON FAITH
Originators Performing Marionettes Full View of Audience
APRIL 10TH, HIPPODROME, MANCHESTER, ENGLAND
Direction M-C-A Europe: CHAS. TUCKER

Here's how to pour masterpieces out of glasses...first, pour Johnnie Walker an' soda into them!

RED LABEL, 8 years old
BLACK LABEL, 12 years old
Both 86.8 proof
BORN 1820... still going strong
IT'S SENSIBLE TO STICK WITH
JOHNNIE WALKER
BLENDED SCOTCH WHISKY
CANADA DRY GINGER ALE INC. NEW YORK N. Y. SOLE DISTRIBUTOR

Night Club Reviews

SHOW BOAT

(Continued from page 42)

he succumbs, too. It's a cute idea and they develop it nicely.

Joan Grey, show's headliner, is from radio and an eye-filling blonde with lots of salesmanship that covers an average set of pipes. Sandra and Elvira are two girls who go in for some Mexican-style hooting that's fair. Adagio trio of Brent, Taylor and Madeline has a couple of tricks that look good, but most of their stuff is pretty routine and they make it look too hard. Chorus of eight gals is a nice precision line that sticks to the regulation pattern and paves the production way for most of the top specialties. M.c. is Billy Kenton, who works too strenuously for his own good. Tells a few gags, sings a couple of parodies that are lengthy without being too funny, and embarrasses customers and performers alike by begging too much for applause.

Music is by Al Fremont's band, one of the likeliest looking local outfits to come up in some time. He's developed a style labeled Dot-and-Dash Rhythm, which is exactly what the name implies, and it's pleasant. He has a definite feeling for both the subtleties of sweet and the slap-bang of swing. They're all youngsters picked up around here by Fremont, an accomplished musician, and should go places. Pleasant vocalist is Leola Frazier, formerly on KDKA, a looker with pipes to match.

Gomber.

CHEZ PAREE

(CHICAGO)

Chicago, April 1.

Cross & Dunn, Raye & Naldi, Adelaide Moffett, Weire Bros, Harry Taylor, Bob Hannon, Fred Evans ensemble, Russ Morgan's orch.

Joey Jacobson continues to give the Chez Paree patrons a show lineup of talent and show. Russ Morgan's orch holds over from the previous show and is a great hit here. He has developed a real following in this town and indicates that he will prove a coin attraction for a long time to come. Crew is a fine musical aggregation and goes far from there. They play a fine show and are tops on dansapation.

Back again are Cross and Dunn and Raye and Naldi, both teams score without difficulty. They are well-remembered in this nitery and are guaranteed clicks. Cross and Dunn parade some new numbers which are okay, but when home better with some of the old-time faves, especially 'One Hamburger for Madame.' Raye and Naldi still a cliche dance team.

New here are the Weire Bros. and Adelaide Moffett. The Weires are from vaudeville and their repeat their standard variety turn here. Though hampered, due to lack of a traveler, the act still goes well on the comedy dancing and the eccentric clowning. Miss Moffett is social and figures for some of the supper crust. She has a neat pair of pipes and good appearance. She doesn't come through the mike too strongly on personality, but is clean-cut and indicates ability to satisfy with her vocals.

Singles on the bill are Key Taylor, a little acrobatic girl dancer with a nifty figure and a good sense of showmanship, and Bob Hannon, m.c. Latter contributes an occasional vocal and manages each job satisfactorily.

Of prime importance in the Chez of late is the Fred Evans' production effects. He has raised the standard of the shows here to a high level. Assistant Mary Gorgas, and the ensembling costumes contributed by Francis Pallester, help.

Indicative of the novel and darting numbers introduced here by Evans is the current 'Arms Conference' number, which includes mass impersonations by the chorus of Hitler, Mussolini, Daladier, Stalin, Chamberlain and Roosevelt. It takes courage to attempt something like this in a nitery these days and Evans has carried it off in great style.

Gold.

OMAR'S DOME, L. A.

Los Angeles, March 29.

Bo Jenkins, Eunice Wilson, Cliff Ritchie, Patsy Hunter's Creole Cuties (6), Les Hite's orch (8).

From the looks of the ads and the baited come-on, one might deduce here is a Coast copy of New York's Cotton Club. The ringsider soon finds out differently. Instead of the advertised revue with 20 people, the floor capers are sloughed off by six girls and three solo spots. That not only doesn't add up to 20, but invelghs against repeaters and favorable lip service. It's an all-sepia layout on the entertainment side and only mildly amusing.

Best of the lot is Bo Jenkins, a Stepin Fetchit type who can really clog over the wax. He's a whirlwind once he takes off and uncorks some nifty routines. Cheapens his act, however, by searching around for coins tossed by the sitters. He rates a better spot. Cliff Ritchie and Eunice Wilson handle the vocals and not so fortify. Ritchie's falsetto partly redeems for his other deficiencies. Line of six does the usual turn, but fast and hot.

For a band that's been around as long as Les Hite's one would expect better than the sophomoric ditties they grind out. All arrangements are strictly standard and very ordinary. There's no incentive to get out and stretch the nethers and the torrid rhythms of their race are altogether lacking. For the most part they feel their way through slow, dull, tempos. Hite swings the stick from the port side and tries to act cute trucking on the stand, but it's no go. He's too portly for that and his friends should also tell him nix on the vocals.

Spot is off-the-street and mid-downtown, and is one of the few that still slaps on a couver. Dining bar gets a heavy midday play, but after dark biz is pretty brutal. It's reported bad out, but it looks better than that to get the spenders downtown. And that phoney come-on won't get them in more than once.

Helm.

EMPIRE ROOM

(WALDORF-ASTORIA, N. Y.)

Hal Kemp orch, Judy Starr, Bob Allen, Saxie Dowell, Jack LeMaire.

The Waldorf's Empire Room is less jitterbug but still swingin' now that Hal Kemp's band follows in the cycle established by Benny Goodman's jivers. Less murderous, Kemp still has 'em bouncing at $1 and $1.50 the couvert after 10:30 p. m. and at a relatively pop-priced dinner scale.

For the Waldorf this is a particularly smart booking because of the recent nuptials of Martha Stephenson, 1938 deb, and the groom. Result is that Mrs. Kemp is unofficially doing some unusual socialite trailing, and both the Kempses are using this informal room are getting more than ordinary attention in the society columns.

Kemp's showmanship is also interpreted in the form of a new 'Cheesie Tree' dance, which is a road company of the Lambeth Walk. This newest importation from London was brilliantly touched off by King George VI who was shown doing the schoolboy 'under the spreading chestnut tree' routine at his Boys Camp, Southwold, England, from which Jimmy Kennedy, Tommie Connor and Hamilton Kennedy contrived this song for Peter Maurice publication (Shapiro-Bernstein has it in America).

Kemp and his bride go out on the dance floor to demonstrate the routine while Saxie Dowell leads the combo. Other specialists are Judy Starr, latter a swing-singing little bundle of dynamite, who stops traffic whenever she vocally jives 'Hold Tight' and kindred pops. Bob Allen's vocals and Jack LeMaire's specialties also stand out.

The Empire Room, now that the formal Cert Room, per contra, has shuttered until after Easter Sunday, has a strangehold on the Waldorf trade. This is the room, incidentally, which features a Milk Bar for the youngsters, attracted by the name dance bands.

Abel.

SEEK JITTERBUG CURB AFTER RESIDENTS BEEF

Camden, N. J., April 4.

Hepcats and jitterbugs have done their last bit of rug-cutting in Gloucester County, principal scene of such activity in South Jersey, if four drastic measures introduced in a surprise move by the commissioners Thursday (30) are enacted. Action is being urged for speedy passing following complaints by sleepless residents against after-dark tossing swing crews.

Measures also aim to clamp down on the jitterbugs by banning kids out after 9 p. m., prohibiting 'loud and offensive' talking, prohibiting loitering of persons 'who might indulge in offensive actions' and banning roller skating after 9 p. m. Tap would be $50 for disobeying.

Paul Draper Sails

After a layoff of several weeks, due to an operation to remove several growths on his feet, Paul Draper sailed from New York Saturday (1) for London, where he'll open an eight-week engagement, April 12, at the Cafe de Paris. Tentatively set to do a series of concert dates through Europe after that and to return to the U. S. late in June or early in July.

Opens at the Chez Paree, Chicago in August.

Bring Your Own Oxygen

Cocktail party tossed for elevated workers tearing down the Sixth Ave. 'L' by the McAlpin hotel (N.Y.) proved more costly than originally figured. Hotel wanted to call attention to the absence of the elevated in front of the hostelry. The 16 invited guests came direct from work, carrying a few assorted oxygen tanks used on the job.

It seems a whiff of that oxygen counteracted much of the alcoholic effect. Result was that the boys consumed nearly two cases of liquor in less than an hour, instead of the estimated 10 quarts.

SHAW AILING; MAY CANCEL

Artie Shaw may cancel his week at the Palace, Cleveland, starting Friday (7). The bandman has been ill during the past week and his doctor has urged that he take a vacation. Decision on the Cleveland date is scheduled today (Wednesday).

Shaw had previously cancelled three one-nighters for the current week. Band plays one without him at U. of Maryland, College Park, Md., tonight (Wednesday).

It Ain't Culture

Mexico City, April 4.

Taxation as chastisement is not being exercised against theatres, the municipal government asserts in denying assertions that some revue house managers that their establishments are being socked with extra imposts because they permit acts that kid politics and politicians.

Theatres that present works of a truly cultural nature enjoy tax rebates, the city states. But others do not.

Pecks of Georgia

(Continued from page 2)

State Insurance Taxes, paid by the plaintiff during the years 1935-1937.

Philly Clearance Suit

Philadelphia, April 4.

Suit is being prepared here by State Senator Harry Shapiro to obtain between-clearance product for the Landis theatre, Vineland, N. J. House competes with two Warner theatres in the South Jersey town, following them on dates. It complains the WB demands unreasonable clearance from exchanges, and that it bottles up more product than can be used.

Similar suits started by Shapiro for Herb Elliott of the Fern Rock theatre, Philly, last fall, was settled out of court under an agreement favorable to Elliott. Vineland house is practically a cooperative venture owned by every merchant in the town. It is owned by the Cumberland Holding Co., in which 70 merchants have stock.

Former Congressman Ben Golder, recently named by Warners to hear indie complaints against them on product and clearance and act as a buffer, has already amicably settled one of grievances here. Shapiro was somewhat surprised, however, he told VARIETY yesterday, at the small number of squawks there actually are.

Move to Dismiss Memand

Oklahoma City, April 4.

Defendants in the $4,500,000 A. B. Momand suit against major producers, distributors and circuits in federal court here have filed two motions to dismiss the suits following filing of Momand's bill of particulars. Four reasons are listed in support of the request that the court dismiss the suits: (a) failure to state a claim upon which relief can be granted; (b) because assignments by companies to Momand are 'champertous' and against public policy; (c) 'because the plaintiff is not the real party in interest and entitled to maintain the action,' and (d) because damages named are not recoverable damages, and specific damages claimed are not stated as 'required by rule 9 (g) of the new Federal rules of civil procedure.'

Suit has been pending in Judge A. P. Murrah's U. S. district court for the Western District of Oklahoma for several months, with hearings devoted to motions and counter-motions.

Pa. Nitery Operators Receive Aid From Pitt Daily in Liquor B'd Fight

•15 YEARS AGO•

(From VARIETY)

Britain's Variety Artists Federation agreed to open British vaudeville theatres to German performers if Germany okayed British acts.

His congregation protested when a Frisco minister introduced prize fights and 'fancy dance' acts at Sunday night services.

Benny Leonard asked $100,000 to make a series of two-reelers. The lightweight champ was doing a boxing act in vaudeville.

New, modern theatre construction was on the upbeat in the midwest.

'Vogues,' the Shubert musical, didn't show b.o. possibility in its Broadway opening. Despite a good cast, including Odette Myrtil, J. Harold Murray, Fred Allen, Jimmy Savo, May Boley and Betty Compton, Frank Smithson and Alexander Leftwich staged.

Elinor Glyn's 'Three Weeks' at the Capitol and 'Beau Brummel' at the Strand were fighting it out for film b.o. supremacy on Broadway. Conrad Nagel and Alleen Pringle were in the former and John Barrymore starred in the latter.

Lewis & Gordon presented an imposing legit cast in a Palace headlining act 'Arguments To Let' included Janet Beecher, Violet Kemble-Cooper, Olive Wyndham and Harry C. Brown. Howard Lindsay and Elliott Nugent wrote it.

The Broadway legit hits included 'Abie's Irish Rose,' 'Artists and Models,' 'Begone on Horseback,' 'Charlot's Revue,' 'Cyrano de Bergerac,' 'Kid Boots,' 'Outward Bound,' 'Rain,' 'Seventh Heaven,' 'Stepping Stones,' 'The Nervous Wreck,' 'The Show-off' and 'White Cargo.'

Equity sought help from actors abroad to support the union in its proposed strike against the Broadway managers.

2 Thugs Stick Up Philly Cafe, Scram with Receipts

Philadelphia, April 4.

Two holdup men escaped with between $300 and $500 receipts from the 1523 Club here Saturday (1) morning after tying up the watchman. They gained admittance by posing as delivery men.

They apparently knew that the watchman, James Ryan, 67, father-in-law of the Belle, operator of the club, was in the habit of carrying the previous night's receipts on him.

Coast Troc Reopens

Los Angeles, April 4.

The Trocadero, once the No. 1 spot of the country strip and nocturnal hangout of the picture mob, unshutters May 1 under a new name. Felix Young, variously an agent and producer, has taken a 15-year lease on the bistro and will bring in two name bands.

Room will be remodeled to accommodate 600.

Cafe Prop. Suicides

St. Louis, April 4.

Augustus Seals, former owner of Skipper's Inn, a waterfront nitery closed by Excise Commissioner McDaniel because of alleged disorderly conduct in the place, died in City Hospital here last wee shortly after he had swallowed poison in a South S'. Louis restaurant.

Seals, 33, is reported to have been despondent since his nitery was shuttered.

Faith in Riviera Opener

Faith Bacon will be in the opening show at Ben Marden's Riviera, Ft. Lee, N. J., beginning May 4.

Miss Bacon is currently at Fays, Philadelphia, with her 'Bare X Ranch' unit.

Chester Hale will routine 25 showgirls for ballet and tableaux presentations at the Riviera this year. Joe E. Lewis, m.c.'s the opening show.

Pittsburgh, April 4.

The Pittsburgh Post-Gazette went to bat last week for nitery and hotel owners in their fight against the Pennsylvania Liquor Control Board. The daily, in an editorial, hinted that license directors would be wise to keep an eye only on booze violations and let amusement hours, etc., entirely up to local governments.

Cafe and hotel operators claim the Board is well on the way to damaging their business irreparably. They point out that Saturday is their biggest night in the week, the one chance they have of getting off the nut, and insist that if the Board insists that all music stop promptly at midnight, it'll practically mean ruin.

It's a fact, around here especially, that Saturday night crowds seldom start out before 10:30 p.m. Sloughing booze sales at midnight Saturday is okay, owners say, because customers can order before that; but if music and entertainment must also stop then, operators further point out, their goose is cooked because nobody will show up for diversion of just an hour and a half.

That was proved last weekend when roadhouses, forced to close at midnight, did little biz and downtown cases, where local law permits music to continue until 2 a.m. Sunday, were jammed tight. However, it's understood the Board plans to take amendment measures away from communities and place it generally under its own supervision, which would mean a general midnight closing Saturday.

That's the Board's right under the liquor law, but until recent inauguration of GOP Governor James it was not generally enforced and music and dancing were permitted after the booze curfew, so long as no liquor was peddled. One night club operator, conservatively estimated that if Sunday midnight closing became prevalent, it would cost spots in Allegheny County alone more than $1,000,000 a year.

4 INCUMBENTS TO RUN FOR AFA'S COUNCIL

Nominations for the American Federation of Actors council, to be elected at the AFA annual meeting May 9 at the Edison hotel, New York, were made this week. Terms are for four years.

Those selected include Rudy Vallee, Sally Rand, Jed Dooley, Walter J. Diggs (all incumbents), Joseph Smith (and Dale), Avis Andrews, Rex Taylor and Adye Alyn (representing chorus). Nominating committee included Eddie Garr and Frank J. Lynch, from the council, and Jack Kramer, Lester Rose and Robert Stone, selected by the membership.

Fire Destroys Nitery Closed by Authorities

New Orleans, April 4.

Authorities are investigating a fire which occurred Saturday (1) destroying the Turf club, nitery in Clarksdale, near here.

The club was padlocked 10 days ago by order of Judge William J. Acorn in circuit court, Clarksdale, following a grand jury investigation of night clubs in Coshoma county. Gambling had been reported at the turf.

Won't Enjoin Monte Carlo

Injunction sought by the Monte Carlo Catering Co. of New York to prevent the use of the Monte Carlo name by Felix Ferry's new Gotham cafe that has been denied by N. Y. Supreme Court Justice Samuel Hofstadter Friday (31). Rosenblatt & Jaffe represented Ferry.

Suit is now scheduled for an early trial.

BACK TO CAFE BIZ

Pittsburgh, April 4.

John Lazarro, former nitery operator in Pittsburgh, has returned to the field after an absence of almost 10 years, taking over the downtown Tropical Gardens.

Gardens, formerly the Italian Gardens, was sold at sheriff's sale recently, with Lazarro taking it up along with Etzi Covato, band leader.

MUSIC HALL, N. Y.

Richard Leibert, Symphony Orch, Louise Bernhardt, Jeanne Devereaux, Ballet, George Meyer, Marion Raber, Robert Landrum, Choir; Jill Shiffs, Jeanne Carl, Valya Valentinoff, Val Guerai, Rockettes; This Story of Vernon and Irene Castle (RKO), reviewed in this issue.

Plenty of show this and next week at the mammoth Hall. 'The Story of Vernon and Irene Castle' (RKO) being in for a fortnight, and the seasonal Easter trimming embellishing the roostertion. Plus, the usual, now its sixth annual repeat, 'Glory of Easter' is a lavish but tastefully mounted holiday spec, serving as an hors d'ouvre to the major stage presentation. Louise Bernhardt and the entire Music Hall ensemble flank the mammoth stage, and spill over into the side runways, making for a most impressive flash. The ecclesiastic atmosphere is super-Roxy, of course, but all kept in impeccable taste.

The new Disney Silly Symph, 'Ugly Duckling,' interrupts the stage sequence. Jeanne Carl's 'Part Two of Seasonal Greetings' presentation is unfolded. Captioned 'In Quaint Williamsburg' her historic Virginia town which the Rockefellers rehabilitated, Leon Leonidoff has produced a beautiful flash, harking back to pre-Revolutionary holiday festivities. Bruno Maine's setting and Eugene Braunig's lighting enhance the presentation considerably. Marco Montedero, Willia Van and H. Rogge's costumes are likewise historically authentic and in general keeping with the decor.

Gambolling at the Capitol Gates-Williamsburg, was once the glamorous capital of the British colony of Virginia—the fashion parade is appropriately introed by Jeanne Devereaux and the ballet. George Meyer as the Town Crier segues into the Easter Parade. Albert Sillman has fitting supplied a bright set of new lyrics to paraphrase Gilbert and Sullivan in 'The Nonnets Sing the Glad the Spring,' which Marion Raber, Robert Landrum and the male choir from Radio City Music Hall put over feature. Billed as The Liverpool Trio, for some reason, the 3 Swifts, with expert club-swinging and juggling, are next, and a nice interlude. A patriotic finale by Russell Markert's ever-socko Rockettes takes it off on the upbeat.

The Music Hall Symph's chore features the concertmeister, whose personal violin soloing rates the special calcium. Frank Nowicki, incidentally, is the new associate conductor, along with Mischa Violin, under maestro Erno Rapee.

Despite the advent of Holy Week, biz was strong Thursday and Friday. Abel.

FOX, PHILLY

Philadelphia, March 31.

Joe Venuti's orch, Joe E. Lewis, Hal LeRoy, Neila Goodelle, Don Darcy, Adolph Kornspon house band; 'I'm From Missouri' (Par).

Flesh combo at the Fox at the show caught had much to overcome in the way of the p.a. problem, in the manner in which it succeeded was a tribute to the people in the show. It seems hardly conceivable that after spending thousands of dollars for talent, the house lets most of the acts' good qualities escape through mishandling of the amplifiers. P.a. system was turned up so loud that it was not only shrill and deafening, but was feeding back and emitting a squeal during the entire show.

Joe Venuti, backed by his crew of 11 sweet-swingers, heads up the proceedings. Opens with his fiddle, featured against the background of the orch, and continues to play nitty swing arrangements on the instrument throughout. It's rather a pleasant change from other jive bandleaders with clarinets and trombones, or the type that carries a fiddle but never plays it. Venuti, himself, with his thick gravel voice, is a nice switch from the accustomed gravity of band leaders.

Orch keeps up a stiff visual as well as musical pace all the way. It's highly entertaining with a variety of stunts, culminating in a wild takeoff on the March of Time. With one of the lads in the crew calling the turns in the manner of the M. of T. announcer, various other bandsmen do impersonations. Venuti fees off Hal Rubinoff and Hy Gardner in. Warbler Don Darcy follows with Carman Lombardo. Then the whole band takes part in the old but still funny bits of watching Sir Malcom Campbell whiz by and watching a tennis match. Nitty copy of a Bing Crosby is given by Darcy, and Venuti closes with a protruding jaw Mussolini that brings applause.

Vocalist Darcy, with the crew, isn't much on looks, but is ultra on voice. His swing version of 'Old Man River' is tops. Also does 'Masquerade Is Over.'

Joe E. Lewis serves as m.c. and comic. Here at the Earle about a year ago, he was pretty much of a flop. His line of patter was either too blue or was too sophisticated and passed right over the Earle audience. Since then, however, Lewis has built up a rep through a lengthy stay at the Walton Roof and adding a new material. So it's an entirely different story now. His English music hall brand of humor tops anything seen from an m.c. here in months. In some spots the material could still stand some toning down to a vaude audience, but most of it is surefire, including such stuff as a description of how deserving a herring (New Jersey) is a press agent. Much of the other Lewis stuff is already classical, including his 'Spanish and Chinese You Made de Pents Too Long.' He had difficulty begging off.

Hal LeRoy and Neila Goodelle, singles, complete the bill. LeRoy is the perpetual collegiate looking teenager and smooth as ever. His free-wheeling legs and eccentric bits rank him near the top for tapping in session to Venuti's fiddling of 'Honeysuckle Rose' is a pip, as are his own 'Boy It With Taps' and his encore without music, which he tabs 'Ad Libbing Around.'

Miss Goodelle's returns were also fairly strong. Attractive, she sells nicely and gives a toeflight rendition of 'Deep Purple.' She has a rather high voice (or so the Fox mike makes it sound), but shows good diction, range and flexibility in 'Shuteye' and 'Devil and Deep Blue Sea.' Herb.

ROXY, ATLANTA

Atlanta, March 30.

Gae Foster Roxyettes (16), Harry Stevens, Frances Trask, Jerry Lester & Davis, Judy Canova, Annie & Zeke, Mike Segal's house band (14); 'Breaking the Ice' (RKO).

Solid stuff in this show is concentrated in class routines by Roxyettes and Judy Canova, aided and abetted by Annie and Zeke. What is otherwise not so good.

House band's overture consists of bits from 'Connecticut Yankee,' following which Harry Stevens tries to take over m. c. duties. Opening line routine to 'Habanera' is fast and colorful.

Femmes make way for Frank and Pete Trado, so-so comedy twins, who sing a bit and dish up bokum and bamboozle, which, for the most part, proves inane. They get laughs toward end of their act, however, when one member shoulders the other and they appear as giant clad in long overcoat for some hoofing. Line reappears as a chorus dick, something that's prettily lighted, and they then fade back to reveal Mother and Davis, trouser-bearers. Lester gets results, although Roxy customers haven't much of a yen for this type of act.

Stevens, who claims Atlanta as his home, does his act in this spot. He plays Mexico fairly, and produces little better. He also attempts to cajole customers into some community singing, but succeeds poorly. His hoofing gets him nowhere, either.

Judy Canova, Annie and Zeke draw a big reception and get right down to work, their first number being the old hillbilly standby, 'Blow the Whistle, Mule Bell.' Trio then go down on 'Death of Jesse James,' with Judy giving full play to her voice trickery, good for laughs. They encore with 'St. Louis Blues,' and then were forced to deliver 'Dinah.'

Finale is a collegiate jamboree by Roxyettes to 'Mama Don't Allow.' Dance is speedy and girls are neatly clad in collegiate garb. Into the closing dance is worked jitterbug routine by Patsy and Billie McLaughlin, who in Atlanta recently judged winners in series of jitterbug contests staged by Roxy for past six weeks.

Show is clocked in fraction over an hour, about 10 minutes longer than in colleague's theatre, and this one could stand chopping. Stevens' announcements, for instance, are unnecessary.

Biz at this catching, second of four shows on opening day (30), was not so good. *Luce.*

ROXY, N. Y.

Art Jarrett, Paul Remos and Tony Boys (2), Dorothy Crooker, Gae Foster Girls, Paul Ash orch; 'Alexander Graham Bell' (20th), reviewed in this issue.

Art Jarrett heads one of the thinnest stage shows this house ever attempted to get by with. It's Holy Week and that in all probability is the answer. Jarrett himself is an agerial expectation that 'Alexander Graham Bell' is going to do all the drawing he knows is to be.

In addition to the receptive mood engendered by Jarrett's singing, the Gae Foster girls produce a beautiful spring effect in a swing routine. As usual, the line provides major backgrounding for the act.

Other acts are standard—Paul Remos and his two midgets, billed as Tony Boys, and Dorothy Crooker, control dancer. Miss Crooker is a novelty specialty, also not new.

Length of the feature, 97 minutes, has reduced the running time of the stage show to considerably less than previous weeks, and the Donner Fashion Forecast (20th) round out. *Char.*

STATE, N. Y.

Tony Galento, Joe Jacobs, Lew Parker & Co., Bea Sazon, Bryant, Raines & Young, Erskine Hawkins' orch; 'Honolulu' (MG).

Despite a pelting rain on the starting afternoon (Thursday, 30), there was strong attendance for first two shows here, principally because of Tony Galento's name making his initial stage appearance. Show runs an hour and 10 minutes, but not because of the Joe Louis parallel—he is to fight Joe Louis for the heavyweight title in June, as the 'two-ton guy' is not so long.

Accompanying the appearance of the 'warrior' from Jersey, there are window cards, replicas of the kind used to advertise fight shows. Galento is pictured with his hairy chest, scowl which is a placard reading, 'Don't expect no Clark Gable in me—and Joe Louis is no Frankenstein to me either.' This is calculated to steam up Louis, according to the sometimes loquacious Joe Jacobs, Tony's manager, and the word is around that the champ objects to being called a 'bum,' by which he means the kind of opponents—and others.

Show is spotty. Galento's principal contribution, outside of his use of pool parlor language, is a couple of bag punching. Lew Parker is the show's other comic and m.c. with a periodic routine that is only moderately funny. Bea Sazon is the main idea of the turn remains; that of getting laughs from the heckling of the audience. Fair.

On with Marcella Clair, Parker starts slowly. His act follows Bea Sazon and Galento. It may have been that the amplifier was turned on too loud, but Parker seemed to spoil his act by yelling at Gene Crosby, Paul Murdock, Miss Clair and Sid Gold is in trouble as regards a finale, which is a parody on Erskine Hawkins. Milton Frome, with Galento, is also too loud.

Act is spotted well when Hawkins and his colored bandsmen appear for the bill's best entertainment. Comprising 14 musicians, with the cornet, keeps away from the microphone knowingly after long familiarity with radio. The band's stuff is mostly made up of brasses, but the hot trumpet stands out, starting with 'High Society.' Best act here then cues the whole collection of specialties in 'Taint What You Do.'

Ida May Jones is the band's girl warbler, a light-skin who takes her time. She gives a leisurely rendition of 'My Heart Belongs to Daddy,' lyric being different than the original. She has the same tempo with 'Good Morning Blues,' but the audience likes her. The Four Ink Spots prove the bell-ringers of the band act. The boys sing called after 'Peepers' and 'Big Two Feet,' so the aggregation went into a jam session. Miss Sazon fairly, and individual little better. He also attempts to cajole customers into some community singing, but succeeds poorly. His hoofing gets him nowhere, either.

Judy Canova, Annie and Zeke draw a big reception and get right down to work, their first number being the old hillbilly standby, 'Blow the Whistle, Mule Bell.' Trio then go down on 'Death of Jesse James,' with Judy giving full play to her voice trickery, good for laughs. They encore with 'St. Louis Blues,' and then were forced to deliver 'Dinah.'

Finale is a collegiate jamboree by Roxyettes to 'Mama Don't Allow.' Dance is speedy and girls are neatly clad in collegiate garb. Into the closing dance is worked jitterbug routine by Patsy and Billie McLaughlin, who in Atlanta recently judged winners in series of jitterbug contests staged by Roxy for past six weeks.

Show is clocked in fraction over an hour, about 10 minutes longer than in colleague's theatre, and this one could stand chopping. Stevens' announcements, for instance, are unnecessary.

Biz at this catching, second of four shows on opening day (30), was not so good. *Luce.*

STATE, HARTFORD

Hartford, April 2.

Shirley Ross, Barbara Belmore, Harry Feldman and Billy Gilrath, Jerry braith, Louise Dunne, Ken Neely, Lorraine Barre, May Erickson, Sam Kaplan's house band; 'Love On Parole' (Mono) and 'Romance On the Run' (Rep).

Shrine Circus this week is keeping big attendance at the State to a maximum, with the overflow from the house, which normally puts on a new bill on Wednesday, was shuttled over to the State for the start of the show. Blonde torch singer warms up slowly, 'You Made Me Want to Love You,' stepping up with Berlin's 'I Love a Piano,' quite suited to her style, and then whamming 'em with 'Sixty Seconds.' Show opens excellently with Bryant, Raines and Young, a trio given to acrobatic, contortionistic and adagio dancing. This turn is plenty good for the stage or night spots. *Ibee.*

FLATBUSH, B'KLYN

Rita Rio's orch (12), June Carr & Jo Rollo, Willie & Eugene Howard, Billy Bacon; 'I Am a Criminal' (Mono).

'If you wanted to go to Hollywood, whose nose would you pick?'

'If I have to pick anybody's nose, to hell with it.'

This is one of the June Carr and Jo Rollo (New Acts) gags before the Flatbush vaude audience. It comes early in the show, but, later, Rita Rio, whose chassis is always on half-boiler, takes the kids on another tack when her lyrics in 'I've Got to Get Hot' include:

'I've got to be shakin'

To get my eggs and bacon.'

If spice is the life of variety, then this show is a clinch in material as well as marquee lure. In next to closing, Willie Howard does his bosom inspection in the 'Rigoletto' bit, and if parents don't begin asking, 'Is it vaudeville or is it burlesque?' then they ought to, will continue healthy, and all other odors must be laid to perhaps an oversensitive imagination.

Aside from the indigo, this is as good a vaudeville bill for which the Flatbush audience has, or, it could possibly ask. It has names, talent and punch from start to finish, with the show inside the house fulfilling the billing out front. With Rita Rio steaming up matters in front of her 14-femme orchestra, spotted on the stage, and Willie Howard on thrice in the layout, it's a laugh-filled bill that the commutation returns.

Miss Rio is m.c.'ing capably as well as high-grinding, bumping, singing and rendering her orchestra follows the tempo by watching her gyrations, and, along with the audience, she pays attention to the music. Which is just as well, the arrangements being quite mediocre, though the Howard crew acquit itself creditably in playing for the other acts. For the femmes, Miss Rio conducts a three-way stylist parade. She's changing her gowns at every exit now, each one designed to highlight her charms, and finally the soap-box crackpot with a head-pan stooge. He's a comedy wham.

Billy Bacon, who is the centre of the bill, doing three specials, only one of which, 'Working Girl,' is listed in the layout. She's opening with 'Hands' and then into the highly sentimental 'Grandma's Shawl,' an easy click. Then she has a number that probably knows her as well from the Yiddish theatre as from vaude.

Biz here opening night (Friday) was capacity at the last show, with standees still behind the back rail at the finale, but the management is having difficulty because of repeaters from the Bronx and three shows. The grosses are affected as a result, and a jack in the admish scale is being contemplated. *Scho.*

APOLLO, N. Y.

House line (16), Vivian Harris with Johnny La Rue, Sandy Burns & Johnny La Rue, Babe Wallace, Sweetie Pie, Winton & Diane, Teddy Hill's orch, with Lionel Hampton, Taylor, Dandridge Sisters (3), Tip, Tap & Toe; 'Pardon Our Nerve' (20th).

This show is on the upbeat in comparison to recent layouts at this Harlem vaude house, in the way of marquee value, but the 95-minute show opening night (Friday), while entertaining, seemed to consume that much time.

However, there is one mistake, in spotting Tip, Tap and Toe and Diane, ofay team. The pair are brightly tapsters and on tooks and personality would be better suited to a card downtown, but here, the duo are out of place.

Teddy Hill is the maestro this week and again emphasizes the house's need for a name band to draw. Hill's personality is personable enough and the crew plays sufficiently well to get by. With Hill is Lionel Hampton, band singer, who's none too strong. This is announced as her first pro date, but the customers seemed to like her opening night.

Sizzling smash are the Dandridge Sisters, Hill's old at the Lot Cotton Club, N.Y., show. They're gowned smartly, handle themselves well on the stage and put over song well, too. Tip, Tap and Toe do their standard taps on the large drum-shaped pad in unison and challenges. They're a smart booking.

Babe Wallace m.c.s, sings an 'original' number pleasantly and introes the entire bill in the finale. Sweetie Pie is a singer-dancer brought back for her second straight week here. George Willshire, Sandy Burns, Johnny La Rue and Vivian Harris are in the usual comedy skits and, as usual, they're bordering on the burlesque. But they get laughs.

Biz off opening night.

FOX, ST. LOUIS

St. Louis, March 31.

At Pearce, Vince Sheehan, Arlene Harris, Fanchon & Marco's 5,000-seater Fox finals Al Pearce totin' considerable fan worldwide than on his appearance here last year, when he hung up a house b.o. record during a one-week stand. Incidently this show, presented on the border of the orch elevator platform, is the first department in a year, but despite a terrific bally won't approach the mark hung up last year.

Pearce has a neat show; it moves at a swell pace within 65 minutes. Within the allotted time, he has room to 20, show starts with Hoff introducing Pearce, who returns the compliment, and then the Gandell brothers come on to click with 'Alexander's Ragtime Band,' one of three numbers wanted. Pearce and one of the girls do the 'Low Pressure Salesman' bit, which doesn't measure up to the standard of Pearce's radio chatter. Vic Hyde, talented performer once with Rudy Vallee, and now band pianist-vocalist, but his flipness is a distinct drawback. A little more modesty on Hyde's part would help.

Vince Sheehan, character screen-player, crosstalks with Pearce. Lyda Shutz, a swell Lucille Ball, does kicking and acrobatic dance turn, despite the small working space. Arlene Harris customary jewel-box chatter is slowed down a bit, but there are plenty of laughs in her conversation with the imaginary 'Mazie' and during a bridge game at the Sweetie West, tenor who came from Chicago to John Pearce's gang, scores with classical numbers. Harmonizing Mexicans, a coast-to-coast radio debut Monday (3), Bill Wright and Pearce team up for their usual bit, the routine and it isn't any better, or worse, than heard via the radio.

The comic singing of Andy Andrews, another tenor, ties up the show. 'I Cry For You,' his third encore, still had the customers yelling for more. Pearce makes his customary 'I hope, I hope' spiel to bring the show to an end.

Biz good, but far from sensational at show caught. Schu.

CAPITOL, WASH.

Washington, April 2.
Hudson Wonders, Paul Sydell, Edwin Steffe, the Lamberettons, Billy Bowers, Edythe Peabody, Phil Lampkin's house orch; 'Sergeant Madden' (M-G).

With four acts standing to gain by intimate presentation, town's biggest house forgets all about the biggest stage that this week and serves bulk of current revue from orch pit and ramp. Innovation should prove okay where talent is adaptable.

Starts without overture or announcement, with travelers opening on spangled multi-colored backdrop and a bare half-stage. Hudson Wonders, two gals, appear for swift rhythm tumbling and timeless acrobatics, highlighted by somersaults through hoop and flash double cartwheels. Pit floor is then raised level with ramp, which extends all way around orch, and house maestro Phil Lampkin takes over m.c. chore by introducing Paul Sydell, Dog man and his pup, Spotty, old favorites here, deliver tricks in slow, smooth tempo and finale, with pup balancing on Sydell's forehead, is a sock. Encore, for which Sydell uses another dog, is comedy smash built around dog's insistence upon doubling up into a knot on palm of his hand.

Edwin Steffe, local radio baritone, is in his stage debut. Mike worked badly at first, caught, nicely after two numbers, 'Song of the Open Road' and 'Got Plenty of Nothing,' by strong clear voice offset slightly stiff stage presence and, in finish, 'Road to Mandalay,' he scores solidly. Operatic interlude, in which house band works out pop waltz medley in lieu of overture, gets results. The Lamberetons follow, drops to standard level as couple sweeps onto stage before sunburst drop. Man in tails and tuxedo, sister chiffon, both young and attractive, win audience completely with swing waltz modified tempo, highlighted by smooth lifts and good timing.

Pair rises again and Lampkin brings on Sibyl Bowan to work at pit mike. Explaining 'I'm going to skip the movie about this time and let some people we all know,' she discards cape, does blonde wig and jumps into impersonation of a debutante, who thinks she is too good for you mugs, making her debut as a pop singer. Her interpretation of 'Stay Still of the Night,' gets into a row with Lampkin, the booth and finally is drowned out by the band. Follows with Cockney beauty contest winner; 'a girl of the First World's Fair,' embracing little Esther Ralston, who padding to Sally Rand with ostrich fan, and Aimee Semple McPherson, in red, white and blue spangles, doing 'Charge of the Light Brigade.' She socks with each.

Personality kid Eddie Peabody bounces out of wings next, brings his smile, his banjo and his stool to ramp mike and tears off a little Sir Echo,' in which he imitates two banjos simultaneously. He fiddles 'Listen to the Mocking Bird' and then comes back again with banjo to rip off 'Hold Tight,' which wows 'em. Biz fair. *Craig.*

RIVERA, B'KLYN

Benny Rubin, Three Sailors, Edna Janis, Ruth Rice Bolero, Ginger Harmon, Zinn Arthur's house orch; 'Mysterious Miss X' (U).

Except for one or two instances, this hour-long offering is satisfying throughout. Rivoli house now has the Zinn Arthur orchestra as a house crew, replacing Ted Eddy's aggregation, and the switch is for the better. Leader sings, too, adding two or three neat pops to the bill.

Benny Rubin m.c.s and his dialect comedy scores, but when he tries to toss 'em straight, they topple.

Edna Janis (New Acts) gets the lineup off with a bang. Her tap routines are excellently done, and she's tastefully costumed. Rubin's back again after Miss Janis to take over Arthur's baton while the band plays 'Masquerade Is Over' and 'Deep Purple.' Voice is okay, though he has occasional trouble reaching the high notes. Arthur and his crew may become nabe favorites. The 10-piece band behind him plays the show nicely and on its own at the opening with 'My Heart Belongs to Daddy' which has the band in the shelf exercising their palms. Arrangements, however, could be improved.

Click impression is continued with Mark Bolero, mimic, who has been around. Vocal impersonation of Fred Allen is maintained throughout the turn to introduce various angles. He does it with a bit of production; relieving the usual monotony of just calling 'em and giving them. Audience didn't want to let him off, demanding and getting encores.

Rubin slips in a tap bit done from a chair and a girdle bit aimed at the femmes. Does an original tune in prayer style to good returns, also.

Next spot is a letdown in the person of Ginger Harmon. Rubin gives her a build-up about her pictures, etc, and the net result of her time is a lot of noise. Liked by the kids, for there is their groove with her jitterbug vocals, but all of her songs are delivered in the same shouting style. She's an ear ringer rather than a bell-ringer. Does 'Begin the Beguine,' 'Ol' Man Mose' and, for an encore, 'Hold Tight' and 'A-Ticket,' done with any degree of rhythm but like the rest, loud.

Three Sailors close. They familiar looks wharm here, laughs rolling up one after the other. No changes in the turn; it's the same repertoire, capped by the same skipping bit that gets 'em off handily. Rubin tosses in a dramatic bit before the finale in talk-story style labelled 'Oh Lord, Please Help Those Refugees.' The predominantly Jewish neighborhood here accounts for it.

Arthur's band could be given more time for a couple tunes in between turns.

KEITH'S, BOSTON

Boston, March 30.

Wally & Verdyn Stapleton, Tommy Trent, The Oxford Boys (3), Lorraine & Rognan, the Honeys (3), Eddie Rosenwald's house orch; 'Star of Midnight' (RKO) and 'Lost Patrol' (RKO).

One of the surprise bills that gains momentum as it unfolds, winding up in a blaze of glory and thunderous applause. It is the type of show that should stir up a pack of word-of-mouth during the four days it runs here.

Wally and Verdyn Stapleton open with three jerky bits of dancing presented by comic touches. Some of the comedy just misses with the morning trade because it's on the wrong side, but the routines are presented in a showmanly way and this duo finishes with Wally Stapleton, accompanist, pianist, puppeteer, brings back his familiar act, still fresh and distinctive in its line. His puppets swing out in short order and registers well as the deucer. A rhumba dance duo with puppets in an X-ray spot is good opener.

Most extraordinary act on the bill is the Honey Family Trio, three girls, who close. Dressed in formal clothes, the sextet start off with a precision tap number and finale this with interpolations that are neither straight acrobatics nor conventional acro dancing—and done with the band tempo. From this point they sock with a whirlwind straight acrobatics, one after other, starting and ending in the same position.

Jeanne Lorraine and Roy Rognan, next to closing, offer a nonsensical sequence of gags and dancing. A boy Rognan is a subtle eccentric dance getting good response; and a hokum ballroom number lies up the show. Both have a well-acted and restrained burlesque comedy; however, Miss Lorraine sells it better. She looks like a good comedy possibility for rough-house comedies.

Oxford Boys (and a guitar), in the trey, stop everything! Skilled in mike technique, they rip off a series of band imitations, of which Ray Kyser, Kenny Sargent, Wayne King and Clyde McCoy rouse up a heap of spontaneous applause. Voices of 'Dark Eyes' and a 'Mickey Mouse Birthday Party' also sock. These boys go light on comedy, trying emphasis on their solid harmony, which is a relief in comparing them with other such acts.

Roy Rognan is a capable m.c., also forgetting the comedy and remembering the names of the acts he introduces. A special nod goes to the scenic department this week for an attractive band car and set. *Foz.*

NATIONAL, L'VILLE

Louisville, April 1.

O'Connor Family, Betty, Jack & Earl, Betty Sazon, John Elliott, Roberta, Lane (10), House Band (11); 'Scarface' (WB).

This layout, produced by Anton Schlika, is badly in need of routining. With a little tightening up it could be classed as passable stage fare, but the comedy spots are too soon. As the bill progresses the pace slackens, bringing the show to a drab finish.

Line (10) is first out for some passable terping, then come on later for three different routines and register in fair enough fashion. Willie and Jack O'Connor indulge in some comedy gags and dance, but not enough on the ball to click in faster company, given better material to work with. Pair's best stuff was liked by a preponderant male audience.

Betty Saxon pipes a pop over the p.a. system with a resonant pair of pipes, and then steps off a toe-tap, plenty okay. She is also on later

(Continued on page 53)

UNIT REVIEWS

WORLD'S FAIR REVUE

(STANLEY, PITTSBURGH)

Pittsburgh, March 31.

Barry Mirkin, Jonathan Fye, Quinn Sisters (2); Harry Janice, Ethel Rutherford, Bee Hive & Berry, Brice Santry, Ruth Rice, Rhythmettes (3) John Stanton, Three Chords; 'Ice Follies' (M-G).

'Round and 'round go the Major Bowes units and when they'll stop, nobody knows. This is the 'umpteenth to play WB distinct since the gongster first started sending them around and, from the looks of things, it's only the beginning. Audience reception opening afternoon (Friday) indicated the simon-pures have anything but worn out their welcome.

Pew-payers' enthusiasm, however, isn't exactly unsuccounted for in case of 'World's Fair Revue,' for it's one of Bowes' top-notchers. Current show capitalizes heavily on novelty. At least three or four turns go in for some pretty elaborate Indian or Legion of Nations costumes while a huge American flag drops from the flies. That's practically Ziegfeldian for a Bowes unit.

Dave Broudy's house band (15) is on the stage at opening, with Barry Mirkin doing a bit of a Jack Benny a nice-appearing lad, but inclined to be a little too wordy in his announcements. Next is Jonathan Fye, colored instrumental quintet that's just fair musically, but scores heavily in the show-off stuff. Quinn Sisters follow in attractive tap-dance-rope-spinning number for 3-D effects and finish with the inevitable mimic, without which no amateur collection is complete, comes next. He's Harry Janice and about par for the Bowes course.

Ethel Rutherford's grand opera warbling is only fair but spot's just right because she later appears tenant in puppet turn as a bosom-heaving diva, in which she's Ethel Rutherford and Harry Janice (name for you) land solidly with their knockabout comedy hooting (two men and a girl) and Berry keeps the show pace going with brisk session of sound-effects vocalizing. She has a nice personality and shows possibilities.

Ruth Rice (New Acts) has a show-stopping act. Her acrobatic stunts, and Rhymettes do fair in undistinguished harmonizing, with one of the girls also at a piano. Brice Santry, in cowboy get-up, gets music out of a tooth-brush and a pair of beans. He juggles bottles and bottles to simulate flock of different horses, and swings out on pair of ordinary tablespoons.

Marcette show, next-to-closing, is a definite novelty for an amateur unit, but needs some scissoring. Too long at present. Bee Hive and Berry, pair of comedy duo, play trumpet, bass fiddle, drums and even cymbal with their mouths.

Finale's that perb-of-all-nations flash with the Stars and Stripes, a regular George M. Cohan ta-ra. *Cohen.*

HIGHLIGHTS OF 1939

(CAPITOL, ATLANTA)

Atlanta, April 2.

George Boston, Fitz & Carroll, Lois Maree, Dave Tannen, The Three Olympias, Bobby Leidel's Cellotians house band (7) and Milt Henken's unit band (5); 'Burn 'Em Up O'Connor' (M-G).

The Three Olympias (Donald Hammond, Rollen Johnson and Robert Jewell) open this flashiest triple parallel bar act Capitol's customers have laid eyes on in years and they stress big. Lots of young, clean-cut and turn in a workmanlike job. Their tricks on the bars are definitely sock stuff.

Show starts with George Boston, assisted by Evelyn Cheret, in a 'Tennis Racket' act in which he performs pictures on a large easel. It's a distinct novelty and particularly pleasing to youngsters. Boston then takes over the m.c. duties and introes Fitz and Carroll, mixed dance team, who click with eccentric challenge hoofing and clowning.

Spotted next is Lois Maree in her 'Dance of the Cobra.' Femme, a looker, does an acro control dance to a special arrangement of modern tunes and gets over. Dave Tannen also clicks in his pantomime turn, featuring undressing of a maid of the gay 90's as compared to the way the gay young modern peel before hitting the hay. He also includes a comedy fan dance.

Boston, again assisted by Evelyn Cheret, then does some small magic tricks and turns, with the Olympias following.

There's 14 in the company, counting unit's five boosters.

Starting Friday (7), Capitol will switch from Sunday to Friday opening. Units that have been playing this spot have been breaking in for two days at Royal, in Columbus, which is managed by Lucius Lee Jenkins, Inc. In future, these units, which are assembled by Harry Clark, Chicago producer, will break in cold here. They will then jump to Columbus and from there travel to L. & J. houses in Macon, Waycross and Savannah.

Biz at this catching, first show Sunday (2), was full up. *Luce.*

SWING SCHOOL

(HIPP, BALTIMORE)

Baltimore, April 2.

Dave Barry, Four Jitterbugs, Two Swiss Rascals, Jack Barry, Two Twins, Joe and Marie Smith, Bill Boadway, Lynn Laurence, O'Brien & Goldberg, Felice Jule's house orch. (11); 'Fisherman's Wharf' (RKO).

Nice, fast moving Major Bowes unit this, with the inevitable bell ringers, prima donnas and baritones, happily absent. Utilizing special eye, emblazoned with swing terminology, to back up house orch moved from pit to stage, unit gets off to speedy start with Four Jitterbugs going to town in hectic style.

Dave Barry, m.c., is working in straightforward style and contributing some okay impressions of film and radio stars. He peers, for fast-moving comedy and musical sock. They have a hard time getting off. Jack Barry, who follows in imitations with name bands, is adequate and in keeping.

Boys in Twins, hoofers, utilize pair of miniature steps and drunk bit for click interlude, which holds up in good fashion with subsequent vocal contributions of Lynn Lawrence, who gives out with 'Having a Wonderful Time' and 'Ol' Man Mose.' Marie Smith, in session of okay hoofery, brings on her Pop, Joe Smith, retired heavyweight, who delivers an old-time buck and wing and joins offspring in challenge dancing.

There's some novelty in contribution of Bill Boadway, boy soprano, who essays duo of unusual numbers for his type of voice, 'Miss Milo' and the 'Italian Street Song,' both flashy and earning a beg-off. Comedy is supplied by O'Brien and Goldberg in some funny announcements, a bit dated, but good for a couple laughs. A strong hoofing bit takes them off. Finale re-introduces principals for series of strong curtains.

Biz okay. *Burm.*

NEW ACTS

TONY GALENTO
Joe Jacobs, Milton Frome (2)
Pugilistic
10 Mins.: one and full stage
State, N.Y.

Appearance of the next opponent to Joe Louis for the heavyweight championship is reminded of Hammerstein's Victoria, for Tony Galento is a fresh attraction, few of which appear at the State. Usually a fighter goes on the stage after he wins a title but here it's the reverse, because of Galento's crude color, principally built up by sports writers. This time the bruiser is taking no chances and is getting $2,000 plus a percentage.

Through the amplifier the noise of the crowd at a big fight is heard and a voice announcing 'the Orange orang-outang—Two-Ton Tony,' who hails from that suburb of Newark, where he conducts a saloon when not appearing as the most comic socker in the ring.

Galento is addicted to referring to all other fighters as being bums and sums up all opponents saying 'I'll knock-out Joe Louis.' It is not unexpected that the first line on entrance to Milton Frome, m.c., is 'Howya gum.' Dressed up in a canary yellow bathrobe and full length green tights, the 'mattress' on the fighter's chest is hidden.

Answering Frome's questions, Galento says he has been fighting 12 years and was never knocked down but once. He has been defeated, but Tony admits he kayoed the 'last 14 guys I met,' but doesn't answer, when queried, if he ever got licked. It is the cue for his manager, Joe Jacobs, to enter. Latter is the fight promoter who Tony yelled, 'you stole robbed,' when another of his pups lost a match, and at another time he observed, 'you should have stood in bed,' because another defeat was chalked up.

Accompanied with an extremely long cigar and a beret, Jacobs made a speech, showing little nervousness, he is used to facing crowds through the pugilistic platform. Concerning the fight with Louis, carded for June 28, he said one of his fighters (Schmeling) had knocked the champ silly and he had seen his man punched loco by Louis (the same Schmeling). However, he stated, no one can foretell the outcome of a heavyweight contest—and that's the truth—adding that any man with the two good hands can bring home the bacon. His remarks are directly opposed to the general opinion that Tony will be eclipsed by Louis.

The fat boy from Jersey is on the stage about three minutes. After Frome delivers 'Ranger' in a strong baritone, Galento appears in full ring regalia. Tony's best, at which he is something of a master. He then goes a short round with one Stanley Ketchel, Negro partner who appeared ready to drop after 'receiving' one of Tony's vaunted left hooks.

Galento mentioned something about 'being an actor now.' His principal talent is bag punching, and hoisting large glasses of beer to his lips, according to his own words.

He probably won't break any attendance records but will attract Jerseyites and maybe divert the average customer at the Loew house.

According to reports yesterday (Tuesday), Galento is abandoning any future career as an actor. He intends to play Newark, which on that date now looks off. State's gross is disappointing. *Ibee.*

RUTH RICE
Acrobatic Dancing
4 Mins.
Stanley, Pittsburgh

Miss Rice is a comparatively big girl, huskily framed, go in for acrobatic control stuff, but Ruth Rice appears to be plenty good. Type appears absolutely boneless and body seems made of rubber. Gal packs a wallop in practically every trick, and turn has novelty, too, inasmuch as she resembles more the strong-arm type than the mistress of the muscular. Femme's attractive and has s. a. in spite of weight she carries.

Act begins in regulation fashion, with the ordinary tricks, but quickly develops into something novel. Miss Rice throws herself into flock of pretzels. Finish is a wow. While her face is looking out at the audience, chin resting on floor, rest of gal's body is skipping around stage in circles at mile-a-minute clip. Looks for all the world like a headless whirling dervish.

Over big here and she had to come back for a Chaplinesque speech before mob would let her get away. *Cohen.*

JUNE CARE and JO ROLLO
Comedy, Dancing
10 Mins.; one
Flatbush, Brooklyn

June Carr came to the front when teamed with Jack Chocolier several years ago. Subsequently she acquired an assortment of partners, one of whom was Martin Mills, Kitty Carlisle and, now she's with Jo Rollo, a young, capable straight for her comedy.

As a dancer, Rollo is only fair in his one solo, but he's a capable, nice-appearing lad and a good straight. Her routines are quite standard by this time, but she's added a comedy opening in the form of drawers that's sure-fire for laughs. She's including her burlesqued adagio. The team's opening section of crossfire could be given stronger material; also a slight bath.

Gray click handily here in what approximated the opening slot in a stage-band show. *Scho.*

THELMA NEVINS
Songs
Top Hat Club, Union City, N. J.

Despite a fairly appealing personality and effective togs, Thelma Nevins disappoints as a songstress—at least for this spot. She might be more effective in more intimate surroundings, but even in a small size she is inaudible in all but her strongest tones, while her enunciation is murderous. Instead of singing a song and letting the lyrics tell the story, she emotes like a thwarted tragedienne. In all fairness, however, it must be added that when caught she was stymied by a brutal sound amplifier system.

With a few vital changes in technique, spotting in a small club and getting a passable mike, Miss Nevins might get by. *Hobe.*

GERTRUDE BRIEFER
Dancing
Top Hat Club, Union City, N. J.

Young lady is on her two turns (besides a brieffie finale with the entire company), the first a fairly impressive tap routine, the second a rather skillful high kick-acro number, and both dressed up with strikiness.

Dancing is just normally proficient, but what puts the act over is her attractive manner, tasteful costuming and, above all, her showmanship. *Hobe.*

Variety Bills

NEXT WEEK (April 7)
THIS WEEK (March 31)

Numerals in connection with bills below indicate opening day of show, whether full or split week

Loew

NEW YORK CITY
State (6)
Jean Davis
Dave Apollon Ray
Leon & Lucette
Ray Vaughan
SHEEPSHEAD BUSH
Pavilion
Cingalese Co
Henri Vadden Gis
Sukkatoff
STRATFORD
Broadway
Ralph Sylvester
Allen & Taylor

WASHINGTON
Capitol (2)
Fred Waring Orc

Paramount

NEW YORK CITY
Paramount (6)
Tommy Dorsey Orc
Frank Gahy
Del Rios
Bore & Estes
BUFFALO
Buffalo (7)
Phil Spitalny Orc

CHICAGO
Chicago (7)
Mischa Auer
Dick, Don & D
HARRISBURG
Aarons & Giantz
DETROIT
Capitol (7)
Major Bowes Co

RKO

NEW YORK CITY
Music Hall (6)
Jeanne Devereaux
Alyse Valentinoff
Val Ouaral
Marion Reber
George Mayer
Robert Lombrum
BOSTON
Keith (6-9)
Kitaroa
Kampus Kapers
Fox & Walters
Buck & Bubbles
Richards Adrian Co
Mallia & Thomas
CHICAGO
Palace (7)
Roxyettes
Frank Paris
Randall Sis
Peggy Taylor Co

Brown & Ames
(31)
Chester Hale Gis
Kim Loo Sis
Emmett Oldfield Co
George Beatty
CLEVELAND
Palace (7)
Artie Shaw Orc
8 Janslers
Wayne & Cass Daley
Brown & Ames
Tony Martin
COLUMBUS
Majestic (9-11)
Tom Keene Co
PITTSBURGH
Palace
Ted Lewis Orc

Warner

NEW YORK CITY
Strand (7)
Guy Lombardo Orc
Gene Sheldon Co
Doris Rhodes
(31)
Jimmy Dorsey Orc
Harry Savoy
Condos Bros
Judy Canova
Annie & Zeke
(4-5)
Joe Venutti Orc
Stella Goodella
Joe Lewis
Hal & Roy
PITTSBURGH
Stanley (7)
Tony Martin Orc

(31)
Major Bowes Co
READING
Astor (31-1)
Fenton & Cook
Walter Walters
Evans & Mayer
Dolinoff & Sis
WASHINGTON
Earle (7)
Tryon Sis
Kathleen Harris
Johnny Coy
Ann Lorrain
Shirley Mcrrow Colt
Emily Adrian
Hal & Roy
Gene Austin
(31)
Kay Kyser Orc

Independent

NEW YORK CITY
Roxy (7)
Paul Remos Co
Art Jorrett
Dorothy Crooker
Paul Ash Orc
ATLANTIC CITY
Ritz (6)
Ben Blue
Carol Bruce
Jeanne Clirk & C
Jim Bennett
Steel Pier
(8th only)
Helena Poyet
Mishon Bros
J Cedar Lopez
3 Greys
(One to fill)
(8th only)
Chilton & Thomas
Jack Durant
Helen Morgan
Joe E Lewis
Georgia Gis
BALTIMORE
Hippodrome (7)
Hudson Wonders
Rex Bros
George Tapps
Estelle Taylor
Walter Dara Wahl
Jerry Mann
Stata (9-12)
Bill Amos
8 Singing Ladies
(One to fill)

(3-3)
Drallin
Roy Lewis
Lavalle & Lockwood
PATERSON
Majestic (7-10)
Ross Bros
Mills, Stone & T
Faith Bacon
(One to fill)
Markett
(4-5)
Da Paron Duo
Morley & Angel
Al Lindell & S
Dava Seed Co
Hector Sylvester Rev
PHILADELPHIA
Earle (7)
Paul Nolan
Grace Daro
Bellet & Eng Bros
Maxsine
Fay's (6)
Olympics
Troy & Lynn
Larry Collins
Della Carroll
Marvin Lee
Sid Marion Co
Lonergan Gis
PITTSM
Broadway (6)
Rutoza
Bill Amos
Joy Fred Co
Master Bonnet Rev

London

Week of April 3

Astoria
8 Wallahies
Dominion
Rawlex & Landauer
G & J O'Dramanda
Haver & Lee
Trocadero Rest.
Hutch
Norman Allin
Cyril Pletcher
Great Singlees
Maxim Norman
Adam & Tron Orc
CAMDEN TOWN
Gaumont
Manis Scutter
Milo 3
Galliard 4
CLAPHAM
Granada
Radio Revellers
Dennis Lawrence
Phyl Jamieson
Bill Emmings
EALING HAM
Granada
Robert Bernard

Reen Tymott
3 Mitchell Sis
Trenier
Ralph Sylvester
Allen & Taylor
Kramlin 4
GREENWICH
Granada
Robert Bernard
Renee Dynan
3 Milsom Sis
HAMMERSMITH
Gaumont
J Mackayne Co
Henri Gendron Gis
3 Muskateers
ISLINGTON
Blue Hall
Lucille Benstead
Leon & Kiki
LEWISHAM
Gaumont
Eddie Gray
Jimmy Clark
Valda & Vann
Thelmina

Kramlin 4
TOOTING
Granada
Radio Revellers
Phyl Jamieson
Bill Emmings
WOOLWICH
Granada
Band Wagon

Provincial

Week of April 3

DUNDEE
Palace
Harry Gordon
Sadie Gis
Jack Holden
Clayton Gis
Nelier & Clere
Alan Jerome
Luxor Gull-Gall
EDINBURGH
Royal
Jack Anthony
Bond Revell
Desmonds & Clair
Loretta Gis

Eric Palmer
Jay Marella
Pat Rose
Jean Adrienne
St Jean Sis
Douglas, Rex & L
GLASGOW
Pavilion
Edison & Louise
Terry & Wilson
Fairweather & L
LIVERPOOL
Royal Shakespeare
Rooley Revell
Georgs Batton
De Haven & Page

Cabaret Bills

NEW YORK CITY

Arabian Nights
Arthur Raval Orc
Gypsy Romose
Marcelle Hanna
Linda March
Boyd Heathen
Alcoice
Armando's
Buddy Gardner Orc
Maris Spaulding
Pat Kennedy
Barney Gallant's
Angela Velez
Frank McFarland
Nellie Paige
Borsch & Dockery
Bert Frohman's
Buddy Wagner Orc
Diana Del Rio
Yvette
Bill Bertolotti's
Angelo's Rh'mba Bd
Blinks Spencer
Dorothy Jeffers
Frank McFarlane
Chita
Bill's Gay 90's
Emily Stevenson
Jim Phillips
Florence Herbert
Billy Lorraine
John Panter
John Elliot
Spike Morrison
Rudy Madison
Ann Schumeyer
Steven Lisa
Bernie Brown
Harry Donnally
Arthur Bedna
Harold Willard
Don Carlos
Cafe Savini
Grace Morgan
Marvin Park
Haywood & Allen
Ellen Rio
Lucienne & Ashnr
Casa Manana
Ozzie Nelson Orc
James Barton
Ben Barclay
Charles King
Tete Guilfoy
Harry Stockwell
Jack Cole Co
Debonairs
Allen & Kent
Capt Tinker Seals
Jack Johnson
Juvenile
Yacopi Tr
Sylvia & Christian
Art Lafleur
Chateau Moderne
Paul Dons Orc
Jill Roy
Gabriel
Lynn Russell
Martin Lamar
Georgs Rixon
Club 18
Jack Wita
Pat Harrington
Jerry Kruger
Lelly Kemble
Judy Rutledge
Frankie Hayes
Lulla Gaynes
Basia St Boyn
G Andrews Ora
Club Gaucho
Chas Muscia Orc
Pancho Villa
Tarrant & Dacia
Trini Plaza
Sinde
La Rhythm
Pedro Valli
Pablo Reyes
Maria Del Carmen
3 Gauchos
Cotton Club
Cab Calloway Orc
Bill Robinson
Sister Tharpe
Nicholas
Katherine Perry
Cecil Scottsboro
Glenn Jenkins
Ruby Hill
Son & Sonny
Myra Johnson
Yodey Choir
Diamond Horseshoe
Nobis Stella Orc
Don McGrana Orc
Fritzi Scholl
Buddy Doyle
Margot Brander
Frank Libuse
Tom Patricola
Joe Howard

Hotel Savoy-Plaza
Gerry Morton Orc
Hildegarde
Hotel St. Moritz
Basil Foreman Orc
June Forrest
Zonetti (& Dorrel)
Dell O'Dell
Hotel St. Regis
(Iridium Room)
Charles Baum Orc
Sam Jarvis
Eric Rolfer
Jane Nicholson
Don Jinrtun Orc
Spencer Sis
Dorothy Lewis
Hotel Taft
Enoch Light Orc
Peggy Ann
George Kiraz
Smith Howard
Light Brigade
Hotel Waldorf-Astoria
(Empire Room)
Hol Kemp Orc
Jerry Cooper
(Sert Room)
Emil Coleman Orc
Angne Enters
George & Jaina
Cobino Wright Jr
Hotel White
Lou Lane Orc
Charlie Nacy
Mimi Francis
Dell O'Dell
Jimmy Kelly's
Joe Canolo Orc
Ingn Borg

Francesca Williams
Fatzo Ogden
Scat Powell
Meyer's Cellar
(Hobokem)
Howard Blaine
Rosalinde Lewis
Martha Kovacs
Jerry Lopez
Barbara Eyton
Lodie Ehrenberg
Park Plaza
Charlie Murray Orc
Mary Cohen
Timmy Hagan
Siesta Carle
Ted Straeter Orc
Bob Knight Orc
Dick Smart
Sylvia Bennett
Peggy Healey
Anita Colby
Evelyn Kelly
Roanna Harry
Onyx Club
John Kirby Orc
Lil Hardin
Paradise
Vincent Travers Or
Place Elegants
Leo Lazaro Orc
Bill Forrest
Tommy Mills
Ben Kent
Irve Harris
Rex Gravitts
Queen Mary
Joe Ellis Orc
Connnie Fleyerton
Katherine Tets

Nonie Mitchell
Pat Chancellor Orc
Jimmy Korr & Boys
La Conga
Don Juan
Spike Featherstone
Evelyn Steele
Jerry Gallan
LaCinda Ricardo
Little Club
Jona Jones
Jack Marshall
Walter Dyson
Little Hungary
Valesca's Gypsies
Marco's
Leonard Keller Orc
Marcus Daly
Kay Gregory
Joey Lee Orc
Omar's Dome
Lillian Gibson
Charlene Jorda
Hal Brown
4 Squires
Palomar
Paloma
Eddie Bell
Gladys Bentley
Topsy's
Elmer
Arlett Jon
Taras & Masters
Nichols & Lance
The Mercer Bros
Dorothy Brandon
Chuck Foster Orc
Victor Hugo
Joaquin Garay
Skinnay Ennis Orc
Capriccio

Merry Monett
Marguerite & M
Ken Henrjson
Chuck Hanny Orc
Seven Seas
Danny Kavanna
Kay Silvar
Lillian Gibson
Al McIntyre
Eddie Bunn
Sleepy Hazle's
Sleepy Maxis
Jack Waldron
Joe Platkin
Andy Sorrell
Virginia Mathews
Moore & Lewis
Tommy Mallin Orc
Somerset House
Harry Ringland
Art Tatum
Jack Owens
Stage 3rd Cafe
Wally Vernon
Billy Young
Harry Galanti
Shamp Howard
4 Squires
Swanee Inn
Eddie Beal
Gladys Bentley

CHICAGO

Ambassador Hotel
(Pump Room)
H McCreery Orc
Betty Grant
Bell Hall
Ralph Cook
Kay Carlton
Roy Dietrich
Sally Jones
Jimmie Green Ora
Bismarck Hotel
(Walnut Room)
Ben Bernie Orc
Lucille Van Wm Houton
Piazza
Harry Gray
Charlie Schonke Or
Alda, Frances & S
Darlene O'Day
Blackhawk
Don Pedro Orc
Orin & Dorl
Blackstone Hotel
(Grand Ballroom)
Marguerite English
Pilner & Berl Ora
Blue Room
Evelyn Waters
Al Lane Orc
Kelsey King
Buck Hunt
Hill & Mae
Brevoort Hotel
(Crystal Room)
Florence Schubert
Charlene Mitchell
Grace Katrol
Norma Ballard
Brossard
Herb Rudolph Ora
Ginger Mae
Jerry Walker
Georgia La Rean
Joseph Bonn
Sylvia Tucker
Harry Simon
4 Londoneers
Chez Paree
Dick Buckley
Fre M'Crane
Shirley Ray
Ile Niles
Ralph Lindgren Or
Chez Paree
Cross & Dunn
Adelaide Hawley
Mary Raye & N
Kay Hyde
Weire Bros
Ken Murray Ora
Don Orlando Ora
Charles Kaufman
Ed Curtis
Gale Lawrence
Golden Spot
Sid Schapps
Charlene Baker
Evelyn Lee
Wendie La Rush
Marion Miller
Chandelier Room
Grand Terrace
Jean Brady
Tondelayo & Lopez
Ted Smith
Cindy Mahoney
Dot Adams
Dorothy Dell
Dusty Fletcher
Cecil Scottsboro Ora
F Henderson Orc
Gravemere Hotel
(Glass House Rm)
Toasty Pats Orc
Carl Rock
Maxine Kirk
Lorrajna Yosa
Harry's N Y Cab'ret
Jerry Bergen
Violet Love
Maxine Kirk
Emma Calder
Galante & Leonardo
Art Shaw Ora
Chas Engels Ora
Art Guilfoy
Al Wagner
Billie Myers
Lee Berling
Hickory Inn
Ken Rose
Joan & Eddis
Tom Garvey
Gondoliers Ora
Hi Hat
Lita Grey Chaplin
Margo Gavin
Betty Jackson
Kretlow Gis
Sid Lanz Ora
Ivanhoe
Helen Irwin
Alice Munson
4 Hawaiians
Keith Beecher Orc
L'Aiglon
Mary W Kilpatrick
Carlo Conaldi
Spyros Stamos
Jo Quixote Ora
Bunie Bolognini Or

Hotel La Salle
(Blue Room)
Vibra
Stuff Smith Ora
Gladys Madden
Jonah Jones
Liberty Inn
Dick Hugos
Helen Dorrtree
June West
Billy Hill
Fritzi Boy
Barbara Row
Rita Manning
Jimmie O'Neil
Jim Wiley Ora
Limehouse
Bob Tinsley Ora
Little Club
Tonua Tamaro
Richard Denster
Roland & Francine
Joe Kish Ora
McGraws
Al Copeland
Emmett Kloppar
Homer Roberts
Chuck Andrews
Lykle Ob
Phil Chenard
Melody Mill
Tiny Hill Ora
Allan DeWitt
Harold Osborne
Millstone
Ann Mitchell
Flo Whitman
Gris Lawrence
Betty Bartell
Dalia Bertell
Jack Roland Ora
Nyra Lou
Muriel Joseph
Susie Robbins
Sunset Ranch
Sharons
Minuet Club
Del Rose
Willa Runyon
Al McKinney
Verna Jordan
Art Fisher Ora
Morrison Hotel
(Boston Oyster House)
Manfred Gotthelf
Nameless Cafe
Julian Stockton
Vito Orc
Ona Mae
Carole Cleveland
Frankie Young
Evelyn Reed
Rose
Nappa Gardens
Genevieve Jacyna
Helen Gray
Dave Malcolm
Tony German
Jim Young
Kay Moore
Honey Hill
Jean & Wharton
Ruth Gordon
Sol Stocco Orc
Old Heidelberg
Old Heidelberg Co
Octet
Robert Kessler
Winn Strasho
Herr Louis & W
Herbla Orc
Paddock Club
Jane Connell
Margie Strong
Crystal Lake
Flo Polus
Chester La Roy Orc
Palmer House
(Empire Room)
Eddie Jackson Orc
Rufe Davis
Dick Rogers
Beverly Allen
Albert Sherman
Phil Dooley Orc
Parody Club
Flash Kramer
Ida Brown
Dolores Dorian
Kaytherine Atkin
Chic Sanders Ora
Playhouse
Helen Hart
Johnny Morrissey
Jean Cook
Charlene Rae
3 Hawaiians
Frank Davis Ora
Pump Room
Doris Folds
Dolly Koy
Eddie Wilvis
4 Witson Bros
Anthony, A & H
Al Sleet Orc
Mark Fisher Ora
Jack Gallagher
Frolics Ens
Chris Cross Ora
Irene Daye
Rendezvous
Bud Glens Orc
Dome
Sherman Hotel
(College Inn)
Spinning Tops

James Hamilton
Dancing Huckleys
2 Jitterbugs
Dud Bartell
Empire Boys 2
Jimmy Blada
Jerry Glidden
Kay Scholnick
Silhouette
Lorry Forbes
Joe Downey
Eddie Jenkins
Joan Boylor
Joey Conrad Ora
Silver Cloud
Bert Nolan
Millie Gross
Shutta & Kent
Lou Gutierman
Jean Sharon
Vi Gore
Hazel Zalus
Noel Richardson
Johnny Hall Ora
Silver Frolics
Cloire Fellow
Harry Harris
Roberto & Minto
Fay Wallace
Art Freeman
666 Club
Billy Carr
Sunny Carter
Connie Paseaw
Staff Lee
Dolores Del Rae
Marg Fabel Ora
Joel & Annette
Beatrice
Inez Scott
Aloha
Jessie Rosalia
Dagmar
Dolly Starling
Ruby Bennett
Patricia Ferry
Collette
Carmon
Sol Lake Ora
Tripoli 3
Sky Rocket
Marjorie Whitney
Dictators
Mathews & Shaw
4 Kings
Stevens Hotel
(Continental Room)
Rhythm Boys Ore
Bernard & G
Byton Gis
Stratosphere Club
Jerry Lester Rock
Frank Barbor
Subway
Ginger Sis
Opal Addi
Connie Bayes
Zona & Lani
Jackie Richard
Frances Thomas
Edith Mathews
Dolores Mae
Ruth Lee
Henry Sax Ora
Sud-Q
Baron Green
Saxon Sis
Chez
Jules Scott
Sam Bari
Verne Wilson Ora
Thompson's 16 Club
Ray Reynolds
Cyril Ryan
Patsy Thomas
Marie McCrody
Dot Keith Gis
Jessie Conrad
Helen DuWayne
Marion McCrody
Sammy Frisco Ora
Three Deuces
Bahr Brothers
Charles McBride
Lil Armstrong
Lonnia Johnson
(Off Beat Room)
Anita O'Day
Wingy Manone
Death Sisters
Lennie Estardell
Jimmy McHalland
Tower Inn
Mollie Mannor
Jack Rose
Inez Gonzan
Betty Gene
Lee Gis
3 Hawaiians
Frank Davis Ora
Trocadero
Chet Boswell
Mae Di Fill
Rosalie Kirman
Millicent De Witt
Jane Morris
Enid Phillips
Charlene Adler
Frankie Quatrel Ora
Hal Barber
Villa Moderne
Tony Cabot Ora
Whitman Gardens
Gigi Rana
Lee Harmon
Pat Allen
Nita La Tour
Virginia Gilbert
Lucille Johnson
Frances West
Nita La Tour
Hazel Jones
Frank Snyder Ora

PHILADELPHIA

Anchorage
Harry Hansell Ora
Jack Cluff
Renato & Dolores
Ruth Thompson
Margie Smith
Bellevue-Stratford
(Blue Room Rm)
Meyer Davis Ore
(Hungarry Room)
Frank Jelli Ore
Ben Franklin Hotel
(Garden Terrace)
Jeanne Clark
Gal Moran
Guy Romano
Bennny the Bum's
Mary Novis Orc
Hollywood Dobs (3)
Wilma Douglas
Lil Hunter
Trudnia & Jean
Jimmie Hinkle
Bobby LaRue
Emma Stokes
Club 209
Bob Ramp Orc
Le Rue Sis
Down Beat
Harry Roberts
Henry Patrick
Dutkin's Rathskel
Frank Pontl
Don & Dennis
Mimi Stewart
Cleo Valentine
Mary Monahan
Dorie Shea

Dorothy Lewis
Ann Lee
Jack Stanley
Russell Drocken

Lou Vnioro
Whirling Top
Geo Morris Ora
Paloma
Irene Stanley
Ann Gola
Lillian Gibson
Russell Drocken

LOS ANGELES

Beverly Wilshire
Brey Sis
Howard Gerrard
Harry Owens Ore
Cafe Caliente
Pancho
Diana Castillo
Julio Gerardo
Leo Lucas Dancers
Eddie Aguilar Ore
Cafe La Mae
Park Ave. Boys
Martha Mears
Marty Marsh Orc
Club Ball
George Yonni
Ben Fletcher
Club Versailles
Jerry Lester
Jiccle Sisters
Theodores
Chicco Ore

Earl Carroll
Paul Gerritz
Arzan & Broderick
A Robins
Igor & Tanya
Vivien Fay
Jane Dickens
Beryl Wallace
Jerry Colonna Gis
Dorothy Gerson
Reginald Craig

Archie Bleyer Ore
Ed Durant Ore
Ramona Gonzales
Maurice Kosloff Co
Emil Rosso Ore
Frank Sebastian's Cabanola
Eduardo Chenes
Lola Boyle Ore
Grace Hayes Lodge
Jackie Coogan
Grace Hayes
Charlie Foy
Joe Frisco
Charlie Foy
Lou Salles Ore.
Hawaiian Paradise
Loretta Fisher
Princess Luanna
Joe Sullivan Ore

Indigo Cafe
Sid Brown
Jimmy Eliard
Jack Frost
Val Harris

It Cafe
Cabanaros
Don Rudolf Ore

Jerry's Mandalay
Marguerite Fadis
Lt. Commander Jr
Surgeonant Jr
Noville Fleeson

Hotel Sherman
Ben Bernie Orc
Lucille Van Wm Houton
Piazza
Harry Gray
Charlie Schonke Or
Alda, Frances & S
Darlene O'Day
Blackhawk
Don Pedro Orc
Orin & Dorl
Blackstone Hotel
(Grand Ballroom)
Marguerite English
Pilner & Berl Ora
Blue Room
Evelyn Waters
Al Lane Orc
Kelsey King
Buck Hunt
Hill & Mae
Brevoort Hotel
(Crystal Room)
Florence Schubert
Charlene Mitchell
Grace Katrol
Norma Ballard
Brossard
Herb Rudolph Ora
Ginger Mae
Jerry Walker
Georgia La Rean
Joseph Bonn
Sylvia Tucker
Harry Simon
4 Londoneers
Chez Paree
Dick Buckley
Fre M'Crane
Shirley Ray
Ile Niles
Ralph Lindgren Or
Chez Paree
Cross & Dunn
Adelaide Hawley
Mary Raye & N
Kay Hyde
Weire Bros
Ken Murray Ora
Don Orlando Ore
Charles Kaufman
Ed Curtis
Gale Lawrence
Golden Spot
Sid Schapps
Charlene Baker
Evelyn Lee
Wendie La Rush
Marion Miller
Chandelier Room
Grand Terrace
Jean Brady
Tondelay & Lopez
Ted Smith
Cindy Mahoney
Dot Adams
Dorothy Dell
Dusty Fletcher
Cecil Scottsboro Ora
F Henderson Ore
Gravemere Hotel
(Glass House Rm)
Toasty Pats Orc
Carl Rock
Maxine Kirk
Lorrajna Yosa
Harry's N Y Cab'ret
Jerry Bergen
Violet Love
Maxine Kirk
Emma Calder
Galante & Leonardo
Art Shaw Ora
Chas Engels Ora
Art Guilfoy
Al Wagner
Billie Myers
Lee Berling
Hickory Inn
Ken Rose
Joan & Eddis
Tom Garvey
Gondoliers Ore
Hi Hat
Lita Grey Chaplin
Margo Gavin
Betty Jackson
Kretlow Gis
Sid Lanz Ora
Ivanhoe
Helen Irwin
Alice Munson
4 Hawaiians
Keith Beecher Orc
L'Aiglon
Mary W Kilpatrick
Carlo Conaldi
Spyros Stamos
Jo Quixote Ora
Bunie Bolognini Or

Hotel La Salle
(Blue Room)
Vibra
Stuff Smith Ore
Gladys Madden
Jonah Jones
Liberty Inn
Dick Hugos
Helen Dorrtree
June West
Billy Hill
Fritzi Boy
Barbara Row
Rita Manning
Jimmie O'Neil
Jim Wiley Ora
Limehouse
Bob Tinsley Ora
Little Club
Tonua Tamaro
Richard Denster
Roland & Francine
Joe Kish Ora
McGraws
Al Copeland
Emmett Kloppar
Homer Roberts
Chuck Andrews
Lykle Ob
Phil Chenard
Melody Mill
Tiny Hill Ore
Allan DeWitt
Harold Osborne
Millstone
Ann Mitchell
Flo Whitman
Gris Lawrence
Betty Bartell
Dalia Bertell
Jack Roland Ora
Nyra Lou
Muriel Joseph
Susie Robbins
Sunset Ranch
Sharons
Minuet Club
Del Rose
Willa Runyon
Al McKinney
Verna Jordan
Art Fisher Ore
Morrison Hotel
(Boston Oyster House)
Manfred Gotthelf
Nameless Cafe
Julian Stockton
Vito Ore
Ona Mae
Carole Cleveland
Frankie Young
Evelyn Reed
Rose
Nappa Gardens
Genevieve Jacyna
Helen Gray
Dave Malcolm
Tony German
Jim Young
Kay Moore
Honey Hill
Jean & Wharton
Ruth Gordon
Sol Stocco Ore
Old Heidelberg
Old Heidelberg Co
Octet
Robert Kessler
Winn Strasho
Herr Louis & W
Herbla Ore
Paddock Club
Jane Connell
Margie Strong
Crystal Lake
Flo Polus
Chester La Roy Ore
Palmer House
(Empire Room)
Eddie Jackson Ore
Rufe Davis
Dick Rogers
Beverly Allen
Albert Sherman
Phil Dooley Ore
Parody Club
Flash Kramer
Ida Brown
Dolores Dorian
Kaytherine Atkin
Chic Sanders Ora
Playhouse
Helen Hart
Johnny Morrissey
Jean Cook
Charlene Rae
3 Hawaiians
Frank Davis Ore
Pump Room
Doris Folds
Dolly Koy
Eddie Wilvis
4 Witson Bros
Anthony, A & H
Al Sleet Ore
Mark Fisher Ore
Jack Gallagher
Frolics Ens
Chris Cross Ora
Irene Daye
Rendezvous
Bud Glens Ore
Dome
Sherman Hotel
(College Inn)
Spinning Tops

Darlene Jones
Eddie Thomas
Jack Cluff
Renato & Dolores
Ruth Thompson
Margie Smith
Bellevue-Stratford
(Blue Room Rm)
Meyer Davis Ore
(Hungarry Room)
Frank Jelli Ore
Ben Franklin Hotel
(Garden Terrace)
Jeanne Clark
Gal Moran
Guy Romano
Bennny the Bum's
Mary Novis Orc
Hollywood Dobs (3)
Wilma Douglas
Lil Hunter
Trudnia & Jean
Jimmie Hinkle
Bobby LaRue
Emma Stokes
Club 209
Bob Ramp Orc
Le Rue Sis
Down Beat
Harry Roberts
Henry Patrick
Dutkin's Rathskel
Frank Pontl
Don & Dennis
Mimi Stewart
Cleo Valentine
Mary Monahan
Dorie Shea

Hotel Sherman
Ben Bernie Orc
Lucille Van Wm Houton
Piazza
Harry Gray
Charlie Schonke Or
Alda, Frances & S
Darlene O'Day
Blackhawk
Don Pedro Orc
Orin & Dorl
Blackstone Hotel
(Grand Ballroom)
Marguerite English
Pilner & Berl Ora
Blue Room
Evelyn Waters
Al Lane Orc
Kelsey King
Buck Hunt
Hill & Mae
Brevoort Hotel
(Crystal Room)
Florence Schubert
Charlene Mitchell
Grace Katrol
Norma Ballard
Brossard
Herb Rudolph Ora
Ginger Mae
Jerry Walker
Georgia La Rean
Joseph Bonn
Sylvia Tucker
Harry Simon
4 Londoneers
Chez Paree
Dick Buckley
Fre M'Crane
Shirley Ray
Ile Niles
Ralph Lindgren Or
Chez Paree
Cross & Dunn
Adelaide Hawley
Mary Raye & N
Kay Hyde
Weire Bros
Ken Murray Ora
Don Orlando Ore
Charles Kaufman
Ed Curtis
Gale Lawrence
Golden Spot
Sid Schapps
Charlene Baker
Evelyn Lee
Wendie La Rush
Marion Miller
Chandelier Room
Grand Terrace
Jean Brady
Tondelay & Lopez
Ted Smith
Cindy Mahoney
Dot Adams
Dorothy Dell
Dusty Fletcher
Cecil Scottsboro Ora
F Henderson Ore
Gravemere Hotel
(Glass House Rm)
Toasty Pats Orc
Carl Rock
Maxine Kirk
Lorrajna Yosa
Harry's N Y Cab'ret
Jerry Bergen
Violet Love
Maxine Kirk
Emma Calder
Galante & Leonardo
Art Shaw Ora
Chas Engels Ora
Art Guilfoy
Al Wagner
Billie Myers
Lee Berling
Hickory Inn
Ken Rose
Joan & Eddis
Tom Garvey
Gondoliers Ore
Hi Hat
Lita Grey Chaplin
Margo Gavin
Betty Jackson
Kretlow Gis
Sid Lanz Ora
Ivanhoe
Helen Irwin
Alice Munson
4 Hawaiians
Keith Beecher Orc
L'Aiglon
Mary W Kilpatrick
Carlo Conaldi
Spyros Stamos
Jo Quixote Ora
Bunie Bolognini Or

Hotel La Salle
(Blue Room)
Vibra
Stuff Smith Ore
Gladys Madden
Jonah Jones
Liberty Inn
Dick Hugos
Helen Dorrtree
June West
Billy Hill
Fritzi Boy
Barbara Row
Rita Manning
Jimmie O'Neil
Jim Wiley Ora
Limehouse
Bob Tinsley Ora
Little Club
Tonua Tamaro
Richard Denster
Roland & Francine
Joe Kish Ora
McGraws
Al Copeland
Emmett Kloppar
Homer Roberts
Chuck Andrews
Lykle Ob
Phil Chenard
Melody Mill
Tiny Hill Ore
Allan DeWitt
Harold Osborne
Millstone
Ann Mitchell
Flo Whitman
Gris Lawrence
Betty Bartell
Dalia Bertell
Jack Roland Ora
Nyra Lou
Muriel Joseph
Susie Robbins
Sunset Ranch
Sharons
Minuet Club
Del Rose
Willa Runyon
Al McKinney
Verna Jordan
Art Fisher Ore
Morrison Hotel
(Boston Oyster House)
Manfred Gotthelf
Nameless Cafe
Julian Stockton
Vito Ore
Ona Mae
Carole Cleveland
Frankie Young
Evelyn Reed
Rose
Nappa Gardens
Genevieve Jacyna
Helen Gray
Dave Malcolm
Tony German
Jim Young
Kay Moore
Honey Hill
Jean & Wharton
Ruth Gordon
Sol Stocco Ore
Old Heidelberg
Old Heidelberg Co
Octet
Robert Kessler
Winn Strasho
Herr Louis & W
Herbla Ore
Paddock Club
Jane Connell
Margie Strong
Crystal Lake
Flo Polus
Chester La Roy Ore
Palmer House
(Empire Room)
Eddie Jackson Ore
Rufe Davis
Dick Rogers
Beverly Allen
Albert Sherman
Phil Dooley Ore
Parody Club
Flash Kramer
Ida Brown
Dolores Dorian
Kaytherine Atkin
Chic Sanders Ora
Playhouse
Helen Hart
Johnny Morrissey
Jean Cook
Charlene Rae
3 Hawaiians
Frank Davis Ore
Pump Room
Doris Folds
Dolly Koy
Eddie Wilvis
4 Witson Bros
Anthony, A & H
Al Sleet Ore
Mark Fisher Ore
Jack Gallagher
Frolics Ens
Chris Cross Ora
Irene Daye
Rendezvous
Bud Glens Ore
Dome
Sherman Hotel
(College Inn)
Spinning Tops

Darlene Jones
Eddie Thomas
Jack Cluff
Renato & Dolores
Ruth Thompson
Margie Smith
Bellevue-Stratford
(Blue Room Rm)
Meyer Davis Ore
(Hungarry Room)
Frank Jelli Ore
Ben Franklin Hotel
(Garden Terrace)
Jeanne Clark
Gal Moran
Guy Romano
Bennny the Bum's
Mary Novis Orc
Hollywood Dobs (3)
Wilma Douglas
Lil Hunter
Trudnia & Jean
Jimmie Hinkle
Bobby LaRue
Emma Stokes
Club 209
Bob Ramp Orc
Le Rue Sis
Down Beat
Harry Roberts
Henry Patrick
Dutkin's Rathskel
Frank Pontl
Don & Dennis
Mimi Stewart
Cleo Valentine
Mary Monahan
Dorie Shea

Carolyn Bell
Rainbow Grill
Barry Winton Orc
Marlyan & Michael
Rainbow Room
Roby Newman Ore
John Hoyerdat
Gower & Jaine
Eddie La Baron Ore
Boyd Heathen
Russian Kretchma
Yasha Nikogosov
Marika Volkakova
Daria Birse
Dorothy Sax
Dolores Brown
Constantin Capellova
Sonia Kazanoff
Michel Michon
Serge Jaroff Ensemble
Volodio Katov
Gesia Pobedina
Show Bar
(Forest Hills)
Sleepy Hall Orc
Bill Hannon
Lucille Ann
Julie Cassard
Berlice Manning
Chickie Goldwyn
Stork Club
Sonny Kendis Orc
Monchito Orc
Top Hat
(Union City, N. J.)
Julie Wints Ore
Vera Lane
Gertrudis Brieter
Thelma Nevins
Vernon
M Bergara Ore
Marjorie Gainsw'rth
Franchito Ore
D'Avalos Dancers
Village Barn
Howard Phillips Ore
Gwen Williams
Freda Sullivan
Joey Ray
Zeke & Elmer
Paxton
Polly Jenkins Co
Neil & Nolan

JACK POWELL
SHEA'S TORONTO THIS WEEK
JOINING
JOAN DAVIS SHOW
WEEK APRIL 14
PLACED BY
EDDIE SMITH
22 W. 46th St., New York

Joan Grey
Billy Burns
James Regan
Sunny & R'Duval
Ann Ayres
Wolly Wanger 3
Jack Gutterman's
Little Club
Roger Steels Ore

EARLE THEATRE
WASHINGTON
APRIL 7th
3 RYANS
Placed by
MARK J. LEDDY

Gladys Fay
Princess Aloma
Story Lane
Tanya
Lee Leslie
Carter & Schanh
Terry Bignon
Peggy de la Plante
Monimentrice Boyce
Gowser & Jaine
Bid Hawkins
Maggi Comfort
Gonzales & Christine
John Blackwood
Gene Walters
Kit Kat Club
Dorothy Sax
Dolores Brown
Robert Robenson
Teddy Hale
Velma Middleton
La Marquise
Bill Palermo Ore
Gloria Whitney
Harold Leonard
Frank Connelly
Nino Nonne
Larue
Eddie Jackson Ore
Joseph Smith Ore
Le Coq Rouge
Geo Stromar Ore
Anne Francine
Tiedale 3
Le Mirage
Mario & Merin Ore
Lucille Johnson
Lucille Johnson
Lucille Marlow
Byrnes & Swanson
Lucille Williams
Randolph Cox
Rhoda Sherman
Ellen Reed
Le Ruban Bleu
Herbert Jacoby
Allison Cook
Granadin Parrega
Marie Eve
Mario Ore
Leon & Eddie's
Lou Morrin Ore
Lou Morrin
Iris Adrian
Mickey & M Ford
Beryl Cooper

Ted Lewis Orc
Tommy Dorsey Orc
Frank Gahy
Del Rios
Bore & Estes
BUFFALO
Buffalo (7)
Phil Spitalny Orc

Major Bowes Co

Warner

NEW YORK CITY
Strand (7)
Guy Lombardo Orc
Gene Sheldon Co
Doris Rhodes
(31)
Jimmy Dorsey Orc
Harry Savoy
Condos Bros
Judy Canova
Annie & Zeke
(4-5)
Joe Venutti Orc
Stella Goodella
Joe Lewis
Hal & Roy
PITTSBURGH
Stanley (7)
Tony Martin Orc

(31)
Major Bowes Co
READING
Astor (31-1)
Fenton & Cook
Walter Walters
Evans & Mayer
Dolinoff & Sis
WASHINGTON
Earle (7)
Tryon Sis
Kathleen Harris
Johnny Coy
Ann Lorrain
Shirley Mcrrow Colt
Emily Adrian
Hal & Roy
Gene Austin
(31)
Kay Kyser Orc

Independent

NEW YORK CITY
Roxy (7)
Paul Remos Co
Art Jorrett
Dorothy Crooker
Paul Ash Orc
ATLANTIC CITY
Ritz (6)
Ben Blue
Carol Bruce
Jeanne Clirk & C
Jim Bennett
Steel Pier
(8th only)
Helena Poyet
Mishon Bros
J Cedar Lopez
3 Greys
(One to fill)
(8th only)
Chilton & Thomas
Jack Durant
Helen Morgan
Joe E Lewis
Georgia Gis
BALTIMORE
Hippodrome (7)
Hudson Wonders
Rex Bros
George Tapps
Estelle Taylor
Walter Dara Wahl
Jerry Mann
Stata (9-12)
Bill Amos
8 Singing Ladies
(One to fill)

(3-3)
Drallin
Roy Lewis
Lavalle & Lockwood
PATERSON
Majestic (7-10)
Ross Bros
Mills, Stone & T
Faith Bacon
(One to fill)
Markett
(4-5)
Da Paron Duo
Morley & Angel
Al Lindell & S
Dava Seed Co
Hector Sylvester Rev
PHILADELPHIA
Earle (7)
Paul Nolan
Grace Daro
Bellet & Eng Bros
Maxsine
Fay's (6)
Olympics
Troy & Lynn
Larry Collins
Della Carroll
Marvin Lee
Sid Marion Co
Lonergan Gis
PITTSM
Broadway (6)
Rutoza
Bill Amos
Joy Fred Co
Master Bonnet Rev

London

Week of April 3

Astoria
8 Wallahies

Irving Brasslow Orc
Ta Chen
Kay Laverly
Margaret Marshall
Jack Marston
Virginia Howard
William Vesma
Jean Sutherland
Jeanette Marquette
Sherry Lee
Bobbie Shelby
Arlett Withers
Ivon Thomas Orc
Embassy
Billy Maple
Alice Andrews
Edith Roark
Lois Mathews
Dolores O'Neill
Al Moore Orc
Pedro Blanco Orc
George Clifford
Evergreen Casino
Beth Chinlis
Shelvinne
Wally Rand
Avon Sis
Marion Wells
Al Eldrich
Jo Mills Orc
1332 Club
Swing King Orc
Tommy Monroe
Ethelind Terry
Eileen Barcelee
Dolly Parker
June Davis
Dorothy Tanner
Betty McKee
Francis Lanoz
Mitzi Lanoz
Florence Holman
Franklin Roosevelt's Band
Jean Stewart
I Bishop Brow
Ben Perry
De Mayos
Yvonettes (6)
Bobby Morrow Orc
Harris Tavern
Alabama Cotton
Bobby Lyons
Greta LaMart
Betty Thomas
Hildebrand's
Charlie Reid
Dorie Elliott
Normee Lewis
Matto & Thereese
Pauline Hilton
Richard Beck
Bobby Lee Orc
Dee Dorea
Jack Lynch's
Charles Smith
Vincent Rizzo Orc
Barney Zeeman
Cheney Orc
Joe E. Lewis
Helen Morgan
Gloria Gilbert
Betty Brodel
Maclovie Ruiz
Herb Dickson
Jimmy Blake
J J Smith Glo (16)
Joe Frosetto Orc
Little Rathskeller
Ralph Lewis
Betty & Jim Love
Peter Ross
Pat The Chan
Gene Ford
Victor Hugo Orc
Johnny & George
Maggie's
Helen Maxwell
Merle Clair
Lena Arleto
Bucky Shores
Joe Kim
Kate Smith
Walt Wadman
Manon Inn
Leonard Cook
Billie Richmond
Ferdez & Lorenzo
Bob & Betty Starr
Bronzeau Marcelonia
Billy Gates Orc
Open Door Cafe
Bob Ridley
Rose Nagell
Hawaiian Ore
Viola Kiesle Ore
Purple Derby
Jean O'Neill
Andy Russell
Buck Cahlhun
Betty Weeks
Margie Mealey
Jean Lamar
Dotty Moore
Bobby Carr
Joe Bryant Ore
Ray Allen Ore
Rendezvous
Midgie Fellows
Ford, Marshall & J
Sieleta Allen
Miller Sis
Ann Sullivan
Rose Irwin
Bob Hargraves Ore
Stamp's Cafe
Bert Lemin Ore
Dot Lanzi
Jack Hutchinson
Johnny Welsh
Andre & Francis
Debe Sherman
Gertie & Marquis
Vic Kerson
Silver Lake Inn (Clementon)
Mickey Femiliant Or
Albertina Rasch
Armand & Juliana
Jan Jones
George Reed
Venice Grille
Jack Rich
Fay Ray
Joey Mayers Ore
Elaine Foster
Toni Redfield
Viking Cafe
Billie Callahan
Jo Kostrzewa
Jerry Dilmar Ore
Whirling Derviches
Helen Brooks
Peppettetes (3)
Leslie Ray
Lois
Bobby Jones
Village Barn
Bobby Jones
Jackie Miller
Frances Carroll
Billy Lee
Kay Allen
Alex Gray Ore
Chas & K Joy
Wagon Wheel
Tommy Hahn
Joen Marie
Joe O'Shea
Allworth & Yvonne
Al Wilson
Al Bastian Ore
Weber's Hof Brau (Camden)
Ilse Hart
Rudy Rudder
Jules Fiecco Ore
Helen Worthington
Goodrich & Nelson
La Lucy
Joan Gardner
Belmont Bros
Pat Cranford
Bill Jones
Gold Stripe
Sigmund Sarmino
T & T Shellahn'mer
Internationale
Eldredge Ore
Yacht Club
Kitty Mahoney Ore
Roberta Ramsey

MILWAUKEE

Athletic Club
Hal Munro Ore
Bert Phillip's
Pep Bakler Ore
Ethel Seidel
Palm Palm Garden
Eddie South Ore
Louis Mason
Blue Moon
B Davidson Ore
Virginia Rosen
Ray Jeremy
Gale Parker
Centennial Club
Bud Vloni Ore
Chateau Club
Shannon Ores Ore
Johnny Foat
Jimmy & Nora Bell
Jack Herbert
June Carson
Dorothy Mayo
Edith Rae
Don & J Jennings
Lee Bartell
Donta
Bert Gilbert
Martin Barrett
Patsy Marr
Doris A Cooney
Clover Club
Harry Weber Ore
Phillip Phillips
Eve Thornton
Marge Young
Eleanor Gall
Jean Hurley
Flo Radke
Don Kranich
Jason
Club Forest
Virginia Grey
Herding Dickson
Jean Kaye
Vera Welsh
Club Madrid
Jimmy Rogers Ore
Roland & Francine
Rebecca Page
Petricia Page Gia
Morgarette Claudet
Lolita Roche
Zita & Jackie
George Moore
Harold Hale
Therese Rudolph
Club Sahara
Geo Corwin Ore
Club Verde
Gordon Ganschore
Mona Henderson
Ruth Warren
Phil Kestin
Kathleen Kaye
Claudia Parris
Dale & Dale
Congo Club
Irma Kline
Riff & Raff
Bob Freeman
Mary Reed
Jeff Thomas
Leonard Gay Orc
Cornies Ship
Bill Davidson Ore
Ben Boe Ore
Ralph Lewis
Bailey & Lamart
Devines Eagles
Steve Swedish Ore
Dorothy Dale
Dorothy Dale
Red Robinson Ore
Gloria Gale
Jimmy La Palma
Howard Geiger
Motel Schroeder (Empire Room)
Billy Baer Ore
Roy Lane
Vim Hofmann
Paul Mann
Blobanski 8
Keri Batsch's
Sepple Bosch Ore
Maiane Ames
Walter Merhoff
Larsen's
Ray Mac Donald Ore
Last Round Up
Jimmy Raye Ore
Ken Lewis
Lindy's
Rick & Snyder
Victor
Rita Burke
Log Cabin
Carl Bergman Ore
Moulin Club
Helen Holmes
Marion Walters
Marie Douglas
Marcella Paige
Ginnie Shirley
Joen Baird
Peggy Geary
Gene Emerald
Harriet Cross
Marie Carroll
Johnny Davis Ore
Milwaukean
Bobby Meynard
Oasis
Marty Gerny Ore
Smooke Hartman
Old Heidelberg
Mary Beth
Eddie Kipp Ore
Donna LuPae
Allen Dunn
Jackie Farwell
Ginger & Louise
Sandra Darlow
Open Door
Tinney Living'd Or
Larry Neiman
Parkard Balloon
Al Cavalier Ore
Paradise Gardens
Bill Kingsley Ore
Paris
Art Rochel Ore
Planiation Club
Bert Bailey Ore
Jerry Webb
Plantation 6
Brown & Lyons
Myrtle Thomas
Hunky Brown
Rendezvous
Betty Moson
Helen Gregor
Carol Cleveland
Dotty Norman
Katherine Kaye
Alma Grant
Bob Matheson Ore
Rose
Jean Allen
Pat Marvin
Helen Allen
Rosemo Brownwell
Rose Vine
Vindick Sis
Harvey Lee Ore
Sealer's
Tony Bauer Ore
Marie Lacky
Jessie & Viola
Dorothy Hamilton
Bing Burdick
Roma Dugolle
Schwartz
Bob Eberle Ore
Lee Lefkowitz Ore
Six Point Club
Cooper Reda Ore
State Gardens
Harry Berger Ore
Florence Ball
Mildred & Seeley
Ann Helene
Evelyn Lee
Irene Schrank
Flo Smith
Jimmy Little
Peggy Hall
Sunset Club
Eddie Apple

CLEVELAND

Alpine Village
Otto Thurn Ore
Woode & Bray
Marbert & Ryan
Margaret Aemmer
Hans Hirchner
Avalon
Hy Herron Ore
Bert Lathrop
Carol Chapelle
Alcazar Club
Troy Singer Ore
Judy Black
Cedar Gardens
Duke Melvin Ore
Hackie Hill
Chateau
Pete Gerard Ore
Leon Leff Ore
Art West
3 Fairmens 1 Fellow
College Inn
Norman Brill Ore
Freddie's Cafe
Tony Emma Ore
Guy Cherney
Bart & Allison
Yvon Nova
Eddie Barnes
Texas Rockets
Golden Glow
Paul Simonetti Ore
Sherry Finney
Del Grey
Gourmet Club
Louie Cina Ore
Gloria Glamoure
Hatton's Club
Lenny Colyer
Bob Armstrong
Rose-Marie
Ivan Green
Rock-Cadillac Hotel (Book Cadillac)
Bob Crosby Ore
Manno & Strafford
Charles Carlile
(Motor Bar)
Peter Kent Ore
Chesse-Tumbler
Jimmy Gargano Or
Frankie Little
Harry Jackson
Mitchell & Reyburn
Bob O'Grill
Ginger Sutton
Commodore Club
C Cassello Ore
Lee De Bein
Oldtimers 4
Rita & Rubena
Sorell
Una Cooper
Lovely Ladies (4)
Club Frontenac
Baker 2 Ore
Vicki Lorraine
Merlin Kay
4 Kingsels
Jay Jason
Sweethearts (5)
Cliff Bell's
Kaye Andre
Gardner Smith Ore
Hotel Statler (Terrace Room)
Xavier Cugat Ore
Carmen Castillo
Judy Lane
Eddie Ashermann
Casaloma Band
Paul & Eva
Imperial Club
Don Carini
Geo Salis & Jo-Jo
Tic Tac Top
Joey Feldstein Ore
Natalia & Howard
Eleanor Leonard
Al Gale
Town and Country Club
Knight & Day
Robert Ray
Lucione
Virginia Davis
Madeline Gardiner
Betty Hampton
Allcon Rondn
Jimmy & Nella
Merry Hoff
Cameo & Dee
Debutantes
Toy's
Cass Carlile Ore
26th & North Club
Kay Crandell Ore
Tower Theatre
Miron Stuert Ore
Jinne Rubey
Shotta, Ill. Kent
Dolly O'Den
Woodard Sis
Bobbie Stuert
Wiehle Furniture
Bill Schweitzer Ore
Jack Foster
Velle Jay Ore
Meureen Rosey
Reopie & Mann
Wisconsin Roof
Bill Carlisen Ore
M Meyer Ore
Nic Harper Ore
Tom Gallagher
Capps Lewis
Jean Jacques Ore
Arnold Dupre
Zunker Gardens
Lyn Glenn Ore
Lake Erie
Kny Buch
Don & Lou
Lou Emile Ore
Hotel Cleveland
Gene Erwin Ore
Walt Sanford Ore
Hotel Fenway Hall
Willard Betts Ore
Betts Allen
Hotel Sterling
Marty Gaylord Ore
Gayle Gaylord
Hotel Hollenden
Sammy Kaye Ore
Peter Parker
Frank Cook
Jack & Jill
Romaine
Hotel Statler
Dick Stabile Ore
Evelyn Knight
Glover & LaMae
Jack & Kathe's
Chick Williams
Arlene Rice Ore
Vic Corpora
Lindsay's Sky-Club
Nelson Gardner
Herold Simpson
Moonlight Cafe
Rose Pierce Ore
Merlynd Maynard
Moonlight Club
Orville Rend Ore
Southern Tavern
Paul Ricardo Ore
Don Kaye
Nick Kenyon
Ubangi Club
Tommy Barnes Ore
Harold Collins
Ethel Avery
Jean Harris
Sonny Carr

DETROIT

Ambassador
Billy Meager
Bill Tracey
Brucettes
Geo Lorenz Ore
Book-Cadillac Hotel (Book Casino)
Bob Crosby Ore
Manno & Strafford
Charles Carlile
(Motor Bar)
Peter Kent Ore
Chesse-Tumbler
Jimmy Gargano Or
Frankie Little
Harry Jackson
Mitchell & Reyburn
Bob O'Grill
Ginger Sutton
Commodore Club
C Cassello Ore
Lee De Bein
Oldtimers 4
Rita & Rubena
Sorell
Una Cooper
Lovely Ladies (4)
Club Frontenac
Baker 2 Ore
Vicki Lorraine
Merlin Kay
4 Kingsels
Jay Jason
Sweethearts (5)
Cliff Bell's
Kaye Andre
Gardner Smith Ore
Hotel Statler (Terrace Room)
Xavier Cugat Ore
Carmen Castillo
Judy Lane
Eddie Ashermann
Casaloma Band
Paul & Eva
Imperial Club
Don Carini
Geo Salis & Jo-Jo

PITTSBURGH

Anchorage
Ruphie Morris Ore
Maynard Deane
Arlington Lodge
Art Jones Ore
Baloonades
Ted Waldon Ore
Sally Cairns
Bill Green's
Tommy Carlyn Ore
Johnny Zeller
Club Petite
Freddie Castle Ore
Terry Holmes
Rae Russell
Lary Lane
Deva Jeffreys
Cork and Bottle
Jack Davis
Eddie Peyton's
Johnny Redion Ore
Jerry O'Donnell
Harlem Casino
Sberdina Walker Or
Hallam Gardens
Etzi Covato Ore
Bernie Perella
Michael Strunge
Dance Darlings (6)
Johnny Harris
Dick Smith
Betty Sylander
New Penn
Joe Ravell Ore
Laverne Kidd
Jack Kelly
Lee Burke
Ward Sis
Nixon Cafe
Al Mesico Ore
Bob Carter
Seron 2
Lucy Ray
Shayne & Armstr'ng
Angelo & Dina
Claire Ray Gie
Pat House
Al Sherman
Jack Levin
Lee Duffoff
Harry Noskoff
George De Costa
Al Mazur
Jim Buchenon
Plaza Cafe
Jimmy Hayes Ore
Adele Currie
Lynn Davis
Dewey Moon
Betty Burke
Billy Cover
Le Roi
Riviera
Joe Lee Ore
Show Boat
Al Fremont Ore
Louis Cassier
Joen Gray
Billy Keaton
Barbara M'Donald
Santos & Elvira
Lena & Carlos
Brent, DeW'd & M
Jack Rizzo
Line (12)
Webster Hall
Nelson Maples Ore
Buzzy Kounts
Will Ward
George Weber
Union Grill
Tony Lanzetta
Art Tegolio
Frank Natale

After 41 Years, Josef Hofmann Switches Mgrs.

Josef Hofmann, pianist, whose 41 years' business association with the management of Richard Copley terminated with the latter's death recently, has signed with Metropolitan Musical Bureau. (F. C. Coppicus and F. C. Schang), subsid of Columbia Concert Corp. (CBS).

Hofmann, first artistical of the season at Carnegie Hall April 15 terminates the artist's Copley hookup.

Janssen Back in Baltimore

Baltimore, April 4.

Werner Janssen, for the past two seasons conductor of the municipally controlled Baltimore Symph, has been re-engaged for next season.

Plans being worked out by Frederick R. Huber, municipal director of music, call for an increase in number of concerts next season.

New Invention

(Continued from page 1)

the stage appeared to fly in the spectator's face.

Under Grandchouse's process, he uses a screen 15 x 30 feet, as against the standard 13 x 18. The screen moves sideways in a theatre into the wings and out of sight when cutting to the stage action. It is electrically controlled and will take any color to suit the action desired. Also, the screen is perforated so that parallel action can be shown. In other words, if the screen portion of the show embodies exteriors, mob scenes, ships at sea, an airplane crash, or a horse race, but with a group of actors in the flesh on the stage, as though part of the scene, this could be done simultaneously for effect.

Large Screen

An important phase of the Greathouse method deals with the photography—with actors, if wanted—of large exteriors and other atmospheric scenes, which cannot be used on the legit stage. If deemed "parallel action" isn't desired for called for by the script, then the show would cut from a storm scene, for example, to living characters on the stage that are concerned in the storm.

The same size actors on the film as in person would have to be used under the process so that illusion is not distributed. Thus, in the film portions of a film-legit play, there would be no closeups or three-quarter figures. While the same talent as employed for the stage appears scenes on the stage could be used for the film portions, such contingencies as change of cast, deaths, etc.—or the desire for more than one company of the show—is taken care of by avoiding film scenes that do not too closely identify the talent. However, just as doubles are used in films for certain scenes, so can this be done under the Greathouse system.

Although doubles can be dubbed into screen portions if humans are so used in the film scenes as to make that desirable, the film would be shot silent in any case. In the event a scene of Broadway is called for, the noises of the street, auto horns, etc., would be dubbed in, thus leaving no microphonic voices to conflict with natural sounds.

In addition to creating a new type of stage writing technique, combining the art of playwrighting with that of the screenplay, Greathouse's patent also embodies a new type of lighting.

Because of the fact that box sets on stages and other heavy scenery would be eliminated, since the film would establish the scene and background, it is claimed that tremendous savings in legit production could be effected.

Neely Bill

(Continued from page 2)

according to Hayser. Referring to mounting trade barriers, he said U. S. exporters still have substantial share of overseas market, but cautioned 'when this bill is passed we're licked abroad.' British particularly would like to see such legislation enacted, because they don't care about movies,' but simply desire to hamstring American competitors.

Questioned by Senator Barkley, Pettijohn told how the tone of pictures has been lifted without governmental coercion. Mae West has disappeared because public taste has changed, he observed, and producers, in cooperation with film councils and other public groups, have been able to keep in touch with patrons' wishes. Sometimes the studios make a bad guess, he conceded, but there is a constant effort to make and encourage a better quality of screen fare.

Passage won't help the public, Pettijohn argued. Every person who buys a ticket buys highly, just as exhibitors who, incidentally, are likely to have more information about the sort of film. Patrons simply follow favorite stars or take a chance on the title.

The Legion of Decency was applauded by the industry spokesman. Remarking upon difficulty in publicizing the production code over at the outset, Pettijohn said the Catholic groups did 'a grand job' toward inducing studios to live up to the wards. Church groups have aided by reviewing and classifying output, he conceded. Last year the Legion condemned 10% of the pictures produced and three domestic quickies sold singly and not made by any major studio.

Injurious effects of such legislation stressed by Pettijohn, as well as Robert Montgomery, who was windowdressing for the first round and drew large applause of gogglé-eyed femme attaches of Senate staff.

'This bill is a proposal to destroy the distribution system of the motion picture business—a system which distributes daily more than 25,000 miles of film to some 17,500 theatres in the United States with less than a dozen mishaps per year,' Pettijohn predicted. 'It is a proposal to set aside the distribution system of the motion picture industry without offering a better one to take its place, which every producer and distributor of pictures would welcome if the substitutes was more efficient, economical and fair to all parties concerned. This bill tears down and destroys. It does not build up.

'Why would this bill destroy the motion picture production code? Annually, in addition to providing the buyers and sellers of motion pictures with thousands of lawsuits based on whether or not a correct synopsis had been sent each and every exhibitor on each and every picture in several million separate sales, this bill would make every exhibitor his own producer. All co-operating groups would have at least 17,500 'fronts' for their activities and cooperation instead of one, namely, the motion picture industry.

'Motion pictures cannot be manufactured in mass production. Their production is not comparable to the making of soap or automobiles. You can make good soap by putting into the soap kettles and boiling the best of ingredients, but the best of ingredients in a motion picture kettle do not always turn out the best of products.'

Instead of putting curbs on the U. S. film business, the Government should give the industry a boost, Pettijohn urged. All other countries, besides fighting our product, are encouraging their own producers—many of them with subsidies.

Pictures cannot be sold individually if there is to be a solid foundation for the industry, he maintained. Studios must have some idea of their outlet before gambling large amounts; distribs cannot assume the service costs for pictures for $10 to $20 apiece; exhibitors have to be assured of reliable supply of product. To Pettijohn's mind, 'it is as necessary for the motion picture to have well in advance a definite schedule of play-dates for pictures as it is for the railroads to have timetables for their trains.'

Montgomery Gives Side Of the Studio Employee

Giving the employes' slant, Montgomery said Screen Actors Guild feels Neely bill 'would cut in half the production schedules of the motion picture industry' and predicted 282,000 workers would be hurt. Actors are only one of 276 crafts dependent for livelihood on films, he emphasized, and with exception of small group of contract players 'the earnings of most of these people is extremely limited and depends entirely upon the volume of production.'

'I should like to point out that the methods of production and distribution which are attacked by this bill, while admittedly not perfect, are the result of 30 years' experience and effort,' actor said. 'The sponsors of this bill ask the Congress to destroy the entire business structure of one of the largest industries of the United States without offering any alternative plan except one which has failed every time it has been tried.

'The officers and directors of the Screen Actors Guild feel that they would be neglecting their duty to the people they represent if they did not point out to this committee that the enactment of the Neely bill would bring about a chaotic condition in the film picture business from which, in their opinion, there could be no recovery within a period of 12 months or 12 years.'

Continuing the prepared statement, he stated that the proposed legislation, making debut for the sponsors, said the legislation will protect 'the basic right of the community to determine the kind of entertainment shown in neighborhood theatres' by liberalizing buying so that local patrons can influence exhibitors. When asked by Senator Barkley whether blind or blind selling is more offensive to reformers, Bostonian said the practices are inseparable and 'there would be no advantage in abolishing block booking if the exhibitor has no way of knowing what he's buying.' Need for remedial legislation was amply demonstrated in 1936 and 1938, he insisted, and for the sake of both young people. and adults theatres should have unlimited freedom to build their own programs. It would be 'in accord with the tradition of local independence.'

DETROIT AGOG OVER NAT'L VARIETY CONV.

Detroit, April 4.

National Variety Club conclave here April 27-29 includes several unique plans which are being worked out by the entertainment committee, headed by David M. Brooks. Brooks, General chairman of the convention is John E. Flynn, aided by George Trendle, E. C. Beatty, William Carlson, J. E. Kirchner, Frank Dowling, Charles C. Perry, H. M. Richey, David Newman and Idzal.

Heads of the various committees are Harold Robinson, transportation; Earl Jackson, publicity; Elmer Kiehler, decoration; H. Clem Merritt, reception; Charles Perry, speakers; E. E. Kirchner, hotel reservations; William Carlson, program, and Frank Downey, banquet.

Dartmouth Execs In N. Y. on Festival Plans

Dartmouth College officials are conferring with theatrical trade representatives this week regarding plans for the $1,000,000 playhouse and theatre workshop to be erected on the campus at Hanover, N. H., and the annual summer drama festival to be held there. Jens Frederick Larson, the architect, and Warner Bentley, head of the college drama department, arrived in New York yesterday (Tuesday) and Sidney Hayward, secretary of the college, is due tomorrow (Thursday) to confer with the trade groups.

Previous day (Monday) Robert E. Sherwood, Dramatists Guild president, was elected president of the American National Theatre and Academy, which is seeking to coordinate plans for summer drama festivals at Dartmouth, William and Mary and several other colleges. He succeeds A. Conger Goodyear, Paramount director, who becomes chairman of the board. New directors elected by the ANTA include Brooks Atkinson, drama critic of the N. Y. Times, who also succeeds Mary Stewart French as secretary of the board; John Mason Brown, drama critic 'of the N. Y. Post; Vinton Freedley, Dwight Deere Wiman, Jens Frederick Larson and Lee Simonson.

It is hoped to hold a world drama conference at Dartmouth next year.

FTP UNDER FIRE IN WASHINGTON; 'UNFAIR COMPETITION' CHARGED

'Swing Mikado's' Presentation in N. Y. Draws Legislative Attack—'Waste and Extravagance' Charged to Project

Washington, April 4.

Growing dissatisfaction with the Federal Theatre Project echoed in legislative lobbies last week. Reprimands for drama venture heads accompanied the latest relief appropriation bill, with both Republicans and Democrats heaving rocks.

Unfair competition with private enterprise—familiar G.O.P. chant—was charged by Representative Sol Bloom, New York Democrat, who is the producers' outstanding Congressional friend. Waste and extravagance was charged by Representative John Taber, N. Y. Republican, and Representative Clifton A. Woodrum, Virginia Democrat. About the only pleasant word for the FTP was spoken by Representative Clarence Cannon, Missouri Democrat.

Subsidized 'Swing Mikado' caused most of the furore, although other Government attempts to lend a hand to jobless actors also drew denunciation. Without mentioning any individuals by name, Congressional critics of the WPA blasted that the law has been flouted by bosses of the drama program, particularly in importing the hypoed Gilbert & Sullivan operetta to N. Y.

Publication of secret testimony showed that the Appropriations Committee scrutinized the FTP closely, grilling Mrs. Florence Kerr, deputy administrator in charge of white-collar understakings, intensively about costs, policies, types of productions, etc. Woodrum and Taber fired particularly critical questions, with Representative J. William Ditter, Pennsylvania Republican, chiming in frequently. Its the most complete picture ever given by the secretive WPA crowd.

With a record of more than 1,000 plays, FTP has used up $41,715,597 since operations started in the summer of 1935. House purse-watchers learned. Of this total, $38,053,644 went for labor. Outlay in the principal centers was: New York, $20,531,846; Chicago, $3,413,793; Los Angeles, $2,777,955; San Francisco, $4,097,431.

Projects in 21 States

Present curtailed operations spread over 21 states, projects having been abandoned in 11 others, either because of the shortage of unemployed professionals, or the incompetence of the jobhunters, Mrs. Kerr testified. Latest check showed 8,060 persons employed, more than 90% of them from the unemployed rolls. Supervisory personnel, getting considerably more than the WPA's security wage, represented 8.3% of the total.

Although some of the shows—like the 'Swing Mikado'—have been profitable, admissions amounted to only 5% of the expenditure over the 42 months WPA has been functioning. Take from July 1, 1935, through Feb. 28, this year, was $1,844,082, New York City topping the list with $649,297. Chicago collected $381,863; San Francisco, $279,027; and Los Angeles, $149,735.

Yelping about the 'Mikado' was essentially a lament over the refusal of WPA to allow commercial managers to take over the Chicago production, instead of shipping the outfit to New York under Federal auspices. Wailing about impolite treatment, Representative Bloom gave the committee a lengthy account of attempts to hire the entire cast and put the production on in Gotham as a regular professional enterprise. By not forcing the actors to take the offer of Erik Charrel and Richard Aldrich, the WPA execs flouted orders of Congress to encourage reliefers to accept outside jobs, the Congressional critics charged. This complaint was aired on the floor when Woodrum said 'no one has yet explained how they got around the plain mandate of section 7 House Joint Resolution 83, which we passed a few weeks ago, which provides that any WPA worker who refuses bona fide employment offered to him at reasonable wages shall be stricken from the rolls.'

According to Congressman Bloom's account, the 'Mikado' cast was offered the Equity minimum scale, while Charrell proposed to reimburse the Government for orchestrations and the idea. Declaring the actors had a chance to accept the proposition if they desired, Mrs. Kerr explained her refusal to apply pressure by noting that another overture had been made. She could not act as agent for any manager, the assistant administrator contended. Another answer was that WPA execs do not feel they should encourage reliefers to take jobs which may blow up in a short time. Mrs. Kerr also argued that 'no direct offer was made' by the New Yorkers.

The Chicago presentation of 'Mikado' was highly successful from a monetary, as well as an artistic, point of view, Mrs. Kerr revealed. Total receipts from 158 performances during five-month run were $105,284, putting the show in the money-making category.

Disapproval of the whole concept of FTP was reflected in Woodrum's quizzing of Mrs. Kerr and Administrator F. C. Harrington. He mirrored the feeling that too much emphasis is put on the cultural aspect of the activity, instead of considering the chief purpose to be relief for jobless actors. He also was displeased at the idea of sending successful shows on tour.

In defending the N. Y. production of 'Mikado,' Col. Harrington noted the desirability of furnishing low-priced entertainment and assumed full responsibility for moving the show out of Chicago. He denied there is any unfair competition, observing that 'up to the present time no responsible producer has come forward with an offer to employ that cast.'

'For a period of more than three years we have been put in association with theatre projects,' Col. Harrington told the critical legislators, 'and most of the criticisms about it have been aimed at the fact that the productions were not up to standard, or that they were not good entertainment. Now we come along with a production that the public, by patronizing it, indicates is good entertainment and we seem to be under criticism for having produced a good show.'

White Setting 'Scandals'

George White is back in New York from a short trip to London and is preparing to open a new 'Scandals' on Broadway the end of May. Boat ride was for the purpose of working on the script.

White has signed Willie and Eugene Howard, Ella Logan, Ann Miller and the Knight Sisters so far.

Group Sets 2 Special Shows in N. Y.; 'Days' Concession Reversed

'The Quiet City' opens a series of special Sunday night showings starting this week (9) at the Belasco, N. Y. It is one of two special attractions by the Group Theatre, the other being 'My Heart's in the Highlands,' which goes on for at least five times, starting April 13, at the Guild. 'City' players are to be paid two-eighths of a week's pay for each showing, plus rehearsal money.

Same originally applied to 'Highlands' when slated for Sunday showings, but because of the changed status of the show, cast is to receive not less than two weeks' salary. Group also changed the schedule of 'Awake and Sing' and 'Rocket to the Moon,' which were being shown somewhat in repertory style at the Windsor. 'Rocket' was withdrawn Tuesday (4) and the revival of 'Awake' is announced for the full eight times weekly.

Last week a concession was granted management of 'The Happiest Days,' delayed for further rehearsals and now due to open at the Vanderbilt Saturday (8). Cast received full salary for the last half of last week, and rehearsal pay was to have applied for this week. Tuesday (4) council reversed the grant, after querying the management. Stated that the conditions were misrepresented and full salaries will be required this week. 'Days' is being presented by Courtney Burr.

Loeb, Heller Nominations to Equity Council Staved Off Forum Revival

Although the indicated block at Equity's recent quarterly meeting proved a dud, it is fairly well substantiated that the nominating committee's selection of the slate for incoming council members prevented agitation within the membership. Speed with which the nominations were made was unusual, slate being chosen in just one session. Telegrams were dispatched to the nominees during the afternoon and all acceptances were on hand the following morning.

Insiders aver that unless the names of Philip Loeb and George Heller, who were militant members of the younger group, had been placed on the ballot, an opposition ticket would have been certain and the re-forming of the Actors Forum, which was continually in the hair of association officers for four years, would have resulted. Leaders declared that reversion to Forumite tactics would have threatened the status of Equity and would have brought about resignation of key officers.

There were 19 names submitted for the membership portion of the nominating committee, with an hour's discussion following before a vote was taken. Both Loeb and Heller were among those who rose, both in effect saying they were here in council for the welfare of Equity and did not indulge in factional moves. Winifred Lenihan, credited with forming a rump committee and nominee slate, said that she had no idea of trying to keep Loeb out of the council room, although neither candidate was on her ticket.

Loeb was promptly nominated for council at the regular committee's session of last week (27), the selection being referred to as an 'appeasement' to the former militants. Selection of Heller provoked a difference of opinion, for which reason he was nominated for a one-year term rather than five years, which is the regular council term. Part of the committee did not believe he should be named because of his paid position with the American Federation of Radio Artists, Heller getting $3,500 as assistant national executive secretary. It was figured that in matters of jurisdiction he would probably favor AFRA. However, others figured that as the radio union is an affiliate in which Equity has a $20,000 stake (money loaned AFRA), it would be well to have a representative there, a sort of ace in the hole.

The slate as named includes two or three members identified with the younger element, in addition to Loeb and Heller, but it is claimed that these candidates are balanced by the names of known conservatives. Selections have apparently been satisfactory to the general membership, with no hint of an opposition ticket so far. Election will be held May 26 at the Astor hotel, New York.

Last Friday (31), the Chorus branch held its quarterly meeting for the purpose of chosing candidates for the executive committee and five nominees to the Equity council. It will raise the number of persons in the latter body to 55 and, while the chorus end will be entitled to sit in the council sessions, they may vote only on matters pertaining to their union. Idea of having chorus people in the council came during discussions when it was proposed that Equity absorb the branch. That plan has been set back and could not be effected until a number of constitutional changes are made.

Inside Stuff—Legit

Saturday (1) night's April fool thunder storm around theatre time was no joke to theatregoers, nor showmen. It rained so hard that traffic was beyond control. Nearly every Broadway attraction held the curtain, latest show to ring up being 'The Philadelphia Story' (Shubert), which was 22 minutes past its regular starting time. Patrons missed most of the first act of most attractions regardless.

It took an hour and 10 minutes to reach the theatre zone from the East Side and one party claimed its cab consumed one hour flat in going from Gallagher's chop house, which is within the theatre zone, to a house on 45th street. Another party, going from Moore's place on 46th street, reached the 'Majestic ('Stars In Your Eyes') on 44th street, only after 20 minutes of stop and go proceedings.

A rib was fixed for Irving Becker, company manager of 'Tobacco Road' on tour in St. Louis last week. A 'surprise party' was tossed for him at the American hotel, just to celebrate the number of times Becker has been threatened with arrest because of the show's profanity. It appears that the manager has talked himself out of a pinch in a number of spots played by the show.

However, Paul Biesman, manager of the American theatre there, had it fixed so Becker would feel in character should he be tossed into the klink. So the guest of honor was escorted to the party by two cops and he was adorned with leg irons until he squawked that his dogs were barking.

Percentage contracts for agents used as field men by the American Theatre Corp. are out. Originally the agents, whose assignment is to book four attractions for next season in a virtually new flight of one-nighters at $5,000 per stand, had a drawing account set against 5% of the contracts obtained. The percentage was to apply to the credit of the agents if the contracts were renewed the following season. New deal calls for $100 weekly salary, with $25 allowed for railroading.

Play is somewhat under the level set by the Theatrical Agents, Managers and Treasurers, the union having classified the ATC jobs as special employment.

Old legit patrons, some of whom haven't been to the theatre for many years, turned out for John Barrymore's play in Washington, according to managerial observation. Barrymore resumes in 'My Dear Children' Saturday (8) in Rochester, N. Y., and, because of strong road business, the show will stay out for a considerable time before coming to Broadway.

Show was forced to close in Washington when he collapsed on the current 'The Boys from Syracuse,' at the Alvin. The new one will have an Arabian Nights theme.

Although 'Knickerbocker Holiday' closed its Broadway run without entirely paying off its original nut, the Maxwell Anderson-Kurt Weill musical rates as a financial success. Show had earned back all but about $7,000 of its original $52,000 cost and was still operating at a profit when it was taken on tour.

Idea of the Playwrights' Co., the presenter, was to offer the production to road audiences while it is still fresh. It drew hefty grosses in Philadelphia and Pittsburgh, enough to pay off the remaining nut. There's also a possibility that when the Chicago run ends in May the show may be brought back to Broadway for a brief stay.

Bernard Simon has resigned from the board of the Theatrical Managers, Agents and Treasurers union. He is press head for the WPA theatre project in New York and, when he took the job, it was conjectured that he would necessarily withdraw as a union official. Dick Maney has replaced him.

Elise Chisholm will also leave the TMAT board, not having enough time from her press agent duties to devote to the union. William Fields is slated to take her place.

Treasurers Club has moved offices from the Hudson theatre, N. Y., where it was quartered for many years, and is now located in the New Yorker theatre building, originally built as the Gallo. New quarters are commodious with enough space for the boxoffice men to hold meet of their meetings. Old office was in the rear of the second floor, reached down a dimly lighted corridor and poorly ventilated.

Stage Relief Fund office is also at the Hudson. Reported that thieves recently entered the place, taking a typewriter and $25 in cash.

'Henry IV,' the Maurice Evans revival which closed at the St. James, N. Y., last Saturday (1), totalled about $140,000 in nine weeks. Same actor-manager's full-length 'Hamlet,' which preceded 'Henry' at the St. James, drew around $245,000 in 14 weeks. The two productions will be toured in repertory, opening Saturday afternoon (8) in Hartford. They may also be brought back to Broadway for a short engagement at the conclusion of the road trip.

Two of the stage crew with 'The Boys From Syracuse' recently died. One was Frank Detering, who was handling the spotlights. He formerly conducted his own stage electrical shop and devised the effects, both lighting and mechanical, for 'Ben Hur.'

Ernest Trace, assistant carpenter with 'Syracuse,' also passed on. They expired within five days of each other.

Though only 11, Lenore Lonergan in the Hepburn play, 'Philadelphia Story,' is a picture and radio vet as well. She's the third generation of acting Lonergans, her father being Lester Lonergan II, and her grandfather the late Lester Lonergan. Her mother, Juliet Lonergan, was an opera singer, now retired.

Cancellation Further Crimps Balto's Season

Baltimore, April 4.

Cancellation of 'My Dear Children,' new John and Elaine Barrymore play due for three-day date at Ford's here this week, coming on heels of similar sloughing of Ruth Chatterton's 'West of Broadway' last week, is not doing town's legit setup any good. With bullish advance and mail order sales chalked up for both plays and notice of killout not coming through until Saturday (1), customers are putting up considerable beef. 'Children' shut in Washington Thursday night (30), due to Barrymore's throat ailment.

Listings at present call for Katharine Cornell in 'No Time for Comedy,' due at the indie Maryland, April 10, and Gertrude Lawrence in 'Skylark,' set for Ford's, April 17, against Cornelia Otis Skinner in 'Candida,' opposish at the Maryland for three-day booking.

Big sales are reported for the Cornell and Lawrence plays. Current season, although meagre as to attractions, is claiming a nice profit for first time in moons.

PICKETS SET FOR N. Y. FAIR

Sunday Issue Raised in London With Television as a Springboard

London, March 24.

Emile Littler started something with a protest letter to the Daily Telegraph complaining of BBC Sunday television drama so long as theatres were debarred from opening. Pointed out that plays currently in West End are presented over the air Sunday nights with actual original casts, that film theatres are permitted to run, but legit is disbarred by law.

If full performances of plays are allowed to take place by government monopoly (BBC), he argued, it is time legit was given facilities to compete. Existing U. K. practice is for theatre clubs to be established, which then put on performances 'privately' for members Sundays, which puts 'em in right with the law.

Newspaper subsequently canvassed opinions in the profession, and those quoted unanimously supported Littler's stand. J. B. Priestley alleged the legit trained actors for the BBC and provided plays but got very little in return; the theatre got nothing for the service it rendered. Alec Rea suggested the government discriminated against legit, and Lee Ephraim said Littler had anticipated an idea of his to raise the issue in West End Managers Ass'n. Why should BBC, he asked, be allowed to put on plays with make-up and costumes, when theatres are not permitted to, even for charity?

Actress Fay Compton urged performers were entitled to one day's rest in seven, but if visio did Sunday plays then theatres should be allowed to open Sundays with option of closing Mondays.

Basil Dean, who presented visio's first full-length play broadcast direct from the theatre, said he was a great believer in television as an aid to legit, but latter should have same rights as BBC. Also rooted for option to close any other day than Sunday.

Plans for Revivals On B'way Now Vague; Lyric Posts 5G Equity Bond

A number of revivals, planned on Broadway for late spring because of the World's Fair, now appear to be rather vague and some attractions have been cancelled. It's indicated that the Gilbert and Sullivan operettas will again be absent from the late season boards, no native organization being rated able to follow the D'Oyly Cartes. The English G. & S. exponents flourished at the Beck until recently and are currently on tour.

New light opera organization known as the American Lyric theatre appears definitely slated for activities, the group having deposited $5,000 with Equity to guarantee salaries. Lyric outfit is offering subscriptions for the first three performances of three attractions, first of which is dated for May 18.

First presentation will be 'The Devil and Daniel Webster.' It will be followed by 'Susanna Don't You Cry,' described as a musical romance based on the melodies of Stephen Foster. Third on the bill is a ballet which will feature 'Pocahontas' and 'Billy the Kid.' These nine performances make up the schedule at present, but there may be additional showings dependent on reception.

People well known in music circles and socialites are associated with the Lyric venture. Edward R. Wardell is president; Thomas M. McInnerney, Dr. Carleton Sprague Smith, Dr. Thaddeus Ames and Mrs. Arthur M. Reis are other officers. Others are Richard Aldrich, R. E. Jones, managing director, and Lee Pattison, musical director. Board includes Nelson A. Rockefeller, Mrs. Lawrence Tibbett and Angier Biddle Duke.

Cooper-Merivale Will Tour Barns; Sked 'Rats'

Gladys Cooper and Philip Merivale will tour a number of strawhat theatres this summer, co-starring in 'Spring Meeting,' in which Miss Cooper appeared on Broadway this winter. Among the spots they will play are Ann Arbor, Westport, Mt. Kisco, Dennis and Newport.

While at Dennis they will try out Keith Winter's 'The Rats of Norway,' in association with Richard Aldrich. They may then bring the play to Broadway in the fall, doing it on their own.

Miss Cooper appeared in 'Rats' in London several years ago, but it has never been done in the U. S. Several managers have held options on it, but subsequently relinquished it.

UNIONS HUDDLE ON SUNDAY LEGIT

Although Equity at its recent quarterly meeting in New York voted in favor of Sundays, the referendum has not been sent to the general membership. That step awaits the consent of other theatre unions that Sunday performances should be tried during the World's Fair period.

Meeting of all factions concerned was held at the Astor hotel yesterday (Tuesday) evening after press time, it being expected that action favorable to Sunday performances in legit would be voiced. Present were representatives of the League of New York Theatres, locals of the stage hands and musicians, Theatrical Managers, Agents and Treasurers, and Equity.

Crux of Sundays, which were legalized in New York, is extra pay. To date Equity has insisted on double pay for such appearances and the other unions have asked for similar terms, but some union leaders have stated that if the actors withdrew their Sunday salary requirement, the others would follow suit.

Equity resolution on Sundays stipulated that the referendum, if favorable, would apply only if the other unions assented, and it was decided to withhold the ballots until that assurance was made.

'SUSAN' FOLDS; B.O. OFF WHEN LAWRENCE QUIT

Chicago, April 4.

Road company of 'Susan and God,' which has been headed by Jessie Royce Landis since Gertrude Lawrence left the troupe, folded Saturday (1) in Fort Wayne, Ind.

Despite big success of show in Chi and other towns, piece failed to spark at the boxoffice after Miss Lawrence's departure.

To Examine Shubert In Loftus' 50G Suit

Federal Judge Mandelbaum Friday (31) granted an application of Cecilia Loftus for the examination before trial of Lee Shubert in New York.

The actress is claiming $50,000 personal injuries suffered in a fall in the Shubert theatre in Boston, February, 1938.

TMAT TO PARADE IN B.O. DISPUTE

Union, Unable to Get Working Agreement with Expo, Laying Plans for Mass Picketing—Wants Boxoffice and P. A. Jobs for Members—Claims Unionists Will Not Pass Lines

EXPO'S LOWER SCALE

Theatrical Managers, Agents and Treasurers Union is reported planning to picket New York's World's Fair, which was expected to provide at least 200 jobs for members during the slow months of the season. TMAT has been unable to obtain a working arrangement with the management. Union's main complaint is the refusal of the Fair to put on its people as ticket-sellers. It also was anticipated that some members would be engaged in the press department.

In answer, Fair people said it has a bureau for the disseminating of news, not a publicity department, and therefore is using newspapermen, not press agents. Stated, too, that the Fair has already engaged ticket sellers who are being trained and who are to be paid $30 weekly. TMAT scale having been set for $56. For that reason, plans are being made by TMAT for mass picketing along a scale far greater than that attempted on Broadway last season. It's figured that unionists employed at the Fair will not pass the picket line.

Current week is scheduled to hold various sessions of the TMAT. First session with the League of New York Theatres (managers), for the purpose of changing certain provisions in the basic contract for next season, has already been held. Principal change asked is dropping the arbitration section. Union wants cases of dispute settled by mediation through the State Labor Relations Board. There is to be a conference over renewing the basic agreement with Madison Square Garden, also

(Continued on page 52)

Equity May Be Forced to Change 6-Day W'k Rule at New York Fair

It's the Nuts

Application will be made in N. Y. supreme court today (Wed.) by the Federal Nut Co., Inc., to examine Moss Hart and George S. Kaufman before trial, in connection with a $24,500 suit against them and Sam H. Harris.

Plaintiff, which owns the 'Check Full O' Nuts' stores, claims libel in the 'Fabulous Invalid' play against its 42d street store.

M'CLINTIC LOOKS FOR 'LYNTON' SHARE

Guthrie McClintic, co-producer with Gilbert Miller of the Edward Sheldon-Margaret Ayer Barnes drama, 'Dishonored Lady,' expects to receive a share of the proceeds if and when the authors collect their $532,153 damage verdict in their plagiarism suit against Metro, based on the 'Letty Lynton' picture. Case is now being appealed.

Because of his close friendship with the authors McClintic expects they will make some sort of an adjustment with him.

Since the case involved copyright-infringement, McClintic is not directly involved. However, he figures that Metro's alleged piracy of the play with the picture 'Letty Lynton' destroyed its value as a possible property for screen rights purchase. Since the producer was entitled to half the proceeds of a film buy under the old minimum basic agreement, McClintic figures he and Miller should receive a share of any monetary damages paid by Metro. That would be as compensation for the loss they presumably sustained when the alleged plagiarism de-

(Continued on page 52)

Changes in working conditions of actors in New York's World Fair shows are deemed necessary because of lack of uniformity between various exhibits and concessions. It was generally conceded that a seven-day week would apply, but exceptions have cropped up, chargeable against Equity's committee which established two sets of rules. At least one concession slated for a show was cancelled because of Equity's rule calling for a six-day week. Sunday appearances are not involved, rule under question providing for one day's rest in every seven.

Equity apparently is cognizant of the muddled situation, but has not been able to adjust it because of objections by certain committeemen. There is a growing belief that working conditions which apply to one exhibit, or concession, should go for all. In an effort to straighten out the regulations, a meeting with the American Federation of Actors' fair committee is slated and may provide the opportunity for Equity to also accept the seven-day rule, which will apply to all concessions save the few under its jurisdiction.

When Is Legit

It was agreed that Equity have the say over certain types of exhibit shows or spectacles. The error was made when the committee ruled that such concessions are legit shows, though it has become clear that there is little or no similarity, either in the type of presentation, running time or price of admission. By regarding the shows legiters, they were believed to come under the New York state law, requiring one day's rest weekly, which does not apply to other amusement forms.

Show which emphasized the divergence is 'Railroads on Parade,' slated to be the biggest of the commercially sponsored specs, which goes into rehearsal Monday (10). Under the rules set by equity, it Sundays are played there is to be one day's lay-off. Previously seven days had been okayed for the Shakespearean tab at the fair, committee explaining that it did not care to make its newer rules retroactive. However, there is virtually no difference in running time, so the spec itself is regarded as the tab variety. Also the admission is the same, 25c.

In addition, the railroad show people were aggravated by other conditions imposed, but did not object to the pay minimums. For the spec, the players must be paid during rehearsals, while another legit show condition requires the posting of a salary bond so that at least two weeks' pay is guaranteed.

When one show cancelled and others looked likely to follow, Equity leaders then realized that a move to change the rules to conform with all shows at the fair was the logical solution.

Sherwood Squares 'Lincoln'

Will Play Through Summer, with Scale Cut for World's Fair Crowds

Equity's council did not figure that the Playwrights could square the protests over the announced plan to interrupt the smash 'Abe Lincoln in Illinois' at the Plymouth, N. Y., in order to use the leads in picturizing the drama. However, when Robert E. Sherwood, who wrote 'Abe' and is of the author-manager group, completed his remarks last week, the actors were satisfied.

Sherwood prefixed his address by declaring that the five playwrights combined primarily to devote themselves to the stage. The dramatist reiterated that 'Abe' is of special significance at this time in the opinion of his associates and others, which is the reason that its patriotic message should reach a wider audience than possible through the stage version. Sherwood announced, however, that provision had been made for the cast, claiming that had been agreed on prior to the film deal, despite the fact it had been originally understood the show would shut down during the summer.

Not only will 'Abe' play through the summer, but the ticket scale will be reduced with the idea of meeting the pocketbooks of the World's Fair crowds. All in the cast are to get two weeks' vacation with full pay, understudies being given a chance to appear thereby, with the latter getting extra compensation.

Answering the complaint that the film of 'Abe' would curtail the chances of a long engagement on the road, if not on Broadway, Sherwood said the Playwrights are taking a chance, too. He explained they might lose big money if the picture does not measure up to expectations, indicating that the managerial end is counting on a percentage of the profits.

It was also stated that the film version of 'Abe' will not be released until 1940, but what date beyond New Year's is not set. There is a chance that the play will resume on Broadway after the film is completed, and there are definite stipulations covering the showing of the picture while the stage show is on tour. Most important is that the film will not be shown in any stand prior to the play, if booked, nor shall the picture play day and date against the stage presentation.

The Equityites were impressed by Sherwood's address and requested that he supply the typed script for usage in the association's monthly. It will be in rebuttal of the mag's editorial attack against shortening the run of a hit in deference to the picture version.

THEATRE AUTHORITY'S CHARITY FUND, $17,000

Theatre Authority now has $17,000 in its treasury to be distributed among the various participating theatrical charities. American Federation of Radio Artists and the American Guild of Musical Artists are setting up funds to care for needy performers in their fields and will come in for a share of the stake. Members of both groups have been cooperating with TA for some time.

Other organizations already participating with TA include Equity, Chorus Equity, Actors Fund, Stage Relief Fund, American Federation of Actors, and the Jewish, Catholic, Episcopal and Negro Actors Guilds. Hollywood has its own Motion Picture Relief Fund, in which all the talent guilds participate, while the writers' branch has its Authors' League Fund. Both are independent of TA.

Anticipated that the newest cut in WPA appropriations will result in a drastic increase in theatrical charity disbursements.

College Shows

FAIR ENOUGH

(COLUMBIA VARSITY SHOW)

Musical comedy in two acts, nine scenes; book and lyrics by I.A.L. Diamond; music by Lee Wainer. Herbert C. Spindelman, Alan Goldberg, Julian Roberts, Albert Sherwin, Leonard Del Sonna, Robert Sherwin, Harvey Weeman; directed by Paul J. Weckler; ensemble directed by Lee Wainer; dances, Frank Gagen. At Hotel Astor, N.Y., March 30, 39 third and last performance at Wood Auditorium, Mt. Vernon, April 1, '39; $2.50 top.

Head Librarian.....Julian Rabinowitz
Head Libraryiin.....Kenneth Friedman
Jane Turner.....Alexander McAllister
Woman.....Philip Habel
Second Woman.....Myrem Pearson
Man.....William Goldwater
Barbara Turner.....Jordan Kent
Communist.....Harold Tietz
Larry Aldrich.....Andrew Amos
Second Librarian.....John Hanman
Nancy Carter.....Jean Bateman
First Reporter.....Irving Lieberman
Second Reporter.....George Fendone
Photographer.....William Goldwater
Buddy Carter.....William Jack Close
Patriot.....Seymour Alpert
WPA Foreman.....William Goldwater
Mosemyer Boy.....Michael Mullaney
Alexander Hamilton.....John Barry
George Washington.....Harold Steinberg
Gouverneur Marris.....Charles Plotz
James Madison.....Jerry Pfeffer
Thomas Jefferson.....James Shen
{ Walter Blakey
{ Lute Moreno
{ Roman Bozowski
John Jay.....Kenneth Reilly
Robert Livingston.....Leonard Sherman
Benjamin Franklin.....Daniel Stowens
John Hancock.....Henry Mayer
Announcer.....James O'Connor
Daniel Webster.....Jerry Bennett
Florence Carter.....Philip Habel
Sharpe.....Robert Sherwin
Third Reporter.....Jean Sosin
Fourth Reporter.....John Fanseco
Auctioneer.....Robert Sherwin
Third Vice President.....George Daniel
Second Vice President.....Leonard Sherman
First Vice President.....Aaron Frankel
Martha Washington.....Orienne Stephenson
G-Man.....William Hubbard
Martin Dies.....Philip Van Kirk
Captain of the Guard.....Alfred Sodenkamp
Guard.....George Kreiler
Attendant.....William Goldwater
Grover Whalen.....Sidney Tuckman
George Gallup.....Charles Bennett
Paul Revere.....Aaron Feuchter
King George.....George Daniel
Queen Elizabeth.....William Sleeper

Columbia University trots out its best braces of muscle-knotted legs for its annual varsity musical comedy, but the satirical extravaganza, with the exception of its music, and a table the lyrics, falls far short of recent Columbia productions. The boys look nice as girls; the ensemble dancing is in the Russell Markert manner, except in execution, making it doubly hilarious; the production culture is as good as the limits of a school show permit, but the book, dialog and humor fall far short of high-grade lampooning according to recent college show standards.

Tersest diagnosis is that I. A. L. Diamond, who wrote the book and lyrics, failed to concentrate on one subject. Instead, he ribs President

Campus Coincidence

Remarkably coincidental is the same title used by Harvard and Columbia Universities for their annual varsity shows in Boston and New York, respectively. The title is 'Fair Enough.'

Both themes, too, deal with the New York World's Fair.

and Mrs. Roosevelt, the New Deal, Dr. Nicholas Murray Butler, president of the university; the Dies Committee, Grover Whalen and the U.S. Constitution, with the result there's a wandering of purpose, and the book is still going in circles at the final curtain. The humor is of the 'Why did the chicken cross the street?' variety, and the dead spots are many and long.

On the other hand, Diamond furnished excellent lyrics for the songs, a few of which impress as having commercial possibilities. These are 'You Satisfy,' 'The Song Is the Same,' 'My Four Star Thrill,' 'Nature in the Raw' and 'There's Something Of Jekyll Hyde in Me.' Latter two are of the double-entendre, nitery variety, with 'Hyde' wholly credited to Paul J. Winkopp, the show's alumnus director.

'Fair Enough's' chief saving grace is the 16-boy line, the coryphees' clumsiness in hula-hula and precision dances getting more laughs than the gags. John Bateman is outstanding as a licentious debutante, the big football tackle's biggest moment coming with 'There's Something of the Hyde in Me.' Sid Luckman, Columbia's all-American gridiron squad for three years, is cast as Grover Whalen in the closing portion and gets by.

Gordon Kent (sporting the best femme makeup and gams in the show) and Andrew Apres uncover fair voices as the romantic team. Alexander McAllister, a shot-putter, playing Kent's plucky sister, furnishes some nice light comedy, impressing his fellow-students in the Columbia Crew.

P.a. system in the Astor hotel's grand ballroom was faulty, the stage miles too deep and too wide to pick up all voices. Some parts of the auditorium were absolutely dead on reception.

Show played Thursday and Friday (31) at the Astor and its final performance was at the Wood Auditorium, Mt. Vernon, N. Y., Saturday (1). *Scho.*

FAIR ENOUGH

(Hasty Pudding Club)
(HARVARD)

Boston, March 30.

Musical comedy in two acts, 11 scenes, presented by the Hasty Pudding Club of Harvard University; directed by Edward Clarke Lilley; choreography, William R. Hoibrook, musical director, Sigmund Levine; book, Alan Lerner, Morgan Preston, J. Prestan Lemos, Alan Lerner, Francis Lawrence, Elliot Farbes, Sherwood Lewis, Lewis Lyons, Alan Lerner; lyrics, Lerner, Marvin Scaife, J. David Lannan, Lewis Lyons; orchestration, Gordon Anderson; sets, Calvin Elliott, Howard Shoemaker; costumes, Anthony Eaton; at the Capley, Boston, March 20; $3.25 top.

Cooke Barter.....Bayard Clarke
Mayor J'Burdis.....Hector Allen
Homer Leland.....Roger Lapham
Col Blanchard.....David Bullitt
Greta Grant.....Donald Thurber
Tom Grant, David Ives, John Johansen, John Parker, Francis Scofield, Theodore Sharp, Robert White, Bayard Clarke.

Gentlemen of the Ensemble—Lemuel Bannister, John J. Brooks, Robert Grosh, Angus McDonnell, George Mosley, Samuel Pool, Bennett Rollins, Sanford Sellers.

Ladies of the Ensemble—Walcott Day, Ann Grant, David Ives, John Johansen, John Parker, Francis Scofield, Theodore Sharp, Robert White, Bayard Clarke.

Plot is setting up the target for the barbs of this year's timely Hasty Pudding show, the boys passed up the dictators and other such sordid subjects and selected the impressario of the New York World's Fair, Grover Whalen. Even Hitler escapes a ride this year. A thin story includes raising dough for the Fair through a lottery, the lottery ticket by a d.a. named 'Huey Thomas,' a wrong-way flight to Ireland and some musicalizing by the usual lovesick couple.

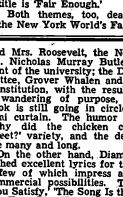
'The music rates above average, with these best bets, in order: 'I Just Gotta Make Love,' 'I Dream of You,' 'Blame It on Chichita,' 'Home Again' and 'Sunny Shine.' In the recent years, a big lift is given to the production by the support of a Ruby Newman orchestra.

LeRoy Anderson, who conducts the band, has turned out a sheaf of swing arrangements. Standouts are 'Dream of You' orchestration. Charles D. Dyer, 3d, as the buxom, matronly Tom Ryan, the Fair's top time politician, easily cops first honors. Dyer, in his makeup, looks plenty dignified downstairs and because of this startling effect, scoops up many laughs when he steps off the high horse to make a coarse remark or cavort in a burlesque dance routine.

Anthony Butler, as Torpedo Romani, is excellent as a strong-arm lottery-promoting mugg, and a wise-cracking witness in court.

Donald Thurber is okay as the secretary of Homer Leland. A screwy delivery of 'Red Riding Hood,' by John Johansen, followed by his dance with a stage hand, clicks big; Marvin Scaife registers solidly with his blues singing; John Parker does well in a wise-cop specialty, and Robert Jenny gets extra bows for his drum solo, even though he hits the groove infrequently. Bayard Clarke satisfies on radio impersonations.

Wilbur R. Hobbock rates special mention for working out chorus routines that go over big though they are within the limits of an amateur performance. A miniature nightime set for a waltz number is effective and the masks of famous personalities in the opening scene are exceptionally well executed. *Fox.*



Extend '2-a-Day'

Hollywood, April 4.

The local closing of the Federal Theatre Project's 'Two-a-Day,' originally slated for April 1 after 23 weeks, was postponed to April 30.

Vaude cavalcade's proposed trip to San Francisco is still in doubt, due to failure of transportation to come through from Washington.

OMAHA DAILY SPONSORS ROAD GROUP'S PLAYS

Omaha, April 4.

The Omaha World-Herald will sponsor stage plays of the Legitimate Theatre Corp. here next fall and winter, according to an announcement Sunday (2). Scheduled thus far are 'What's a Life,' by Clifford Goldsmith, produced by George Abbott; Clifford Odet's 'Golden Boy,' Group Theatre production, and 'On Borrowed Time,' Paul Osborn's comedy produced by Dwight Deere Wiman.

The fourth presentation will be a choice of two Ibsen plays, 'The Master Builder,' or 'Hedda Gabler.' Two are scheduled before Christmas, two after.

The plan to guarantee cities a predetermined number of road show attractions was brought to World-Herald by Arthur M. Oberfelder of the LTC. Fortune Gallo, of the San Carlo Opera Co., is associated with him.

The plays will probably be presented in the Paramount theatre, city's biggest house. The World-Herald presented opera here last winter.

Play on Broadway

Philadelphia Story

Comedy by Philip Barry in three acts and nine scenes; presented by the Theatre Guild; staged by Robert B. Sinclair; setting by Robert Edmond Jones; under supervision of Theresa Helburn and Lawrence Langner at Shubert, N. Y., March 28, '39; $3.85 top.

Dinah Lord.....Lenore Lonergan
Seth Lord.....Vera Allen
Tracy Lord.....Katharine Hepburn
Alastair Lord.....Dan Tobin
Thomas.....Owen Cox
Dexter Tracy.....Forrest Orr
Elizabeth Imbrie.....Shirley Booth
Macaulay Connor.....Van Heflin
George Kittredge.....Frank Fenton
C. K. Dexter Haven.....Joseph Cotten
Edward.....Philip Foster
Mike Connor.....Nicholas Joy
Mary.....Myrtle Tannehill
Elsie.....Lorraine Kane
Mac.....Hayden Rorke

The Guild finally has a hit in the new Katharine Hepburn comedy, a brilliant modern society play by Philip Barry up to the best standards of his 'Holiday' and its kindred style of fashionable folk comedy. It permits Miss Hepburn, repatriated to Broadway from the films, to personally save for herself the usual whose ultra-modern concepts of worldly standards are amusingly projected by herself and an expert supporting cast.

For Miss Hepburn it more than vindicates her last Guild error when she fell into 'The Lake' some five years ago. In and out of pictures in the interim, she has gone a three-month road tour for the Theatre Guild in 'Jane Eyre' last year, her Broadway comeback in 'Holiday' (1934) and the electric achievement for which any star would wish.

'The Philadelphia Story,' which is located in a fashionable Quakertown suburb—its chief distinction, according to Barry, is that it's the most important city nearest to New York—covers a span of two days, with the five of Miss Hepburn's second marriage to an up 'n' coming young tycoon. Or, in other words, the wife of a stiffo. The heroine's importance of the occasion Destiny may (obvious twist for Fortune) intervene and marry Van Heflin, an candid cameraiste Shirley Booth to cover the shindig.

Barry's strong suit, the whyfore of Miss Hepburn's spiritual and physical reawakening although she leaves the impression of a newspaper couple in their original designs and remarries her first husband. Latter is suavely represented by Joseph Cotten (on loan from the Mercury Theatre group to the Guild). Frank Fenton handles the successful young American type with the proper shading, not overdoing an assignment that included subtle possibilities.

Eleven-year-old Lenore Lonergan, daughter of veteran Lester Lonergan tribe, is acceptably precocious and makes much of her many fat lines. Dan Tobin, Forrest Orr, Nicholas Joy as her father, and Forrest Orr in a meaty Uncle Willie assignment, give strong support to Miss Hepburn. But primarily it's her show, and she makes the most of her opportunities.

Save for the introductory act, necessarily lethargic to set the premise, Robert B. Sinclair's direction is smooth and properly paced for contrasting moods. Robert Edmond Jones did the two sets, a properly stuffy interior that goes well with the family tradition, and a softer but equally substantial porch exterior.

There are a few obvious references, by inference or tituiar switch, to Henry R. Luce's three publications—Time is Dime, Fortune is Destiny, and Life is Spy — but rumored invidiousness, as regards the publisher and/or his playwrighting wife, Clare Boothe Brokaw, are seemingly figments of imagination. If anything, it's a bit of a taffer for Luce's mags.

Miss Hepburn owns the screen rights to 'Story,' with intention of re-creating her role in celluloid. It'll make a good picture. *Abel.*

Shows in Rehearsal

'The Brown Danube'—Bonfils & Somnes.

'The Mother' — Victor Payne-Jennings.

'Wuthering Heights' — Chaney, Aldrich & Myers.

'The Happiest Days'—Courtney Burr.

'The Quiet City'—My Heart's in the Highlands'—Group.

Play Abroad

THE DANCING YEARS

London, March 24.

Musical in two acts (18 scenes) by Ivor Novello; stars Novello, Mary Ellis; presented by Leontine Sagan; staged by Miss Sagan; lyrics, Christopher Hassall; dances and ensembles, Freddie Carpenter; produced by Leontine Sagan; at Theatre Royal, Drury Lane.

Castor.....Stephen Jack
Pollidi.....John Palmer
Rubinski.....Ivor Novello
Gretl.....Roma Beaumont
Willie Watner.....Minnie Rayner
Franzl.....Peter Graves
Herr Oberst.....Frederick Peyer
Maria Ziegler.....Mary Ellis
Nicholas Metternich, Anthony Nicholls
Cecilia Kurt.....Olive Gilbert
Julia Breitkopf.....Phyllis Heaver
Cerutti.....Duncan Hart
Countess Lotte.....Frances Clare
Zita.....Fred Nye
Girl of High Family.....Florence Desmond
Thaddeus.....Hilary de Charville
Governess.....Irene Budd
Spy Vendor.....Arthur Budd
Flower Girl.....Diana Gardiner
Noelle.....Peter Bogetti
Dismissal.....Ivor Bogetti

In his curtain speech at the Drury Lane premiere of this musical, Ivor Novello led Roma Beaumont to the footlights and declared her to be a new star. She registered probably the most applause of the evening with her exquisitely fragile dance.

Novello has written, composed and is starring in 'Years.' Mary Ellis as the prima, is competent as usual, and was a big factor in the opening night. However, the one most responsible for the undoubted success of the show is Leontine Sagan, the producer, who has given the musical an excellent production. Many, many and more pretentious shows have been staged at Drury Lane, but few have been more pleasing. Her staging stands out as a result of carefully conceived color schemes and the handling not only of the principals but of the crowds. Even on opening night the show was running smoothly.

The show is set in the gay Vienna of 1911. Male composer 'Novello' has had his piano moved out in the garden, and his door locked for nonpayment of rent. He sits playing when the star of the opera happens to come home, and, from the first bars is obvious. True love, even in romantic musical plays, doesn't always run smoothly, certainly not here. Noel Coward wrote 'Bitter Sweet'—and in the end Novello and Miss Ellis are parted through a misunderstanding. *Jolo.*

AGMA and Concert Mgmt Sign; Commission Terms

Five-year contract with the two concert management associations was signed last week by the American Guild of Musical Artists. Pact covering singers limits commissions, provides a number of boycotting practices and controls the operation of the community or civic concert courses of Columbia Concerts Corp. and Concert Service, which lie between them handle nearly all the leading concert and opera artists.

Terms of the contracts are substantially as outlined in VARIETY two weeks ago. Exceptions are clauses covering commissions and endorsing the 'proper extension' of civic and community concert activities as beneficial to the artists, managements and public. Scale of commissions is as follows:

1. Concerts other than community, or civic, 20% (except that artists earning less than $75 weekly, usually from these concerts pay only 18%).
2. Community and civic concerts, 15%.
3. Guest radio bookings (single or series of not more than three), 15%.
4. Series radio dates (more than three), 10%.
5. All opera, 10%.

'Born Gay' at Harvard

Boston, April 4.

The Harvard Dramatic Club presents an American premiere of 'He Was Born Gay,' by Emlyn Williams, at the Peabody Playhouse here May 3. John Gielgud starred in this production in London in 1937, when it was presented by the author, who also penned 'Night Must Fall.'

It's a romantic versior. of the legend about the lost Dauphin, son oi Marie Antoinette and Louis XVI.

FROHMAN TO KEEP HIS THEATRE HOME

Reaction to press attention given the possibility of Daniel Frohman leaving his stage home, the Lyceum theatre, N. Y., which has been his abode for 35 years, resulted in assurances from two directions that the veteran showman and head of the Actors Fund can remain as long as he wishes. An official of the Bowery Savings bank, which holds the first mortgage on the property, announced that Frohman would not be ousted and that the apartment would be serviced with heat. Since the theatre closed, Frohman has been living in a hotel with his sister.

It developed, too, that the bank set back foreclosure proceedings and there has been revived interest in holding title to the property by owners, particularly the estate of Charles Frohman. The others interested are Daniel Frohman and the William Harris estate. When it was emphasized that the asscssed valuation of the property is almost double the mortgage indebtedness, which was definitely known to be $220,000, ownership representatives decided it was worthwhile attempting to hold the Lyceum.

There is a possibility that the building, which extends from 45th to 46th streets, east of Broadway, will be sold, in which event it is likely to be razed. A new rental deal is being worked out, however, and, too, it was stated that Frohman's tenancy of the apartment would not be disturbed.

Frohman, alluded to as the 'grand old man of the theatre,' calculates his age at 88 years.

Lunts to Give Pitt Season a Breather

Pittsburgh, April 4.

The shortest legit season here in years will get a brief respite week of April 24, when the Lunts come back for second time this year to split eight performances between 'Sea Gull' and 'Idiot's Delight.' As recently as a few days ago, it appeared that curtain had already dropped with 'Gulls' Good Friday,' but Lunts' booking will give house a breather. As it is, house will be dark for next three weeks.

'Idiot's Delight' opened here three years ago before going to New York but played only four performances, run being interrupted by big St. Patrick's Day parade. Lunts will play under ATS auspices, giving subscribers all but one of their six promised shows, which means refunds will be necessary.

Week of May 1 house gets Pitt Cap and Gown musical, 'At Your Service,' and unless deal for McCoy-Wee Willie Hunter is made in meantime house will shutter May 6 for four and a half months, giving Nixon exactly 24 weeks for 1938-39 season.

Rocket' Drops Out

'Rocket to the Moon' was withdrawn from the Windsor, N. Y., yesterday (Tuesday) after an engagement that approximated 38 weeks. Reason it was alternating with 'Awake and Sing,' which now goes on regularly. 'Rocket' originally opened at the Belasco, being a moderate money show, averaging $8,500 in earlier months.

ROCKET TO THE MOON

Mixed critical reception greeted this Clifford Odets drama. Lockridge (Sun) wrote: 'It has some of Odets' writing, but it not his best play.' Watts (Herald Tribune) said: 'A play decidedly worth seeing.' Winchell (Mirror) declared it 'probably of far greater interest to the students of the theatre than to the general public.' Brown (Post) called it 'the most exasperating kind of failure, a play which has so many good things in it that there seems to be no excuse for it being so unsatisfactory as it ultimately proves to be.' Variety (Ibee) predicted, 'It should fare moderately well.'

NEW LITTLE THEATRE

Tyler (Texas) Little theatre will complete in the next few weeks its $30,000 playhouse and workshops. Early May premiere is planned.

Group is meanwhile readying a production of 'You Can't Take It With You.'

2 Shows Quit Chi; 'Angel' Sets Pace, 4th Wk. $22,000; 'Kiss Boys' Finale 11G

Chicago, April 4.

Legit list in town sices in half, with two shows quitting Saturday (1). 'Kiss Boys Goodbye' left Chi. ago after a good 11-week stay, lays off this week and then hops to St. Louis for a fortnight and then into other midwest spots. 'Kiss Boys' was figured to stick here awhile longer. 'Angels In 22' canceled its original plans to continue tour and folded instead. Had been figured at first for a jump into the east.

'What a Life' extended its stay here and now plans to remain until April 15. New life has been injected into the show through high school party business, especially on Friday. Weekend trade for the comedy is excellent, with weakness during the middle of the stanzas.

'Last weeks' notice has gone up on 'I Married an Angel,' now scheduled to leave April 22 for Detroit. There has been some discussion as to whether Vera Zorina will stay with the show, and it is now indicated that she will stick until June 1. She's slated for a picture. Upstairs dinates have been selling to capacity, but the orchestra reveals empty pews during midweek.

Following 'Angel' into the Grand will be 'Knickerbocker Holiday,' which comes in April 24. Next Tuesday (11) the Federal Theatre will open its Shakespearean repertoire with Ian Keith headlining in 'Othello.'

Estimates for Last Week

'Angels In 22,' Sélwyn (3d-final wk) (1,000; $2.75). Decided to quit after three indifferent sessions. Finished around $6,000.

'I Married an Angel,' Grand (4th wk) (1,300; $3.30). Some weakness on the mezz floor during midweek holding down the gross, which is still good, however, at $22,000.

'Kiss Boys Goodbye,' Harris (11th-final wk) (1,000; $2.75). Finished excellent stay here Saturday (1). Final week gross was $11,200.

'What a Life,' Erlanger (4th wk) (1,400; $1.65). Lifted to $8,000, good, and may remain beyond the April 15 date tentatively set for closing.

WPA

'Big Blow,' Great Northern.

HUSTON-HOLIDAY' OFF IN PITTSBURGH, $17,000

Pittsburgh, April 4.

'Knickerbocker Holiday' fell considerably below expectations at the Nixon last week. Although Lent hurt somewhat, general opinion was that mustard's $3.30 tariff was right on heels of 'Women's' $1 top, kept gross down.

'Holiday' collected swell notices and Walter Huston's been a big fave locally since 'Dodsworth' hit town four years ago. Most of the talk was in the balcony, with gallery and downstairs slim.

House currently dark and also stays shuttered next (Easter) week on account of last-minute cancellation of 'Five Kings.'

Estimate for Last Week

'Knickerbocker Holiday,' Nixon (2,100; $3.30). Did only fair $17,000.

'Road' Smooth $12,500 In 5th St. Louis Visit

St. Louis, April 4.

'Tobacco Road,' back for its fifth engagement in four consecutive seasons, closed a farewell run Saturday (1) with a take that boosted the season's b. o. receipts at the American, this town's legit house, above $200,000. House dark currently but reopens Sunday (9) with a two-week engagement of 'Kiss Boys Goodbye.' According to present bookings John Barrymore and Elaine Barrie in 'My Dear Children,' 'I Married an Angel' and 'Knickerbocker Holiday' will be shown here before the season closes.

Estimate for Last Week

'Tobacco Road,' American (1,707; $1.68). With John Barton as Jeeter, 'Road' collected $12,500 for nine performances.

Beers Quits Shurr Agcy. To G.M. Conn. Strawhat

Nate Beers has resigned from the Louis Shurr agency, where he had charge of legit casting. He will be general manager of the Chapel Playhouse, Guilford, Conn., this summer.

Strawhat will be operated by Louise and Jean Platt, in association with Olive Warren. It will open late in June for a 10-week season. Louise Platt, film player, will come east late in the spring and expects to play leads at the spot this summer. Her sister, Jean, a Broadway ingenue, last appeared in 'Our Town.'

'Kiss Boys' Strong $14,500 in the South

Atlanta, April 4.

Brock Pemberton's Southern company of Clare Boothe's 'Kiss the Boys Goodbye' cracked off some healthy business last week in one-nighters, winding up at the Erlanger here Saturday night (1). Grossed $14,500 for eight performances.

Nearly $5,000 was drawn in single Louisville and Nashville performances.

Rich, Ethel Barrymore Plays Peter Out in S. F. After Strong Openings

San Francisco, April 4.

After a long period of darkness the Geary and Curran theatres reopened with showa that looked promising at the start, then petered out. First to come in was 'A Broom for the Bride,' with Irene Rich, which opened at the Curran March 23. On Monday (27) Ethel Barrymore in 'Whiteoaks,' opened at the Geary, which is next door. Competish from Lent in this strong Catholic town credited as being chief reasons for biz being off.

Estimates for Last Week

'Broom for the Bride,' Curran (1,-771; $2.75). Play needed some work before coming here. Midweek opening during Lenten season also harmful. Irene Rich and Else Argal well liked. Although notices from crix were on the play, audience reaction better. Present plan is for the company to return to Los Angeles, where there will be some changes. New York showing is being talked. Around $9,000 during engagement here.

'Whiteoaks,' Geary (1st wk) (1,-550; $2.75). Usually brilliant first night crowd turned out to see Miss Barrymore. But thereafter it slowed down and was lucky to get $9,000. Crix liked Miss Barrymore. Competish from Fair, spell of warm weather also harmful.

WPA

'Run Lil' Chillun,' Alcazar (13th wk) (1,289; $1.65). Show will close May 6, to be replaced by 'Two a Day.' Chillun' will be moved to Federal theatre on Treasure Island.

Ruth Draper OK $10,000; 'Earnest' 6G, Cuts Stay

Boston, April 4.

Spring fever caught up with show biz here last week, and as a result 'Importance of Being Earnest' clipped short one week its intended three-week booking. Ruth Draper, in a single week, drew good business.

New is Cornelia Otis Skinner in 'Candida,' April 10. All houses closed Holy Week.

Estimates for Last Week

Ruth Draper,' Plymouth (1,460; $2.75). Claimed to have taken around $10,000, okay. This was in place of her canceled booking earlier in the season.

'Importance of Being Earnest,' Wilbur (1,227; $2.75). Very sluggish evening trade, good matinees, $6,000; second week cancelled.

N. Y.'s Yiddish Legit Shuts Down on June 1

All New York Yiddish theatres shuttered per usual during the pre-Passover holidays, reopened Tuesday (4) for a more or less extended run. By June 1 all are expected to be shut for the season, reopening in the early fall.

As for the downtown houses—presently operating are the Second Ave. and National only—they will have short runs and then fold for the season. The only other downtown house, the Public, quit a month ago when it ran into financial trouble.

In the Bronx, the McKinley Square runs until the end of May with imported traveling troupes from elsewhere in the city, while the Hopkinson and Parkway, both Brooklyn, operate indefinitely, although it's expected that they'll continue only for a few weeks, since the Yiddish theatre is practically nil at the b.o. with the approach of warmer weather.

The only other Yiddish theatre is the Irving Place, near Union Square, which is set to light only for five days during the holiday period.

Current Roadshows

(Week of April 3)

'A Broom for the Bride' (Irene Rich)—Curran, San Francisco

'D'Oyly Carte Opera—National, Washington.

'Hamlet' (Henry IV (Maurice Evans)—Bushnell Auditorium, Hartford (8).

'I Married an Angel' (Dennis King, Vera Zorina)—Opera House, Chicago.

'Kiss the Boys Goodbye'—Harris, Chicago.

'Kiss the Boys Goodbye'—City Auditorium, Montgomery (3); Temple, Birmingham (4-5); Auditorium, Memphis (6-7); Highschool, Little Rock (8).

'My Dear Children' (John Barrymore)—Masonic Auditorium, Rochester (8).

'No Time for Comedy' (Katharine Cornell)—Memorial, Louisville (3); Taft Auditorium, Cincinnati (4-5); Hartman, Columbus (6-8).

'What a Life'—Erlanger, Chicago.

'Whiteoaks' (Ethel Barrymore)—Geary, San Francisco.

D'Oyly $28,500 In Philly Finale, 'Kings' Off, 9G

Philadelphia, April 4.

Past tense seems to be applicable to Philadelphia's 1938-39 season. The cancellation, not unexpected, of 'Angels In 22,' slotted for the Locust Monday (10), leaves the city not only without any current shows, but without any bookings.

Nothing surprising about first item, as this is Holy Week, but even in the worst years of the depression there has been no such early closing of all houses.

D'Oyly Carte again upped in its third and final week at the Forrest last week, but never hit predicted capacity. Cornelia Otis Skinner earned some profit in her single week at the Locust, getting a number of theatre parties from Bryn Mawr and Main Line groups for her 'Candida.'

The Philadelphia engagement of 'Five Kings' can hardly be accounted a success. Second week at the Chestnut.

Estimates for Last Week

D'Oyly Carte Co., Forrest (3d-final wk) (2,000; $3). Ended engagement very big. Final week was biggest of three at $28,500.

'Candida,' Locust (1,400; $2). Theatre parties and group support gave Miss Skinner around $8,500.

'Five Kings,' Chestnut (2d wk) (1,759; $2.50). Never really got started after adverse notices. Theatre Guild withdrawal, bickering and talking of premature closing first week didn't help; claimed over $9,000, mostly subscription.

'Skylark' Gets $15,660 In Week at Toronto

Toronto, April 4.

'Skylark,' with Gertrude Lawrence, grossed $15,600 in eight performances at the Royal Alexandra theatre here last week. John Gielgud's production of Samson Raphaelson's play is laying off this week, but plays the National, Washington, next week, and Ford's, Baltimore, the following stanza.

Question what will be done after that. Show may be taken directly into New York, or may be continued here, with the Broadway engagement held off until the fall.

Lunts Snare Smash $24,000 in Milwaukee

Milwaukee, April 4.

Alfred Lunt and Lynn Fontanne, in a week of 'Amphitryon' and 'Sea Gull' repertory, drew the second largest gross in town for this season at the Pabst last week. Only topper was George M. Cohan's 'I'd Rather Be Right' at the Davidson in January.

Lunts are laying off this week, staying at their Genesee Depot home near here. They play the Taft Auditorium, Cincinnati, next week, split the following week between Indianapolis and Columbus, and wind up the season in Pittsburgh the following week.

Estimate For Last Week

Lunt-Fontanne Repertoire, Pabst (1,200; $3.30 top). Town and critics welcomed the Lunts handsomely. Two mats were sold out. Combo hit a smash $24,000 in eight performances.

'Phila. Story' Leads Straight Plays On B'way, $20,500; Both 'Mikados' Fare Well; 'Way' Still Stem Leader

At mid-season Broadway's musicals were attracting most playgoers but spring finds straight shows in the foreground. That is due largely because of the clicks registered by such shows. Most recent hit is 'The Philadelphia Story,' starring Katharine Hepburn, which opened at the Shubert last week and immediately went into the lead of its division, getting $20,500 in the first seven performances.

List now has three high-grossing dramas. 'Abe Lincoln in Illinois' and 'The Little Foxes' completing the trio, both coupled as runners-up to 'Stars' with takings bettering $19,000. 'The American Way' is technically in the same category but is a spectacle. It was affected by heavy rains last week but with $37,500 still is the No. 1 grosser.

There's a wide divergence in the takings of the two colored 'Mikados.' First full week of the commercially produced 'Mikado' grossed $13,000 and additional praise from the press should figure in the show being a sleeper. It's scaled at $3.30 top, as compared with $1.10 for WPA's 'Swing Mikado.' Latter, in a larger capacity house, got $7,700 at the regular scale and seldom biz was claimed. That mark is said to be the highest for any of the WPAers in New York.

Both are doing well but whether there will be a battle of 'Mikados' because of the scale differences remains to be seen.

Downpour Saturday evening (1) started long before show time. Traffic was snarled and curtains held, boxoffices being considerably dented, another storm earlier in the week also having been responsible. The spring are likely this (Holy) week but like last year there's a big advance for Good Friday (7) night.

Due next week: 'The Flashing Stream,' Vanderbilt; 'My Hearty to the Highlands,' Guild; 'Festival' dates are 'Mexicana,' 'Five Kings,' and 'The Brown Danube.' 'Rocket to the Moon' closes after yesterday's (Tuesday) performance at the Windsor, revival of 'Awake and Sing' going on a week later.

Estimates for Last Week

'Abe Lincoln in Illinois,' Plymouth (25th week) (D-1,036; $3.30). Advance sale protected Saturday (1) night's biz when storm dented b.o.s; gross quoted over $19,000.

'Boy Meets Boy,' Alvin (20th week) (M-1,325; $4.40). Doing alright although considerably under capacity; rated around $20,500, good profit.

'Family Portrait,' Morosco (5th week) (D-1,019; $3.30). Picking up; around $7,500; probably bettered even break.

'Gentle People,' Belasco (14th week) (C-1,000; $3.30). Although slightly off, held to better than $8,000, profitable.

'Hippodrama,' Winter Garden (29th) week) (R-1,671; $3.30). Despite the weather the top grossing musical sold up at nine shows and was again well over $33,000.

'Hot Mikado,' Broadhurst (3d week) (M-1,116; $3.30). First full week, approximated $13,500, promising for colored cast musical.

'I Must Love Someone,' Longacre (9th week) (C-1,109; $3.30). Operating in red so far with takings around $4,500.

'Kiss Boys Goodbye,' (28th week) (C-1,000; $3.30). Tourist business upstairs than down; consistently profitable though under earlier going; $18,000.

'Leave It to Me,' Imperial (22d week) (M-1,468; $4.40). Storm had some effect Saturday (1) but business claimed to have again shaded $30,000.

'Mamba's Daughters,' Empire (14th week) (D-1,099; $3.30). Eased off like most others but still doing well; close to $13,000.

'One for the Money,' Booth (9th week) (R-708; $3.85). One of few shows this claimed some increase over previous week, approaching $12,000.

'Oscar Wilde,' Fulton (26th week) (D-913; $3.30). Dipped under $6,000 for first time; still okay, though.

'Rocket to the Moon and Awake and Sing,' Windsor (20th week) (D-1,049; $2.20). Starting next week 'Awake' replaces 'Rocket' regularly; revival easily better draw. Takings down to $4,000.

'Set to Music,' Music Box (12th week) (R-1,000; $4.40). Run ahead of previous week up to Thursday (29), Saturday night was hurt by Saturday night by rain; $15,000.

'Stars in Your Eyes,' Majestic (9th week) (M-1,717; $4.40). Partial revision of lower floor due, and attendance should be upped thereafter; slipped but claimed around $24,000.

'The American Way,' Center (11th week) (D-3,433; $3.30). Broadway's leader affected somewhat but no other show is even close to its gross, $37,500.

'The Little Foxes,' National (6th week) (D-1,164; $3.30). Line at boxoffice rarely breaks and business holds to big money despite offish Broadway going generally; again over $19,000.

'The Philadelphia Story,' Shubert (2d week) (C-1,367; $3.30). Broadway's new comedy leader; grossed $20,500 in first seven performances after getting rave press.

'The Primrose Path,' Biltmore (14th week) (CD-1,387; $3.30). Big party helped gross to better than $6,000 and engagement expected into the summer; moves to Cort Monday (10).

'The White Steed,' Golden (13th week) (D-730; $3.30). Among the moderates; takings around $7,000, profitable.

'Tobacco Road,' Forrest (278th week) (D-1,107; $1.65). Down to $4,000, or less.

'What a Life,' Mansfield (51st week) (C-1,050; $3.30). Use of cut rates helping it get by; $4,000.

REVIVAL

'Outward Bound,' Playhouse (16th week) (D-879; $3.30). Turning weekly profit with grosses over $8,000.

ADDED

'The Quiet City,' Belasco; written by Irwin Shaw; slated for Sunday night, starting this week (9).

'Fins and Needles,' Labor Stage (71st week). Claimed bettering even break slightly at little over $4,000. Improvement expected after this week.

Frank Fay Vaudeville, 44th St. Not too good so far; around $9,000 but needs more.

WPA

'Swing Mikado,' New Yorker; farring very well.

'Andrecles and Lion,' Lafayette, Harlem; due off next week.

'Pinocchio,' Ritz.

'Awako and Sing,' Daly's (Yiddish); closing Saturday (8).

John Barrymore Cuts D. C. Date Due to Illness

Washington, April 4.

Few thought much of the play, but critics went to town on John Barrymore's performance and with the traditional Barrymore draw, 'My Dear Children' was headed for an excellent gross when star gave in to throat ailment, cancelled Friday night (31) and two Saturday performances and set out for a New York hospital.

There had been some doubt about play's opening here after one-night stand in Baltimore, with Washington, as throat ailment developed two weeks ago. Although opening night performance had been the evidence of it, understanding was that Barrymore played that night with temperature at 104.

Current is D'Oyly Carte Opera Co. for single week, followed by Gertrude Lawrence in 'Skylark.'

Estimate for Last Week

'My Dear Children,' National (1,-698; $2.75). Building strongly when Barrymore gave in to increasing throat infection Friday night (31) and cancelled last three performances. Approximately $9,000 for five performances.

'Women' Vamps Detroit For $10,400 on 3d Visit

Detroit, April 4.

Virtual capacity crowds greeted 'The Women' (third visit here), which played at the Cass here last week at $1 top. Sticks for second stanza and advance indicates a profitable sesh despite Holy Week.

Everyone of the nine performances was virtually capacity. 'Knickerbocker Holiday' opens at the Cass Sunday (9).

Estimate for Last Week

'The Women,' Cass (1,500; $1.10). Excellent $10,400, despite play's third visit here.

Brooklyn Totters

Brooklyn, April 4.

Legit shut-down for Holy Week here. Werba's Brooklyn resumes next week, but there is chance that the Shubert will quit.

Last week saw 'Behind Red Lights' at the Shubert do mildly. Werba's 'Stepping Siste.r' fared poorly.

Estimates for Last Week

'Stepping Sisters,' Werba's (1,529; 75c). Weak sister, $2,000.

'Behind the Red Lights,' Shubert (85c). So-so $1,500.

Strassburger's Ambitions

Attempt by Ralph Beaver Strassburger, wealthy Norristown, Pa., publisher, to grab the New York Post and Philadelphia Record from J. David Stern was temporarily blocked in Common Pleas court, Philly, last week. Minutes of a board of directors meeting read at the court hearing revealed that Strassburger strongly disapproves the anti-Nazi policy of the Post.

Hearing was on an application by Strassburger for an injunction to restrain Record stockholders from holding their annual meeting last week. Judge James Gay Gordon, Jr., refused the injunction, whereupon the meeting was held and Strassburger was not re-elected to the board of directors. He subsequently appealed to the State Supreme Court. Argument will be heard in May.

Judge Gordon's decision followed reading of the minutes of a board meeting on Feb. 16 by David Stern Loeb, assistant secretary of the Record. It was as an outgrowth of this meeting that Strassburger filed a previous suit in New York to have his own accountant go over the books of the Post, of which he is also a stockholder. It was also revealed in these minutes that Strassburger was ambitious to become president and editor of the Record.

Albert M. Greenfield, another big Record stockholder, told Strassburger that the only way he could gain control of the Record would be by buying a majority of the common stock. Strassburger declared that he would gain control by other means and suggested that Stern could be left out of the picture for a year with his salary taken care of while other interests operated the paper.

Miss Sillecox Unloads

Luise Sillcox has resigned as treasurer of the Authors' League of America because of the press of increased duties. Successor is expected to be Gertrude Priester, the organization's accountant. Change is considered largely a technical one, with Miss Sillcox likely to remain in active charge of the league offices in New York. In addition to her duties as treasurer she was also formerly secretary, but declined to run for re-election last year. She will now have the duties of executive-secretary, but without formal title.

She retains her office treasurer of the Authors' League Fund.

Wilkes-Barre Peace Looms

Three Wilkes-Barre, Pa., papers, which failed to resume publication upon settlement of an American Newspaper Guild strike because of failure to get together with printers on a new contract, are set to resume. Evening News and Times-Leader were ready to reappear yesterday (Tuesday) afternoon, and Record this morning (Wednesday).

Understood that inability of publishers to sign a new agreement with the typographical union resulted from reports of impending consolidation of the three dailies during the Guild strike. Printers said to have insisted on job assurance in the event a merger was effected, and new contract reported to include such a clause.

Guild strike halted publication of the three papers on Oct. 3. Newspa-pers strike ended around two weeks ago.

Satevepost So-Whits Germany

Curtis Publishing Co. has halted sale of its mags in Germany. Action taken after a number of recent issues of the Satevepost had been confiscated by the censors because of articles on European affairs. Figuring that stop and go signal on future issues would be too much bother, publishing company decided to forego future sales of its periodicals in the Reich.

Satevepost the only one of the Curtis publications to have been interfered with. No interference with the Ladies Home Journal, but Curtis has withdrawn that one from Germany, too.

Pinker Episode Aftermath

Attempts by the N. Y. literary agents at self-regulation, begun last summer, spurred by the Pinker episode affair. But, although craft is determined on formation of an organization as guard against evils, feeling is that the Authors' Guild, membership of which is vitally interested in such an undertaking, would help considerably to make the projected organization a reality if actively aiding in its formation.

Code of ethics spoken of at initial organization meeting of the literary agents last June, presided over by Willis Kingsley Wing. Realized, however, that a code of ethics or any other regulatory measures valueless without means of enforcement, and subsequent informal efforts made to woo co-operation of Authors' Guild as possible enforcement agency.

Although the literary agents have not gone officially on record as desirous of Guild co-operating in formation of their regulatory organization, they've expressed so privately. In view of the Pinker thing, they would welcome Guild's participation at once.

Ironical note is that Pinker has been present at most of the meetings held by the agents in attempts to organize. In fact, Pinker, one of the leading agents in N. Y., was a convincer for many that organization was important.

Press Society's Position

Attacks on the fairly new American Press Society as anti-union, answered in a general denial by the board of governors. Society, which calls itself a professional organization of newspaper editorial workers, went on record as not opposed to unionism in news rooms, but against closed shop.

Although assertedly sympathizing with all editorial workers, union or non-union, in efforts to improve their professional and economic status, Society will not participate in collective bargaining or seek contracts for members.

In explaining opposition to closed shop in the news room, Society characterizes closed shop as a 'menace to the freedom of the press and the independence and integrity of the press.'

New Yorkers Would Be Amazed

With opening of N. Y. World's Fair imminent, surfeit of printed guides to the metropolis threatens. Directories tumbling from the presses in ever increasing numbers, and there may be as many printed guides to the big town as will be visitors to the Fair.

Directories of every shape, form and manner, from almost literal Baedekers to a folder. Some of the more pretentious guide books sell for as much as $3 each, and are fancy volumes. Majority are pocket-size affairs costing 25c, and many are given away free with the compliments of someone or another.

Data dug up for the printed guides so varied as to leave not a stone of the metropolis unturned. Some of the dope will amaze even the natives. Guides give so thorough and glowing the lowdown on N. Y., they're likely to make visitors reading them forget about the Fair.

Post-Gazette Status

Contract negotiations between Newspaper Guild and Pittsburgh Post-Gazette were called off last week by both parties when no agreement could be reached after weeks of wrangling and next move is still up in air. Present agreement runs out April 1 and management has agreed to make any deal settled upon in future retroactive.

Believed that Guild membership will vote to empower negotiating committee to take over completely and report back on any concessions management is willing to make. One point P-G has definitely stated it will not concede is closed Guild shop and that's understood to be the chief stumbling block at present. Pay raises publisher is ready to meet include few in business department, but no more. Guild had been seeking general increase in minimums, with five percent raise for all those getting above that.

Bad Libel Conviction

A jury in the court of Superior Judge James of Redwood City, Cal., found John L. LeBerthon, publisher of the News Letter and Wasp, San Francisco, guilty of three counts of criminal libel. Maximum penalty for the conviction is $5,000 fine and one year on each count.

The suit grew out of a series of articles LeBerthon published concerning Dr. John C. McGovern, San Francisco dentist. Dr. McGovern has a $250,000 civil suit depending against LeBerthon in San Francisco courts.

Claire Briggs Carries on

Claire Briggs, 20-year-old daughter of the late cartoonist, Clare Briggs, has joined the Esquire Feature Syndicate and will revive the former Briggs cartoon captions and characters. Will do daily panels of the old titles, including 'When a Feller Needs a Friend,' 'Ain't It a Grand and Glorious Feeling,' and a Sunday color page of 'Days of Real Sport.'

Although former titles will be used, all material will be strictly new.

750G Photo Suit

A $750,000 damage suit filed against King Features and the N. Y. Evening Journal by Ina C. Banks charges unlawful printing of her picture. Plaintiff claims that she was crowned on Jan. 1, 1936, in Tulsa, Okla., and that the pictures of the operation were printed on Jan. 2, 1937.

She claims that they were immodest, unrefined and vulgar.

Asks Public to Aid News

Rochester Evening News carried front page editorial all last week asking public to subscribe for stock to keep the paper running. George W. Hinman, Jr., trustee in receivership proceedings, stated $50,000 had been promised if paper could raise additional $150,000. Employes, who have been working virtually without salaries for six weeks, put the bee on affiliated unions for funds to carry the paper over the hump.

Hinman announced that the News started in August, has been launched with insufficient capital. Paper claimed 25,000 circulation, but from the first got little advertising.

Here's New England

'Here's New England' and 'The Berkshires' are two volumes slated for publication by Federal Writers' Project in April. Houghton Mifflin will publish the former and Hastings House the latter.

'Here's New England,' with 100 pages, will be sold at the New York World's Fair at 50c per copy (it's sponsored by the New England Council), and 'Berkshires' will retail for $2.50.

Ken Banned in Canada

As result of second 'offense' Ken has permanently been banned in Canada. Ban order followed publication of a cartoon of King George VI, which revenue department official regarded undignified.

Single issue of the mag was banned a few months ago because of an article which officials didn't like.

Federated Officers Re-elected

Three Michigan publishers, recently ordered by the U. S. circuit court of appeals to return $3,572 shares of stock to the company's treasury, last week were re-elected officers of the Federated Publications, Inc., which owns the Lansing State Journal, Battle Creek Enquirer-News and Grand Rapids Herald, all in Michigan.

Albert Miller, publisher of the Enquirer-News, was renamed president; Louis A. Weil, publisher of the Port Huron (Mich.) Times-Herald, was re-elected vice-president, and Paul A. Martin, of Lansing, renamed secretary-treasurer. S. W. McFarland, of Port Huron, and H. C. Hawk, Jr., Battle Creek, were re-chosen directors. Miller, Weil and McFarland were those affected by court ruling, the outgrowth of a suit by Lewis Ashman, a stockholder, who charged defendants with using 'goodwill and credit' of company in acquiring for their own account shares valued at $670,000.

Wolfe's Terrific Output

Illustrative of the prodigious output of the late Thomas Wolfe, the half of the manuscript left by him upon his death, which Harper's sent to the printers last week, contains between 215,000 and 250,000 words. Second half, to be published next year, will be about the same length.

Two fall into distinct halves, making each a novel complete in itself. First part, skedded for publication in June, to bear the title of 'The Web and the Rock,' with the second to be called 'You Can't Go Home Again.'

NEW PERIODICALS

Man About Town is new mag to be brought out by Dell this month. Sort of companion pub to the same firm's Mr., except that Man About Town will go in for more humor. Norman Anthony, who edits Mr., will additionally edit the newcomer.

Who's News in Who's Who, new mag to be issued by publishers of Who's Who, due in 4th indicates, will treat of those personalities in Who's Who of more than ordinary current interest. Mag to be edited by the regular Who's Who editorial staff.

Fauna, new mag of wild animal life. Issued quarterly, with publishing offices in Philadelphia. Editor is Roger Conant.

LITERATI OBITS

Constance Lindsay Skinner, 60, novelist, poetess, essayist and poet, previously newspaper music and drama critic, died last week in her home in N. Y. of complications following an attack of grippe. Early newspaper career included service with the San Francisco Examiner and Los Angeles Times.

Maurice L. Block, 42, Goldsboro, N. C., newspaperman, died in his sleep at his home March 18. He had suffered with heart trouble for two or three years, but had been actively at work until the day before his death.

William P. Tiebout, 53, assistant news editor of the Cleveland News, died Thursday after a short illness. Served on paper since 1921, previously having been with the Erie (Pa.) Dispatch-Herald, Chattanooga Times and Albany Knickerbocker Press. Wife and three daughters survive.

Edwin J. Farber, 82, publisher of the Catonsville (Md.) Argus, died April 30 in his home in Baltimore. Had been publisher of the old Baltimore Daily Record and of the Maryland Medical Journal. Survived by his wife and son.

John R. Fitzpatrick, 47, city editor of Columbus, Ga., Ledger for past eight years and one of best known newspapermen in Georgia, died last week in U. S. Veterans' Hospital in Atlanta. Native of Mumfordville, Ky., he began his newspaper career in Charleston, W. Va., later working on papers in Richmond, Petersburg and Newport News, Va. He went to Columbus after war and was connected with Enquirer there before joining Ledger. Adjutant and department Commander of American Legion, he was buried in Columbus with military honors.

F. W. Cheely, publisher of Great Falls, Mont., died March 31 in Hollywood.

Samuel Paul Booth, 73, head of the Interborough News Co., newspaper, book and mag distributor in the N. Y. area, died April 2. Beginning his career as a circulation department exec with Detroit Free Press, Booth was with a number of other papers throughout the country before coming to N. Y., where he served on the old Evening Mail and Commercial Advertiser. Formed the Interborough News Co. about 20 years ago. Wife and two nephews survive.

Emil Vadnay, 47, N. Y. Times correspondent in Central and Southeastern Europe, died Saturday (1) in Prague. Native of Hungary, served as correspondent for several London papers before joining the N. Y. Times staff. He also represented VARIETY.

Peter Sabados, 61, associate editor of Magyar Jovo, Hungarian-language daily published in N. Y., died Thursday (30) after a short illness. Was editor of U) Elore, another Hungarian-language paper published in N. Y., until paper's suspension last year. Widow and a daughter survive.

CHATTER

Phyllis Bentley to London.
Eleanor Early to Santa Domingo.
Melvin Rile shopping for a boat.
Bruce Lockhart back to England.
Bernard Smith, of Knopf, doing a book.
T. Vincent Clarkson back from the Bahamas.
The Albert Payson Terhunes off on a cruise.
Hope Cooke, of King Features, to wed in June.
Gramercy Park Press formed by Paul Kanter.
Louis Adamic in from his Pennsylvania retreat.
Madeleine Boyd feted by the Contemporary Arts group.
James Joyce's 'Finnegan's Wake,' set for May publication.
Frances Hughes has joined the Photoplay editorial staff.
The Geoffrey Castles (Margery Sharp) quit N. Y. for home.
Philip E. Mosely a newlywed. Bride is the former Ruth Bissell.
Look claiming circulation gain of 200,000 the latter of the month.
Steve Fisher's novel, 'Bugle in the Night,' opens as a serial in July Cosmopolitan.
Charles Lee, book editor of the Boston Herald, guesting Thornton W. Burgess.
Pietro di Donato, the new scribbling sensation, was a bricklayer not so long ago.
Ben Lucian Burman has changed publishers, going to John Day for a long period.
Autobiog of Ida M. Tarbell due April 18, under the title of 'All in the Day's Work.'
Mario Puzo publishing his own novel, 'Bad Boy,' with editorial help by Garry T. McHugh.
Donald Jansen to Norway, on the chance there might be some fiction material in the old folks.
Francis Gerard carrying on the 'Sanders of the River' character created by Edgar Wallace.
Louise Redfield Peattie and Donald Culross Peattie partied jointly by their respective publishers, Dodd, Mead and Doubleday Doran.
Hal Foster to resign as Philly rep for Fortune on May 1 and resume his former job as head of the Paul Block papers office in that city.
The Satevepost piece, 'Cats and Clinkers,' story of the Ringling show, was authored by Joe Bryan III, associate ed. It appeared sans byline.
Maxwell Anderson has gathered a miscallany of matter, to be published soon as 'The Essence of Tragedy, and Footnotes and Other Papers.'
Allen Raymond, of the N. Y. Herald Tribune, and Craig Thompson, of the N. Y. Times, have sold Dial Press a book on N. Y. gangsters and politicians.
Peter B. Kyne, recovered after a long period of ill-health, is back writing; a new novel, his first in six years, nearing completion. William C. Lengel's handling him.
Clyde Blackwell, reporter on the Rochester Times-Union, was married March 11 to Ruth Atwood, a fellow-reporter and daughter of M. V. Atwood, editorial director of the Gannett Newspapers.
Hickman Powell, who was on the old N. Y. World, and more recently on the Herald Tribune, has written an account of N. Y.'s vice racket, 'Ninety Times Guilty,' which Harcourt Brace publishes soon.
James Keeney, columnist (under the name of Cecil Brownfeather) of the Philadelphia Record, has been elected president of the Pen and Pencil Club, social organization of Philadelphia newspaper men.
Collyer's News Bureau and Collyer's Publishing Co. celebrated their silver anniversary last week. The sports syndicate and publications of that name were founded in 1914 in Chicago by the late Bert E. Collyer.

Pickets at Fair

(Continued from page 49)

certain matters pertaining to the Ringling, Barnum & Bailey circus.

Dissatisfied With Arbitration

Union has been dissatisfied with negotiations so far, one now pending with the Theatre Guild. While it was understood that the differences were settled when a double box office crew of ticket treasurers and assistants were installed at the Shubert for the Guild's 'The Philadelphia Story' last week, the wrangling with the Guild did not end.

The arbitration was reopened before an award was made and two more sessions were held, final hearing being Friday (31), with attorneys for both sides then slated to tender briefs. Guild contended that it has an agreement with TMAT to the effect that it has the privilege of working the box office crew into a theatre to handle subscriptions, so long as the regular ticket staff is paid.

TMAT doesn't like that idea, insisting that the regular staff be retained and denying the necessity for special ticket sellers being used for subscriptions. In other words, the union takes the position of not wanting members to get wages without working. It's further claimed that special box office staffs are not used out of town to handle Guild subscription tickets. Both sides intimate irregularities in handling tickets regardless of which crew is used.

Several groups within the union held meetings for various reasons. One was called by the New York press agents with the idea of combining with the road agents, which are a separate group. It is said that the Broadway bunch, which insisted on a certain amount of autonomy when joining TMAT in a body, has changed its attitude of aloofness.

A meeting to nominate officers is carded for April 13. Present officers and staff were named for short terms because of the delay in adopting the new constitution.

McClintic

(Continued from page 49)

stroyed the film sale value of the play.

Verdict against Metro is rated as full payment for the alleged infringement, so McClintic and Miller would have no claim against the studio. Besides, they did not hold copyright on the play, but merely were guaranteed a split of the screen rights' purchase price. Theory is that the production of the play enhanced its value as a film possibility. How McClintic and Miller would split any coin they would receive would presumably depend on the sharing terms under which they produced the play.

Broadway

Paul Morris to p.a. Fair's musical activities.

Herman Robbins due back from Florida soon.

Helos Campbell to Denver for indefinite stay.

Charles Washburn annoyed by inflamed eyelids.

George W. Weeks, Monogram sales head, bedded with the flu.

Leon Enken (Leon & Eddie's) lost 19 pounds at 'Hot Springs,-Ark.

Victor Leighton and Rube Bernstein to handle Aquacade at Fair.

Charles Stern, UA's eastern district manager, back from Miami.

Tropical Park's fold Monday (10) means the end of the Miami season.

Bob Weinchaen moved in from Bermuda with his brother-in-law.

Chic Johnson's wife, Katherine, out of 'Hellzapoppin' for goitre operation.

Paramount Pep Club holds its annual spring dance, Hotel Astor, April 28.

George M. Cohan 3d of Alvin box-office under treatment for low blood pressure.

The Park Central hotel puts in a girl show—part of the World's Fair preparation.

George Walsh plans another golf tournament for the Paramount Netco circuit this summer.

Nancy Andre, receptionist for Brock Pemberton, wed to James Allen, and off to the Coast.

Hurricane last fall provided better business for Russell Market at Quogue, L. I., than he had before.

Don Hancock, amateur prestidigitator, is trying to sign a magician for a part in pictures he is directing.

Lou Clayton having a three-step, skin-grafting operation to close breach on reconditioned schnozzle.

Oscar Micheaux, producer of pictures for the colored trade, has signed a Screen Actors' Guild pact.

Story ed Franklyn Underwood before all, Joe Moskowitz is doubling into that 20th-Fox department at the homeoffice.

Both Mae West and her manager, Jim Timony, have play production ideas for Broadway following her vaudfilm tour.

Savington Crampton, ex-radio adman, now a gentleman farmer, sells his Bucks County (Pa.) eggs to the taverns around town.

Clifford Goldsmith, author of 'What a Life,' returned from the Coast last week, is readying a new comedy for fall production.

Nydia Westman to the Coast on a 20th-Fox chore. Gave up a spot on the 'Guess Where' program over Mutual to take the assignment.

A. L. Burks back to the Metro exchange, Charlotte, after New York stopover following Metro sales convention in Chicago.

George D. Lottman, p. a., now a Miami Beach resident with his family, and planning to open a bistro there for year-round operation.

Sol A. Rosenblatt, theatrical attorney, back from a sixweek trip to Europe. He arranged to bring over some French films for U. S. distribution.

Joe Bernhard, recently laid up in hospital, flew to the Coast Sunday (2) for a week of conferences on studio matters and Pacific Coast theatre operation.

Terry Lawlor and Ramon and Renita were among the most solidly booked performers in Florida this season; both played every top nitery in Miami and at the beach.

Effects of 'What a Life,' 'Primrose Path' and 'Boys From Syracuse' readying skits for presentation at the birthday party George Abbott is giving April 13 at the Alvin.

Owen Davis, Jr., will do 'Little Women,' with Jean Muir, at Maplewood, N. J., next week. Alison Skipworth and Anne Mason will do The Torchbearers' the following week.

S. S. Bear Mountain, used by Kay Parsons for the past several summers as a Hudson River showboat, has been sold, indicating she will not be on the river this season.

Theatre Guild is planning to display the boxoffice scale for 'The Philadelphia Story' on the wall outside the Shubert theatre, as well as at the boxoffice, so those in line for tickets may have time to study it.

Edward Rigney, one of the U. S. tax experts assigned to VARIETY for gratis governmental aid to professionals on income tax statement preparations, has been admitted to the bar. He will practice in N. Y.

Sydney

By Eric Gorrick

'Suez' (20th) is playing to top biz in New Zealand.

U. S. sideshow arts will feature this year at the Royal Easter Fair.

Nicola, magician, is still chalking up big biz in the stix of New Zealand for the Fullers.

Australian-New Zealand Theatres dickering regarding season of Gilbert and Sullivan operas late this year.

Many nabe exhibs are still sticking to triples. Sex they won't quit until it can be shown that duals spell b.o.

Big boom is anticipated in ice skating here this season. Sir Ben Fuller figures on being in this year with an ice idea.

Norman B. Rydge, boss of Greater Union, was recently granted a divorce from his wife and given sole custody of his two young sons.

Through collections taken up in New South Wales picture houses $10,000 was donated to victims of recent bush fire disaster in Victoria.

Col's 'You Can't Take It With You,' which won the Hollywood Academy Award, failed to pull on move-over try from Regent to Mayfair, Sydney.

After the legit 'Idiot's Delight,' Henry Mollison, together with Frank Harvey, will be spotted in several straight shows by Australian-New Zealand Theatres.

Australian-New Zealand Theatres may take a fling at grand opera next year if present plans mature. Biggest problem is an extra legit house in Sydney.

Ken Asprey is now located at the home office of Australian-New Zealand Theatres. Has broken away from Baldick & Asprey after years with the attorney firm.

Atlas will distribute the Pommer-Laughton picture throughout Australia under the direction of Richard Shafto. 'St. Martin's Lane' has arrived and has been okayed by censor.

Greater Union made a deal with Par for the release of 'Ambush' and 'Thanks for the Memory' in Australia State, Sydney. First time in years that a Par bill has been spotted at this house.

Although it was tipped by picture moguls that gangster pictures were definitely out in this country, the recent four-week run of 'Angels With Dirty Faces' (WB) is responsible for making them think otherwise.

Questioned as to whether he would enter the home production field, Stuart F. Doyle, founder of Cinesound, but now mainly interested in radio, said he might do so providing the British market was more widely opened to home product.

Cleveland

By Glenn C. Pullen

Nat Holt of RKO Palace recovered from grippe.

Frederic Meiers of News theatrical section still ill.

Dick Stable leaving Terrace Room April 15 for one-nitery.

Misha and Lucy Gehrman joining Manhattan stock company.

Joseph Holten, 20th Century-Fox talent scout, in for quick visit.

Lou Wassermans stopped off, en route from New York to Coast.

Henry Leitman leaving Eight O'Clock Club's monicker to College Inn.

John Brownlee pinch hit for Lawrence Tibbett, down with flu, in Met Opera's 'Otello.'

Harold Reinhardt promoted from Allerton hotel managership to helm of swankier Fenway Hall.

Jean Jabin back from Miami, taking over Chateau Club, with Daffy and Lenny as silent partners.

Eugene Kelly of Favorite Films, Inc., and Statler looking for summer road attractions to lure convention trade.

Frederic McConnell's Play House tackling 'Of Mice and Men,' after five weeks of 'She Stoops to Conquer.'

Cinema Club holding second annual convention, with Harold Hendee, RKO-Radio research director, as guest-speaker next week.

Philadelphia

By Herb Golden

Bill Rovner buying himself a plane.

Howard Parker in on a quickie visit from Chi.

Jack Mulhall, WB district manager in Chester, home ill.

Charley Kaplan back at WIP after spending the winter in Miami.

Jack Supple Hounds, last in the territory, sold at auction last week.

Ben Shindler back at his Wilmington theatre after a southern sojourn.

Muzak rep in town to consult with Musicians Union on plans for coming in here.

Central Labor Union supporting fight against chain store and theatre tax in Pennsylvania.

Mr. and Mrs. J. B. Fox and their daughter off to Europe. Will visit Scandinavian countries.

John Golder, of Hollywood Exchange, back from Florida, while Ed McEvoy, of RKO, just leaving.

Lou Goodkin grieving because he had to pass up a job as cameraman on scientific expedition going around the world.

Hal Hode in from Columbia's home office last Thursday (30) for luncheon to Mrs. Edna Carroll, new censor board chairman.

Cover girls from Disney Coast studios trained in last week for a month and a half stay recording Philly Orch under Stokowski.

Harry Murdoch, Evening Ledger crick, left Saturday with wife and kids to drive to Miami on a two-week vacash. Gerry Gaghen filling in for him.

Concert by Lawrence Tibbett, skedded for the Academy of Music Thursday (30) night, was cancelled, due to the warbler's illness. Richard Tauber subbed.

London

Earl Bailey down with sinus.

Paul Robeson making first Scandinavian tour.

According to official liquidators, Giro's Club lost $35,000 last year.

Charles Cochran selling of linking over an important London theatre.

Wini Shaw off to Paris for a looksee, and may return to play in a revue.

Tom Walls terminated three-month vaudeville tour with General Theatres Corp.

Sam Smith, head of British Lion Film Corp., has been made a director of Republic Pictures.

After panning all screen writers for years, George Bernard Shaw has joined the British Screen Writers Assn.

Wilfred Lawson joins the Mask Theatre Co. at Westminster theatre for two plays, the first of which will be 'Bridge Head.'

Tom Mix has cancelled his month-of-April engagement at Cirque d'Hiver, Paris, and goes to Copenhagen for the entire summer.

Gracie Fields' new picture for 20th-Fox has been production shortly. Sydney Howard will play her screen father. Monty Banks will direct.

Labor ministry getting tougher. Won't even permit a foreign turn to play gratis at a charity show. Must adhere strictly to labor permit engagements.

April 21, John closed deal with Teddy Joyce to stage all shows at the Paramount. Contract operates from April 10, and is for three months, with option.

'Band Wagon, the No. 1 radio feature here, without Jack Hylton is touring in the sticks, grossed $12,600 at the Hippodrome, Birmingham, all-time record for house.

Howard Boxall, production manager for M-G British Studios, Ltd., and for past 8 years in film production here, named as general manager for Korda Productions, Ltd.

The Zomahs, mind-reading act, won their suit against Psychic News, in which they alleged the newspaper accused them of trickery and incompetence. Plaintiffs were awarded $500 each.

Ministry of Labor has reiterated its ruling to local agents that it won't allow American bands here to play vaudeville or theatre until the American Federation of Musicians relaxes rules on English bands.

Charlotte Greenwood and Arleen Whelan, names

OBITUARIES

SAM PECHNER

Last rites for Sam Pechner, 56, San Francisco theatre man, who died of a heart attack on a train March 30 while returning from a conference with Los Angeles film executives, were held in San Francisco, Sunday (4).

Pechner was manager of the Warfield theatre, Frisco, for the past three years. He had been with Fox-West Coast and its predecessor, West Coast Theatres, for nearly 20 years, and had also held executive posts in several Paramount-Publix theatres before joining Fox-West Coast.

Widow, a son, Warren, manager of a Palo Alto theatre; and a daughter, Roma, 20, who eloped last summer with Harry Sinclair, Jr., son of the oil magnate, survive.

HORACE WRIGHT

Horace Wright, 62, once a leading tenor for Milton Aborn's Gilbert and Sullivan opera company, and who for 20 years trouped with his wife in an

IN MEMORIAM

HERMAN WHITMAN

APRIL 4, 1938

Always remembered by his host of friends in Philadelphia

act tagged 'The Somewhat Different Singers,' died March 27 at his home in Livingston, N. J.

An auto salesman for the last 10 years, he was an Englishman by birth and came to America when a small boy. At 18 he made his stage debut and in 1909, while appearing in light opera with the Aborn troupe, he married Rosa Dietrich, the company's prima. He and his wife were among the first performers to entertain the A. E. F. In recent years he had sung at intervals for radio.

Surviving, besides his widow, is a sister.

LESTER HUTCHEON

Lester Hutcheon, 40, connected with the Shea theatrical enterprises for the last 10 years, died at the Mercy hospital, Pittsburgh, Sunday afternoon (2) of a blood stream infection after a lingering illness. At the time of his death, Hutcheon was manager of the Shea houses in Dover, O., and New Philadelphia, O.

Hutcheon had previously been treasurer of Shea's Fulton, Pittsburgh, and in 1934 was made manager of the Orpheum in nearby McKees Rocks, Pa. From there he was transferred to the Ohio towns as twin-house manager. Funeral services were held in Pittsburgh yesterday (Tuesday) and burial was in Amsterdam, N. Y.

Widow survives.

EDWARD EVERETT ROSE

Edward Everett Rose, 76, who dramatized many prominent novels of the past quarter century, died in Community hospital, Fremont, Wis., April 2.

No relation to Edward E. Rose, the English playwright. He was a member of the Lambs. Among his adaptations were 'Janice Meredith,' 'Penrod,' 'Cappy Ricks,' 'The Rosary' and 'David Harum.'

He leaves his widow, Dorothy Stanton, an actress.

CHARLES SPOERLEIN

Charles Spoerlein, 75, dean of Cincinnati stagehands, died March 28 in Bethesda hospital, Cincy, after a lengthy illness. He came to this country from Germany when he was 13, joined the John Robinson Circus and later settled in Cincy for long service as property man at the Pike, Robinson's and Grand Opera houses.

In recent years he worked the summer runs of opera at the Cincinnati Zoological Gardens. Survived by widow, two sons and five daughters.

DAVID HOWELL

David Howell, 56, former film exporter, died March 29 in Los Angeles. In early silent days he acquired foreign sales rights to the output of studios. He imported the German film, 'Passion,' to the U. S., which later resulted in Paramount signing Pola Negri, star of the Pike. He abandoned picture business for ranching several years ago.

Widow, two daughters and a son survive.

HENRY BOEWIG

Henry Boewig, 80, librarian, arranger, and who for more than 43 years played in the second violin section of the New York Philharmonic Symphony, died at the home of his daughter in Brooklyn March 31.

Although retiring in 1930, he still carried on much of his former duties at home. A son also survives.

JOSEPH DONATELLA

Joseph Donatella, 26, dancer and accordionist, who appeared in George White's 'Scandals' in 1932 and who had also toured the major circuits with his parents, Petro and Rosa Donatella, in their act, 'Carnival of Venice,' died March 31 at his home in Englewood, N. J.

Surviving are his widow, three sisters and parents.

ARTHUR SNEAD

Arthur Sneed, 72, one of Pittsburgh's best-known property men, died at his home in that city last week after a long illness.

Sneed was first associated with the old Kenyon theatre on the northside and later worked at the Pitt, Alvin and Nixon during the legit hey-days of all three. He retired several years ago.

LEW PEARL

Lew Pearl, 54, old-time singing comedian, was found dead in bed March 27 in a Detroit hotel. Burial was in Chicago, March 29.

For the past nine years with the 'Old Timers,' current at Club Commodore, Detroit, Pearl had also toured for years with an act known as Pearl Bros. and Burns.

CHARLES F. HIGGINS

Charles F. Higgins, 56, for years an advance agent for Al G. Fields Minstrels, died March 26 in a Columbus (O.) hospital after a brief illness. He also had been advertising manager for the old High street theatre, Columbus, and a theatre billposter there for years.

Widow and sister survive.

HARRY ENGLISH

Harry English, 78, vaudeville and legit player, died Monday (3) in an Englewood, N. J., hospital.

After leaving vauda he played with Ethel Barrymore's company at

In Fond Memory of
My Beloved Brother

IRVING EDWARDS

Who Died April 4, 1938

ELMER GROSSO

the Empire theatre, New York. Several years ago he was named West Coast office manager for the NVA.

Widow survives.

CARL F. KAUFMANN

Carl F. Kaufmann, 85, composer, opera singer and 'cellist, died at his home in Boston, April 1.

He toured the United States late in the 19th century and for several years sang with the Metropolitan Opera.

DOROTHY KINGDON

Dorothy Kingdon (Roche), 45, early film player and lately on Federal Theatre rolls, died March 31 in Los Angeles.

She appeared in many stage plays before going to the Coast.

CLYDE MILLAR

Clyde Millar, 75, oldtime vaudevillian, died in Chicago, March 29. He was of Millar Bros. team.

Brother survives. Burial in Chicago.

ZOE MATTHEWS

Zoe Matthews, 56, former vaudev, died in Chicago March 31.

Burial in Chi.

GEORGE JOHNSON

George Johnson, 35, died in Los Angeles April 3.

He was connected with film production. For some years he had been in charge of the drapery department at Republic.

Father of Laurence Olivier, The Rev. Gerard Kerr Olivier, 89, died in West Worthing, England, April 1. Son is currently touring with Katharine Cornell in her new play, 'No Time for Comedy.'

Mother, 84, of A. K. (Rosey) Rosenweil, poet-philosopher on KDKA, Pittsburgh, and also baseball commentator on that station and WWSW, died at her home in Pittsburgh, Monday (3) of pneumonia.

Jack Snydar, about 60, doorman for the Paramount theatre, New York, for years, died March 30 in New York.

H. N. Yates, 12 years in the RKO studio cutting department, died April 1 in Hollywood.

ARMSTRONG MAKES NIGHT FALL ON DAY

BY JACK PULASKI

It took 12 rounds for Hank Armstrong, slugging featherweight and welterweight champion, to batter down Davey Day, Chicago contender for the latter title, at Madison Square Garden Friday (31). The Coast whizz was a one to five selection to cop, but there were times when the layers of such odds, if any, must have been uneasy. Day put up a courageous battle and dropped more from exhaustion than from a body blow that terminated the melee.

After the match, it was stated that the win may be costly for the double champ. His hands were bunged up, but it was later said there will be no postponement of a London appearance for which he has a chunk of coin guaranteed. X-rays showed a bone chip on one finger on the left hand, and a digit on his right mit was puffed up.

In light of the injuries it was surprising that the little guy could use those maulers the way he did in the concluding session. Armstrong seemed determined to end it just then, for a cut over his left lamp, which required two stitches to close, had been leaking steadily since the eighth round. The referee kept peering at it between rounds, and it's figured he warned that the fight could be stopped because of the cut, in which event Armstrong's title would have passed.

There had been stories around that Armstrong would 'loan' the title to Davey and re-win it after returning from Blighty. The way the dopesters had it was not complimentary to British ring officials. It was pointed out that over there an accidental low blow could be the signal for the referee to stop the fight and declare the other fellow the winner.

Armstrong and his manager said that was a lot of hooey, and the latter said that Davey would lose the sight of day about the seventh round. About that time the Chicago lad was doing pretty well for himself. He started out scrapping a la the champ's style, staying in close and getting rocked about, yet still registering a goodly share of the punches.

The pace was much too fast for the contender, however, and his handlers ordered him to stay away and fight at longer range. Davey landed uppercuts and short rights that damned near knocked champ's mouth off. The milling became exciting and Day impressed as a thoroughbred mittman. His corner became jubilant and had visions of their boy winning.

But it was not in the cards. It is true that Day mauled Henry mighty as much as Lou Ambers, who delivered enough uppercuts to slit the inside of the champ's lips and placed him on the retired list for several months. Day hit the wildest more than did Barney Ross, his stablemate, but the latter did stay the limit, either because Armstrong was too tired to finish him, or did not care to drop the game Barney.

Fights will switch to the Hippodrome this week, as the Garden will be tenanted for the month with the Ringling, Barnum & Bailey circus. There will be other cards in May and during the summer fight shows at $3 top, including tax, will be staged for the World's Fair crowds. The arena will also again offer girls' softball games. Hip's card Thursday (8) will be topped by Walter (Popeye) Woods and Paul Mahoney, new middleweight from Buffalo.

Pitt Symph's 350G Drive

Pittsburgh, April 4.

Pittsburgh Symphony will launch a drive this month to raise $350,000 for maintenance of the organization during the next two years.

Fritz Reiner ends his first season as permanent conductor of Symph this weekend and although no announcement to that effect has been made yet, it's understood he'll return next fall.

Radio's Open House Week

(Continued from page 30)

productions in windows, radio salesrooms and lobbies. KSFO has also placed similar displays, although to a much smaller extent. Dealers were found to be highly responsive, glad to get art which would focus attention on radio entertainment.

KGO and KPO have also taken over several empty stores in choice downtown locations and dressing them with special radio displays. Moving units, continuous slide projectors depicting broadcast scenes, both on black and white and on colored film, are being employed in addition to stills. Two hundred two-sided window cards in 14 by 22 frames, plugging the KGO baseball broadcasts and the KPO and KGO newscasts, will be placed in radio stores serviced by the Leo J. Meyberg Company throughout Northern California. Meyberg field men have already placed some 100 window cards on KPO and KGO programs with dealers in their territory.

Dealers Reported Hard To Stir Up in Seattle

Seattle, April 4.

Local radio stations expect to go to town in a big way during the Open House campaign week of April 17. All the outlets will cooperate but so far no definite schedule of events has been lined up.

KIRO, CBS outlet expects to use its sustaining programs, 'Dear KIRO,' 'The Feminine Side' and 'The Program Director's Program' as vehicles to sell radio to radio listeners. KOMO-KJR (NBC) calling in entire staff to line up something outstanding. KOL and KVI, Seattle-Tacoma, are in a trance to bring up ideas.

KMO, Tacoma, will tie into the seven-day celebration with special layouts for the dealers. All the local stations and the two in Tacoma radio station and net puffs with all listeners asked to visit studios to get better acquainted.

Local set dealers so far not enthused, but attempts is being made by radio exes to get them to see the point and to play ball on this occasion. This is one spot where the radio retailers apparently seem to think they can get along without radio tie-ups and they play up to newspapers instead.

Boston Just Organizing; WORL Invites Clubmen

Boston, April 4.

The open house campaign is far from organized at present. John Shepard, 3d, states the dealers here have not been notified—and that John Holman of WBZ will line up activities of the Massachusetts Broadcasters Assn.

WORL, Boston, is inviting '1920 Club' members to visit studio during week of April 17. Radio dealers are invited and invitation to attend broadcasts they have not been able to witness in the past. Invitations to listeners to watch broadcasting of 'Three-Star Revue' (musical program) during that week. Other plans indefinite.

WEEI, Boston, will start plugging it two days in advance, through announcements. Fans will be invited to visit the studio—watch broadcasts in performance, and be greeted by the artists, in person. Tours of inspection will be lined up for those who want to glimpse 'backstage'; and it is planned, tentatively, to hand out some kind of 'souvenir' to each visitor.

St. Louis Likes Idea, But Plans All in Abeyance

St. Louis, April 4.

All six local commercial stations will probably join in observing Radio Open House Week starting Monday (17) and event will be ballyed over the air. Al S. Foster, gen. mgr. of WEW has already asked Art Jones, program director to build up a program and conceive stunts. Edgar P. Shutz, gen. mgr. at WIL said the station would join in the idea but no concrete plans have been completed. At KWK, Ray E. Dady, station manager, said the Open House Week was a swell idea, good for the industry and the station thought that NBC and Mutual, whose programs it carries, would pipe some interesting facts to supplement KWK's efforts.

In the absence of Merle S. Jones, gen. mgr. KMOX, local CBS outlet, no plans are being made. Jones is expected back from a biz trip to Chicago this week. Frank Eschen, program director at KSD and Bruce Barrington at KXOK also said these stations would participate in the plan and arrangements would be made.

Coincides with 50th Anni Of Oklahoma Founding

Oklahoma City, April 4.

National Radio Open House Week coincides with Oklahoma's 50th Anniversary Week. The whole week will be devoted to celebration of Oklahoma's 50 years of existence starting Monday, April 17th and ending Saturday, April 22d.

WKY will kick off with an NBC origination (Red) of the Oklahoma Municipal orchestra on Monday, carry a whole sheaf of special studio programs during the week and climax the affair on Saturday with two NBC originations.

During the entire week, WKY is holding Open House for all radio dealers as well as the public to studio shows. Special invitations will be mailed to Oklahoma's radio dealers.

Atlanta's Open House Is In 'State of Nebulosity'

Atlanta, April 4.

What part local mills, WSB, WAGA, WGST and WATL will play in radio's open house week April 17-22 is at this time, in state of nebulosity. Nothing tangible has been brought forth up to now with regard to active participation, although managers of stations are expected to get together this week to work out some sort of co-operative program.

Lambdin Kay, general manager of WSB and WAGA, Red and Blue NBC outlets, stated that his stations were planning some sort of active participation in the activities of the week, but nothing definite had been worked out.

MARRIAGES

Florence Rice to Robert Wilcox, in Honolulu, March 30. Both are film players.

Carria Helen LaRue to George Dimitre Christie, in Tucson, Ariz., March 30. He's a screen player.

Miriam Young to Frank Jaffe, of promotion department, Des Moines Register and Tribune, and news editor for Iowa Broadcasting System in Bethany, Mo., March 18.

Libby Holman Reynolds to Ralph Holmes, in Washington, March 27. Bride is musical comedy singer and widow of Smith Reynolds, tobacco heir. He's a legit player, brother of Phillips Holmes and son of Taylor Holmes.

Louise Pippin to Jack Ryan, in New York, April 1. He plays bull fiddle in Jimmy Dorsey's band; bride's non-pro.

Eva Holcomb to Ralph Muzzillo, in New York, April 1. He's trumpeter with Jimmy Dorsey; bride's non-pro.

Patricia Miller to Bobby Burns Berman, in Santa Ana, Cal., April 1. He's nitery m.c.

Carola Lombard to Clark Gable in Kingman, Ariz., March 30. Both are film players.

Barbara Walsh to Smith Howard, in New York, April 1. Bride is radio player; he's drummer in Enoch Light's orchestra.

BIRTHS

Mr. and Mrs. Robert Buckner, son, in Hollywood, March 26. Father is writer at Warners.

Mr. and Mrs. Chili Wills, daughter, in Hollywood, March 26. Father is contract player at RKO.

Mr. and Mrs. Robert McHale, son, in Sacramento, March 26. Father is theatre manager there.

Mr. and Mrs. John Blanco, son, in Clymer, Pa., March 28. Father's an exhibitor there.

Mr. and Mrs. Walberg Brown, daughter, in Cleveland, March 28. Father is violinist and staff orchestra leader at WGAR.

Mr. and Mrs. Maurice Spector, son, in Philadelphia, March 29. Father is drummer with Bob Golden's house band at WCAU, Philly.

Mr. and Mrs. Gile Steele, son, in Culver City, Cal., April 1. Father is Paramount costume designer.

Mr. and Mrs. Arthur Israel, son, in New York, April 1. Father is executive assistant to Barney Balaban, president of Paramount.

WHAT THEY THINK

Film Talent Sources

New York.

Editor, VARIETY:

I found your front page story, 'Film Finds From Stage,' for the week's VARIETY interesting and slightly nostalgic.

A few years ago, while in the eastern talent department of one of the large picture companies, I kept a check on the sources of 100 people signed to term contracts by Hollywood. The figures were as follows:

Stage	59
Radio	11
Vaudeville and night clubs	7
Pasadena Playhouse	5
American Academy	4
Foreign pictures	4
Burlesque	2
Federal theatre	2
Carnegie Tech	1
Little theatres	1
Unknown sources	4

From the above figures you will see that things have not changed much. Of course the list is not perfect as I may have missed a person here and there.

I made it up to back up my expressed belief that pictures should have been looking for people with professional training rather than simon-pure amateurs, such as a few of the talent scouts were auditioning in droves at that time.

Walter Ryan Colahan.

Dick Barstow Solo

Chicago.

Editor, VARIETY:

Will you please correct the statement that I dance with my sister, Edith, at Palmer House. Edith and I closed our partnership eight months ago at Miami Biltmore hotel, Florida, and I have been working single since that time.

My Palmer House opening April 6 will bring a triple play. Dancing in the Empire Room, aiding Merriel Abbott in dance production, and teaching three tap classes a week.

Sister Edith will be married in June.

Dick Barstow.

Ruthie Barnes Explains

New York.

Editor, VARIETY:

In the review of the Circle, Indianapolis, in last weeks edition, the review stated that Ruthie Barnes danced in the Ted Lewis show. This was incorrect. I did appear with Mr. Lewis at the New York Strand, but I have not worked with him since then. The young lady's name is Loretta Lane.

I'm set to play the Circle April 28 with Jimmy Dorsey.

Ruthie Barnes.

Fair Slows Broadway

(Continued from page 1)

temporarily abandoning the theatres. Against the loss of the natives during May and June, it is contended the crowds from out-of-town will not begin to reach appreciable numbers until the middle of June or later.

For the same reason, the nitery biz has also been suffering. Dearth of visiting firemen has many of the nocturnal spots hanging on the ropes. All are vampin' 'til Whalen's show is ready.

Stated by the managements of some midtown hotels that the number of guests has been running 60% under the average for winter and spring during the past 12 years. If that type of visitor is to be included in the incoming rush, it should mean upped theatre attendance. All showmen are wondering what the fair will mean to show business and that may supply the answer, though it is anticipated that the average out-of-towner drawn by the exposition will not be able to afford theatre-going. Such people are expected to be planted in rooming houses rather than hotels. In many of the latter it is virtually impossible to hook accommodations after May.

No Kids Till July 1

In Greater New York, the schools do not close until the end of June. This prevents kids each from attending theatres, except weekends, until around July 1, with result that this year, if a representative number of elders are also lost from the city of a year to look in on the fair, the dip during May and June is expected to be quite sharp.

Meantime, schools throughout the country will not be closing until the end of May, or sometime in June. Moreover, summer vacations ordinarily do not begin until around June 1, the two largest months for the customary two weeks' off being July and August.

The theory of theatre operators is that most people from out-of-town will not hurry to the fair, but wait for regular vacations, or, if able to come earlier, will in many cases want to wait until their children are out of school so that they may be carried along. This, plus the fact that students in colleges and professors, teachers, instructors, etc., will be unable to visit N. Y. until after the school term is over, will probably keep the influx at a low ebb until about June 1.

Theatres figure to benefit importantly during July and August, when it is expected the hulk of the crowds will pour in, and particularly over holidays like July 4 and Labor Day. In the fall, the increase in h.o. business over that of normal years is likely to be maintained, since by that time the fair will be underway and New Yorkers will have no doubt had their own fill of it, returning to the theatres they deserted at the exposition's beginning.

The fair will close down for the winter on Oct. 30.

Opinion of most managers is that stronger shows should be booked for May and June in order to offset any dip in business rather than point top attractions for July and August when out-of-towners will probably be falling into all the theatres even if the shows aren't too strong.

Actors Clipped

Despite the admonishing of the mayor against hotels raising rates during the fair period, a general boost has already been announced. The tilt does not seem to be even and is $2 weekly and upward for regular guests. One hotel in the Times Square zone, which had a rate of $8.50 a week for actors, informed the latter that starting at the end of April the nick will be $5 per day straight, a boost of 400%.

In other spots, professionals have been informed that resident guests during the fair are not wanted. Equity sought to moderate the boosts and protested the ousting plans by writing complaints to the Hotelmen's Association, the mayor and other officials. Indications are that some favorable results will be obtained, judging from answers to the communications.

It was pointed out to the hotel people that it is a short-sighted policy to force actors from their quarters, for professionals may not return when the pressure is over. Necessity of actors living in the Broadway zone because of rehearsals and performances was pointed out and, if forced to reside elsewhere, will mean a hardship.

Some hotels, where most rooms are currently occupied, plan to even up when the fair crowd arrives. One, which raised its minimum from $2.50 to $3.50 daily, intends booking as many visitors as possible for short occupancy periods. The rule that a day ends at 6 p.m. is stated to have been dropped and guests will be required to vacate at noon on the day of departure. That will be required so that the limit of possible guests can be registered during the day.

In the case of the Frisco Expo, the natives thronged to Treasure Island from the start, and did not wait to take it in at leisure. As result, downtown theatre business suffered while the Expo boomed.

Refugees

(Continued from page 1)

rules which do not require such players to join Equity. It is provided that any player in the unit be free to withdraw and accept other employment.

There are 40 people in Dieterle's group. Plays will be put on at the El Capitan, Los Angeles, and may be trouped to other stands. No member of Equity is to appear with the refugees. Venture is not to compete with commercial attractions, and plays which managers show little interest in are to be used. Of that type is 'William Tell,' which may be the first presentation.

Recently in New York various conferences were held with refugee artisans, some of whom were prominent abroad before Nazi domination forced them to flee. They may furnish a fresh source of talent, especially for the film and which has already engaged a number.

A similar refugee player group, which will probably have the same set-up as the Dieterle unit, is planned for Broadway during the late spring or early summer. It is known as the Refugee Artists Theatre and consists of Austrian actors. A bill of three short plays is announced: 'Peeping Into Paradise,' 'Vis-a-Vis and Exiled' and 'A Viennese Album,' latter a collection of native melodies.

B.O. PICKS UP AT FRISCO FAIR

San Francisco, April 4.

Four cafes, a dancehall, golf range, free circus, showboat, the Esthonian Village and Television City have yet to be completed at the Fair here.

With the opening this week also of two more foreign government pavilions—17 are operating—the expo will practically be in full swing. Only the Colorado exhibit remains to be opened in the Hall of the Western States.

Several days of warm weather last week, following a rainy spell, saw attendance pick up.

A proposal that the government add $606,650 to the $1,500,000 it has already appropriated for participating in the Fair was submitted to Congress last week.

The Fair now realizes its error in not having the midway completely in operation for the first week. Many out-of-towners received a poor impression and the word of mouth is believed to have had a correspondingly poor effect on the b.o.

With only about 1,600,000 to draw from in the Bay area, the week-day business has slumped more than expected while weekend trade has been high. Clifford Fischer's revue in the Folies Bergere theatre is the hit of the Fair just now. Show looks set for 10 weeks, with option to continue.

Sally Rand's D (N) ude Ranch continues to get about one out of every four adults attending the Fair, while Edwin Dwight Grimm's band, from New York, is building into one of the bigger draws.

Deal to import Raymond Paige and his '99 Men and Our Girl' radio show is out. Sponsors wanted 1,000 tickets to the exposition for U. S. Rubber dealers but the Fair nixed the ticket proposition.

British Programs

(Continued from page 37)

peal, scripted by Max Kester and produced by Ernest Longstaffe.

Novelty gag is series arranged by Ronald Frankau, Harris, called 'I Want to Be An Actor,' in which studio audience will be asked to make up the cast for a weekly melter broadcast. Audience will assemble in advance of the show's deadline, and Harris will invite volunteers to do tests for stock parts in the selected 'Curse-him-for-I-sagain' drama. Tests will go on the air and audience applause will indicate the lucky contestants, who will then read the parts in the actual play broadcast.

'Afternoon Revue' will for a time alternate with a ''Appy 'Alf 'Ours' series devised by cockney Leon Cortez. Ralph Reader will present three revues titled 'Right Away,' including the comedy Twizzle Sisters. Stanelli is now for two new-style comedy productions, 'Crazy Cruise.'

Van Phillips will present a series of six weekly dance band-light comedy shows, 'Time to Laugh,' beginning early April; Teddy Joyce is handling a dance band production series, 'Joyce Jamboree'; Eddie Pola and Phyllis Robins are teammated for an afternoon series; Big Bill Campbell is bringing the west to the BBC in a sequence of scenas called 'Cabin in the Hills.'

Individual shows scheduled for the quarter include 'Ours Is a Nice Hour, Ours Is,' presented by Clarkson Rose; a further 'Scrapbook' by Leslie Baily and Charles Brewer, and a new musical play, 'Love on Wings,' by Harold Plumptre and Geoffrey Henman.

Industrial Showmanship Keynotes N. Y. Fair's Preview at This Stage; 'Undersold' Expo Seen as Good Idea

With the New York World's Fair scheduled to open in 25 days, the pressure is on at the Flushing Meadows site to have the exposition complete opening day (Sunday, April 30). Activity in the amusement zone has more than doubled in the last 10 days, strides taken amazing even veterans of other fairs. This section possibly may be the only laggard one and officials in the concession division claim that 75-90% of shows will be operating opening week.

Broadwayites and visiting exposition veterans, who toured the grounds during the past week, frankly admit that New York's big show of 1939 has been undersold, if anything. Showmen see this as a good idea, as it should mean a word-of-mouth boost for short order.

Latest estimates are that it will require four full days to see the fair even in a hurried manner. It is spread over some 1,216 acres, but the ramifications of the larger exhibit halls such as those of General Motors, American Telephone, Ford and Railroads would require nearly two days.

'That midway better be good,' observed one showman, 'or the concession people will feel the competition in the non-theatrical exhibit area.'

Showmanship predominates in the numerous giant halls which leading industrial companies have erected with free shows and rides galore. Ford Co. offers cars for visitors to ride about seeing their displays.

Norman Bel Geddes, the designer, has framed a show in the General Motors huge structure that promises to be the talk of exhibits outside the amusement area. He is credited with having been given a budget of more than $1,000,000 and is said to have spent twice that amount on this focal GM exhibit. An elaborate diorama, reputed the largest ever constructed, extends for a third of a mile showing the highway systems of today and tomorrow. It contains, among other things, 100,000 miniature automobiles, 50,000 of which actually move. Idea, of course, is a plug for a better highway system which is counted on to produce more auto sales.

Visitors sit in plush chairs that move on a runway over a complete system of tracks, spectators looking down on the huge country setting with its network of highways. Illusion is created of a ride in an airplane as the size of landscaping varies. An individual loudspeaker for every two chairs describes the scene below, actual description varying as a different spot is passed. This elaborate loudspeaker system alone cost $100,000, being a scientific wonder from Western Electric.

Daylight Films

Soviet Russia's large building in Court of Nations has provision for a large outdoor daylight picture theatre. General Motors also has a theatre auditorium seating 600 where 'Preview of Progress,' roadshow that GM has toured all over the country, will be staged. House of Jewels, one of smallest exhibit buildings, will house a $5,000,000 display of gems.

American Telephone building has a tricky switchboard arrangement which will enable visitors to put in long distance calls gratis while some 100 people in building can tune in to conversation. It also will house 'Peter,' the mechanical instrument that reproduces the human voice, a gadget concocted by Western Electric.

Wise New Yorkers already are figuring out how they can grab free meals at the exposition. It is simply a case of getting around to the foreign nations and state halls where gratis samples are supplied—Belgium offering Walloon and Flemish dishes; Greece, Near East specialties; Brazil, coffee and vegetables; Netherlands, seafood and rice; Sweden, smorgasbord.

Despite these free offerings, amusement zone visitors will have a choice of numerous cafes, and these are so far away from the exhibit zone that there is virtually no competition. Heineken's-on-Zuider-Zee cafe, an elaborate layout strategically located near the entrance to the amusement zone, now is virtually completed and may be opened before the fair does. Part of Ballantine's Three-Ring restaurant-bar layout has been operating for about three weeks. Foundation for George Jessel's 'Old New York' was finished early this week. It also is near the area's gate.

Sex Trend

Trend towards nudity for the amusement zone continued, with many new propositions, but few set. Norman Bel Geddes, whose mirror-peep show was an early proposal several months ago, now is definitely set and has the foundation laid for his 'Peep Show of Tomorrow.' It is patterned after old carnival lines with one or two pretty dancers in semi-nude magnified hundreds of times, giving the illusion of countless numbers. It's all done with a system of heavy glass set at 32 different angles.

Bali village, planned by Frank Buck, who also has 'Jungleland,' was definitely off this week because the Dutch Colonial government was reported to have revoked a permit for 24 dancers to leave the island of Bali. J. L. Geeraert's archery range felt the trend with plans to have lookers as assistants. Other shows, long since set, assured of the sex appeal angle, will be the Savoy Ballroom, Billy Rose's Aquacade, Crystal Palace, Cuban Village and Jack Sheridan's 'Magazine Cover' models. Others are in the talk stage, among names mentioned being Della Carroll, Margie Hart, Faith Bacon, Hinda Wassau, Ann Corio, Sally Rand, Zonia Duval and Betty Rowland.

Only stipulation in recent discussions is that there be no blow-off shows which have been banned at other expositions.

The giant Music Hall building, which dominates the area near the entrance to the amusement zone, still looms as an expensive headache, although music festivals are planned to start there.

Independent subway system, which is due to start operations April 15, has its station located so that it is only a few steps down a runway to the amusement sector gate. Other exposition entrance, served by the Long Island railroad and IRT-BMT subway-elevated lines, is at the other end of the grounds about a mile distant.

'Gang Busters' Exhibit At N.Y. Fair to Cost 75G

Bernard L. Schubert figures on spending $75,000 on the 'Gang Busters' exhibit that he has arranged for the New York World's Fair in cooperation with Phillips H. Lord, known in radio for his Seth Parker characterization.

The exhibit, subtitled 'Crusade Against Crime,' will be run by Schubert and Dufour & Rogers, who will also operate the 'Strange As It Seems' and 'We Humans' concessions.

Sally's Big Biz

Sacramento, April 4.

Sally Rand filed papers for two corporations, Sally Rand Enterprises, Inc., capitalized at $25,000, and Pioneer Palace Operating Corp., listed at $100,000. Purposes are presentation of entertainment and dealing in fixtures and buildings for amusement enterprises.

Included with Miss Rand as directors of both companies are Mildred L. Woloski, John C. Houlihan and Roy A. Scharff.

MOUNTIES' U. S. VISITS

Regina, Sask., April 4.

Canada's Royal Mounted Police will twice visit U. S. this summer to perform their well known musical ride.

One visit will be to the New York World's Fair for a day, the other to World's Poultry Congress, Cleveland, on July 31.

Gert Ederle at N. Y. Fair

Gertrude Ederle, first woman to swim the English Channel, has been signed by Billy Rose for his New York World's Fair Aquacade.

"HELLZAPOPPIN!"
OLSEN and JOHNSON
. . . wish to express their gratitude to their public for its generous and sincere appreciation of the finer and more dignified art of the theatre—as interpreted by them at the Winter Garden in New York!
exclusive management
william morris agency, inc.
new york • chicago • hollywood • london

APR 12 '39

RADIO SCREEN STAGE

VARIETY

PRICE 25¢

Published Weekly at 154 West 46th Street, New York, N. Y., by Variety, Inc. Annual subscription, $10. Single copies, 25 cents. Entered as second-class matter December 22, 1905, at the Post Office at New York, N. Y., under the act of March 3, 1879.

COPYRIGHT, 1939, BY VARIETY, INC. ALL RIGHTS RESERVED.

Vol. 134 No. 5 NEW YORK, WEDNESDAY, APRIL 12, 1939 56 PAGES

UPS, DOWNS OF RADIO YEAR

Philly Intends to Share in N. Y. Fair Coin Through Lures to Stopovers

Philadelphia, April 11.

Aiming to grab off for Philadelphia some of the tourist trade expected through on its way to the New York World's Fair, hotels, restaurants, banks and other organizations here last week set up a hospitality committee. In charge is B. Hubert Cooper, secretary of the Bondholders' Protective Committee, which controls practically every hotel here. N. W. Ayer & Son ad agency is contributing its services.

Principal plugging is to be done through billboards. Each board will have a picture of a different tourist attraction in Philly.

Along the roads leading into Philly there will also be booths shaped like Liberty Bells. In these, gals dressed in Quaker costume will provide info concerning the town and hand out 32-page booklets attractively illustrated and outlining 'all of Philly's advantages.' Included in the sales story will be the fact that the Pennsylvania Railroad will take passengers directly from Broad Street Station here into the Fair grounds in one hour and 50 minutes. It will be pointed out, too, that the fare for this ride can be more than made up by the difference in hotel rates here, none of which will be jacked. Hotels in N. Y. plan boosts during the expo.

One million booklets and as many maps of the city are now being printed. Two million small red, white and blue stickers are also being printed and will be distributed to all Philly firms, to be attached to their outgoing mail.

Historical spots, such as Independence Hall, will be spruced up. Warner Bros., controlling all first-runs here, has promised releases prior to other parts of the country during the summer. Effort will also be made to get some N. Y. producer to light at least one legit house, the air-conditioned Forrest, at $1 top, which recently succeeded so well here.

Chicago, too, recently laid plans for similar undertaking.

First Fair Buy

While show business is wondering whether and to what extent New York World's Fair will benefit Broadway, first material ticket purchase was noted last week. Goodyear Tire Co. ordered 50 tickets for every evening performance of 'Hellzapoppin,' Winter Garden, during a six-week period starting Aug. 1. Order was given an agency.

Actual strength of the advance sale for most of the hits is not yet definite, because most shows do not sell more than four weeks in advance, though most of the mail orders are dated beyond May 1.

Slow Going as Maestro, So Socialite Van Levis Now a Radio Spieler

Philadelphia, April 11.

Van Levis, socialite band maestro, has joined the gab staff of 100-watt, part-time WHAT here. Bitten by the radio bug while announcing his own programs over various stations.

When Levis, three years ago, decided he wanted to lead a band, he tossed a $5,000 party at the swanky Warwick here to introduce his crew. Society, press and managers of all the city's hotels and niteries were invited. Stunt resulted in a flock of publicity and resultant jobs, but pickings recently have been lean.

Levis is listed in the Social Register as Norman Van Pelt Levis, Jr. He is a minister's son.

MOSCOW REARS SKYSCRAPER RADIO CITY

Schenectady, April 11.

Clark H. Minor, president of International General Electric, is recently back from his second trip in two years to Soviet Russia. He reports seeing the place where men were working on the great building 'that is to be the Radio City of Moscow.' It is to be higher than the Empire State building, will have one auditorium with a greater seating capacity than Madison Square Garden, as well as a theatre to seat 6,000 persons, and will be topped by an image of Lenin, about 375 feet in height.'

Minor cited this, over WGY, as one phase of the 'elephantiasis' from which Russia suffers. Their streets must be wider, their public squares larger, their buildings higher than those in any other country.' Said that the great Red Square which faces Lenin's Tomb and the Kremlin is to be doubled in size to permit larger military parades and pageants.

Minor related his arrival in Mos-

(Continued on page 55)

CHAMPIONS MRS. F.D.R.

Ohio Sheriff Nixes 'Disrespectful' Puppet Characterization

Steubenville, O., April 11.

The sheriff won't allow the First Lady to be treated 'disrespectfully' in stage shows here. Sheriff Robert D. Bates attended a vaude show where a marionet, in the likeness of Mrs. Franklin D. Roosevelt, was manipulated in a dance that he decided was on the 'jitterbug' side.

The puppet of the First Lady was taken out of the show after Bates warned the manager to delete it or face arrest.

RATINGS VARY, SHOWS DON'T

Relative Standing in Rough Percentages from Last Season Indicates Several Much Improved—Some Lose Momentum of Public Favor

QUIZ RASH

Network radio programs, entering the spring 13-week cycle that precedes the summer hiatus, are pretty well charted by now in popularity terms of up-or-down (from last year), and little change is likely among the leaders by the end of the season. The season of 1938-39 was marked by a number of problem shows. At least one, the Tommy Riggs entertainment for Quaker Oats, seems to have been straightened out. Kellogg's much-discussed $20,000 'Circle' remains bu ipy, with the trade inclined to rate it a failure.

Season has developed very little production novelty. There are nearly 30 audience quiz pro.ams. Radio production's sheep-like nature is well exemplified both for the regular season and the summer substitutions by the widespread devotion to this now fraying formula.

In rough relation to the industry's standard popularity barometer, the Cooperative Analysis of Broadcasting, the following changes have taken place this season among leading programs. Offered as symptomatic rather than conclusive or all-inclusive, this suggests what has been happening or not happening:

Program	Today	Today against year ago.
Amos 'n' Andy	5%	down
Fred Allen	Even	
Phil Baker	50%	down
Jack Benny	Even	
Ben Bernie	10%	up
Major Bowes	5%	down
Good-will hour	10%	up
Chase & Sanborn	10-15%	up
Hit Parade	Even	
Hobby Lobby	15%	up
Lum and Abner	10%	down
Magic Key	15%	up
Prof. Quiz	15%	up
Al Pearce	15%	down
Rinso Party	30%	down
Edw. G. Robinson-Claire Trevor	30%	up
Silver Theatre	40%	up
Kate Smith	45%	up
Rudy Vallee	25%	down
Vox Pop	25%	down
We, the People	60%	up

A BARRYMORE CANCELLED

Ethel Barrymore Colt, dramatic actress, is too inexperienced as a vaude singer, with result she was pulled after the first day (8) of a week's engagement at the Earle, Washington.

Washington dailies printed that the daughter of Ethel Barrymore was suffering from ptomaine poisoning.

All Picture Cos. Set to Bankroll B'way Legit; Wharton-Wilk's Plan

Tuneless H'wood

Hollywood's sharp swerve from filmusicals during the past several months is reflected in a big way in VARIETY's compilation of the best song sellers. For the first time in seven years the list of 15 best sellers as shown in the Music Dept. of this issue doesn't contain a single picture song.

The same week a year ago 10 out of the 15 best sellers were filmusical excerpts.

PHONES A SONG TO LONDON, IT'S SOLD

Simon Van Lier, general manager of Keith-Prowse's music publishing interests, last week closed with Forster Music, Inc., for the foreign rights to 'Night Mist on the Canyon' after phoning a recording of the tune to his London office. The call was made by Van Lier from Chicago to get his associates' reaction to the number. Van Lier sailed for home Saturday (8).

During his stay in the States Van Lier also obtained the rights to 'Shadrack' from Carl Fischer, Inc., and 'I'm Building a Sailboat of Dreams' from Shapiro, Bernstein & Co., and renewed his firm's agency contract with Forster. Van Lier likewise opened negotiations with Wurlitzer Co. for the introduction of the coin-operated phonograph machine in Britain.

BOOK BANDS INTO 1940

New York Contracts Being Set Well Ahead for Names

Scramble for the big name bands for location dates in New York City during next fall and winter is already under way with two of the biggest already in the bag and a third due to be brought down. Situation looks to be as good or better than last season when 15 or 20 of the top outfits were all bucking each other at the same time.

Benny Goodman returns to the Empire Room of the Waldorf-Astoria hotel, N. Y., Oct. 1. Artie Shaw is optioned to go into the Pennsylvania's Cafe Rouge Oct. 15, and a deal is currently on to restore Tommy Dorsey to the Hotel New Yorker's Terrace Room, following his exit from the Pennsylvania's Roof, where he stays until Sept. 17. He opens there latter part of May. Sammy Kaye has been offered a return shot at the Commodore opening, if accepted, about Oct. 1.

Although negotiations looking toward the resumption of Hollywood financing of Broadway production have been at a virtual standstill for the last couple of weeks, all the major picture companies are actively readying to reenter legit producing next fall at the latest. Meanwhile, film executives have predicted that an agreement is in the bag and intimated that all but one or two minor details are set.

Dramatists Guild council is expected to consider the latest draft of the so-called John D. Wharton-Jacob Wilk plan early next week before Robert E. Sherwood, Guild pres., sails for London. If the council okays the pact it will then be submitted to the League of New York Theatres. After that it would presumably be approved by the picture companies (or they would sign a supplementary letter agreeing to abide by its terms).

Hitch in the conferences over the newest draft of the plan were caused by the illness of Sidney R. Fleischer, Guild attorney and negotiator. Then, with Fleischer fully recovered and back on the job, Luise Sillcox, Guild executive secretary, was injured in a fall from a bus and was confined to her home for several days. Huddles between Fleischer, Miss Sillcox, Jake Wilk of Warners, and J. Robert Rubin of Metro are being resumed this week.

With Warners planning to back

(Continued on page 54)

Connecticut Income Tax Pends; Cognoscenti See End to Nutmeg Charm

Bridgeport, April 11.

Celebrities of show biz, arts and letters who have in recent years been settling in southwestern Connecticut, attractively near Manhattan and away from the New York state income tax, are aroused by a Connecticut state incor ' tax bill advocated by the farmers' bloc in legislature in Hartford.

Big-name commuters, many of whom have become important factors in Connecticut politics, predict a speedy end of property buying by famous New Yorkers if tax goes through.

London Subway Slumps, Hollywood Gets Blame

London, April 4.

Hollywood is made the goat because this town's subway system has registered a slump in its traffic receipts! Lord Ashfield, head of London Passenger Transport Board, says one reason is the relatively unattractive quality of films shown recently in West End theatres.

Exhibition of pictures with strong appeal makes a clear difference to the take.

FILM BIZ THINKS IT HAS NEELY'S PET BLOCK BOOKING BILL CURBED

Industry Spokesmen Supported by Laymen and Two Senators in Opposing Measure — Cite Trade Reforms

Washington, April 11.

Film producers appeared to have licked the Neely block booking bill this week at the tail end of Senate Interstate Commerce Committee hearings. Spokesmen for the majors laid down a statistical and verbal barrage that obviously made a strong impression after independent exhibitors spilled the beans and shocked the women's groups by confessing their motives are money-making, not uplifting.

With never more than two members of the subcommittee present, the perennial pancaea looked in danger of being shelved with two members — Chairman Ellison D. Smith (Dem.), South Carolina, and Wallace E. White, Jr. (Republican), Maine—openly unsympathetic toward the arguments of the indies and their feminine allies. Hearings due to wind up the latter part of this week.

Customary yelps about producers' 'oppression' were placed in the record Wednesday (5) when Allied States Association leaders told the chair most of a five-hour session. But bigwigs of the Hays organization met a more sympathetic response when they came on to refute the claims of great benefits for the public and to point accusing fingers at the indies.

Tipoff on the committee's attitude came Monday (10) as George J. Schaefer, president of RKO, offered arguments against the measure. Senator White said he cares nothing for legislation intended only to remedy unfair trade practices or break up a monopoly—since the Federal Government already has agencies charged with such duties—and expressed doubt the bill will discourage the showing of 'offensive' pix. Chairman Smith shaved his uncertainty, noting that producers are stimulated by the profit motive and inquiring what would happen if 'highly moral' films are not bonoffice smashes. Throughout last week's proceedings, the pair made observations and inquiries which reflected skepticism about the desirability of such legislation.

Detailed answer to indie exhibs' arguments was again given by Schaefer today (Tuesday), who declared the affiliated chains are required to purchase in blocks just the same as anyone else. He denied United Artists sells pix individually, asserting 'Snow White' (RKO) had been booked singly, but scoffed at the idea the indie producers were being frozen out.

Figures on 1937-38 bookings were presented by Charles C. Pettijohn, Hays spokesman, to show the opportunity allowed to reject undesirable films and emphasize that the best quality pictures are not always in greatest demand. 'They buy box office statistics,' Pettijohn said. 'That's what the record shows. Exhibitors have a variety of ways of getting out of playing pictures they don't want.'

Kenneth Thomson, secretary of Screen Actors Guild, and Ralph Block, former president of Screen Writers Guild, backed up the producers' claim that passage of the bill will straightjacket the industry, curtail output, and reduce jobs. 'Legislation would make it impossible for producers, directors, writers and actors to use their talents to improve a picture after production,' Thomson asserted. Effect would be 'demoralizing' with 'innumerable obstacles' placed in the way of creators, block-maintained. Both stressed impossibility of complying with the synopsis proviso.

The writers of Hollywood do not feel that the public has a 12-year-old mind,' Block said. 'Rather do they feel, as creators, that they must strain every imagination in order to keep up with the growing demand of the film public for engrossing, stimulating, window-opening entertainment.'

Praise for the film industry was given by Mrs. Francis Flagg, Newtonville, Mass., who chided her sister reformers. She favored any move to improve quality of pix, but said neither blockbooking nor blind selling has prevented organizations, in which she is active from discouraging exhibition of unwholesome features. 'Abolition of the present distribution system would not raise the moral quality,' she asserted.

Returning to finish his story Monday (10), Metro's general sales manager, William F. Rodgers, discussed in detail the provisions of the latest trade practice agreement proposal, contending the attempt to adjust difficulties via negotiation makes legislation superfluous. He told the solons 'there is no question this code will be accepted' and said that even the exhibs who do not subscribe will enjoy benefits. Even if it is impossible to satisfy everybody, the major distribs will embody the concessions offered so far in their next season's contracts, he promised.

The arbitration provisions afford sufficient protection for both the public and the theatre operators, Rodgers said. Told lawmakers that even if contract called for 50 pictures, every one could be rejected on ground they are offensive if contrary proof is offered. That provision is subscribed to by seven of the 'Big 8,' he noted, and was made by the distribs 'without suggestion of the exhibitors or anyone else.'

'With exclusion for cause and the possibility of postponing pictures that may be harmful to children, they are amply protected from the standpoint of the public groups,' Metro exec said.

No occasion in the future for exhibs to complain they cannot get 'outstanding' films or are hog-tied by dating Rodgers explained. The pact cannot go farther toward permitting operators to pick and choose, however, because 'the industry could not make enough outstanding pictures to support any exhibitors' playing time' if individual purchases are permitted. On percentage deals, the proposed agreement provides material relief, he added.

'The small theatre has decided advantages under this proposal, which does not give them all the Neely bill provides, but does give numerous concessions they never had before,' Rodgers said. 'We have agreed not to take away pictures from the small man solely to give them to the big man. The theatre has reason to expect the product will be offered to him again. Sometimes it is not profitable to deal with the small man, but nevertheless we have bent backwards.'

Biz Abandoning Forcing Shorts and Score Charges

Majors will abandon forcing shorts and discard score charges, Rodgers promised, even though added cost of sound has meant 'tremendous' increase in production budgets. He observed that dropping the score charge will mean $600,000 a year to Metro alone.

The pact has been laid before 'every organized body' and accepted by most, committee found out. For the benefit of theatre-owner and exhibitor associations, it has been printed in every important trade paper. Some provisions are acceptable to Allied, although on a few points they 'want more,' he admitted. Majority of MPTOA, Southern California Theatre Owners, and numerous state groups will go along, he claimed.

In winding up, Rodgers fired at the indie claim that England and United Artists get along selling films individually. He told the solons Loew's contract with UA not only gives it titles, but requires the chain to buy films en masse. 'We have no choice in the matter; we have no exclusion privilege,' he said. The British do have trade showings before booking, he admitted, but there is no selectivity in England.' Only question to be settled when films are screened is the date and price. Admitted the blocks are not as big as in the U. S.

Curtailment of production will be inevitable, according to Rodgers, if the Neely bill passes. All studios will be forced to wait until product is finished before marketing, and Metro will reduce output 'not less than 25%' as a result. He added 'if we're forced to curtail our production, we'll have to curtail our employment.'

Distribution cannot be renovated according to the requirements of the Neely bill, Schaefer maintained, denying there is 'any such thing as the Big 8.' Compared film leasing plan with marketing of automobiles, emphasizing the impossibility of manufacturing without assurance of an outlet.

'The producer has determined in advance that he will make some 50 pictures during the course of the year,' RKO head explained. 'For these 50 pictures, he sets up a budget running from $10,000,000 to $35,000,000 with the more important companies. Under the provisions of the bill, the producer would be expected to undertake the obligation of a $35,000,000 budget and leave the dealer free of any obligation.

'Unlike the automobile business or, for that matter, any manufacturing business, the theatre does not carry an inventory or a stock of motion pictures on hand. He does not produce the pictures himself. The stock of shows necessary to carry on business is secured by merely signing a license agreement with no investment by the exhibitor, who is the dealer, and pictures are delivered by the wholesale distributor and paid for one by one by the ex-

(Continued on page 27)

SAILINGS

April 26 (New York to Sydney), C. V. Hake (Mariposa).

April 21 (New York to London), Truman Talley, Robert E. Sherwood (Queen Mary).

April 19 (New York to London), Sidney R. Kent, Herman Wobber, W. J. Hutchinson (Washington).

April 15 (New York to London), Sir Gordon Craig, R. Sutton Davis (Aquitania).

April 14 (London to New York), Dave Berman (Queen Mary).

April 12 (New York to Havre), Mona Barrie, Simon Van Liet, Mr. and Mrs. Vladimar Golschman, Emil Baum, Herman Busch, Germaine Johnson, John Darrow troupe, K. J. Richter (Paris).

April 8 (London to New York), Morris Heiprin, Will Fyffe (Aquitania).

April 7 (New York to London), Lew Ayres, James Roosevelt, Herbert Wilcox, Sewell Stokes (Queen Mary).

April 7 (London to New York) Bobby Henshaw (George Washington).

April 7 (San Francisco to Honolulu), Harry Brand (President Cleveland).

ARRIVALS

(At Port of New York)

Felix Aylmer, Arthur Schwartz, Mrs. Ruby Jacob, Jean Drouant, Jacques Greber, M. Lechevallier-Chevignard, Pierre Merillon, Henri Vermeil, Jacques Morane, Benjamin Heifetz, Buster Shaver, Olive and George, Jean Borotra, George M. Cohan, Elizabeth Arden, Mr. and Mrs. Albert Enders, Grogan Sharp, Jeffrey Bernard, Maurice J. Wilson, Marie Burke.

Other News of Interest to Films

U. S. Companies in foreign drive....Page 19
U. S. pix and Aussie curbs....Page 19
'Circle'-Kellogg execs shift....Page 28
E. C. Hill vice-Winchell....Page 29
Radio reviews: Joe E. Brown, Kitty Carlisle, Jack Buchanan, Walter Huston, Fred Allen, Mickey Rooney, Jack Benny, Marx Bros., Claudette Colbert, Bebe Daniels-Ben Lyon....Page 30
ASCAP's $6,100,000 in 1938....Page 41
New Acts: Arthur Treacher....Page 48

Neely Needling Sidelights

Washington, April 11.

Before yowling about monopolies of the majors and the way they are 'compelled' to accept films they don't want, the indie exhibitors should make sure they are above criticism. Sid Kent lashed both Nathan Yamins and Sidney Samuelson where it hurt in his appearance before the Senate Interstate Commerce Subcommittee.

'I can't go into Fall River and make Yamins take what he doesn't want,' Kent commented. 'If you went into New Jersey you'd find it wasn't a case of forcing down the throat of Samuelson what you wanted to force.'

Charlie Pettijohn got one off at Yamins' expense, too. When the Bay Stater was explaining he'd take care of himself, the Hayser rasped 'we'll agree you don't need any guardian when you do your buying.'

The Women

Four-fifths of the nation's adult women favor the Neely bill and are represented by approximately a dozen spokesmen, if the claims of the female reformers before the Senate committee are correct. Curious press-table listener kept a box score showing that 50,000,000 women allegedly belong to the organizations on record in favor of abolishing block booking. World Almanac shows the 1930 census takers found only 60,637,966 women in the country.

Neely's Paramount Shares

Decline of Paramount's stock is a sore point with Senator Neely. He owns a batch. Paid top price for the stock, before the crash being in the 80's. So he told the audience at last week's hearings the paper had slumped so much in value 'I forgot all about it.'

Senator Smith's Gagging

Senator 'Cotton Ed' Smith, subcommittee chairman, kept the listeners chuckling whenever he presided over the hearings. Punctuated the serious testimony with candid observations, such as 'when you go by a theatre on Sunday you can't get a seat, but you go to church and you can't find anybody there.'

Cook's Tour

Attending the hearing proved to be a sort of sight-seeing tour of the Senate Office Building. The first two days the committee met on the fourth floor—in the quarters of the Immigration Committee; then it moved down a flight to the Agriculture and Forestry committee suite; the final day's proceedings were conducted on the second floor in a conference room.

TWO FOR ASTAIRE ON NEW DEAL WITH MG

Hollywood, April 11.

Fred Astaire is slated for two pictures instead of one under his new deal with Metro. Second chore, still undetermined, is in addition to his co-starring job with Eleanor Powell in 'Broadway Melody of 1940.'

Dancer reports at the Metro lot July 1 so his round-the-world trip is off. Jack Cummings produces.

Wurtzel's 25 Yrs. at Fox

Sol M. Wurtzel, 20th-Fox executive producer, is this month celebrating his 25th anniversary with Fox. Producer has turned out approximately 700 pictures since 1917.

Wurtzel joined the company in 1914 as secretary to William Fox, and was shifted to the Coast studio in 1917.

Twenty-seven of the 28 yarns on Wurtzel's 1939-40 production program at 20th-Fox are set, with only the Shirley Temple picture on the doubtful list. If a suitable baby story cannot be found, another type will be substituted.

O'Brien-Garfield Teamed

Hollywood, April 11.

Pat O'Brien co-stars with John Garfield in the forthcoming Warners picture, 'Dust Be My Destiny.'

Jane Bryan gets an important supporting part.

L. A. to N. Y.

Lew Ayres.
William A. Brady.
Pat Casey.
Broderick Crawford.
James A. FitzPatrick.
Grace George.
W. Ray Johnston.
Maurice Leo.
Ray Milland.
Bob Miller.
William S. Paley.
John U. Reber.
Irving Rubine.
Franklyn Warner.
Ted Williams.
Lew Wolfson.
Anna May Wong.
Ed Zabel.

N. Y. to L. A.

Max Gordon.
Russell Holman.
Charles W. Koerner.
Leon Netter.
Robert Montgomery.
Ruth Morris.
John J. O'Connor
Artie Shaw.
J. J. Shubert.
Harry Sobol.
Judy Starr.
Irma Warner.
Edwin Weisl.
William C. White.

Restraint Suits In Chicago Now May Peter Out

Chicago, April 11.

With apparently little progress being made in the two restraint suits now pending in Federal courts here, it is indicated that both law squabbles will go up in smoke. Particularly does it appear that the suit of the indie exhibitors against Balaban & Katz and the major distributors will peter out, with the indie exhibitors themselves evidencing a growing disinterest in the entire affair.

With double features and protection as their prime objections in their suit, the exhibitors are now indicating that they have no basic objection to clearances, but with the theatres going into triple and quadruple billings, double feature exhibitors are looked upon as ultra-conservatives.

Exhibitors are agreed that some clearence setup is necessary for the efficient and practical operation of the industry, and therefore cannot discover just what clearance can be set up for all situations. They are beginning to agree that the clearance and protection arrangement cannot be put down in black and white, but must be figured separately for each situation, and particularly that clearance and protection can be set up sensibly only by people in the business and not by someone outside the industry.

Examine UA

Examination before trial of Harry J. Muller, United Artists treasurer, and Edward C. Raftery, UA attorney, by special U. S. Assistant Attorney General Robert L. Wright, has been concluded in New York, except for a possible recall after the Government has heard the testimony. Hearings meantime adjourned till Thursday (13).

Examination started last Thursday (6) with representatives from most major companies present. Information elicited was far from important. United Artists refusing to answer any leading questions.

The Government sought to secure information linking the corporation to production and financing of its producers, but this was not allowed to be answered.

Muller's testimony covered the structure of the corporation, the duties of its officers, operations of exchanges, etc. Information covering the financial statements of UA, and its annual reports, was denied on the grounds that such information is personal, as the company has 20,000 shares of common outstanding divided among its five owners.

METRO'S SLIDING % PLAN

WB Needn't Borrow More Than $4,000,000 to Swing Conversion

Move by Warner Bros. in obtaining permission to list $25,534,000 worth of new 6% debentures due in 1948, granted by the Securities and Exchange Commission last week, indicates to Wall Street financial observers that the picture company does not expect to borrow more than $4,000,000 from banks to handle the conversion.

Warner Bros. has offered holders of 6% liens, due next September, new 6% bonds due in nine years. Thus far about $20,000,000 worth of the old bonds have been deposited leaving only approximately $9,000,000 worth of liens yet to be swapped for the new issue. Warner Bros. has less than $2,700,000 of old bonds yet to be converted into certificates for the new bonds before the plan can be declared operative.

The loan approval already secured by Warner Bros. would allow borrowing by the film company up to $6,000,000. The action by the company in seeking listing for more than $25,000,000 worth of new bonds indicates that Warners will be less than $4,000,000 shy of total $29,000,000 worth to be converted.

The Street expects Warners will pick up several million dollars worth of the present 6% bonds in the open market between now and next September. Differential between the present liens and certificates for the new bonds might help in making this operation unusually successful. Such open market operation is the logical way to take care of the old liens still not deposited for the new issue and will cut down the size of the required bank loan.

Besides application for the debenture listing, Warner Bros. also asked that cancellation be made of previous authorization to list 84,174 common shares, required for conversion of old 6% convertible debentures.

U'S 52 FOR 1939-40; 40 FEATURES, 12 WESTERNS

Universal will program 40 features and 12 westerns for a total of 52 full-lengths for the 1939-40 season, as against 48 promised this year ('38-'39), increase being in horse opera group. Company will also offer three serials.

U is holding its sales convention in Cincinnati Friday (14), with William Scully, gen. sales mgr. presiding. In addition to home office and administration executives; division, district and branch managers, U is inviting its salesmen to the convensh.

Selznick, Par Casters Cast Themselves Out

Hollywood, April 11.

Charles Richards, casting director of Selznick-International Pictures, has resigned with that studio. Richards' departure will become effective as soon as Dave Selznick has chosen a successor.

Fred Schuessler resigned as unit casting director at Paramount after three years on the lot.

At one time Schuessler was casting director for the studio, having succeeded Fred Datig when the latter moved to Metro.

Rep. Pic Into M-G Showcase

Republic has closed a deal for its 'Man of Conquest' first run in New York at the Capitol. This will be the first Rep. picture to play here, and first for Cap outside of the 'big 8' to get a booking.

'Conquest' follows 'Hardys Ride High' which opens tomorrow (Thurs.).

Davis Ends MG Decade

Hollywood, April 11.

Frank Davis, producer at Metro for 10 years, checks off the lot April 22.

His last production was 'It's a Wonderful World.'

Tit for Tat

Last year Nate Blumberg, Universal prez, was feted by the trade press editors, at which time the film exec stated he would play host, in turn, a year from that date, if everything went well.

Tonight (Wednesday) at the Hotel Astor, New York, Blumberg will fete a dozen from the press.

LOEW, WB EXECS BUY-SELL OWN FILM STOCKS

Washington, April 11

Stock market operations by insiders in six film companies were unveiled last week in Yom-Kippur-smoothy statement of the Securities & Exchange Commission. Substantial purchases of Loew's, Inc., common by two officer-directors, David Bernstein and J. Robert Rubin each picked up 22,200 tickets, with Rubin selling 2,200. Gives Bernstein 29,300 and leaves Rubin with 34,175. Belated report showed Henry R. Winthrop, another director, bought 100 shares in January.

Harry M. Warner unloaded 5,000 of his holdings of Warner Bros. $3.85 preferred, cutting his stake to 9,884. Still has a poke comprising $1,379,000 worth of 6% convertible debentures and 62,685 pieces of common.

Daniel M. Sheaffer, Universal Corp. director, picked up 500 voting trust certificates of the holding company, swelling his pile to 17,000. Standard Capital Co., in which he is interested, has warrants for 111,283 certificates.

Late statements showed George H. Eichelberger of New York unloaded 500 shares of Trans-Lux Corp. common in October, cutting his previous total in half, and in August sold 100 shares.

Big gifts of Monogram options by W. Ray Johnston were brought to light. In January, company head gave away 48,993 end in February Santaclauses with another 42,261. In addition, he picked up 68,130 options and sold 81,933 in January. Left with 6,197 at the end of February, in addition to 18,283 shares of common.

Herbert J. Yates, Jr., of New York, bought 7,782 shares of $2 preferred in Consolidated Film Industries, of which he is both officer and director.

S. E. C. learned in report two years overdue that Joseph R. Vogel held no financial stake in Loew's Boston Theatres when he went on the board.

FROM TRUSTEE TO FILM PRODUCER—M'CAUSLAND

A. H. McCausland, who represented Irving Trust Co. in the receivership and trusteeship of RKO, has been named business manager for Famous Productions, the producing unit headed by Harry Edington. Edington has a deal to make three features for Universal in 1939-40.

McCausland is leaving his trustee spot to join Famous Productions. He heads for the Coast in about two weeks.

McGuire at 20-Fox

Hollywood, April 11.

William Anthony McGuire checked in at 20th-Fox yesterday (Mon.) to await an assignment under his new contract as writer-associate producer.

Recently McGuire washed up his pact as writer-producer at Metro.

REVOLUTIONIZE FILM SELLING?

Lichtman and Rodgers Have Scheme for Giving Both Exhibitor and Distrib a Fair Break, Depending on Whether the Picture Does Business

ALTERNATE IDEA

A system of percentage selling, worked out by Al Lichtman, under which the gross done by a picture will determine whether the share for the distributor shall be more or less than the figure established when the contract is signed, is embodied in the Metro sales policy for the 1939-40 season.

Seeking departures in selling, founded on a desire for more equitable grounds to govern the exhibition of its pictures, both for itself and the account, without sacrifice to a picture's value, but also to put benefit to a picture that isn't deserved, Metro is offering the sliding percentage plan to accounts interested in it. M-G also has another deal as a substitute, which also features certain innovations.

The sales force under William F. Rodgers will offer the Metro customers either deal desired.

Under the sliding percentage plan, the split will range from a basis of 25% upward. Each situation will be taken separately and an arbitrary percentage of 25, 30, 35 or 40%, as the case may be, set on the various features depending on the brecketing. The gross of the theatre, based in part on what it has been doing, and what it should do with the picture it is going to play, will determine whet the rate of percentage shall be.

For example, if a picture, based on the theatre's normal gross or figure set, is agreed upon as a 35% picture, and it does more than the gross it should do to earn that percentage, then the distributor gets more, but if the 35-percenter falls below the gross calculated it should get to entitle it to that split, then the distrib gets less for that reason.

In other words, if the contractual agreement is that theatre shall pay 35% for a given feature on a basis of a gross of $10,000, and the gross realized is over that, then for every 7½% increase in box office receipts the rental is increased 2½%. Thus should $10,750 be grossed, then the share for the distributor is 37½%. By the same token, should the feature fail to get $10,000, for every 7½% under that figure, the rental decreases by the same degree of 2½%.

While under the plan there is no decrease from the fourth lowest bracket of 25%, into which group are the least regarded features, it is possible that pictures under the old system which would collect 40% in the topmost bracket regardless of how they performed at the b. o. under the Metro system could cost the exhib as little as 25%. On the other hand, which makes it as fair for the distributor as the account, if a 25% picture turns out to be a

(Continued on page 47)

BUCK JONES WINS ON U'S ADV. OVERCHARGE

Hollywood, April 11.

Suit of Buck Jones against Universal over exploitation costs on Jones' pictures has resulted in an award of $3,848 to Jones. Cowboy actor sued to recover sums deducted by the producers from grosses to cover cost of exploitation.

Universal was charging Jones $5,000 per picture while the western star held out for payment of actual costs only.

Goldwyn Goes Beyond Suit's Original Purpose; Attacks UA's Internal Mgmt. on 'Abuses'

The UA Slant

Charles C. Schwartz, UA attorney, being out of the city, a formal rebuttal to the Steuer-Goldwyn statement will not be forthcoming until today (Wed.). Murray Silverstone, general manager of UA, refused to make any comment, and unofficial company attitude has been that not until Goldwyn made any charges did the firm bother to rebut. Thus, when Goldwyn and, later, James Roosevelt made certain statements, UA did likewise.

The company points to the fact that it is over $2,000,000 ahead in its 1939 revenue, comparable to the same three-month period in early '38, and this in face of current curtailments in the foreign market, not obtaining then. This is in refutation of the 'idealistic policies' statement by Steuer.

UA also points to the Sol Lesser-Ernst Lubitsch, David L. Loew and David O. Selznick (Jock Whitney) new deals and renewals as evidence of company vigor.

Samuel Goldwyn yesterday (Tuesday) attacked the internal management of United Artists Corp. and seeks to go beyond the original purpose expressed in his recent suit against the company, i. e. the alleged breaching of the Douglas Fairbanks, Alexander Korda and his own contracts by UA. In a statement, issued through his attorney, Max D. Steuer, in New York, Goldwyn indicated his organization was opposed to the present UA internal management because of abandonment of the 'idealistic policies on which United Artists was formed.' He claims UA pledged itself not to practice 'abuses' and 'if possible to completely eradicate them from the industry.'

When pressed for particulars concerning these 'abuses,' and for indication whether there were abuses other than those complained of, in connection with Fairbanks and Korda's respective units, Steuer hinted that UA has departed 'from the high plane on which it was organized,' that is, to distribute pictures made by companies of the first magnitude, or by artists of the first rank, and that the present internal management has completely changed this policy. Asked whether this specifically concerns a number of new individual and independent producers who recently joined the company, Steuer stated that this was exactly what Goldwyn had in mind.

'Naturally,' said Steuer, 'these high-ranking producers and artists referred to in the statement were interested in having each of their pictures sold and distributed solely and only on the merits of each picture, and not coupled with any others. That policy was implicit in every contract that was made.

'The Goldwyn company, tied for a number of years to UA as its sole distributor, is affected by this change of policy, and United Artists is also seriously affected thereby. Under the circumstances, the Goldwyn Corp. could have taken matters into own hands and proceeded on the theory that its contract was breached, and could have declined to distribute its pictures through UA. That would have seriously in-

(Continued on page 47)

FORMAL RKO REORG ORDER SIGNED

Federal Judge William Bondy in N. Y. yesterday (Tuesday) signed the formal order of confirmation of the plan of reorganization of RKO. The judge's order found that he is satisfied that more than two-thirds of the creditors, and a majority of the stockholders, have approved the plan. He is also satisfied that Section 221 of Chapter X of the Bankruptcy Act has been complied with, and he is satisfied with the identity, qualifications, and affiliations of the board of directors.

Judge Bondy's order reserved jurisdiction for the court over the assets of RKO, and over all persons, firms, or corporations to whom the assets may be transferred prior to consummation. The court also reserves jurisdiction over all persons interested in the estate, for the purpose of carrying out the plan, and for determining the right to all claims against RKO, not yet determined.

The last feature of Bondy's order called for the payment in full, in cash, of all claims for taxes by the U. S. Government, on consummation.

All new claims will be paid after the old ones are settled, except those of the U. S. Government, which will be granted a priority on all its claims. The new company also will assume all the obligations of the old one.

Application by Hamilton C. Rickaby, representing Atlas Corp., to the Circuit Court of Appeals in N. Y. to dismiss the appeal of H. Cassel & Co., holders of $175,000 of debentures, for failure to file the record on appeal, was denied by the Court on Monday (10). The appealing corporation has until May 15 to file its record.

At the same time John S. Stover, representing Ernest W. Stirn, RKO class 'A' stockholder, filed further objections to the confirmation of the plan of reorganization. Stover demanded that Edwin Weisl state that he does not represent Atlas on the Paramount board of directors. If he does make such a statement Stirn desires to examine him. Further, he asks that the final figures for RKO for the year of 1938 be submitted the court.

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

SUBSCRIPTION
Annual..... $10 Foreign..... $11
Single Copies .....25 Cents

Vol. 134 120 No. 5

INDEX

Advance Production Chart. 22
Bills 46-47
Chatter 53
Dance Bands.....39-41
15 Years Ago..... 42
Film Reviews..... 18
Film Showmanship 8
House Reviews.....44-45
Inside—Legit 52
Inside—Music 40
Inside—Pictures 10
Inside—Radio 32
International News..... 19
Legitimate 49-52
Literati 52
Lists 39-41
New Acts 46
Night Clubs 42-43
Obituary 54
Outdoors 54-55
Pictures 2-27
Radio 28-38
Radio Reviews..... 30
Radio—International 36
Vaudeville 42-43

'HALF A LOAF' THEORY PREVAILS AMONG EXHIBS FAVORING REVISED TRADE CODE

'Allied as a Group Agin' It, but Individual Indies Like the Concessions—'Better Than Nothing,' General Attitude—Reservations Made for Future

On the premise that 'half a loaf is better than none,' but with the reservation that the right to seek additional reforms or concessions in the future will not be denied them, the majority of the country's exhibitors are expected to speedily accept the trade practice code, now offered by the distributors. This may very likely include exhibitor members of Allied States Assn., although as indicated, Allied will not consider action on the new draft submitted.

The executive committee of Allied States considers it is without power to consider the final draft drawn and submitted because there is no provision to cover abolition of block booking, blind selling and producer-owned circuits; also because a resolution passed by the Allied board is to the effect that any proposals, to merit consideration, must contain all the details of arbitration. Allied will not convene its board of directors for special meeting to consider the trade practices code, as drawn, the organization also informs.

Although the position of Allied is a disappointing one for the distributors, it is expected that the Motion Picture Theatre Owners of America and other exhib bodies, possibly some that are affiliated with Allied, will accept the draft with reservations or tentatively.

In view of the 10 to 20% cancellation privilege, arbitration provisions and lesser features of the plan, general exhibitor opinion, including among leaders in exhib politics, is that while greater reforms might be desired, what is being given now is well worth taking as a starter.

The presumption is that if any Allied member wants to contract for 1939-40 film under a contract embodying the proposals of the trade practices code, he will be free to do so, regardless of whether the Allied exec committee and board refuses to accept it. Whether or not Allied may indicate to its exhib members that they may accept the pact, as individuals, is not known in the face of determination by Allied leaders to disregard the plan, in the face of their fight against block booking, blind selling, circuit ownership by distributors, and for arbitration which includes the details of the machinery to govern it.

Because of the Allied resolutions which preempts that national organization from considering the trade practices code, Allied's executive committee has voted unanimously to appear before the Interstate Commerce Committee of the Senate, and before the House committee, if hearings are held, in support of the Neely bill.

Ed Kuykendall, president of the MPTOA, and other exhib leaders are taking the other side of the fence in opposition to the Neely bill. Among these is Frank Cassil, president of the Missouri-Kansas Theatre Owners Assn., who stated Sunday night (9), before leaving for Washington, that he would argue against the Neely measure. Cassil added that he is in favor of the trade practice pact, as now drawn, and his organization will probably approve it.

20% Cancellation Liked

Although provision for some suitable form of arbitration is felt to be an important step forward, the ability to reject up to 20% of pictures contracted when the rental averages less than $100 is interesting Cassil as well as other exhibs. There is no change in exclusion privileges when the rental averages over $250, the 10% cancellation remaining the same.

Kuykendall, now in Washington, is expected to reach New York shortly, at which time he may indicate MPTOA's acceptance. Pact is in the hands of this national outfit's directors, same as with local bodies. Independent Theatre Owners Assn. of N.Y., of which Harry Brandt is president, may take action at a meeting to be held today (Wed.).

ITO of Southern California is expected to accept the draft at an early date, while the MPTO of Nebraska-Western Iowa and the MPTO of Virginia have given it executive approval. Allied Theatre Owners of Iowa & Nebraska and the Intermountain Theatres Assn. of Utah may also take early action, together with other indie bodies which will recommend the pact to its members for use in boosting the new season's (1939-40) pictures.

Even if some organizations may reject the pact in whole or part, refusing to endorse it, all individual exhibitors will be offered the provisions as part of the 39-40 deals when the salesmen come around. Thus, the position of the distributors is that even if Allied States has turned thumbs down on it and others may follow suit, through wanting changes or for other reasons, those exhibs that do want the pact embodied in their contracts may have it.

A majority of the country's accounts, in that event, may buy under the new trade practices code while a minority may not. The following year, however, those that sanctioned their noses at a 10-15-20% cancellation and other provisions may regret the advantages enjoyed by competitors who took what the 'loaf' handed them this season. The provisions for arbitration would apply only with respect to those accounts which signed contracts under the trade practices code.

Colo. Body Approves

Denver, April 11.

Theatre owners and managers of Rocky Mountain region Monday by a committee appointed by President Charles Gilmour indorsed in effect the proposed Fair Trade Practice act. They feel that what differences remain can be worked out through conferences, and sentiment is that an amicable agreement is to be preferred over Government interference.

Exhibitors thoroughly favor equitable system of arbitration. Organization reserves the right to enter into negotiations to obtain further equitable adjustment of differences.

Neb.-Ia. MPTO Endorses

Omaha, April 11.

C. E. Williams, president of MPTO for Nebraska and western Iowa, expressed pleasure with the proposed industry trade practice draft submitted to exhibitor organizations last week.

'It is by far and large the best thing we have ever had,' he said. 'Time and an application of the agreement will probably bring some modifications, but as a whole it is what we want.'

NW Indies Like Code

Minneapolis, April 11.

While Northwest Allied States members, including its president, W. A. Steffes, are refusing to be interviewed relative to the new industry code, many of them are saying privately that it should be gratefully accepted. Because of the national Allied States' refusal to approve the pact, they'll not voice any opinions for publication, there apparently being a 'gentlemen's agreement' among them to withhold comment and abide by the national organization's stand. At the same time, the majority apparently are well satisfied with the results obtained and they make no bones—privately—in letting it be known that they're getting more than they expected.

Harold Field, owner of a large circuit of Iowa theatres and building a new $150,000 suburban house here, has come out openly for acceptance of the code. 'It's a move in the right direction,' says Field, who is not a Northwest Allied member, 'and its adoption should benefit the entire industry. Through experience gained under its provisions, conclusions can be reached regarding other changes that may be necessary. Every branch of the industry should be the gainer.'

Philly Zone OK's Code

Philadelphia, April 11.

New draft of the trade practice code has the approval of the great majority of exhibs in this territory. Although they believe that it is far from perfect, they are of the opinion that considerable gains have been won and are ready to pat the committee on the back for a good job.

Although they believe the code should be immediately adopted, exhibs' consensus is that it should really only be a starting point. That is, after it has been in effect a short time, they believe the trade practice meetings should be resumed to reopen the code and gain more advantages.

In the absence of punjab Sid Samuelson, Allied officials were timid to venture for public consumption whether they thought the code good, bad or indifferent. Majority of execs hesitated to say they had even read it. United Motion Picture Theatre Owners, in a statement by President Lewen Pizor, came out flatfootedly in favor of the draft.

DON WOODS, MISS AMES SET IN BRITISH FILM

Hollywood, April 11.

Frederick Brisson, London agent in Hollywood for the past month, has set Donald Woods and Adrienne Ames for leads in British production of 'First Episode.' Players leave for London end of this month.

Percentage has a deal on with Paramount to import Will Fyfe, British character actor, to Hollywood for one picture and possible option.

'Tillie' as Pic Series

Hollywood, April 11.

Republic has closed a deal with King Features Syndicate for a series of 'Tillie the Toiler' pictures, based on the cartoon strip by Russ Westover. Only one picture in this series was announced at current Republic Convention, with more to follow if first one clicks.

Deal was handled by William Saal, for Republic.

KIT AT THE REINS

Hollywood, April 11.

History takes another ride in a 15-chapter serial, 'Overland with Kit Carson,' to be produced by Jack Fier for Columbia.

Cliffhanger will feature Gordon Elliott and Iris Meredith.

Col.'s 3 Regional Meets; A. C., May 8-11, First

Columbia Pictures will hold three regional sales meetings on the 39-product lineup. First convention gets under way in Atlantic City on May 8-11, the other two meets are Chicago, May 14-16, and Los Angeles, May 22-25.

Total number of pictures to be produced will not be made public until Abe Montague and Jack Cohn address the delegates in Atlantic City. Approximately the same number of films produced for the '38-39 season will be released next season —40 features, 16 westerns, 126 shorts and four serials.

'Wuthering' Shift From Music Hall to N.Y. Rivoli Jazzes Up Nat'l Ads

United Artists' national magazine campaign on Samuel Goldwyn's 'Wuthering Heights,' which is costing approximately $100,000 and designed to reach some 40,000,000 circulation, occasioned some quick maneuvering around, when the picture was taken away from Radio City Music Hall. Full page ads in color are breaking currently in such magazines as Saturday Evening Post, Ladies Home Journal, McCall's and the American Weekly for first three weeks in April. Ads in these magazines, involving approximately 2,700,000 circulation, carried an announcement of the Music Hall engagement.

When decision was reached two weeks ago to shift the picture to the Rivoli, N. Y., April 13, it was too late to change the ads shaped to concentrate on the Music Hall opening. To cover one situation the American Weekly on Sunday (9) ran a two-column correction in the N. Y. Journal-American on page 2. 'Wuthering Heights' ad in American Weekly cost UA and Goldwyn $18,500.

6 Weeks in London

London, April 11.

Samuel Goldwyn's production of 'Wuthering Heights' has been booked for at least six weeks at the Gaumont Haymarket theatre, starting April 26. Agreement, which carries no 'shutout' clause, was consummated by Arthur Jarratt, of Gaumont-British, directly with Goldwyn.

Record Year for Anti-Pix Attacks; Legal, Legislative, Nationalistic

Current year probably will go down in the records as the one in which the industry was the target for the greatest number of attacks, both from the legislative sector, from independent organizations, other embattled associations and the Federal government. This does not take into account the lambasting received from various foreign nations in the form of restrictions, higher taxes, quotas and absolute bannings of product.

Film business never was faced with such a sweeping civil anti-trust suit, while being confronted in various key cities with other anti-trust suits and claimed damages running into millions of dollars. Heretofore it either was one big court action or a few smaller suits.

On the legislative front, introduction of some 500 differing bills, directly or indirectly affecting the film industry has marked the current 44 state legislature sessions. The sweep of measures proposing divorcement of theatres from distributors, or attempting to include theatres in chain store laws, has marked the convening of solons. Number of proposals for censorship has hit a new high. It is too early now to appraise the extent of new laws or the damage done.

Neely and the Code

Presently the industry's attention is focused on the Neely anti-block booking bill on which hearings began this week in Washington. Major interests feel that it would alter the entire distribution setup of the business, but independents are clamoring for it as a means of ducking present block-booking, as it has been known in recent years.

Race between the picture business' fair trade practice parleys in order to frame a list of industry reforms, before actual hearings began on the Neely bill, resulted in the trade practice regulation framers beating the industry reformers (by statute) by a couple of days. Whether or not the barn door was locked after the horse was stolen (the industry put its own house in order) probably will be determined during ensuing weeks, as the Neely bill advances for vote in the two houses.

Neely bill passed the Senate last year, but never came to a vote in the House of Representatives. Independents, however, are beating the tomtoms louder than ever this year, and there have been so many squawks registered with legislators in Washington that a showdown is expected. Much depends, industry leaders believe, on whether Washington solons can be convinced that the new trade reforms will be placed in active operation at once, and whether they will remedy the alleged evils the Neely proposal aims to cure.

Legislative decks were cleared off in four or five more states during the last 10 days, leaving less than 25 state legislatures still in session. This means to the trade that only about 300 measures affecting the industry still remain to be brought up for vote this year. At one time there were more than 500 bits of legislation pending in the 43 states having legislatures in session this winter.

Probably 10 more legislatures will wind up their work by the middle of this month, while Florida first opened its legislative session 10 days ago.

PAR WON'T CUT SCHEDULE; 60 TO GO

Hollywood, April 11.

Barney Balaban announced on Monday (10) that Paramount will again turn out 60 feature productions for the coming season. Decision not to cut the number of pictures this year was made despite heavy trade losses abroad in dictator countries. Balaban, Stanton Griffis, Neil F. Agnew, Edwin L. Weisl, Russell Holman, Leon Netter and Robert M. Gillham were among party of Paramount executives who arrived here on Monday (10) for product discussions with studio officials.

Eastern contingent remains here until April 24 and then joins the Cecil B. DeMille 'Union Pacific' trek to Omaha for world premiere of that picture April 28.

Discussing the outlook for next year, Balaban states that production budget for the '39-40 product will exceed that spent by Paramount for the current season output. The Paramount prexy expressed confidence in ability of the company to exceed the business experienced with the '38-39 lineup of pictures, basing expectations on the plan to give company's films a special appeal for English-speaking and South American countries.

Balaban looks for no curtailment of studio personnel and activities due to current war scare and loss of foreign business. Since the new program of pictures will concentrate on markets friendly to the U. S. present business losses in dictator-ruled nations will be overcome, and there will be no necessity for cutting.

Convention After All

On and off for two years now, there may be a Paramount theatre convention, after all, at an early date with Barney Balaban presiding and department executives as well as theatre partners and their associates attending.

The convention may be held in Mexico or Texas, probably at Dallas, headquarters of the Interstate and Robb & Rowley circuits, partners in the Par chain.

COWAN WILL PRODUCE SINC LEWIS' 'ANGELA'

Hollywood, April 11.

Lester Cowan has signed a producer deal with Sinclair Lewis to handle the pictures for his unit. First is 'Angela' at 22,' with Lewis repeating his stage role.

Associated with Lewis in the film enterprise is John J. Wildberg, who produced his play. No releasing deal set.

Darro 'Irish' Washup

Hollywood, April 11.

Frankie Darro winds up his four-picture contract at Monogram with 'Irish Luck.'

Mary McCarthy is doing the screen play from an original by Charles Molyneux Brown.

Studio Contracts

Hollywood, April 11.

Ray Milland inked three-year contract at Paramount.

Warners signed Robert Prinz, actor.

Paramount handed player ticket to Susan Paley.

Al Friedman penned scripting deal at Metro.

20th-Fox pacted Stanley Rauh, scripter.

Spring Byington's option lifted by 20th-Fox.

Leon Schlesinger signed I. Freleng as cartoon director.

Barbara Reed inked player pact at RKO.

Paramount contracted Tom Coley, actor.

Florence George signed by Metro.

Ben Hecht handed new Metro writing ticket.

Metro handed player pact to Dorothy Humel.

Metro lifted Carey Wilson's three-way option as producer-writer-commentator.

Warners renewed David Lewis, associate producer.

Metro picked up its option on Spanky MacFarland, moppet.

SWG WOULD'T AUTHORS

Guilders East Deny ALA Bow-Out

Report from the Coast that the Screen Writers Guild plans to withdraw from the Authors League of America and affiliate with the American Federation of Labor is emphatically denied by Guild members in New York. It is acknowledged that the Guild is contemplating a tie with some sort of labor organization, but positively stated that there is no intention of severing relations with the League. Same assertion is made by League executives.

According to Lillian Hellman, a member of the SWG council, any statement that the Guild is considering a break with the League is 'absolutely untrue.' No such action is being or has been thought of, she claims. Committee has been named by the Guild council to study the matter of affiliation with some labor organization, she explains, but adds that neither the AFL nor any other outfit was specifically mentioned.

Dashiell Hammett, another Guild council member currently in New York, likewise scouted the possibility of SWG withdrawal from the League. He explained that in the first place it would be unnecessary to quit the League in order to tie up with the AFL. And in the second place, he doubts whether the Guild charter or constitution empower it to withdraw from its parent body, at least without permission from that organization.

Marc Connelly, Authors League president, took time out from rehearsing 'The Happiest Days' to declare that the Screen Writers will positively not quit the League. He explained that he knows there is sentiment in that direction among Guild members and said that, as a Guild member himself, he would strongly oppose any such action. He also stated that the Guild could affiliate with the AFL without breaking with the League and likewise ventured the opinion that in any case the Guild lacks the right to withdraw from its parent group. Connelly added that the League, as well as the Guild had for years contemplated the prospect of a tieup with the AFL or some other labor body, but said there is no immediate inclination in that direction.

WB Drops Tab Legit Experiment As Substitute for No. 2 Feature

After experimenting with the policy at the Lincoln, Union City, N. J., Warner Bros. has abandoned any idea of substituting tabloid legit shows for the second feature on dual bills. Plan was tried with one-hour versions of 'The Last Mile' and 'Pursuit of Happiness,' but was described as an outright failure by execs of the chain. No more tests of the idea will be made.

According to Ellen Spencer, who produced the 'Mile' and 'Pursuit' shows for Warners, several other chains are mulling the idea. Among them are said to be RKO, Loew's, Balaban & Katz and Fanchon & Marco. Similar legit-film bill setup was tried on the Coast some years ago, but failed to click. Miss Spencer had hoped Warners would extend the plan to about 50 houses, which would have permitted more expensive productions, name casts, etc.

Regular Broadway players were used in the two productions at the Union City house. Seth Arnold, who was in the original production of 'Pursuit,' directed the brief version and played his same part. Others in the cast included Viola Roache and Dorrha Duckworth. Paul Mann, who played the lead in 'Mile,' is to be screen-tested by Warners. Miss Spencer did the settings and costumes for both shows. Theatre retained the same price scale—40c. top.

Since the shows were given in a so-called 'presentation house,' the venture came under American Federation of Actors jurisdiction, so the usual Equity ruling of eight performances weekly did not apply. Legit portion of the bill was given twice daily. Despite abandonment of the idea by Warners, Miss Spencer still hopes to do tab versions of 'Street Scene,' 'Three Men on a Horse,' 'The Drunkard,' the Noel Coward one-act plays and (in the midwest) 'The Women.' However, that would depend on whether another chain decides to experiment with the plan.

BENNY HAS THREE MORE TO GO AT PARAMOUNT

Jack Benny has three more pictures to go with Paramount under his existing contract, at a reported $125,000 per feature.

Completed and awaiting release, no date as yet being set, is 'Man About Town,' production on which was interrupted on various occasions by the gem-smuggling difficulties involving Benny.

Hugh Herbert Booked For Chi's Oriental at 3G

Chicago, April 11.

Hugh Herbert returns to the loop as the Oriental's headliner, week of April 21.

Played for Jones, Linick & Schaefer last season at the State-Lake. The Oriental date said to be for $3,000.

Laurel and Hardy Reunite for Roach; Boris Morros' Loan

Hollywood, April 11.

Hal Roach and Stan Laurel have called off their suits, and the comic returns to co-starring with Oliver Hardy under Roach's production aegis. Following the settlement Roach closed a deal with Boris Morros for a loanout of Laurel and Hardy to appear in a remake of a French picture to be produced by the former Paramount music head.

Laurel-Hardy team will do four four-reelers for United Artists release, under terms of the new deal with Roach. Harry Langdon, who teamed with Hardy in 'Zenobia,' when the Laurel trouble broke, goes back to writing.

NEWSREELS ARRANGE ROYALTY VISIT PIX

Details for covering the visit of England's king and queen to Canada and U. S. next month were mapped out by newsreel representatives in Toronto last week. Official representatives from the five American newsreels went from N. Y. to the confab with Canadian government officials. Rules as to what the camera crews could and could not do were laid down.

Royal party is scheduled to visit the New York World's Fair between May 4 and 11, then stop at President Roosevelt's home at Hyde Park, N. Y., thence a call at Washington.

Seitz Saves $30,000

Hollywood, April 11.

Four days ahead of schedule, George Seitz brought in '6,000 Enemies,' his first directorial job at Metro since his return to the studio after a year at Paramount.

Speed saved Metro about $30,000.

MULL BID FOR AFL CHARTER

Scribes Figure Union Backing Will Speed Up Producer Recognition—Weed Out Chiselers in Extra Ranks

DENIED IN N. Y.

Hollywood, April 11.

Screen Writers Guild is mulling a proposal to sever connections with the Authors League of America and to apply for a local charter in the American Federation of Labor. A special committee composed of Robert Rossen, Frances Goodrich, Melville Baker, Judius Epstein and Leonard S. Janofsky, SWG counsel, has been appointed to investigate the advisability of affiliating with a national labor organization.

This committee is expected to submit its findings to the executive board within two weeks, and the recommendations will then go to the membership for approval. Action is said to have been prompted by SWG's long-drawn-out fight for recognition by the producers. Tops believe that with AFL backing the Guild would have been in a position to force a showdown with the major companies a year ago.

Move would have the support of the Screen Actors Guild, which is already affiliated with the A.F.L. through its connections with the Associated Actors & Artistes of America. If the SWG moves into ranks of A.F.L. it might call for similar action by the Screen Directors Guild, in order to bring three big Guilds closer together than is now possible through their Inter-Talent Council.

An A.F.L. charter would give the scriveners undivided support of more than 25,000 film workers who already belong to studio locals chartered by the Federation. These would include actors, teamsters, painters, carpenters, musicians, and IATSE, etc.

Final showdown parleys between producers and SWG on writer contract are scheduled for this week. If two are unable to get together, SWG will ask the National Labor Relations Board to resume its hearings on unfair labor practice complaint against the major companies.

6-Hour Call Too Costly

Tentative agreement by producer attorneys for six-hour minimum work call in studios is said to have caused considerable agitation among film executives when it was learned the proposal would cost nearly $2,000,000 a year. Plan would call for an additional expenditure of $250,000 at Metro alone, with proportionate costs at other studios.

Plan had been suggested by Jeff Kibre and other leaders of autonomy fight in Technicians Local 37 as a move to settle various court disputes involving producers and the International Alliance of Theatrical Stage Employees. Is reported that producers called attorneys into conference and promptly vetoed the tentative settlement. Suggestion was made at a conference between various groups with Dr. Towne Nylander, regional director here for NLRB.

The Screen Actors Guild has started a campaign to eliminate chiselers and runners from the ranks of Class B players in an effort to provide more work for extras and to protect the earnings of those who depend upon the film industry for a livelihood. Nearly a score of extras have been cited for trial under Rule 14 of the SAG by-laws which prohibits an actor from appearing in a picture and at the same time participating in the employment of other players. Rule 14 reads as follows:

'No one who works as a casting director, or who engages or selects, or has the right to hire and discharge actors, may be a member of the Guild. Any member who performs such function or functions shall be asked to resign, and upon

(Continued on page 47)

William Wyler Crosses WB-UA P.A.s; Gives Wrong Answers, Plugs French

Peanut Boy

Los Angeles, April 11.

William Holden, nee Beedle, is playing the title role in 'Golden Boy' at Columbia for $50 a week. Salary was revealed in Superior Court where his contract with Paramount was approved.

Pact calls for $50 weekly for six months and ranges up to $400 in seven years. Holden was discovered in Pasadena by a Paramount scout and loaned to Columbia for his screen debut.

U HEATS DEAL FOR DARRIEUX

Hollywood, April 11.

Return of Danielle Darrieux to Hollywood is indicated by Universal execs, who are close to an agreement with Gregor Rabinovitch, French producer and holder of prior contract to the Parisienne's film services. Studio has been trying to induce Miss Darrieux to return ever since her first American picture, 'The Rage of Paris.'

Rabinovich demanded $400,000 for his contract rights, and Universal came back with a counter-offer, meanwhile holding two completely scripted stories ready for the star's return. Scripts are 'Rio' and 'Almost an Angel,' both on Joe Pasternak's list.

Invests in French Pic Co.

Paris, April 3.

Danielle Darrieux has stepped into film production here by investing in Films Victoria, directed by Gregor Rabinovitsch, who has rights to the star's services for the next four years. According to Rabinovitsch, Miss Darrieux has taken a one-third interest in the company.

Universal and Rabinovitsch battle over who holds the exclusive rights to the star's service: resulted in a Paris court ruling awarding the rights to Rabinovitsch, who has a four-year pact with her.

ELEANOR POWELL'S $5,700 PERSONALS

Eleanor Powell has been booked for two weeks of personals by Loew's at her studio salary. She opens April 27 at the State, New York, and follows a week later into the Capitol, Washington.

Working with Andy Iona's Hawaiians (6), who appeared with her in 'Honolulu' (M-G), Miss Powell will cost the Loew theatres around $5,700 weekly. She's reported asking more from theatres not affiliated with Metro.

Par Subs Drew For Colbert in Brit. 'Tears'

Hollywood, April 11.

Ellen Drew left yesterday for London to play the top femme role in Paramount's 'French Without Tears,' to be produced by David Rose.

British comedy role was originally intended for Claudette Colbert.

4 for Lewis at WB

Hollywood, April 11.

David Lewis, newly pacted by Warners as associate producer, has four pictures on his slate, beginning with 'You Can't Escape Forever,' rolling May 1.

Following are 'And It All Came True,' 'All This and Heaven, Too' and 'Don Juan.'

Philadelphia, April 11.

William Wyler, director of 'Wuthering Heights,' brought here by United Artists and the Warner circuit to plug the opening of the pic, gave execs of both outfits plenty of need for an aspirin at a press and exhib luncheon tossed in his honor last week. An ex-publicity man, Wyler refused to give expected Hollywood answers, delighting his interviewers by causing shudders in those responsible for bringing him here and the p.a.s accompanying him.

First off, he declared that France today is making the best pictures—better than Hollywood. That brought arguments and cajoling from the UA and WB crews, but Wyler wouldn't be budged. 'French pictures,' he said, 'are the best because they have the best writers, directors and actors. Especially actors. No one can compare with them. No one in America is equal to Remu. Technically only is Hollywood ahead.' Wyler is Czech-born.

Inasmuch as Wyler up to this point hadn't mentioned 'Wuthering Heights,' a UA p.a. offered the leading question. 'What the best picture you've ever seen?' 'The newsreels,' Wyler shot back, and then went on to plug 'Confessions of a Nazi Spy.'

'Movies should tell what is happening,' Wyler explained, 'and 'Spy' does that. I think it will clean up at the boxoffice because it takes sides. Call it propaganda if you want, but then let someone come along and produce a pro-Nazi picture.'

The worst newspaper is better than the best film, Wyler said, because papers tell news that is 'of vital interest to all of us, because it affects all of us, whether we live in Europe or not. Newspapers are dramatic and exciting.'

Wyler said his next pic will be a blog of Hans Christian Anderson with Gary Cooper in the lead role. He said he wished to could introduce cartoon characters, combining cartoons with flesh in the film.

At that point, Walt Disney, also at the luncheon, interjected, 'I wouldn't like it. It would be like pasting a photograph head on a drawing. The two just don't go together.'

BERLIN'S 'MUSIC' SEQUEL TO HIS 'RAGTIME BAND'

Hollywood, April 11.

Irving Berlin has started on 'Say It With Music,' sequel to 'Alexander's Ragtime Band' on the 1939-40 schedule at 20th-Fox.

Picture, named after one of Berlin's song hits, will contain 25 of his old numbers.

Leisen Sez Col. Fouled Contract, Sues for 50G

Los Angeles, April 11.

Mitchell Leisen filed a $50,000 suit against Columbia, charging breach of contract.

Director complained he signed a 12-week pact March 6 calling for $4,166.66 weekly, but has received no pay.

Weismuller's N. Y. Fair Date; Coogan-Grable Bid

Nils T. Granlund, who will operate a concession at the New York World's Fair, is negotiating for Jackie Coogan and Betty Grable (Mrs. Coogan) to appear as a team. He's offering them a combined salary of $3,000 weekly.

Johnny Weismuller has been signed by Billy Rose to star with Eleanor Holm in the Aquacade at the New York World's Fair. William Morris office set the deal.

Weismuller has a run-of-the-show contract, but special stipulations permit him to withdraw at any time after due notice.

Top Show Business Salaries for '37

Louis B. Mayer topped the corporation salaries for 1937, according to Treasury Dept. figures furnished Congress, which thus made possible publication of incomes above $15,000. For 1938, incomes of $75,000 and over will be approved for publication. The 1,132-page report lists nearly 50,000 persons who were paid from $15,000 up. Most of the payments not only cover salaries but bonuses, and of course, are not net incomes, since considerable business expense must come out of these figures.

Film companies accounted for 40 of the 50 salaries of $200,000 or more in 1937. The fancy figures paid picture stars explains this high ratio.

The N.Y. Sun estimated that of Mayer's $1,296,503 salary ($1,161,753 as production executive of Loew's, Inc., and $134,750 as v.p. of Metro-Goldwyn-Mayer), his estimated U.S. tax comes to $766,528, and California state tax to $185,425 (total tax: $951,953), leaving an untaxed balance of $344,550. J. Robert Rubin, also Metro top exec, then of $754,254, of which $641,123 was from Loew's, Inc., $33,000 from M-G-M Corp. and $80,131 from M-G-M Distributing Corp. income on which the N.Y. Sun estimates $379,470 would be U.S. taxes, and $51,840 N.Y. State-taxed, leaving a $319,833 net. Metro-Goldwyn-Mayer paid 240 employees $15,000 or more, while 106 employees and officers of E. I. duPont de Nemours & Co., and 107 of Metropolitan Life were in the $15,000 and upwards class.

This breakdown groups picture companies in one classification, and the second — Miscellaneous — group embraces mostly individuals in all branches of show business, press, advertising agencies, etc.

PICTURES

Samuel Goldwyn, Inc., Ltd.

Joel McCrea	$100,000
Miriam Hopkins	$150,000
Gary Cooper	$150,000
Samuel Goldwyn	$168,000

Plus, from United Artists Studio Corp. $26,000
Merrill Hulburd $17,708
George Haight $64,714
Mary Astor $22,791
John Boles $48,244
Lillian Hellman $50,000
Raymond Massey $16,000
Barbara Stanwyck $75,000
King Vidor $70,000
Brian Aherne $40,000
Ruth Chatterton $44,000
Walter Huston $26,333
Sidney Franklin $40,000
Alfred Newman (from UA Studio Corp.) $68,316

Loew's, Inc.

Nicholas M. Schenck	$489,602
David Bernstein	$250,416
Al Lichtman	$107,182
Arthur M. Loew	$856,675

Plus, from Culver Export Corp. $238,118
J. Robert Rubin $641,123
(Also see M-G-M).
Louis B. Mayer $1,161,753
Robert Lynch $51,450
William Rodgers $57,000
Ludwig Lawrence $57,000

Plus, from Culver Export Corp. $60,000
Sam Rothman, Jr. $57,000

Plus, from Culver Export Corp. $77,920
Howard Dietz $52,500
Leopold Friedman $52,500
Charles C. Moskowitz $66,667
Louis K. Sidney $70,000

Metro-Goldwyn-Mayer

Nicholas M. Schenck	$52,000
David Bernstein	$62,400
Lillie Fetis	$47,000
Louis B. Mayer	$134,750
J. Robert Rubin	$80,131

Plus from M-G-M Dist. Corp., $641,123
J. J. Mamik $156,000
Sam Katz $187,500
Harry Rapf $119,166
Sam Zimbalist $125,000
Dorothy Arzner $30,750
Lionel Barrymore $182,750
John Barrymore $84,500
Freddie Bartholomew $96,000
Wallace Beery $100,000
Frank Borzage $87,000
Clarence Brown $159,000
Merle Oberon Brown $75,000
Arlington Brugh (Robert Taylor) $173,352
Joseph Callela $53,800
J. J. Cohn $69,625
John W. Considine, Jr. $52,750
Jack Cummings $75,000
Sam Crawford $101,666
George Cukor $72,000
Roy Del Ruth $104,000
Melvyn Douglas $59,410
Nelson Eddy $107,182
Madge Evans $48,100
Raymour Falk $61,041
Nat Finston $50,610
Victor Fleming $100,000
Sidney Franklin $128,333
Arthur Freed $52,375
Juice Furtbam $34,876
Clark Gable $250,000
Greta Garbo $472,499
Colrio Gibbons $66,250
Ben Goetz $36,500
Leon Gordon $31,166
Samuel Hoffenstein $64,625
Robert Hopkins $60,000
Lucien Hubbard $70,250
Jack Hylton $154,416
Allan Jones $88,358
Gus Kahn $250,000
Guy Kibbee $50,333
William Koenig $61,750
Norman Krasna $30,000
Mervyn LeRoy $100,000
Louis Lighton $133,250
Edmund Lowe $101,417
Jeanette MacDonald $288,266
Herman Mankiewicz $91,250
Joseph Mankiewicz $39,774
Jack McGowan $28,850
Frank C. McGuinness $60,000
Una Merkel $52,916
William Anthony McGuire $102,083
Robert Montgomery $238,250
Frank Morgan $94,000
John Lee Mahin $72,291
Edna Mae Oliver $54,666
Cole Porter $70,000
Eleanor Powell $76,122
William Powell $240,110
Luise Rainer $81,666
Howard E. Rogers $60,050
Sigmund Romberg $70,000
J. Walter Ruben $75,000
Peter Schmid $25,000
George Seitz $104,083
Edgar Selwyn $110,245
Norma Shearer $197,750
Ben Thau $81,750
Franchot Tone $59,250
Spencer Tracy $61,750
Sophie Tucker $40,000
W. S. Van Dyke $176,010
Ernest Valde $70,000
Larry Weingarten $75,000
Myron Selznick $71,522
Lionel Barrymore $182,750
Lewis Stone $48,500
Hunt Stromberg $75,000
Robert Sinclair $39,178
Carey Wilson $72,750
Sam Zelcer, Sr. $154,804
Robert Young $38,625

Paramount Pictures, Inc.

Neil F. Agnew	$52,000
J. Frank Newman	$30,860
Jean Arthur	$76,666
Jack Benny	$275,000
John Barrymore	$113,633
Jack Benny	$275,000
Charles Bickford	$54,500
Claude Binyon	$67,500
John Bolos	$50,000
Beulah Bondi	$53,833
A. M. Botsford	$62,181
Charles Brackett	$37,500
Bob Burns	$242,858
Frank Butler	$78,833
Claudette Colbert	$248,055
Gary Cooper	$288,416
Harry L. (Bing) Crosby	$100,000
Walter D. Lean	$82,750
Marlene Dietrich	$370,000
Irene Dunne	$114,166
W. C. Fields	$146,666
Howard Estabrook	$120,458
Jack Dillon	$100,000
Lewis Gensler	$74,858
Benjamin Glazer	$60,000
Samuel Ben Hartman	$56,766
Henry Hathaway	$101,666
Arthur Hornblow, Jr.	$130,833
Edward Everett Horton	$70,000
Lucien Hubbard	$134,750
Harold Hurley	$88,404
Fritz Lang	$67,763
Jeffrey Lazarus	$61,312
William Le Baron	$189,929
James Lee Loman	$100,000
Albert Lewin	$88,000
Frank Lloyd	$200,000
Carole Lombard	$184,000
Ernst Lubitsch	$260,666
Fred Macpherson	$77,666
Fred MacMurray	$87,000
Thomas Mitchell	$70,000
Ronben Mamoulian	$138,750
Frederic March	$100,000
Edwin Justus Mayer	$60,000
Vincent Minnelli	$52,500
Boris Morros	$52,333
Lauren Weeks (Gail Patrick Pitzpatrick)	$58,333
Ralph Morgan	$65,416
Ralph Bellamy	$65,416
Roger Moore	$55,249
Charles Rugles	$133,333
Wesley Ruggles	$208,051
Harold Sauer	$60,000
Randolph Scott	$60,833
Pancho Simon	$83,750
Preston Sturges	$150,000
Albert Sutherland	$88,500
Lionel Tom Tarkington	$81,666
Harlan Thompson	$88,833
Frank Tuttle	$148,416
Raoul Walsh	$140,000
Mae West	$64,666
Adolph Zukor	$210,475
Paul Zuckerman	$52,000
King Vidor	$21,428

Principal Productions

Bobby Breen	$18,624
Sol Lesser	$50,000
Basil Rathbone	$17,708
Ned Sparks	$16,666

Republic Productions, Inc.

Gene Autry	$29,300
James Gleason	$22,600
Guy Kibbee	$15,833
Phil Regan	$18,333

RKO-Radio Pictures, Inc.

Ned E. Depinet	$94,761
Dan Dare	$51,400
Fred Astaire	$271,711
Milton Berle	$18,333
Pandro S. Berman	$251,347
John Boles	$35,000
Samuel J. Briskin	$107,000
Irene Dunne	$144,888
Douglas Fairbanks, Jr.	$84,333
Preston Foster	$51,250
Tay Garnett	$105,000
Cary Grant	$110,625
R. Enright	$130,419
Katharine Hepburn	$208,171
Edward Everett Horton	$35,983
Edward Kaufman	$65,041
Jerome Kern	$72,500
Gregory La Cava	$75,000
Jesse L. Lasky	$108,166
S. R. Lauren	$52,500
Rowland Lee	$127,833
Albert Lewis	$66,416
Herbert Marshall	$108,166
Max Martini	$56,000
Pandro Marcus	$52,785
Paul Muni	$150,000
Dudley Nichols	$84,277
Jack Oakie	$105,833
Lily Pons	$100,000
Lily Pons	$75,083
Jerome Raymond	$75,000
Ginger Rogers	$184,583
Mark Sandrich	$106,538
Alfred Santell	$101,000
Nathaniel Shilkret	$52,000
Edward Small	$62,048
Robert Sisk	$147,499
George Stevens	$124,023
Anthony Veiller	$53,333
Frank Wead	$53,500
Bert Wheeler	$50,041
C. C. Wilson	$51,241
Robert Woolsey	$80,084

Hal Roach Studios

Constance Bennett	$40,000
Cary Grant	$101,300
Oliver Hardy	$48,333
Patsy Kelly	$15,000
Stan Laurel	$15,000
Norman Z. McLeod	$52,500
Hal E. Roach	$104,000
Max Roberts (deceased)	$52,000
Roland Young	$30,666

B. P. Schulberg Pictures, Inc.

B. P. Schulberg	$50,493
Paramount Pictures, Schulberg Productions, Ltd.	$102,000

20th Century-Fox Film Corp.

Joseph M. Schenck	$115,000
Darryl F. Zanuck	$179,220
W. C. Michel	$52,000
Sidney Bowden	$52,000
William Goetz	$104,000
Kenneth Hyman	$52,000
John D. Clark (deceased)	$74,800
Sol Wurtzel	$52,000
Don Ameche	$51,888
Warner Baxter	$225,941
Wallace Beery	$150,000
Ben Bernie	$100,000
Richard C. Butler	$184,333
Eddie Cantor	$150,000
Curtis Cee	$50,000
Roy Del Ruth	$162,144
Irene Dunne	$80,000
Stuart Erwin	$157,441
Alice Faye	$66,666
John Ford	$57,708
Henry Fonda	$100,000
Sheridan Gibney	$52,250
Mack Gordon	$74,333
Edward H. Griffith	$64,210
Charles Farrell	$107,454
Jack Haley	$87,500
Sam Hellman	$67,892
Sonja Henie	$210,720
Rose Louise Hovick (Gypsy Rose Lee)	$84,106
Julian Johnson	$66,200
Nunnally Johnson	$104,000
Henry King	$157,441
Harold Lloyd	$66,666
Sonya Levien	$72,833
Frank MacDonald	$52,833
Gene Markey	$74,125
Douglas Marsden	$62,875
Victor McLaglen	$104,166
Lois Moran	$62,500
Warner Oland (deceased)	$104,166
Jack Oakie	$75,650
William Powell	$45,833
Tyrone Power	$68,691
Gregory Ratoff	$87,833
Al Ritz	$52,833
Cesar Romero	$52,833
James Ritz	$53,922
Harry Rapf Johnson	$54,499
William A. Seiter	$132,499
Simone Simon	$110,416
John Stone	$64,167
Charles Somerville	$52,000
Norman Tanog	$122,000
Spencer Tracy	$62,166
Shirley Temple	$140,000
Harry Tugend	$52,083
Walter Wanger	$104,166
Sol M. Wurtzel	$192,666
Loretta Young	$150,000
Owen Davis	$52,000

Walter Wanger Productions, Inc.

Charles Boyer	$268,101
Madeleine Carroll	$114,795
Henry Fonda	$75,666
Joan Bennett	$72,000
Alan Baxter	$52,000
Walter F. Wanger	$150,000
Irving Asher	$60,000

Warner Bros. Pictures, Inc.

H. M. Warner	$118,333
Albert Warner	$98,333
Lady Esther	$195,000
S. P. Friedman	$52,000
Leon E. Mosell	$104,000
Herman Starr	$52,000
Robert W. Perkins	$52,000
Robert Schlom	$52,000
Busby Berkeley	$71,833
Joe Bigelow	$69,833
Claudette Colbert	$60,000
Ricardo Cortez	$60,000
Michael Curtiz	$125,000
Bette Davis	$35,199
William Dieterle	$86,667
Al Dubin	$54,833
R. Enright	$104,000
Glenda Farrell	$50,820
Errol Flynn	$84,750
Bryan Foy	$54,833
Joe Frisco	$60,000
Hugh Herbert	$67,250
Edward E. Horton	$54,100
Leslie Howard	$140,000
Al Jolson	$100,000
Boris Karloff	$104,000
Ruby Keeler	$90,277
William Keighley	$55,000
Mervyn Leroy	$153,317
Anatole Litvak	$96,666
Robert Lord	$120,333
Archie Mayo	$110,000
S. J. Miller	$38,542
Paul Muni	$90,000
Frank McHugh	$52,000
Pat O'Brien	$104,000
Richard R. (Dick) Powell	$128,345
Claude Rains	$46,083
Max Reinhardt	$60,000
Casey Robinson	$52,500
Howard G. Robinson	$52,000
Hal Wallis	$308,083
Harry Warner	$104,000
S. C. Eintelal	$71,500
Gradwell L. Sears	$52,000
Sam Sax	$51,750

MISCELLANEOUS

Aga-Ance Corp.	
Ernest Schwarz	$32,880
Walter Wanger (Key Features)	$63,600
Winthrop W. Aldrich	$175,000
Edward J. Aspenson (Grand Theatrical Film Inc.)	$85,995
American News Co.	
H. S. Cook	$60,000
J. Mary Mortimer	$50,000
American Seating Co.	
George W. Hill	$300,070
Associated Films	
Mortimer Berkowitz	$265,225
M. Gudwarf	$85,000
C. T. Anderson (King Features)	$31,018
Jack R. Andrews (Sales Affiliates, Inc.)	$59,167
Allan Corp.	
L. B. Hatch	$62,048
Floyd B. Odlum	$147,499
Arthur (Bugs) Baer (King Features)	$33,000
Brice Manton	$36,750
Thomas N. Beck (Crowell Publishers)	$85,240
Benton & Bowles	
Chester Bitterbaum	$52,000
Atherton W. Hobler	$54,000
Bert Allenberg & Co.	
Bertram Allenberg	$62,000
Phil Berg	$85,750
Berg, Stabbins, Allenberg & Blum, Inc.	
Phil Berg	$60,000
Bischoff, Sample, Hill Blackett	$110,000
C. C. Bischoff	$63,250
E. F. Hummert	$131,014
J. G. Sample	$110,000
O. K. Bovard (Pulitzer Publishing Co.)	$99,757
Mal. Edward L. Bowes	$427,617
Jimmy Bowes, Inc.	$104,000
Joe E. Brown (David L. Loew Prods.)	$267,500
Brown & Williamson Tobacco Co.	
George Cooper	$84,702
J. E. Brulatour	$140,000
Bruno Walter Prods.	
B. P. Bestein	$53,125
Brown & Tarzian, Inc.	
Stanley A. Brown	$30,841
Jack D. Tarzian	$52,000
John A. Butler (Stack-Goble)	$62,020
Tyson Carr	$63,000
Cecil Carter	$52,000
Ed. J. Churchill (Donahue & Coe)	$52,000
Columbia Pictures Corp.	
Jack Cohn	$104,240
Abe Montague	$104,000
Abe Montague	$58,033
Columbia Broadcasting Corp.	
Edward Klauber	$90,549
Thomas A. Dewey	$100,000
Collier Adv'g Service, Inc.	
J. C. Collier	$50,000
L. W. Winston	$78,207
Wm. J. Cromie (King Features)	$40,000
Kent Cooper (Associated Press)	$50,000
Crowell-Collier Pub. Co.	
J. Cheever Cowdin (Standard Capital Corp.)	$76,620
R. H. Cosgrove (Universal Pictures)	$61,825
Emmett Cohen (Major Pictures)	$84,680
A. Cutley (N. Y. Eve. Journal)	
Curtis Publishing Co.	
W. D. Fuller	$60,875
C. H. Wheeler	$60,750
F. A. Healy	$50,007
Dancigers Prods.	
Howard Davis (N. Y. Herald-Tribune)	$56,100
William De Beck (King Features)	$53,494
Frank D. Gillie	$51,500
William T. Dewart (Frank A. Munsey Co.)	$50,000
Arthur C. Dorrance (Campbell Soup Co.)	$72,816
A. H. Diebold (Sterling Products)	$113,000
Plus, J. A. Diebold	$78,750
Roy S. Durstine	$84,116
Edington-Vincent, Inc. (H. E. Edington & Harry V. Vincent, each Exec. Co.)	$52,500
William C. Eddy	$100,000
James S. Yates	$62,500
Charles Ettinger	$52,000
Hans Flaber (McNaught Syndicate)	$52,834
Plus, Flaber (Metropolitan Opera)	$80,000
Plus, Flaber (Author)	$60,000
Alan E. Freedman (De Luxe Labs)	$50,821
Irwin Foster (Outdoor Advertising Co.)	$92,354
Frank B. Gannett	$60,000
Frank Gannett	$60,000
R. H. Gorke (Stack-Goble Adv'g.)	$50,000
Jack Gallagher	$50,000
A. E. Griffiths (Readers Digest)	$50,500
Frank Gannett (Frank Publishing Co.)	$75,000
James C. Harbord (RCA)	$106,000
J. T. Hargrave (Eastman Kodak)	$60,270
Hearst Consolidated Publications, Inc.	
Frank F. Barham	$54,722
George Hearst	$58,164
J. R. Hearst	$500,000
Hearst Enterprises, Inc.	
J. R. Hearst	$100,000
Helen Rodine	$52,916
W. R. Hearst	$97,489
T. J. Wills	$85,000
Hearst Newspapers	
R. E. Berlin	$85,817
W. R. Hearst	$100,000
Jack Holt (Carmour, Inc.)	$102,064
F. F. Hopkins (National Outdoor Advertising)	$55,208
Hunt Advertising	
V. de Bastion	$148,225
Herbert T. Kalmus (Technicolor Co.)	$90,000
Natalie M. Kalmus (Technicolor)	$56,775
Herbert T. Kalmus, Jr.	$52,000
Kenneth King (N. Y. Mirror)	$51,862
Frank Knox (Chicago Daily News)	$100,000
Arthur M. Kidner	$102,431
Lasker & Lord	
Alfred Dunlet	$96,000
Albert Lasker	$96,000
Bert Lahr (Shubert)	$100,000
Charles A. Lindbergh	$52,750
Abe Lastfogel (William Morris Agency)	$84,500
Lever Bros. Co.	
A. F. Bernhard	$64,908
Paul Cabot	$206,000
Beatrice Lillie (Shubert)	$70,531
Lord & Thomas (N. Y. Herald-Tribune)	$67,476
E. Little (Colgate-Palmolive-Peet Co.)	$50,000
Harry J. Lazarus	$72,198
Lenox R. Lohr (NBC)	$50,200
Ted Lewis	$65,000
Lord & Thomas, Inc.	
Albert Lasker	$132,907
M. L. Foreman	$54,833
D. D. Lefevre	$52,416
D. M. Noyes	$58,012
J. G. MacFarlane	$60,375
Zeppo Marx	$76,388
Marx Brothers (McBride Studio Quality Group Service)	
Charles R. McCann, N. Y. Mirror	$52,832
H. K. McCann (McCann-Erickson)	$54,000
Alex McCrone (Cleveland Plain Dealer)	$106,475
John McCormack (Sammy Brodsky)	$85,983
J. O. McIntyre (McNaught Syndicate, Inc.)	$68,363
R. C. Hollins	$130,367
J. W. Barnhart	$130,367
J. W. Wurzbach	$130,367
Mos Annenberg	$130,367
Harry Luverne	$130,367
Frank Orsatti	$60,000
Philco Radio & Television Corp.	
S. Dunn	$62,989
S. M. Ramsdell	$62,989
Kenneth W. Payne (Readers Digest)	$69,500
Periodical Publishers' Service Bureau	
J. M. Austin	$50,001
H. M. Gill	$56,713
W. Lee Ott	$56,713
W. W. Lamp	$71,075
C. V. Lockard	$81,429
J. H. Cockrell	$82,002
E. A. McMann	$58,469
E. C. Mott	$58,469
Charles Price	$60,383
J. H. Rankin	$58,469
Edward Plant (Lehn & Fink)	$61,000
Joseph Pulitzer (Pulitzer Publishing Co.)	$376,000
Martin J. Quigley	$69,937
Robert L. Ripley (King Features)	$143,248
J. P. Roche (Roche Williams & Cunnyngham)	$64,000
B. W. Robbins (General Outdoor Ads'g Co.)	$68,266
Mrs. Franklin D. Roosevelt	$15,587
Rudolph Sanders, Inc.	
Ryan and W. B. Rothrauff, each Paul Sarazan (Publishers Service Co.)	$50,000
David Sarnoff (RCA)	$68,383
George J. Schaefer	$78,000
E. C. Segar (King Features)	$113,248
Myron Selznick	$116,625
Sill Sitzerman	$60,000
Charles F. Skourse (National Theatres)	$242,054
Spencer F. Skourse (National Theatres)	$320,054
George P. & Sypres P. Quinlly from Skourse Theatres Corp.	$62,000
H. O. Swanson (RCA)	$68,383
Herman Stark (Cotton Club, N.Y.)	$51,400
Lawrence Stearns (Du Pont Film Mfg. Co.)	$54,561
H. C. Stuart (RCA)	$68,383
The Theatre Guild, Inc.	
Ina Claire	$22,818
Lynn Fontanne	$90,675
Katharine Hepburn	$81,000
Alfred Lunt	$101,674
Thomas Thomas Co.	
John U. Reber	$60,140
Stanley Reber	$60,140
Henry T. Stanton	$60,042
Thomas J. Watson (IBM)	
W. E. MacFarlane	$90,000
Chester Campbell	$60,250
J. Fred	$60,250
R. B. McCormick	$50,000
R. R. McCormick	$50,000
L. H. Rhoes	$100,000
Walter Wanger (Philadelphia Inquirer Co.)	$65,140
United Artists Corp.	
A. H. Giannini	$78,000
William B. Warner (McCall Mag.)	$108,221
Universal Broadcast Management Corp.	
Joseph Bernhard	$97,508
J. E. Coston	$56,907
J. Cheever Cowdin	$56,907
Harry Kalmine	$55,938
Walter Winchell (N. Y. Mirror)	$61,000
Walter Winchell (N. Y. Herald-Tribune)	$69,159
Plus, J. H. Wilson	$52,000
Walter Winchell (N. Y. Mirror)	$51,000
Plus, J. H. Wilson	$52,000
Daniel P. Woolley (Standard Radio)	$55,000
R. Wurlitzer Co.	
R. R. Wurlitzer	$60,000
Owen Wynn	$60,000
Stuart T. Yates (Consolidated Film Industries)	$75,100
Young & Rubicam, Inc.	
Chesterfield Jr.	$52,500
Raymond Rubicam	$67,500

DIVIDENDS

Met Playhouse' Net Loss—Pathe Net Off $390,000

Earnings of former Fox chain known as Metropolitan Playhouses, Inc., of which Joseph M. Schenck is president, are reported at $99,000 for the year ended Jan. 31 last, after provision for income taxes of $3,479. Met and subsids show rent income of $3,921,070 for period, against rent expenses and administration of $2,923,606. Dividends from subsids amounted to $99,050, while earned interest ran to $27,650 and adjustments of accounts in prior years for tax refunds on debenture interest coupons $10,675.

Depreciation is placed at $431,788, while interest expense for the year totals $322,286.

Pathe Net Off $390,000

Pathe Film Corp. net profit in 1938 declined nearly $390,000 according to the annual statement sent stockholders last week. Net profit was $77,158 in the 12-month period ending last Dec. 31 as compared with $466,918 in 1937.

Company blamed a $227,500 reduction in dividends received on its investment in Du Pont Film Mfg. and 22% decline in operating income as responsible for dip in earnings. While Pathe received $472,500 in dividends from Du Pont in 1937, the divvy payments last year totalled only $245,000.

Pathe Film capital surplus was figured as being $1,718,539 in this report.

The proxy statement accompanying the report to stockholders solicited proxies for the annual meeting set for April 25. Henry J. Guild, Allan P. Kirby, Robert M. McKinney, Robert R. Young, Louis Phillips, Charles A. Stone and Kenneth M. Young have been nominated by the present board of directors to serve as the directorate in the ensuing year. All are directors at the present time excepting Young and Kirby.

Report goes into details of the recap plan whereby Pathe Film was set up as a holding corporation and Pathe Laboratories, Inc. established as an operating company. Plan became effective Feb. 27 this year.

Loew's, Inc., directors voted the usual $1.62½ quarterly dividend at the meeting last Wednesday (5).

Variety will hold your mail

Showmen from all parts of the world who anticipate visiting the New York World's Fair 1939 are cordially invited to make use of facilities at Variety's New York office, 154 West 46th street, to which mail may be addressed to be called for on arrival.

TELEVISH'S U.S. TOUCHE

Zenith Raps 'Premature Visio'

Another blast at television has been issued by Zenith Radio of Chicago. E. F. McDonald, the boss, last week told dealers:

Zenith's television transmitting station W9XZV is operating daily and is the only television transmitter licensed by the Federal Communications Commission in the whole Chicago area.

Today Zenith's television receivers are loaned—not sold.

Zenith is ready—but television is not.

Even Government television standards are not yet established.

The Federal Communications Commission, in its annual report to Congress in January this year, stated: "However, it is generally agreed that television is not ready for standardization or commercial use by the general public."

Zenith believes it is unfair to the public and knows it is unfair to the dealers to ask them to finance the television industry's experiments.

Radio dealers have been penalized and punished by premature television publicity starting last fall.

Prospects were led to believe that television would cover the country over night.

Zenith will not break faith with its dealers.

When Zenith believes television is ready for general use in the store and the home—Zenith will supply you with television receivers and not before.

Quebec Tightening Up on Films; Bans on 'Wuthering,' 'Devil's Is.'

Montreal, April 11.

'Wuthering Heights,' scheduled for opening at Orpheum Friday (7), was banned by the Quebec Board of Censors from exhibition in this city and province on grounds of the 'infidelity' situation at the close of the picture. Arthur Laramee, chairman of the QCB, informed of Samuel Goldwyn's view that the film will be withdrawn from Quebec province if the censors insist on deletions, stated, 'If the producers won't make the suggested modifications, we won't change our decision.' J. Lightstone, manager of the Orpheum, said that excision of the ending would have 'made the picture pointless and spoiled the effect for which the producer worked.'

Noel Henri, French consul-general in Montreal, lodged energetic protests on behalf of the French government against the WB film, 'Devil's Island,' which was to have been shown at the Princess currently. It was removed from the bill at the last minute Friday (7). The Quebec Censor Board refused to deny or confirm reports that they had banned the picture following French protests.

Two years ago the Quebec censors banned 'The Life of Emile Zola' and, before that, George Aliss' 'Voltaire.' Reason was obvious since both Voltaire and Zola are on the Index. There seems also to be fair reason for banning of 'Devil's Island' since this is a Frenchman's prison province. Scissoring of 'Wuthering' is seen here as indication of much increased tightening up against films, especially those dealing with divorce, infidelity, shootings and crime.

Tough on Minors Into Pix

Convicted of admitting children under 16 in contravention of the Quebec law banning minors from pictures in theatres in this province, Arthur Bahen and Cyriac Labelle, managers of theatres in this city, were condemned to pay a fine of $50 each and costs.

Judge Manet, who gave the sentence, said, 'That is the maximum. I wish the maximum were higher and if it were I would impose it.'

MUSICIANS-CHAINS MEET ON AFM REEMPLOYMENT

After several long delays, meeting to further consider plans for employment of more musicians will be held Monday (17) in New York between executive committee of American Federation of Musicians and representatives of leading theatre chains. Pat Casey, producers' labor representative, got in from the Coast Sunday (9) for resumption of meetings with musicians.

Postponement until now was taken about three months ago, when Casey was last in New York.

RKO'S EXPO SERVICE

Richey In Charge of New Exhib Bureau During N. Y. Expo

As a good will gesture, RKO is setting up a special World's Fair headquarters for visiting exhibitors at the RKO home office, where H. M. Richey, director of exhib relations, will be on hand, along with stenographic, info and other services. Part of the company's seventh floor offices in Radio City is being converted into a swank chrome-and-brick-glass clubroom for the use of exhibs and their families visiting New York to attend the Fair, or for other purposes.

Guide books to the Fair, a bulletin service on industry activities, etc., will also be handy.

About 10,000 letters in all are being sent to exhibs throughout the world, with enclosure of a N. Y. hotel directory, plus a guide to the city and the Whalen expo. RKO is urging immediate hotel reservations.

'CASTLES' SYNC RIGHTS COST RKO $19,000

Synchronization rights to some 40 old tunes in the score of 'The Story of Vernon and Irene Castle' (RKO) will bring 18 publishing firms a total of $19,000, the largest amount collected on a single picture by the mechanical rights bureau of the Music Publishers Protective Association. These old tunes, totaling 44, were licensed on an average basis of $300 per use. Tune that got the most uses and drew the highest price from the producer was 'Waiting for the Robert E. Lee.' Alfred Music Co., current owner of the copyright, garners $1,000 for the four uses.

Number which the trade believes has the best chance of undergoing a sheet revival as result of the plug in the film is 'Too Much Mustard,' whose copyright is now controlled by Edward Schuberth & Co., an affiliate of the European Society of Stage Authors and Composers. Leo Feist, Inc., receives $750 for the use of 'Park-Town-Strutters' Ball', E. B. Marks, $300 for 'The Castle Walk,' and Shapiro, Bernstein & Co., a total of $1,300 for 'By the Beautiful Sea,' 'Way Down Yonder in New Orleans,' 'Come, Josephine, in My Flying Machine' and 'Where Did You Get That Hat?'

Film has only one new song in the score.

N. Y. FAIR WILL SIGNALIZE BALLY

However, It's All Still Experimental, Conversational and Promotional

MANY DOUBTS

Engineering experts envision the beginning of a new industry this spring because several television test programs will start with the opening of the New York World's Fair April 30. Within a three-week period, three American companies will start regular schedules of limited experimental telecasts. Simultaneously, a half dozen manufacturers will place television receiving sets and equipment on sale.

Nobody is kidding anybody into believing that television has arrived even as a slightly commercial possibility, but they do say it is the start of a new business, future of which will depend on the cooperation it receives from the F.C.C. in Washington and from industrial firms.

Radio Corp. of America (NBC) starts its regular schedule April 30, going on the air with one-hour of television twice per week. Program is scheduled to go out, starting at 8 p.m. Wednesday and Friday. Finished studio shows and mobile unit picking up news items will be employed. This schedule will be followed for several months, probably until the New York exposition shutters in October next. RCA-NBC had three test programs on last week but they were not put on the air.

About the same time, Dumont Labs (in which Paramount has a stake) will begin a schedule of telecasting, using news and trailers of Par film productions. Plan is to share wave length with NBC; in other words when NBC-RCA is not operating.

Columbia Broadcasting System is scheduled to start in about six weeks. Transmitter and other equipment being completed, CBS has imported a British Broadcasting Co. engineer to supervise start of regular experimental telecasting. He will be assistant to Gilbert Seldes, television program director.

With these experimental television programs under way this summer, engineers now forecast that telecasting will be started in other areas in U. S. by this fall.

Theatre Problematical

As to the theatre field, the situation is highly problematical. Although the Baird System of television is striving for entree into America, none can predict how attempts to put it on theatre screens, with admission charged, will fare with the F.C.C. Gaumont-British office in N. Y. claims it will put television on Broadway theatre screens. G-B controls Baird. If such is done, with F.C.C. approval, there is no question but that RCA will follow suit. RCA-NBC would do this tomorrow, some experts aver, if they believed the time was ripe or that it could be done on a practical basis.

The Newsreel Theatres, Inc. (Embassy theatre group), has no intention of permitting television in competitive theatres to steal their box-office draught, but they have been told that visio is not large enough yet for satisfactory use in a house even as small as the Embassy.

Another proposition mulled by the Embassy group is installation of sets in lobbies of their larger newsreel houses, as an added attraction to the usual screen show. This is rated feasible in the lobbies of theatres such as the 72nd Street Newsreel and the one in the Associated Press building on West 50th street. Only the usual home television sets would be used for such added lobby attraction, although giving the managements a chance to bill 'Television' on its marquee. Whether the F.C.C. would permit even this is something

(Continued on page 47)

General Electric Curious

Schenectady, N. Y., April 11.

General Electric is conducting a questionnaire survey among newspapers, radio stations of more than 100-watt power, motion picture companies, theatre chains and large department stores, to ascertain the possible market for television transmitters and receivers. A total of 1,400 queries were mailed. The first '20 to 30 replies received showed every degree of interest and lack of interest,' according to R. K. Hamlen of the GE Market Research Division.

The questionnaire, directed to executives, asked whether they had made any investigation of television broadcasting as to equipment, cost, potential audience, site or license. It also asked them to state 'the main obstacles to entering the television-broadcasting business.' Hamlen explained that GE launched the survey because, as far as GE knew, 'no one in the business has any idea about the possible market for either television transmitters or receivers.'

Sherwood's 'Lincoln' Would Enjoin 20th-Fox's Use of 'Abe' Title in Film

TELEVISH POOL

Gaumont-British and Odeon In Combo Dickering

London, April 1.

Likelihood of a pool for theatre television interests grows with current dickerings involving at least Gaumont-British and Odeon, with attachment thereto of their respective interests in Baird and Scophony. Aim is to avoid wasteful competition in developing big screen shows, but so far only preliminary approaches have been made.

Trade talk has a likelihood of John Maxwell going into any joint plan, on account of his Associated British circuit, and possibility is also there of E. M. I. Marconi being in on any scheme that may come out of it.

Admission that some setup was envisaged was made by Sir Harry Greer, chairman of Baird, at annual stockholders' meeting today, when motions approving issue of $2,000,000 loan stock to pay current indebtedness and finance development had the unanimous support of the holders. Shareholders and creditors — presumably meaning Oster Bros.— have already filed applications for $1,250,000 of the issue.

AUSSIE DEFERS TELEVISION RIGHT NOW

Canberra, March 23.

Television for the Antipodes is still several years off, according to authorities here. For a number of reasons the federal government is not inclined to enter the new field at present and there is little public interest. Cost involved is the principal prohibiting factor.

Government authorities are watching developments in television in England and the United States, but the upped expenses for the defensive rearmament since the recent European crisis will apparently prevent any attempts to launch a television boom in Australia.

While following television progress abroad, film and radio executives likewise minimize the likelihood of entering the field within the next few years. They claim, however, that they'll be ready for it when it

Mary McIvor's Plight

Los Angeles, April 11.

Mary McIvor, silent screen star and wife of William Desmond, was found suffering from exposure after disappearing from her home March 30. This is the second time this has occurred.

Desmonds celebrated their 20th wedding anniversary March 22. They were married when Miss McIvor was Desmond's leading woman on the stage in 'If I Were King.'

Move by 20th Century-Fox to film a story, 'Young Mr. Lincoln,' which it's had on the shelf for several years, is being legally opposed by Robert E. Sherwood and the Playwrights Producing Co., Inc., as unfair trade competition. Suit in N. Y. supreme court has been started against the film company to enjoin any such filmization, on the ground it infringes on their 'Abe Lincoln in Illinois,' current stage click on Broadway.

Sherwood and the Playwrights set forth at length that Raymond Massey conception of their 'Abe Lincoln in Illinois' has become so closely identified in the public mind that any other film version would be an infringement; that more than $80,000 has been expended advertising it; that more than 10,000 copies of the published play version have been sold; that advertising, publicity, radio broadcasts by and with Massey have so closely linked their star with 'Lincoln' that 20th-Fox's plans would do great financial damage.

Cohen, Cole, Weiss & Wharton, for Sherwood and Playwrights, detail they are making plans for road companies in the U. S. and Canada; that, although Lincoln has been in the public domain for decades, there was no public interest and demand in the subject until their play; that, in fact, those plays and/or films previously produced had no boxoffice value; that their 'Abe' finally stimulated b. o. interest; that 20th-Fox's story, long held by the studio, and titled 'The Lawyer of the West,' was, for that very reason, being kept on the shelf, until suddenly deciding to change the tag to 'Young Mr. Lincoln,' allegedly only to capitalize on the vogue created by the Raymond Massey stage play.

Sherwood and Playwrights don't seek to enjoin 20th-Fox's film version of the Great Emancipator as a subject, but insist that any title infringement be enjoined, and also pray for a court order that 20th's film carry a caption something as follows: 'This motion picture is not based upon Robert E. Sherwood's play, 'Abe Lincoln in Illinois' now being produced by The Playwrights Producing Co., Inc.' Also want the usual costs, plus undetermined damages sustained by reason of the film company's acts.

Playwrights recently consummated a deal with RKO for the sale of the film rights for approximately $275,000.

Julian T. Abeles, special copyright counsel for 20th-Fox, will demur on the ground one can't copyright the English language; that the Lincoln-iana saga is in the public domain; that there have been other Lincoln plays produced.

Considine Rolls Flicker With Montgomery Top

Hollywood, April 11.

Next John Considine, Jr., production at Metro, 'Stronger Than Desire,' rolls this week with Leslie Fenton as pilot.

Robert Montgomery plays the top role.

FILM SHOWMANSHIP

By John C. Flinn

Patriotic Org's Dinner Will Feature Chicago 'Haym Salomon' Preem

Chicago, April 11.

In connection with the release of the Warner Bros. flicker on the 'Life of Haym Salomon' and the unveiling of the statues of George Washington, Salomon and Robert Morris, a commemorative dinner will be held at the Stevens hotel here on May 21 under the auspices of the Patriotic Foundation of Chicago, which is actively headed by Barnet Hodes, corporation counsel of Chicago.

Principal speaker at the dinner will be Cordell Hull, according to present indications. The Secretary of State has been asked to make the formal address and it appears he will accept the invitation. Other speakers will include George Cardinal Mundelein and George Craig Stewart. Louis D. Brandeis is expected to greet the assemblage through the p. a. system from Washington. George Jessel will be toastmaster. Entire proceedings will be carried coast to coast by NBC and Mutual.

On the board, along with Hodes, are Lester Armour, Albert D. Lasker, A. A. Sprague and Maurice Rothschild. Hodes and his committee are also understood working on a campaign for the naming of some street or parkway in Chicago after the Revolutionary War hero.

THEATRES COMPETE IN SHOWMANSHIP STUNTS

Syracuse, April 11.

Loew's and Schine-Keith's have been running a dizzy race in exploitation in the Syracuse field in the past few weeks, finding the local press highly cooperative and beating the seasonal b.o. dropoff with some neat stunts.

Keith's hit the bell with a contest for copies of old-time songs in connection with the 'Story of Irene and Vernon Castle' last week, drawing thousands of entries. This was promptly followed by an Easter egg hunt sponsored by Loew's in which some 51 cash prizes were 'offered by Jeanette MacDonald' in conjunction with showing of 'Broadway Serenade.' This drew some 3,000 kids in a wild scramble which made swell art for the papers.

Keith's has bounded back this week with a talent hunt which is getting a good play.

Metro Offers $10,000 For Theatre Film Plugs

Cash prizes totaling $10,000 will be awarded independent exhibitors in the United States and Canada for the best campaigns on Metro-Goldwyn-Mayer pictures to be released between Sept. 1, 1938, and Jan. 1, 1940. Exhibitors may submit campaigns on one or more of these pictures.

There will be identical prizes for first-run and subsequent-run exhibitors, with first place in each category winning $2,500.00; second, $750.00, and third, $500.00. There will also be 100 additional prizes of $25.00 each for runners-up in both sections.

Give Away Heralds Printed While You Wait

Reading, Pa., April 11.

Old-fashioned printing press, similar to one in the picture, was set up on the pavement outside the Colonial theatre to plug 'Song of the Plains' (formerly tabbed 'Text of Freedom Ring'). George Peters, manager of the Loew house, had a boy operating the hand press, turning out heralds about the show. They were given to passersby who stopped to watch the ancient printing device in action.

Veterans of Foreign Wars were invited to attend the opening of the film. Their uniformed drum and bugle corps marched to the theatre and played a concert outside.

The Neely bill is a stupid piece of proposed legislation which seeks to abolish the practice of blockbooking by compelling producer-distributors to provide theatre-customers with a synopsis of each and every picture comprising a season's program.

There are penalties, including a jail sentence (!) for failure to comply with the literary provisions of the bill. Theatres are given the right to cancel, without the payment of any rental, a film which varies from the advance synopsis. A hearing on the bill is in progress before a committee of senators.

Considering that the U. S. Supreme Court devotes a good deal of time interpreting what these same senators believe they were putting on paper in the phrasing of laws, the penalty provisions of the Neely bill seem unduly stiff. If applied to their own work, the chances are that half the members of the senate would by sitting in cells under the onus of splitting infinitives or mixing metaphors. It would seem only fair that the rules they would foist upon the film industry should apply also to their own activities.

The Neely bill attempts the regulation of a trade practice which is rapidly disappearing under the necessities of ordinary commerce as conducted in the film industry. If the proposed trade practice code, recently completed, is adopted by exhibitor bodies, including the organizations that have fostered the Neely measure, blockbooking as at present conducted will be virtually ended. Cancellations amounting to as high as 20% of all films purchased under $300 automatically will give theatres a wider selection of product than they have at present.

BLOCKBOOKING OLDEST SALES PLAN

Blockbooking is the oldest known sales practice and goes back to the earliest days of the General Film Co., when programs of 28 reels weekly were furnished to houses.

There was a short period when longer features first became popular during which they were sold individually by territorial distributors. But the crying need of theatres for consistent supply of product brought about program releases. Distributing companies first released 52 annually; then 104, at the rate of two pictures each week. Paramount, in 1917, sold a program of three features weekly, or 156 in the year.

It is one of those strange paradoxes which now finds certain exhibitor interests battling against blockbooking whereas through the years the fight against group selling has been carried on almost exclusively by producers. The causes of dissatisfaction against the system are different. Theatre men say they are compelled to show undesirable films; producers declare their film rentals are held down because of block sales.

The revolt against program selling took tangible form when Adolph Zukor, while still releasing the majority of Famous Players pictures through Paramount, organized a separate distributing company called Arteraft. The express purpose of this was to handle individually the productions of Mary Pickford. Previously, Lewis J. Selznick had sold on the open market the Clara Kimball Young film, 'The Common Law,' which held the record gross film rental for many years.

Formation of the United Artists distributing organization came as a result of the determination of a small group—Mary Pickford, Douglas Fairbanks, D. W. Griffith and Charles Chaplin—to market their films individually. While others talked about the ethics of blockbooking (or program selling as it was known then), the UA group went ahead and founded an organization that has continued as one of the strongest trade factors for 20 years without deviating from original policies.

J. J. McCARTHY'S SHOWMANSHIP

Film industry has been milestoned by broken precedents rather than routine operations. Blockbooking is a leveling force, useful only in the commercial handling of quantities of films, but a practice which opposes the proper merchandizing, and therefore the production, of outstanding attractions. Blockbooking would have stifled an effort such as 'The Birth of a Nation,' which was handled as a roadshow attraction by the late J. J. McCarthy, who, for years, never permitted it to be shown at reduced prices from the legitimate scale, at outdoor prices. McCarthy's peculiar methods of showmanship resulted in record earnings for 'The Covered Wagon,' 'Ben Hur,' 'The Big Parade,' 'The Ten Commandments' and other films. It was he who developed the roadshowing system to its highest point of financial returns before sound films brought radical changes in exhibiting policies.

After a season of roadshowing, and at the end of a substantial period of prior protection, the roadshow films which McCarthy handled were sold to film theatres in program groups. The heavy advance roadshowing exploitation consistently made them the highest grossing films of their respective seasons, and the favorites at theatres.

DIETZ AND EINFELD'S WHOOP-DE-DO

Legislation against blockbooking is not the remedy for the current lethargic condition of the American boxoffice. Rather it is the need for an exploitation substitute equal in effectiveness to the roadshowing formula which McCarthy used so effectively. Day-and-date releasing of films in first-run houses from coast to coast creates a heavy handicap against good exploitation, which best expresses itself by intensive ballyhoo in a few select places in order to create the values of accumulated word-of-mouth advertising. Such a method has been used most successfully this season in the handling of 'Pygmalion' (MG) by Howard Dietz.

Also effective has been the special hip-hip-hooraying such as used by S. Charles Einfeld in the launching of 'Dodge City,' which last week attracted to the Kansas town of the same name a crowd of 50,000 persons drawn from miles around.

These successful campaigns likely will be repeated by Paramount in handling the premiere of Cecil B. DeMille's 'Union Pacific' at Omaha. A special train will carry the Hollywood contingent to Omaha for the festivities and celebrations incident to the opening of the film.

These examples of distributor enterprise offer more boxoffice values to exhibitors than a score of Neely bills, the only effect of which would be to tie up distribution routine with red tape.

DE MILLE FILM TIES IN WITH COMMERCIAL ADS

Cecil B. DeMille's Paramount film, 'Union Pacific,' will be ushered in at theatres throughout the country with an appropriate $200,000 national newspaper and magazine campaign, Robert M. Gillham, Paramount director of advertising and publicity, announced today (Wednesday).

The greater portion of this sum will be spent in newspapers. In addition to a $65,000 newspaper appropriation, Paramount will spend $15,000 in national magazines.

Supplementing Paramount's appropriation the Union Pacific Railroad will get behind the film with a $50,000 national magazine campaign. The railroad's campaign will hit the newsstands during April, May and June with ads ranging from half to full pages.

Castle Film Ties In Styles and Fashions

Seattle, April 11.

For 'Irene and Vernon Castle' (RKO), next at Fifth Avenue (Hamrick-Evergreen), Vic Guantlett arranged tieup with every beauty shop in town (around 150) and with the wholesaler, Berliner's, to display cards and heralds telling how the 'bob' fad started with Mrs. Castle. Through Berliner's a local dept. store beauty parlor went to town with a 'Castle Bob,' running ads in the papers.

With Bon Marche, dept. store tieup for free ads and window displays along the main stem, on Pine st., was arranged. This includes nine huge windows. The full line of costumes worn by Ginger Rogers is being shown. The store is tieing in modern styles that grew out of the wardrobe shown, bringing out continuity.

Evergreen Theatres In Showmanship Drive

Seattle, April 11.

Archie M. Bowles, San Francisco; Eddie Zabel (N.Y.) and Andy Krappman (L. A.), all with Skouras organization, were here last week conferring with Frank Newman, John Hamrick and other executives.

Managers of the 44 Evergreen houses in Oregon and Washington were called to Seattle for the meeting, to steam up for a showmanship and salesmanship drive.

Einfeld's 3 Exploitation Pix Keep Him East 3 Wks.

East on a three-week trip, Charlie Einfeld is supervising the launching of three Warner pictures before he returns west on May 1. 'Dark Victory' opens at Radio City Music Hall April 30; 'Juarez' reopens the Warner Hollywood, two-a-day, on April 25, and 'Confessions of a Nazi Spy' gets under way April 28 at the Strand. Latter film will be day-and-dated simultaneously in 400 keys spots throughout the country around May 1.

Einfeld is concentrating on the 'Confessions' picture, as this presents the topmost in exploitation possibilities.

'Madden' Tells 'Em

Philadelphia, April 11.

Tie-in with a local safety week campaign was very effective in tilting business for 'Sergeant Madden' (MG) at the Colonial, Allentown, last week. Charles Bierbauder, manager of the house, had several hundred cards printed reading:

'Walk Carefully, Drive Carefully—Sergeant Madden'

TRIP TO N. Y. FAIR IS 'SERENADE' PRIZE

Atlanta, April 11.

With round-trip ticket to N. Y. World's Fair as bait, Eddie Pentecost, manager of Loew's Grand theatre, planted a daily space-grabbing contest with the Atlanta Georgian and Sunday American on Metro's 'Broadway Serenade.'

Rules of contest call for readers to select from advertisements an appropriate gift for either Jeanette MacDonald or Lew Ayres and write letter of not more than 100 words explaining choice of gift. Ad from which gift selection is made had to accompany prize letter.

Contest drew a neat response, and there were 25 pairs of ducats as consolation awards.

Omaha Is Ready For Union Pacific Kick-Off

Omaha, April 11.

Complete program for four-day celebration, Golden Spike Days, with world premiere of 'Union Pacific' as chief attraction, has been announced.

Festivities will open Wednesday (26), with early west exposition in city auditorium, unveiling of street decorations and revealing of Union Station as an 1869 stockade. Interior of station will be decorated in true Hollywood style. Cecil B. DeMille and players arrive following day.

Premiere is scheduled for Friday (28), to be shown simultaneously in city's three big theatres, Omaha, Orpheum and Paramount.

Calling Up the Guard

Hollywood, April 11.

Edward Ludwig directs 'Coast Guard,' rolling at Columbia April 24 with Fred Kohlmar producing.

Randolph Scott and Ralph Bel-

6 Winners in M-G's 'Marie' Contest Getting Round Trips to Paris

The six winners in Metro's 'Marie Antoinette' contest, including two theatre managers and four patrons, whose prizes will be all-expense round trips to France, have been selected. More than 10,000 entries were submitted from the U. S. and Canada.

Theatre men selected for their campaigns on the Norma Shearer-Tyrone Power film are Frank Weatherford, of the Worth theatre (Interstate), Ft. Worth, Tex., and Ray Bell, of Loew's, Washington, D. C.

Winning picturegoers, who submitted the best 300-word essays on the subject, 'Why I Should Like to Visit the Country of Marie Antoinette,' are Mary M. Canak, Mount Mary College, Milwaukee; Helen Virginia King, Denver; Effie Burkhalter, Amarillo, Tex., and Mrs. Helen Szold, Chicago. The six winners will sail from New York on the Normandie, on May 3.

The contest, which started last fall, was conducted with the cooperation of both the French government and the French Line.

'GULLIVER' RECEIVES EARLY CAMPAIGN

Miami, April 11.

Though the release date for Max Fleischer's 'Gulliver's Travels' feature cartoon in color is still far in the future, already plans have been set for the complete exploitation and promotion of all angles regarding this flicker.

Harry Royster has been placed in charge of handling special commercial tie-ups on the cartoon, such as toys, merchandizing stunts, children's costumes, books, cartoon books, candy, etc.

Fleischer studio here which was built at cost of nearly $2,000,000 long ago proved too small for the huge staff which is working on this full-length cartoon. Sam Buchwald, general manager, has more than 100 employees on the staff and it appears that even more will be added before the flicker is completed.

Hampton Howard is general publicity director in Florida for the cartoon.

Theatre and Merchants Join in Promotion Idea

Mt. Vernon, O., April 11.

A 24-page tabloid newspaper—the largest special edition ever published here—was distributed to 10,000 homes by Schine's Vernon theatre.

Publication was under the supervision of Kroger Babb, Schine's ad man, who was assisted by James Platt, manager of the Vernon theatre, and Ronald Sturgess, manager of Schine's Vine theatre.

Advertisements of 25 leading merchants were carried in the edition, which included more than 20 scenes from forthcoming pictures, and considerable art on the New York World's Fair.

Special edition announced 10 free all-expense 'World's Fair tours for Vernon theatre patrons. Cooperating merchants are giving coupons and underwriting the expenses of the promotion.

Go to the Pictures And Learn About New Books

Cleveland, April 11.

Sid Dannenberg, Warner's publicizer, capitalized book-reviewing fad in a neat stunt with literary flavor for Colony's Wednesday matinees. He persuaded nearly half-dozen of town's leading lecturers to give gratis talks on best-selling novels from theatre's stage, and they jumped at the offer to grab some free publicity.

Initial lecture was put across last week by Dr. Joseph Remenyi, foreign literature prof from Cleveland College, who reviewed Georges Du-

'Dodge'-Auer Riding Ad Spreads To Terrific 42G in Chi; Castles Vaude Sock $22,000, 'Pyg' Folds

Chicago, April 11.

The Easter pickup is bringing happiness to the bulk of the houses around here and each of the houses has dressed itself with its best product and attraction to attract the swarm of trade.

Best of the lot is the Chicago, where 'Dodge City' is indicating one of the biggest sessions of the past few years. Bang-up campaign on the flicker, with terrific ad spreads got the flicker away fast and it evidences ability to hold that pace. The Balaban & Katz flagship is making a strong play for business and has lined up a series of outstanding flickers and attractions.

'Pygmalion' finally folded at the Apollo after a sensational run of eight weeks. Was replaced Saturday (8) by 'Grand Illusion.' This is the first foreign language flicker to play for B. & K. downtown, but B. & K. is turning its attention towards the arty stuff now as b. o. possibilities.

Palace is also in the swim with 'The Story of Vernon and Irene Castle' and should wallop through to large coin on general principles, not even counting huge publicity Miss Castle rates in Chi. It's a battle of stage shows between the State-Lake and Oriental, with the State-Lake having its own Frenchy unit on the stage, as devised and staged by Leon Miller.

Estimates for This Week

Apollo (B&K) (1,200; 25-55-75)—'Illusion' (World). Got away Saturday (8) and indicates a fine gross currently on early pace. Figures for at least $9,000, powerful. Last week, 'Pygmalion' (M-G), wound up terrific eight-week to good $4,600.

Chicago (B&K) (4,000; 35-55-75)—'Dodge City' (WB) and stage show. Mischa Auer and Paul Haakon on stage. Looks for big upswing on this technicolor western to solid $42,000, zowie. Last week, 'Wife, Husband' (20th) plus 'Mikado in Swing' unit bucked Holy Week to excellent $32,500.

Garrick (B&K) (900; 35-55-65-75)—'Prison Bars' (UA). Foreign made pic is aided by general biz upturn and should ride into the profit ciel right at $6,000, particularly aided by sensationalism in the ads. Last week, 'Oklahoma' (WB), poor $3,300.

Oriental (Jones) (3,200; 25-40)—'Boy Slaves' (RKO) and 'Breezin Along' unit on stage with Lou Breese orch., Stepin Fetchit and Armida. On stage strength is aiming higher than usual for bright $16,000. Last week, 'Strange Faces' (U) and 'Forged Passport' (Rep), dived to $11,100.

Palace (RKO) (2,500; 35-55-65-75)—'Castles' (RKO) and vaude. Heading upwards and onwards and indicates strong initial session at $22,000. Last week (2d), 'Love Affair' (RKO) and vaude, okay $15,500.

Roosevelt (B&K) (1,500; 35-55-65-75)—'Missouri' (Par). Started Saturday (8) and evidences some good trade over the Easter week-end at $12,000 in the offing. Last week, 'Fast Loose' (M-G), meagre $7,100.

State-Lake (B&K) (2,700; 25-40)—'Disbarred' (20th) and 'Folies des Femmes' unit on stage. House-built unit by Leon Miller is the best feature getter currently and peps the wicket to nifty $16,000. Last week, 'Ambush' (Par), neat $11,300.

United Artists (B&K) (1,700; 35-55-65-75)—'Ice Follies' (M-G) (2d wk). Maybe $10,000, fairish, in the week ending next April 18 after making initial session. 'Wuthering Heights' (UA) next.

Flynn Strong $5,500 In Nine Lincoln Days

Lincoln, April 11.

'Dodge City,' breaking ground four days after the world premiere in Dodge City, which rated front page around here, is smashing away to a big take at the newly opened Nebraska.

'Midnight' is at the Stuart and fairly healthy.

Estimates for This Week

Colonial (NTI-Noble-Monroe) (750; 10-15)—'Water Rustlers' (GN) and 'Free' (GN), split with 'Tarzan Tommy' (Mono) and 'Rolling Westward' (Mono). Only poor $700. Last week, 'Smiling Tiger' (Par) and 'Patient Room 18' (WB), split with 'Love Honor' (WB) and 'Rough Rider' (Rep), so-so $800.

Liberty (NTI-Noble) (1,000; 10-15, 25)—'Romance Redwoods' (Mono) and 'Wife's Relatives' (Rep). Slow 15th, $900. Last week, 'Whispering Enemies' (Col) and 'Lady and Mob' (Col), slight $1,000.

Lincoln (LTC-Cooper) (1,600; 10-15-20)—'Carefree' (RKO). Long time coming, so slim $2,000. Last week, 'Giants' (WB), fair $2,200.

Nebraska (LTC-Cooper) (1,236; 10-25-40)—'Dodge City' (WB). Slambanger, probably will get $5,500, or better, in 9 days, which is ultra. Last week, 'Ice Follies' (M-G), opened the house to good $4,100.

Stuart (LTC-Cooper) (1,900; 10-15-25-35)—'Midnight' (20th) and 'Parden Nerve' (20th). Looks fairly healthy, $3,400. Last week, 'Wife, Husband' (20th) and 'Secrets Nurse' (U), about $3,700, okay.

Varsity (NTI-Noble) (1,100; 10-25-35)—'Lady Vanishes' (GB). Very slow, $1,400. Last week, 'King Turf' (UA), $1,500, poor.

'Dodge' $18,000, 'Castles'-Vaude, 16G, Wow Balto

Baltimore, April 11.

Strongest lineup of film product in moons is reflecting itself in resounding grosses all around. 'The Story of Vernon and Irene Castle,' tied to strong vaude layout at the combo Hippodrome, is ringing the bell in lusty fashion, and 'Dodge City,' at Stanley, is taking advantage of the ample seating capacity to point for one of biggest weeks of the year.

There's plenty of interest in 'Three Smart Girls,' which got an early start Wed. (5) at Keith's and helped offset Holy Week dip.

Estimates for This Week

Century (Loew's-UA) (1,000; 15-25-40)—'Broadway Serenade' (M-G). Holding a fairish pace against tough competition. Should hit okay $12,000. Last week, 'Fast Loose' (M-G), mild $7,400.

Hippodrome (Rappaport) (2,205; 15-25-35-40-55-66)—'Castles' (RKO) plus vaude. Ringing the bell for big $16,000, best in moons. Last week, 'Fishermen Wharf' (RKO) and Bowes' unit offset Holy Week blues with satisfactory $10,700

Keith's (Schanberger) (2,406; 15-25-35-40)—'Three Smart Girls' (U). Starts second week tomorrow (Wed.) after chalking up best figures here in long time, $14,000. Last week, 'Third Nation' (Par), limped in with poor $3,100.

New (Mechanic) (1,558; 15-25-35-55)—'Graham Bell' (20th). Opened Sat. (8). Pointed to mighty fine. Last week (2d), 'Baskervilles' (20th), poor $2,300 to uneventful first round at $3,100.

Stanley (WB) (3,280; 15-25-35-40-55)—'Dodge City' (WB). Chalking up biggest take here in months. Built extra large capacity coming in handy. Should hit booming $18,000. Last week, revival of 'Can't Take It' (Col), attracted some play at $4,700.

H. O. TOPS B'KLYN

'Blackwell's' 2d Big $19,000; 'Stagecoach' Dual Bright 16G

Brooklyn, April 11.

Topping all other attractions in downtown area is 'Blackwell's Island,' in second week at Fabian Paramount. Despite attractive weekend weather, crowds made beeline for theatres. Coney Island, sporting new coat of paint, reopened Easter Sunday with fair attendance on boardwalk. Steeplechase also threw open its doors.

Loew's Metropolitan is getting good biz with 'Stagecoach' and 'Risky Business.'

Estimates for This Week

Albee (3,274; 25-35-50)—'Princess' (20th) and 'Women All' (20th). Good daytime reaction will give house $18,500. Last week, 'Musketeers' (20th) and 'Mr. Moto' (20th), good $15 000.

Fox (4,089; 25-35-50)—'Missouri' (Par) and 'Women Wind' (WB). Good $16,000. Last week, 'Oklahoma Kid' (WB) and 'Never Die' (Par) (2d wk), nifty $16,000.

Met (3,618; 25-35-50)—'Stagecoach' (UA) and 'Risky Business' (U). Bright $16,000. Last week, 'Huck Finn' (M-G) and 'Fast Loose' (M-G), okay $16,000.

Paramount (4,126; 25-35-50)—'Blackwell' (WB) and 'Boy Trouble' (Par) (2d wk). Expect grand $19,000. Last week, good $19,000.

Strand (2,670; 25-35-40)—'Star Reporter' (Mono) and 'Secret Police' (Par). Uneventful $5,000. Last week, 'Jane Arden' (WB) and 'Long Shot' (GN), quiet $5,000.

1st Runs on Broadway

(Subject to Change)

Week of April 13

Astor—'Pygmalion' (M-G) (19th wk).

Capitol—'Hardys Ride High' (M-G).

Criterion — 'Mutiny on the Bounty' (M-G (reival) (12).

Globe — 'Prison Without Bars' (UA) (2d wk).

Music Hall—'Vernon and Irene Castle' (RKO) (3d wk).

Paramount — 'Midnight' (Par) (2d wk).

Rialto — 'Flying Irishman' (RKO) (12).

(Reviewed in VARIETY, *March 8)*

Rivoli — 'Wuthering Heights' (UA).

(Reviewed in VARIETY, *March 29)*

Roxy — 'Alexander Graham Bell' (20th) (3d wk).

Strand—'Dodge City' (WB) (2d wk).

Week of April 20

Astor—'Pygmalion' (M-G) (20th wk).

Capitol—'Man of Conquest' (Rep).

Criterion — 'Back Door to Heaven' (Par) (19).

(Reviewed in Current Issue)

Globe—'Prison Without Bars' (UA) (3d wk).

Music Hall—'Dark Victory' (WB).

(Reviewed in VARIETY, *March 15)*

Paramount—'Midnight' (Par) (3d wk).

Rialto—'Eagle and the Hawk' (Par) (Revival).

Rivoli — 'Wuthering Heights' (UA) (2d wk).

Roxy—'Return of Cisco Kid' (20th) (21).

Strand—'Dodge City' (WB) (3d wk).

'Dodge' Wham $7,000 in L'ville; Durbin Fine $7,500

Louisville, April 11.

Plenty of potent product in town, following a tepid Holy Week, and patrons are flocking back to the film houses in old-time form. Weather is still on the cool side, a break for the downtown pic emporiums, and opposish is absent during the current week. Hefty coin is going to Durbin pic at Rialto, which is garnering plenty of word-of-mouth publicity. Good showing also in prospect for 'Sweetheart Serenade,' on a dual at Loew's State, and 'Dodge City' is pulling 'em in in great shape at the Mary Anderson.

Vaude was in for two days (6-9) at National, with bill headed by Benny Baker, supported by Pat Rooney, Jr., and Herman Timberg, Jr., Charles Brinkley orch and other acts. Biz shaped up okay.

Estimates for This Week

Brown (Loew's-Fourth Avenue) (1,500; 15-30-40)—'Midnight' (Par) and 'Sudden Money' (Par). Moves over from Rialto looking for good $1,800. Last week, 'Stagecoach' (UA) and 'Blondie Boss' (Col), on the profit side, $1,500.

Kentucky (Switow) (900; 15-25)—'Jesse James' (20th) and 'Swing Sisters' (U). Coming in forte $1,900. Last week, 'Made Criminal' (WB) and 'Woman Again' (Col), mild $1,500.

Loew's State (Loew's) (3,100; 15-30-40)—'Broadway Serenade' (M-G) and 'Whispering Enemies' (Col). Riding in on the Easter acceleration and, while hardly in smash category, pointing to healthy $6,000. Last week, 'Madden' (M-G) and 'North Shanghai' (Col), felt the Lenten squeeze and returned meager $4,500.

Mary Anderson (Libson) (1,000; 15-30-40)—'Dodge City' (WB). Local and national ads and various exploitation gags, all helping b.o. Indications are for smash $7,000. Last week, 'Blackwell' (WB) wound up with pretty fair $3,000.

Ohio (Settos) (900; 15)—'Sweetheart' (U) and 'Silver Bullets' (Col). Sliding in on the Easter acceleration and, while hardly in smash category, pointing to healthy $6,000. Last week, 'Madden' (M-G) and 'North Shanghai' (Col), felt the Lenten squeeze and returned meager $4,500.

Rialto (Fourth Avenue) (1,400; 15-30-40)—'Baskervilles' (20th) and 'Winner Take All' (20th). Indications are for satisfactory $3,200. Last week, 'Arizona Wildcat' (20th) and 'Everybody's Baby' (20th), good $3,500.

'Dodge City'-Lombardo Click $45,000 On B'way; 'Midnight'-T. Dorsey 54G, 'Castles' 2d Hefty $110,000, 'Bars' 14G

Paramount and Strand, with new Easter shows, together with 'Vernon and Irene Castle' on a holdover at the Music Hall, are kicking the box office gong around in fine style. Although Holy Week is gone, its medocy lingers on at some of the other Broadway stands. The public, per usual, is smelling out the hibiscus blossoms among the Easter offerings and passing up the dandelions.

Good Friday (7) held things down rather sharply on the whole, but, curiously, Thursday (6) was poorer at some box offices. With good weather prevailing, the week-end was powerful where the attractions had pull, and some kids are out of school for 10 days, both Monday (10) and yesterday (Tues.) found heavy crowds around town.

The kids also are a factor at the backstage doors trying to hook Tommy Dorsey and Guy Lombardo personalizing at the Strand.

Dorsey, with 'Midnight,' opened the middle of Holy Week at the Par, but that mattered little to the trade drawn here, with result first week (Sun.) through (Tues.) wound up at $54,000. Second leg begins today (Wed.) and likely this show will go three weeks.

'Dodge City,' plus Lombardo, is bulging the comparatively small interior of the Strand, which seats only 2,767. The exploitation on 'Dodge' and the space it grabbed no doubt is helping to account for the gross than $45,000, excellent. This is socko considering Good Friday opening when everyone feels the worst, and usually gets it. It did rather well that day, however, despite everything. 'Dodge' and Lombardo are in for three weeks.

Severest disappointment is the Easter week-end tinted deep red for 'Broadway Serenade.' It will be lucky to top $14,000. Other new pictures of the week, in secondary first run houses, are 'Prison Without Bars' (Globe), 'Within the Law' (Criterion) and 'Flying Irishman' (Rialto). Last-mentioned opened yesterday (Tues.), but brought no one flying to the theatre. 'On Trial,' ending Monday night (10) was $6,000, o. k. for Holy Week.

'Prison Without Bars' is very potent at the Globe, maybe $14,000, and holds. Criterion is medium at $7,000 on 'Within the Law.'

Holdovers from Holy Week, in addition to 'Castle,' include 'Bell' and 'Pygmalion' at the Astor, which got great strength with $100,000 over Holy Week, on the holdover it is picking up to a possible $110,000, thus insuring a third week.

'Bell' got $47,000 on the first week at the Astor and will be about $40,000 on the holdover. 'Pygmalion' looks about $6,500 this week, its 16th, still nice profit.

May profit, but pulls stakes around May 20.

Warners opens 'Juarez' at the Hollywood on Thur., two performances daily, on April 28.

Estimates for This Week

Astor (1,012; 25-40-55-65)—'Pygmalion' (M-G) (19th week). Held another $8,500 to what this long-run baby has gotten to date. Last week (11th), $8,000.

Capitol (4,520; 25-35-55-85-$1.25)—'Broadway Serenade' (M-G). A bit better than last week, but still poor at $14,000. 'Society Lawyer' (M-G), dipped to under $11,000, sorrowful.

Criterion (1,053; 25-40-55)—'Within the Law' (M-G). Not doing well, around $7,000 indicated. Last week (Mother's Day) (Par) failed to get to $8,000, poor.

Globe (1,274; 25-40-55)—'Prison Without Bars' (UA). This is the kind of thing they like here; opened stoutly Saturday (8) and may see as much as $14,000 on the week, 3d holding over. In ahead, 'Let Us Live' (Col), on 10 days got $11,000, fair.

Palace (1,700; 25-35-55)—'Oklahoma Kid' (WB) (2d run) and 'Women Wind' (WB) (1st run), twinned, opens here today (Wed.). Six days for 'Darling Daughter' (WB) and 'Winner Take All' (20th) (1st run), $6,500, mild. Ahead of that 'Wife, Husband' (20th) (2d run) and 'Woman Doctor' (U) (1st run), $7,500.

Paramount (3,664; 25-35-55-85-99)—'Midnight' (Par) and 'Tommy Dorsey' (2d week). Picture, which got good notices and is bringing sturdy night trade, combines with Dorsey and heavy day draught for smart takings; first seven days ending last night (Tues.), $54,000. The second (final) week of 'From Missouri' (Par) and Charlie Barnet, Dorothy Lamour, Mischa Auer, $22,500, good.

Radio City Music Hall (5,980; 40-60-84-99-$1.65)—'Castles' (RKO) and stage show (2d run). A mighty gross-getter, and possibly $110,000 this week (2d) after first seven days through Holy Week of $100,000 dandy. Goes third round to be followed by 'Duck Victory' (WB).

Rialto (750; 25-40-55)—'Flying Irishman' (RKO). Opened unimpressively yesterday (Tues.) after week of 'On Trial' (WB) at $6,000, all right for last week of Lent, plus Easter weekend. 'Jesse Her a Spy' (RKO) got $6,200 here.

Rivoli (2,092; 25-55-75-85-99)—'Three Smart Girls' (U) (4th-final week). Windup for the Durbin picture will be strong $16,000, after third (Lent) lap of $18,500 for month's run here that will be highly profitable. 'Wuthering Heights' (UA) opens tomorrow night (Thurs.).

Roxy (5,836; 25-40-55-75)—'Bell' (20th) and stage show (2d week). Nothing wrong at the b.o. but will show satisfactory profit at $47,000 last week (1st) and about $40,000 this week (2d) over Easter. 'Return of Cisco Kid' (20th) opens Friday (21), 'Bell' being held 3d week.

State (3,450; 35-55-75)—'Cafe Society' (Par) (2d run), with Joan Davis and Dave Apollon in person. Possibly $2,000 will be reached, okay but nothing to advertise. Last week 'Honolulu' (M-G) (2d run) and Tony Galento disappointed at $19,000.

Strand (2,767; 25-40-55-75-85-99)—'Dodge City' (WB) and Guy Lombardo and orch. Despite a pop of lukewarm reviews, picture is having a fine first week of dollar signs, looking to a big $45,000, or better. Much of the credit for this box office attention is given to the cross-country publicity job done on this film. Last week, second for 'You Can't Get Away With Murder' (WB) and Jimmy Dorsey, under $15,000, a forced holdover to wash up Lent.

Durbin-Corrigan Dual Good $19,000 As Boston Ups

Boston, April 11.

Business took a spurt over the weekend, with Holy Week's jinx lifted. Saturday (8).

'Dodge City' looks like the town's leader, with 'Huckleberry Finn' and 'Smart Girls' dual a running neck-and-neck for second place.

Estimates for This Week

Boston (RKO) (3,000; 30-40)—'Guns Dip' (RKO) and Disney Revue (RKO) (2d run), two days; and 'Mystery Plane' (Mono) and 'Trouble Chasers' (RKO), dual, five days, plus vaude for full week. Looks like $9,000, good. This is first full week of the new policy resumed about three months ago. Last week, 'Star Midnight' (RKO) and 'Lady Vanishes' (2d run), dual with vaude for four days; and 'Devil's Island' (WB) and 'Great Man Votes' (RKO) (3d run), double, for three days, okay $7,600.

Fenway (M&P) (1,332; 25-35-40-55)—'Missouri' (Par) and 'Inside Story' (20th). Shaping up okay, around $6,500. Last week, 'One-Thing Nation' (Par) and 'Never Say Die' (Par), poor $4,200.

Keith Memorial (RKO) (2,907; 25-35-40-55)—'Three Smart Girls' (U) and 'Flying Irishman' (RKO). Picked up momentum over weekend, headed for very good $19,000. Last week, 'Love Affair' (RKO) (2d wk.) and 'Society Smugglers' (U) (1st wk.), dual, around $13,000.

Metropolitan (M&P) (4,367; 25-35-40-55)—'Dodge City' (WB) and 'Jane Arden Adventures' (WB). Flying with smash $30,000. Last week, 'Daughter' (WB) and 'Torchy Chinatown' (WB), double, medium $14,000.

Orpheum (Loew's) (2,900; 25-35-40-55)—'Huck Finn' (M-G) and 'Blondie Boss' (Col). Whizzing the wickets, heading for big $22,000. Last week, 'Honolulu' (M-G) and 'O'Connor' (M-G), fair $15,000.

Paramount (M&P) (1,797; 25-35-40-55)—'Missouri' (Par) and 'Inside Story' (20th). Okay for about $8,000. Last week, 'One-Third Nation' (Par) and 'Never Die' (Par), n.s.h. $6,500.

Scollay (M&P) (2,538; 25-35-40-50)—'Cafe Society' (Par) and 'Tropic' (Col) both 2d run, around $7,000, very good. Last week, 'Blackwell' (WB) and 'Cafe Society' (Par) (both 2d run), poor $4,000.

State (Loew) (3,600; 25-35-40-55)—'Huck Finn' (M-G) and 'Blondie Boss' (Col). Strong combo, drawing around $17,000. Last week, 'Honolulu' (M-G) and 'O'Connor' (M-G), fair $13,000.

Hobbying With Warners

Hollywood, April 11.

New series, 'The Hobby Family,' starts at Warners Monday (17) with William McGann directing under Bryan Foy's guidance.

Yarn is about a family with screwball hobbies. Schedule calls for three a year.

3 Comedies Give Mpls. B. O. Joy; 'Affair,' 'Midnight,' 'Topper' All Big

Minneapolis, April 11.

Three strong screen comedies—'Love Affair,' 'Midnight' and 'Topper Takes a Trip'—are bolstering local boxoffices this week. In toto they comprise the best single week's array of newcomers to hit the loop for some time. Even snowstorms and unseasonably cold weather can't keep the customers away. It's a good getaway for the post-Lenten season.

'Love Affair' apparently will enable the Orpheum to finish out in front for the third successive week, but thanks to 'Topper Takes a Trip' and 'Midnight,' respectively, the Century and State aren't likely to be far behind. All three pictures copped fine notices and they're favored, too, by patrons' word-of-mouth.

Surprising development was the fast finish of Holy Week after a slow start. Grosses in most instances reflected a distinct improvement over what had been coming into boxoffices recently. Even Good Friday failed to dent biz noticeably.

Estimated for This Week

Aster (Par-Singer) (900; 15-25)—'One-Third Nation' (Par) and 'Everybody's Baby' (20th), dual first-runs. Good biz for this spot and should climb to good $1,700. Last week, 'Inside Story' (20th) and 'Society Smugglers' (U), dual first-runs, $1,600, okay.

Century (Par-Singer) (1,600; 25-35-40)—'Topper' (UA). Well-liked comedy showing considerable strength. Prestige of first 'Topper' picture an undoubted help. Good $6,200 in prospect. Last week, 'Fast Loose' (M-G), $6,000, good.

Gopher (Par-Singer) (998; 25)—'King Turf' (UA). Menjou no draw here and this vehicle rated just so so. Will do well to reach mild $2,200. Last week, 'Culver' (U), went out after six days and $2,000, poor.

Orpheum (Par-Singer) (2,800; 25-35-40)—'Love Affair' (RKO). Reviews fell for this one, hook, line and sinker. Customers are going to town for it, with Irene Dunne name also counting. En route to good $6,800. Last week, 'Huck Finn' (M-G), $6,000, good.

State (Par-Singer) (2,300; 25-35-40)—'Midnight' (Par). Cast lineup and plenty of laughs putting this one over with a bang. Heading for fairly good $6,000. Last week, 'Princess' (20th), $5,500, fair.

Time (Gillman) (290; 15-25)—'Lost Patrol' (RKO) (reissue). Light $600 indicated. Last week $700, mild.

Uptown (Par) (2,200; 25-35)—'Young Heart' (UA). First neighborhood showing. Pretty good $2,500 in prospect. Last week, 'Honolulu' (M-G), $2,200, light.

World (Steffes) (350; 25-35-40-55)—'Pygmalion' (M-G) (6th wk). Continuing at sensational pace. A standout run here after two big weeks at the Century. Good $1,800 in sight. Last week, $2,000, fine.

'MIDNIGHT' DUAL OK 15G IN DET.

Detroit, April 11.

Strong Easter week lineup, abetted by school kids' spring vacation, figures to spell biz.

Top coin-getter likely to be 'Little Princess,' plus Arthur Treacher heading vaude, at the Fox.

Estimates for This Week

Adams (Balaban) (1,700; 30-40) — 'Three Smart Girls' (U) (2d wk). (2d run) plus 'Saint Strikes Back' (RKO) dual. Dandy opus, moving here after nice sesh at Fox, picked up neat $8,000 last week at this spot, coupled with 'Son Criminal' (Col), and holds on for another good $5,600 currently with new supporting film.

Fox (Fox-Michigan) (5,000; 30-40-65)—'Princess' (20th) with Arthur Treacher heading stage show, Temple opus figures to share the kids during Easter vacash; should garner okay $21,000. Last week, poor $14,000 for 'Blondie Boss' (Col) plus vaude.

Michigan (United Detroit) (4,000; 30-40-65)—'Midnight' (Par) plus 'On Trial' (WB). Well, you get good $15,000. Last week, fair $11,000 for 'Never Die' (Par) and 'St. Louis' (Par).

Palms - State (United Detroit) (3,000; 30-40-50)—'Never Die' (Par) (2d run) plus 'Made Criminal' (WB), dual. Paced for good $9,000. Last week, 'King Turf' (UA) and 'Wong' (Mono), n.g. $4,500.

United Artists (United Detroit) (2,000; 30-40-65)—'Ice Follies' (M-G) (2d wk). After getting only fair $8,000 first stanza, flicker sticks for a poor $6,000 currently.

PROV. BIZ PICKS UP; 'SERENADE' HAPPY 12G

Providence, April 11.

Close of Lenten season brightened prospects considerably here and all houses are looking for better than average biz.

'Little Princess,' at Majestic, and 'Broadway Serenade,' at State, look best.

Estimates for This Week

Albee (RKO) (2,000; 25-35-50)—'Love Affair' (RKO) and 'Flying Irishman' (RKO). Stepping along to nice $7,000. Last week, 'Culver' (U) and 'Society Smugglers' (U), so-so $4,500.

Carlton (Fay-Loew) (1,400; 25-35-50)—'Fast Loose' (M-G) and 'Mystery Planet' (Par). Fairish $4,000. Last week, 'Madden' (M-G) and 'Blondie Boss' (Col) (2d run), poor $3,000.

Fay's (Indie) (2,000; 25-35-40)—'Blackwell' (WB) and Happy Felton's orch on stage. Heading for neat $7,500. Last week, 'Wong' (Mono) and vaude, swell $8,000.

Majestic (Fay) (2,200; 25-35-50)—'Princess' (20th) and 'Winner All' (20th). Socko $11,000 sighted. Last week, 'Bachelors' (20th) and 'Risky Business' (U), weak $5,000.

State (Loew) (3,200; 25-35-50)—'Broadway Serenade' (M-G) and 'First Offenders' (Col). Holding own for weighty $12,000. Last week, 'Fast Loose' (M-G) and 'Mystery Plane' (Mono), fairish $9,000.

Strand (Indie) (2,200; 25-35-50)—'Missouri' (Par) and 'King Chinatown' (Par). Paced at nice $7,500. Last week, 'Eagle Hawk' (Par) (reissue) and 'Orphan Annie' (Par), good $5,700.

OMAHA PERKS; 'CASTLES' BIG $7,500

Omaha, April 11.

Fair weather and three top pictures are giving Omaha houses big grosses this week.

'The Story of Vernon and Irene Castle,' at Brandeis, is being singled to smash $7,500. 'Midnight,' dualed with 'Woman Doctor' at Omaha, is standing up well under the competish for an estimated $8,300.

Estimates for This Week

Avenue - Dundee - Millitary (Goldberg) (950-810-650; 10-25)—'Idiot's' (M-G) and 'Dark Journey' (UA), first-run dual, split with 'Dark Rapture' (UA), 'Lady Vanishes' (20th) and 'Illegal Traffic' (Par), tripler. Good $2,200. Last week, 'Jesse James' (20th) and 'Paris Honeymoon' (Par), dual, split with 'Fisherman's Wharf' (RKO) and 'Flirting with Fate' (M-G), dual, $2,300, good.

Brandeis (Singer-RKO) (1,250; 10-25-35-40) — 'Castles' (RKO). Smash $7,500. Last week, 'Blackwell' (FN) and 'Beauty Asking' (RKO), $3,900, fair.

Omaha (Blank) (2,200; 10-25-40)—'Midnight' (Par) and 'Woman Doctor' (Rep), dual. Very good $8,300. Last week, 'Missouri' (Par) and 'Persons Hiding' (Par), $6,800, good.

Orpheum (Blank) (3,000; 10-25-40) —'Princess' (20th) and 'Big Trouble' (Par). Very good $10,000. Last week, 'Tailspin' (20th) and 'Crooked Mile' (Par), good $9,500.

Town (Goldberg) (1,250; 10-20-25) —'Dark Journey' (UA) 'Gambling Ship' (U), first-run, and 'Jesse James' (20th), tripler, split with 'North Yukon' (Col), 'Spy Ring' (Col) and 'Fisherman's Wharf' (RKO), tripler. Good $1,800. Last week, 'Dark Rapture' (U), 'Wax Timber' (Rep) and 'To Victor' (GB), tripler, split with 'Man Votes' (RKO), 'Prof and Paris Honeymoon' (Par), $1,500, fair.

OKLA. STRENGTHENS; 'MIDNIGHT' NICE $5,600

Oklahoma City, April 11.

Easter week looks like climbing grosses again with good pix on screens.

'Midnight,' at Criterion, 'Little Princess,' at Midwest, and 'Blondie Meets Boss,' at State, all look good.

Estimates for This Week

Criterion (Stan) (1,500; 25-35-40)—'Midnight' (Par). Good $5,600, nice $5,600. Last week, 'Wife, Husband' (20th), $4,800, under average.

Midwest (Stan) (700; 20-25)—'Say It French' (Par) and 'Newsboys Home' (U), split with 'Family Next Door' (U) and 'King Chinatown' (Par). Better than average at $2,800. Last week, 'Strange Faces' (U) and 'Out Beyond' (WB), split with 'Boy Trouble' (Par) and 'Motor' (20th), below average $1,900.

Midwest (Stan) (700; 25-35-40)—'Princess' (20th). Better than average $4,800. Last week, 'Song Plains Pal' (Mono) and 'Billy Kid' (Rep), average $2,500.

Tower (Stan) (1,000; 25-35-40)—'Fast Loose' (M-G)... Rushed in last week and will be carried over as long as possible. Cross will be average $2,500. Last week, 'Dramatic School' (M-G), pulled in three days with only $600 in till. 'Fast Loose' (M-G), put in for next four, earned about $900, fair.

Inside Stuff—Pictures

Paramount is making good use of the farm-out system, popular in baseball, to develop and profit on its stock player roster. Luana Walters, just back from a loan trip to Republic, where she learned about westerns from Gene Autry, is getting her first home break as a featured player in 'Disputed Passage,' and taking tests for 'Dr. Cyclops.' Joseph Allen, Jr., Broadway producer, is back at Par after a spout in Metro's 'Northwest Passage' standing loanout is William Holden, Pasadena youngster, recently farmed to Columbia for the title part in 'Golden Boy.' Par had assigned him to a bit in 'What a Life,' but cheerfully turned him over to the rival studio for experience and exploitation.

Same secretive tactics that finally brought about the virtual dismemberment of the United Motion Picture Theatre Owners in Philly have been adopted by Sid Samuelson, two-day-a-week, $7,500-a-year prez of new Allied unit in that territory. Samuelson virtually refuses to talk for publication and is creating a swell burn for himself in the territory. Only he knows what he is up to in well hashed-over and practically meaningless occasional press releases.

Lewen Pizor, UMPTO prez, who once was similarly allergic to newspapermen, is now the essence of sweetness.

Decision in Booth Tarkington's long-drawn-out damage suit against Warner Bros for improper use of his name is not expected for several more weeks. Attorneys wondering at the delay were informed by the Federal District Court that the briefs in the case had been sent to the main filing room in the Federal building, N. Y. Attendants in the latter place denied receiving them. Further investigation indicated the papers had been mislaid by Judge William Bondy's secretary. Search is being made of his desk and files.

Long-rumored espionage system at a major studio was suddenly revealed as a reality when one of the flacks was called to the carpet for a 'treasonable' remark. At a recent preview of a high-priced picture the flack remarked to his wife that that was a 'B' production on an 'A' budget. Next morning the producer barged into the boss flack's office with evidence against the 'traitor.' Only the praiser's long service in the department prevented his instant firing.

Life magazine advertising rate for black and white is $5,700 and for color $7,000, with the publication in turn giving four pages of art on the advertiser's production that is being pushed.

New York Mirror is also after picture trade for its Sunday mag at $2,000-a-page rate and gives one page following week on its front cover gratis of personalities in the picture.

Frisco Can't Get Out of the Ditch; But 'Dodge' Dual Excellent $18,000

San Francisco, April 11.

Local theatre men are shooting the roll this week on the hopes of getting things running in high gear again after a bad Lenten season. Although it has been a long, long time since the first-runs have had such biggies competing with each other, biz still remains definitely off.

Nearly every picture in town opened to disappointing returns.

Best biz this week will be done by 'Dodge City' at the Fox.

Estimates for This Week

Fox (F-WC) (5,000; 35-55-75)—'Dodge City' (WB) and 'Sudden Money' (Par). Got off to slow start, but picked up momentum. Will get excellent $18,000. Last week, 'Baskervilles' (20th) and 'Everybody's Baby' (20th), poor $11,500.

Golden Gate (RKO) (2,850; 35-55) —'Castles' (RKO) and vaude. War scare, the Fair and warm weather all hold takings down to $16,500, which is several thousand less than Rogers-Astaire combo would do unhappy weather permitting. Last week, 'Family Next Door' (RKO) and vaude, perked up a bit and got $14,500.

Orpheum (F&M) (2,440; 35-55)—'Three Smart Girls' (U) (2d wk). Providing heat wave doesn't continue, gate should be around $9,000, fair. Last week, terrific $16,000.

Paramount (F-WC) (2,767; 35-55-75)—'Graham Bell' (20th) and 'Chasing Danger' (20th). Biz hasn't been big as was expected. Big week opening and warm weather will keep take down to $15,000, good but not great. Last week (2d wk) 'Madden' (M-G) and 'Fast Loose' (M-G), $7,000, fair.

St. Francis (F-WC) (1,470; 35-55-75)—'Baskervilles' (20th) and 'Everybody's Baby' (20th) (2d wk). Comments from newspapers on the street much too strong. Won't get more than $4,000, very poor. Last week (3d), 'Oklahoma Kid' (WB) and 'Wife's Relatives' (Rep), poor $3,500.

United Artists (Cohen) (1,200; 35-55-75)—'Wuthering Heights' (UA). Biz geared to around $12,000, good. Last week (9 days), 'King Turf' (UA), poor $8,000.

Warfield (F-WC) (2,680; 35-55-75) —'Broadway Serenade' (M-G). Although picture is generally regarded as one of best ever made by MacDonald, the turnstile isn't turning as fast as expected; $19,000 take 'may' below expectations, although a big improvement over last week, when 'Pygmalion' (M-G) and 'Lady Vanishes' (GB) was pulled after six days to very poor $4,500.

'CASTLES,' 12G, BURNS, $9,000, BIG IN DENVER

Denver, April 11.

'The Story of Irene and Vernon Castle' is pulling strong enough at the Orpheum to hold over, as is 'I'm From Missouri' at the Denham.

Estimates for This Week

Aladdin (Fox) (1,400; 25-40)—'Honest Man' (U), after a week at the Denver. Nice $4,000. Last week, 'Daughter' (FN), after a week at the Denver, good enough at $3,500 to be moved to the Rialto.

Broadway (Fox) (1,100; 25-40)—'Madden (M-G) and 'Marry' (RKO), both after a week at the Orpheum. Good $2,500. Last week, 'Ice Follies' (M-G) and 'Saint Strikes Back' (RKO), good $2,500, after week at Orpheum.

Denham (Cockrill) (1,750; 25-40)—'Missouri' (Par). Smash $9,000 in sight. Last week, 'Midnight' (Par) and 'Persons Hiding' (Par), forced on the end of 16-days, did close to $8,000, good.

Denver (Fox) (2,525; 25-40)—'Princess' (20th). Above average for Temple film at $9,000. Last week, 'Honest Man' (U), good $9,000.

Orpheum (RKO) (2,600; 25-35-40) —'Castles' (RKO) and 'Within Law' (M-G). Getting heavy $12,000 and is a week. Last week, 'Madden' (M-G) and 'Marry' (RKO), fair $8,500.

Paramount (Fox) (2,200; 25-40)—'King Turf' (UA) and 'Redwoods' (Col). Good $2,500. Last week, 'Dark Rapture' (Indie) and 'Lady and Mob' (Col), nice $3,500.

Rialto (Fox) (878; 25-40)—'Daughter' (FN). After a week at the Denver and Aladdin, and 'Society Smugglers' (U). Nice $2,300. Last week, 'Vogues' (U), after two weeks at each the Denver and Aladdin, and 'Inside Story' (20th), average $1,800.

FLYNN-VAUDE FORTE 20G IN WASH.

Washington, April 11.

With annual Cherry Blossom celebrations overlapping Easter, Cap has been overrun with thousands of tourists for a week, and for next 10 days busloads of school kids will be pouring in. Cold snap lasted through Sunday (9) and sent 'em scurrying into theatres after dusk, although it lifted suddenly yesterday (10), and parks may get good share from today (Tuesday) on.

Three biggest mainstemers shot big guns this week to nab the visitors, and two, at least, are bidding to clean up nicely. Capitol is good with Fred Waring's orch and 'Four Girls in White,' 'Dodge City,' with vaude, is great at the Earle.

Estimates for This Week

Capitol (Loew) (3,434; 25-35-40-66) —'Girls White' (M-G) and vaude. Fred Waring's orch nipping tourists for big $23,000. Last week, 'Madden' (M-G) and vaude, fair $17,000.

Columbia (Loew) (1,234; 25-40)—'Each Other' (UA) (2d run). Back downtown after two nice stanzas at Palace, and should hit average $4,500. Last week, 'Pygmalion' (M-G) (2d run), held to surprising $6,000 in holdover week.

Earle (WB) (2,216; 25-35-40-66)—'Dodge City' (WB) and vaude. Cass Daley heading the revue, but it's Errol Flynn and baby that's getting 'em in for big $20,000. Last week, 'Blackwell' (WB) can thank Kay Kyser's orch for record $27,000.

Keith (RKO) (1,830; 35-55)—'Love Affair' (RKO) (3d wk). Romance-minded visitors helping toward nice $6,500. Last week, simple pocketed smart $11,200.

Met (WB) (1,600; 25-40)—'Persons Hiding' (Par). Type of stuff house goes for, but of no interest to visitors. Average $4,200. Last week, 'On Trial' (WB), $3,500 for six days.

Palace (Loew) (2,242; 35-55)—'Midnight' (Par). Ace straight pic spot bowing to vaude houses on tourist trade, and despite good reviews, won't better average $14,000. Last week, 'Cafe Society' (Par), fairish $11,500 in nine days.

TITLE CHANGES

Hollywood, April 11.

'The Devil on Wheels' is final title for 'The Roaring Crowd' at Warners. 'Spoilers of the Range' is release tag on 'The Oklahoma Trail' at Columbia.

'The Rookie Cop' replaced 'G-Dog' at RKO.

'Family Affair' final tag on 'Family Reunion' at Warners.

Frisco Can't Get Out of the Ditch; But 'Dodge' Dual Excellent $18,000

San Francisco, April 11.

Local theatre men are shooting the roll this week on the hopes of getting things running in high gear again after a bad Lenten season. Although it has been a long, long time since the first-runs have had such biggies competing with each other, biz still remains definitely off.

Nearly every picture in town opened to disappointing returns.

Best biz this week will be done by 'Dodge City' at the Fox.

Estimates for This Week

Fox (F-WC) (5,000; 35-55-75)—'Dodge City' (WB) and 'Sudden Money' (Par). Got off to slow start, but picked up momentum. Will get excellent $18,000. Last week, 'Baskervilles' (20th) and 'Everybody's Baby' (20th), poor $11,500.

Golden Gate (RKO) (2,850; 35-55) —'Castles' (RKO) and vaude. War scare, the Fair and warm weather all hold takings down to $16,500, which is several thousand less than Rogers-Astaire combo would do unhappy weather permitting. Last week, 'Family Next Door' (RKO) and vaude, perked up a bit and got $14,500.

Orpheum (F&M) (2,440; 35-55)—'Three Smart Girls' (U) (2d wk). Providing heat wave doesn't continue, gate should be around $9,000, fair. Last week, terrific $16,000.

Paramount (F-WC) (2,767; 35-55-75)—'Graham Bell' (20th) and 'Chasing Danger' (20th). Biz hasn't been big as was expected. Big week opening and warm weather will keep take down to $15,000, good but not great. Last week (2d wk) 'Madden' (M-G) and 'Fast Loose' (M-G), $7,000, fair.

St. Francis (F-WC) (1,470; 35-55-75)—'Baskervilles' (20th) and 'Everybody's Baby' (20th) (2d wk). Comments from newspapers on the street much too strong. Won't get more than $4,000, very poor. Last week (3d), 'Oklahoma Kid' (WB) and 'Wife's Relatives' (Rep), poor $3,500.

United Artists (Cohen) (1,200; 35-55-75)—'Wuthering Heights' (UA). Biz geared to around $12,000, good. Last week (9 days), 'King Turf' (UA), poor $8,000.

Warfield (F-WC) (2,680; 35-55-75) —'Broadway Serenade' (M-G). Although picture is generally regarded as one of best ever made by MacDonald, the turnstile isn't turning as fast as expected; $19,000 take 'may' below expectations, although a big improvement over last week, when 'Pygmalion' (M-G) and 'Lady Vanishes' (GB) was pulled after six days to very poor $4,500.

Spitalny-'Lawyer' Fine 18G in Buff.; 'Dodge C.' Big 12G

Buffalo, April 11.

Business is moving up decisively this week, with three of the five downtown houses reaching topflight figures. The combination of Phil Spitalny's all-female 'Hour of Charm' orch and 'Society Lawyer,' at Buffalo, is headed toward one of the best weeks in recent months. 'Dodge City' and 'Three Smart Girls' are neck and neck for topshelf takings.

Good Friday which saw all houses closed until 3 p. m. was more than offset by Easter Monday, always a big day here.

Estimates for This Week

Buffalo (Shea) (3,500; 30-35-55)—'Society Lawyer' (M-G-M) and Phil Spitalny's femme orch. Spitalny is duplicating his draw here last time and good week-to-pic combo is headed for fine $18,000. Last week, 'Princess' (20th), fair $10,000.

Century (Shea) (3,000; 25-35)—'King Turf' (UA) and 'Flying Irishman' (RKO). Somewhat over previous figures at $6,500. Last week, 'Boy Slaves' (RKO) and 'Road Demon' (20th), fair $5,700.

Great Lakes (Shea) (3,000; 30-50) —'Dodge City' (WB) and 'Sudden Money' (Par). Strong card shooting for high $12,000. Last week, 'Madden' (M-G-M) and 'Pardon Nerve' (20th), okay $8,700.

Hipp (Shea) (2,100; 25-40)—'Princess' (20th) (2d wk). Mild holdover at around $6,000. Last week, 'Jane Arden' (WB) and 'Man Votes' (RKO), scraped bottom at $3,000.

Lafayette (Ind.) (3,300; 25-35)—'3 Smart Girls' (U). Jumped the gun with fine opening and clicking steadily for swell $12,000. Last week, 'Happened One Night' (Col) (revival) and 'Juvenile Court' (Col), moderate $6,600.

Philly Hatches Good Biz; 'Dodge C.' Great $24,000, 'Heaven'-Vaude OK 22G

Philadelphia, April 11.

Easter bunny laid no eggs in the laps of midtown houses here this week, with the holiday, marked by perfect weather, pushing grosses generally to the highest point they've touched in months. Both Saturday and Sunday skies were exactly what the doctor ordered and the b. o.'s reacted accordingly.

Topping everything in town, far and away, is 'Dodge City,' which preemed at the Stanley Saturday ($). It looks destined for at least $24,000, terrific, under the impetus of healthy bouquets from the crix. Sunday admissions exceeded by 200 those for the corresponding day of record-cracking 'Robin Hood.'

Nother strongie here is 'Midnight,' winging up at the Aldine tomorrow (Wednesday) with six days of a third week and still showing plenty of zip. Knocking off $9,000 for the final sesh, neat. Copped $11,000 last stanza and $14,000 the opener for $34,000 for the turn, swell. 'Wuthering' gets an evening preem with floodlights, etc., tomorrow (Wed).

Boyd (WB) (2,350; 32-42-57)—'Broadway Serenade' (M-G). Will have banked $15,500, fair, for eight days when it pulls up stakes tomorrow (Wednesday). Last week, 'Baskervilles' (20th), weak $13,000.

Earle (WB) (2,758; 28-32-42)—'Oklahoma Kid' (WB) (3d run). Tagged along with the rest of the Easter display for pretty good $7,500. 200. Last week, 'Stagecoach' (UA) (3d run), just a trifle slow at $6,500.

Fox (WB) (2,423; 32-37-42)—'Four East Side Heaven' (U) and vaude. Shirley Ross, Judy Canova and Charlie Barnet's orch are headed. This combo will get profitable $22,000. Last week, 'Missouri' (Par) with Joe Venuti's orch and Joe E. Lewis on deck, good for $21,000.

Karlton (WB) (1,066; 32-42-57)—'Baskervilles' (20th) (2d run). Doing better, comparatively, than on first run. Strong $5,000. Last week, 'Princess' (20th) (2d run), oke $4,400.

Keith's (WB) (1,870; 32-42-57)—'3 Smart Girls' (U) (2d run). Showing strength at $5,600. Last week, 'Love Affair' (RKO) (2d run), good $5,200.

Stanley (WB) (2,915; 32-42-57)—'Dodge City' (WB). Opened Saturday (18) to much horn-blowing and Sunday his exceeded 'Robin Hood' by half and looks set to continue that snappy pace. Will grab off better than $24,000, terrific, for the stanza. Last week, 'Three Smart Girls' (U), got in extra day on its second lap to give 'Dodge City' the benefit of the Saturday preem. Knocked off $10,100 for the eight days.

Stanton (WB) (1,457; 26-32-42)—'Winner All' (20th). Weakest of all the new ones and even the holiday rabbit isn't jumping with the ease $4,000 in the basket. Last week, 'Madden' (M-G), given an extra three days to get the house back on the Saturday opening policy after 'Flying Irishman' (RKO) was pulled in four days. Hit a fair pace for the 10 days at $7,300.

All Seattle B.O.s Strong; 'Dodge' Dual Forte 9G

Seattle, April 11.

Beginning with Easter Sunday, b. o. improvement has been marked, good attractions being in evidence. 'Dodge City,' 'Little Princess,' 'Yes, My Darling Daughter,' together with sturdy holdovers, make the fare look inviting.

Excellent weather is helping.

Estimates for This Week

Blue Mouse (Hamrick-Evergreen) (850; 32-37-42)—'Love Affair' (RKO) and 'Man Votes' (RKO), after two weeks at Fifth. Expect good $2,200. Last week (2d), 'Midnight' (Par) and 'Illegal Traffic' (Par), six days, $2,100, okay.

Colisseum (Hamrick - Evergreen) (1,900; 21-32)—'Jesse James' (20th) and 'Paris Honeymoon' (Par). Indicate big $3,800. Last week, 'Idiot's' (M-G) and 'Girl Downstairs' (M-G), $2,300, slow.

Fifth Avenue (Hamrick - Evergreen) (2,349; 32-37-42)—'Princess' (20th) and 'Fast Loose' (M-G). Anticipate good $6,500. Last week, 'Love Affair' (RKO) and 'Man Votes' (RKO) second week, $5,000, good.

Music Box (Hamrick-Evergreen) (850; 32-37-42)—'Daughter' (GFN). Expect swell $4,500. Last week, 'Pygmalion' (M-G) (5th wk), wound up dandy run with $2,000, good.

Orpheum (Hamrick - Evergreen) (2,800; 32-37-42)—'Dodge City' (WB) and 'Winner Take All' (20th). Big campaign started early. Looks to land around $9,000, immense. Last week, 'Missouri' (Par) and 'Pacific Liner' (RKO), $4,700, okay.

Paramount (Sterling) (1,350; 16-27-37-42)—'Gambling Ship' (U) and 'Cipher Bureau' (GN), dual, plus Bower ams. Great $5,800. Last week, 'Newsboys Home' (U) and 'Last Express' (U), dual and vaude, good $4,200.

Paramount (Hamrick - Evergreen) (3,939; 32-37-42)—'3 Smart Girls' (U) and 'Society Smugglers' (U) (2d week). Looking for $4,600, good. Last week, same films, great $8,200.

Roosevelt (Sterling) (800; 21-32)—'Old Barn Dance' (WB) and 'Devil's Island' (WB). Expect big $2,700. Last week, 'Made Me Criminal' (WB) and 'Going Places' (WB), slow $1,900.

'Dodge' Big 24G, Martin-Garfield N.G. $17,500, Pitt

Pittsburgh, April 11.

Easter week bringing a few smiles back to the Golden Triangle, but curiously enough, the boom isn't general. In spots, it's always been a hot session for everybody. This year only a few of them are sharing the spoils.

'Dodge City' is far and away the smash of the week, heading Pen for one of year's top grosses and a cinch to hold over at the Warner, while 'Three Smart Girls Grow Up' is pulling the Alvin back into top brackets again and sticks for another seven-day stretch. Third b. o. will be Fulton's 'East Side of Heaven,' holding nicely in stiff competition and getting real coin for this spot.

Collection of 'Blackwell's Island' and Tony Martin in person is big disappointment at Stanley, and reissue of 'Snow White' is also taking it on chin at Senator.

Estimates for This Week

Alvin (Harris) (1,850; 25-35-50)—'Small Girls' (U). Spotty but getting enough big days right on the heels of slow ones to insure first-rate $13,300 and n. o. That's a couple of grand over first-run grosses for last couple of Durbin pix. Last week, 'Sweethearts' (20th), good at $12,000 for eight days during Holy Week.

Fulton (Shea-Hyde) (1,750; 25-40)—'East Side Heaven' (U). Got a bad break than most of new product, because management held up opening until after Holy Week, shooting Crosby flicker Saturday (8). Heading for nice $7,700, plenty respectable at this spot, and good for at least second week. Last week, reissues of 'Lost Patrol' (RKO) and 'Star Midnight' (RKO) reissued, pleasant surprise at $4,600 in 10 days.

Penn (Loew's-UA) (3,300; 25-35-50)—'Dodge City' (WB). Super weren't even topping everything in town by a wide margin. Should have no trouble knocking down $24,000 and may even go above that on curried hot petus. That means it goes to the Warner Friday (14). Last week, 'Hell's Heels' (M-G), beat down Holy Week barrier to finish strong at $14,750, way better than anticipated.

Senator (Harris) (1,800; 25-40)—'Snow White' (RKO). Lot was expected from reissue of Disney classic, but it's not coming through. There won't be more than $2,500 in the till at the finish. Last week, 'Hurricane' (RKO) reissue, 'Navy Secrets' (Mono) and 'No Man of Her Own' (Par), latter two dividing seven days, just another session at $1,800.

Stanley (WB) (3,600; 25-35-60)—'Blackwell' (WB) and Tony Martin on stage. Nice notices for this combo and great expectations, too, on strength of Martin's corking $26,000 last time around about a year ago. However, nothing like it in sight this time and plenty disappointing at $17,500, especially for holiday week. Last week, 'Ice Follies' (M-G) and Bowes' 'World's Fair Revue,' poor $14,500.

Warner (WB) (2,000; 25-35-50)—'Huck Finn' (M-G). Shoved in here at last minute when Fulton called decision, and as result got away to slow start. Picking up nicely, however, and should have no trouble grabbing $6,000. Last week, Saint Strikes Back' (RKO) and 'Secret Service of Air' (WB), very poor $2,600 in eight days.

Key City Grosses

Estimated Total Gross
This Week.....$1,837,500
(Based on 24 cities, 147 theatres, chiefly first runs, including N.Y.)
Total Gross Same Week.....
Last Year.....$1,290,000
(Based on 23 cities, 180 theatres)

'CASTLES' LUSH $9,000 IN OK K.C.

Kansas City, April 11.

Trend for the week is to single bills, with noticeably better product in every house. Four of the major first-runs are competing this week, against four duals last week. Tower and Midland stick to their set policy of duals.

'Dodge City,' at Newman and 'Story of Irene and Vernon Castle,' at Orpheum, are outstanding, as is 'Three Smart Girls Grow Up' at the Uptown, although it has some room to go in the day-and-date Esquire situation. Duals are likewise showing pleasing returns, and total along theatre row is up markedly over the past week.

Estimates for This Week

Esquire and Uptown (Fox-Midwest) (820 and 1,200; 10-25-40)—'Three Smart Girls' (U) returns these sister houses to their former day-and-date policy. Film going strong at Uptown and beating average at Esquire. Combo headed for $7,500, with Uptown by far the stronger half. Last week, 'Baskervilles' (20th), fair $3,000 at Uptown, and 'Pygmalion' (M-G) closed threeweek, subsequent-run at Esquire with satisfactory $1,800.

Midland (Loew's) (3,573; 10-25-40)—'Broadway Serenade' (M-G) and 'Blondie Boss' (Col). MacDonald-Ayres film ably supported by comic strip characters and house up over past few weeks. Looks for $10,000, fair. Last week, 'Fast Loose' (M-G) and 'Four Girls' (M-G), so-so $8,500.

Newman (Par) (1,900; 10-25-40)—'Dodge City' (WB). Opened Wednesday (5) and $11,500 in sight, top figure here. Holds over. Last week, 'Never Die' (WB) and 'Eagle Hawk' (Par) (reissue), moved out after six slow days, $4,600.

Orpheum (RKO) (1,500; 10-25-40)—'The Story of Irene' (RKO). Looks set for extended run; $9,000 looks n. Holds. Last week, 'Blackwell' (WB) and 'Fisherman's Wharf' (RKO), slow $4,800.

Tower (Fox Midwest) (2,050; 10-25-40)—'Graham Bell' (20th). One and 'Everybody's Baby' (20th). One of this house's better weeks on straight films, $7,200. Last week, 'Baskervilles' (20th) and 'Family Door' (U), $5,600, slow.

'CASTLES' RICH 7½G IN INDPLS.

Indianapolis, April 11.

Improvement is noted at the first-runs, with stronger attractions being offered to Easter week showgoers. The straight film houses in the downtown sector are sharing business on virtually an equal footing, with profit in prospect for 'Dodge City,' at Circle, 'Story of Vernon and Irene Castle,' at Indiana, and the dual of 'Broadway Serenade' and 'Lone Wolf Spy Hunt' at Loew's.

The vaudfilm Lyric is registering the top gross and garners a comfortable margin of profit on 'Hound of Baskervilles' and Orrin Tucker's orchestra. Revival of 'Eagle and Hawk,' at Apollo, on a dual with 'One-Third of Nation' is not doing much.

Estimates for This Week

Apollo (Katz-Dolle) (1,100; 25-30-40)—'Eagle Hawk' (Par) (revival) and 'One-Third Nation' (Par). Former pic and its cast stressed in ads, but results are mild at $2,500. Last week, 'Three Smart Girls' (U) and 'Beauty Asking' (RKO), in moveover session from Indiana, $2,700, fair.

Circle (Katz-Dolle) (2,600; 25-30-40)—'Dodge City' (WB). Back to single features after three poor weeks with vaudfilms. Sturdy $7,300. Last week, 'Winner All' (20th) and John Boles unit on stage, was in the red plenty at $7,800.

Indiana (Katz-Dolle) (3,100; 25-30-40)—'Castles' (RKO). Single bill policy after string of twin bills. Hitting the ball at $7,500. Last week, fair $5,700 on dual of 'Midnight' (Par) and 'King Chinatown' (Par).

Loew's (Loew's) (2,400; 25-30-40)—'Broadway Serenade' (M-G) and 'Lone Wolf' (Col). MacDonald film given strong ad campaign and results are good at $7,100. Last week, 'Fast Loose' (M-G) and 'Four Girls' (M-G) poor $4,700.

Lyric (Olson) (1,900; 25-30-40) — 'Baskervilles' (20th) and Orrin Tucker band on stage. Latter played over the pic because of Tucker's radio time from Chicago in recent months. Tenacity take at $10,500. Last week, 'Oklahoma Kid' (WB) and vaude headlining Hoagy Carmichael, surmounted Holy week obstacles to finish with okay $10,300.

'Serenade' Sour 8G, but 'Castles' Big 9G in Cincy

Cincinnati, April 11.

Liberal release of fresh product and Easter Week are hatching sweet b.o. chirps, by and large, in cinema circuit.

Loudest peep is from 'Dodge City,' which has the Albee reeking up its biggest number for some weeks. 'Story of Vernon and Irene Castle' is the place marker and it will hold indefinitely at the Shubert. 'Sergeant Madden,' at Keith's, and 'Blondie Meets the Boss,' at Lyric, are above-par trade-bringers. 'Broadway Serenade' is off stride for the Palace.

Estimates for This Week

Albee (RKO) (3,300; 35-42) — 'Dodge City' (WB). Big $15,000. Last week, 'Ice Follies' (M-G), fair $9,000.

Capitol (RKO) (2,000; 35-42) — 'Three Smart Girls' (U) (2d run) (2d wk.). Good $4,000 following nice $5,000 last week.

Family (RKO) (1,000; 20-30) — 'Trouble Sundown' (RKO) and 'Mystery Plane' (Mono), split with 'Let Live' (Col) and 'Mexicali Rose' (Rep). Good $2,400. Last week, 'Convict' (Rep) and 'Society Smugglers' (U), split with 'Torchy Blane' (WB) and 'Whispering Enemies' (Col), so-so $2,000.

Grand (RKO) (1,200; 25-40)—'Wife, Husband' (Par). Moveover from Palace. No dice at $2,000. Last week, 'Love Affair' (RKO) (3d run), fair $2,600.

Keith's (Libson) (1,500; 35-42)—'Madden' (M-G). Swell $5,500. Last week, 'Cuban Cyclone' (Par), $3,000.

Lyric (RKO) (1,400; 35-42) — 'Blondie Boss' (Col). Okay $4,000. Last week reissues of 'Star Midnight' (RKO) and 'Lost Patrol' (RKO), good $4,000.

Palace (RKO) (2,600; 35-42) — 'Broadway Serenade' (M-G). Sour $8,000. Last week, 'Wife, Husband' (20th), fair $8,500.

Shubert (RKO) (2,150; 35-42) — 'Castles' (RKO). Dandy $9,000. Will hold indef. Last week, 'Man Votes' (RKO), all right $4,500.

'Dodge' Fit 7½G, Pacing Port.; 'Heaven' Nice 5G

Portland, Ore., April 11.

'Dodge City' is terrific at the Paramount, cueing them into the big week-end at the start. It looks set for a long run.

Two other winners are 'East Side of Heaven,' at Broadway, and 'Three Smart Girls Grow Up,' at UA.

Estimates for This Week

Broadway (Parker) (2,000; 30-35-40)—'East Side Heaven' (U) and 'Culver' (U). Answering to exploitation for good $5,000. Last week, 'Daughter' (WB) and 'Newsboys' Home' (U), closed second week strong at $4,700. First connected for big $6,000.

Mayfair (Parker-Evergreen) (1,500; 30-35-40)—'Pygmalion' (M-G) (4th wk). Good $2,500, following three weeks at UA. Last week, 'Stagecoach' (UA) and 'Star Midnight' (RKO), ended four-week run with okay $2,200.

Orpheum (Hamrick - Evergreen) (1,800; 30-35-40)—'Missouri' (Par) and 'Ambush' (Par). Good enough

Broadway Grosses

Estimated Total Gross
This Week.....$344,000
(Based on 12 theatres)
Total Gross Same Week
Last Year.....$278,900
(Based on 12 theatres)

'Dodge City's' $29,500, 'Castles' 26G Top L. A. Easter Fare, 'Huckleberry' $18,700, 'Missouri,' $7,000, Both N. G.

Los Angeles, April 11.

First runs are well fortified with screen fare for Easter week, but ran afoul of extreme heat over the weekend, and most suffered accordingly. Town's leaders are 'Dodge City,' being soloed at WB Downtown and Hollywood, and 'Vernon and Irene Castle,' day-dating at the Pantages and RKO.

'Huckleberry Finn' at State-Chinese is bringing fair combined gross, with Paramount, with 'Missouri' from Missouri' will have hardest row to hoe.

Estimates for This Week

Chinese (Grauman-F-WC) (2,024; 30-40-55-75)—'Huck Finn' (MG) and 'Burn Down Town' (MG) dual. Extreme heat offset usual attendance account Holy Week school vacation and best in sight is poor $7,200. Last week, 'Tailspin' (20th) and 'Musketeers' (20th), $9,700.

Downtown (WB) (1,800; 30-40-55-85)—'Dodge City' (WB). Took the town by storm and hung up heaviest opening day gross at regular prices in memory, looks like $15,000 first week. Last week, 'Blackwell's Island' (WB) and 'Wife's Relatives' (Rep), $7,400.

Four Star (F-WC-UA) (900; 40-55)—'Prison Without Bars' (UA). Came in day before Easter with first week probable $3,700. Last week, 'Lady Vanishes' (GB) three days of third week, $500.

Hollywood (WB) (2,756; 30-40-55-85)—'Dodge City' (WB). Will hit very big $14,500 first seven days. Last week, 'Blackwell's Island' (WB) and 'Wife's Relatives' (Rep), fair $6,400.

Orpheum (B'dway) (2,280; 25-30-35-40)—'Trouble in Sundown' (RKO) and 'Fisherman's Wharf' (RKO) dual and vaudevillers. Cashed in last three days on Easter holiday biz for okay $8,000. Last week, second runs.

Pantages (Par) (2,812; 30-40-55)—'Castles' (RKO) and 'Blondie Meets Boss' (RKO) dual. Despite Holy Week business first week should finish with healthy $14,000. Last week, 'Love Affair' (RKO) third week, and 'Spirit Culver' (U), held exceptionally strong for very good $8,000.

Paramount (Par) (3,595; 30-40-55)—'Missouri' (Par) and stage show. Brutal $7,000 and yanked in five days. 'Eagle and Hawk' (Par) (reissue) replaced today (Tuesday). Last week, 'Spirit' (Par) (2d wk.), topped $12,000 as expected.

RKO (2,872; 30-40-55) — 'Castles' (RKO) and 'Blondie Meets Boss' (RKO) dual. One of two downtown leaders and should bring neat $12,000 on initial seven days. Last week, third week of 'Love Affair' (RKO) with 'Culver' (U) very good $7,000.

State (Loew-Fox) (2,414; 30-40-55)—'Huck Finn' (MG) and 'Burn O'Connor' (MG), dual. Failing to profit materially with kid attendance during pre-Easter holiday so $11,500 the answer. Last week, 'Tailspin' (20th) and 'Musketeers' (20th) betered expectations with OK $13,100.

Warner (WB) (2,102; 30-40-55) — 'Tailspin' (20th) and 'Musketeers' (20th) dual. Moveover not quite up to expectations. 'Ice Follies' (MG) and 'Fast, Loose' (MG) very bad $2,100.

Wilshire (F-WC) (2,296; 30-40-55-85)—'Tailspin' (20th) and 'Musketeers' (20th) dual. Easter failed to help this pair on moveover with holdover from Warner. Last week, 'Ice Follies' (MG) and 'Fast, Loose' (MG) n.sh. $4,400.

Hardy Family Grows

Hollywood, April 11.

Five players were added to the Hardy Family cast when 'Andy Hardy Gets Spring Fever' rolled yesterday (Mon.) at Metro.

Additions are likely to remain as permanent fixtures in future editions of the serial.

$4,000. Last week, 'Oklahoma Kid' (WB) and 'Beauty Asking' (RKO), okay $4,200.

Paramount (Hamrick - Evergreen) (3,000; 30-35-40)—'Dodge City' (WB) and 'Flying Irishman' (RKO). Great $7,500 and will hold. Last week, 'Love Affair' (RKO) (2d wk) with 'Everybody's Baby' (20th) (1st wk), fair $4,300.

Rivoli (Indie) (1,100; 20-25)—'Dr. Ehrlich's Magic Bullet' (Par) and 'Fate' (M-G) (revivals). Okay $1,600. Last week, 'Crooked Mile' (Par) and 'Alcatraz' (WB) four days at $1,400, following three of 'If King' (Par) and 'Thanks Memory' (Par), fair $800.

United Artists (Parker) (1,000; 30-35-40)—'Three Smart Girls' (U) and 'Risky Business' (U). Strong $4,000. Last week, 'Prisoner of Zenda' (U) closed third week nicely at $3,500. First two weeks totaled good $9,300.

MONEY PICTURES WHEN YOU NEED

PARAMOUNT

GOT 'EM.

HEM MOST FOR APRIL, MAY, JUNE, JULY, AUGUST

15

S BIG ONES

IN FIVE

MONTHS

Paramount Pictures

(3 A MONTH) →

LOOK AT T

"It's just about the best comedy ever caught by the camera," says Motion Picture Daily. "Better, than 'It Happened One Night'," reads audience comments. And the figures speak for themselves: Miami 134%, Boston 110%, Worcester 121%, Hartford 122%, New Haven 140%.

A Great New Name Combination!

Claudette Colbert
Don Ameche in

"MIDNIGHT"

with

John BARRYMORE · Francis LEDERER
Mary ASTOR · Elaine BARRIE

Down to earth, homespun, grass roots comedian Bob Burns, as Hollywood Reporter says "Clinches star niche" with this big time hit. Picture beating "Arkansas Traveler" grosses everywhere. Doubled average business in Kansas City terrific first week, smash second week at New York Paramount. Figures show show-me showmen "I'm From Missouri" means business everywhere.

From wire to wire this is the fastest racing yarn the screen has seen this year. Delivered just at the time racing interest is at fever pitch... Kentucky Derby time. "The Lady's From Kentucky" is a box office wonder all the way. George Raft has perfect part as race track gambler. Ellen Drew takes her first star role as you knew she would.

The Year's Best Racing Picture!

GEORGE RAFT
and ELLEN DREW
in

"THE LADY'S from KENTUCKY"

with

HUGH HERBERT · ZASU PITTS

Directed by ALEXANDER HALL

Terrific entertainment topping even Jack's famous "Big Broadcast of 1937." Four "Hit Parade" songs ("Strange Enchantment", "That Sentimental Sandwich", "Bridgety Joe" and "Man About Town"), a million laughs, fastest-moving, tight-knit story that moves to an uproarious climax and a marquee-great cast. We will come out flatly and say it is the best picture of the spring.

The screen's most poignant and exciting actress in the picture which is the screen sensation of the London season . . . Ten capacity weeks first run and still going strong. London critics have heaped such praise on this picture as no other has received in months. Picture due to be talk of country. Every woman will want to see what few women have dared to do . . . Steal another's life and love.

A Great Women's Picture

ORION PRODUCTIONS LIMITED

ELISABETH BERGNER
and
MICHAEL REDGRAVE
in

"STOLEN LIFE"

Produced and Directed by PAUL CZINNER

A Paramount Release

Hard punching, true-to-life, realism in-the-raw melodrama. Master Director William K. Howard's greatest triumph. As Hollywood Reporter says: "'Back Door To Heaven' hits as box office melodrama. Strong cast turns in memorable performance. Enthralling dramatic continuity is liberally interspersed with good comedy and a number of songs destined to rank high in hit parade"

HIS LINEUP

America's Favorite Humorist!

BOB BURNS

in

"I'M FROM MISSOURI"

with GLADYS GEORGE · Gene Lockhart

Judith Barrett · William Henry · Patricia Morison

Pre-sold to millions!!! Sold over the air on the Lux program. Sold in huge $150,000 advertising campaign. Sold by Cecil B. DeMille "Union Pacific" All-Star train, in 50-city coast-to-coast tour. Sold in gigantic, unsurpassed three-day world premiere celebration in Omaha, Neb.... 350,000 participants, 60,000 in costume. Five national broadcasts. Wire service and coverage to all points.

The Greatest American Epic!

Cecil B. DeMille's "UNION PACIFIC"

starring

Barbara STANWYCK · Joel McCREA

with

Akim Tamiroff · Robert Preston · Lynne Overman

Brian Donlevy and a cast of thousands

Jack Benny's Best

JACK BENNY
DOROTHY LAMOUR
EDWARD ARNOLD

in

"MAN ABOUT TOWN"

with

Binnie Barnes · Phil Harris · Betty Grable

Eddie "Rochester" Anderson · E. E. Clive

and Matty Malneck and His Orchestra

It's very title makes the customers titter in anticipation. This is the "different" picture they are all looking for. Gracie and Philo Vance doing some side-by-side sleuthing deep in a dark purple mystery. S. S. Van Dine's "The Gracie Allen Murder Case" as a book is one of the best sellers of the season. The picture is going to get a big break on the air on the Chesterfield program.

Year's Funniest "Who Dun It?"

S. S. Van Dine's

"THE GRACIE ALLEN MURDER CASE"

with

GRACIE ALLEN · WARREN WILLIAM · ELLEN DREW · KENT TAYLOR · DONALD MacBRIDE

A Great Emotional Drama

BERNARD STEELE

presents

"BACK DOOR TO HEAVEN"

with

WALLACE FORD · PATRICIA ELLIS

STUART ERWIN · ALINE McMAHON

The two great stars both achieved their top performances under Wesley Ruggles' direction—MacMurray in "Sing You Sinners" and Dunne in "Cimarron". They even surpass those performances in this one. Sneak previews show audiences swept from uproarious laughter, to terrific excitement, to tears. A Wesley Ruggles picture is always a hit, as is witnessed by his "Sing You Sinners", "I Met Him in Paris".

Wesley Ruggles' Best Picture

IRENE DUNNE
FRED MacMURRAY

"INVITATION TO HAPPINESS"

Tentative Title

with CHARLIE RUGGLES

Produced and Directed by

WESLEY RUGGLES

ONE HIT AFT

Here is the first chance that Tamiroff has had to really get to town as he does his great impersonation which is the impersonation of a dictator. This picture has a facade that hasn't been done in pictures for a long time—Central America. A fast-moving, exciting Richard Harding Davis type of picture.

Bob's Best

"The MAGNIFICENT FRAUD"

Akim Tamiroff · Lloyd Nolan
Mary Boland · Patricia Morison

Here is a role that fits Bob like a glove, tailor-made for him by the great Irvin Cobb. A dramatic story of exile and struggle between radicals, fascists, left and right wingers in a typical American town with Bob getting into the middle, stopping the fight and showing them the way to go home. A motion picture with great force—just the kind to keep those home fires burning.

Bing in his strongest vehicle—the thrilling, true-to-life story of Broadway's greatest character—the Star Maker—who wrote hit songs, turned kids into top stars. An "Alexander's Ragtime Band" type of picture with an appeal to youth—with new songs and old faces and old songs and new faces. Bing will introduce a new find, Linda Ware, the beautiful girl who can hit a note so many pegs above high "C" it'll have you breathless.

Bing's Best

BING CROSBY

"THE STAR MAKER"

with an all-star supporting cast including Louise Campbell and Linda Ware

A Charles R. Rogers Production

Directed by Roy Del Ruth

The "Grand Hotel" of the front lines. Introduces the most publicized newscaster to the films in years. More than a million lines in movies and photographs already run in newspapers and magazines the country over on this glamorous new personality. "Hotel Imperial" gets extra punch from fact. It's a dramatic story of Campaña-Ukraine, released right at time Nazi operations there make that territory front page news.

And don't forget PARAMOUNT'S

GREAT SHORT SUBJECT PROGRAM

including Max Fleischer's Popeyes, Betty Boops, Paramount Paragraphics, Popular Science (in full color), Color Cruises, Grantland Rice Sportlights, Paramount News . . . and that wonderful two-reeler in Technicolor, "Aladdin and His Wonderful Lamp", starring one-and-only Popeye.

All in addition to

PARAMOUNT'S BREAD AND BUTTER PICTURES

Sure-fire money makers

Paramount Pictures

ER ANOTHER!

Bob Burns Best

BOB BURNS

"OUR LEADING CITIZEN"

Directed by

AL SANTELL

Here's a picture that'll have them dancing in the aisles. The "Thanks for the Memory" duo are hotter than ever, Bob rapidly becoming radio's No. 1 comedian and Shirley fresh from a series of personal appearances. Krupa and his band, now on a coast-to-coast tour, are packing the nation's youth in thousands for their dance appearances. Two unbeatable tunes, "The Lady's In Love With You" and "Some Like It Hot".

They'll Dance in the Aisles

BOB HOPE · SHIRLEY ROSS

GENE KRUPA and His Orchestra

"SOME LIKE IT HOT"

with

Una Merkel · Rufe Davis

Timely War Drama

Isa Miranda · Ray Milland

"HOTEL IMPERIAL"

with

Reginald Owen · Gene Lockhart

J. Carrol Naish · Curt Bois

and Don Cossack Chorus

Directed by ROBERT FLOREY

Rowdy, boisterous, loaded with merriment . . . The punch laugh hit of the Spring season. "Chalk up another hit for Martha Raye and Bob Hope", says Jimmie Fidler. "Sure fire for laughs", says Motion Picture Daily. "Outstanding Comedy", says Box Office Digest. "A procession of hilarious gags", says Film Daily.

A Belly-Laugh Panic

MARTHA RAYE · BOB HOPE

"NEVER SAY DIE"

with

ANDY DEVINE · ALAN MOWBRAY

GALE SONDERGAARD · ERNEST COSSART

Directed by ELIOT NUGENT

IT'S THE LAST 5 MONTHS THAT COUNT!

DODGE CITY

(IN COLOR)

Warner Bros. release of Robert Lord production. Stars Errol Flynn; features Olivia de Havilland, Ann Sheridan. Directed by Michael Curtiz. Original and screenplay, Robert Buckner; story, Max Siller; Technicolor camera, Sol Polito, Ray Rennahan; dialog director, Jo Graham; asst. director, Amy; special effects, Byron Haskin, Rex Wimpy; music, Louis F. Forbstein. Rialto, N. Y., week April 7, '39. Running time, 102 MINS.

Wade Hatton	Errol Flynn
Abbie	Olivia De Havilland
Rusty	Ann Sheridan
Jeff Surrett	Bruce Cabot
Joe Clements	Frank McHugh
Rusty Harper	Alan Hale
Matt Cole	John Litel
Jim Taylor	Henry Travers
Col. Dodge	Henry O'Neill
Yancey	Victor Jory
Kerrigan	William Lundigan
Tex Rutledge	Guinn Williams
Hurry Cole	Bobs Watson
Mrs. Cole	Gloria Holden
Mrs. Trimble	Douglas Fowley
Mrs. Kirkpatrick	Georgia Caine
Burrett's Lawyer	Charles Halton
Bud Taylor	Walter Brennan
Mrs. McCoy	Cora Witherspoon
Orth	Russell Simpson
Barlow	Monte Blue

'Dodge City' is a lusty western, packed with action, including some of the dandiest melee stuff screened, superbly lensed in Technicolor, and with Errol Flynn, Olivia de Havilland and Ann Sheridan topping a sturdy cast. Plot structure is not altogether original but production values and general size and scope impress this western for strong box-office. It will please right down the line.

Falling in the cycle of pioneering and American frontier days, 'Dodge City' (Kansas) is essentially a bad man-and-honest-sheriff story. However, the production embellishments and Michael Curtiz's forceful direction lifts this into the big league division.

Flynn is a soldier of fortune, which explains his slipped loyalty between Brogue as a Texas cattleman, transplanted to this Kansas frontier. Individual for the romance interest, and Ann Sheridan as the dancehall girl rounds out the top marquee names.

However, the support is equally worthy is not sometimes outstanding stars. Bruce Cabot and Victor Jory are a corking pair of menaces, the latter particularly strong as a villain. Hale and Guinn ('Big Boy') Williams are robust allies of our hero; Frank McHugh is fearless as ever as the local community paper. He, too, meets assassination as reward for crusading on the side of the law and order. Henry Travers as the kindly medico; Henry O'Neill as Col. Dodge whose name was lent to the new railroad terminus, that was later to become so vivid a shipping center for livestock from the southwest; and John Litel, William Lundigan and Bobs Watson, latter a cute young-star, round out.

Cabot's gambling saloon effectively typifies all the wickedness of the lawlessness that was Dodge City, and the basic excuse for Flynn's ultimate taking over of the sheriff's post. The street fighting, free-for-all gunplay, wide-open licentiousness and the skulduggery having to do with cattle buying typify the lusty atmosphere that backgrounds this actioner.

Besides the topnotch Technicolor lensing by Sol Polito and Ray Rennahan, other production niceties by a corking score by Max Steiner. Robert Buckner's screen original moves vigorously and director Curtiz hasn't stinted anybody or anything. When he wants a brawl, it's a real brawl, 'em-down-drag-'em-out. The knavery is rampant and the two-fisted action wide open. He's captured all the atmosphere in great style. It's rough, tough melter, socko for b. o. results. Abel.

East Side of Heaven

(WITH SONGS)

Universal production and release. Stars Bing Crosby and Joan Blondell. Directed by David Butler. Screenplay by Jack Cunningham. Original story by David Butler and Herbert Fields. Camera, Charles Robinson; asst. director, Joseph A. McDonough; songs, James V. Monaco and Johnny Burke. Previewed at Alexander's Glendale, April 4, '39. Running time, 85 MINS.

Denny	Bing Crosby
Mary	Joan Blondell
Vicky	Mischa Auer
Mona	Irene Hervey
Cyrus Hewett, Sr.	Walter Catlett
Cyrus Hewett, Jr.	Robert Kent
Cupidus DeVille	Jerome Cowan
Baby	Baby Rose Marie
Mrs. Kelly	Jane Darwell
Singing Cowboys	Rose Valyda, Ken Carson
Chef	Jack Powell
Waiter	The Jivin' Molds
Matty Malneck and His Orchestra.	

'East Side of Heaven' is a grand package of entertainment that will play a merry tune at the b. o. Carries plenty of audience appeal to effect favorable word-of-mouth. Picture will attract good biz in the keys, with advance for some deluxe week due to click for healthy takes in the nabes and smaller towns.

Picture is Bing Crosby's outside feature for 1938, allowed him under his Paramount contract. Star is one of the few in the business willing to toss his own coin into productions to get a shot at a cut of the profits. In present instance, understood Crosby put up services and money to equal Universal's ante, and split is even all through. Star took a nice profit on a similar deal with Columbia two years back.

Despite his financial interests, Crosby gives support plenty of work and opportunity for some fat lines and situations. Result is a nicely molded piece of light entertainment, long on the comedy and human interest, sides, with Crosby the dominant factor throughout.

A 10-month-old baby, Lee Henville, who is one of the cast sheet as Sandy, gives the picture its main motivation and a walloping human interest. Youngster is a cute and chubby romper, caught by the camera in baby poses and maneuvers that sparkle all the way. For a baby of that age, it's one of the finest spottings in many a moons. General naturalness of the kid—with cute smile, inquisitiveness when required, and reactions when needed—strays the audience in direction and a swell job of cutting and camera closeups. Naturally, Crosby is in the spotlight throughout, she has the spotlight acquired, but stunt is not overdone.

Story is rather light in general setup, but long on entertaining appeal and brightness. Crosby, a singing messenger and later a taxi driver, has the baby dropped into his lap while the mother goes on search for her husband. Roommates Crosby and Mischa Auer take care of the youngster, but are in hot water when they discover the rich grandfather has the same searching for it. Joan Blondell, Crosby's fiancee, steps in to help the boys, with plenty of excitement generated until the crosses finally show up to set everything right.

Picture is smartly paced, hitting a nice tempo at the start and rolling merrily to the finish. Dialog is fresh and breezy. Auer gives the picture with many standout laughlines. Script by William Conselman is slightly hurt, while Joseph Butler's direction catches the human interest values without straining.

Five songs by Monaco and Burke are handled competently by Crosby, all good, and all with a chance for good attention. Best bet in the song category, 'East Side of Heaven,' 'Sing a Song of Sunbeams,' and 'That Sly Old Gentleman.' Jerry Cowan's work on a Hickory Limb' serves for a moderate production number that is effective without being elaborate.

Back Door to Heaven

(WITH SONGS)

Paramount release of Odessa production. Produced and directed by William K. Howard. Stars Wallace Ford, Aline MacMahon, Stuart Erwin, Patricia Ellis, Bert Frohman, Jimmy Lydon, Beverly Roberts, John Bright and Robert Tasker, from original story by Paul Gallico; production manager and associate producer, Johnny Walker; camera, Hal Mohr; asst. director, Harold Godsoe; editor, Jack Murray, Previewed at Paramount, Hollywood, April 3, '39. Running time: 81 MINS.

Mike Williams	Aline McMahon
Frankie	Jimmy Lydon
Pop	Wallace Ford
Mr. Rogers	William Harrigan
Mrs. Rogers	Jane Darwell
Rudolph Herring	Robert Willcack
Charley Smith	Billy Mahoney
Bob Hale	Kenneth LeRoy
John Shelley	Raymond Bond
Sheriff Kramer	Al Webster
Truant School Superintendent	Charles Lane
Frankie	Wallace Ford
Jed	Stuart Erwin
The Mouse	Bert Frohman
Mrs. Shelley	Kay Sutton
Charley Smith	Bruce Evans
Hale	Kenneth LeRoy
Wallace Kimber	Doug McMullen
Mrs. Kimber	Helen Ellsworth
George Spelvin	Robert Vivian
Penitentiary Warden	Harry Davenport
Sugar	Irle Adrian
Mr. Hamilton	Georgette Harvey

'Back Door to Heaven' is a dramatic preachment that will appeal to orate attention from the 'arty' and carriage trade, but general audiences will find it to slow. B.o. prospects decidedly limited.

As director and author of the original. Howard also drops into the cast for a brief spell as prosecuting attorney for the juvenile court.

Picture gets off to a slow pace, with probe running about 18 minutes before it gets into motion for the story. Reduced to half that footage, prolog would allow picture to get going quickly. Story covers the brief but full life of Wallace Ford, born on the wrong side of the tracks and handicapped by surroundings of his childhood. Tracing his path through reform school, county jail and a five-year stretch in the penitentiary, Ford determines to go straight on his release. Innocently involved in a holdup and murder, he escapes the death-house to return home to his home town for reunion of his grammar school days. Boy is hounded off by pursuers shortly thereafter.

Little lightness is injected for contrast in the tragic drama, yet Howard etches his characters and situations slowly and deliberately, which will give some entertainment factors. Story has several weak spots. Boy is railroaded-to the chair without proper defense which is established in previous sequences. Just how he could escape from the prison to the death house on the eve of his execution will also leave audiences wondering.

Wallace Ford presents a fine and vigorous characterization of the boy who tried hard to go straight, but continually encountered bad breaks. Aline McMahon is nicely spotted as the kindly and sympathetic schoolmarm. Stuart Erwin and Bert Frohman are Ford's prison buddies, while Patricia Ellis is okay for romantic interest. Jimmy Lydon, young Jimmy Lydon is the best.

Three songs are presented, one in a pop night spot by Bert Frohman, who sells it effectively. Other two are torch tunes delivered by Miss Ellis.

Miniature Reviews

'Dodge City' (WB). Good western actioner, in Technicolor. Strong b.o. right down the line.

'East Side of Heaven' (U). Bing Crosby's latest suggests healthy business for all spots.

'Back Door to Heaven' (Par). Artistic drama by heavy and slow tempoed for general b.o.

'The Lady's From Kentucky' (Par). Mildly interesting programmer of horseracing and breeding.

'Within the Law' (M-G). Fourth film version of stage melodrama, with no names to help gripping yarn; strong dualer.

'Mystery of Mr. Wong' (Mono). Detective thriller that will get by satisfactorily. Boris Karloff tops cast.

'Man of Conquest' (Rep). Ambitious western about the life of Sam Houston and the early history of Texas.

The Lady's from Kentucky

Paramount release of Jeff Lazarus production. Stars George Raft and Ellen Drew. Directed by Eugene Forde. Screenplay by Malcolm Stuart Boylan. Based on story by Damon Runyon. Camera, Theodor Sparkuhl; asst. director, Joseph Lefert; editor, Paul Weatherwax. Previewed in Paramount, L. A., April 5, '39. Running time, 66 MINS.

Mary Black	George Raft
Penelope 'Penny' Hollis	Ellen Drew
Mike Donovan	Hugh Herbert
Dulcy Lee	Zasu Pitts
Clem Tripp	Louise Beavers
Sixty	Lew Payton
Jockey Watkins	Forrester Harvey
Carter	Harry Tyler
Spike Cronin	Edward J. Pawley
Pinckney Rodell	Gilbert Emery
Wilhelm	Stanley Jackson
Brewster	Jimmy Bristow
Roman Nose	Mickey O'Brien
Cantankerous	Mike Arnold
Fred	Kentucky Ham

Nominal support for the keys, and a moderate attraction for the nabes and action houses, 'The Lady's From Kentucky' starts with promise, stumbles in the middle section and drags across the line for the finish.

Story has horsercing background, displaying conflict between those who are rabid bettors and others more interested in the welfare of the equine contenders. Premise has brings bookie George Raft to the Kentucky breeding farm of Ellen Drew, who operates it in a rather synthetic and unconvincing.

Picture displays weakness in both script and story direction. Attempt to depict punitive running of Kentucky Derby on shoddy track is glaring production lapse. On the merit side is the sequence of birth of a foal at the breeding farm. It easily carries the audience along in the picture.

Raft parlays last quarter of fee for a blood transfusion into a bookie bankroll after he is discovered by a betting coup, finds one remaining asset in half interest in a two year old he once investigated, finds horse holds promise, and when it wins a juvenile stakes, Raft tries to convince partner Ellen Drew to keep racing the nag.

Girl packs horse back to her Kentucky farm, with Raft following. Ex-nabs the horse for a stake race in which he makes a killing in the betting, ruins the thoroughbred. From there on, it's the regeneration of Raft and romance with the girl.

Raft is in character early as the long shot guy, with Hugh Herbert as sidekick to provide comedy notes. Zasu Pitts is handicapped by a material provided, but does a creditable job. ZaSu Pitts is on briefly as a spinster who develops a crush on Herbert. Lew Payton is good as the stable groom, and Louise Beavers fine as the colored cook.

WITHIN THE LAW

Metro production and release. Features Ruth Hussey, Paul Kelly, Tom Neal, William Gargan, Rita Johnson. Directed by Gustav Machaty. Screenplay by Charles Lederer and Edith Fitzgerald from play by Bayard Veiller's work. Dr. William Axt, lensman, George Boemler, camera. Charles Dunn, Al Cretlow, asst. directors. April 7, '39. Running time: 63 MINS.

Mary Lawton	Ruth Hussey
Richard Gilder	Tom Neal
Jim Darwin	Paul Kelly
Casaldy	William Gargan
Lucille Eddie	Rita Johnson
Agnes	Ann Morriss
Mr. Gilder	Jonathan Hale
Jane	Lynne Carver
Princess Demarest	Shirley Blackmer
Helen Morris	Jo Ann Sayers
Jerry	John Wallace
Salesworman	Ann Morrisa

About every six or eight years Hollywood decides to make a picture version of Bayard Veiller's stage success which first was produced in New York in 1912. Initial screen production was turned out in 1917 and another allent version in 1923. The first talking picture version came in 1931—Joan Crawford's 'Paid.' Present production seems used as proving ground for several newcomers because there is no name that means much for the exhibitor's marquee. But, despite its age, 'Within the Law' has been made palatable fare with a slight modernization of the generable script. It's certain of appeal at theatres where melodrama and cops-and-robbers stuff can help on a twin array, if smartly handled.

The familiar story of Mary Turner, the innocent store clerk railroaded to three years in jail, may prove fresh to the new group of filmgoers. Scripters Charles Lederer and Edith Fitzgerald have quickened the story's pace without basically altering the core of it. The son of the store owner, who permits the employee to be sent up the river, is made head of an airplane department in the establishment and Mary Turner is pictured studying law in prison, so that when she gets out her 'get-rich-rapidly' schemes are executed just within the law. Plot sometimes weakened as the film depicts the forces of law quickly squelching the girl's revenge against the store owner.

Ruth Hussey is capital as the wronged Miss Turner, this representing her outstanding performance to date, though it is a long time since Metro grabbed her from the stage. Tom Neal, who looks like establishes her as a good picture bet. Tom Neal, as the store owner's son, is not quite up to this. His work is too juvenile and stilted to mean much.

Rita Johnson looms as a distinct potentiality for her interpretation of the wise-cracking Aggie, and Jo Ann Sayers, in a bit, also looks likely. Producers tried out Gustav Machaty, Czech director, on this picture. Use of 'Elizabeth' star, 'Ballerina' is a happy addition to Hollywood judged by his handling of Ruth Hussey and Kelly. Support, William Gargan, Paul Cavanagh, Sidney Blackmer, James Burke and Samuel S. Hinds add strong support. Wear.

Frontier Pony Express

(WITH SONGS)

Republic release of Joseph Kane production. Stars Roy Rogers. Directed by Kane. Screenplay by Norman Houston, William Nobles; editor, Gene Milford; musical director, Cy Feuer. Previewed in Projection Room, N. Y., April 7, '39. Running time: 58 MINS.

Roy Rogers	Roy Rogers
Ann	Mary Hart
Horsehoe	Raymond Hatton
Sam	Jack Rutherford
Cantrell	Noble Johnson
Cherokee	Chief Thundercloud
Brett	Donald Dillaway
Carson	William Pawley
Mrs. Murphy	Ethel Wales

Republic has come up with a better than usual western in 'Frontier Pony Express,' and coupled with the pleasant Roy Rogers and Mary Hart as the romantic interest, should do reasonably well on the duals. Direction, camera and action are good.

Story, too, exceeds the usual horse opera interest, dealing with a new angle associated with the pony express, the civil war and their effects on the Indian tribes, which have been given good treatment.

Rogers, who also takes time out for a number, sings a tenor pleasantly (using standards of the Twenties period), plays an express rider between Texas and points in the frontier. Complications develop when the Yankees and Rebel forces seek the allegiance of Cherokee Indians. Hatrix and Donald Dillaway, who plays her brother, and who is, unknown to her, a Confederate spy, become involved with Edward Keane, a southern politician, ostensibly in the employ of the Confederacy, actually a traitor who seeks the new territory for his own purposes. But with the aid of the Indians the blue and Rogers, Keane's plan is frustrated.

Mystery of Mr. Wong

Monogram release of William Lackey production. Stars Boris Karloff; features Lotus Long, Timothy Wong, Marjorie Reynolds, William Nigh. Based on magazine series by Hugh Wiley. Screenplay, Scott Darling; editor, Russell Schoengarth; camera, Harry Neumann; asst. director, Ira S. Marvin. April 8, '39. Running time, 67 MINS.

Mr. Wong	Boris Karloff
Captain Street	Grant Withers
Hale	Lotus Long
Drina	Lotus Long
Brandon Edwards	Morgan Wallace
Professor Janney	Holmes Herbert
Harrison	Frank Reynolds
Strongroof	Ivan Lebedeff
Carfelix	Hooper Atchley
Sing	Timothy Wong
	Chester Gan

Fairly engrossing murder mystery in spite of inaccurate deduction in quest of solution, dreary questioning of suspects and the inescapable conclusion that everyone is look like the cat that swallowed the mouse. On occasion the lack of action results in a tendency to become. For the Karloff followers and the detective fiction addicts, 'Mystery of Mr. Wong' is a good bet to place before them. In the proper playdates it should do all right.

Karloff is completely out of character but very effective as the Oriental sleuth, alumnus of Oxford, who gives a perplexing murder. For years he has built up as a horror character with gymnastics and a voice to suit. Here, as Wong, Karloff is more the drawing room type, carefully choosing his words and employing as fine diction as he has at his command. However, he is a compelling detective type.

Not so much can be said for the

(Continued on page 25)

STAR REPORTER

Monogram release of E. B. Derr production. Funded by Howard Breslin. Stars Russell Hopton. Features Warren Hull, Marsha Hunt. Directed by Howard Bretherton. Story and adaptation, John C. Neville; camera, Arthur Martinelli; editor, Russell Schoengarth. At Strand, B'klyn., N.Y., dual, week April 7, '39. Running time, 62 MINS.

John	Warren Hull
Marsha	Marsha Hunt
Draper	Morgan Wallace
Ruth Ellis	Lucile Fairbanks
Bunnette	Wallis Clark
Mrs. Randolph	Virginia Brissac
Ellis	Paul Fix
Gordon	Charles Lane
Ben	Eddie Acuff

This actioner is a fast moving and ingeniously wrought story of newspaper crusade against public officials linked to criminal element. Should prove acceptable as a program filler.

Marquee names are lacking and no help can be expected from production. Cast of minor values which do not stand out sufficiently to matter.

Unprofessional handling of the newspaper business surrounds the production. Consequently, diverse plot with its multiple criss-crossings which provide suspense and interest until final climax, suffers from incredulity. Picture is typical of Monogram product, which shows indifferent or careless attention to research, detail and story preparation, and keep them from going flat.

Warren Hull and Marsha Hunt are the leading boy and girl. Hull's part is the more important. That he is not entirely convincing is beyond his control for he gives the role everything it requires, the result of story deficiencies. Marsha Hunt has looks and ability but she gains no further distinction in the part assigned her in this film as her opportunities to shine are also limited and her appearances, which dominate her importance to the proceedings.

Clay Clement as the tricky criminal lawyer; Morgan Wallace, heavy who squeals on the gang, and Paul Fix, good-looking actor, stand out as convincing performances. Their work is what makes this production acceptable. Russell Hopton as a managing editor, here again not so much his fault as the lack of production background and setting.

Son of a newspaper publisher inherits sheet after his dad is bumped off by criminal elements. Son proves to track murderers down, and pushes campaign in his paper to elect an honest city administration. Son of a newspaperman's father is brought to bay but turns the tables when corrupted, righting all wrongs when he discovers identity of his son.

Pirates of the Skies

Universal release of Barney Sarecky production. Features Kent Taylor and Rochelle Hudson. Directed by Joe Newman. Screenplay by Ben G. Kohn; camera, Jerry Ash; editor, Ray Snyder. At Loew's State, N. Y., week April 5, '39. Running time: 60 MINS.

Dick Conlan	Kent Taylor
Ann Rochelle	Rochelle Hudson
Dr. Fairnight	Lucien Littlefield
Flying Ace	Ray Walker
Major Smith	Stanley Andrews
Kirby	Regis Toomey
Bill Lambert	Regis Toomey
Jerry Fairnight	Guy Usher
Jerry Patrick	Frank Puglia
Mechanic	Charles Wilson
Wolfram	Dorothy Arnold
Commissioner	Samuel S. Hinds
Pilot	Horace McMahon

Unimportant and unpretentious action film with slight novelty angle to differentiate it from hundreds of similar productions. Such a contrivance as this pilot's wife was never seen. No ordinary bank robbers, these. Modern and up-to-date, they hold up jewel carriers, bank messengers, use planes for getaway, spot the fly quarry by mechanical disc recording and clever use of pigeon carriers. So-so production for the bottom half of duals.

Kent Taylor and Rochelle Hudson strive hard to lift story out of medocrity. Taylor is especially effective and delivers good performance as an ex-commercial record-holder aviator, joining state police air service in order to find out his wife, who has left him. Rochelle Hudson has a minor role and doesn't shine any well in it. Her work is uninspired.

Plot is preposterous, but in a mild sort of way tells of the rivalry between state motor police and the state air police. Superiority of the state air police forces over slower mobile forces in criminal apprehension is made continually apparent until final sequence when the motor-car lads come into their own and both outfits, cooperating effectively, bring the bad boys to book.

Exteriors are mostly air field and air scenes against mountain backgrounds. Interiors are few and simply decorated. Lucien Littlefield comes nearest to walking off with the film, as leader of the gang of crooks, but Regis Toomey, Ray Walker and Stanley Andrews lend

U. S. COS. IN FOREIGN DRIVE

India Expanding Film Biz, Sending Agent to H'wood; Siam's Prod. Upbeat

Washington, April 11.

Buildup for India's motion picture industry will include the dispatching of a British representative to Hollywood to study American methods, according to a report from the American Consulate at Bombay to the Dept. of Commerce.

A new motion picture financing company has been set up in India, Department was informed, with an ambitious program for financing and servicing the film industry of India. Outfit—the Cine Finance Banking Corp. of India, Ltd.—will investigate American technical cooperation in connection with its projects and will seek to organize independent companies to handle industry problems of production, distribution, publicity, equipment purposes, etc. No direct competition with existing companies is planned, report stated.

Cine Finance Corp. has an authorized capital of $1,458,000, it was revealed. In a breakdown of India's film industry, the following figures were cited:

Gross income of the industry in 1938 amounted to $31,320,000. Indian empire has 996 picture theatres, 500 touring cinemas, 75 film companies producing 200 features annually, and 252 distributors handling Indian and imported pix.

Increasing production of motion pictures in Siam reported last week to the Department of Commerce.

Four Siamese producers and one China producer will release from 12 to 17 films this year, including at least nine sound films with Siamese dialog and several short news films, American Consulate stated. Six Chinese films will also be produced.

'Hamlet' Sponsored

Copenhagen, April 11.

John Gielgud, who has played 'Hamlet' in London and New York, will revive the character of the Melancholy Dane here this summer at Elsinore Castle, where Shakespeare laid the play's setting.

Gielgud is being sponsored by a Danish tourist association.

Current London Plays

(With Dates When Opened)

'Me and My Girl,' Victoria Palace—Dec. 16, '37.
'Room for Two,' Comedy—Sept. 6, '38.
'Dear Octopus,' Queens—Sept. 14, '38.
'The Corn Is Green,' Duchess—Sept. 20, '38.
'Quiet Wedding,' Wyndham's—Oct. 14, '38.
'Goodness, How Sad,' Vaudeville—Oct. 16, '38.
'Crest,' St. James—Nov. 22, '38.
'Under Your Hat,' Palace—Nov. 24, '38.
'Number Six,' Aldwych—Dec. 21, '38.
'They Walk Alone,' Shaftesbury—Jan. 19, '39.
'Design for Living,' Haymarket—Jan. 25, '39.
'Tony Draws a Horse,' Strand—Jan. 26, '39.
'Gas Light,' Apollo—Jan. 31, '39.
'French Without Tears,' Piccadilly—Feb. 5, '39.
'Little Ladyship,' Lyric—Feb. 7, '39.
'The Mother,' Garrick—March 3, '39.
'Robert's Wife,' Savoy—March 6, '39.
'Black and Blue,' Hippodrome—March 8, '39.
'Gate Revue,' Ambassadors—March 9, '39.
'Sugar Plum,' Criterion—March 15, '39.
'Mrs. Van Kleek,' Playhouse—March 17, '39.
'Dracula,' Winter Garden—March 20, '39.
'Johnson Over Jordan' Saville—March 21, '39.
'Family Reunion,' Westminster—March 21, '39.
'The Man in Half Moon Street,' New—March 22, '39.
'Dancing Years,' Drury Lane—March 23, '39.
'Heaven and Charing Cross,' St. Martin's—March 29, '38.

HIGH COSTS HIT PRODUCTION IN MEXICO

Mexico City, April 11.

Soaring costs constitute one of the most serious problems for Mexican film producers. One picture will be so elaborate that it is figured it will cost $60,000, a new Mexican high. Only a couple of years ago, a 'big' film could be made for as little as $20,000. That was all that the best of Mexican pictures, 'Alia en el Rancho Grande' ('Way Down on the Rancho Grande') cost. Picture returned a net profit of $400,000, considerably ahead of any other Mexican-made.

An out is seen in the practice of some producers who have working arrangements with American firms. Combo enables the Mexicans to be sure of decent money for their pictures, and the Americans of making top Spanish languages much cheaper than is possible for them back home.

Mexican picture producers and distributors have organized a national chamber here for the purpose of protecting the industry's rights and advancing the cause of domestic production.

Manuel Rivera is prez.

Rome-Berlin Film Penetration Into Argentine a Fliv

Washington, April 11.

Efforts of Germany and Italy to compete with American motion pictures in the Argentine market presented a woeful picture in a report from the office of the American Commercial Attache at Buenos Aires to the Dept. of Commerce.

Despite increased sales efforts on the part of both countries, only one film was imported from Nazi-land during the first two months of 1939 as compared with four in the corresponding period of 1938. No Italian-made features at all this year, though one film made the grade during the early part of 1938. It's the opinion of 'local trade circles' that Argentinians are not likely to become Germany-Italy film customers.

U. S. accounted for 35 out of 52 films released in Argentina during the same period; five short of last year's January-March record of 40 out of 52, but no danger of American pix being supplanted by those of other countries.

Par Quits Rumania

Paramount has shuttered its office in Bucharest, Rumania. The Bucharest office handled the entire country's distribution of Par product.

Action was taken as a precautionary measure. American companies have found it increasingly difficult to get rental money out of the country.

Precedent

Mexico City, April 11.

Nationalization of cinemas has made a successful start in Cuernavaca, capital of Morelos state, near here. The Teatro Morelos was recently taken over by the state government and made into a first-class cinema, playing top American pictures at pop prices. House's profits largely support the state's primary schools.

This is the first time an entertainment place has been nationalized in Mexico.

SEEK TO REGAIN ONCE BIG FIELD

Many Obstacles Loom in Their Paths, Chiefly Facist Influence—Survey of Film Markets Indicates There's Plenty Yet to Be Developed

EASY MONEY GONE

The foreign field, which once compared favorably with the domestic market, is about to become the target for a renewed drive by American companies to recapture their once gigantic source of revenue.

In the path of Yankee firms lie seemingly insurmountable obstacles that primarily caused the decline. Most important of all, the spread of the fascist influence against world democracies, is seen as the prime surging force behind the letdown. The U. S., as the principal exponent of democracy, and as fandom's leader, has naturally suffered the greatest blow.

While alarmed at the spread of fascism in its form of Germanic and Italian restrictions, and the imperialistic urge of Hitler, trade execs have been led to believe that there still considerable to be gained from the world market.

A particularly sweeping force against American pictures of late was the Nazi annexation of Austria and Czechoslovakia, markets once for Yankee film but now following the dictates and, consequently, the corresponding Nazi restrictions against American companies.

Admittedly, the so-called easy markets no longer exist. But a survey of theatres equipped for sound is the real tipoff on future potentialities in fields alien to those where American films are practically verboten.

Develop New Fields

Banking and financial interests behind American films believe there should be more concentration on countries where there are potentialities and not where grosses have been slipping. They stress the importance of building the market in Great Britain and its dominions. Their opinion is that there still is a big market in South America, too, that remains to be developed.

There are more sound-equipped theatres outside North America than in U. S., Canada and Mexico combined. Even eliminating Russia, with its 8,000 or more houses, Germany and the former Czech territory, with nearly as many, and other regions, including Italy (where U. S. is temporarily, at least, not distributing), the total is considerably greater than that of North America. The big rub currently is that native product has superseded American pictures in popularity with some nations, while restrictions have hurt in others.

Soviet Total Loss

The vast Russian market is a total loss to the U. S. Theatres there are workers' clubs with propaganda films only allowed. Deals with the government film agency in the Soviet are strictly on bulk basis, and American companies do not want flat-rental business to be dictated by a government agency. U. S. companies are out of Italy presently, where there are about 3,800 sound theatres, for the same reason. The association of the communist Soviet and fascist Italy and Germany in similar tactics is one of the industry's answers.

Need for keeping the full strength of the Australian market is appreciated by American companies. Although there are only about 1,400 sound-equipped theatres Down Under, Aussie audiences appreciate U. S. pictures even in preference to British-makes.

Temporarily, at least, improved French product has forced American pictures virtually to play second fiddle in some spots in France where formerly they were No. 1. French product is sufficiently strong today also to hurt some in Turkey and also form strong competition in Belgium and in some sections of South America.

While Germany has extended its domination over Czechoslovakia and Austria, and has suffered accordingly, U. S. companies have gained in Switzerland and Alsace-Lorraine, where German product formerly offered stiff competition. Decline in Teutonic film quality had produced the latter situation.

End of warfare in Spain also offers a new market for American distributors because U. S. pictures had done well in that territory prior to the conflict. This is predicated on present realization that the Franco government has no idea of cutting off strong sources of revenue, such as the U. S., Great Britain and France.

U. S. Distribs Nix Increased Rates As Retaliation Vs. Australian Curbs

Sydney, April 11.

Legislation passed early this year in New South Wales won't go unchallenged by American distributors, it has been reported here. American distribs are particularly anxious to snag the 25% rejection right given exhibitors in N. South Wales.

One way suggested would be to raise film rentals but this method is reported to be unfavorably considered by most of the major American companies. Distributor reps will huddle soon in New York to decide the matter.

Few foreign department officials in New York agree that higher rentals will in any way solve the 25% rejection right problem in New South Wales. Almost unanimous opinion is that there will be no tilting of film rentals in that Aussie state as a member of retaliation. What is more likely, however, is that less product will be shipped to New South Wales if the 25% rule is observed.

Norman B. Rydge, chairman of Australia's Greater Union Theatres, now in New York, is said to be opposed to such rejection rights. Thus far, Hoyts is reported to be the only circuit heavily interested in the 25% rejection right because at present it's signed with several U. S. majors for six pictures, and, obviously, its chain is loaded with films. Recent reports from Sydney indicate that Hoyts is having difficulty using up product even in the use of triple features. The rejection right permits acceptance of only 75% of films distributed by American firms despite contractual obligations.

Too Hot to Handle

'King of Alcatraz,' Paramount, has been banned by Jamaica, B. W. I., according to word received in New York by Par. Gangster theme was given as reason for its rejection.

Purpose of the ban, which include all films dealing with gangsters, is to discourage all suggestions of violence, since the island experienced a native uprising recently.

CZECH GRAB UPS DECLINING BIZ IN HUNGARY

Budapest, April 1.

Profits of local product have gone back considerably of late. Compared to 1937, the b.o. on locally-made have suffered a reduction of about 30%.

It is believed that one-third of this reduction of profit will be covered by bigger takings in the northern provinces recently recovered from what was part of Czechoslovakia. No Hungarian pictures were allowed in this territory while it was under Czech rule.

To cover much of the loss, and to make up for withdrawal of Jewish capital, a tax of one filler (one-fifth of a cent) on each film ticket sold is planned. The amount thus gained, 400,000 pengoes (about $79,000) a year, would constitute a deficit fund, out of which a loan of 10,000 pengoes (about $2,000) would be accorded to the producers of every Hungarian picture.

This loan would only need to be repaid in case the picture pays its way. No producer could receive such a loan more than twice.

Law Conflict Basis Of Mgrs.' Fight Vs. Sunday Play Visio

London, April 3.

Theatre-owners intend to crack down on BBC's television drama policy. BBC's looksee programs these days are heavily loaded with stage plays, and what gets the goat of the legiters is that drama is permitted on the air Sundays when theatres are under ordinance to stay dark—except where monkey-suit concerts or private shows are staged.

First to rebel is Alec Rea, who has banned proposed visio show of 'The Man in Half Moon Street,' which had been penciled for the air Easter Sunday, with its actual New theatre cast doing its stuff at Alexandra Palace.

YANK PIX OFF IN STOCKHOLM

Stockholm, April 2.

American films here have shown a marked decline in playing time of late, with Swedish, French and British films dominating the field.

Of the Yank picture, 'Marie Antoinette' (M-G), 'Sweethearts' (M-G) and 'You Can't Take It With You' (Col) have held up well.

Expansion of the industry here, particularly in the construction of new producing units, have been particularly responsible for the boxoffice upbeat of Swedish films, which have improved proportionately with the expansion.

DISMAL OUTLOOK FOR BRITISH PRODUCTION

Extensive production in Great Britain looks extremely dismal in the immediate future, according to reports from London. Two weeks ago there were only five features at work there, although 80 stages were available.

English producers feel the new British quota is a failure as far as production is concerned, it is reported. The industry's binding restrictions, laid down by the Quota, are said to be the cause of the lag in production.

'Mayerling,' 'Citadel' Big in South Africa

Cape Town, March 24.

'Mayerling' has registered big business at the Colosseum (African Cons. Theatres) here. Public keen on further French pictures in Cape Town.

'The Citadel,' too, has pulled capacity at the Plaza (Union Theatres).

'Citadel' Off in Cairo

Cairo, March 28.

'The Citadel' (M-G) is skidding here.

'Gunga Din' and 'That Certain Age,' starring Deanna Durbin, who's a big favorite here, are going over well.

306 Loses Strike Move to Land Its Own Men Into Empire Booths, But Wins Screening Room Increase

After threatening distributors to refuse film service to around 75 New York independent theatres that it couldn't land for its members, and accepting complete defeat on that count, Local 306, Moving Picture Machine Operators of N. Y., has settled its strike on another ground. It's a mild victory with respect to getting more money for operators in home office and exchange screening rooms. Original strike embraced latter angle. Ops went back to work Monday morning (10).

To just what extent this victory adds up, as against defeat in its major objective to knock off the booths using Empire operators, is a question. One of the conditions which appears to have been imposed by both Local 306 and distributors in effecting a settlement, is an agreement not to officially announce the terms of settlement. Ops went back to work Monday morning (10).

Fearing that interpretation over one point in the settlement of the strike might create difficulties, distribs and union executives asked Commissioner Arthur S. Meyer of the N. Y. State Mediation Board to sit in as arbiter with them at a meeting scheduled for yesterday (Tuesday) afternoon at 5 p.m., but subsequently indicated that they would no doubt be able to agree among themselves and wouldn't need Meyer. Latter as result did not attend. Issue over which agreement had been reached over the weekend, but over which some question arose yesterday, was declared not to be of sufficient importance to require Meyer as a mediator.

When the operators walked out of screening rooms it was without regard to negotiations for the increase now granted or as result of any ultimatum that if demands weren't met the strike would be pulled. There was no opportunity to negotiate that matter, although claimed the ops had been promised raises and were being stalled on the matter. Real reason for strike was Empire situation.

Aside from other angles and the spot 306 was placed in when the Department of Justice ruled its strike to be illegal, it is known that operators have been getting varying amounts for working in screening rooms, with less than a uniform scale of $67.50 a week is to apply, the boosts will be more in some cases than others. In all cases the increases granted now are retroactive to Sept. 1, 1937.

At that time operators in theatres were earning $76.50 a week and had registered a cut of 10% in 1932 from a weekly scale of $85. When the ops in the theatres were given a 10% increase on $76.50, their scale was raised to $84.15 on a six-day basis. After that occurred, the operators in screening rooms of distributors complained that they also should get the 10% boost. In various cases this increase to $84.15 was granted during the winter of 1937-38, while in others it asseredly was not. About two months ago the operators at 20th-Fox, numbering 14—the high for any company in number employed—struck for a boost and for about a week picketed 20th's h.o. and newsreel studio. A 10% increase was granted these operators, all of whom work only five days a week, bringing their pay for that period up to $76.50. For a six-day week at 20th-Fox the recent 10% increase would have brought the pay now to around $81, as compared with $84.15 in some other screening booths. In some companies, on the other hand, the operators never got an increase on top of the 10% given all boothmen in the theatres, as well as shortly afterward in some projection rooms. Thus, for uniformity of scale, the salary increases and the amount of retroactive pay to Sept. 1, 1937, that is to be paid, will vary according to what various companies have been paying. New provisions for screening rooms runs to Sept. 1, 1940, it is declared.

10% Retroactive

Where increases to $84.15 for a six-day week occurred in the winter of 1937-38, the boost of 10% was paid at that time retroactively to Sept. 1, with result in certain cases now, if there is to be any retroactive pay to that date, it will not be large.

Distributor and circuit representatives wrestled with union men from 10 p.m. Friday night until 4 a.m. and again from 11 a.m. until 10 p.m. Saturday, with operators and exchange workers going back on the job Monday morning (10).

A recommendation was made to pay the exchange workers their salaries for the two weeks they were out of work in connection with a fight that did not concern them in any particular but was entirely for the benefit of Local 306. Whether or not the 'backroom boys' will get this two weeks' salary or not is up to each individual company. Exchange employees were out of work because they couldn't cross operator picket lines, although why Paramount and 20th-Fox branches were picketed when they don't employ operators anyway, was never explained. All other exchanges have their own projection rooms.

The decision of the exchange workers not to cross picket lines March 27 was reached by their union's executive committee headed by Lou Johnson, president, at a meeting held at 306 headquarters.

While only around 75 operators, working in screening cubicles were affected by the strike, around 300 exchange workers were thrown out of jobs for the two weeks. They receive a minimum of $24 a day for day work, $26 for night work and a maximum of $88, compared with an average for ops that is nearer the latter figure.

The contract of the exchange employees union, Local 51-B, a two-

(Continued on page 47)

'ECSTACY' APPEAL UP AGAIN IN N. Y. STATE

Albany, April 11.

A new move is on in the long fight to obtain a license for the exhibition in New York state of 'Ecstacy,' the foreign-made picture with Hedy Lamarr. Eureka Productions, Inc., recently submitted a 'reconstructed 1939 version' which, the company claims, eliminates much of the objectionable material that successively led the motion picture division of the State Education Department, Dr. Frank P. Graves, education commissioner, and the Appellate Division, Third Department, to turn thumbs down on the feature. Further cuts could be made, Eureka indicated in an appeal filed with the Board of Regents after Director Irwin Esmond again rejected the film.

In his answer, Esmond declares that the present version is 'substantially the same' as that reviewed by the Appellate Division in September, 1937, and thereafter in an unanimous decision held to be objectionable within the meaning of section 1027 of the Education Law. Recorded that the M. P. Division doubts whether 'Ecstacy' could be revised in such a manner it would be licensable, virtually the entire basic part of picture would have to be snipped. The nude sequence was the one which attracted the widest publicity.

Rubens' Cartoon Trailer Idea to Attract the Kids

Jules J. Rubens, operator of Great States Circuit, out of Chicago, left New York Monday (10) after conferring with Barney Balaban, Leon Netter and other home office executives on operating matters. Rubens has a new stunt under consideration for a theatre program, pointed for kids, that will include a series of comic strip cartoons much the same as used by newspapers, with the printing of current or coming bills for ad value. Great States will test it out first.

George Trendle, operator of the United Detroit group for Par, was also in during the past week to discuss theatre problems and other matters.

Everett Crosby Sued

Los Angeles, April 11.

Everett Crosby, agent, was sued for $2,300 by NBC Artists Service, charging arrears on a contract deal involving Florence George.

Plaintiff claims Crosby bought Miss George's contract for $7,500, but paid only $5,000.

ANSELLS - F&M ST. LOO POOL OFF

St. Louis, April 11.

The joint booking and management pact between Fanchon & Marco interests and the Ansell Bros., which has been in effect for two years and which involves four nabes, will end May 29. The contract which concerned the Ansells' Ritz and Varsity and F&M's Shenandoah and Tivoli carried an 8-week cancellation clause.

Ansell Bros., who additionally own and operate the Empress a midtown house just around the corner from F&M's 5,000 seater Fox, are planning to increase their holdings in the local nabe field by building or leasing three additional houses before the end of the year. Ansells will resume the bookings and management of their three houses as indie operators and the Shenandoah and Tivoli, which are part of the St. Louis Amusement Co. chain that is operated under F&M management, returns to the amusement company.

Reports have been current on film row that the Ansell distributor would be much happier if the Ansells and F&M were not working together.

THEATRE'S CLOSING HITS ALL LOCAL BIZ

Syracuse, N. Y., April 11.

When a recent $30,000 fire forced closing of the town's sole picture house, the Palace, for a period of two months, stores in the nearby suburb of Baldwinsville, particularly the smaller shops, groceries, confectionaries, etc., noticed a marked decrease in business. Sudden cessation of country folks who used to flock into the village of nights to see the flickers particularly affects these shop-owners. Even restaurants are suffering Saturdays, as the farmers used to get in before dinner so as to be sure of getting a seat in the theatre when banko ran that evening.

The letting of contracts for repair of the theatre, therefore, is watched as a matter of community interest in the village.

Newsreelman's $9,000 Award Vs. March of Time

A jury before N. Y. supreme court Justice Timothy A. Leary, Friday (7), awarded Harrison Forman, March of Time cameraman, a $9,000 verdict in a $35,000 suit against Time, Inc., for an injury to China in 1937 when war broke out, Japan invading. Time accepted his cable offer to cover the war, agreeing to pay only for what was used.

Justice Leary, at conclusion of the trial, denied an application by Time to set aside the verdict, as well as that by the plaintiff who also sought it set aside on the grounds of being insufficient.

Louis de Rochemont, prez of March of Time, testified that the $2,000 paid Forman for the 156 feet of China stuff used was above the previously understood figure of $3-$5 per foot. Pathe Film testified also that Forman was offering to peddle the rejected film around the trade.

Fanny Holtzmann, for Forman, introduced cables from de Rochemont to Forman that the stuff was 'swell, exciting, thrilling,' and that M. of T. had failed to reject it in time, only using the 156 feet in the September, 1937, release of the newsreel.

Metro Scribes Droop

Hollywood, April 11.

Metro's scripting staff is down to 80, lowest figure in six years. Roster usually runs well over 100.

Latest to check out were Brown Holmes, Florence Ryerson and Edgar Allan Woolf.

Three writers, Elliott. Gibbons, Wellyn Tottman and James Webb, checked off the Republic lot with their chores done. Gibbons screenplayed 'Flight at Midnight' and Tottman and Webb collaborated on 'The Girl from God's Country.'

Film Paradise

Hollywood, April 11.

Heaven has replaced Hell as a locale for film titles.

'Hell's Angels,' 'Backdoor to Hell' and others of similar temperature are being cooled off by 'East Side of Heaven,' 'Back Door to Heaven,' 'Heaven on a Shoestring,' 'Heaven With a Barbed Wire Fence' and 'All This and Heaven, Too.'

Disney, Stoki Sued In Philly; N. Y. Suit On 'Snow White' Song

Philadelphia, April 11.

Suit against Walt Disney, Leopold Stokowski and others, charging plagiarism of ideas, has been filed in Common Pleas court here by a young Philly advertising man and amateur violinist. Injunction is asked to restrain recording now going on of the Philly Orch for a new Disney cartoon feature and an accounting of any profits derived from use of the idea. Mark S. Tutelman names as defendants, in addition to Disney and Stoki, Disney Productions, Ltd., Philadelphia Orchestra, RKO and Deems Taylor. RKO distribs Disney cartoons and Taylor is doing the running commentary on the new feature.

Tutelman alleges that 'in 1924 he got the idea for a plan to synchronize music of classical renown with animated cartoons which, would depict a story in the composition selected.' He said that from 1924 until 1937 he wrote numerous scenarios for this purpose, including 'Nutcracker Suite,' 'Danse Macabre' and 'Sorcerer's Apprentice.'

On March 30, 1937, at Stoki's request, he declares, he mailed him for his confidential perusal scenarios of 'Nutcracker' and 'Macabre' with a letter 'setting forth detailed plans of production and pointing out commercial possibilities.' He claims he received no answer and the conductor still has his scenarios. He maintains that Stoki gave the idea to Disney for the musical cartoons and that the plan now being used is his. Orch is now recording 'Sorcerer's Apprentice' and 'Nutcracker,' and Tutelman asks an accounting of any profit derived from these. Copy of the Philadelphian's original letter to Stoki is attached to the brief.

Suit on 'Snow White' Song

Modest Altschuler has filed a N. Y. supreme court suit against Walt Disney, RKO Radio Pictures, Irving Berlin, Inc., and Frank Churchill charging the plagarism of his 'Russian Soldiers Song' in 'Whistle While You Work,' part of the Snow White score. Damages of $250,000 are sought, as well as an injunction against the picture, and an accounting of profits.

Defendants' answer is that Altschuler's song was never copyrighted and hence in the public domain.

Warners Sets Quintet Of Pix for Early Start

Hollywood, April 11.

Starting dates were announced for five pictures between now and June 1 at Warners, beginning with 'Nancy Drew and the Hidden Staircase' April 17.

Untitled Secret Service feature rolls April 20; 'Hobby Family,' May 15; 'The Return of Dr. X,' May 25, and 'Hit and Run,' June 1.

O'Connor's Coast Visit

On his first trip to Hollywood since becoming v.p. and gen. mgr. of RKO Theatres John J. O'Connor left Friday (7), in company with Charles Koerner who assumes command of the Pacific Coast division of the RKO chain, formerly handled by Cliff Work. Koerner is shifting from the Boston territory.

O'Connor, going and returning, is making some stops at points where RKO operates theatres.

DOUBLE BLOW

Hollywood, April 11.

Rushing work on 'Gone With the Wind,' David O. Selznick is sending a second unit to Chico tomorrow (Wed.) to shoot exteriors, with Chester Franklin directing and Wilfrid Cline handling Technicolor.

Latest addition to the 'GWTW' troupe is William J. Scully as unit manager.

NEW INDIE OKLA. BUYING POOL SLOWS BIZ

Oklahoma City, April 11.

Independent exhibitors over the state are being urged by backers of the new indie buying pool now being formed to withhold buying any new product until they have an opportunity to discuss any and all problems in a group meeting to be held here in May.

Exchanges have noted the effect of the buying hold-off by leading independents and are exerting extra effort to sell the product deals now, believing formation of the pool will make prices even more debatable.

Leaders of the pool deny this, however. They point out that it is their belief the present prices on product prevailing in indie deals are satisfactory providing their competitors, the circuits, pay the same prices and have no advantages in clearance over them. They have stated that it will be their aim to hold these prices only if distributors use the same figures in dealing with their circuit competitors. Should this not be done it is understood that the indie buying pool will then seek to secure lower prices and percentages in alignment with figures prevailing for circuit-controlled houses.

JOHN MAY, OF SCHINE, MAY BE A BANK PREZ

Syracuse, April 11.

Upstate theatrical and banking circles are still buzzing with reports current in Syracuse that John A. May of Gloversville, comptroller of Schine Theatres, Inc., had been offered post of president of the Lincoln National Bank & Trust Co., in Syracuse. Directors of the bank have been seeking a president since death of late William T. McCaffrey.

May is widely known upstate, having been a candidate for state comptroller last November on the state Republican ticket. May is reported willing to accept the post at a salary of $25,000 annually, provided he is given chance to buy certain stock.

Cite Baker-Riser's Chain On Labor Contempt Chge.

Supreme Court Justice Ferdinand Pecora, in N. Y., Monday (10), turned over to Referee Harry C. Ball court application to punish for contempt the United Long Island Theatre Corp., the Cross Island Amus. Corp., the Northern Amus. Corp., the Laurelton Amus. Co., Inc., Linden Operating Corp., and the Merrick - Gables Amus. Corp., brought by the New York State Labor Relations Board. Seven theatres are involved, all operated by Sam Baker and O. Riser of the United L. I. Theatre Corp.

This board on April 4, 1938, ordered the defendants to cease making it obligatory for a projectionist to give up membership in Local 306 before he could obtain employment. It is alleged that the defendants have failed to comply with the order.

STORY BUYS

Hollywood, April 11.

Monogram bought 'Death Hops the Bells,' mag yarn by Charles Molyneux Brown.

Howard Small purchased the H. G. Wells book, 'Food for the Gods.'

Walt Disney acquired T. H. White's 'Sword in the Stone' for cartooning.

Hugh Wiley sold four more 'James Wong' stories to Monogram.

Republic took over screen rights to Achmed Abdullah's 'Storm Over Bengal.'

RKO bought Oliver Drake's 'Along the Rio Grande.'

Rita Weyman sold 'Headline News' to RKO.

Monogram purchased 'Son of the Navy,' by Grove Jones and True Boardman.

Corey Ford and Alastair MacBain sold their mag story, 'Maluk' to Paramount.

Larry Darmour purchased 'Criminal at Large,' by Eric Taylor.

Hal Hudson and Kenneth Earl sold 'Opened by Mistake' to Paramount.

Republic bought 'Seven Million Dollars,' by Sinclair Lewis.

Atlas acquired Dick Bare's western yarn, 'Midnight Rider.'

SOON TO BE REVEALED TO A WAITING WORLD!

THE COMPLETE

Confessions of a

NAZI SPY

The Star:

EDW. G. ROBINSON

The Supporting Cast:

FRANCIS LEDERER · George Sanders · Paul Lukas

Henry O'Neill · Directed by ANATOLE LITVAK

THIS MIGHTY DRAMA BY ITSELF WOULD MAKE 1939 WARNER BROS.' GREATEST YEAR!

Wayne Ball Tops L. A. Col. Exch.; Theatre Changes

Wayne Ball, formerly manager of the Denver Exchange, appointed manager of Columbia's Los Angeles office, replacing Harry Welnberg. Latter requested he be retired from management of the L.A. office and appointed a salesman of the branch because of recent illnc

B. C. Hill, formerly Salt Lake City manager, appointed Denver-Salt Lake supervisor, with headquarters in Denver. W. G. Selb, formerly salesman in Salt Lake, now manager of the S.L. City office, replacing Hill.

McCoart Vice McDonald

Providence, April 11.

Harry McDonald having taken over post of division manager for RKO in New England, William McCoart, of Keith's Memorial in Boston, is taking over McDonald's Providence post at the RKO Albee.

Gerald Leary's Free Feed

Albany, April 11.

Film men gathered at the De Witt Clinton Hotel Monday night (10) to attend a dinner honoring Gerald Leary, who retired as Universal branch manager because of ill health. Louis Schine of Gloversville, Bill Benten of Saratoga Springs, Moe Silver of WB theatres and Ben Golding of Fabian theatres, were among the area speakers listed. Bernie Kranze, RKO manager, and Abe Newman, Grand National, headed the committee on arrangements. Leary is taking a leave of absence.

WB Renews

Rochester, N. Y., April 11.

Warner Bros. have renewed lease on Majestic, Hornell, and plans to start extensive alterations this month. Interior will be entirely rebuilt and redecorated under direction of manager Al Newhall. Owners are Mr. and Mrs. Fred Peters, Hornell.

White-Shafer's Co-Op

Cincinnati, April 11.

Maurice White and Nick Shafer, local ex biz vets, launched a co-op film booking and theatre supplies buying enterprise Monday (10). It's a new setup for Cincy. Film sales to represent from 75 to 100 exhibs in this territory.

White formerly was manager of the Warner Bros. exchange here and in recent years has been affiliated with Ike Libson's string of sales in Greater Cincy and several other cities in Ohio and Kentucky. Shafer, former city salesman for Grth, has two houses in Covington, Ky.

Balsly Joins Allison

Lee Balsly, ad sales manager for 20th-Fox, resigned Monday (10) to join the R. K. Allison circuit in Colson, Pa., in an executive managerial capacity. Succeeded there over accessories by Ed Hollander, his assistant.

McCarthy, Weiner Moves

Omaha, April 11.

Iz Weiner, who joined the Universal sales staff at Des Moines recently, transferred back to Omaha office. Dannie McCarthy, formerly with United Artists here, has joined Universal in place of Weiner.

Alahambra Lighted

Milwaukee, April 11.

The Alhambra, open and shut intermittently for several years, reopened Saturday (8). A. J. Cooper manager of indie house.

Freeman's O.O. in U. S.

N. Bernard Freeman, managing director of Metro exchange in Australia and New Zealand, is in the States with his wife on a combination business and pleasure trip. From New York he will sail for London, returning to Sydney via the Suez Canal.

L & J's Shifts

Atlanta, April 11.

Lucas & Jenkins, Inc., shifts sent Tommie Read, mgr. of Paramount, to chain's ace de luxer, 4,400-seat Fox, to replace Hudson Edwards, who has been made outfit's city mgr. in Savannah, vice Roby Robinson, resigned. Billy Pratt, ass't mgr. at Fox, moved into Read's spot at Paramount. Latter theatre inaugurates off-and-on vaudfilm beginning Saturday (8) when Mae West's unit will open five-day engagement. Other flesh bookings already announced include Dave Apollon's revue and Count Berni Vici's unit.

Baltimore, April 11.

Bob Etchberger of Loew's State, Norfolk, Va., succeeding Irving Martin at Loew's Century here, as house manager.

Advance Production Chart

Hollywood, April 11.

Production took a slight drop during past two weeks, falling from 32 to 29 pictures facing the cameras, five of which are earmarked for 1939-40. Final editing is being given to 72 features and 175 still must be put into production before current season commitments are washed up.

So far studios have previewed or released 319 features, against a promised total of 589.

Columbia

	Number of Pix Promised	Number of Pix Completed	Now Shooting	New Balance to Cutting Before Rooms	Balance to Be Placed Stories in Preparation Cameras	Stories in Preparation
Features	40	19	6	12	13	13
Westerns	16	11	1	1	3	3
Serials	4	2	0	1	1	1
Total	60	32	3	8	17	17

Pictures now in the cutting rooms or awaiting previews are:

'ROMANCE OF THE REDWOODS,' produced by Wallace McDonald for the Irving Briskin unit; directed by Charles Vidor; no writing credits released; photographed by Allen Siegler. Cast: Charles Bickford, Jean Parker, Earl Dunn, Lloyd Hughes, Ed Laughton, John Tyrrell, Ann Shoemaker, Al Bridge, Gordon Oliver.

'MY SON IS A CRIMINAL,' formerly titled **'RACKETEERS,'** produced by Wallace MacDonald; directed by C. C. Coleman, Jr.; no writing credits released; photographed by Allen Siegler. Cast: Alan Baxter, Jacqueline Wells, Joseph King, Gordon Oliver, Willard Robertson, John Tyrell, Ed Fetherston, Dick Curtis, Harry Strang, Joseph Caits, Eddie Laughton, George Taylor, Stanley Brown, Frank Mills, Jack Harmon, James Millican, Frank O'Connor, Ed Cobb, Norman Cribs, Robert Walker, S. L. Dale, Art Dupuis, Al Ferguson, Ky Robinson, Sam Ash, Al Herman, Forbes Murray, Edward Hearn.

'BLIND ALLEY,' produced by Fred Kohlmar; directed by Charles Vidor; from play by James Warwick; photographed by Lucien Ballard. Cast: Chester Morris, Rose Stradner, Ann Dvorak, Joan Perry, Ralph Bellamy, Marc Lawrence, Melvyn Cooper, Scotty Beckett, Ann Doran, John Aldrich, Bilburn Stone, Marie Blake.

'MISSING DAUGHTERS,' produced by Jack Fier for the Irving Briskin unit; directed by C. C. Coleman, Jr.; original screen play by Michael Simmons and George Bricker; photographed by Henry Freulich. Cast: Richard Arlen, Rochelle Hudson, Isabel Jewell, Marian Marsh, Don Beddoe, Richard Wessel, Edward Raquello, Eddie Kane, Wade Boteller, John Tyrrell.

'OUTSIDE THESE WALLS,' produced by Ralph Cohn for the Irving Briskin unit; directed by Ray McCarey; no writing credits released; photographed by Lucien Ballard. Cast: Dolores Costello, Michael Whalen, Virginia Weidler, Don Beddoe, Charles Halton, Selmer Jackson, Dick Curtis, John Tyrrell, Pierre Watkin, Thomas Mitchell, Ed Gargan, Tommy Bupp, Joe Devlin, Stymie Beard, Jimmie Campbell, Joe Cunningham, William Searby, Walter Merrill, Allen Matthews, Eddie Laughton.

'ONLY ANGELS HAVE WINGS,' formerly titled **'FLANE NO. 4,'** produced and directed by Howard Hawks; no writing credits released; photographed by Joseph Walker. Cast: Jean Arthur, Cary Grant, Richard Barthelmess, Rita Hayworth, Thomas Mitchell, Sig Ruman, Donald Barry, Noah Beery, Jr., Anthony Quinn, Allyn Joslyn, Victor Kilian, Milisa Sierra, Pat West, John Carroll, Charles Moore, Sam Tong, Frank Puglia, Inez Palange, Pedro Regas, Manuel Maciste, Lucio Villegas, Budd Fine, Francisco Moran, Victor Travers, Wilson Benge, Jack Lowe, Tex Higgins, Vernon Dent, Pat Flaherty, replacing Frank Mariowe, Enricas Acosta, Raoul Lechuga, Dick Bottiler, Harry Bailey, Amora Navarro, Tessie Murray.

'MANDRAKE, THE MAGICIAN' (serial), produced by Jack Fier for the Irving Briskin unit; directed by Sam Nelson and Norman Deming; no writing credits released; photographed by Benjamin Kline. Cast: Warren Hull, Doris Weston, Al Kikume, Kenneth McDonald, Eddie Laughton, Eddie Earl, John Tyrrell, Don Beddoe, Forbes Murray, George Chesebro.

THE OKLAHOMA TRAIL,' formerly **'PARIS NIGHTS,'** produced by Harry L. Decker for the Irving Briskin unit; directed by C. C. Coleman, Jr.; no writing credits released; photographed by Allen Seigler. Cast: Charles Starrett, Iris Meredith, Dick Curtis, Bob Nolan, Sons of the Pioneers, Hank Bell, Edward Le Saint.

Columbia Pix Now in Production

'GOOD GIRLS GO TO PARIS, TOO,' comedy; produced by William Perlberg; directed by Alexander Hall; no writing credits released; photographed by Lucien Ballard. Cast: Melvyn Douglas, Joan Blondell, Walter Connolly, Joan Perry, Isabel Jeans, Stanley Brown, Alexander D'Arcy, Richard Fiske, Robert Sterling, Beatrice Curtis.

'ARIZONA COWBOY,' western with songs; produced by Harry Decker for Irving Briskin unit; directed by Sam Nelson; no writing credits released; photographed by Al Siegler. Cast: Charles Starrett, Iris Meredith, Sons of the Pioneers, Russell Simpson, Dick Curtis, Hal Taliaferro, Bob Nolan, Sammy McKim, Hank Bell, Jack Rockwell, Eddie Hearn, Edmund Cobb, Glenn Strange, George Chesebro, Sam Garrett, John Rand.

'POWER TO BURN,' drama; produced by Lewis D. Collins; directed by Lewis D. Collins; original screen play by Gordon Rigby; photographed by James S. Brown. Cast: Jack Holt, Gertrude Michael, Dickie Moore, Marilyn Knowlden, Regis Toomey, Henry Kolker, Harry Hayden, Holmes Herbert, William B. Davidson, George Meeker.

Grand National

	Number of Pix Promised	Number of Pix Completed	Now Shooting	New Balance to Cutting Before Rooms	Balance to Be Placed Stories in Preparation Cameras	Stories in Preparation
Total	68	12	9	14	34	54

Pictures now in cutting rooms or awaiting previews are:

'SINGING COWGIRL,' formerly titled **'LADY BUCKAROO,'** Coronado production; produced by Donald K. Liberman; directed by Samuel Diege; original screen play by Arthur Hoerl; photographed by Mack Stengler. Cast: Dorothy Page, David O'Brien, Vince Barnett, Ed Piel, Dix Davis, Stanley Price, Warner Richmond, Dorothy Short, Paul Barrett, Lloyd Ingraham, Ethan Allen, Edward Gordon, Merrill McCormick.

'EVERYTHING HAPPENS TO ANN,' produced by Jack Skirball; directed by Al Christie; screen play by Fred Jackson, original by Dalton Trumbo; photographed by Charles Van Enger. Cast: Heather Angel, John King, Constance Collier, Robert Elliott, Walter Catlett, Wilbur Mack, Tom Dugan, Emma Dunn.

Metro

	Number of Pix Promised	Number of Pix Completed	Now Shooting	New Balance to Cutting Before Rooms	Balance to Be Placed Stories in Preparation Cameras	Stories in Preparation
Features	50	30	1	9	10	10
Serials-Int'l	1	0	1	0	0	0
Total	51	30	2	9	10	10

Pictures now in the cutting rooms or awaiting previews are:

'THE HARDY'S RIDE HIGH,' produced by Lou Ostrow; directed by John B. Seitz; screen play by Agnes Christine Johnston, Carl Foreman and William Ludwig; photographed by Leslie White. Cast: Lewis Stone, Mickey Rooney, Cecilia Parker, Fay Holden, Sara Haden, Ann Rutherford, Virginia Grey, Mathilda and Charles Smith.

'CALLING DR. KILDARE,' produced by Lou Ostrow; directed by Harold S. Bucquet; based on the Max Brand stories; photographed by Les White. Cast: Lew Ayres, Lionel Barrymore, Lynne Carver, Nat Pendleton, Samuel S. Hinds, Emma Dunn, Marie Blake, Lana Turner, Laraine Johnson, Clinton Rosemond, Bobs Watson, Alma Kruger, Rinie Riano, Walter Kingsford, Donald Barry.

'LUCKY NIGHT,' produced by Louis D. Lighton; directed by Norman Taurog; screen play by Vincent Lawrence and Grover Jones; original by Oliver Claxton; photographed by Ray June. Cast: Myrna Loy, Robert Taylor, Douglas Fowley, Bernadene Hayes, Bernard Nedell, Gladys Blake, Charles Lane, Henry O'Neill.

'MAIDEN VOYAGE,' produced by Edgar Selwyn; directed by William Thiele; original story by Godfried Reinhardt and Virginia Faulkner; photographed by Clyde de Vinna. Cast: Robert Young, Annabella, Walter Connolly, Billie Burke, Gene Lockhart, Reginald Owen, Virginia Field, Arthur Treacher, Charles Judells, Felix Bressart, Mary Beth Hughes, Albert Morin, Roy Atwell, Renie Riano, Matthew Bolton, Mitchell Lewis.

'IT'S A WONDERFUL WORLD,' produced by Louis D. Lighton; directed by W. S. Van Dyke; no writing credits released; photographed by Oliver Marsh. Cast: Claudette Colbert, James Stewart, Nat Pendleton, Edgar Kennedy, Guy Kibbee, Frances Drake, Ernest Truex, Sidney Blackmer, Albert Morin, Hank Brock, Maurice Costello.

'100 TO ONE,' produced by Edward Chodorov; directed by Leslie Fenton; no writing credits released; photographed by Joseph Ruttenberg. Cast: Melvyn Douglas, Louise Platt, H. B. Warner, Jean Fenwick, Halliwell Hobbs, Marjorie Main, Gladys Blake, Tom Collins, Gene Lockhart, Florence George, Hobart Cavanaugh, Oscar O'Shea, Theresa Howard, Jack Carlton.

'TARAN IN EXILE,' produced by Sam Zimbalist; directed by Richard Thorpe; based on characters created by Edgar Rice Burroughs; photographed by Leonard Smith. Cast: Johnny Weissmuller, Maureen O'Sullivan, Henry Stephenson, Kenneth Hunter, Henry Wilcoxon, Frieda Inescort, Uriah Banks, John Sheffield.

'THE WIZARD OF OZ' (Technicolor), produced by Mervyn LeRoy; directed by Victor Fleming; based on story by Frank L. Baum; photographed by Harold Rosson; for Technicolor, Allan Dazey. Cast: Frank Morgan, Judy Garland, Ray Bolger, Bert Lahr, Jack Haley, Charley Grapewin, Billie Burke, Margaret Hamilton, Pat Walsh.

'I TAKE THIS WOMAN,' formerly titled **'NEW YORK CINDERELLA,'** produced by Lawrence Weingarten; directed by Frank Borzage; original story by Charles MacArthur; photographed by Charles Lawton. Cast: Spencer Tracy, Hedy LaMarr, Walter Pidgeon, Thurston Hall, Carlos Valdez, Leonard Penn, Ina Claire, Marjorie Main, Louis Calhern, Lana Turner, Mona Barrie, Willie Best, Dwight Frye, Jack Carson, Frank Puglia, Adrienne Ames.

Metro Pix Now in Production

'GONE WITH THE WIND' (Technicolor), produced by David O. Selznick; directed by Victor Fleming; replacing George Cukor; screen play by Sidney Howard and Oliver H. P. Garrett from novel by Margaret Mitchell; photographed by Ernest Haller, replacing Lee Garmes; Technicolor photography by Ray Rennahan. Cast: Clark Gable, Vivian Leigh, Leslie Howard, Olivia de Havilland, Barbara O'Neil, Laura Hope Crews, Hattie McDaniel, Oscar Polk, Butterfly McQueen, Everett Brown, Victor Jory.

'4,000 ENEMIES,' melter; produced by Lucien Hubbard; directed by George Seitz; story by Wilmon Mansfield and Lee Crews; photographed by John Seitz. Cast: Walter Pidgeon, Rita Johnson, Nat Pendleton, Grant Mitchell, John Arledge, Guinn Williams, Harold Huber, Tom Neal, Truman Bradley, Tom Collins.

Monogram

	Number of Pix Promised	Number of Pix Completed	Now Shooting	New Balance to Cutting Before Rooms	Balance to Be Placed Stories in Preparation Cameras	Stories in Preparation
Features	26	14	1	2	9	9
Westerns	16	8	0	1	7	7
Total	42	22	1	3	16	16

Pictures in the cutting room:

'TEXGER,' produced by Robert Tansey; directed by Alan James; original screen play by Robert Emmett; photographed by Bert Longendecker. Cast Jack Randall, Joyce Bryant, Frank Yaconelli, Dennis Moore, Bobby Clark, Warner O'Brien, Frank Ellis, Ted Rae, Rue, Horace Carpenter, Milt Kibbee, Mary Thompson, Denver Dixon, Forrest Taylor, Earl Douglas, Chick Hannon, James Sheridan, Archie Ricks, Bud Osborne.

'UNDERCOVER AGENT,' produced by E. B. Derr; associate producer, Frank Melford; directed by Howard Bretherton; screen play by Milton Raison; original by Martin Mooney; photographed by Arthur Martinelli. Cast: Russell Hayden, Shirley Deane, J. M. Kerrigan, Frank Reicher, Oscar O'Sbea, Selmar Jackson, Rafie Harolde, Ray Bennett, Ralph Sanford, Eddy Waller, Dick Elliot, Lester Dorr.

'BOY'S REFORMATORY,' drama; produced by Lindsley Parsons; directed by Howard Bretherton; screen play by Ray Trampe and Wellyn Totman; original by Ray Trampe and Norman S. Hill; photographed by Marcel Le Picard. Cast: Frankie Darro, Grant Withers, David Durand, Warren McCollum, Albert Hill, Jr., Bob McClung, George Offerman, Jr., Frank Coghland, Jr., Ben Welden, Lilllan Elliott, Tempe Pigott, John St. Polis, Jack McHugh, Kathryn Sheldon.

Monogram Pix Now in Production

'WOLF CALL,' outdoor drama with songs; produced by Paul Malvern; directed by George Waggner; screen play by Joseph West from story by Jack London; photographed by Fred Jackman, Jr. Cast: John Carroll, Movita, Peter George Lynn, Wheeler Oakman, George Cleveland, Guy Usher, Polly Ann Young, John Sheehan, John Kelly, Roger Williams, Pat O'Malley, Grey Shadow (canine).

Paramount

	Number of Pix Promised	Number of Pix Completed	Now Shooting	New Balance to Cutting Before Rooms	Balance to Be Placed Stories in Preparation Cameras	Stories in Preparation
Studio	51	32	5	8	5	8
Harry Sherman	8	8	0	0	0	0
Total	59	40	5	13	5	8

Pictures now in cutting rooms or awaiting previews are:

'BULLDOG DRUMMOND'S SECRET POLICE,' G. M. O. production; associate producer, Edward T. Lowe; directed by James Hogan; screen play by Gerald Geraghty; based on "Temple Tower" by H. C. (Sapper) McNeile; photographed by Merritt Gerstad. Cast: John Howard, Heather Angel, H. B. Warner, Elizabeth Patterson, Reginald Denny, E. E. Clive, Leo Carroll, Forrest Harvey, David Clyde, Cook, Gerald Rogers, Neil Fitzgerald, Elspeth Dudgeon, Dutch Hendrian, Dick Rush, Wyndham Standing.

'FEDERAL OFFENSE,' produced by Edward T. Lowe; directed by Louis King; screen play by Horace McCoy and William R. Lipman from J. Edgar Hoover's 'Persons in Hiding'; photographed by William Meller. Cast: Lloyd Nolan, Marjorie Walsh, Shirley Logan, Heather Angel, Broderick Crawford, Robert Wilcox, Richard Carle, Stanley Price, John Eldredge, George Meeker, Raymond Hatton, Philip Warren, Paul Fix, Richard Denning, Abner Biberman, Roy Gordon, Clem Bevans, Clarence Wilson, Monte Blue, Grace Hayle, George Irving, Fern Emmett, Otinia Nesmith, Ivan Miller, Galan Galt, John Maurice Sullivan.

'THE LADY'S FROM KENTUCKY,' produced by Jeff Lazarus; directed by Al Hall; no writing credits released; photographed by Henry Freulich. Cast: George Raft, Ellen Drew, Hugh Herbert, ZaSu Pitts, Louise Beavers, Harry Tyler, Stanley Andrew, Carol Holloway, Hooper Atchley, Virginia Sale, Lee Payton, Cordell Tate, Jimmy Briscow, Eugene Jackson, Fern Emmett.

'UNMARRIED,' formerly titled **'NIGHT SPOT HOSTESS,'** formerly titled **'ME AND MY GAL,'** associate producer, Mel Shauer; directed by Kurt Neumann; screen play by Lillie Hayward and Brian Marlow; based on story by Grover Jones and William Slavens McNutt; photographed by Harry Fischbeck. Cast: Buck Jones, Helen Twelvetrees, Donald O'Connor, Dorothy Howe, John Hartley, Larry Crabbe, Robert Armstrong, Ed Pawl-

ley, Sidney Blackmer, Philip Warren, Louise Carter, Kathryn Bates, Sarah Edwards, Gordon Hart.

'HOTEL IMPERIAL,' directed by Robert Florey; screen play by Gilbert Gabriel and Robert Thoeren; based on a play by Lajos Biro; photographed by William Mellor. Cast: Isa Miranda, Ray Milland, Reginald Gardiner, Gene Lockhart, J. Carrol Naish, Curt Bois, Michel Werboff, Henry Victor, Spencer Charters, Bodil Rosing, Betty Compson, Wolfgang Zilzer, Egon Brecher, Bert Roach, Augustino Borgese, Paul Everton, George Magrill, Lee Shumway, Davison Clark, Harry Tenbrook, Paul Kruger, Don Cossack Chorus, Robert Middlemass, Ernst Verebes, Albert Dekker, William Bakewell, Norman Phillips, Robert Fraser, Evelyn Brent, Norah Gale, Eugene Pupe, Curdo, Judith King, Russell Hicks, George MacQuarrie, Arthur Cernitz, General Savitsky, Joseph Marievsky, Andre Marsaudon, F. Schumann-Heink, Bill Anderson, Marek Windheim, Gustav Von Seyffertitz, Harry Harman.

'GRAND JURY SECRETS,' produced by Sam Engel; directed by James Hogan; screen play by Irving Reis and Robert Yost; based on a story by Irving Reis and Maxwell Shane; photographed by Harry Fischbeck. Cast: John Howard, William Frawley, Gail Patrick, Jane Darwell, Porter Hall, Harvey Stephens, John Hartley, Morgan Conway, Elisha Cook, Jr., Jack Norton, Richard Denning, Gordon Jones, Charles Jackson, Kitty Kelly, Tom Kennedy.

'GRACIE ALLEN MURDER CASE,' produced by George Arthur; directed by Alfred E. Green; screen play by Nat Perrin; based on novel by S. S. Van Dine; photographed by Charles Lang. Cast: Gracie Allen, Warren William, Kent Taylor, Eliza Taylor, Ellen Drew, Jerome Cowan, Judith Barrett, Donald MacBride, H. B. Warner, Horace MacMahon, William Lemarest, Al Shaw and Sammy Lee. Lillian Yarbo, Walter Soderling, Lee Moore, Harry Tyler, James Flavin, Tiny Newland, Willie Fung, Don Brodie, Jack Baxley, Rube Demarest, Jim Kelso, Helen MacKellar, Edgar Dearing, Esther Howard.

'MAN ABOUT TOWN,' produced by Arthur Hornblow; directed by Mark Sandrich; original screen play by Morrie Ryskind; photographed by Ted Tetzlaff. Cast: Jack Benny, Dorothy Lamour, Edward Arnold, Binnie Barnes, Phil Harris, Eddie Anderson, Betty Woolley, Leonard Mudie, Sam Hardy, Arthur Aylesworth, Clifford Severn, Cyril Thornton, Ray Linaker, Isabel Jeans, Betty Grable, E. E. Clive, Harriette Haddon, The Pina Troupe, Theo E. Roebuck, Cecil Kellaway, Norman Phillips, Wesley Barry, Charles Coburn, Charles Hall, Charles Coleman, Colin Kenny, Beatrice Steward, Patti Sacks, Matty Malneck's ork, Merriel Abbott Dancers, Bert Roach, Leon Belasco, Adolph Millar, Dorothy Dayton, Alphonse Martel.

'MR. AND MRS. BULLDOG DRUMMOND,' produced by Sam Bischoff; original screen play by Morrie Ryskind; photographed by Ted Tetzlaff. Cast: Jack Benny, Dorothy Lamour, Edward Arnold, Binnie Barnes, Phil Harris, Eddie Anderson, Betty Woolley, Leonard Mudie, Sam Hardy, Arthur Aylesworth, Clifford Severn, Cyril Thornton, Ray Linaker, Isabel Jeans, Betty Grable, E. E. Clive, Harriette Haddon, The Pina Troupe, Theo E. Roebuck, Cecil Kellaway, Norman Phillips, Wesley Barry, Charles Coburn, Charles Hall, Charles Coleman, Colin Kenny, Beatrice Steward, Patti Sacks, Matty Malneck's ork, Merriel Abbott Dancers, Bert Roach, Leon Belasco, Adolph Millar, Dorothy Dayton, Alphonse Martel.

'MAN ABOUT TOWN,' produced by Arthur Hornblow; directed by Mark Sandrich; original screen play by Morrie Ryskind; photographed by Ted Tetzlaff. Cast: Jack Benny, Dorothy Lamour, Edward Arnold, Binnie Barnes, Phil Harris, Eddie Anderson, Betty Woolley, Leonard Mudie, Sam Hardy, Arthur Aylesworth, Clifford Severn, Cyril Thornton, Ray Linaker, Isabel Jeans, Betty Grable, E. E. Clive, Harriette Haddon, The Pina Troupe, Theo E. Roebuck, Cecil Kellaway, Norman Phillips, Wesley Barry, Charles Coburn, Charles Hall, Charles Coleman, Colin Kenny, Beatrice Steward, Patti Sacks, Matty Malneck's ork, Merriel Abbott Dancers, Bert Roach, Leon Belasco, Adolph Millar, Dorothy Dayton, Alphonse Martel.

'MR. AND MRS. BULLDOG DRUMMOND,' produced by Sam Bischoff; associate producer, Stuart Walker; directed by James Hogan; screen play by Stuart Palmer and Garnett Weston; based on 'Bulldog Drummond and the Oriental Mind' by H. C. McNeile; photographed by Robert Cramer. Cast: Jack Benny, John Howard, Heather Angel, H. B. Warner, Reginald Denny, E. E. Clive, Elizabeth Patterson, Eduardo Ciannelli, Gerald Hamer, Adrienne D'Ambricourt.

'THE MAGNIFICENT FRAUD,' produced by Harlan Thompson; directed by Robert Florey; screen play by Robert Lord; based on a story by Lord; adapted from story by Charles G. Booth; photographed by William Mellor. Cast: Akim Tamiroff, Lloyd Nolan, Patricia Morison, Steffi Duna, Robert Warwick, Frank Reicher, Frank Puglia, Walter Baldwin, Mary Boland, Ernest Verebes, Barbara Pepper, Virginia Dabney, Edward McWade, Julius Tannen, Nestor Paiva, John Sheehan, Roger Gray, Ernest Cossart, Ralph Forbes, Abner Biberman, George Zucco, George Macready, George Magrill, Andre Marsaudon, Count Stefenelli, Ralph Norwood.

'INVITATION TO HAPPINESS,' produced and directed by Wesley Ruggles; screen play by Charles Brackett; based on story by Brackett; photographed by Leo Tover. Cast: Irene Dunne, Fred MacMurray, Charlie Ruggles, Billy Cook, William Collier, Sr., Burr Carruth, Charles Randolph, Alfred Hickman, Jack Gray, Billy Wayne, Mack Gray, Billy Newell, Florion Martin, Heinle Conklin, Jack Roper, Franklin Parker, Jack Gargan, Joe Franz, Wheaton Chambers, Bob Stevenson, Jack Knoche, Eddie Hogan, Doodles Weaver, Lee Moore, Virginia Brissac, Myra Marsh, Doce Wilson, William Orr, Jerry Fletcher, Ernest Treacy, Bill Knudsen, Harry Hayden, John Conte, Hank Hankinson, Russ Clark, Joe Cunningham, Guy Usher, Gordon Jones, Joe Cato.

'SONS LIKE THEM,' associate producer, William C. Thomas; directed by George Archainbaud; screen play by Lewis R. Foster and Wilkie C. Mahoney; based on play by Ben Hecht and Gene Fowler; photographed by Karl Struss. Cast: Bob Burns, Gene Krupa, his drums and his orchestra, Una Merkel, Rufe Davis, Bernard Nedell, Wayne 'Tiny' Whitt, Harry Barris, Frank Sully, Clarence H. Wilson, Dudley Dickerson, Richard Denning, Pat West, Lillian Westcott, Sam Ash, Harry Bailey, Bernadene Hayes, Jack Smart, Eddie Kane, Allen Fox, Jack Chapin.

'UNION PACIFIC,' produced and directed by Cecil B. DeMille; associate producer, William H. Pine; location director, Arthur Rosson; screen play by Walter DeLeon, Frederick Jackson and Jesse Lasky, Jr., based on story and an adaptation by Jack Cunningham of a story by Ernest Haycox; photographed by Victor Milner and Dewey Wrigley. Cast: Barbara Stanwyck, Joel McCrea, Robert Preston, Brian Donlevy, Akim Tamiroff, Lynne Overman, William Haade, Regis Toomey, J. M. Kerrigan, Harry Woods, Fuzzy Knight, Hugh McDonald, Mala, Noble Johnson, Anthony Quinn, Joseph Sawyer, Harold Goodwin, Mary Brian, Mae Busch, Beatty, Nora Cecil, Julia Faye, Ruth Warren, Evelyn Keyes, Mike Driscoll.

Paramount Pix Now in Production

'BEAU GESTE' (1939-40 release), produced and directed by William A. Wellman; screen play by Robert Carson; from story by P. C. Wren; photographed by Theodor Sparkuhl. Cast: Gary Cooper, Ray Milland, Robert Preston, Susan Hayward, J. Carrol Naish, Broderick Crawford, Brian Donlevy, Donald MacBride, James Stephenson, Charles Bolton, G. P. Huntley, Heather Thatcher, James Burke, Albert Dekker, Arthur Aylesworth, Harry Woods, Harold Huber, Stanley Andrews, Donald O'Connor, David Holt, Martin Spellman, Ann Gillis, Harvey Stephens, Dude Green, Henry Brandon, Barton MacLane, Rosario Rondell, George Chandler, Thomas E. Jackson, Joe Whitehead, Jerrie Storm, Joe Colling, Harry Worth, Francis McDonald.

'GERONIMO,' formerly titled **'GREAT ENEMY'** (1939-40 release), historical western, General manager's office production; directed by Paul Sloane; no writing credits released; photographed by Henry Sharp. Cast: Chief Thundercloud, Preston Foster, Andy Devine, Ellen Drew, Robert Henry, Harry Templeton, Ellen Drew, Pierre Watkin, Jack Chapin, Richard Denning, James Glines, Frank Cordell, Cecil Kellogg, Carl Sepulveda, Tom Coats, Ted Wells, Lee Shumway.

'ISLAND OF LOST MEN,' formerly titled **'NORTH OF SINGAPORE,'** meller; associate producer, Eugene Zukor; directed by Kurt Neumann; no writing credits released; photographed by Karl Struss. Cast: Anna May Wong, Lester Dorr, Noah Beery, Anthony Quinn, Eric Blore, Ernest Truex, Rudolph Foster, William Haade.

'THE CAT AND THE CANARY' (1939-40 release), mystery-comedy; produced by Arthur Hornblow, Jr.; directed by Elliott Nugent; no writing credits released; photographed by Charles Lang. Cast: Bob Hope, Paulette Goddard, John Beal, Douglass Montgomery, Gale Sondergaard, Nydia Westman, George Zucco, Willard Robertson.

'WHAT A LIFE' (1939-40 release), comedy-drama; G.M.O. production; directed by Theodore Reed; no writing credits released; photographed by Victor Milner. Cast: Jackie Cooper, Betty Field, John Howard, Janice Logan, James Corner, Vaughn Glaser, Lionel Stander, Hedda Hopper, Dorothy Stickney, Sidney Miller, Roberts Smith, Betty McLaughlin, Janet Waldo, Douglas Fahy, Leonard Sues, Kathleen Lockhart, Lucien Littlefield, Eddie Brian, Rita Owin, Charles H. Bookout, Betty Blair, Benjamin Bartlett, Kay Stewart, Inna Gest, Lois Ranson, Fay McKenzie, Murlel Kearney.

RKO-Radio

	Number of Pix Promised	Number of Pix Completed	Now Shooting	Now in Cutting Rooms	Be Placed before Cameras	Stories in Preparation
Studio	50	27	2	5	16	16
Sol Lesser	3	2	0	0	0	0
Herbert Wilcox	1	1	0	0	0	0
Total	54	31	2	5	16	16

Pictures now in the cutting rooms or awaiting previews are:

'THE SECOND SHOT,' comedy drama; produced by Cliff Reid; directed by Jack Hively; screen play by Michael Kanin from original by Garrett Fort; photographed by Roy Hunt. Cast: Lucille Ball, Allan Lane, Steffi Duna, Evelyn Brent, Donald Briggs, Bernadene Hayes, Abner Biberman, William Pawley, Earle Hodgins.

'GIRL FROM MEXICO,' comedy; produced by Robert Sisk; directed by Leslie Goodwins; screen play by Lionel Houser and Joseph Fields from original by Lionel Houser; photographed by Jack McKenzie. Cast: Lupe Velez, Donald Woods, Leon Errol, Donald MacBride, Linda Hayes, Edward Raquello, Elizabeth Risdon, Barbara Read, Doris Allen, Adele Pearce, June Storey, Elizabeth Risdon, Sherrie Overton, Chill Wills, Phyllis Fraser.

'TIGER DUGAN,' formerly titled **'WHAT'S A FIXER FOR,'** produced by Cliff Reid; directed by Lew Landers; screen play by Paul Yawitz and Bert Granet; photographed by Roy Hunt. Cast: Lee Tracy, Peggy Shannon, Regina Wallace, Geraldine Page, Joseph Gargan, William Edmunds, Rita La Roy, Jack Arnold, Edythe Elliott, Irene Franklin, John Dilson, Murray Alper, Netta Packer.

RKO-Radio Pictures New in Production

'LITTLE MOTHER,' drama; produced by Buddy De Sylva; directed by Garson Kanin; screen play by Norman Krasna from play by Felix Jackson; photographed by Robert Crasse. Cast: Ginger Rogers, David Niven, Charles Coburn, Frank Albertson, Baby Elwood, Elbert Copeland, Ernest Truex, Neil Glass, Paul Stanton, Gerald Oliver Smith, Bessie Thomashefsky, Lucille Roberts, Denny Moore.

'FIVE CAME BACK,' meller; produced by Robert Sisk; directed by John Farrow; screen play by Jerry Cady and Dalton Trumbo; original by Richard Carroll. Cast: Chester Morris, Wendy Barrie, Lucille Ball, John Carradine, Joseph Calleia, C. Aubrey Smith, Elizabeth Risdon.

Republic

	Number of Pix Promised	Completed	Now Shooting	Now in Cutting Rooms	Be Placed before Cameras	Stories in Preparation
Total	58	28	1	5	23	23

Pictures in the cutting rooms or awaiting previews are:

'MAN OF CONQUEST,' formerly titled **'WAGONS WESTWARD,'** produced by Sol C. Siegel; directed by George Nicholls, Jr.; screen play by Wells Root, E. E. Paramore, Jr., and Jan Fortune; original story idea by Harold Shumate; photographed by Ralph Auguist. Cast: Richard Dix, Gail Patrick, Joan Fontaine, Edward Ellis, George Hayes, C. Henry Gordon, Max Terhune, Victor Jory, Robert Barrat, Robert Armstrong, Ralph Morgan, Janet Beecher, Jason Robards, Kane Chandler, Perrin Taylor, Charles Stevens.

'STREET OF MISSING MEN,' produced by Armand Schaefer; directed by Charles Lamont; screen play by Bob Williams; original story by Williams; by Eleanore Griffin and William Rankin; photographed by Ernest Miller. Cast: Charles Bickford, Harry Carey, Tommy Ryan, Guinn Williams, Mabel Todd, Nana Bryant, Ann Gallaudet.

'BLUE MONTANA SKIES,' musical western; produced by Harry Grey; directed by Breezy Eason; screen play by Gerald Geraghty from original by Norman Hall and Paul Franklin; photographed by Jack Marta. Cast: Gene Autry, Smiley Burnette, Jane Frazee, Fuzzy Marshall, Dorothy Granger, Jack Ingram, Harry Woods, Edmund Cobb, Colorado Hillbillies.

'THREE TEXAS STEERS,' western; produced by William Berke; directed by George Sherman; original screen play by Betty Burbridge and Stanley Roberts; photographed by Jack Marta. Cast: Roy Rogers, Ray Corrigan, Max Terhune, Carol Landis, Ralph Graves, Roscoe Ates, Billy Curtis, Collette Lyons, Stanley Blystone, Ted Adams, David Sharpe, Lew Kelly.

'RIDE ON THE DESERT,' produced by William Berke; directed by George Sherman; no writing credits released; photographed by Jack Marta. Cast: John Wayne, Ray Corrigan, Max Terhune, Ruth Rogers, Doreen McCarey, George Douglas, Walter Willis, Sammy McKim, Tom Tyler, Kermit Maynard.

Republic Pix Now in Production

'DAREDEVILS OF THE RED CIRCLE,' adventure serial; produced by Robert Beche; co-directed by Jack English and William Witney; original screen play by Barry Shipman, Franklyn Adreon, Rex Taylor and Sol Shor; photographed by William Nobles. Cast: Charles Quigley, Carole Landis, Herman Brix, David Sharpe, Miles MacLeer, Charles Middleton, Snowflake, Ben Taggart, Ray Miller, C. Montague Shaw.

20th Century-Fox

	Number of Pix Promised	Now Completed	Now Shooting	Now in Cutting Rooms	Be Placed before Cameras	Stories in Preparation
Total	55	34	4	9	8	8

Pictures in the cutting rooms or awaiting previews are:

'GIRL FROM BROOKLYN,' formerly titled **'BETTY 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, Phil Baxter, Ethel Merman, Keye Luke, Arthur Treacher, Willie Fung, Doris Lloyd, Leonid Snegoff.

'THE RETURN OF THE CISCO KID,' produced by Kenneth Macgowan; directed by Herbert I. Leeds; no writing credits released; photographed by Joe Ruttenberg. Cast: H. B. Warner, Jane Darwell, Lynne Roberts, Ralph Morgan, Kane Richmond, C. Henry Gordon, Harold Huber.

'ROSE OF WASHINGTON SQUARE,' associate producer, Nunnally Johnson; directed by Roy Del Ruth; no writing credits released; photographed by Karl Freund. Cast: Tyrone Power, Alice Faye, Ai Jolson, Marie Wilson, Douglas Fowley, Hobart Cavanaugh, Moroni Olsen, E. E. Clive, William Frawley.

'THE GORILLA,' produced by Harry Joe Brown; directed by Allan Dwan; no writing credits released; photographed by Edward Cronjager. Cast: Ritz Brothers, Bela Lugosi, Anita Louise, Lionel Atwill, Edward Norris, Patsy Kelly, Wally Vernon, Joseph Calleia.

'SUSANNAH OF THE MOUNTIES,' produced by Kenneth Macgowan; directed by Walter Lang; no writing credits; photographed by Virgil Miller. Cast: Shirley Temple, Randolph Scott, Margaret Lockwood, Martin Goodrider, Moroni Olsen, J. Farrell MacDonald, Maurice Moscovich, Victor Jory, Lester Matthews, Herbert Evans, Leyland Hodgson, Jack Luden, Charles Irwin.

'CHARLIE CHAN IN RENO,' produced by John Stone; directed by Norman Foster; original story released; photographed by Virgil Miller. Cast: Sidney Toler, Sen Young, Phyllis Brooks, Ricardo Cortez, Kane Richmond, Slim Summerville, Pauline Moore, Robert Lowery, Ray Linaker, Lonna Henry, Iris Wong.

'NEWS IS MADE AT NIGHT,' produced by Edward Kaufman; directed by Alfred Werker; original screen play by John Larkin; photographed by Ernest Palmer. Cast: Preston Foster, Lynn Bari, Lucille Barrier, Eddie Collins, Russell Gleason, Paul Harvey, Minor Watson, Charles Halton.

'BOY FRIEND,' formerly titled **'POLICE SCHOOL,'** produced by John Stone; directed by James Tinling; no writing credits released; photographed by Lucien Andriot. Cast: Jane Withers, Arleen Whelan, Richard Bond, Douglas Fowley, Robert Shaw, Robert Kellard, George Ernest, Minor Watson, Ted Emerson, Warren Hymer.

'JONES FAMILY IN HOLLYWOOD,' associate producer, John Stone; directed by Mal St. Clair; no writing credits released; photographed by Edward Snyder. Cast: Jed Prouty, Spring Byington, Florence Roberts, Kenneth Howell, June Gale, Billy Mahan, Marvin Stephens, Matt McHugh, William Tracey.

20th-Fox Pix New in Production

'STANLEY AND LIVINGSTONE,' produced by Kenneth Macgowan; directed by John Ford; no writing credits released; photographed by George Barnes. Cast: Spencer Tracy, Richard Greene, Nancy Kelly, Walter Brennan, Charles Coburn, Henry Hull, Sir Cedric Hardwicke, Henry Travers, Paul Kelly.

'YOUNG MR. LINCOLN,' historical drama; produced by Kenneth Macgowan; directed by John Ford; no writing credits released; photographed by Arthur Miller. Cast: Henry Fonda, Marjorie Weaver, Arleen Whelan, Richard Cromwell, Eddie Collins, Pauline Moore, Eddie Quillan, Dorris Bowden, Alice Brady, Fred Kobler, Jr., Francis Ford, Ward Bond, Spencer Charters, Milburn Stone.

'HOLLY,' musical romance; produced by Gene Markey; directed by Sidney Lanfield; no writing credits released; photographed by

(Continued on page 25)

Over-Theatreing Cause of Price War on Coast

Los Angeles, April 11.

Admission price war, first this area has known in past half a dozen or more years, will be precipitated by Fox West Coast (12) when gate at first of six Los Angeles nabe houses will be slashed to 15c. Drastic price cuts are claimed forced by F-WC needs because of unprecedented orgy of theatre building by indie operators, with estimate of 100,000 new seats added to local area in past few years.

First of the F-WC houses to be cut will be the Mesa, which drops from 35c to 15c. This will be followed (16) by opening of Sedgwick-Grand Rivoli as another 15c grind. Other ace nabes scheduled for 15c gate after current week are the Melrose, Embassy, Apollo and Paramount (Hollywood).

In face of these cuts, circuit has boosted admission price from 35c to 46c in three of its San Fernando Valley houses, including being the Las Reina, El Portal and Van Nuys.

Heavy building of projected 15c to 20c houses by indies in recent months has run to about 20 street theatres in near future, prompted F-WC execs to drop the scale in all situations where new competition is promised. Operators of these houses have lowered admissions five or 10c during last six months, and other unaffiliated operators are expected to get into the fight.

Metro is first distributing organization to throw its weight against promiscuous theatre building by refusing to permit its sales representatives to employ or enter any product discussions or to sell any runs to theatres not already built. Position of M-G, through George Hickey, western sales supervisor, is that many of principal functions of distributing organizations is to work constructively for the industry, and not encourage orgy of cut-throat building opposition by holding out product promises to would-be builders, many of whom use a picture contract as bait for securing bank loans with which to enter exhibition field.

Exhibitors are alarmed over admission price cutting by F-WC, and there's no telling to what limits some of them will go with dog days of summer approaching.

Detroit's New Esquire

Detroit, April 11.

New Esquire theatre, located in suburban Grosse Pointe, is expected to open late part of this month. Spot, with 1,200 seats, is backed by group of East Side business men, including Ralph Lane and Anthony Lubinski.

New Philly Houses

Philadelphia, April 11.

New 750-seater goes up in Chester, Pa., with backing of Lew Martin and Tom Dougherty, vet operators, to open in autumn.

A. W. Hill erecting new 600-seater in Woodbury, N. J. Eugene Mori, also announced recently he would build there.

William Goldman planning an addition to his theatre in Chestnut Hill. It's now before zoning board. Board is holding up Sablosky house in Germantown following complaints of nearby residents.

Movietones' Plans, If a War Breaks Out

Fox Movietones organization is planning to move its headquarters from Germany, France, Austria and Italy to some place in Scandinavia, should a European war break out. Russell Muth, European director of Movietone, is prepared to concentrate activities in Norway, Sweden or Denmark, although Truman Talley, Movietone head, does not consider it advisable to assemble his organization in one place unless absolutely necessary.

All newsreel companies will have representatives attached to the headquarters staffs of the Intelligence Service of the Army, but it is expected that most war scenes will be contributed by Signal Corps cameramen to the newsreels.

Talley sails for London on April 21 to lay plans for annual Movietone convention in Paris. If hostilities break out, he will remain abroad indefinitely. Sir Gordon Craig, general manager of British Movietone, also sails from New York for London on April 15.

VARIETY

It's Holy Week but The Castles' Socko at $100,000; 2d W

MOTION PICTURE DAILY

'The Castles' Gives Music Hall $100,000

Steady downpour yesterday kept box-office receipts along Broadway at a low level. Generally, however, this year's H

...and the

SECOND WEEK BIGGER THAN THE FIRST!...

HELD OVER THIRD WEEK!

THE STORY OF VERNON AND IRENE CASTLE

STARRING FRED ASTAIRE GINGER ROGERS

with

EDNA MAY OLIVER

WALTER BRENNAN

LEW FIELDS • JANET BEECHER

• ETIENNE GIRARDOT •

PANDRO S. BERMAN in charge of Production

Directed by H. C. Potter Produced by George Haight

Screen Play by Richard Sherman

Adaptation by Oscar Hammerstein II and Dorothy Yost

RKO RADIO PICTURES

Advance Production Chart

(Continued from Page 23)

Leon Shamroy. Cast: Sonja Henie, Tyrone Power, Rudy Vallee, Edna May Oliver, Mary Healy, Lyle Talbot, Brian Sistere.

'IT COULD HAPPEN TO YOU,' mystery drama; produced by David Hempstead; directed by Alfred Werker; no writing credits released; photographed by Leon Shamroy. Cast: Gloria Stuart, Stuart Erwin, Raymond Walburn, June Gale, Douglas Fowley.

United Artists

	Number of Pix Promised	Number of Pix Completed	Now Shooting	Now Cutting	Balance to Be Placed Before Rooms	Stories in Preparation Cameras	
Samuel Goldwyn	4	2	1	0	1	1	
Selznick	2	2	0	0	0	0	
Walter Wanger	8	2	0	0	6	6	
Chaplin	1	0	0	0	1	1	
Roach	8	4	0	0	4	4	
London Films	5	3	0	0	2	2	
Edward Small	5	2	1	0	2	2	
Total	33	14	2	1	16	16	

Pictures in the cutting room or awaiting previews are:

'CAPTAIN FURY,' produced and directed by Hal Roach; original screen play by Jack Jevne, Grover Jones, and William Lu de Mile; photographed by Norbert Brodine. Cast: Brian Ahearne, Victor McLaglen, June Lang, Paul Lukas, George Zucco, John Carradine, John Warburton, Claud Allister, Will Stanton, Gibbons Gowland, Charles Middleton, Virginia Field, Lundeen Hare, Margaret Roach, Eddie Brian, Nichols Sussanin, Leonard Willey.

UA Pix Now in Production

'THE MAN IN THE IRON MASK,' produced by Edward Small; directed by James Whale; screen play by George Bruce; based on the novel by Alexander Dumas; photographed by Robert Planck. Cast: Louis Hayward, Joan Bennett, Warren William, Joseph Schildkraut, Alan Hale, Miles Mander, Bert Roach, Marian Martin, William Royle, Montagu Love.

'ANGELS MAKING MUSIC,' drama with music; produced by Samuel Goldwyn; directed by Archie Mayo; writing credits released; photographed by Gregg Toland. Cast: Jascha Heifetz, Joel McCrea, Walter Brennan, Margot Stevenson, Gene Reynolds, Tommy Kelly, Porter Hall.

Universal

	Number of Pix Promised	Number of Pix Completed	Now Shooting	Now Cutting	Balance to Be Placed Before Rooms	Stories in Preparation Cameras	
Features	49	27	3	5	5	5	
Westerns	12	12	0	0	0	0	
Serials	4	4	0	1	0	0	
Total	56	43	3	6	5	5	

Pictures in the cutting rooms or awaiting previews:

'MYSTERY OF THE WHITE ROOM,' formerly titled 'MURDER IN SURGERY,' Crime Club production; produced by Irving Starr; directed by Otis Garrett; original story by Carl E. Edwards, M. D.; screen play by Alex Gottlieb; photographed by John Boyle. Cast: Bruce Cabot, Helen Mack, Joan Woodbury, Mable Todd, Constance Worth, Tom Dugan, Rowland Drew, Addison Richards, Tommy Jackson.

'OREGON TRAIL' (1939-40 season), western serial; produced by Henry MacRae; directed by Ford Beebe and Saul Goodkind; original screen play by George Plympton, Basil Dickey, Edmund Kelso and W. W. Watson; photographed by Jerry Ash. Cast: Johnny Mack Brown, Louise Stanley, Fuzzy Knight, Ed LeSaint, Bill Cody, Jr., Colin Kenny, Jim Toney, Jack C. Smith, Charles Stevens, Charles Murphy, Roy Barcroft, James Blaine, Charles King, Forrest Taylor.

'FOR LOVE OR MONEY,' comedy; produced by Max Golden; directed by Al Rogell; screen play by Charles Grayson from original by Julian Blaustein, Daniel Taradash and Bernard Feins; photographed by Stanley Cortez. Cast: June Lang, Edward Brophy, Richard Lane, Charles Addison Richards, Tony Merrill, Horace MacMahon, Etienne Girardot, Charles Regan, Dora Clement.

'EAST SIDE OF HEAVEN,' no producer credit; directed by David Butler; screen play by William Conselman; original by David Butler and Herb Polesie; photographed by George Robinson. Cast: Bing Crosby, Joan Blondell, Mischa Auer, Jerome Cowan, Jane Goude, Sandy Henville, Herb Ashley, Joe King, Lelah Tyler.

'THE FAMILY NEXT DOOR,' produced by Max Golden; directed by Joseph Santley; original story by Martimer Offner; photographed by Milton Krasner. Cast: Hugh Herbert, Ruth Donnelly, Joy Hodges, Eddie Quillan, Juanita Quigley, Bennie Bartlett, Tom Beck.

'BIG TOWN CZAR,' produced by Ken Goldsmith; directed by Arthur Lubin; screen play by Edmund L. Hartman; original by Ed Sullivan; photographed by Elwood Brendell. Cast: Barton MacLane, Tom Brown, Eve Arden, Ed Sullivan, Frank Jenks, Clyde Dilson, Oscar Polk.

Universal Pix Now in Production

'THE SUN NEVER SETS,' romantic drama; produced and directed by Rowland V. Lee; original story by Rex Harrison and Arthur Fitz-Richard; screen play by W. P. Lipscomb; photographed by George Robinson. Cast: Douglas Fairbanks, Jr., Basil Rathbone, Barbara O'Neil, Virginia Field, Mary Forbes, Arthur Mulliner, John Burton.

'HOUSE OF FEAR,' formerly titled 'BACKSTAGE PHANTOM,' mystery melter; produced by Edmund Grainger; directed by Joe May; screen play by Peter Milne; original by Thomas Fallon; photographed by Milton Krasna. Cast: William Gargan, Jane Farrey, Dorothy Arnold, Harry Stephens, Walter Woolf King, Alan Dinehart, El Brendel, Jan Duggan, Tom Dugan, Raymond Parker, Stanley Hughes, Don Douglas, Herbert Corthell.

'EX-CHAMP,' drama; produced by Burt Kelly; directed by Phil Rosen; no writing credits released; photographed by Elwood Bredell. Cast: Victor McLaglen, Tom Brown, Nan Grey, Constance Moore, William Frawley, Donald Briggs.

Warners

	Number of Pix Promised	Number of Pix Completed	Now Shooting	Now Cutting	Balance to Be Placed Before Rooms	Stories in Preparation Cameras	
Total	52	31	6	11	5	5	

Pictures in the cutting rooms or awaiting previews are:

'CODE OF THE SECRET SERVICE,' formerly titled 'SMASHING THE MONEY RING,' produced by Bryan Foy; directed by Noel Smith; screen play by Lee Katz and Dean Franklin; photographed by Ted McCord. Cast: Ronald Reagan, Rosella Towne, Eddie Foy, Jr., Moroni Olsen, John Galaudet, John Litel, June Gittelson, Steffi Duna.

'ENEMY AGENT,' melter; produced by Bryan Foy; associate producer, Mark Hellinger; no writing credits released; directed by Terry Morse; photographed by Sid Hickox. Cast: Boris Karloff, Margaret Lindsay, Holmes Herbert, Maris Wrixon, Bruce Lester, Leonard Mudie, Clarence Derwent.

'CONFESSIONS OF A NAZI SPY,' executive producer, Hal B. Wallis; associate producer, Robert Lord; directed by Anatole Litvak; no writing credits released; photographed by Sol Polito. Cast: Edward G. Robinson, Francis Lederer, Paul Lukas, Dorothy Tree, Joe Sawyer, George Sanders, James Stephenson, Lya Lys, Grace Stafford.

'NAUGHTY, BUT NICE,' formerly titled 'THE PROFESSOR STEPS OUT,' formerly titled 'ALWAYS LEAVE THEM LAUGHING,' executive producer, Hal B. Wallis; associate producer, Sam Bischoff; directed by Ray Enright; screen play by Jerry Wald and Richard Macauley; photographed by Arthur Todd. Cast: Dick Powell, Gale Page, Ann Sheridan, ZaSu Pitts, Maxie Rosenbloom, Allen Jenkins, Jerry Colonna, Hallwell Hobbes, Cristabelle Leslie, Ronald Reagan, Helen Brodrick.

'HELL'S KITCHEN,' produced by Mark Hellinger for the Bryan Foy unit; directed by E. A. Dupont; no writing credits released; photographed by Charles Rosher. Cast: Dead End Kids, Margaret Lindsay, Stanley Fields, Ronald Reagan, Frances Mitchell, Frank Wilcox, Charlie Foy, Fred Tozere.

'WATER FRONT,' produced by Bryan Foy; directed by Terry Morse; no writing credits released; photographed by James Van Trees. Cast: Dennis O'Keefe, Jane Wyman, Marie Wilson, Sheila Bromley, Ward Bond, Arthur Gardner, George Lloyd, Aldrich Bowker.

'NANCY DREW, TROUBLE SHOOTER,' produced by Bryan Foy; directed by William Clemens from original by Carolyn Keene; photographed by Lou O'Connell. Cast: Bonita Granville, Frankie Thomas, John Litel, Charlotte Wynters, Aldrich Bowker, Edgar Edwards, Erville Alderson.

'THE KID FROM KOKOMO,' formerly titled 'BROADWAY CAVALIER,' executive producer, Hal B. Wallis; associate producer, Sam Bischoff; directed by Lew Seiler; screen play by Michael Fessier from original by Dalton Trumbo. Cast: Pat O'Brien, Joan Blondell, Wayne Morris, Jane Wyman, Maxie Rosenbloom, Max Shulman, Stanley Fields, Morgan Conway, Sidney Toler, Ed Brophy, Olin Howland, Jack Roper, Clem Bevans.

'I AM NOT AFRAID,' formerly titled 'HERO FOR A DAY,' produced by Gordon Hollingshead for the Bryan Foy unit; directed by Crane Wilbur; no writing credits released; photographed by Arthur Todd. Cast: Charles Grapewin, Jackie Cooper, Henry O'Neill, Dickie Jones, Ann Gillis, John Russell, Fred Tozere, James McCallion.

'THE ROARING CROWD,' formerly titled 'THE ROARING ROAD,' executive producer, Hal B. Wallis; associate producer, Max Siegel; directed by Lloyd Bacon; no writing credits released; photographed by Sid Hickox. Cast: Pat O'Brien, John Payne, Gail Page, Ann Sheridan, Frank McHugh, Ronald Reagan, Granville Bates, Regis Toomey.

'JUAREZ,' executive producer, Hal B. Wallis; associate producer, Henry Blanke; directed by William Dieterle; screen play by John Houston, Aeneas MacKenzie, Wolfgang Reinhardt and Aeen Ikkel; from original by Bertram Harding; photographed by Tony Gaudio. Cast: Paul Muni, Bette Davis, Brian Ahern, Claude Rains, John Garfield, Donald Crisp, Gilbert Roland, Joseph Calleia, Gene Lockhart, Gale Sondergaard, William Wilkinson, Pedro De Cordoba, John Miljan, Hugh Sothern, Robert Warwick, Georgia Caine.

Warner Pix Now in Production

'GANTRY, THE GREAT,' produced by Bryan Foy; directed by William McGann; no writing credits released; photographed by Ted McCord. Cast: Edith Fellows, Jimmy McCallion, Granville Bates, DeWolf Hopper, Frankie Burke, Fred Tozere.

'EACH DAWN I DIE,' executive producer, Hal B. Wallis; associate producer, David Lewis; directed by William Keighley; original by Jerome Odlum; photographed by Arthur Edeson. Cast: James Cagney, George Raft, Jane Bryan, George Bancroft, Willard Robertson, Maxie Rosenbloom, Victor Jory, John Wray, Stanley Ridges, Louis Jean Heydt, Ed Pawley, Joseph Downing, Alan Baxter, Aldrich Bowker, Fred Tozere, Charles Trowbridge.

'FAMILY REUNION,' formerly titled 'AMERICAN FAMILY,' executive producer, Hal B. Wallis; associate producer, Henry Blanke; directed by Michael Curtiz; no writing credits released; photographed by James Wong Howe. Cast: John Garfield, Priscilla Lane, Gale Page, Jeffrey Lynn, Fay Bainter, Claude Rains, May Robson, Lola Lane, Rosemary Lane, Dick Foran, Frank McHugh.

'BATTLE OF CITY HALL,' comedy drama; executive producer, Hal B. Wallis; associate producer, Max Siegel; directed by Ray Enright; no writing credits released; photographed by Arthur Todd. Cast: 'Dead End' Kids, Ronald Reagan, Ann Sheridan, Bonita Granville, Frankie Thomas, Berton Churchill, Eduardo Ciannelli, Franklin Pangborn, Berton Churchill, Egon Brecher, Henry O'Neill, Minor Watson, Jackie Searle, Marjorie Main, Sue Padden.

'THE OLD MAID,' drama; executive producer, Hal B. Wallis; associate producer, Henry Blanke; directed by Edmund Goulding; screen play by Casey Robinson from play by Zoe Akins; photographed by Tony Gaudio. Cast: Bette Davis, Miriam Hopkins, Humphrey Bogart, Jane Bryan, Cissy Loftus, Donald Crisp, Jerome Cowan, Frank Darien.

'GIVE ME A CHILD' (1939-40 release), drama; executive producer, Hal B. Wallis; associate producer, Sam Bischoff; directed by Lloyd Bacon; screen play by Robert Rossen; photographed by Charles Rosher. Cast: Geraldine Fitzgerald, Jeffrey Lynn, Gale Page, Eve Arden, Johnnie Davis, Gloria Holden, Spring Byington, Henry O'Neill, Jean Sharron, Nanette Fabares, John Litel.

Mono Pitt Exchange Mgr. Sells Pic Yarn

Pittsburgh, April 11.

Mark Goldman, exchange manager for Monogram here, has just peddled an original story to his studio. It's called 'Happiness Girl' and Dorothy (Mrs. Wallace) Reid is now at work on the screen play. Picture is slated to go into production in another month or so, although no cast has been set yet.

It's not the first time Goldman has turned his hand to screen writing, having sold a couple of yarns to different studios back in silent days. He's a veteran in the distribution field and left Gaumont-British here to join Monogram upon death of Dave Selznick, Mono sales chief, last year.

Will Rogers Fund Short Set for Drive April 20

The film industry's short for the Will Rogers National Theatre Week, beginning April 20, has been completed and prints will be furnished gratis to all theatres collecting contributions. Spencer Tracy, Deanna Durbin, Lowell Thomas, Robert B. Sherwood and Raymond Massey appear in the film.

Picture was produced with cooperation of Metro, 20th, RKO, Universal and Warners. Hollywood sequences were supervised by Harold Rodner, WB exec, and the New York sequences under A. P. Waxman's supervision. Eastman-Kodak (J. E. Brulatour); Dupont-Pathe and Film-ex-Gevaert contributed the raw stock and Colonial Screen Service will handle shipping of prints.

Technicolor Lays Off 80

Hollywood, April 11.

Seasonal letdown caused Technicolor to lay off 80 laboratory workers, with many more going on short hours. Exec expect plant to be running at full blast by July 1.

Final 1938-39 features to pass through lab were 'Little Princess' (20th) and 'the Dodge City' (WB).

PICTURES

Film Reviews

Mystery of Mr. Wong

(Continued from Page 18)

rest of the cast, notably Dorothy Tree and Craig Reynolds, who shoulder the romantic interest. They are wooden and unimpressive. Lebedeff is okay as a suspicious guy and Lionel Atwill's impersonation of the accepted gruffness to a cop he interprets. A good lesser job is done by Lotus Long, an Oriental, Helen Heather and Morgan Wallace are suitable elders, one a collector of question-able background, the other a criminologist-murderer.

The plot, in the main, concerns foul play over a changed will, disinheriting a wife, and lichy fingers for a rare Oriental jewel that has been smuggled out of China. It is tied up rather well and sustains the suspense adequately. *Char.*

MAN OF CONQUEST

Republic release of Sol C. Siegel production. Features Richard Dix, Gail Patrick, Edward Ellis, Joan Fontaine. Directed by George Nicholls, Jr. Screenplay by Frank Root, Michael Fessier, Jr., Jan Fortune from original story by Harold Shumate and Wells Root; camera, Joseph H. August; editor, Edward Mann. Reviewed at Paramount Screening, N. Y., April 10, '39. Running time: 96 MINS.

Sam Houston ..... Richard Dix
Margaret Lea ..... Gail Patrick
Anthony Sealy ..... Edward Ellis
Eliza Allen ..... Joan Fontaine
Jim Bowie ..... Victor Jory
Davey Crockett ..... Robert Barrat
Lewis George Sayers ..... Harry Davenport
Stephen Austin ..... Ralph Morgan
Jim Bowie, Jr. ..... Robert Fiske
Santa Ana ..... C. Henry Gordon
Mrs. Lea ..... Janet Beecher
Colonels ..... Pedro de Cordoba
'Deaf' Smith ..... Moroni Olsen
Mrs. Allen ..... Kathleen Lockhart
Mrs. Sealy ..... Ann Morriss
John Hoskins ..... Leon Ames

Republic, which has specialized on westerns for several years, follows the current trend of twenty-budget cactusers with this yarn about Sam Houston and the birth of the State of Texas. It's a grown-up horse opera, based on authentic and colorful history, with fairly believable characters, ample action and reasonable suspense. With its emphasis on the patriotic theme, Man of Conquest should rate as a passable solo biller and is O.K. for upper spotting in duals.

To the flimgoer with only the normal smattering of the history of the period this picture will be acceptably authentic. With only a few unnecessary incidents and footage, it tells of Houston's start in Tennessee politics under the tutelage of Andrew Jackson, of his two-time election as governor; his romance, marriage and separation; his journey to Arkansas and adoption by the Cherokee Indians, and finally his part in the Texas-Mexican war and his second marriage.

The scriptors have fortunately avoided schoolbook pompousness in drawing their characters, making Houston and President Jackson surprisingly lifelike figures. There are a few anachronisms, such as a newspaper of the early 1800s with modern style headlines and news presentation. There's also more grandiloquent talk about freedom and democracy than such strenuous campaigners seem likely to have spouted. But all in all, 'Man of Conquest' is a reasonably satisfying picture. It should prove decidedly informative to many spectators and more than passably entertaining to all.

Richard Dix is impressive as Houston without being inclined to exaggerated heroics and indulging in only a minimum of teeth-clenching. Gail Patrick is somewhat too obviously made up for a pioneer girl, but she gives a persuasively direct and sincere performance. Edward Ellis plays Old Hickory without strutting; Joan Fontaine makes the unsympathetic first wife believable. Victor Jory demonstrates that he can play sympathetic parts as well as villains. Robert Barrat, George Hayes, Ralph Morgan, Robert Armstrong and C. Henry Gordon top off an impressive capable supporting cast. Direction is expressive. Picture could still be profitably cut. *Hobe.*

Rough Riders' Roundup

(WITH SONGS)

Republic production and release. Stars Roy Rogers, features Mary Hart, Roy-Rogers Band. Directed by Joseph Kane. Original screenplay, Jack Natteford; camera, Jack Marta; film editor, Lester Orlebeck; music, Cy Feuer. At Colonial, Lincoln, Pa., April 7. Running time: 55 MINS.

Roy ..... Roy Rogers
Dorothy ..... Mary Hart
Rusty ..... Raymond Hatton
Tommy ..... Eddie Acuff
Arizona ..... William Farley
Ross ..... Dick Botiller
Lansing ..... George Meeker
Harrison ..... Jack Rockwell
Dinty ..... Guy Usher
Smoky ..... George Cleveland
Rogers ..... Glenn Strange
Alcalde ..... Duncan Renaldo

From discharge day after the Spanish-American fiasco, 'Rough Riders' Roundup' moves immediately to the southwest where a group of former rough riders is inducted into service with the border patrol. From the arrival at the border patrol station, the story takes on the familiar combination of the ranger and his brushes with bad men.

For Roy Rogers, the film is a definite improvement over the last couple of starrers, which may not have too much to do with the story, but concerns the roundup of George Meeker, a cheating mine manager; his girl friend, Dorothy Sebastian, and William Fawley, who does all the dirty work by robbing stages and express offices of the gold taken from the mine for three-way splitting.

Search for comedy aid for Rogers has evidently come to an end with Smiley Burnette, replaced by a whiskery and humorous companion. While Roy was scrapping with Gene Autry, Smiley Burnette was thrown into the breach. His funning had not a little to do with establishing Gene Autry's film name. When Autry came back, Burnette was reassigned to him, and Rep tried Lulu Belle and Scotty again in one picture, which was n.g., 'Rough Riders,' with Raymond Hatton, shows possibilities for the team.

Familiar western faces, not mentioned in the billing are Hank Bell and John Merton. It's Dorothy Sebastian's first start in a long time, and she's hardly recognizable made up with high hair and turn of the century costume. Her job is mostly to give evidence of a jealous burn and she does it well.

'Rough Riders' is good for the average biz of Rogers in any territory. *Barn.*

Carl Brisson Plans Returning as Actor

Copenhagen, April 1.

Carl Brisson plans to play his first stage part before a compatriot audience next year with his own production here of the operetta, 'The Apache.'

Prior to adopting a stage career, Brisson was a boxer here. He was also under contract to Paramount in Hollywood for four years.

Letters from your patrons! Hundreds of thousands write in for photos and literature. They watch for Leo's gay message each month.

"It reaches more than 46 million readers monthly!"

"EVERY MONTH I CHAT WITH ALL YOUR CUSTOMERS!"

Here's the next issue of M-G-M's popular LION'S ROAR column, the fastest-growing column in America. It is typical of the breezy message which appears in a special preferred position monthly in leading national magazines: Cosmopolitan, Redbook, Time, Look, Liberty, American, College Humor, Parents' Magazine, McCall's. Ask your M-G-M representative to show you the national publishers' scientific survey of how this and other M-G-M advertising covers your community and pre-sells the attractions of The Friendly Company.

METRO-GOLDWYN-MAYER'S

LION'S ROAR

Published in this space every month — The greatest star of the screen!

Has Judge Hardy's delightful family dropped in on you yet? If by chance they haven't, why don't you drop in on them?

* * * *

You'll know they're in town when you see this sign:

HERE'S A CHALLENGE. Mickey Rooney (himself . . . not a stand-in) will write a congratulatory letter to the five best copiers of the above drawing. Mickey's letters are very personal. So send yours (don't make it too big) to Leo, M-G-M Studios, Box O, Culver City, Cal. We are the final judges . . . all drawings become our property . . . none will be returned.

* * * *

All who send in drawings but don't win one of Mickey's personal letters will receive (with our compliments) The Screen Forecast, giving all the inside dope about coming Metro-Goldwyn-Mayer attractions, of which there are many.

* * * *

And one of the most attractive of the attractions brings together Claudette Colbert and James Stewart in a Van Dyke-directed opus entitled "It's a Wonderful World."

* * * *

No matter what your opinion of the world may be, you won't deny that it's a wonderful picture.

* * * *

In addition to Claudette and James, Guy Kibbee, Frances Drake, Edgar Kennedy, Ernest Truex are in the cast.

HE'S LOOKING FOR A BIGGER WORD THAN COLOSSAL! (Above is a portrait of the M-G-M representative who will acquaint your favorite theatre with information about the new season pictures. M-G-M is the leading motion picture company in the world. The season coming to a close has been the best in its history. But the new season's line-up is considered the last word in screen entertainment. Again—write for The Screen Forecast.)

* * * *

Early in June we shall all say a gay hello to "Good-Bye Mr. Chips." Our scouts report that Robert Donat's performance is his best ever, and director Sam Wood's screen translation of the James Hilton novel is perfection.

* *

WIZARD OF OZ
(More rhythmic notes)
THE TIN WOODMAN
(Jack Haley)

The woodman with his blade so trusty
Must yield to oiling daily,
For when he weeps his joints get rusty.
Oh, Jeeper Weeper Haley!

(To be continued)

* * * *

May also comes in like a lion.

—*Leo*

Neely Bill Curbed?

(Continued from page 2)

hibitor, who in turn sells for cash to the public. It is to be noted that the public is also encouraged to buy blind. He purchases his ticket of admission without having the right to inspect the goods, and then having seen the production has received his value.

'Nothing in the legislation will protect the public against production or exhibition of unwholesome stuff,' Schaefer pointed out. 'No censorship proposed. Theatre owners can pick any films they want, and are motivated by the box office prospects. While sincere in expecting relief, the public groups fail to appreciate that choice would be up to the exhibitors.

'We cannot assume that any local exhibitor would put pecunia.y consideration in the interest of public morals to a greater extent than the producers and distributors,' he said. 'There is nothing in the proposed bill which obligates the exhibitor to consult his local community, and bearing in mind that the exhibitor can only lease and book such pictures as are actually produced, can it be assumed that he would put aside commercial considerations in the interest of public morals?'

Schaefer bolstered his counter-attack by citing RKO sales records. In the 1937-38 season only 32% of all contracts were for the entire output; 11% were for from 40 to 47 of the 48 pictures; and 57% were for less 40. Cancellations amounted to $976,425. The prior year, when cancellations were $776,867, RKO sold its whole line to only 33% of the exhibs, while 9% bought from 40 to 45 and 58% bought less than 40.

Likens Blind Selling To Magazine Publishing

In assailing the provision aimed at blind selling, the RKO head said the film distributors do exactly the same as magazine publishers. Subscribers to monthly and weekly publications take a chance on the stories to be printed, he remarked, and owners do not give an outline of the contents of forthcoming issues. Even after films are finished, it would be impossible to supply exhibs with the specified synopsis.

'To require a producer to complete a picture before it can be offered for sale will place a tremendously heavy burden upon him through the necessity of increasing his inventories,' Schaefer testified. 'Under the present method of selling, a company such as RKO must carry picture inventories of $10,000,000 to $12,000,000. If it were required to complete all its productions before offering them for sale or lease, it would necessitate an increase of many millions of additional working capital in order to continue to operate. It is necessary to finance such inventories from a steady flow of income, and no producer could undertake under the proposed bill to sell his product in advance. To do so would make him liable to penalties and criminal provisions.

'As a matter of self-protection, you therefore have to wait until the picture is finished so as to be able to screen it and secure a thorough and accurate description. This would retard his flow of income, thereby making it necessary to increase working capital in order to carry the greatly increased inventories, whereas many of the companies have difficulty paying dividends on their present capitalization. Net income would not be increased because the market for the product remains the same, but would decrease because of the additional selling costs arising from synopsis requirements and selling on individual pictures rather than in group.'

One of the prior supporters of the Neely bill recanted, siding with the majors, as the hearings resumed this week. In telegram to Senator Claude Pepper of Florida, President John J. Tigert of the University of Florida recalled he backed the measure three years ago but said subsequently he has noticed improvement in studio output and learned something about film economics. He still agrees with the objective but feels self-regulation is a better approach.

Financial, Not Moral Aspect, Highlights Talks

Frank admission their interest is financial, not moral, featured the indie exhibitors' appeal for enactment of the legislation and rounded out complaints about the conduct of major distribs. Boxoffice viewpoint —given by Col. H. A. Cole, Dallas; Sidney Samuelson, Newton, N. J., and Abram Yamins, Hall River, Mass., the Allied States high command—startled some of the women reformers who were expecting theatre-owner pals to agree that Hollywood product needs fumigating.

Cancellation clauses offered in the trade practice talks are wholly inadequate to appease indie exhibs, the Allied trio testified; entire industry will be stimulated if established distribution routine is disrupted, and legislative action is imperative to supplement the Justice Department's court assault.

While Senator Matthew M. Neely, sponsor of the remedial legislation, was entirely friendly, two other solons in attendance most of the time —Senators Wallace E. White, Jr., of Maine, and Ellison D. Smith of South Carolina, subcommittee chairman—often fired questions which made the indie exhibs scratch their heads and seemed unconvinced the bill is the panacea for all film troubles.

Opening the Allied presentation, Cole, currently president of the indie outfit, told the committee that block booking and blind selling are intertwined that 'one can't be cured unless the other is, also' and analyzed the continuing wrangle between the industry's two branches. Maintaining the elimination concessions are worthless. Blue-pencling of the synopsis provision will result in emasculation of the bill, with fees purchasing a 'farce' minus information upon which to base opinions.

Years ago theatres usually did business with numerous producers with each city containing several states' rights exchanges, Cole historied. Now there are not over 12 exchanges in the leading centers and the total feature supply has been cut in half. Exhibs are forced to buy from one or two companies to the extent that playing time is exhausted. Frequent program changes—daily or three times weekly—are necessary to use up the supply, even though patrons would like longer stays. This happens although all permissible cancellations are taken.

The Texas anti-trust case was brought in as an example of the oppressive major tactics. Exhibs who did not comply with the 25c. minimum admission clauses in the invalidated contracts committed 'quick suicide,' Cole wailed. In three years before the restrictive pacts were outlawed by the courts, 23 indie houses were 'forced' to sell out to the producer-controlled chains.

Col. Cole Deprecates 20% Cancellation as 'Gesture'

The new 20% cancellation proposal is merely a gesture, the Dallas operator testified. Citing terms, he noted the limitations and reservations, said the trade announcements are still so vague exhibs cannot buy intelligently, observed that in order to obtain outstanding pictures not covered by agreements 'it will be necessary to prove there is a spontaneous demand from all over the United States before the exhibitor could exercise his meager right,' and foresaw distribs loading the exhibs with cheap pictures in order to nullify the rejection privilege. Salesmen already are offering lower prices to exhibs who are satisfied with the 10% contracts —majors are 'chiseling already'—and there is no guaranty the 20% feature would be continued, he maintained.

Good faith of the distribs was challenged by the Allied front man. In 1936—when similar legislation was on the docket—the majors promised more liberal cancellation clauses, but nothing ever happened until 1938 when the G-men were readying their suit. Last year saw a 'great burst of activity regarding self-regulation,' Cole observed.

Surprise for the club women came while Yamins was on the stand explaining that indies want to buy films individually so they can duck the product that's too high-toned for their patrons. The former Allied prexy agreed that only 1 or 2% of the total Hollywood output is of the sort which should be withheld entirely on moral grounds, although he said possibly 25% of the output should not be screened for kids in the 6-16-year range. Quizzed by Senator White, he said that 'as far as adults are concerned' the number of films which ought not be shown for moral reasons is 'very small.'

Passage of the bill would serve 'the best interests of the industry,' Yamins contended, and the business would operate more profitably if block booking and blind selling were made legally impossible'. It's done by United Artists and in England, he noted.

Over a period of years, the distributors have snatched exhibitors' privileges, and in urging passage of the bill 'we are simply asking return of those rights we had when these companies enjoyed their biggest growth,' committee was told. Theatre-owners should have the right to select what they want instead of the distribs' having the right to deliver what they please.

While discussing the moral calibre of the Hollywood product, Yamins wounded Senator Neely by crediting the Legion of Decency with forcing the producers to exercise more control. The West Virginian said that if his efforts to clean up the industry had no effect he'd disagree with the Legion. Questioned whether the 1936 hearings and related developments had an effect on Hollywood, Yamins recovered quickly. At this point Pettijohn back-patted Neely, observing 'you've been the burr under the tail of the industry' in recent years.

Independent producers agree that block booking can be discarded without hurting the industry, Yamins said. He quoted Carl Laemmle, Jr., Goldstone, J. E. Chadwick and others. But Senator White wanted to know why the indie exhibs don't buy from the indie studios if they have such a dislike for the major distribs and the booking system. Yamins admitted that all producers follow the same custom and observed 'if you went into the egg business, you'd buy by the dozen, not 13.'

The indies want only the cream —as Pettijohn complained on the opening day—and not the skim milk, Yamins admitted. 'We are entitled to get what we want,' he added.

Samuelson Baited Pettijohn Right Along

Strong impression on the committee was chalked up to Samuelson, who baited Pettijohn throughout his stay on the stand. Armed with trade announcements and release schedules, he aired several specific beats while insisting that blind selling can be abolished, without harm to anyone. Samuelson told the lawmakers he has been advised to 'be a good boy and go easy on these trade practices' or would find unwanted competition in his New Jersey spot.

Passage of the legislation would provide incentive for many independent producers and create employment by opening the way for additional exchanges to do business, Samuelson testified. Recalled the list of distribs and studios who have folded in the past quarter century, blaming their death on block booking. Senator White wanted to know why the indie exhibs didn't patronize and nourish the indie producers and distributors; Samuelson retorted that the majors had the best actors and directors, adding that indies who didn't patronize the major distribs found rival houses going up.

'This bill would do the industry a lot of good, except that it would deprive a certain few of their power,' the Jerseyite predicted. He described block booking as 'whole-line-forcing,' not wholesale selling as contended by the majors.

Senators White, Smith Sympathetic to Majors

Sympathy for the majors was reflected frequently by Senators White and Smith, but Senator Neely continuously read books through most of the testimony by the Hays witnesses. Smith said he couldn't understand why Congress shouldn't take ample time to 'get the facts and legislate accordingly' and observed the public is not compelled to patronize any theatres if it objects to the quality of films presented.

Suggestion that Congress should await results of the Federal anti-trust suit before taking up cure-all legislative proposals was thrown out by Sidney R. Kent, president of 20th-Fox, Thursday (6), in opening the defense. The lead-off man stressed the financial wounds resulting from narrowing of the foreign market, impugned the motives of the indie exhibs backing the bill, told why the legislation will not benefit the public, and complained against substitution of the unworkable system for the present distribution plan.

If the public sincerely opposes block selling, the industry will bow respectfully, Kent said, but the majors, with huge sums at stake, should have a say in specifying how films should be distributed. Congress should not listen only to uninformed outsiders and axgrinding minority of indie exhibs.

Block booking has been a satisfactory device or the industry could not have 'expanded and grown as this one has,' Kent commented. Through all the wailing, he has waited 15 years 'to see someone submit a list of the constantly falked-of independents who have been put out of business.' But year after year the same complaints bob up to repeat their wails, not only still getting along but occasionally owning more houses than before.

'Since when has the right to buy as you want and what you want become more sacred under our constitution than the right to choose your own product and decide whether you will keep your product or just not let a man pick what he wants at his own price?' the 20th-Fox head queried. 'I say that the right to protect that investment and sell that merchandise in our own way is as sacred as any man's right to buy it his way, as long as we are in free and open competition.'

Why Synopses of Film Plots Are Impossible

After pooh-poohing the thought exhibs don't know what they are buying, Kent explained at length reasons why the industry cannot provide synopses such as are required by the Neely bill. Danger of plagiarism, because the business is full of literary thieves,' is a strong objection. In order to comply with the requirement to furnish a 'true and complete' synopsis, producers would have to wait until the picture was entirely finished, when a summary would be superfluous. Even a final shooting script would not suffice, in view of the frequent changes following previews. Production would be thrown entirely out of kilter by the legislation.

The foreign situation deserves attention from Congress before any restrictive laws are enacted, Kent reminded the committee. Films are staggering from the financial blows received in recent months. Wars, threats of war, foreign exchange controls, quotas, and nationalistic policies have hit the industry pocketbook to the extent where producers could not exist without some assurance the product would be used at home. Spain, Italy, Germany, China, and Japan are gone and the U. S. producers have their hands full economically already without being loaded with more financial worries.

Doubt that more than a small proportion of theatre owners want block booking wiped out was voiced by Rodgers, Metro sales manager, who admitted that 'some injustices' have been done in the past but challenged the amount of trade sentiment in favor of the bill.

'We seriously considered adopting a policy whereby it would be optional whether our customers bought the output or bought pictures individually,' Rodgers related. 'After discussion with theatre owners, I am satisfied they do not want to abolish block booking and blind selling. Nobody is more in the trade than I know the specific pictures they are getting, they're buying the confidence of the company. They want to know they're getting a dependable supply of film.'

The Allied membership does not exceed 2,200—instead of the 4,000 claimed by its spokesmen—and many of the rank and file are opposed to the legislation, he insisted. Disregarding the affiliated outlets, there are 10,000 indies who regard the present scheme as the 'foundation of their success.'

Experience demonstrates that theatre owners don't want the right of selection in order to provide patrons with better types of films, Rodgers said. 'Romeo and Juliet,' on which Metro spent $2,800,000 in the belief the public would appreciate Shakespeare, was spurned by 590 exhibs, but the Al Capone yarn, 'Last Gangster,' had only 13 cancellations the same season, he cited. Similar experience when 'April Blossoms,' British musical, was compared with 'Big City.'

Install A.P.W.
Oniwon Cabinet Toilet Tissue
ECONOMY WASHROOM SERVICE

New York Theatres

THERE'S A BETTER SHOW AT THE
RKO THEATRES

7th Av. & 50th St.
ROXY
ALL SEATS 25c TO 1 P.M.
HELD OVER
"Alexander Graham Bell"
—On the Stage—
New Stage Show

LOEW'S State TIMES SQ
TODAY ONLY
"CAFE SOCIETY"
FRED MacMURRAY
THURSDAY
Mickey Rooney
'Huckleberry Finn'

NOW!
Jeanette MacDonald in
"BROADWAY SERENADE"
Capitol
Broadway 51st Street
THURS. April 13
'HARDYS RIDE HIGH'

Astor
B'way and 45th St.
Doors Open 9:30 a. m.
Stks to 8 p. m. Mat. Daily
Continuous Performances, Popular Prices
LESLIE HOWARD in Bernard Shaw's
PYGMALION
19th Big Week! As M-G-M Hit

OPENING APRIL 13
"WUTHERING HEIGHTS"
UNITED ARTISTS RIVOLI Broadway at 49th St.
Doors Open 9:30 A.M. MIDNITE SHOWS

PARAMOUNT TIMES SQUARE
HELD OVER
CLAUDETTE COLBERT
DON AMECHE
"MIDNIGHT"
IN PERSON
TOMMY DORSEY AND HIS BAND

RADIO CITY MUSIC HALL
HELD OVER
THE STORY OF
VERNON and IRENE CASTLE
Spectacular Stage Productions

FLYNN'S DODGE CITY
GUY LOMBARDO'S
COMING: Confessions of a NAZI SPY
STRAND
OPENS 8:30 & 12:30

Kellogg's Hasselhorn Out, Freeman Back; See Changes in 'Circle' Show

Political situation within the Kellogg organization at Battle Creek, Mich., has taken another whirl and this time it's Walter C. Hasselhorn, the efficiency engineer from Chicago, that's out and Earl J. Freeman, who recently quit, has quietly returned as v.p. in charge of advertising. What effect this latest shift in intraorganizational politics will have on the future of 'The Circle,' the account's Sunday night program on NBC, is problematical. It is believed in the radio trade that the fizzle of 'The Circle' is tied up with the changes.

Hasselhorn's whirlwind career in Kellogg was climaxed by his appointment as general manager and wholesale lopping off of heads at his dictation. Hasselhorn has been replaced by Watson H. VanderPlough, who continues as v.p. of the Harris Trust & Savings Bank, Chicago. VanderPlough is one of the three trustees that have been running Kellogg.

Kellogg has allotted $2,000,000 of its $4,000,000 advertising budget for radio, abandoning at J. Walter Thompson's request the old standard tactics of selling its product and substituting the hot cornflakes slant.

SALESMAN WINS AUDIT RIGHT

St. Louis, April 11.

The Missouri State Supreme Court last week nixed a plea of the Missouri Broadcasting Co. of St. Louis, owner and operator of WIL, for a writ of prohibition to prevent Circuit Judge Frank C. O'Malley from inspecting the company's books and records. The ruling abrogates a temporary writ issued against Judge O'Malley in February, 1938. John C. Leonard, former employee of the station, sought to have the books, records, etc., brought in as evidence in his suit to collect payments alleged are owed him by WIL.

Leonard sued for $35,000 for compensation for his services from June 1, 1930, to October 31, 1935, plus $1,875 as commission for selling radio time to the Third Baptist Church of St. Louis. The plaintiff alleges that he was employed to obtain evidence in support of WIL's application to FCC for an increase in its time allotment and also served as the radio pastor for the station.

WFIL-WITHYCOMB SETTLE

Rosenbaum Confirms Out-of-Court End to Rift With Ex-Gan. Mgr.

Philadelphia, April 11.

Sam Rosenbaum, prez of WFIL, told VARIETY yesterday that the outlet has made an out-of-court settlement with Donald Withycomb, former g. m., and that the suit filed by Withycomb in New York against the station has been withdrawn. Rosenbaum refused to state the amount of money involved.

Withycomb was let out at WFIL Sept. 19 after serving for three years. Three months later he filed suit demanding $45,000 for breach of his contract. Rosenbaum told VARIETY at that time that 'under the circumstances that made necessary Withycomb's separation from the staff, WFIL has no legal liability whatsoever. A generous offer of settlement was made, but Withycomb has elected to sue.'

Gulf Summer Sub Due

Young & Rubicam expects to set the Gulf Oil summer show this week. It will be for 13 weeks, starting June 18. Account has options for the resumption of the Screen Guild show next fall and it isn't likely that anything will be done about it for a few months.

Same agency's 'What's My Name?' show, which replaces Fred Allen for Bristol-Myers July 5, will have Peter Van Steeden as batonist.

Ed McConnell to WJR

Detroit, April 11.

Smilin' Ed McConnell will join WJR here May 1 to do thrice-weekly 15-minute stint for Taystee Bread. Contract runs 13 weeks and song-chatter program will hit ozone on Monday, Wednesday and Friday at 1 p.m.

Campbell-Mithum, Inc., Minneapolis, set deal.

AUTHENTICATED CONTESTS ARE DEMANDED

Washington, April 11.

Specific accounting to participants in radio contests would be imperative under provisions of a bill introduced in Congress last week by Senator Gerald T. Nye, Republican, of North Dakota. Measure affects promotion stunts of all kinds carried on in interstate commerce.

Without specifically naming radio, the North Dakota law-giver would make it illegal for any person conducting a contest via any 'facility or instrumentality of interstate or foreign commerce' to neglect public announcement of the winners and the entry which took the prize. Each winning answer or essay must be read in full 'in such manner as is adequate for the information of the public.' Penalty clause left up to the Committee on Post Offices and Post Roads, to which the measure was referred.

'HOLD TIGHT' INDIGO

Public Squawks So Tune Will Have Special Radio Lyrics

After several months of airing the tune, NBC has bowed to complaints regarding the lyrics of the novelty 'Hold Tight' and late last week requested Exclusive Music, its publishers, to submit a special broadcast lyric. Request carried the notation that vocals of the tune would have to be banned from the net until a new lyric was submitted.

When the tune first started to come up NBC, CBS and Mutual all questioned the lyrics. Nets were apparently satisfied at that time that they were okay when it was pointed out that, if desired, the lyrics of most any pop tune can be misconstrued. New lyric has been written around a dance type theme.

Clair Heyer to WOC

Clair Heyer has joined WOC, Davenport, Ia., as national sales manager. He was formerly with WHBF, Rock Island.

He did a brief trick for Ed Craney of KGIR, Butte, recently, but the mountain air was bad for Mrs. Heyer.

Florida Flips

By Red Reed

Miami, April 11.

To all commentators: When a goldfish swallows a college man—*that's* news.

Advertisers are like seamen—they expect a lot of wind to extend the sales.

Lum 'n' Abner renewed for a year. Pine Ridge ona rural sector where relief isn't needed.

FCC is resisting attempts to rush television on the market. They want to protect customers who are not from Missouri.

Daily using Fu Manchu broadcasts as a promotion stunt. Yellow journalism.

Soon comes summer when all the comedians take a hiatus except the Brooklyn Dodgers.

Where would a young songwriter go to look up the spelling of a word like 'brrrr-yacka-sacky,' mamma?

RALPH PATT NEW MANAGER OF WPAY

Detroit, April 11.

Ralph H. Patt, Jr., for 10 years on staff of WJR here, has gone to Portsmouth, Ohio, where this week he begins duties as manager of WPAY there.

WJR employes held farewell party last week for Patt, who's one of the 'Four Radio Patts,' including John Patt, general manager of WGAR, Cleveland; Jim Patt, in Cincinnati, and Bob Patt in New York.

Sues Morris Siegal

Clodoveo Persichetty filed a supreme court action in N. Y. Wednesday (5), against Morris H. Siegal as an officer of the Policyholders Advisory Council, and the New Jersey Broadcasting Corp. (WHOM), for $10,000 against Siegal and $5,000 against the radio station.

The plaintiff claims to have been hired by Siegal to give radio talks in Italian boosting insurance politics.

He says he was discharged December 31, 1938, and the station is using transcripts of his voice.

KESTEN TO VACATION

Paul Kesten, CBS v.p., leaves for a month's vacation, probably at the end of this week. Undecided whether to take a boat, or an Arizona safari.

Lou Ruppel and Meff Runyan were out of CBS Monday (10), each with a strained back.

Doug Browning Joins NBC

Cincinnati, April 11.

Douglas Browning, announcer on WLW-WSAI for the past three years, left Sunday (9) for New York to join NBC's staff of spielers.

His last show for Crosley was as narrator of the Easter dawn service program which originated in Eden Park and was fed by WLW to NBC's red and blue nets.

NBC's Red No Longer Invincible Thursdays; Maxwell Lags Chrysler

Station Quits Petry

WEBR, Buffalo, has quit Edward Petry & Co. for Weed & Co. Shift in national sales representation takes effect immediately.

Station is on the NBC blue link.

ZEALOTS RAZE DISC-USING STATION

Mexico City, April 11.

Incensed because radio station XETH, 1,000 watts, at Pueblo City, used mostly records for its broadcasts, amusement industry delegates to a national labor convention in Pueblo City, near here, raided and wrecked the station. They tried to beat up the manager-owner. There were yells that the station was depriving many entertainers of employment.

Police and troops, arresting 50 raiders, prevented the station from being set on fire.

BOSTON-LAWRENCE OFF

Inter-City Line Discontinued Until Biz Warrants

WMEX, Boston, and WLAW, Lawrence, Mass., have dropped off the Inter-City Network. Break occurred after WMCA, N. Y., the web's key point, found that it didn't pay to continue running a line into New England.

Hookup will be resumed if a commercial deal currently in the works for the inclusion of WMEX and WIAW in an Inter-City group goes through.

Associated Music Signs For Texas Network's 23

Associated Music Publishers, Inc., has closed a long-term licensing agreement for its catalog with the 23 stations in the Texas State Network.

Agreement gives each station the right to feed the AMP music to the regional and clear AMP copyrights contained in Mutual programs.

Mrs. Carrell Runs WBBZ

Ponca City, Okla., April 11.

Mrs. Adelaide Lillian Carrell will continue to operate WBBZ here following FCC transfer of the station to her name from that of the Estate of C. L. Carrell.

A tentative renewal of the station's license was also granted.

Pick and Pat make three appearances at The Charlotte (N. C.) Observers House and Home Exposition this week.

With Major Edward Bowes again running ahead of Maxwell House's 'Good News' in popularity rating, the audience dominance maintained by the NBC red (WEAF) link of a Thursday night for years has already undergone a two-thirds collapse. The Kate Smith show, which precedes Bowes on Columbia, has pulled appreciably to the front of the Rudy Vallee-Standard Brands session, leaving the Kraft Music Hall the lone survivor of the red's once invincible three-hour stretch (8 to 11 p.m. EST).

Ethyl's 'Tune-Up Time,' with Walter O'Keefe, has failed so far to make much of a dent in Kraft's rating.

WABC'S SPORTS JAM AIDS WMCA

Overloaded with sports since the clearing of major league baseball broadcasting in New York, Columbia Broadcasting has found it necessary to shuff off some of its arranged special sports pickups of this summer to WMCA, N. Y., for local airing. CBS has almost every major event tied up; some of which will conflict with baseball—hence the WMCA tie.

All important horse races (except the Preakness at Pimlico next month, which NBC has), professional and amateur gold tournaments, and tennis matches (including the Davis Cup finals) have been logged by CBS. Number of these will come in at a time when CBS is clear of baseball and will be retained. WMCA is to get all N.Y. horse track's take races and whatever else WABC can't take. What WMCA airs locally will be fed to CBS affiliates out of town. CBS' baseball is local to WABC.

Situation is an aftermath of last year's bidding on sports between CBS and NBC. CBS tied up everything in sight for this summer after NBC grabbed an exclusive on stuff emanating from Madison Square Garden, N. Y., this past winter. That was before baseball was cleared.

CINDERELLA BOYS

Abbott and Costello's Legit Revue, On Top of Radio

Abbott and Costello, comedy team on Kate Smith's radio broadcast (WABC), are the new Cinderellas of show business. Team signed last week with the Shuberts to co-star with Bobby Clark in the 'Streets of Paris' revue, which is expected to get started the first week in May.

With the rest of the Kate Smith show, they go off the air the last week in June, but have already received a new contract for next year from Calumet Baking Powder calling for a material increase in salary. Between the revue and the radio program, they'll be earning nearly eight times as much per week as they did a year ago. If 'Paris' is still running by the time the new radio season starts next fall.

William Morris agency set both the Shubert and radio deals.

Frank Crumit Out, Ill; Ed East Pinch-Hits

Ed East did pinch-hit for Frank Crumit on the Battle of the Sexes' (Molle) starting last night (Tuesday). Crumit is laid up with pneumonia, but improving.

Meanwhile East and Dumke's Kitchen Quiz is under option to Stack-Goble. Ed East added Long Island Storage to his participating stanza on WHN, N. Y., and will hereafter m.c. the Hearns department kid show.

Hillbilly Turns Cop

New Orleans, April 11.

Louie Bono, hillbilly with the Dawn Busters over WWL, New Orleans, for the past year, has joined the New Orleans police force. Acting in the capacity of police announcer.

N.A.B. Cold to WNYC Predictament; Sees Only 'Lesson In Government Radio'

The National Association of Broadcasters in Washington 'has no interest' in the pending squabble between Tammany democrats and incumbent fusionists over radio station WNYC, New York City. This, in the view of NAB, is no trade problem in any proper sense. It is regarded as simply an effort of one political group to blackmail by any means possible the standing and prestige of its opponent.

The offense cited against WNYC is threadbare and petty, in the opinion of friends of the New York City-owned station. They have asserted that if the New York City council may conduct an inquiry into a Federally-licensed radio station for the purpose, as they claim, of playing precinct politics it may lead to other municipal authorities trying to do likewise.

However, the radio industry meresthrugs and says 'It is none of our business. All it indicates is the mess that we could expect if radio by government ever became general in this country.'

WNYC became involved when allegedly a travel program carried 'Communistic propaganda.' WNYC says the travel speaker merely said 'it is safe to travel in Russia.' The critics, who are trying to make something out of it, have claimed it was much more than that. Praise of Russia, however mild, is unbecoming a tax-supported radio station, they argue.

WNYC attempted to duck the investigation on a jurisdictional tactic, but lost out.

A Slant From England

London, April 4.

Listeners, who pay a $2.50 license fee annually for their government-controlled radio, are peeved at BBC's proposal to appoint a public relations officer in connection with foreign language broadcasts. Claim this activity is subsidized from their payments.

Similar squawk is made in respect of television; it is calculated every visio owner at this time costs the BBC $75 for programs, yet this department is also paid for from the ordinary radio license income.

Thorwald Loses WRR

Dallas, April 11.

Charles Jordan, formerly assistant manager, has been named operating head of WRR, municipally owned, after a court fight in which John Thorwald failed to enjoin the city council from cancelling his managerial contract. Jordan takes the title of acting manager at a salary of $300 a month.

Another aftermath of the Thorwald litigation was the resignation of W. H. Reid from the municipal radio commission.

WAXERS RAP NBC LIBRARY

If It's a 'First'—It's NBC's

Piqued by Columbia's alleged tendency to 'steal credit' for broadcasting various types of programs 'first' has led Clay Morgan, of NBC, to resort to a spoofing device. Twice within two weeks a press release marked 'raised eyebrow department,' with comic cartoons to make it more noticeable, has come through the mails chiding CBS for being inaccurate in claiming to initiate programs.

NBC says it made a broadcast in 1920 of an international round-table type, which CBS, in 1939, now calls a first. Again NBC tuts-tuts CBS, saying on April 5: 'For the first time since man conquered the air radio listeners will hear—a broadcast from e glider.' Clips from N. Y. Times of August, 1932, were dug up to prove NBC did it first.

NBC also recently took umbrage of a CBS claim of being first to broadcast from Tirana, Albania.

General Mills Spreads Still Further

Increasing Its NBC Time Commitments 50%—'Aunt Caroline' Was Tested in Iowa

Chicago, April 11.

General Mills will increase its time purchase on NBC a full 50% when it adds another 30 minutes to its present NBC coast-to-coast schedule on June 5. This will give GM a spread of 90 minutes across the board, and will run from 12:30-to-2 p.m. CST.

Placed through the Blackett-Sample-Hummert agency here the two time periods will carry two script shows. One already set is 'Aunt Caroline Ellis' which has been on a test schedule over a Des Moines station during the past season. Other show, while not finally okayed, will also likely be a strip script.

Exact products to be plugged by the new shows also yet to be decided, but likely to be Gold Medal flour and Bisquick.

Despite the spread on NBC and considerable spot stuff throughout the country General Mills is determined to continue enlarging its use of radio time, and the B-S-H agency here is now readying a number of programs for testing in Chicago and other key cities.

PULP FICTION RADIO RIGHTS AT $30

Radio Rights Clearing House, a new firm for handling the air rights to magazine stories, has been formed in New York by Henry Doherty, formerly of Cook & Doherty. Outfit claims to have tieups with 150 pulp magazines to sell radio rights to fiction. Prices mentioned are $30 for use on a 15-minute show and $50 for use on a 30-minute show. Stated that the scale applies with few exceptions in the cases of name authors.

Firm is pushing the idea of the adaptation of serial fiction for radio strip shows, with the possible angle of an exploitation tieup with the original publishers. Asserted the material can be freely adapted and that no program credit for author or publisher will be required.

Tibbett Set to Return To Kellogg Program

Lawrence Tibbett, currently on a two-week concert tour through the south, returns to the Kellogg 'Circle' program on the Coast April 23. He will remain on the show through the balance of the season.

Baritone's subsequent plans are unsettled. He's negotiating a picture deal and is also mulling an offer for concert appearances during the summer at the New York Fair.

Radio Looks Set To Win Parity in Congress Galleries with Press

Washington, April 11.

Radio newshounds can take off that foolish grin and appear in polite society as soon as Congress enacts resolutions brushing the cobwebs out of the historic rules governing admission to the press galleries. Victory was in sight this week for Fulton Lewis, Jr., political commentator for Mutual, who has been running a one-man campaign to break down the caste system which gives typewriter historians a monopoly on the facilities for covering the Capitol.

Measures insuring equal treatment for special paper correspondents, press service legmen and legitimate radio reporters have been dropped in the hopper as result of prolonged consideration of Lewis' appeal by Senators Guy D. Gillette and W. Warren Barbour, comprising a Rules subcommittee to whom the MBS spieler turned after his ex-colleagues on the standing committee of correspondents had blackballed him. Duplicate rez adjusting the House rules was sponsored by Rep. Eugene E. Cox of Georgia and John J. Dempsey of New Mexico, both on the potent Rules Committee.

Amendment to the present seldom-revised Senate rules directs the correspondents' committee to promulgate regulations covering use of the galleries, lounging rooms, telephone booths, typewriters, etc., which will 'confine their occupancy and use to bona fide reporters' for daily papers, press associations and 'news dissemination through radio, wireless, and similar media of transmission.' Administrators of the work space must 'fairly distribute' the facilities to representatives of 'all such media.'

Falling back on the lack of space argument, the press crew cold-shouldered Lewis several months ago and then told the Rules Committee they saw no reason why newspapers should have to wet-nurse radio. Plans are to provide a separate gallery in each chamber for use of accredited micro.-tone commentators, who would share the backstage accommodations on parity basis.

CBS TAKES 2 SHOWS AWAY FROM NBC

Columbia Broadcasting System gets two programs from NBC shortly. Sealtest's daytime script, 'Your Family and Mine,' switches May 1. It will hit a 35-station loop in early afternoon Monday-to-Friday. Agency is McKee & Albright. Program was on NBC two years.

On June 3, Bowey's Dari-rich will initiate a Sunday morning 'Swing Newsical,' combining orchestra and information. Account has had a daytime serial on NBC. Set through Sorensen agency, Chicago, the deal calls for 33 stations.

Pall Mall also goes CBS in near future.

LLOYD EGNER IN POLICY DEFENSE

Grombach, Brinckerhoff, Tompkins Say Business Lost Through Network Shut-Out on Lines, but Egner Says Ryle Pre-Dates NBC's Own Transcriptions

ERPI EXEC HEARD

Washington, April 11.

Independent transcription companies laid their grievances about the type of competition provided by RCA-NBC before the FCC chain-monopoly investigators last week in the semi-final round of the prolonged inquiry. Finish is scheduled for this week.

Refusal of NBC to allow rival music canners to run lines into the web's studios was the basis of unfair competition charges from Jean V. Grombach, E. V. Brinckerhoff, and Merritt E. Tompkins, while the Commish counsel brought out the interest of Electrical Research Products, Inc., in World Broadcasting System and subjected the NBC-RCA witnesses to sharp quizzing about business practices.

Admitting NBC plays ball in other respects, all of the indies sobbed that their business is restricted by the inability to make off-the-line recordings, either for reference use by

(Continued on page 38)

TRANSAMERK WAXING NASH, DESSERT

Transamerican Broadcasting & Television Corp. has obtained the producing and recording assignment of two new spot campaigns by Junket dessert (Hanson Laboratories, Inc.) and Nash Motors. Junket contract calls for the delivery of 52 one-minute transcriptions, 52 five-minute discs and 26 fifteen-minute programs. Account, agented by Mitchell-Faust Advertising Co. of Chicago will use around 100 stations.

Nash job involves 26 15-minute musical shows. The account will place some of the business direct, with the remaining records being turned over to dealers for local spotting.

Lever Computes Own CBS Hiatus

Ruthrauff & Ryan Two Run in Summer—Riggs and Vox Pop Will Duck Heat

Lever Bros.' three nighttime shows will take the six-week summer layoff which is allowed them under Columbia's new policy. Because the business is split between Ruthrauff & Ryan and J. Walter Thompson, Lever Bros. itself has taken over the task of computing network 'hiatus' credits and determining how much of a vacation should be allotted to each of these programs, namely, Lux Radio Theatre, 'Big Town' and 'Rinso Party with Dick Powell.' Latter two are handled by R. & R.

Of the other Ruthrauff & Ryan network shows Major Edward Bowes (Chrysler), Professor Quiz (Noxema) and Good Will Hour (Ironized Yeast) will stay on through the summer. Likewise the three daytime serials, 'Big Sisters' and 'Aunt Jenny' (Lever Bros.) and 'Girl Alone' (Quaker Oats). The Tommy Riggs stanza (Quaker Oats) bows off in late June for an eight-week vacation. Vox Pop (Penn Tobacco) is tagged to exit at the end of June, but the subject of renewal for the fall won't come up until next month. The Shadow,' currently in mothballs, will return to Mutual in the fall.

Riggs Show Righted

Rated in the early part of the season as one of the three problem children in the network commercial ranks, The Riggs show turned out a click, both from the angle of cost as against audience and the showing it has been able to make on at Saturday night schedule. All R. & R. newcomers, Quiz, Vox, Good Will and Riggs, had their contracts extended beyond their original 26-week periods.

Roy Durstine, Radio Pioneer, Quits BBD&O; Disagreed with Partners

Still Waiting

George V. Denny, Jr., president of the Town Hall, N. Y., was awarded a gold microphone last spring by the Women's National Radio Committee. It was for the 'Town Meeting of the Air' program over NBC, and was made with all appropriate fanfare.

Denny has not yet received the gold mike.

Teel Dentrifice (P&G) Spots 'Midstream' on NBC Through Kastor Agency

Chicago, April 11.

Procter & Gamble starts on the NBC red web for a coast-to-coast spread on May 1 for its new Teel dentrifice product.

Handled through the local Kastor agency, period will present the new show, 'Midstream,' which has been on test on WLW in Cincinnati.

Will slot et 5-5:15 p.m. eastern time.

OWEN URIDGE MADE ASST. G. M. BY FITZ

Detroit, April 11.

Leo Fitzpatrick, now executive vice-prez of George Richards' three-station chain, has set Owen F. Uridge as assistant general manager of WJR here. Because of Fitzpatrick's new charge over WJR, Cleveland's WGAR and KMPC in Beverly Hills, Calif., it's likely that Uridge will take active control of WJR here.

Uridge, who's been sales manager at WJR for past two years, joined WJR originally in 1928, left in 1930 for WJHP (now WXYZ), returned to WJR for spell before going to CBS to handle its spot biz in midwest. Uridge, who hails from an old English theatrical family (his grandpa, Owen Fewcett, played with Booth, Barrett, et al), is only member of family not to go on stage.

Edwin C. Hill Replaces Winchell with His Okay

Edwin C. Hill will replace Walter Winchell for Jurgens on the NBC (WJZ) blue for four Sunday nights in July if the former accepts the price offered.

Winchell has okayed Hill as his pinch-hitter.

Roy S. Durstine, who rates as a pioneer in network commercial programing, has resigned as president of Batten, Barton, Durstine & Osborne following a series of policies and operations differences with his partners. As reported in agency circles Durstine's board associates objected to his practice of carrying through without first consulting them. Following his withdrawal from BBD&O the rumor (unconfirmed) got around the trade that Durstine may become v.p. in charge of sales for CBS.

Disaffection which led up to the resignation, it is said, was accumulative. Despite the partnership of Bruce Barton, congressman, and talked of as a possible Republican candidate for President, Durstine had developed into the dominant force in the agency. He was also the top money man.

Under the new setup Barton gets back in the saddle as president and William H. Johns, who used to be chairman of the executive committee, replaces Barton as board chairman. Alex F. Osborne, formerly v.p. in charge of the Buffalo office, become executive v.p. in New York. F. H. Feland, previously v.p. and treasurer, now holds Johns' former post. It is reported that the name of the agency will be changed with Johns' moniker included in the revision.

Durstine's enterprise as a radio impresario dates back to 1929 when he induced Atwater Kent to make a heavy splurge in air entertainment. He was also closely tied up with the debut of 'The March of Time' program and its development as pioneering pattern in radio drama and news review.

NBC AS MODEL IN A.P. NEWS FEEDS

Associated Press has named the five-minute news summary which NBC broadcasts twice a day as the model which the small New York stations, without editing facilities of their own, must henceforth follow if they want the AP service. NBC furnishes the AP with a carbon copy of its bulletins as edited for these two periods, 8 a. m. and 5 p. m., and the AP relays them verbatim to the other stations.

In this way the AP figures that not only will there be a uniform broadcast but it won't have worry how the individual stations handle the AP bulletins. The AP stepped into the breach left by the exit of the Press-Radio Bureau as far as sustaining news is concerned and as a condition to obtaining this service the station or network agrees to broadcast no other press agency's news on a sustaining basis.

MATTY MALNECK SUCCEEDS DUCHIN

Hollywood, April 11.

Matty Malneck's band replaces the Eddie Duchin unit for Pall Mall cigarets at the end of the month. Account will at the time move from NBC to Columbia, taking over two quarter-hour spots a week following Amos 'n' Andy.

Pall Mall is controlled by the American Tobacco Co. through the American Cigar and Cigaret Co. and the agency on the p.m. program is Young & Rubicam.

Vic Nielsen, manager of CFCF, Montreal, in New York by motor on a quick holiday and o.o.

Follow-Up Comment

'Little Orphan Annie' is still wading through the comic-strip adventure stuff to ensnare the moppets. Ovaltine, although often knuckle-rapped by clubwomen, it was on latest hearing a shrewdly conceived chapter, concentrating lots of action and keeping the juve characters in the foreground. Contained enough excitement without going overboard on cliffhanger stuff. At least—at the moment.

Currently has Annie in the Arctic regions, where she and Joe, Daddy (presence of a parent presents a puzzle to the informed listener) and Sourdough have found a deserted town with mysterious bear tracks in the street. Creates certain amount of atmosphere and suspense. Stanza contains a commercial at the start, a blurb for membership in Annie's secret society and a plug for the newspaper comic strip. Originates in the Chicago studios of NBC red.

Walter Huston and Robert Speaight with Orson Welles for Campbell's soup last Friday night (7), dished up an adaptation of Victor Hugo's 'Les Miserables.' In most respects the session was definitely below standard for night-time network commercial radio. Was over-written, over directed and generally overplayed. Too much hoke embroidery all around.

Script failed to catch the spirit of the comedy with its mounting suspense, that is inherent in the story. Instead, it substituted a welter of melodramatic phraseology, particularly in the narrator's speeches. Since Welles apparently was determined to run the point with his much admired voice, he turned the narrator and Javert parts into a scenery-chewing vest stand. This was emphasized by the eloquent underplaying of Huston in the Jean Valjean role.

Speaight was direct, precise, palpably English and generally satisfactory as the bishop, while Alice Frost invested the lil Cosette role with Fontaine party too hard. There were enough sound effects for a Mars invasion.

Fred Allen (who has been spotty this season) was in chuckle fettle Wednesday night (5) over NBC red. Show had variety, plenty of genuine comedy, some sock music and was expertly presented. Guest interviewee for the stanza was John J. McKay, captain of a Hudson river ferry. That turned into an illuminating, colorful and hilarious bit with Allen interviewing. Comedian threw plenty of interesting lore about ferry skippering from the pilot, all of which was highlighted by the humorous slant in which it was presented.

Another guest on the show was George Jessel, who had only meager material and made it plug for the film with Allen. He also received a bushel of plugs for his 'For Men Only' program.

Dramatic sketch for the show was above average. Dealt with the hectic goings on at the Trimm Pictures studio and was pretty funny, but petered to a feeble tag. As usual, Allen had his comedy cronies, Minerva Pious and Peter Donald, with the latter as bokey as standard radio comics with his thank-you cracks. Spot, as usual, was weak.

Merry Macs were forte, their best offering being an infectiously swingy version of 'Mean to Me.'

Joe E. Brown (Post Toasties) moved last week into the Thursday evening spot on CBS formerly occupied by Joe Penner and continued for a half-hour of humor that played as usual, to the six-year-old intelligence. With an impressionable Hollywood studio audience to lend noisy vocal aid, the Brown stanza reached its acme of lowbrow nonsense with the crashing of a raw egg against the forehead of one of the stooges and the program's regular wrong number telephone routine.

Following is a sample of the local gags which studded the script: 'He's been making B pictures so long that he gives boney.'

Kitty Carlisle's guest appearance on the Maxwell House coffee session (NBC) last Thursday (6) developed into a mess of low comedy. Her talents as a singer was treated as a mere runner-up to the fact that some fashion academy had just designated her the best dressed American girl. The crossfire that accompanied the description of the gown she wore for the occasion must have placed even the dames listening in.

When Miss Carlisle finally got around to singing her selection was 'When You're Away' and the result was a blend of nice tonal quality and good diction.

March of Time (7) on WJZ, New York, highlighted the current European crisis in kaleidoscopic fashion, with an underlying Easter theme to make the current events shroud even more incongruous with the spirit of Christ. Traveled swiftly, bringing in Chamberlain, Hitler, Mussolini and other statesmen, stressing the inevitable impending tragedy, but first mentioning the new Pope's Easter Sunday speech.

Program was well written and directed, the script depending to a great extent on actual quotes from speeches currently made in Europe by the ruling men.

'Hall of Fun,' over NBC Saturdays from Hollywood, was hodge-podgey and uneven last week. Ernest Truex, Cliff Edwards, Dick Lane, Gordon Jenkins orchestra participated. Net impression was of production haste and confusion, with editing and pulling together urgently needed.

'Spy Stories,' dealing with the last war, seemed doubly timely over the past week-end as presented by the WPA radio division on 1 broadcast from N. Y. It was carried through with commendable balance of script and performance, and well able to hold attention of those to whom the theme would, at the start, exercise a curiosity appeal.

Mickey Rooney made another radio appearance with the same routine concerning his song and his yen for the girl. It was thin, in the Gulf-Screen Guild program with the production excuse, previously used, that it was cute. It was consistently dull and so-whatish so far as Master Rooney was concerned.

We expect more from a youngster than uninspired entertainment, relying for value entirely upon the number of the moment. Talent is there, rather than anything they did or the inherent amusement values of the script. Joan Bennett's guest stint of the major programs, always for the purpose of being the wisecracker who sneaks through, seemed to be being hot with the big lover, has now been pretty well rounded out and exhibited. Time it was she wanted some boy Mickey Rooney who was fresh and the pash was Rudy Vallee. Apart from the frivolous taste of letting an adolescent (hear, hear!) make passes over the air at a woman, it wasn't diverting. Vallee acted the scene well, however. George Murphy emceed, Oscar Bradley batoned and Rosemary Lane sang. It was a van-load of talent not getting anywhere.

Jack Benny and his associates gave out a typical Jelloesque show Sunday. All of the standard tricks and the usual violent reflexes for the push-over Hollywood audience were in evidence. Nothing unusual about it. It would have been a good show for an ordinary comedian; it was an ordinary result for a good one.

Groucho and Chico Marx on the Kellogg 'Circle' last Sunday night (9) over NBC red scored with one of their funniest skirmishes to date although it contained some extraordinarily sour punning—even for the Marxes. Parts of the crossfire approached bedlam, with both comics apparently chucking the script overboard and ringing in ad libs on each other. Some of the business was obviously visual mugging that tied the studio audience in knots. Too much provided a loud stage-wait for the dialers. Same was true at the finale of the gag-fest. It was a fav in an otherwise hilarious stanza.

Guesting on the show were Kathleen and Charles G. Norris. Since they were working from a script the married novelist pair were unable to show their reputed culpability speed. However, the inning exhibited them to advantage.

Claudette Colbert guested on the Chase & Sanborn program Sunday (9) over NBC red, linking with Don Ameche in a short sketch around the newspaper business. It was a routine rehash of typical Hollywood cuteness about the star famous reporter and her 10-minute-egg editor. What was supposed to be a punch finish could be spotted from way off. And apparently on the theory that newspaper work is a racket anyway, Miss Colbert and Ameche ripped through it at the top of their voices. The studio audience is probably still all-shocked.

Ogden Nash, also guesting on the show, contributed original bits of his page-legend verse, some of it pertinent and all of it amusing. Edgar Bergen was unusually forte in two rounds with Charlie McCarthy.

POLLY JENKINS & PLOUGHBOYS
With Uncle Dan, Walter, Pappy Music
15 Mins.—Local
Sustaining
M.-T.-W.-F.; 5:30 p. m.
WOR, New York

Hill billy session remotes from the Village Barn, nitery in Greenwich Village, N. Y. With the exception of Polly Jenkins' piano bit, it's all ordinary. On the stanza caught last Thursday (6), Pappy offered a mild baritone solo of 'Home on the Range,' Walter nazaled a typically prairie number about 'My Little Old Shanty' and Uncle Dan italiced the genial rube m. c. stint.

However, Miss Jenkins' keyboard fingering was reasonably proficient and sbowmanly. *Hold.*

NAME THREE
With Bob Hawk
15 Mins.
DUNHILL CIGARETTES
Monday, 9 p. m.
WOR-MBS, New York
(Blow)

One more audience quiz show. They now are as common as exhausted tires after the New Year holidays. With more, rather than less, the prediction for the summer, the public's ability to play and like and listen to parlor games projected on a nationwide basis seems unlimited. Until there is more conclusive evidence that their majesties are bored, the advertiser with a small budget and clever advertising qualms will naturally think such a program as 'Name Three' is worthy of a trial, with the customary mental reservations, it is.

Hawk paces his show well. Clear and crisp and affable. All fairly easy questions, but enough muff 'em to build up a kitty for the final toughie. Some bright material cue work helps. *Land.*

FRANKIE FRISCH
Baseball Comment
15 Mins.—Regional
Sustaining
WNAC-Yankee, Boston

A former ball player himself, Frankie Frisch is being warmed up as a Yankee network baseball analyst. Later he will be due for sponsorship by Atlantic Refining. Frisch has an unenviable predicament to be said for he takes over the spot long held by Fred Hoey. Hoey was and is a great Boston favorite. Had now gone into Atlantic Refining distributed and a campaign of pressure against Atlantic Refining is being organized to get Hoey back. This is a bit unpleasant.

Here is one case where comparison is not better but inviditous. Will certainly be made. In the opinion of many habitual listeners to sports matters Hoey seems to be being the best baseball caller in the nation. Hoey himself had been persuaded to believe he was good and had wanted John Shepard to say it with sponduliicks. That was the reputed end of a troubled Boston spot.

Thrice weekly (Tuesday, Thursday and Saturday) the Yankee Net sends Frisch over the 815 p. m. commentary on baseball. As a big-league player (he managed the St. Louis Cardinals for years) he has plenty of first hand experience. Frisch brings to the mike a brand of commentary which is conversational in manner. This should appeal to the fans. His radio personality is very okay; too; and his deep, clear voice is easy on the ears.

Although Frisch shows good possibilities, he has not yet arrived as a topflight commentator, for his inexperience at this new job is plenty apparent. Impression is that he obviously reads from a script, so that his utterances lack the spontaneity they could have had with more practice. Doubtless, that is why he is doing this preliminary sustainer.

Fon.

BEBE DANIELS-BEN LYON
With Billy Bissett Band, Tommy Handley, Sam Browne, Alice Mann
30 Mins. Adelaide Hall
Sunday, 6:30 p.m.
Radio Normandy (France)

Chesse Sunday show is one of the bright spots in commercial radio over here. And an object lesson in mixing gay with melody. It's not such a system to have a band supported by numerous individual lines. Show here is given smooth presentation and well rehearsed continuity. Billy Bissett recently took over the music end of the program and his boys dish out the rhythm stuff in ear-tickling style. Not overbearing, but brass, so that its manner is midway between swing and sweet, but most certainly not off the cob.

Show's backed by a team of clowns like the Lyonses and Handley is a task for any music team, but Bissett's boys take it in their stride, ring into their numbers with neat precision as and when. Sam Browne, Alice Mann and Adelaide Hall shared the vocals, but the comics bogged most of the show.

Question with this program is whether it is well timed now that BBC shouts out its first Sunday news bulletin at 6:30. Currently with everyone hanging on to the reports from all over Europe, the I.B.C. broadcast is likely to be second choice with many.

ARTHUR GODFREY
Songs
15 Mins.
CARNATION MILK
Daily, 9 a.m.
WOR, New York
(Erwin Wasey)

Through Godfrey compresses tunes, commercials, and the explanation of the processing of his sponsor's coffee lightener into a seemingly short fifteen-bee, the impressionist is plenty ant. Voice is no great shakes, but a smooth, deep-toned, effortless delivery belies that fact.

Details of how Carnation is evolved consume a smart portion of his time, but the clear, crisp way it's relayed makes it interesting. Godfrey's backed by an organ which comes in a bit too loud, at times almost drowning him. It's nicely keyed, however. Okay a.m. fare.

Kid Plot—With Post-Munich Twist

St. Louis, April 11.

This is the plot of 'Scott Manley's Zephyr Squadron,' radio serial written by James Dutson and sponsored by J. D. Street Oil Co. over KSD:

'Two American kids, Scott Manley and Happy Young, are assisting a world war ace, Andre Legere, to perfect an 'electron transmitter,' a defense armament so powerful that it will destroy bombing planes in flight. Their efforts to persuade government air officials to go to the secret proving grounds in the west are beset by spies of an international group interested in keeping munition makers from the acceptance of the invention will cripple their business and wipe out profits.

The spies plant a time bomb in Manley's plane before he takes off for his Washington trip and as they also start out to locate Legere's cabin which they intend to bomb from the air to destroy him and his invention. Of course, as all good stories for kiddies must end, Manley discovers the plot to bump him off, makes a quick return to Legere's cabin, engages the spies' plane in an aerial dog fight until Legere is able to put his invention to a practical test which is successful. The dialer is spared the horrors of the crackup of the spies' plane, etc.

Closing commercial of the program caught contains 746 words and the opening 296 before story gets under way. Another plug of 273 words comes in the middle of the program. *Sahu.*

'AUTHOR, AUTHOR!'
With J. J. Fersman, Ellery Queen (2), Ruth McKenny, Carl Van Doren
Quiz
30 Mins.
Sustaining
Friday, 8:30 p.m.
WOR, New York

'Author, Author' attempts 'Information Please' idea along different lines, and misses fire. The laughs at the first broadcast were missing; the 'brilliant' of the guests was forced, while the audience wasn't in 'participating' mood.

'Author!' formula is to give the guest-writers a short, dramatic or humorous sequence and have them spontaneously design a complete plot from the story. It All of it sounded very silly and meaningless.

S. J. Perelman, an established humorist, is a guest, and apparently thinks that calling one of his guests 'a rat,' or some such flattering term, gets laughs. His guests, in turn, call him 'a rat.' It's unfunny.

Three sequences were advanced at this broadcast, with each of the guests (Ellery Queen is actually two people), giving their versions of the plot of life. All of them were trite explanations.

Commercial possibilities of this show appear very slim. Robert L. Shayon is the announced producer.

Scho.

SUNDAY SONG QUIZ
With Bob Steele, Bruce Kearns, Harold Kelb
15 Mins.—Local
REEMSNYDER, NBC.
Sunday, 12:30 p.m.
WTIC, Hartford

Audience is invited to name song tunes after hearing cues in the lines of poetry while Harold Kelb at the piano plays the melodies. Program is simple but disarming.

Difficult to understand how any of them can name the names of the tunes particularly if they have lived during the past two decades. Total $1 prizes awarded each week. The program tightens up on the listener with a requirement that 25 cents in coin or money order must be sent in exchange for silverware, if the participants wants to be eligible to receive one of the prizes.

Mikemen Bob Steele and Bruce Kearns do well in the make the program effective with recital of the poetry cues. Program could stand more plugging and commercial in midway is a gran-producer. *Eck.*

THE FOL-DE-ROLS'
With Frank Avalon, Irene North, William Stephens, Gladys Vernon, Walter Midgley, Frederic Gregory, Cyril Fletcher, Cyril Fletcher, Sandy Macpherson
Concert Party
30 Mins.
Wednesdays, 8 p.m.
BBC, London

Cyril Fletcher's well-known concert party got a tough assignment in replacing the ace-high 'Band Wagon' show Wednesday nites (for six stands only), so if effect of the first airing of the series emphasizes just how much British radio talent is when their predecessor went off the programs maybe they're not entirely to blame. But Newman must take the rap for trying to keep in line by blatant copying of 'Band Waggon' material instead of concentrating on his own line of stuff.

In an hour's bill they gave not less than six skits on the show, which together with several burlesques of radio features. They had an imitation of Walter Widgery (the Scotsgon's parody of 'Snow White'; they even asked listeners to send 'em wheeze specimens to decide a problem issue; and they pilloried the BBC Grand National commentators, an idea which has been worked regularly for at least 15 years. Taken this way, it's not good enough, and show will have to re-route if it hopes to hold attention. Even the BBC variety orchestra lacked its customary 'umph.'

Vocalists Walter Midgley and Irene North were okay, and gave the program its best moments. Ernest Arnley, conversely, the alleged No. 1 comic, confined his technique to a minimum attempt to emulate the Arthur Askey personality.

JACK BUCHANAN
'Monte Carlo' with Maggie Teyte, Nadine March, Gibb McLaughlin, Charles Mason, etc.
Musical
60 Mins.
Friday, 8 p.m.
BBC, London

Currently strong on ether versions of past film hits, BBC is running a single all along the line with them. There were hitches before they got clearance on the Paramount film epic, and it is plain it must be considered whether the program justified the sweat involved. Important chiefly in that it brought Jack Buchanan back to the air for one of his infrequent spots.

Against that is the miscasting of Maggie Teyte in Jeannette MacDonald's part; though she has, maybe, the voice of the two, she lacks mike experience and had none of the gay vivacity the role requires. Also, she had to be condensed to go in an hour, making its continuity jerky in spots, and mechanical. Jerky enough part of the deal where his share of the limelight was concerned.

Saucy story was certainly worth resuscitating, and famous numbers like 'Beyond the Blue Horizon,' 'Always,' 'A Moment Please' and 'Trimmin' the Wonder Tree' came over well, largely on account of customary excellence of BBC variety orchestra under Louis Levy's baton and fine support by the Revue Chorus. Miss Teyte sang finely, though more in the opera than musical comedy tradition, and Buchanan played with poise and zest. Nadine March was spirited as the maid.

Douglas Moodie's production dragged in as many of the genuine Lubitsch touches as could be suggested, including the ever-ready handling of piquant dialog and neat repetition of music themes by unusual means. It somehow muffled the climax, though, and if the program failed, maybe it was because the listener expected too much.

'LIVES AT STAKE'
State Police Cases
15 Mins.—Local
REARDON FURNITURE CO.
Sunday 5 p.m.
WOKO, Albany

Program of some local interest and punch, although idea of presenting cases from state police files is not new by a long shot. Lt. Com Troop G, Troy, broadcast a series of sustainers on WGY five years ago, with Lt. Bradley H. Crutchfield, as narrator. That one emphasized scientific phases of criminal investigation and despite no professional cast, did an effective public relations job for State Police. Present program is not particularly new in field of action drama, is an authenticated, localized version of old cops and robbers game.

'The Dresden Station Case,' dealing with a maniac killer, was overloaded with gumplay. Questionable 'entertainment' for children, likely listeners. Other playlets are said to be more careful selection but of course, indicated for a Sabbath afternoon block.

Appearance of Major John Adams Wood, head of state police, was a neat touch. Warner displayed an excellent voice (he is better known to dialers as a classical planist) and manner, in thanking WOKO for long-time cooperation, etc.

Cast is good, if sparingly budgeted. Announcers Gren Rand (director-narrator), Sherb Herrick, Bob Jones, Elliott Love and Ralph Xenna work in two or three roles each. Other mikers include Maybelle Hindman (perhaps the most professional of company), Harry Alexander, Abraham Smith and Harold Ryan. Rand is a considerable plugging, not helped by fact staffer-actors double in it. Contest angle, letter writing for a trip to World's Fair, etc., should pull.

Wayne Schumaker, of Rochester, scripts skits. *Jaco.*

William S. Paley back to New York after rest in Arizona and biz sesh in Hollywood.

Extent of Audience Quiz Shows

Extent of quiz-audience participating programs at the present time is illustrated by NBC's list thereof as itemized last week by the network. NBC has 14 such shows, ten sponsored. They are:

COMMERCIAL

'Battle of the Sexes,' with Frank Crumit and Julia Sanderson. Tuesdays, 9 to 9:30 p.m., EST. Red Network. Sponsor: Cummer Products Company. Product: Molle Shaving Cream. Agency: Stack-Goble.

'Doctor I. Q.,' with Lew Valentine. Mondays, 10:30 to 11 p.m., EST. Blue Network Sponsor: Mars, Inc Product: Milky Way. Agency: Grant.

'Information Please,' with Clifton Fadiman, Franklin P. Adams and John Kieran. Tuesday, 6:30 to 9 p.m., EST. Blue Network. Sponsor: Canada Dry Ginger Ale, Inc. Agency: J. M. Mathes.

'Kay Kyser's College of Musical Knowledge,' Wednesdays, 10 to 11 p.m., EST. Red Network. Sponsor: American Tobacco Company. Product: Lucky Strike Cigarettes. Agency: Lord & Thomas.

'Paul Wing's Spelling Bee,' Sundays, 5:30 to 6 p.m., EST. Red Network. Sponsor: Cummer Products Company. Product: Energine. Agency: Stack-Goble.

'Professor Puzzlewit,' with Larry Keating. Sundays, 3 to 3:30 p.m., PST. Pacific Network. Sponsor: Gallenkamp Stores. Product: Shoes. Agency: Long Advertising Service.

'The Right Thing to Do,' with Emily Post and Nelson Case. Tuesdays, 7:45 to 6 p.m., EST. Red Network. Sponsor: George W. Luft Company. Product: Tangee Lipsticks Agency: Warwick & Legler. (Last broadcast April 25.)

'True or False,' with Harry Hagen. Mondays, 10 to 10:30 p.m., EST. Blue Network. Sponsor: J. B Williams Co Product: Glider and Williams Shaving Creams. Agency: J. Walter Thompson.

'Uncle Jim's Question Bee,' with Jim McWilliams. Saturdays, 7:30 to 8 p.m., EST. Blue Network. Sponsor: G. Washington Coffee Refining Company. Product: coffee. Agency: Cecil & Presbrey.

'Vox Pop,' with Parks Johnson and Wally Butterworth and Graham McNamee Saturdays, 9 to 9:30 p.m., EST. Red Network. Sponsor: Penn Tobacco Co. Product: Kentucky Club Pipe Tobacco. Agency: Ruthrauff & Ryan.

SUSTAINING

'Don't Forget,' with Allen Prescott. Fridays, 8 to 8:30 p.m., EST. Blue Network.

Horace Heidt and his orchestra. Saturdays, 11:30 p.m. to 12:30 a.m., EST. Red Network.

'It's Up to You,' with Dale Baxter Saturdays, 3 to 3:30 p.m., EST. Blue Network.

'Name the Place,' with Ben Grauer and Milton J. Cross, Sundays, 3:30 to 3:45 p.m., EST.; Tuesdays, 10:45 to 11 p.m., EST Red Network.

KOIL to CBS; WOW Earmarks 9-10 For Re-Broadcasts of Blue Shows; Shenandoah Duo's Omaha Yen

NBC will be without a second Omaha station when KOIL quits the blue (WJZ) link for Columbia April 30, but it has arranged to service some of the blue accounts on WOW, local release for the red (WEAF) network. WOW is setting aside an hour each night, 9 to 10 CST, to delayed broadcasts (from instantaneous recordings) of blue network commercials. WOW will also interpolate daytime blue commercials on a similar basis when and if possible.

Two Shenandoah, Ia., stations, KFNF and KMA, are trying to move to Omaha and NBC figures that it will have an outlet for the blue if one of these deals goes through. KMA has already an application on file for transfer with FCC, while Jesse Kaufman, who recently bought a major interest in KFNF, is readying a similar application.

NBC also harbors the hope of regaining KOIL after KFAB, Lincoln, which is on the same frequency as WBT, Charlotte, has moved its transmitter. The new site for KFAB's transmitter suggested by engineers is within 20 miles of Omaha and the NBCites have an idea that something drastic will happen when it develops that a 50,000-watter (KFAB) and a 1,000-watter (KOIL) are each delivering well-signaled CBS programs in the Omaha area.

KFNF's New Sales Rep

Shenandoah, Ia., April 11.

Station KFNF here has appointed Reynolds-Fitzgerald as its national spot sales representative throughout the country.

Appointment made by M. H. (Pete) Peterson, who is also arranging to supply the rep offices with full disc file of KFNF talent.

Ford Rush on KYW

Philadelphia, April 11.

Ford Rush, who made his air preem on KYW in Chicago 16 years ago, returned to the station this week. Rush, at the start, was teamed as Ford and Glenn. He was later 'Old Man Sunshine' on WLW and last year did 'Dad and Junior' show on WFIL, Philly.

Works with his son in the new act, which opens the station 15 minutes earlier than previously, or 6:45 a.m.

DEADLINE FOR MONITORS

FCC Says All Must Be Equipped By September 15

Washington, April 11.

Warning that all transmitters must be prepared for the purchase of frequency monitors to comply with Rule 981 of the Communications Act was served Monday (27) by the commish.

After nearly three years of continued extensions of the rules' effective date, FCC announced that on Sept. 15 all stations must be provided with the required equipment. Monitors which are satisfactory to the commish are now available from two or more manufacturers, announcement stated, but not officially 'approved.' Must have 'an accuracy of one-half the allowed tolerance of the class of station with which used' and licensee will be responsible for the accuracy and operation of monitor.

New FCC Lawyers

Washington, April 11.

Headed by a femme attorney from the state of Oregon, long list of applications for permission to practice before the F. C. C. was approved Monday (27). Embryo radio attorneys are as follows:

Mildred D. Cestic, Portland, Ore.; Harry Marcus Cohn, Cincinnati; Nelson R. Durant, New Haven, Conn.; Max M. Gilford, Los Angeles; Hayden L. Hews, Riverside, Calif.; Herman Goldberg, Louisville; Donald G. Graham, Seattle; F. Cleveland Hedrick, Jr., Neville Miller and Herbert F. O'Hare, Jr., Washington, D. C.; Edward J. Hudon, Lewiston, Me.; George P. Kirkpatrick, Houston; Leo M. Koenigsberg, Seattle; S. Stanley Kreutzer and Ferdinand J. Wolf, New York City; W. Y. Rosier, Fayetteville, Ark.; William Joe Sears, Jr., and Walter C. Shea, Jacksonville, Fla.; Wilbur Seabrook, Erie, Pa.; Paul A. Sykes, Norwood, Mass.; Julius Frederick Trefz, Chicago; Lloyd T. Weeks, Minneapolis.

Mark Finley press agenting Don Lee network. Frances Zoloth continues as KHJ (Los Angeles) press

ELASTIC SCHEDULE

WNEW Can Carry Baseball with Other Advertisers' OK

Finally clearing a clogged schedule, WNEW, N. Y., will air play-by-play descriptions of both the Newark Bears and Jersey City Giants of the International Baseball League. Games will be co-sponsored by the Atlantic Refining Co. and General Mills. Spieling will alternate daily from one team to the other. WHN, N.Y., last year carried Jersey City.

In order to clear the time station had to arrange an okay with participating sponsors of a two-hour musical show to shuttle it back and forth depending on whether the sked calls for a night or afternoon ball game. It will air 8-10 p. m. or 3-5 p. m., depending.

Earl Harper will again call plays. Season gets underway April 20 at Newark. Prior to that, however, two exhibition games will air; one from Newark tomorrow (Thurs) and another from Jersey City Saturday (15).

'WE WANT HOEY' CHANT RAISED BY FANS

Boston, April 11.

Protest by personal friends and radio fans of Fred Hoey to his banishment from Yankee Net mikes as a baseball announcer and commentator has snowballed to sizable proportions. A committee of 50 or more pals of Hoey have formed an organization known as 'The Fred Hoey Boosters,' and have set up headquarters in a double store space on Province street in Downtown Boston.

By direct mail the committee has mailed out more than a million petitions to New Englanders, according to a spokesman for the Boosters; and a million more are going through the mail this week. These petitions, sent to hospitals, cigar and drug stores through New England as distribution centers to reach signers, are addressed to R. H. Colley in Philadelphia, president of Atlantic Refining Co. Colley's company is slated to sponsor Frankie Frisch (formerly with the St. Louis Cardinals) as announcer on alternate home games of the Boston Red Sox and Bees this summer, beginning later this month.

In addition to the direct mail drive, the Boosters are sending around a sound truck through the Greater Boston area, playing musical records, and excerpts from a Fred Hoey baseball game broadcast (or a simulated one). On the truck is plastered copy calling attention to the campaign to get Hoey back on the air, with a notice that petitions and automobile stickers are obtainable from the driver. The stickers read: 'Fred Hoey Boosters' and 'We WANT Fred Hoey Back on the Air.'

One day the committee ran small ads in all the Boston papers, on sports pages, focusing attention to the driver; and in the windows of the headquarters layout are displayed newspaper clips, pictures of Hoey, and letters of protests from boosting fans.

Although Hoey has plenty of friends among the sportswriters of this town, the local press has laid off the squabble almost entirely, presumably for business office reasons. Among the columnists, Bill Cunningham (Boston Post) and George Holland (American) have mentioned it. Out-of-town sheets, however, are giving the campaign quite a spread.

It is understood that Atlantic Refining is now conducting a survey to sample the sentiment of radio listeners for its own guidance.

Most silent figures in the mixup are: Frankie Frisch, Fred Hoey and John Shepard, 3rd. None is making any statement, except that Hoey says emphatically that he is 'out of the picture' as far as promoting or organizing the 'Boosters' campaign is concerned.

Committee members are underwriting the expense of the drive, but a committeeman told Variety that so many materials, etc., have been contributed that the actual cash outlay for each member will not exceed $15.

Hartford, April 11.

At least a dozen petitions, addressed to John Shephard, asking for the return of Fred Hoey to the airwaves, are being circulated among sports fans and clubs here.

Only NBC Stations Can Afford Phone Company Line Fees To Frisco Fair; AFM Also Crimps

San Francisco, April 11.

High cost of lines and musicians has stymied bay region broadcasters in plans to air programs from the Golden Gate International Exposition, while the fair's radio division is marking time, with expensive equipment completely installed but not sufficient funds to carry out its elaborate advance plans for presenting its own radio shows.

Charge for lines to Treasure Island is $10 a day from either San Francisco or Oakland, or $160 monthly on a flat rate. As a result of this tariff levied by the telephone company, none of the small indie stations in the bay area have released a single broadcast from the expo. KGO and KPO, the NBC outlets, are the only stations playing for lines on the monthly basis, with other transmitters hereabouts engaging facilities on the day-by-day rate. KGO claims to have broadcast four times as many expo programs as any other local station.

Musicians Also Tough

Musicians' Union Local No. 6 is making it tough for the stations by insisting that all musicians broadcasting from the island must be paid the radio scale plus a $3 casual fee, and by refusing to allow the stations to include money spent for music in broadcasts from the expo in their annual music budget set up in contracts with the union. Although the expo bands receive less than the radio scale, being paid around a $75 weekly minimum, the union insists the men get the radio rate if they broadcast. First series of band concerts to be aired from the island began Sunday (9) over the Coast NBC-Red web, which is picking up the Edwin Franko Goldman Band for a half-hour, three Sunday afternoons this month. Union has waived its salary demands in connection with these three Goldman band broadcasts.

Several local stations have been expecting to move programs from their own studios to the expo studios, but are holding off now on account of the music costs. The fair has excellent facilities for broadcasts, housed in a $400,000 radio building financed by the state of California and including four studios, one of which, a 3,300-seater, is now being used by the 'Folies Bergere' company for its four or five daily performances. The only broadcast to date from this large studio, which has been pronounced acoustically perfect, has been Eddie Cantor's 'Camel Caravan,' which preceded the 'Folies.' Because of the presence of the French stage production, both the 'Professor Quiz' program on CBS and the 'Voice of Firestone' show on NBC had to use halls outside the radio building for their recent broadcasts from the island, the former emanating from the California ballroom and the latter from the auditorium in the Hall of Western States.

Every effort will be made to encourage increased radio activity at the expo during National Radio Open House week, starting April 17, and to arrange, if possible, for the formal dedication of the radio building. Local broadcasters are hoping to iron out some of their difficulties with the musicians' union so that a number of programs may be originated at the fair during the week. Definite plans for the local observance of the week will be made at a meeting Wednesday (12).

Lack of funds has slowed progress in the fair's plans to originate its own programs. Expo has its own radio staff of four announcers, 12 technicians, plus program manager Bob Coleson and his assistant Jack Lyman and production manager Jack Joy, all under the management of Arthur Rowe, radio chief, who is taking one of the radio studios for an office until things begin moving.

At present the announcers and engineers are kept busy most of the time feeding canned music and special announcements to the public address system on the fairgrounds. The program staff has been cooperating with stations in preparation of programs in connection with special events at the fair, such as dedication of various foreign buildings, etc. Picking up a Philippine Presidential Band concert for the Coast loudspeakers had the mikemen as excited as if they were handling a transcontinental broadcast, which gives an idea how dull their job is at the moment.

Hartford Games 2d Fiddle To Boston Web Feeding

Hartford, April 11.

Unless Bob Quinn, owner of the Hartford Laurels, assents to night games for the local ball club there will be no broadcasts of games played by that team. WTHT carried play-by-play descriptions of the ball club last year and is set to do so again this year.

Station, however, is committed to carry all daily games of the Boston Bees and Red Sox, carried by the Colonial network. Only time available for local club is at night and Sundays. WTHT will broadcast all Sunday games.

Last year WTHT broke in on the Colonial with carry descriptions of the local team's activities. Will not do so this year.

General Mills' Pep Rally

Atlanta, April 11.

Baseball spielers who will air games in various leagues this year under joint sponsorship of General Mills (Wheaties and Corn Kix) and B. F. Goodrich Rubber Co., gathered here Friday (7) for final instructions and conference.

Among those gathering here with Knox Reeves reps, Mark Forgette, Jim Kelley and Bob DeVany, in addition to Joe Hill, WAGA, Atlanta, sports spieler, were:

Herman Grizzard, WLAC, Nashville, Bill Terry, WSGN, Birmingham, Jack Bridges, WALA, Mobile, Jack Gibney, WRBL, Columbus; Tom Nobles, WAPO, Chattanooga; Lowell Blanchard, WNOX, Knoxville; and Roger Phillips, WDSU, New Orleans.

Paul Adler with Rep Co.

Paul F. Adler has become manager of the New York office of Sears & Ayer, Inc. He was former; with WMCA, N. Y., J. P. Muller Agency and Craig & Hollingsbery.

Hibbert Ayer withdrew from the firm recently.

Radcliffe Hall to NBC, N. Y.

Schenectady, N. Y., April 11.

Radcliffe Hall, production director and announcer at WGY since 1937, has been suddenly shifted to NBC's New York staff.

He sought the transfer.

PROF. POOLEY RAPS PEDAGOGS' SHUT-OUT

Spokane, April 11.

Commercial monopoly of the air waves is a reality by Robert C. Pooley, University of Wisconsin professor, at the National Council of Teachers in English conference here.

'You can hear Charlie McCarthy over three or four stations simultaneously, but large areas cannot be reached by radio facilities allocated to education,' he charged. 'More than half of available daytime broadcasting channels are allocated to commercial stations for commercial purposes and at night almost 98%. It stands to reason education will never be accepted as a standing charge on the time log of a commercial station. The alternative is increased allocations of broadcasting facilities to States for non-commercial uses in the public interest.'

Warning against irresponsible supervision of school broadcasting, he said: 'It should be obvious that a means of instruction touching the lives of thousands of children cannot be left to the insidious designs of those who would use the schools for propaganda.

Bureau of Missing Business

(This department will be devoted to discussion of types of advertising that, for one reason or another, usually offer resistance to radio. Often, as in heavy goods, the product does not lend itself to consumer advertising; again, as in insurance or utilities, overlapping political or industrial factors operate against radio.

In any event, the object of this series is to stimulate thought and exchange of ideas. Persons within the trade are invited to express themselves, either on specific subjects brought up, or on related aspects overlooked or not covered.)

NO. 3—SHOES

For the annual turnover that the shoe industry enjoys the amount spent for radio advertising rates is a mere pittance, and it's been getting less with the passing years. The retail sales for shoe stores in 1937 amounted to over $750,000,000, yet in that year there wasn't a single shoe account on the national networks and the pickings of spot business from that field couldn't have amounted to $500,000. When compared to other factors in the apparel group, the shoe business' relations with radio show up still punier.

Station sales staffs in various parts of the country have demonstrated that the shoe retailer can be got if pressed hard enough and approached with the right program and merchandising campaign. An outstanding case in point is the experience of Arthur Hull Hayes, sales manager for WABC, N. Y., with the Thom McAnn chain, a subsidiary of the Melville Shoe Co. Hayes lit on the idea of selling the McAnn group an early a.m. news period, gathered a mass of pertinent data, including the subject of peak commutation traffic, and went after his quarry. The account cited past experiences and no mean array of counter arguments, but Hayes persevered with the result that he landed the account on a six-times-a-week basis for 52 weeks. However, Hayes had one advantage, and that was the support of a strongly pro-radio agency, Neff-Rogow, Inc. Same station recently succeeded in bringing back Emma Jettick shoes after a several years' layoff from both network and local advertising.

The most frequent argument that radio salesmen on shoe company solicitations have had to contend with is that the average shoe concern can't stand the budget required for the type of program that would fetch the attention that the product requires. The shoeman is loath to become the underwriter of just another program. He refuses to think in terms of other than night-time schedules, even though there's a rich field available to him among the housewives who do the major portion of their listening during the day.

Particularly noticeable among the missing in the shoe industry as regards radio are the children brands. At one time the Buster Brown Shoe was a network user of no small proportions. This company, which manufactures the Buster Brown and Airstep brands, now confines itself to spotty participation in the transcribed Jean Abbey series. From the kid ranks radio also used to get an occasional campaign on the Robin Hood and Indian Walk brands.

WBC's Pacific loop has the Gallenkamp shoe stores sponsoring a quiz program, 'Prof. Puzzlewit' at present time.

Insurance Interest Stirred

By HAROLD W. COHEN

Pittsburgh, April 11.

Discussion of the insurance company attitude toward radio advertising which was recently published in Variety's 'Bureau of Missing Business' played a part in an insurance sponsor contract pending at KDKA. Matter had been stewing some months, but the timely appearance and thought-provoking nature of the Variety discussion helped clarify. KDKA went into action to attempt to clinch.

Serial script had been cooked up some time before by Joe Feldman and Bill Beal, station's continuity head. Sales department, for the first time, found a willing ear when program was suggested to flock of local agents.

As a result, show is currently being whipped into shape—requires dramatic cast and music—and will be auditioned at KDKA Thursday (13) for group of 22 important insurance men in this district.

Learning that KDKA had a program formula currently available, NBC officials had station representative go to New York to discuss the program and exchange insurance ideas.

First time insurance people here would ever listen to radio proposals, and generally believed a direct result of Variety symposium.

Spot Campaigns

(New, Renewed or Pending)

Mothers Best Flour (Nebraska Consolidated Mills) will use a 15-minute home economics show on WNAX, Yankton, S. D., five times a week. Contract is for 52 weeks. Account also considering WMT, Cedar Rapids, KFNF, Shenandoah, and KMMJ, Grand Island, Ia. Earl Allen Co. is the agency.

P. Lorillard Co., on behalf of Dieties cigarets, has bought all time signals, approximating 100 weekly, on WGXR, N. Y., for 52 weeks, effective this week.

Staley Milling Co., Kansas City, signed for series of 13-week sponsorship of 'Men of the Range' on the Texas State Network.

Dickson & Ford has been appointed by Lyons Bedding Co. to handle the firm's radio business. Current Lyons' program is 'Battle of Words' on CFRB, Toronto, Thursday nights.

Bayer-Semesan Co., Inc., Wilmington, Del., through Thompson-Koch Co., Cincinnati, Ohio, beginning March 22 for 18 announcements of 100 words each, six a week. WHO, Des Moines.

Manhattan Soap Co. has renewed Jimmy Stevenson's morning news shots on WJR, Detroit, for 13 additional weeks, starting April 17.

General Foods renews the Young Doctor Malone serial on WJR, Detroit, for 13 weeks after present contract expires April 24.

Emerson Radio has bought a 15 min. bi-weekly news strip on WMCA, N. Y., and WOL, Washington. It's for 13 weeks starting April 17 and aired from 10:30 to 10:45 Monday - Wednesday - Friday. Program will emanate from WMCA and will have to be repeated each broadcast when Daylight Saving time goes into effect. Washington stays on Eastern Standard time.

Lightfoot Associates agented.

Ansonia DeLuxe Shoe Shops, Inc., bought 15 mins. of 90 min. 'World's Fairest Music' participating show on WMCA, N. Y., for 52 weeks starting past Monday (10).

Friend Advertising Agency agented.

Dime Savings Bank of Brooklyn starts series of talks on household repairs and maintenance, over WMCA, New York. Roger B. Whitney, real estate editor of the New York Sun, will do the 15-minute weekly shot titled, 'From Cellar to Roof.'

Through Austin agency.

RCA Victor is bankrolling 'Music As You Like It, When You Like It' (discs) over CKLW, Detroit, six nights weekly for 30 minutes. Plugging releases.

STATION IDEAS

WWL's Country Store Angle

New Orleans.

WWL here has spread placards in all general stores of country towns in Mississippi, Alabama, Louisiana and West Florida where surveys showed there were listeners to its farm programs.

Attention - callers designed to spread the habit.

Primary and High School Tie

St. Paul.

Grammar school moppets are collabing with local high schoolers in putting across a new series of weekly broadcasts over WCCO. Fourth-graders, who study as a regular course a history of the State of Minnesota, dig up the material—and the high school studes write scripts and produce the 15-minute shows.

Dubbed 'Hail, Minnesota,' the series got away at 2:15 p.m. last Wednesday (22) with a chapter entitled 'Minnesota Today.' Tomorrow's (28) chapter is 'The Redman's Paradise.'

Broadcasts, which originate in WCCO's Minneapolis studios, are handled in cooperation with the St. Paul Department of Education. When the series winds up, just before summer vacation, the nine weeks will have run the fourth-graders completely through their course of study of the North Star State.

WCCO's Donut-Dunking

Minneapolis.

As a promotional stunt for his early morning broadcasts over station WCCO here, Clellan Card, announcer, is holding an annual Doughnut Dunking Festival in the studio. The doughnut party drew approximately 1,500 people at 6:45 a.m. last Wednesday. The guests were served free doughnuts and coffee.

WXYZ's Patriotic Series

Detroit.

WXYZ is inaugurating a new 30-minute program tagged 'Signers of the Declaration of Independence.' Show will dramatize life of every signer of the declaration of independence, one at a time, and Manager H. A. Campbell has effected a tieup with Detroit superintendent of schools whereby students will submit essays on each person dramatized. Winning stories will get a 30x20-foot American flag with school's and pupil's name inscribed thereon.

Second prizes will consist of George Washington pix by Stewart, while third awards each week will be pix of the U. S. Constitution with signees.

Mimeograph Giveaway

Oklahoma City.

'KOMA Presents Ye Musicale Clocke Book of Books on Foo Losophy' is title of new giveaway book being distributed by station to audience of its Musical Clock program.

Booklet is mimeo job of twelve pages crammed with quips, jokes and what-not used by Roger King and Jimmy Todd in their program.

Quiz Quirk's Quick Quit

Cleveland.

Bill Dye's bank-nite quiz, bought by Fuller Shorthand School for thirteen weeks aver WHK to drum up prospective students, brought so many leads in first two broadcasts that sponsor dropped the show and postponed the rest of its air-time.

Station was a bit perturbed until school explained the situation. It would take its solicitors two months to follow up on the 300 names and addresses of quizzers netted by the initial two shows, and that was all they wanted at the moment. Leads were garnered from quiz tickets handed out by school, its own pubs and station. Prizes for right retorts ranged from two bits to $10 for the last and toughest question. If latter stumped entire studio audience, top prize was added to next week's ace pot, a la banko.

Broadcast From Residences

Milwaukee.

Merchandising a product by actual broadcast right in the home is used for Meier Ice Cream Co. by WTMJ. 'Table Talk With Nancy Grey' takes WTMJ's commentator into prominent homes each Thursday at 1:45 o'clock. Stages luncheon discussions with a picked group. Homes are chosen with a view to bringing pressure on dealers in their respective localities.

For her opening broadcast, which covered the subject, 'Career Women versus Home Women,' Mrs. Grey-size, and 25 legionaires in uniform went to the home of Mrs. Walter Hoffmann, prominent club woman of Whitefish Bay, smart lake suburb. With her cook as special guest Gretchen Colnik, writer and lecturer. Together they defended 'career' women against the home women participating in the discussion.

By-Liners Invited In

Fort Worth.

Getting local reporters to handle interviews during Bowen News and Interviews program on KGKO, Fort Worth, has attained much local publicity for the program. Elbert Haling, station publicity director, watches the papers for local stories with by-lines, then gets in the reporter and the subject of his story, if its alive.

Program is handled by Porter Randall for Bowen.

Legion-Station-Theatre Linked

Rochester, N. Y.

New radio program glorifying World War heroes killed in action to be launched here April 17 on the stage of Loew's theatre with biggest splurge in history of local broadcasting. County legion has endorsed the series assuring fullest co-operation and Mayor Dicker has proclaimed 'American Legion Day' in honor of the event.

Program, called 'Lest We Forget,' conceived by Charles E. Miller, legionaire and free lance radio producer, with Mort Nusbaum, Harold Kolb and LeVere Fuller of WSAY joining in scripting and production. Group will stage a going on national net with legion endorsement and weekly 'salute' in honor of particular hero dramatized. Program material includes more than 11,000 soldier dead from all parts of country given citations for bravery.

First program over WSAY will have the 60-piece Slager Post Band, three times national legion champs, playing on the stage of Loew's theatre, and 25 legionaires in uniform singing war songs and providing battle effects. Cast of 15 will dramatize life of David Hochstein, brilliant local musician who gave up his career to become a soldier and die in France.

Legion will bally event with replica of French train tooling about the streets carrying banners. Colors of all legion posts in county will be massed in lobby of theatre and legion fife and drum corps will play in street outside. County Commander Leighton Gridley will speak from the stage and high legion and city officials will occupy boxes.

While broadcast will have a peace theme, it will tie in with wave of patriotism and preparedness.

WTMJ's 'Song Doctor'

Milwaukee.

'The Song Doctor' is a new show, in which listeners participate, being aired thrice weekly over WTMJ.

Listeners are invited to write in to the 'Song Doctor' with their problems. He prescribes with a song. For example, John Smith writes, 'I'm having trouble with my girl. I have a steady girl, Mabel, who I'm supposed to see every night. But I met Anne. And fell for her pretty hard. What shall I do?' The 'Song Doc' in this case comes through with 'I Must See Annie Tonight.'

Show is built around Jack Teter, band leader, vocalist. Each 'patient' gets a picture of the 'Song Doctor' by writing in with a problem. Musical group consists of Jack Martin, organist, and Joe Szot, guitarist.

Student Tie-up

Cleveland.

Students from 12 Cleveland high schools, picked on basis of scholarship and interest in radio, are learning about the mike business from Larry Roller, educational director of WHK.

Youngsters are being taught mike technique, sound effects, continuity and writing scripts in course, which is a free, good-will educational feature okayed by board of education.

Inside Stuff—Radio

Lord & Thomas, agency on the Lucky Strike account, doesn't like the idea of Bristol-Myers preceding Kay Kyser's College of Musical Knowledge with another quizzer, 'What's My Name?' starting July 5, but Young & Rubicam states that it has not received protest about the situation from the American Tobacco Co. Y & R has two American Tobacco accounts, Half and Half and Pall Mall cigarets. 'Name' will be on the NBC red (WEAF) link from 9 to 10 p. m., and Kyser has the succeeding hour on the same network.

L & T is afraid that two successive hours of quiz entertainment over a period of 13 weeks might tend to shorten the intensive life of the Kyser program NBC may intercede.

Installments of 'The Goldbergs' on WOR, Newark, now run a day behind the live version which clears over CBS out of WABC, New York. Time on WOR, 8:45-9 a. m., remains the same. Procter & Gamble used to make a special transcription job for the WOR broadcast running it day and date with the live version. Under the contract with the American Federation of Radio Actors the continuance of this recording arrangement would entail the payment of a third set of talent charges. As it is, the account pays the cost for an initial broadcast and a rebroadcast on CBS. Because of the double bill P & G is entitled to record the installment off the line for airing over WOR without extra cost.

Miller transcription tape has approached Young & Rubicam with the idea of making some experiments involving some of the General Foods shows. Suggestion had been that a spot show of exceptional entertainment power could be created through the linking of excerpts from various GF programs.

What has already caused the agency to regard the proposition as dubious are the salary requirements that the contract with the American Federation of Radio Actors make mandatory for such transcription jobs unless the performers have been paid for a broadcast.

Big payers of income tax (for the year 1937) were released last week by the Government. Persons in radio and advertising are listed on page 6 of this issue. Meanwhile it is noteworthy that radio's progress into big business prestige is well exemplified by such revealed salaries as these:

William D. Paley, $190,196; Frank Hummert, $131,614; Mary M. McBride, $88,832; Alfred J. McCosker, $88,363; David Sarnoff, $83,333; Edward Klauber, $80,540; John U. Reber, $80,140; Phillips H. Lord, $65,000; Edward W. Percy, $61,813; Henry I. Christal, $61,812; Edward E. Voynow, $57,500; Lenox R. Lohr, $50,239.

Appellate Division of the N. Y. supreme court has upheld and affirmed the judgment which Daniel Feder entered against Norman Furman in connection with commissions on the sale of time of several small New York stations for Alka-Seltzer programs. The matter has been in litigation since 1935. Under the original settlement of the suit Furman was to pay Feder $500 within 10 days and to allow Feder 10% of the income on the account after an audit of the books.

Herb Moore, head of Transradio News, is experimenting with a facsimile idea that he expects to lead to the establishment of a nation-wide string of penny newspapers. Latter would be printed by an offset method and serviced with news by facsimile. Moore's backers include newsprint interests. The project has two divisions, one the home facsimile receiver, and the other street sales and carrier delivery.

Mutual again uses the juvenile picture book method to tell its success story. The latest promotional piece of this type is tagged, 'A Gulnea Pig Goes to Town.'

The case histories concern Sensation cigarettes, Ironized Yeast, Blue Coal, Bayuk cigars, Wheeling Steel and Winter & Co. pianos.

Ed Gardner isn't going to produce the 'Guess Where' show for Philip Morris. His wife, Shirley Booth, is the only member of the family connected with the program.

Bob Stanley, a musical director at WOR, N. Y., has acquired partial managership rights of Al Netlow, a Philadelphia light-heavyweight battler.

Bowes' Poughkeepsie Backwash

Readers of the Poughkeepsie, N. Y., Star Enterprise were treated the week before last to a curious debate on the entry amateur angle of the Major Bowes program. The crossfire of type took place in the paper's letters-to-the-editor column. One reader who signed himself 'Disgusted' complained about the alleged methods used in recruiting amateurs for the program's 'Salute to Poughkeepsie' night and declared that the reason he, or she, wasn't accepted was because of refusal to pay.

In a subsequent issue the paper carried a letter from Louis Wilbur, father of a local youngster who did get on the show. Wilbur wrote that he took 'Disgusted's' jibe as a personal reflection, stating that he didn't have to pay for his daughter's acceptance and that it seemed to him what riled 'Disgusted' was that he wasn't good enough to get on the program.

Dailies Reveal Inside Stuff On Levys' Profits in CBS Wax Deal

Last week the New York dailies published the inside details of the stock operations which preceded the purchase of the American Record Co. by CBS. The info, which was made available by the Securities and Exchange Commission, showed how I. D. Levy and his brother, Dr. Leon, CBS directors, made a profit of $32,500 on the resale of 10 shares of ARC's capital stock to the network. The period between purchase by the brothers and turnover to CBS was about 10 weeks.

As disclosed by Columbia's report to the SEC, I. L. Levy on Dec. 27, 1938, paid Herbert J. Yates, former controling head of American Record $70,000 for 10 shares of the latter's stock. I. D. later disbursed $10,000 more for an investigation of the company. CBS reserved the right to purchase these shares between Jan. 1, 1944, and May 1, 1944. CBS at the time was also dickering for the takeover of the World Broadcasting System and the question arose as to whether Levy had a right to participate in the latter corporation and it was agreed that the option be cancelled and Levy receive $112,500 for the 10 shares of stock.

Levy's Part

I. D. did not directly take part in this deal. His brother, acting for his son, Robert P. Levy, put up $56,133.33 of the original price of the stock and got $41,900.66, or a profit of $15,767.33. I. D.'s wife, Rita, who had acted for herself and her two youngsters, David Richard and Ann Frances, realized a like profit. The balance of $965.34 profit was split between Edna Bortin and Stanley Lee Broza, of WCAU, who had put up originally $800 each.

The Paley family also figured in this deal, but none profited on the transaction. Samuel Paley, the father of William S. Paley, who is also a CBS director, contributed $17,493.33, while the former's brother, Jacob Paley, put up $640. An unidentified Remraf & Co. delivered $8,000 to the purchase deal, but like the Paleys, got no profit.

Columbia's annual report, issued last week, explained that the availability of American Record had been brought to the network's attention by two groups that made it a condition of Columbia's purchase that they be permitted to participate, and in the eventual deal each of these groups got a participation of 10%.

WDRC's Happy Monday

Hartford, April 11.

Monday (3) was a red letter day at WDRC, Columbia outlet. On that day station took on four network commercial programs as well as two local ones.

These added are: Amos-Andy, Hornel's, 'It Happened in Hollywood,' 'Hilltop House,' 'Myrt and Marge,' from the network. Also Lane Furniture Co. for 13 weeks of transcribed 15-minute classical programs with a short spiel at the midway spot, by Betty Lane, on interior decorating. Other signature is Dutchland Farms for daily 125 word announcements to September.

Other new business includes: Ratcliffe Oil Co., daily 25-word spot announcements at station breaks; Wise Smith Department Store, 52 weeks, Sunday night newscast; Old Trusty Dog Food's, 'Just Dogs,' started April 9.

Associated Music Publishers last week recorded D'Artega, Tune Twisters Trio and Linda Lee for its library service.
head.

Lincoln Simonds Joining Roosevelt Web, Ft. Worth

Lincoln Simonds, formerly salesman for International Radio Sales, will take charge of Texas sales on the Texas State Network April 15. Fort Worth will be his headquarters. Elliott Roosevelt is his boss.

Simonds is motoring to the job.

THOMPSON DUE ON FCC

Publisher Romps in Without Opposition or Hearings

Washington, April 11.

Federal Communications Commission probably will be back at full strength by the end of the week with Fred I. Thompson, successor to Judge Eugene O. Sykes, expected to take the oath of office within a few days. Senate unanimously confirmed his nomination Saturday (8) after the Interstate Commerce Committee presented a favorable report without bothering about hearings.

Formalities—notifying the President, allowing time for any member of the senate to propose reconsideration, and getting the commission—will take five or six days. No date set yet for the Alabama publisher to go to work, but he is understood to be ready as soon as protocol allows.

Breslaw Bros. furniture chain, in renewing for 52 weeks its daily half-hour musical clock on WGY, also purchased time through Leighton & Nelson for 13 evening shots titled 'Swing at 7:30.' Feature, with transcribed music and live talent including interviews called 'Other People's Business,' will run for 13 weeks. New 'Search for Talent' series on Saturday morning has been started by sponsor, a continuous user of WGY time since 1929.

Interlocking CBS, Through Individuals, With Sundry Stations Called Vague

Washington, April 11.

Contention that Columbia exercises secret control over numerous reputedly independent transmitters was knocked down during last week's FCC chain-monopoly proceeding. Prior exhibit on 'community interest' was materially discredited when De Quincey V. Sutton, Commish accountant, was forced to admit the link between the web and the Gannett newspapers, Paramount Pictures, City Stores and John H. Steinman is tenuous.

Under sharp questioning, Sutton gave the following reason for lumping the chain with the other interests:

Sam Pickard, Columbia v.p., is interested in KITE, and thus associated with Richard K. Phelps, who is stockholder in WOKO and in WABY.

WABY is owned partly by the Press Co., which is owned by Gannett Co.

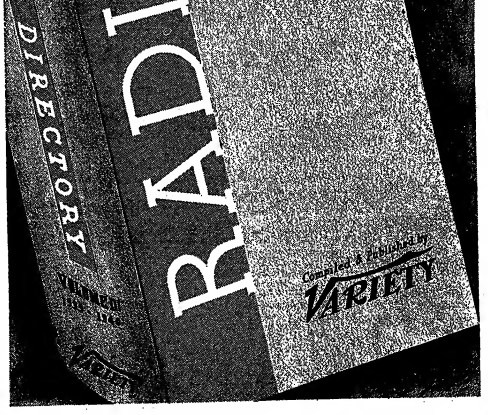
Columbia was linked to Steinman because Lawrence Lowman and Pickard hold some of the stock of WKBO, in which Steinman holds 83 out of 680 shares.

WDRC was placed inside the CBS sphere of influence because Larry Lowman holds 112 out of 500 shares.

When asked the reasons for presenting the exhibit, the Commish figure-hound admitted there is no direct CBS interest in many of the stations listed in the 'group,' but contended it is 'reasonable' to link the web to the various transmitters because of the relations between CBS execs and other individuals in th industry. Several stations were said to be partly dominated by CBS, Sutton confessed, because of Pickard's stake in KITE; the fact that Lowman and Pickard are co-owners with the Telegraph Press in WHP and with Steinman i WKBO; the coincidence that Stanton Griffis, chairman of the Paramount board, is interested in WSMB, New Orleans, because Par controls Saenger theatre circuit and Griffis is par' owner of the Hartford Times, which holds license for WTHT.

Sutton conceded no CBS officer or director has any interest in WDAN, WHEC, WTHT, WABY, WOKO, WHDL, WENY, WESG, WRAK, WSMB, WPHL, or WFIL. He contended, however, that because of the Griffis angle, Par must be considered an important element in control of 34 stations, including the CBS-owned transmitters.

Acknowledged Leader in the Field



1,200 Pages
2/3 Actual Size

THE 1939-40

VARIETY RADIO DIRECTORY

will surpass previous editions in the presentation of new and interesting and necessary research.

ADVERTISING RATES

Full page	$175.00
Half page	90.00
Quarter page	50.00
Bleed, per page, extra	$25.00
Color, per page, extra	$25.00

(These rates are net)

NEW YORK
154 W. 46th St.

HOLLYWOOD
1708 No. Vine St.

CHICAGO
54 W. Randolph

LONDON
8 St. Martins Pl.
Trafalgar Square

'WITHOUT COST, WITHOUT CENSORSHIP' LINKS 'CASTERS AND MANUFACTURERS

Open House Week a Bit All-of-a-Sudden to Most Stations—Date Picked to Be Ahead of Dealers' Spring Conventions—Local Observations Vary

The radio industry is moving, still rather slowly but on a wide front, to make 'National Radio open house' week an actuality starting April 17. The plea that there was too little time for organizing so vast a ballyhoo project has had to be brushed aside. To secure the cooperation of the manufacturing end of radio April 17th was the best available time, to predate the start of the spring trade conventions that will presently occupy the attention of merchants, dealers, wholesalers and so on.

Psychological factors have complicated the job. Many dealers have apparently not been quick either to understand or respond to the R.A.M. urging. Between dealers and broadcasters there has been much strangeness and vagueness. They do not, in the main, know each other. They do not, for the most part, talk the same language. To the dealer radio is a piece of furniture he sells along with beds, chairs, phonographs or coffins. To the broadcaster the set has been taken for granted like a modern motorist takes good roads for granted. Making these men see that they have anything in common is a task of emotional preparation. With not enough time or manpower to do the job.

The N.A.B. stresses meanwhile that the open house week is merely a start, not an end in itself. It launches, but does not culminate, the N.A.B.-R.M.A. drive to sell status quo in broadcasting to America. 'Without cost—without censorship—that's the American way in radio' is the basic slogan of a campaign to run a year or longer.

Question of how, in what manner and in what numbers the public is to be admitted to radio studios next week is being left to the individual judgment of the local managers by the owned-and-operated divisions of CBS and NBC. Existing facilities, staff, location and traffic must all be weighed. In some towns the transmitter, rather than the studio, is a better show.

Organized group visits of teachers with students, parents with children, business men, churchmen, civic officials, and so on will be common.

CBS and NBC are hurrying plans. On April 17 CBS will use its educational program to urge a reputed 60,000 school teachers to organize visits to the local stations. Same night the Columbia Workshop will have a Norman Corwin special, 'It Seems Radio Is Here to Stay.' It is hoped that Chairman Frank McNinch of the FCC will be one of the four on 'The People's Platform' April 23 to pro and con radio.

CBS plans go well beyond the initial Open-House week. On May 27 'Americans at Work' will round-robin Paul White, Hans von Kaltenborn, Rob Trout and, from London, Edward Murrow.

NBC setup will begin with the scheduled appearance on the RCA Magic Key program of Neville Miller of N.A.B., and Bond Geddis, executive v.p. of the Radio Manufacturers Assn.

Mutual is pointing such standard sustainers as Alfred Wallenstein, Gabriel Heatter, Bob Emery, Raymond Gram Swing, Ed Fitzgerald, Martha Dean, John Gambling and Fulton Lewis. They'll all have something to say.

WIP's Ambitious Stunts; Phila. Temperament Flares

Philadelphia, April 11.

Typical perhaps of the difficulties in the way of intra-industry cooperation is the prima donna act put on locally by broadcasters. It simmers down to very little. WCAU is accused of acting first, informing its contemporaries after the fait accompli. WCAU, however, seems to be the only station thus far doing anything, although in the end it appears WIP will have the most elaborate program of activities.

Broadcasters were first rendered suspicious when local Philco and RCA Victor sources professed complete ignorance of open house week. R.M.A. end seemingly wasn't in gear.

N.A.B. cut a phonograph record at the studios of WCAU and the radio men were disposed to make something of it although it was apparently an innocent case of N.A.B. doing it where it was convenient, Philly being a short skip from Washington. Broadcasters thought WCAU had an inside track. WCAU derides this.

In car cards prepared and distributed through WCAU all call letters are in strict alphabetic order. WIP will inside from exhibits will make transcriptions of visitors' voices and play them back immediately; it will have specially-costumed gals to conduct tours; it will set up a studio and control room with red ribbons from various parts of the studio to the mike and from the mike to the inputs from the press board; it will hold a candid camera night with a band show and a mystery show done in costume for the bugs to work on; it will have a window display in the Gimbel store; and it will have pictures of its old, original 1922 equipment scattered around to contrast directly with the modern plant.

WGAR Staff Members To Make Civic Addresses

Cleveland, April 11.

WGAR is planning to use store windows and hotel lobbies for displays in connection with radio open house week. Schedule of speeches has been arranged for staff members to address civic groups.

Transmitter will be open for inspection.

WDRC, WTHT Not On Radio Open House Week

Hartford, April 11.

Radio's open house starting Monday (17) will be only partially supported by the local stations. Two, WTIC and WNBC, are planning programs but as yet are undecided what form they will take.

WDRC, Columbia outlet, is planning nothing. WTHT, according to Cedric Foster, station manager, is planning nothing to encourage station visiting by the public. Station has enough difficulty keeping visitors outside their gates now, he stated. Says also that station has no facilities to entertain visitors, having no auditorium space.

All stations maintain a daily open house to the public.

Pittsburgh Doesn't Look Like One of Bright Spots

Pittsburgh, April 11.

Radio's Open House Week will apparently be confined to two stations that belong to the NAB, namely, KDKA and WCAE. The latter have no plans at moment. So far, there have been no preparations at all and chances are that there won't be much in the way of observance. Town's other three outfits, WJAS, KQV and WWSW, aren't participating.

According to Sherman D. Gregory, manager of KDKA, practically none of the local radio distributors were aware that there was to be an Open House since up until last week-end, Radio Manufacturers Ass'n had simply neglected to notify them. Gregory had held a couple of conferences with Leonard Kapner, manager of WCAE, but they were waiting to hear from dealers, only to learn that latter knew nothing about idea.

Gregory said he and Kapner would try to work up something in the way of tie-ins and promotions before next week but wasn't quite sure what form they would take.

Seattle Feeling Against Stations Not Within NAB

Seattle, April 11.

'National Radio open house' week designed to start next week as the opening gun in a year-long campaign to sell 'radio by radio' has developed a side-issue in Seattle following a meeting last week. N.A.B. stations feel that non-members should not derive benefits. They should either join N.A.B. and pay dues or they should, failing that, make some cash contributions to the cost of organizing the campaigns.

Plans for the open house observation, yet in the formative stage, contemplate several cooperative programs. These will emphasize to the public the services rendered by the broadcasters and their relation to the listening audience. One gesture will be a simultaneous program over the five Seattle members: stations of NAB. KOMO, KJR, KIRO, KRSC and KXA will be tied together for at least one—and perhaps more combination stations. The programs will depict a range of listener tastes to which broadcasters must cater—music, news commentaries, all of which come in for treatment.

Show New Sets

Radio merchants, while not yet warmed up to advantage of radio media, will play their part. Open houses at all radio stations will feature exhibits of the late receiving set models of various manufacturers. Special invitations are to be extended and attractions provided to insure large attendance with prize contests, essay and question-and-answer contests included. The general theme will be to emphasize the greater enjoyment to be derived through use of the modern sets.

Tacoma's Plans

Tacoma, April 11.

KVI, local member of NAB, is lining up a program a day to alternate between local studios and Seattle during open house week. Several late models of receiving sets will also be shown with a background of solid daffodils displaying the receivers.

Both studios in Seattle and here will be thrown open with invites to all residents to join with industry in pushing forward the business of both operators and manufacturers of the receivers.

Lew Lacey Joins KYA

San Francisco, April 11.

Lew Lacey has joined the KYA staff to conduct a daily morning wake-up stint, 'Early Birds,' from 6 to 7 o'clock daily except Sunday. Lacey until recently was on the KGO staff here, as emcee of the 'Musical Clock,' a similar type of program.

Lacey came to the Coast some years ago from Salt Lake City. Formerly in vaude and musical comedy.

Mob Fear

None of the radio tours now organized on a cash basis will be affected by radio Open House week. Nor will any of the network programs stress visits. This will be purely local.

In general, all radio is frightened of uncontrollable mobs of visitors. Party tours by ticket will be general, rather than unlimited hospitality.

Again some stations are at this time readying new studios and intend to take full ballyhoo advantage on their own account, and at a later date. These will not tag along on the nation-wide open house. WFBR, Baltimore, is a case in point.

EXPERIMENTAL SEVEN IN THE FCC DOGHOUSE

Washington, April 11.

Seven experimental high frequency broadcast stations were in the commish doghouse last week for failing to keep up required standards of research and experimentation on which they received their operating tickets.

All transmitters had received renewal applications to last until April 1, 1940—although the grants were made on a temporary basis—but applicants were found to have 'not conducted a satisfactory research and experimental program compatible to Rule 983 (c), and . . . failed to submit satisfactory programs of research and experimentation to be carried forward during the next license period.'

Stations, which were set down for a hearing, were as follows:

W6XKG-W6XRE, Ben S. McGlashan, Los Angeles; W1XEQ, E. Anthony & Sons, New Bedford, Mass.; W9XBS, NBC, Chicago; W1XIR, WCAU Broadcasting Co., Philadelphia (same accusation except program was found to be not compatible with Rule 983 (c); W3XEX, WTAR Radio Corp., Norfolk, Va.; W5XD, A. H. Belo Corp., Dallas, Tex.

Kiss Sykes Good-Bye

Washington, April 11.

Industry leaders and political figures joined members and employees of the FCC Saturday (8) in bowing Judge Eugene O. Sykes out of government service. Farewell dinner attended by approximately 200 friends brought many foes together to wish the veteran radio regulator successful return to the law practice he left over a decade ago to help initiate government supervision over broadcasting.

Dais set was presented by Chairman Frank R. McNinch on behalf of associates in the FCC, while the industry gave Sykes an easy chair, with Lambdin Kay of WSB, Atlanta, voicing the trade's affection. Other speakers included Senator Burton K. Wheelcr of Montana, Senator Pat Harrison of Mississippi, and Rep. Sam Rayburn of Texas.

Esso Extends Newscasts

Spartanburg, S. C., April 11.

Standard Oil has signed with four Carolinas stations for United Press news broadcasts, Esso sponsored. Station included are WIS, Columbia; WCSC, Charleston, and WBFC, Greenville, in South Carolina, and WBT, Charlotte, in North Carolina.

Contracts call for four daily spots, two of them at night.

SALT LAKE CITY
—a great tourist attraction—always enjoys good summer business . . . and listens to
THE POPULAR STATION
5,000 WATTS
KOYL
The Popular Station
SALT LAKE CITY
NBC RED NETWORK

AN INSURANCE Policy
WTIC HARTFORD
A GOOD policy pays good dividends. Experience proves that a Sales Policy from WTIC, as well as the other progressive Stations we represent, insures
Results That Count!
WEED AND COMPANY
NEW YORK • CHICAGO • DETROIT • SAN FRANCISCO
Radio Station Representatives

IN BALTIMORE ITS WFBR
NATIONAL REPRESENTATIVES EDWARD PETRY & CO.
ON THE N.B.C. RED NETWORK

BOTH SALES AND SURVEYS SHOW WNEW FIRST!
WNEW NEW YORK
Proven sales results* of WNEW sponsors confirm the fact that—
BY ALL INDEPENDENT SURVEYS* WNEW RANKS FIRST IN NUMBER OF LISTENERS OF ANY NEW YORK NON-NETWORK STATION.
*Figures on request
SERVING NEW YORK AND NEW JERSEY 24 HOURS A DAY
5000 WATTS BY DAY—1000 WATTS BY NIGHT
1250 KILOCYCLES

Less Business, More Music

Washington, April 11.

Federal Communications Commission has just discovered that the less business a station does the more is it apt to broadcast music. The finding is part of the FCC policy committee's final report which was released last week in two massive mimeographed volumes.

The committee's analysis of music uses is based on the schedules of 633 stations. Although music comprised 52% of the time on these outlets, commercial programs accounted for only 12% of it. Probe disclosed that on the average 50,000-watter 20% of the commercial hours is devoted to music, while on the strictly local station the proportion of music among sponsored programs is 43.4%. The committee also found that with the high-powered stations dramatic programs dominated by far the commercial schedules, 39% of the whole, while variety programs came third, talks and dialogs fourth and news fifth. With the local element the order was (1) variety, (2) talks and dialogs, and (3) news. Dramatic program in proportion ran far behind news.

Also brought to light by the committee was that the proportion of revenue producing time varies according to power. The unlimited 50-kilowatters sell 53% of their time, regionals 38% and full-time local stations, 27.9%.

Other conclusions drawn in the report are:

1. Program types are affected by population. In the metropolitan area they prefer drama to music.

2. Network affiliates use less music than non-affiliated stations, with dramatic and variety programs dominating the former's commercial setup. On the whole the network outlets devote 46.8% of their time to music. With regional stations it's 52.5% music and with strictly local stations, 59.9%.

BACKGROUND BUZZ

WEST

Jack Reed, Robert Bagley and Charles Barrows of the KROW, Oakland, sales staff, off payroll.

Russ Tolg has been named sales promotion manager of WTMJ, Milwaukee.

Madeleine Carroll set for series of guest shots on Kellogg Circle.

Phil Stewart doing two commercials on Coast, soap and dog food.

Edgar Twiwell named production manager of KGB in San Diego. Ditto for Robert Boyd at KDB, Santa Barbara.

SOUTH

Lewell Blanchard, program director at WNOX, back to Knoxville after a swing through the southern training camps of the ball clubs.

Gene Marshall, for past two years one of the voices of Paramount newsreel, has joined the gabbing corps on WTAR, Norfolk, Va. He was formerly on WIP, Philly.

Ewing Canaday, recently with KWKH-KTBS, Shreveport, is a new member of the KARK, Little Rock, announcing staff, replacing Doug Romaine who shifts to KTSA, San Antonio.

MIDWEST

WLW's Boone County Jamboree, big hillbilly opry, feeds to Mutual's coast-to-coast network on Fridays, 10 to 10:30 p.m., EST, starting this week.

Alan Hale, WISN, Milwaukee, sportscaster, is at the Brewer training camp at Ocala, Florida, spending a few weeks with the Milwaukee Ball Club.

Studios at Station WDAF, Kansas City, are undergoing remodelling currently. Manager Dean Fitzer got the work under way last week.

Dick Bray, WSAI, Cincinnati, sportscaster, signed last week to officiate at the Notre Dame-Navy grid clash in Cleveland next fall. He is the youngest official in major college sports and has worked Big Ten and Western Conference football and basketball games for several years.

Bart Slattery, program director, WIL, St. Louis, on the shelf due to a back ailment.

Foster Brown, musical director, KFRU, Columbia, Mo., wedded.

SIGNS WNBF, BINGHAMTON

American Communications Assn. Sets Deal With 30 Day Cancel Clause

American Communications Assn., CIO union of radio technicians, signed a contract Monday (3) with Howitt-Wood Radio, owners of WNBF, Binghamton, N. Y. It is a continuing agreement, which may be terminated upon 30 days' notice by either party and subject to revision April 1 annually.

Pact calls for a closed shop, hiring through the union, a stipulation that workers will not have to pass through a picket line in case of strike, 40-hour week, with time and a half for overtime and $1 extra for dinner if employed more than 10 hours a day, no layoffs, $5 a week wage increases, seniority rights, technicians to make up their own operating schedule, sick leave with pay, two weeks' vacation with pay, seven cents a mile traveling expenses when on business, seven holidays a year (with a proviso that five may be held over by the employee to be added to his regular vacation).

Victor Brewing Co. (Old Shay Pilsener) has signed with WCAE, Pittsburgh, for three 15-minute sports shows weekly through baseball season. One's a musical session, another is a quiz between fans and experts and third an inside sports story by Harry Keck, sports editor, Pittsburgh Sun-Telegraph. All of them spotted through and being staged by Earl Bothwell agency.

William Kostka, ex-Fawcett editor, succeeds Pete Street as NBC's literary liason.

500 Pages of FCC Mimeograph Completes Policy Report; 12-Month License Plan Gets Further Push

Washington, April 11.

Stronger reasons, bolstered with statistics, why a one-year license is imperative, why super-power should be kept on the shelf, and allocation system should be changed were given the FCC last week by its policy committee. Second part of the voluminous report on the June hearings about rule changes paves the way for oral arguments and promulgation of new formulas and regulatory principles.

In explaining how it reached conclusions announced four months ago, the trio—Commissioners Norman S. Case, George Henry Payne, and T. A. M. Craven—digested the mountain of evidence in a 500-page, two-section document containing scores of charts and tables which give an interesting picture of the industry.

Steps to protect newspapers from the injurious effects of unlimited radio competition may have to be taken by the Federal Government, the report suggested.

'It cannot safely be argued that Congress will permit radio licensees unlimited opportunity to secure all advertising business to the serious detriment of the economic structure of important and necessary services rendered to the public by unlicensed media,' the report said. 'It cannot be concluded safely that if radio competition with other media should be highly successful, the public interest would be served by permitting the ceonomic annihilation of these other media.'

Strongly Anti-Superpower

The committee's condemnation of superpower—for social and economic reasons—was even more complete than in the first part of the report. In a 20-page discussion of wattage possibilities, trio said 'the several considerations governing the interest of the public in general broadcasting structure are too great to warrant taking speculative risks, unsupported by adequate data, even though it be true from a technical standpoint that 500 kw is one of the methods to improve service in rural areas.'

Gimbels (Department store) goes on WWSW, Pittsburgh, 10 minutes every week-day morning with news broadcast under title of 'The Latest Word,' with Ray Schneider doing the airing. Same studio has landed Independent Distributors of Fisk Tires in Allegheny County for daily news bulletin service, broadcasting only important flashes as they occur.

FIRST IN DETROIT

Every audience survey ever made in the Detroit Market shows that WWJ is first in listener interest.

WWJ

Owned and Operated by The Detroit News

"Variety" Showmanship Award, 1938 Basic Red Network Station

Represented Nationally by

Geo. P. Hollingbery Co.

New York: Chicago: Detroit: Kansas City: San Francisco: Atlanta

THANK YOU, LIFE . . .

(April 10th Issue)

—Texas IS Big

—Texas IS Rich

—Texans ARE Lusty

—Texas HAS a Heroic Past

—Texas IS an Empire

—Texas IS Booming

. . . but you forgot to mention that 99.3% of its radio homes are reached by the Fourth Largest Network in the World!

"Test it in Texas . . . .

TSN

TEXAS STATE NETWORK

. . . . and sell America!"

TEXAS STATE NETWORK

ELLIOTT ROOSEVELT, President

NEW YORK OFFICE
630 Fifth Avenue
Frank S. Fenton

CHICAGO OFFICE
446 Wrigley Bldg.
Edward Paro

'Imitate U.S.A. in Propaganda to S.A.', Nazi General's Indirect Puff for NBC

NBC is chortling with pleasure at a recent bit of advice given Germany by a Nazi general, Fupel, who said the Reich should model its propaganda activities in South America after the campaign carried on by North America, meaning, of course, the United States. In NBC's opinion, this is endorsement by the supposed professional of the supposed amateur. It proves that the American broadcasters have been leaders, not followers, in international shortwaving and refutes the impression often expressed that Uncle Sam has been muffing a big opportunity.

Chart kept in the shortwave department at NBC, New York, shows following count of mail received from foreign countries since Jan. 1, 1939:

Spanish	2,487
Portuguese	922
French	2,020
German	1,358
Italian	497
English	1,525

Meanwhile, with European events moving swiftly toward probable war, the department is acquiring special importance from a propaganda standpoint, and as a means of getting news from democracies into totalitarian countries.

XEAL Loses License

Mexico City, April 11.

Radio station XEAL, 1,000 watts, operated by the Compania Pan Americana de Radio, S. A., here, lost its franchise.

Failed to give the number of daily broadcasts the government concession demanded.

Lux Theatre of the Air will be heard here soon via the canned route on one hour's coverage weekly.

W. G. James, Controller of Music for Australian Broadcasting Commission, is visiting U. S.

Everything Nice BUT THE RHAPSODY IN BLUE
PAUL WHITEMAN
and his
ALL-AMERICAN BAND
Appearing In Concert
• Eastman Theatre Rochester, N. Y. April 14th
• Lion's Club Gloucester, Mass. April 15th
• Symphony Hall Boston April 16th
TUNE IN THE
CHESTERFIELD SHOW
CBS Coast-to-Coast
Wednesdays, 8:30 E.S.T.
BOOKED EXCLUSIVELY BY
Artists Management, Inc.
17 East 45th St. New York
MUrray Hill 2-1888

London Calling

J. Walter Thompson Co. new formula for the next program which Lux will put on the air, starting April 16 on Luxembourg and Normandy. Called 'Sunday Afternoon at Diana Clare's,' it will be a non-stop entertainment of light music and songs in a party atmosphere, and the idea is to have a large number of guests who will attend the reception. There will be no advance announcement of the guests, until they arrive and entertain.

Copyright snags may stall radio version of 'One Night of Love,' same as they almost did with 'Monte Carlo,' but BBC New York office is currently dickering with a view of getting clearance on story rights so that program can go over April 25 and 26 on schedule.

Sir Adrian Boult, BBC director of music, to conduct two concerts at the World Fair, New York, and will give first performances of three works by British composers.

Spotliswoode Dixon & Hunting agency renewed the Brooke Bond & Co. broadcasting contract for a further 52 weeks over Radio Normandy.

Vernon Harris' first major scripting chore since joining BBC permanent staff will be Van Phillips' 'Time to Laugh' series, which will have two orks and a lotta comedy.

Marie Ney, Julien Mitchell and other players from the London Mask Theatre production, have been detailed to play Bernard Shaw's 'Candida' for television.

Harry Rowntree, one of the contributors to the fourth edition of 'Country Home Hour' from Radio Normandy.

ROBINSON'S OIL NEWSCASTS

Montreal, April 11.

British-American Oil has taken a six-day newscast over station CFCF, with Prescott (Peck) Robinson as spieler. Program goes on Monday through Friday, twice daily, and one newscast on Sunday at 6:30 p.m.

Sponsors will use Trans-Radio News Service. No decision on French-language regional network for B. A. Oil as yet.

Fire Damages CKGB

Timmins, Ont., April 11.

Fire did $20,000 damage here to Timmins Daily Press building, which also houses CKGB.

Station due for 1,000 watts later.

NEW BRITISH PROGRAMS

12 Famous Post-War Plays to Be Broadcast

London, April 4.

BBC has scheduled 12 famous post-war plays, 12 classics, 12 dramas from abroad, 12 classes, 12 dramas, subjects in its summer program. It incorporates all four types which are basis of dept's activity.

Post-war plays are designed to illustrate the history of the past 20 years of the London theatre, and include Noel Coward's 'Vortex'; Somerset Maughan's 'Sheppey'; Priestley's 'Dangerous Corner'; Edgar Wallace's 'On the Spot,' and Richard of Bordeaux.' First of the classic section will be 'The Persians,' by Aeschylus, and Thomas Hardy and Ibsen will also contribute.

Next serial is 'Prisoner of Zenda,' with Robert Douglas, Milton Rosmer and Thea Holme featured, which starts Sunday (2); and other plays include 'Behold the Judge,' 'King Lear' and 'The Seagull.' Radio plays from abroad are aimed to give listeners a comparison between local drama and that of France, Norway, etc.

In Australia

Colgate-Palmolive will come back this winter with a bigger fleshblood show than last season for playing over the Albert-Doyle network. Shell Oil also set for commercial chain with a talent lineup of home players, with imported guest artists spotted from time to time through a deal with vaude and legit operators.

Australian Broadcasting Commission has published an illustrated magazine covering every sphere of radio. Sells at 30 cents and will come out yearly.

George Edwards, radio player for 2 UW, Sydney, will prescnt a new show shortly titled, 'The Crazy Family.'

Extra-Curriculum Notes

Louisville, April 11.

Credo Harris, radio director of WHAS, has written a play, 'This Is the Hour,' which will be tried out April 18 by a cast of local amateurs at the Louisville Woman's Club. He has authored several other plays which have been produced locally.

Nate Lord, manager of WAVE, teamed in a badminton match with Noel Radford, professional of Vancouver, last Friday (7) at the Jefferson Armory here, losing 15-10 to the pick-up combo consisting of Bill Markham, New York pro, and Thurston Morton, local player. Radford and Markham were playing an exhibition here.

Phillips Carlin checked up on the Hollywood sustaining setup at NBC.

Cascade of Sarcasm

Philadelphia, April 11.

Following evidence of overwhelming generosity was hung on bulletin boards at WIP by Murray Arnold, p.a.:

NOTICE

All papers, brochures and magazines are in the lower right-hand drawer of my desk. These, of course, are for the use of the entire station. If you feel so inclined you may return these. If not, it is just as well to leave them in any office or studio you prefer.

The scissors will be found in the upper right-hand drawer of my desk. This, too, of course, is for the use of the entire staff and may or may not be returned, depending upon the feeling of the taker.

A large gluepot is located atop my desk for everyone's use. If you feel it is too much for you to take it to your own office for use, why—just bring in whatever you have to do right here in my office and feel free to use my desk for whatever you will at all times.

Film tickets can be secured to any theatre, downtown or neighborhood; however, please let me know at least 15 minutes in advance of when you wish to go; also, the more tickets you ask for the easier they are to get. Likewise, the downtown Warner theatres are only too happy to give out sets of passes and your uncle's niece might appreciate them, so even if you don't want them for yourself, don't let that stop you.

Also, for the use of the entire staff are my special pencils (middle drawer), fountain pen (same drawer), letter opener (same), my telephone, dictograph, radio, loud speaker, topcoat and anything else my desk might contain.

AFTER ALL, THE PUBLICITY DEPARTMENT IS A SERVICE DEPARTMENT.

GOLD MIKES FOR KING

Radio Spielers to Study Protocol for Royalty

Montreal, April 11.

Four specially constructed gold-plated microphones will be used wherever the King and Queen of England will speak over the radio on their forthcoming visit to Canada. These mikes will be limited for use by Their Majesties' only.

Broadcasting Corp. is holding auditions in various parts of Canada to select commentators for the royal tour. Those commentators chosen will attend special lectures at Ottawa by naval and military authorities and others familiar with the technical terms and formalities concerning the royal visit.

Date of Canada's premier horse race, the King's Plate, Toronto, has been changed to May 22 this year to coincide with the visit of the King and Queen. Understanding is that King George will make the presentation.

Buff Sans Radio Comment

Buffalo, April 11.

Departure of Rod Reed as radio commentator from The Evening News leaves Buffalo dailies practically without radio comment. The Times and Courier have abandoned entirely any attempt at radio columns while the News continues the former Reed column, now being devoted mostly to News-controlled WBEN and WEBR plugs and regulation network publicity releases.

Jean Paul King easy-staging north after wintering in Florida.

GORDON HITTENMARK SPIELS 'GETTING JOBS'

Washington, April 11.

Gordon Hittenmark, WRC announcer, gone to New Orleans to address the International Association of Public Employment Services during three-day convention starting Wednesday (12). Hittenmark, who has been conducting a local program bringing unemployed in contact with prospective employers, will talk on Radio Broadcasting As a Means of Publicizing Employment Services.'

Will also present Gov. Richard W. Leche of Louisiana to the Association and will be heard over WDSU and WSMB.

Joe Chambers at WCKY

Cincinnati, April 11.

Joe Chambers, of the McNary & Chambers consulting engineers' firm in Washington, inspected installation work on WCKY's new 50,000-watt transmitter last week. Under his guidance the job is being handled by Charles Topmiller, WCKY engineer.

Terry Clyne, of the NYC office of Free & Peters, sales reps of the L. B. Wilson station, also visited here last week.

Mere Sponsor Identification Fails To Appease Canadian Beer Brewers

Montreal, April 11.

Three of the most important beer-sponsored radio programs are scheduled to be discontinued April 20 due to the recent limitation imposed by the Canadian Broadcasting Corp. on beer commercials whereby only sponsor-identification is permitted. It is estimated that from 75 to 100 performers, musicians and script writers will be affected.

Sponsors such as National Breweries, who have been plugging 'Black Horse Ale,' find that under the new CBC ruling the commercial plug would have no significance, since the name of the ale cannot be mentioned.

Among those programs to be taken off are 'Tonight at Eight,' representing an outlay of about $1,200 weekly in talent alone. Best known French-language comic, Fridolin, and a group of stock players in dramatic and musical sketches entitled 'Les Amours de Petit Joe,' are out.

These programs were originally scheduled to run until May 12, when they were to be discontinued for the summer months only, with sponsor renewals undertaken in advance for the fall.

Under the circumstances no renewals are planned and programs will be taken off April 20. Although the National Breweries had the option of cancelling shows on April 1, performers were given about three weeks of extra playing time despite that the advertising value to the breweries of current plugs is practically nil.

News Casts Go On

The original stand against the proposal of the CBC to ban beer-sponsored programs was taken in order to save jobs for performers. The CBC modified the ban and agreed to permit beer programs providing commercials are limited to sponsor-identification. And while breweries using name newscasters such as Chris Ellis continue on the air, sponsor identification is considered almost worthless as a plug in musical shows such as 'Tonight at Eight.'

It is understood that Gladstone Murray has taken under consideration a plea from musicians and artists that the CBC grant breweries a little more leeway in commercial copy. But any further action will be delayed until the next meeting of the Board of Governors of the CBC. This may not take place for several months.

RADIO MAN GETS BID TO TONY MEET

Montreal, April 11.

Christopher Ellis, news commentator for Molson's Ale over station CFCF, has been invited to reply to the toast 'To England' at the St. George's Society ball at the Windsor hotel April 22.

St. George's annual shindig is the swankiest ulta-blueblood social event of the season. Believed first time that a professional radio commentator has been asked to speak as an honored guest on such an occasion.

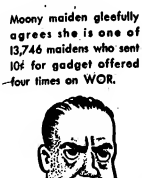
'THE O'NEILLS'
By JANE WEST
NOW RADIO'S MOST POPULAR FAMILY BRINGS YOU MORE
LAUGHTER TEARS AND HEART-THROBS
Presented by Ivory Soap 99 44/100 Pure
LISTEN IN . . TWICE DAILY
NBC Red Network, 12:15 to 12:30 P.M. EST
CBS - WABC— 2:15 to 2:30 P.M. EST
COAST TO COAST
Dir. COMPTON ADVERTISING AGENCY
MGT. ED WOLF—RKO BLDG., NEW YORK CITY

WBNS
COLUMBUS OHIO
ALL YOU NEED IN CENTRAL OHIO
5000 WATTS DAY
1000 NIGHT
JOHN BLAIR & CO. REPRESENTATIVE

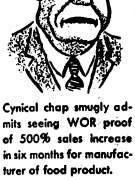
TO COVER
GREAT BRITAIN
YOU MUST USE
RADIO NORMANDY
Full Particulars of Air Time and Talent from
International Broadcasting Company, Ltd.
37, Portland Place, London, W.1.

WBAL
means business in Baltimore

Moony maiden gleefully agrees she is one of 13,746 maidens who sent 10¢ for gadget offered —four times on WOR.



Cynical chap smugly admits seeing WOR proof of 500% sales increase in six months for manufacturer of food product.



Satisfied sponsor beams amiably as treasurer reports 20,864 people sent into dealers' stores by WOR. Same people wrote letters to sponsor accompanied by 75¢ purchase-proof.

Fragile frau, one of 4658 frays, who listened, succumbed, wrote in for product sample offered three times on WOR.

MAY WE TELL YOU ABOUT MORE THAN 60 OTHERS?

SALES OFFICES: NEW YORK, 1440 B'way; CHICAGO, Tribune Tower; BOSTON, 80 Federal St.; SAN FRANCISCO, Russ Building.

WOR

Milton Cross—Over

Example of handling wide range of subjects requiring change of pace is seen in the case of Milton J. Cross, NBC's veteran announcer. Until several of the shows discontinued recently, Cross's weekly schedule this season included 'Information Please' (quiz), Met Opera Auditions (classical music), 'Mr. Keen, Tracer of Lost Persons' (dramatic), Sunday morning Children's Hour (variety), Town Meeting of the Air (forum), Met Opera (performances), Met Opera Guild (classical music), RCA Magic Key (variety).

Total running time of all the programs was six hours weekly.

ENGINEERS MUST RECHART SUN SPOTS

Washington, April 11.

Pity the poor radio engineers.

After arguing and bickering at technical hearings and presenting hypotheses based on the idea of an 11-year sun-spot cycle, they have to start slide-ruling all over again. Smithsonian Institution scientist has discovered 'a new fundamental time division—the 89.36 year' cycle. Calculations indicate old sol is on the way back to fair weather, which means better radio reception. Projections into the future indicate the low point will be around 1945 with a new maximum, not as high as the one just passed, in 1949.

WCLO, JANESVILLE, REVAMPED BY KYLER

Janesville, Wis., April 11.

WCLO has been completely reorganized. James F. Kyler, former owner of a large portion of the stock in the Ashland Broadcasting Co. in Kentucky, has been appointed general manager in charge of all broadcasting activities. Mrs. Kyler, formerly program director with WCMI in Kentucky, has assumed the same position with WCLO.

Paul Ruhle becomes chief announcer and news editor. Other announcers added to the staff are Lyell Ludwig, formerly manager of WOMI in Owensboro, and Pat Alan of Indiana. Station at present is using 250 watts day—100 night, on 1,200 kilocycles.

Earl Sheridan has joined the staff as Commercial Director. He's from Buffalo.

WCPO Gets Roy Howard Talk Via WCKY Gesture

Cincinnati, April 11.

WCPO, Scripps-Howard indie station, carried its first NBC program last week. By courtesy of WCKY, an NBC affiliate, the talk by Roy Howard, Scripps-Howard exec, over NBC from Paris was piped by the L. B. Wilson station to WCPO.

Last fall Bill Schudt, manager of WKRC, favored WCPO by permitting it to carry the CBS broadcast of the Saturday world series baseball game while WKRC aired an Ohio State football game from Columbus.

KOMA Acquires New Faces

Oklahoma City, April 11.

Bill Anderson, formerly with CBS on the West Coast, has been named new publicity director of KOMA.

Other new staff members are Al Snook, formerly with Barron G. Collier to the sales staff; Thomas Haffey, late of WGAR and WDAS to the announcing staff, and transfer of Bill Salathe, former publicity manager, to the sales staff.

PAMPER THE SMALL STATIONS TO CURE THE ILLS OF UNDER-COVERAGE AT NIGHT

Such Is the Theme of FCC Policy Committee's New Report—Pity Also Expressed for Plight of Part-Timers

Washington, April 11.

Material improvement in broadcasting service is badly needed by a substantial proportion of the American people. FCC policy committee concluded last week in second part of the voluminous report on evidence presented at last June's hearings. No radical changes in the radio industry structure were advocated, but three-man tribunal advocated use of up-to-date yardsticks in parceling out permits to use the spectrum.

Even though clear-channel plants are sole source of night service for 40% of the population, the government should fill gaps primarily by improving the status of the regional and local outlets, in accordance with the new formula prescribed in the North American agreement. Much remains to be accomplished before the practical ideal—two signals for the maximum number of listeners—is achieved. Under the technical and economic conditions which must be taken into account, little can be done to better daytime service.

Power boosts whenever possible are desirable to plug the gaps. More cautious attitude on requests for new stations is imperative. Duplication of transmitters on some of the presently exclusive frequencies is highly recommended. Committee agreed that—from a technical viewpoint—superpower provides the best solution, but it held that the social and economic considerations, which need further exploration, stand in the way of lifting the wattage roof on the clear-channel plants.

Local self-expression is one of the chief factors which must be considered and which makes it most desirable to pamper the smallies, according to the report. Although the audience in sparsely-settled areas should not be overlooked, juice is the principal answer. In some metropolitan areas, for example, only plants with 'relatively high power' can do a satisfactory job. But the smaller operators are counted upon to benefit the bulk of the audience.

With passing reference to the chain method of program distribution, the committee nixed rebroadcasting as a means of bettering the situation. It has merit but its practicability hasn't been proved.

Breakdowns

Looking at the statistics, the Commish advisors observed that density of stations parallels the population, costly plants with high wattage are in the big cities, and there is striking inequality in the present allocation. While 489 of the nation's 16,598 communities have 738 outlets (as of 1938), the 982 places with population over 10,000 account for 837 of the total. The 15,616 communities under 10,000 have only 101. And 597 towns above 10,000 lack any local outlet.

Studies show that 324 communities minus facilities, 54.3% of the total, are within one of the 96 metropolitan districts, each of which has one or more stations; seven, or 1.2%, are close to larger places with an outlet; 153 or 25.6% are within the fair service area of some transmitter; but 113, or 18.9%, are signal-less. Most of the latter in Pennsylvania, where 13 towns above 10,000 cannot enjoy satisfactory service; Illinois next with 10 towns. Furthermore, 379 places have but a single station. Residents of 725 of the 2,184 cities between 2,500 and 10,000—numbering 3,457,101—lack adequate service days from any station; 4,138,658 persons in 854 communities have no decent night coverage.

Part-Timers Pitied

The part-time operators drew considerable pity, as did the dialers dependent on these plants. Committee noted that only 43 of the time-sharers are situated in the same city. Listeners who have to depend on the now-and-then stations are at a particular disadvantage when their outlets have to adjust schedules with plants in other cities, which is true of 70 stations. In addition, there are 132 limited or daytime plants and 22 specified hour plants.

As far as geographical improvement is concerned, the wide open spaces present the greatest problem. Because of the thin population, it is uneconomic to spot many stations in rural areas. Yet the populace is entitled to service. Committee suggested that—in adhering to the clear-channel theory on behalf of these unfortunates—transmitters should be situated, as much as possible, so that transmission paths make right angles.

According to good engineering practice, 8.1% of the population lacks satisfactory primary service from any station during the daytime and the figure rises to 17.4% at night. Considerable proportion of the latter group—21,308,453 persons—have some secondary coverage, however. The areas able to enjoy more than one station are much smaller, of course.

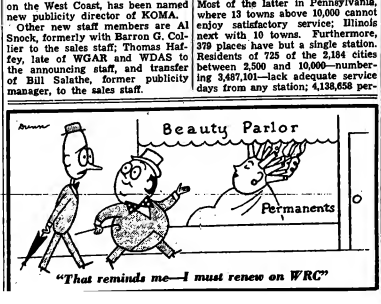
Automatic application of engineering knowledge would greatly improve these conditions. But this is impracticable, because of the social and economic aspects. With superpower ruled out, the advisory group suggested that high-power clear-channel outlets should be concentrated on the seaboards, medium-power plants using the same frequencies should be in the interior, and power of the little fellows should be increased whenever technical considerations permit.

Harry Spence Heads Assn.

Seattle, April 11.

Harry Spence, of KYRO, Aberdeen, was elected president of the Washington State Association of Broadcasters at a meeting held in Seattle last week.

Group of operators present voted to make a greater effort to build up the regional association's membership.



"That reminds me—I must renew on WRC"

But what of the OTHER 17¾ hours?

● When the sign lights up to announce that your fifteen-minute broadcast is "on the air," that fifteen minutes becomes the most important quarter hour in the broadcast day to you. But to your cash register the other 17¾ hours are equally important. For any radio program, like any man, is known by the company it keeps.

In the Denver-Rocky Mountain region your program steps along in the van if aired over KLZ. KLZ's careful attention to its program structure attends to that. Local productions are constantly creating interest that makes renewal of sponsorship profitable year after year. Star-studded CBS network productions add the biggest names in radio. And KLZ's newscasts, the region's most popular news source, attract and hold such a following that never have they lacked sponsorship since their first day on the air four years ago.

KLZ has a way of making friends . . . with listeners, because it brings them the type of entertainment, the cultural, educational and newsworthy features they want . . . with advertisers, because it brings them increased sales through the customer acceptance which KLZ gains for their products.

KLZ Denver

REPRESENTED BY MEAGHER, MCCLATCHY, INC. NATIONAL REPRESENTATIVES

APPEALS COURT IN NEW CHIDING OF FCC FOR CAPRICIOUS ACTIONS ON PETITIONS

Sharply Limit Discretion of Commish—Pottsville Case Involved — Will Affect Other Pending Matters

Washington, April 11.

Stinging reprimand — sharply limiting the discretion of the regulators and interesting every member of the broadcasting industry — was handed down a week ago by the District of Columbia Court of Appeals in latest decision in the hard-fought Pottsville (Pa.) controversy. Reopening of a case where the Commish is reversed for arbitrary action is permissible only with court permission, the decision said.

The court in effect instructed the FCC to grant a construction permit to the Pottsville Broadcasting Co., which last May won a significant tiff in which the judges nixed the idea that it is fair to deny an application because the sponsor is not a resident of the community where operations are contemplated. A new hearing—with different parties and new issues—is a violation of the rights of the applicant, Chief Justice D. Lawrence Groner asserted.

The vital procedural point was affirmed in another similar case also decided Monday (3). Court held the door open for Paul R. Heitmeyer, seeking a permit for a local outlet in Cheyenne (Wyo.), to ask for a writ of mandamus compelling the FCC to decide his application on the basis of the prior record, rather than forcing him to compete with two late-comers.

Can't Do as It Pleases

The significant aspect of the lengthy decision in the Pottsville case is the Court's declaration that the FCC does not enjoy unlimited power to proceed as it pleases, particularly when it has been overruled on appeal. Chief Justice Groner asserted that when an applicant has been turned down and the Commish is reversed 'it is the duty of the Commission to comply with that order and, unless for some exceptional reason, it obtains leave of this court to reopen the case, to reconsider the matter on the record and in the light of this court's opinion . . . In such a case, petitioner ought not now to be put in any worse position than it occupied on the original hearing, and therefore ought not to be required any more than now originally to be put in hodge-podge with later applicants whose records were not made at the time of the previous hearing.'

Giving the Commish 30 days to comply, the tribunal stood ready to issue a writ compelling the regulators to redecide the case on the facts presented at hearings in the fall of 1938. Chief Justice Groner said tartly the jurists believe "this expression of our views' will make such action unnecessary.

Central issue in the tiff was whether the Commish could go back to the starting point and force Pottsville Broadcasting Co. to compete with Schuylkill Broadcasting Co., which did not file its application until after the former's had been slated for hearing. Procedure proposed following the reversal by the court last May—at once tried—constituted violation of rules and law, according to Eliot C. Lovett, counsel for the aggrieved applicant.

Although circumstances were somewhat different, essentially the same view was taken by Chief Justice Groner in deciding the special Heitmeyer appeal which sought to block a new hearing on his application. After the judges reversed the first denial of Heitmeyer's application, Commish proposed to hear his evidence, along with the contentions of Frontier Broadcasting Co. and Cheyenne Radio Corp., neither of whom was a party in the initial proceeding. The Court told the Commish to make findings on the basis of the record already established but did not. Instruct it to grant the application, because the legal situation is different in this instance.

In the Pottsville proceeding, the FCC denied the application (1) because the applicant was not financially qualified and (2) because proprietors were non-residents. The Court held the first conclusion was arbitrary and capricious in the light of the evidence. On the second point, it said there is no rule banning absentee landlords, although it held in effect the Commish has the right to lay down such a rule, provide it it is applied uniformly and impartially.

Spanking for the Commish lawyers was most pointed when the tribunal stated:

"We think it is obvious that the particular objections of the Commission to a reconsideration on the record—to which we have referred—are merely colorable, and that the real bone of contention is the insistence by the Commission upon absolute authority to decide the right of applicants for permits without regard to previous findings or decisions made by it or by this court. While it is true the authority to grant is exclusive in the Commission, and while it also is true, as we have said before, that the license conferred on the owner of a radio broadcasting station is permissive only and within the power of the Commission by congressional delegation, we cannot consent to the view that 'either the right to grant or the right to revoke is subject to the uncontrolled discretion of that tribunal.'

SPARTANBURG BOUT

WSPA and Newcomer Fling Things At Each Other

Spartanburg, S. C., April 11.

Spartanburg is a radio fireworks center at moment. Southern Advertising for WSPA seeded by A. J. Tower, industrialist, wants new station while WSPA, long alone in local field, is resisting and pushing for expansion concurrently. Meanwhile WFBC, Greenville, has had a representative scout the hearings, first of which were held in Spartanburg.

Counsel for new corporation had a strong case down WSPA's throat on three consecutive days and introduced this as evidence at Washington hearing. WSPA attorneys counter-blocked with a motion for 10 days extension for reply. Ministers, business men and others will be among those making trek to nation's capital for arguments before commish.

Local papers—which recently restored WSPA mention and programs to morning and evening spots after several years ban are hands-off except for impartial spot coverage of the radio war.

Furgason Reps WIND

WIND, Gary, Ind., has turned over its sales representation for the east to Weed Furgason.

Station was formerly on the list of Weed & Co.

Waxers Rap NBC Library

(Continued from Page 29)

sponsors and agencies or for spot advertising on non-network stations. They had no complaint about the talent situation, although S. King Funkhouser, Commish attorney, asked each about the possible restraint resulting from the chain's maintenance of an artist bureau, but knocked down the NBC explanation for the policy which prevents competitors from running wires into its plants.

The three Independent firms said CBS, Mutual, and non-affiliated stations in the New York area are much more cooperative than NBC, although Brinckerhoff said WOR is unfair to outsiders. They agreed NBC treats them all alike, however, and does not discriminate.

Grombach told the Commish jury that numerous advertisers using NBC have asked him to make reference direct to the chain refused to waive the rule against wires to independent canneries. In contrast, CBS pays for lines linking Grombach plant and studios, in return for the right to use his quarters for overflow web programs at a 'nominal fee.' He said his discs have been accepted by stations and he has recorded shows with talent obtained from NBC artist service.

Explaining he records for several New York stations and agencies, Brinckerhoff had about the same story. Attempts to get permission to wax NBC programs have been unsuccessful, he said, the chain rule is unfair, in his estimation. He had a squawk about WOR, which makes it so costly to run a line into the studios that little might as well be barred. Brink said he has lost potential Young & Rubicam business because he was unable to make reference discs of NBC shows which the agency handled.

Agreeing with implications in Funkhouser's questions, Brinckerhoff took the claim that NBC has no right to deny sponsors or agencies the privilege of obtaining recordings wherever they please. The chain is virtually a public utility, he said, and when 'a sponsor buys time on NBC he is entitled to freedom to use their facilities as he desires.

Tompkins concurred that the NBC attitude is injurious to indies, having prevented Associated Music Publishers from developing a promising line of business. Policy has been a barrier in the way of the entire transcription trade, although he felt the webs should not be banned from making recordings. Tompkins noted, however, that AMP library clients include 22 NBC outlets and 29 CBS stations.

Scoff 'Copyright Trouble' As Poor NBC Defense

All of the complaints scoffed at NBC's explanation the reason for the ban is partly the danger of copyright trouble. They have not experienced any difficulty in getting clearances, and have friendly relations with the unions as well as the copyright holders. Commish was told. They differed, however, as to whether there was any material difference in the expense imposed on them by the chain's denial permission to run wires into the chain's studios.

The indies did not see eye-to-eye on the question of rubbing out the FCC rule which requires specific identification of transcribed programs. Brinckerhoff suggested the FCC license recording companies in order to insure satisfactory quality in transcriptions but had no objection to requiring an announcement at the end of a canned program. Tompkins hoped the rule will be changed and feels it is unfair to put high grade transcriptions in the same class with ordinary phonograph records.

Lloyd Egner Takes Stand; Thesaurus Works Fairly

Denials of any discrimination against indies were made by C. Lloyd Egner, manager of NBC's transcription division. Little there are cases where subscribers to the Thesaurus have an exclusive right, the chain does not put barriers in the way of rival wires. Nor does it promise to throw commercial programs to stations buying the Thesaurus.

Since enable many stations to put on much better programs than they could otherwise, Egner maintained. Non-webbers are definitely benefited by the opportunity to obtain good quality waxed entertainment, notably those in small places where talent is scarce. Originally NBC planned to serve only NBC outlets, helping them improve their non-network programs.

The exclusivity policy is not injurious to non-network stations, Egner declared. While the Thesaurus is sold to only one station in a city, independents can obtain it if the NBC affiliate aren't interested. First chance is given to the outlet, but they cannot prevent a rival from getting it if they don't want it. In defense of the attitude, the NBC exec said the material is so valuable the chain cannot allow too many repeats to the same audience.

Technical difficulties first brought RKO into the World picture, Stevenson explained. Sound Studios, predecessor company, by August, 1931, owed the telephone company subsid $60,000 for equipment and services. ERPI came to the rescue, with all preferred and common of Sound and World pledged as security for loans and indebtedness. In 1935, World and Sound owed $166,000 for equipment and $201,000 in royalties, plus $28,000 to an unidentified ERPI subsidiary. Understanding reached at that time cut the royalty fee, with the reduction retroactive so that debt was pared to $107,000 and equipment was taken back, with the $166,000 bill cancelled.

When World began having good luck, ERPI unloaded some of its obligations. Leased to World the studios it had rented, getting 3,000 shares of preferred. Purchased 5,845 shares of World common for $80,000. The holdings are being bought by CBS as part of the deal with Percy Deutsch, although amount was not revealed.

F. C. C.'s WASHINGTON DOCKET

MAJOR DECISIONS

Washington, April 11.

California: (1) Night operation and joint-use for KTKC, Tulare-Kings Counties Radio Associates, Visalia, okayed with provisions. Requirements for a power increase and antenna are revised to meet Commish demands. Station also will change frequency from 1190 to 880 kc.

Need for the proposed service has been demonstrated in times of flood and transmitter would be aiding farmers and ranchers by giving weather forecasts, frost warnings and other agricultural information, Commish decreed. Enlarged power would make up for night limitation by KEW, Mexico City—now operating with 100 kw power—to the approximate 8.5 millivolt per meter contour of KTKC. Cost of improvements will approximate $10,000, report showed ,and operating costs will be increased by $885 per month. Schedule estimated, however, that revenue increase will be $1,600 from merchants who have indicated a desire to use the station nights and $1,000 a month from the Tulare-Les-Minimal network with which applicant proposes to do business.

Station, now using 250 watts days only, will go to 1 kw all times. Represented by H. M. Shinnick.

(2) Transfer of KVOS, Marysville, from the Merced Star Publishing Co., Inc., to the Merced Broadcasting Co., accomplished last week, with three directors resigning in the newspaper company taking over the radio subsid.

Reason given for the sale was divorcement of the rag (Merced Sun-Star) from the transmitter. Original authorized capital of the publishing company—$75,000, consisting of 750 shares at $100 par value—was increased to $150,000 by five members of the same family, as follows:

Ray Hogan, prexy, 245 shares; Thomas McClung, v.-p., 245 shares, and Hugh McClung, secretary-treasurer, 250 shares. Ten shares of common stock held by nominees for remaining directors to make up the board.

KVOS new deal will set up Ray, Peter and Hugh as equal holders in $24,000 worth of $1 common stock in the broadcast company. Employees of the station will have a chance at a remaining $1,000 worth in common and $1,000 per month arrangements have been made for newspaper employees to obtain an interest in the broadcast company. Employees will forfeit of stock in both the radio and newspaper companies if owned by the line, announcement stated, but they have to let in the employees could not 'properly be carried out so long as the newspaper and the radio station are owned by the same corporation.'

With 24,000 out of 25,000 shares of broadcast stock issued, new company receives 51 percent of the outstanding stock, on which original cost of $23,087, depreciated value of $17,719 and replacement value of $34,000 has been established. Firm will 'receive the benefits of the money expended by assignor corporation in anticipation of the sale, which was made by resolution of the newspaper company for maintenance and operation of the station. In addition, stockholders have held that they will contribute, if necessary, another $25,000 in cash for operation expenditures.

Only member of the family with outside radio interests is Ray McClung—president of the newspaper company and vice-president of Merced Broadcasting—who has an interest in KWLK, Long View, Wash., and is an applicant for transfer of a half-interest in KHSL, Chico, and KVCV, Redding, Calif.

Station, which made a 1937 profit of $7,800 and averaged $400 per month for the first six months of 1938, and $1,000 per month for the next three months, of 1938, operates on 1040 kc days, with 250 watts. No contracts have existed with regard to advertising in combination with the newspaper and none are contemplated.

Clarence C. Dill and James W. Gum represented assignor and assignee.

Illinois: Nightime operation of KWNO, Winona, green-lighted by Commish to provide service for a listening audience which now has to depend on the Omaha, Neb., one hour each day because of the fact that most of the residents within the area are working during daytime hours.

Transmitter, owned by Winona Radio Station, will continue on 1200 kc with 250 watts daytime power, but will add nightime hours with 100 watts.

Clarence C. Dill and James W. Gum appeared for applicant.

Missouri: New station for Sedalia authorized through grant of permit to Drolich Brothers. Albert S. and Robert A. Drohlich, of St. Louis will be partners in venture which involves construction of a $12,200 transmitter to be operated on 1200 kc with 100 watts nights, 250 watts days. Only interference will come from limitation of WTMV, East St. Louis, in the event WTMV's night power is increased to 250 watts. This possibility is 'contrary to rules and regulations adopted by the Commission' decision pointed out.

Drohlich Brothers were represented by Ben S. Fisher, Charles V. Wayland and John W. Kendall.

North Carolina: Daytime power boost from 100 to 250 watts approved for WSJS, Winston-Salem, to give the transmitter an increased field intensity of 5.8% throughout the entire area which it now serves with 100 watts. No interference would result to nearby transmitters and numerous additional advertisers would be attracted by the increased power. Removal of transmitter to a new location, erection of a vertical antenna and changes in equipment would involve approximately $15,000, the application was found amply financed through its radio-newspaper assets of nearly $2,000,000.

Piedmont Publishing Co., licensee, retained Ben S. Fisher and John W. Kendall.

Oklahoma: Involuntary assignment of license and renewal of license of WDNZ, Ponca City, tentatively granted to Adelaide Lillian Carroll, executrix of the estate of Charles Lewis Carroll, deceased, in a 'proposed finding' of the examiner.

Widow of the late station owner won a long battle with the Commission involving several hearings for various infractions of the Commission's rules governing the maintenance and technical operation of broadcast stations; sloppy management of the program log; program violations brought on by fortune-telling broadcast to which listeners kicked in two-bits dollars, etc. Examiner, however, that Mrs. Carroll will depart from the standards of maintenance and operation of the station. Mrs. Carroll herself determined after earlier mistakes were forgiven.

Frank Stolzmeyer represented applicant.

Virginia: Daytime transmitter to furnish Fredericksburg with primary service received Commish nod.

Transmitter to operate on 1240 kc with 250 watts will be constructed at a cost of $9,850 by the Fredericksburg Broadcasting Corp. A Californian, Richard F. Lewis, Jr., chief engineer of a San Bernardino radio station—will be imported to become vice-president of the corporation and active manager and engineer of the proposed transmitter. Has kicked in $15,000, out of which he will buy 56 shares of $100 stock—the balance being loaned him. Other execs will be Benjamin T. Pitts, president; John F. Gouldman, treasurer, and Ben Richardson, secretary. Directors are W. Marshall King, James G. Harrison, J. V. O'Toole, Julian Garner, and Claude Wilkinson.

No broadcast service at present available to the community though WRVA, Richmond, will provide a signal of about 1 millivolt per meter contour when it begins operation with 50 kw. No interference problems involved.

W. Marshall King appeared on behalf of applicant.

MINOR DECISIONS

New York: WBBR, Peoples Pulpit Association, Brooklyn, granted permission to change name of licensee to Watchtower Bible & Tract Society.

Pennsylvania: WHP, Inc., Harrisburg, granted new relay broadcasting station to be operated on 1606, 2022, 2102 and 2738 kc with 40 watts.

SET FOR HEARING

Indiana: WIBC, Indiana Broadcasting Corp., Indianapolis, change time of operation from daytime only to limited unset at Eau Claire, Wisconsin (set for hearing to determine if interference would result to Canadian station CBM).

Oregon: KALE, Portland, boost day power from 1 to 5 kw, make changes in composite equipment and install vertical radiator.

South Carolina: WSPA, Spartanburg, change frequency from 920 to 1120 kc, boost power and time of operation from 1 kw days only to 500 watts nights, 1 kw days.

Utah: KCPA, Salt Lake City, change frequency from 1500 to 570 kc, jump power from 100 watts to 1 kw, install directional antenna system for all time operation and make changes in equipment.

NEW APPLICATIONS

California: The May Department Stores Co., Los Angeles, new television station to be operated on 60000-86000 kc, with 1 kw. A. A. Hoehn, Los Angeles, consulting engineer. Ben Cantera, Inc., Berkeley, night power boost from 100 to 250 watts.

Missouri: KWOS, Jefferson City, night power jump from 100 to 250 watts.

Nevada: Las Vegas Broadcasting Co., Las Vegas, new station to be operated on 1370 kc with 100 watts nights, 250 watts days.

New York: WNEW, New York, increase night power from 1 to 5 kw.

North Carolina: WAIFB, High Point, jump day power from 100 to 250 watts; WBIG, North Carolina Broadcasting Co., Inc., Greensboro, install directional antenna, jump day juice from 1 to 5 kw.

Ohio: WOSU, Ohio State University, Columbus, boost night power from 750 watts to 1 kw.

Pennsylvania: WEXGA, Westinghouse, Pittsburgh, move transmitter to Springfield, Mass., install new transmitter, change frequency from 31000, 35600, 38600 and 41000 kc to emission to special for frequency modulation.

Texas: KNEL, Brownsville, change power from 100 watts to 250 watts; KNEL, G. I. Burns, Brady, change hours of operation from days to unlimited, using 100 watts nights.

WM. MORRIS PLANS MATURE

Louis Bernstein and His Sister Sue and Counter-Sue Over S-B Coin; She's Maurice Shapiro's Widow

Family fight over the stock rights and profits in the publishing firm of Shapiro, Bernstein & Co. went another round in the N. Y. Supreme court Monday (10), with Justice Philip J. McCook reserving decision on counter-demands for examinations before trial and submission of records. Louis' Bernstein, head of the company, brought suit last December against his sister, Mrs. Fanny Shapiro, widow of the concern's founder, Maurice Shapiro, for the abrogation of a stock assignment agreement, and she has countered with a claim for $250,000. Mrs. Shapiro alleges this sum represents the additional profits she should have got under the agreement which was originally made between herself and Bernstein.

Argument before Justice McCook Monday (10) concerned Mrs. Shapiro's request that her brother, Louis Bernstein, be ordered to show cause why he shouldn't submit to examination before trial and also deliver all the records she requires to bolster her claim anent the $250,000. Bernstein's plea was that she be compelled to submit a bill of particulars on the stock charges she has made, and also to furnish further details to bear out her money claims. House, Grossman, Vorhaus & Hemley is Bernstein's counsel, while Julian T. Abeles is representing Mrs. Shapiro. Latter's son, Elliott Shapiro, is vice-president of Shapiro, Bernstein & Co.

According to Mrs. Shapiro's original answer, Bernstein filed his suit after she had demanded that he make an accounting to her of the profits of the firm since 1915 and the amounts that she and he had taken out. Bernstein petitioned the court that she be ordered to cancel an agreement, drawn up in December, 1915, whereby he agreed that in return for her surrender of a share of her stock, making him 51% owner, he would make a codicil to his will bequeathing this share of stock back to her. It is Bernstein's contention that in 1919 when he expressed a desire to withdraw from the business Mrs. Shapiro orally agreed to cancel this agreement, and that not only has she refused to do it but she has advised him that she intends to enforce the agreement upon his death.

'Iron-Clad' Claim

Mrs. Shapiro's counsel holds that the December, 1915, agreement is under seal and cannot be varied, modified or cancelled except by agreeing in writing under seal. Because of this provision in the law, Mrs. Shapiro, argues Abeles, has an agreement which has as much force today as it did in 1915.

Under the original partnership agreement which was drawn up in 1913, Mrs. Shapiro claims, she and Bernstein were each to get $100 a week from the firm and his expenses were not to exceed $100 a week. She had assumed that this split was continued until this January when a firm of accountants her lawyer had retained made an examination of the Shapiro-Bernstein firm's books.

An affidavit by the accountants, which was submitted to the court, states that from 1916 to 1926 (excluding 1924, for which no records were made available) Bernstein derived $218,514, while Mrs. Shapiro got $161,114. From 1927 to 1938 Bernstein's drawings from the firm totalled $254,357, while hers came to $145,599. It is further stated in the accountants' affidavit that the inspection of the S-B books disclosed that additional large sums of money had been paid to account of Bernstein and members of his family and charged as expenses of the corporation.

These items, it was stated, included traveling expenses in this country and abroad, hotel bills at winter and summer resorts, salaries paid to

(Continued on page 41)

So There

Hollywood, April 11.

Although Metro decided against the inclusion of her songs in 'Ice Follies,' Joan Crawford stepped out and got herself a contract as recording artist with Victor.

Leads off with 'The Hon. Mr. So and So,' which was warbled by Virginia Bruce in Metro's 'Society Lawyer,' plus one from 'Ice Follies.'

SEE HINT OF VICTORY FOR PUBLISHERS

Indications of a part victory for certain major publishers in their six-year-old suit against Electrical Research Products, Inc., were given in a memorandum which the secretary for Federal Judge John Knox issued to contending counsel Monday (10). The letter was an answer to an inquiry from Homer H. Breland, ERPI lawyer, as to what points the judge wants him to argue on in the latest request from the bench for further answer to the publishers' contentions.

Case altogether involves damages of $210,000, with the publishers, represented by Francis Gilbert and Godfrey Cohen, holding that this residue is coming to them on an old sublicensing contract made with ERPI. The secretary's memorandum suggests that Judge Knox has taken a favorable view of the portion of the action which covers a claim of $169,000. It also indicated that the court won't allow the other cause in which the pubs asked for $41,000.

Gilbert had contended that the pubs allowed ERPI's film producer licensees to export synchronizations made in this country with the understanding that they (the publishers) would be paid also for the foreign rights, regardless of the status that these pubs' copyright held in such countries. The memo states that 'the defendants thought it was getting a distinct advantage because it was being given the benefit of using in foreign countries the recordings made in the United States.'

ALEXANDER TO HEAD BAND DEPT.

Out to Challenge Band-Booking Dominance of MCA—Duke Ellington Passes Under Morris Banner Following Present European Tour

ACTIVE BIDDING

Moving into position to challenge the band-booking dominance of the Music Corporation of America, the William Morris agency has signed Willard Alexander to head its orchestra division. A struggle of wide trade significance is foreshadowed.

Alexander, long with Music Corp. of America as a band manager, becomes head of the Morris department, starting immediately. Ed Fishman will continue to work with Alexander on booking bands, latter supervising the Morris office's general music activities on a roving assignment. Alexander is currently completing a vacation in Miami.

The new Morris agency's band dept. head established quite a record when with MCA, as a v.p., being prominent in directing Benny Goodman's activities. With Goodman, Alexander created other names in Count Basie, Harry James, et al.

Reported that as and when previous contract commitments expire, Alexander may bring in established units to the Morris office, but for the present he will continue creating new material.

Duke Ellington, currently on a 28-concert tour in Europe, starting in Sweden, returns in mid-May and goes under William Morris agency direction after many years with Irving Mills. Latter is also currently abroad, but principally on behalf of Mills Music and Master Records business, although also supervising Ellington's foreign bookings coincidentally.

The Mills-Ellington split is friendly and the colored maestro-composer, in fact, only recently renewed for another five years to write for the Mills publishing interests.

Irving Mills and Ellington each owned 45% in Ellington, Inc., the 10% differential being held by attorney Samuel Jesse Buzzell, who retains it. The split was a stock swap in that Ellington in turn had a piece of Cab Calloway, Inc., Mills Artists and Ina Ray Hutton. (The Calloway corporation is split up 23% each to Mills and Herman Stark, managing director of the Cotton Club; 10% to

(Continued on page 47)

'Chiseling of Past Echoed in Present Failure to Share in the Phonograph Boom'—View of Songwriters Group

Melon 1.5% Down

Royalty distribution by ASCAP for the first three months of this year was greater by 2% than the divvy for the like quarter of 1937, but it was 1.5% less than the purse that prevailed for the final quarter of 1938. The melon this time came to $955,000, as compared to the $935,000 that was split up for the initial quarter of '38. The difference between this quarter's money and the previous quarter's figured about the same, $20,000.

Double A writers this quarter collected around $5,000 apiece.

Irving Caesar, president of the Songwriters Protective Association, declared last week that practically all the SPA members have turned in signatured copies of the association's new assignment and that the organization will start negotiating with the publishers for a new uniform writer's contract next week. The new assignment which gives the SPA council administrative rights over the mechanical rights of members' works, is for two years. It includes television rights.

Caesar said that the executive council during its meeting last Thursday (6) took no action on the question of establishing a 2c minimum royalty on phonograph records. He stated that the SPA would not become interested parties in any such drive, since it is up to the publishers alone to correct the royalty situation.

Publishers, in commenting on this Caesar statement, said that it wasn't surprising to them. Caesar and his New York executive council, they pointed out, would prefer to have the pubs fail in their efforts to get an increased royalty so that the executive council could then cite this as another case of publisher inability to exploit mechanical rights successfully.

Caesar takes the position that the publishing industry's failure to share equitably in the phonograph record boom is a backwash of the chiseling and throatcutting that has in the past marked the relations between publishers and the recorders. The latter, Caesar holds, has been able to play one publisher against another and now when the record business is thriving the accumulated distrust in publisher ranks makes it possible for the phonograph record interests to go on paying depression royalties.

CHAPPELL DUNS PHONOGRAPH COS. AT 2c

Publishing firms in the Chappell & Co. group have served notice upon phonograph record manufacturers that, starting May 5, the latter will have to take out licenses under the statutory provision of the copyright act, which arrangement calls for a royalty of 2c. The Metro-Robbins group put a similar order into effect this week.

By its action the Chappell group terminates the arrangement which it made with Decca, Victor and the Columbia Phonograph Co. several weeks ago. At that time it called off its statutory rate of 2c and advised these recorders that they would be permitted to use the various catalogs in the Chappell group for a fee of 1¼c. until such time as it was decided to change the arrangement. In that event they would get 30 days' notice. The Warner Bros. group issued a similar letter when it likewise withdrew the request for the full statutory rate.

Firms in the Chappell group are Chappell & Co., Crawford Music Corp., Marlo Music Co., T. B. Harms, Inc., and the Gershwin Publishing Corp.

Andrea Setaro doing the musical score on Paramount's 'Man About Town.'

WAR CLOUDS DELAY MUSIC MEETING

John G. Paine, general manager of the American Society of Composers, Authors and Publishers, received word Monday (10) that, because of the jittery European condition, the convention of the Confederation of Performing Rights Societies which was to be held June in London has been postponed sine die. If war is averted and peace looks assured at that time, a new meeting date will be set for later in the summer. Otherwise there won't be any congress this year.

Postponement was unanimously agreed upon at a gathering of the Confederation's executive committee in Rome last Friday (7). At last summer's congress it was voted to hold the 1940 meet in New York so that the delegates could see the World's Fair.

'DEKA' NAME TOO CLOSE, SAYS COURT

Decca Record Co. last week obtained an injunction restraining Joseph Sussman, manufacturer of phonograph record playing machines, from using the name 'Deka.' Suit was in N.Y. supreme court.

Decca in its petition pointed out that it has been manufacturing records and playing equipment since 1934 and held that the confusion of the tag 'Deka' would cause confusion in the public's mind and to Decca's detriment.

Zero Tacked On Availability Points; Critics Call It Optical Illusion

Publishers' availability committee of the American Society of Composers, Authors and Publishers last week again passed up the major problem of readjusting member ratings on a wide scale. Under pressure to show some results of its many meetings so that the royalty checks for the past quarter could be distributed on time, the committee adopted two changes in the mathematical setup in the availability system. The checks were delayed going out in the mail anyway. The pubs didn't receive them until yesterday (Tuesday).

Non-committee publishers predict that the two changes adopted by the committee last week will only serve to increase the confusion on the subject of availability within and outside the committee. Instead of tackling the basic trouble with vigor and a sense of fairness, the committee, say these pubs, has again compromised the issue by applying a couple of dubious patches.

Cats Down Envy?

One change in the system has to do with the increase in the number of availability points. A zero has been added to every pub's rating. A publisher with a rating of 10 can now refer to himself as having 100 availability. A pub whose rating was 100 points is now in the 5,000 class. The explanation advanced for this change is that not only will it allow for more flexibility in committee operations but it will tend to decrease the publisher's sense of envy. Whereas an availability point used to be worth $20, it will now be worth $2. The publisher who has 10 points less than another can now feel that he's only $20 apart.

Skeptical pubs describe this modification as a case of tweedledum being replaced by tweedledee and charge that the committee has resorted to inflation instead of equity. To these publishers it's merely an optical illusion. Regardless of what end of the telescope the publisher is asked to look into, the actual value of his rating undergoes no change.

Other modification adopted by the committee last week was rule barring the increasing or reducing of any publisher's rating by more than 10% during any one quarter. Adoption of this rule came as a compromise on the issue of whether to cut drastically the ratings of Ager, Yellen & Bornstein and Bregman, Vocco and Conn. Former firm held 175 points, while BVC was on the books for 200 points. Under the new system the Ager firm could only have 175 points taken from what the inflationary method made 1,750 points and BVC had to give up but 200 points of what this same method had converted into 2,000 points. AYN's rating now stands at 1,585 points and BVC's, 1,800 points.

Inside Stuff—Music

CBS' music execs have been asked to investigate a complaint made against one of the network's staff conductors by a publisher who claimed that the maestro demanded $100 a month for the continued use of the pub's copyrights as theme songs. The publisher advised the network that it was the baldest approach he has encountered in all his years in the business.

The staff leader, according to the publisher, informed the latter during a personal call that he had been using several of the firm's numbers as theme songs and that he (the conductor) thought that $100 a month would be a fair compensation for favors done. When the pub didn't react favorably to the idea, the leader is purported to have set a deadline for coming across or else.

The pub didn't make payment and the day following the deadline all his numbers were missing from the leader's sustaining programs.

Trading in Decca Records, Inc., was revealed in last week's Securities & Exchange Commission report on the stock market activities of insiders in registered corporations. Harold I. Thorp of New York, director in the music cannery, reported Laurence M. Marks & Co. bought and sold during February. Firm sold short 500 pieces of common and then bought a covering batch but also dumped two lots of 100 each, winding up the month with 300 shares still in the portfolio. Thorp holds 200 shares in his own name.

Another report revealed Samuel H. Vallance of New York, another boardite, holds 1,252 shares via Vallance & Co.

RCA Victor's appeal from the $65,000 judgment granted David G. George in connection with the recording of 'The Wreck of the Old 97' was argued last week before the Circuit Court of Appeals in Philadelphia. Arguments lasted three hours, David Mackay appearing for Victor and Robert Nase for George.

It cost Eddy Duchin $1,500 to make the opening of his band at the Palmer House, Chicago, last Thursday (6). Bandleader was on the Coast visiting his baby and took a plane east which was forced down at Alberquerque. Duchin chartered a ship to fly him into Chicago in time for the opening. He arrived at 11 p. m.

Royal Worth Files Claim Against Consolidated

International board of the American Federation of Musicians has under advisement a complaint made by bandleader Royal Worth against Charles Green and Consolidated Radio Artists, which claims Worth is owed $1,500 back pay for a partly filled date at the Lincoln Terrace, Pittsburgh, last year.

Worth says he was booked into the spot for six weeks last summer but the spot folded before it was half completed. Claims he was not paid off for actual working time.

Fats Waller's Egyptian Road Company Clicks

Cairo, April 1.

A local Fats Waller imitator, Johnny High Smith, currently at 'La Belle Marquise' is really named Mohamed, and is an Egyptian with a Dutch mother. He came from Holland and America and although he has been in Alexandria for some time, this is his first visit to Cairo.

His technique is good but not extraordinary but the ensemble of playing swing tunes and singing a la Waller is proving popular in Egypt where Waller is unknown, and this type of act is absolutely novel.

Band Bookings

Meyer Davis, World's Fair Fleet Ball, Waldorf-Astoria, N. Y., May 1, and Terrace Club at Fair opening, April 30.

Vincent Lopez, 'Union Pacific' premiere ball at Omaha, April 29; May 4, Cedar Rapids, Iowa; May 12-13, U. of North Carolina.

Joe Rines, guest Hotel New Yorker Sunday (16); opening May 10 at St. Regis hotel, N. Y.

Phil Spitalny, Boston Gardens, Boston, April 28.

Del Courtney, Boston College hop, Statler hotel, Boston, May 5.

Mike Riley, State theatre, N. Y., week May 11.

Larry Clinton, Harvard U, May 2; Rhodes-on-Pawtucket, Cranston, R.I., May 5; week Aug. 11, Capitol, Washington.

Al Donahue, Villanova College, Phila., May 5; Garden City, L. I., May 6.

Glenn Miller, week of April 21, Paramount theatre, Newark.

Will Osborne, Bowdoin College, Brunswick, Me., May 19.

Frank Dailey, Turnpike Casino, Lincoln, April 16; Muehlebank hotel, K. C., two weeks, April 21.

Tommy Dorsey, Penn hotel, N. Y., May 25 to Sept. 17.

Zissu Leaves SESAC

Leonard Zissu has quit as staff counsel for the European Society of Stage Authors and Composers. He is setting up his own law office. It isn't decided whether he will maintain some client connection with the music rights agency.

Zissu had been with SESAC for seven years.

SETS CHI BAND DATES

Chicago, April 11.

Series of bands has been booked into the Chicago theatre by Max Turner, leading off with Orrin Tucker, who opens at the Balaban & Katz key spot Friday (14) after a stay in the Empire Room of the Palmer House.

Following will be Joe Sanders, Clyde McCoy and Eddy Duchin.

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 (April 3-9). Total represents accumulated performances on the two major networks from 8 a.m. to 1 a.m. Symbol * denotes film song, † legit, all others are pop.*

TITLE.	PUBLISHER.	GRAND TOTAL.
Little Skipper	Feist	62
Heaven Can Wait	Remick	47
Moon Is a Silver Dollar	Robbins	37
Deep Purple	Robbins	32
Little Sir Echo	BVC	32
Penny Serenade	Shapiro	31
Gotta Get Some Shuteye	Bellin	28
Our Love	Chappell	27
Masquerade Is Over	Crawford	26
I Cried for You	Santly	24
It's Never Too Late	Berlin	24
Begin the Beguine	Harms	28
Could Be	Santly	*23
I Want My Share of Love	Harms	22
This Is It...†Stars in Your Eyes	Chappell	21
Hold Tight	Exclusive	20
I'm Building a Sailboat of Dreams	Shapiro	20
Step Up and Shake My Hand	Famous	20
I Get Along Without You Very Well	Famous	17
Romance Runs in the Family	Ager	17
Sing Song of Sunbeams...*East Side of Heaven	Santly	17
I Long to Belong to You	Red Star	16
It's All Yours...†Stars in Your Eyes	Chappell	16
We've Come a Long Way Together	Feist	16
And the Angels Sing	BVC	15
Cuckoo in the Clock	Berlin	15
East Side of Heaven...*East Side of Heaven	Santly	15
Night Must Fall	Marks	15
That Sly Old Gentleman...*East Side of Heaven	Santly	15
Don't Worry 'Bout Me...†Cotton Club Revue	Mills	14
Funny Old Hills...*Paris Honeymoon	Famous	14
Good for Nothin' But Love	Witmark	14
Last Night a Miracle Happened	Spier	14
Sweet Little Headache...*Paris Honeymoon	Famous	14
This Night...*Honolulu	BVC	14
Chopsticks	Shapiro	13
If I Had My Way	Paull-Pioneer	13
Happy About Whole Thing...*Naughty but Nice	Remick	13
How Strange...*Idiot's Delight	Feist	12
I Promise You	ABC	12
This Can't Be Love...†Leave It to Me	Chappell	12
Class Will Tell	BVC	11
My Heart Belongs to Daddy...†Leave It to Me	Chappell	11
Tears from My Inkwell	Marks	11
At a Little Hot Dog Stand	Spier	10
Gardenias	Lincoln	10
Hooray for Spinach...*Naughty but Nice	Remick	10
Patty Cake	Fox	10
Then Came the Rain	Harms	10

Make Record, Inc., Files

Albany, N. Y., April 11.

Make Record, Inc., has been chartered to conduct a voice recording business in New York. Directors are: Max Benkowitz, Irving Bressler, and Grace Mannion.

Robert Kopple, New York City, was filing attorney.

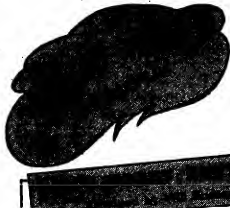
OLD SONG SUGGESTIONS
JIMMY McHUGH'S
"YOU'RE A SWEETHEART"

The Score from The World's Fair Edition of the

COTTON CLUB PARADE

By TED KOEHLER and RUBE BLOOM

Acclaimed the greatest Cotton Club Score ever written!



Walter Winchell says: "I'm simply mad about a new love song called 'Don't Worry 'Bout Me'." *N. Y. Daily Mirror*

Dorothy Kilgallen says: "The best torch song in months." *N. Y. Journal American*

Theodore Strauss says: "It's tops!" *New York Times*

Gene Knight says: "Teddy Koehler with Rube Bloom is responsible for a scintillating score." *N. Y. Journal American*

Eddie Wickes says: "Four likely-looking hits." *N. Y. Enquirer*

Robert W. Dana says: "Highly entertaining and tuneful numbers." *N. Y. Herald Tribune*

Malcolm Johnson says: "Catchy new songs." *N. Y. Evening Post*

Ted Friend says: "A score by Koehler and Bloom that no less an authority than Cole Porter insists is greater than their 'Stormy Weather' and 'Trockin' show.'" *N. Y. Daily Mirror*

Three Sensational Novelty Request Numbers

EVER SO QUIET
By ALGY MORE
One of the funniest novelty numbers in years.

WHAT ARE LITTLE GIRLS MADE OF
By ROBINSON, DeLANGE & FRANKEL
A very amusing tune with equally amusing lyrics!

PAVANNE
By MORTON GOULD
Originally introduced by the Detroit Symphony Orchestra and now arranged for popular orchestra.

Ever widening the scope of our catalog with publications of every description, Mills Music, Inc., announces the addition of the

HARRY J. LINCOLN MUSIC PUBLISHING COMPANY

(Publishers of the famous "Repaz Band" and other celebrated copyrights)

THE VANDERSLOOT MUSIC PUBLISHING CO. and THE UNITED STATES MUSIC PUBLISHING CO.

to our many other previously acquired catalogs and standard copyrights such as the:

WATERSON, BERLIN & SNYDER CO. • KALMAR, PUCK & ABRAHAMS • HENRY WATERSON, Inc. • HARRY WILLIAMS MUSIC CO. • JEROME and SCHWARTZ • AMERICAN COMPOSERS, Inc. • FRANK CLARK MUSIC CO. • STERLING SONGS, Inc. • GOTHAM MUSIC SERVICE, Inc. • M. K. JEROME • LEWIS PUBLISHING CO. • MARLO MUSIC CORP. • JACK NELSON MUSIC CO. • STARK & COWAN, Inc. • STEPT & ROWENS, Inc. • PHIL KORNHEISER, Inc. • THEODORE MORSE • MORSE MUSIC CO. • GORDON & RICH, Inc. • KEIT MUSIC CORP. • MORT BECK • etc., etc.

Also numbers from the catalogs of FRED FISHER • KENDIS & PALEY and many others.

MILLS MUSIC, Inc. • Jack Mills, Pres. • 1619 B'way, New York

BRANCHES AND REPRESENTATIVES ALL OVER THE WORLD

NEW YORK (*Bernard Pollack*) *Prof. Mgr.* — BOSTON 32 Boylston St. (*Milton Hammond*) — PHILADELPHIA 4937 North 8th St. (*Jack Kopf*) — CHICAGO 54 W. Randolph St. (*Art Tubin*) — CINCINNATI Hotel Gibson (*Leonard Wilson*) — HOLLYWOOD 1680 N. Vine St. (*Sam Myron*)

Foreign Representatives: Cinephonic Music Co., Ltd., London, Eng. • J. Albert & Son, Ltd., 127 King St., Sydney, Australia • Ralph B. Todd, Roque Saenz Pena No. 933, Buenos Aires, Argentina

15 Best Sheet Music Sellers

(Week ending April 8, 1939)

Deep Purple	Robbins
Little Sir Echo	Bregman
Penny Serenade	Shapiro
Heaven Can Wait	Remick
I Get Along Without You Very Well	Famous
Masquerade Is Over	Crawford
Umbrella Man	Harms
Hold Tight	Exclusive
I Promise You	ABC
We've Come a Long Way Together	Felst
God Bless America	Berlin
Our Love	Chappell
Could Be	Santly
Gotta Get Some Shuteye	Berlin
Beer Barrel Polka	Shapiro

Royalties in Escrow Will Be Released If Fox Is Given Trustee Protection

Harry Fox, as agent and trustee on mechanical rights in the Music Publishers Protective Association, may release monies that he has been holding in escrow because of copyright disputes if the accepting publishers indemnify him against liability. Some publishers have been urging this procedure, while others demand that he retain the royalties until the controversies have been adjudicated. Fox will consult MPPA counsel this week on the wording of the indemnification binder.

Practically all the money being held in escrow involves questions of copyright renewals. No sooner is a license on one of these numbers issued than some publisher pops up with a claim of having obtained the renewal assignment from the estate of a writer concerned. The escrow coin arising from such claims has been accumulating for a year and the original publishers of the works can't see why they should be deprived of the royalties while the claimants take their time about having the issues litigated. They contend that the procedure is unfair and that Fox should release this money on conditions that it will be returned to him as the disputes are adjudicated.

Bernstein Suit

(Continued from page 39)

plaintiff's wife and daughters, and personal insurance. Also various other disbursements, such as purchase and upkeep of automobiles registered in the name of Bernstein's wife and daughters, doctors' and hospital bills of patients who were not identified as employees and items of personal wearing apparel and jewelry. The affidavit declares that books and papers were not made available for the purpose of disclosing the true nature and withdrawals of the stipulated $250,000.

'Not Near the Truth'

Another grievance cited by Mrs. Shapiro is that back in 1915 Bernstein talked her out of having an equal number (2) of directors. She complains that he at the time induced her to get their sister, Lucy Bernstein, to execute a resignation from the corporation, which move Bernstein told her was necessary for his protection. She might be inclined to sell and because of equal directorship he would have no way of countering her choice of a buyer and the price offered. Mrs. Shapiro now wants the court to order her second directorship reinstalled. In his bill of particulars Bernstein asks her to cite the date and circumstances under which all these things took place. He denies that they're not even near the truth.

The Dec. 23, 1915, letter which is made by Mrs. Shapiro a major basis for her action follows:

'My Dear Sister Fanny:

'I hereby faithfully agree and promise that upon my death you are to receive immediately one share stock of Shapiro, Bernstein & Co., and I agree to put codicil to my will to that effect—and also agree that exclusive of expense a/c—our drawing a/c will always be the same—and also agree for an equal amount of directors. Witness my hand and seal.

Louis Bernstein (L. S.).'

'Witness: Kathyrn A. Burke.'

Al Kavelin opened two-week stay at Chase hotel, St. Louis, Tuesday (11) after two-month run at Nixon Cafe, Pittsburgh.

Mrs. Mel B. Kaufman Suing Sam Fox Music

May Z. Kaufman, as executrix of the estate of Melville B. Kaufman, yesterday (Tuesday) asked the N. Y. federal court to postpone trial of her $20,000 action against Sam and Harry Fox, as the Sam Fox Publishing Co., Inc., until May 1, on the grounds that the attorney who will represent her in court, is in Europe.

She claims damages for failure on the part of the defendants to pay her royalties from 1915-1932 on 16 songs of her husband's published by the defendants. She also seeks damages for failure to pay royalties on the film synchronization rights sold by the defendants to the RCA Mfg. Co., Inc., and to Electrical Research Products Inc. She claims the publishing company made over $1,000,000, in selling these rights.

KARL KRAMER OF MCA ON COAST—FOR HEALTH

Chicago, April 11.

Karl Kramer, who has been on the inactive list, returns to an exec position with the Music Corp. of America, but will be located on the Coast since the midwest weather has been ruled out by Kramer's physician.

Kramer will sit on all exec meetings of MCA and assist in information of general policy decisions of the company.

Lew Porter and Johnny Lange sold two songs to Monogram, to be warbled by Tex Ritter in 'Down the Wyoming Trail.' Ditties are 'In Elk Valley' and 'He Looks So Peaceful Now.'

Emil Coleman set to reopen Trocadero in Los Angeles next month.

On the Upbeat

Sterling Young band returned to Bill Green's Casino, Pittsburgh, Monday (10) for second engagement there this season, replacing Tommy Carlyn, who goes to New Elms in Youngstown, O.

Phil Cavanna booked into Eddie Peyton's roadhouse, Pittsburgh, for indefinite stay.

Piccolo Pete crew into Club Petite, Pittsburgh, for indefinite stay, succeeding Freddie Castle band.

Americo Bono opened at the Statler, Buffalo, April , replacing Johnny Long who moves into Cincinnati hostelry following tour of one-nighters. Bono will also be heard Friday and Saturday nights over WBEN.

Joaquin Gill, who lost vocalist Dorothy Claire to Bob Crosby band, has also lost her sister, Deborah, to George Duffy, now at Hotel Commodore-Perry, Toledo, O.

Spike Featherstone finished up 39 weeks at Hollywood's LaConga.

McFarland Twins' Orchestra, recently at Rainbow Room, New York, hooked into DeWitt Clinton Hotel, Albany, for a week. The Three Suns, instrumentalists, continue in cocktail lounge of hotel.

Buddy Rogers heading for Topsy's in Southgate, near Los Angeles.

Spike Featherstone washed up at LaConga in Hollywood after 39 weeks.

Zinn Arthur shifted from Rivera theatre to Shubert theatre, Brooklyn, as house crew. Teddy King replaced Arthur at the Rivera.

Cy Baker has been added to the Jimmy Dorsey trumpet section, bringing the latter up to three.

Benny Strong orchestra has been extended again at the Brown hotel, Louisville, bringing his run into its third year.

Bubbles Becker, 11-piece outfit from the south, opens at the Arcadia Ballroom, N. Y., Saturday (15).

Bruce Squires, trombone, and Solly LaPerch, trumpet, added to Benny Goodman's band. Squires is outright addition, while LaPerch replaces Irving Goodman.

Bobby Hackett upped his crew from 10 to 13 pieces and signed with MCA this week. Band cuts for Vocalion today (Wednesday).

Jimmy Dorsey had his Meadowbrook, Cedar Grove, N. J., opening set back to May 20. Plays week of May 12 at Rivoli theatre, Toledo.

Bob Stanley temporarily replaces Arthur Wallenstein as director of Benno Rabinoff's violin recitals on WOR for three weeks.

ASCAP's $6,100,000 Income In '38; Costs Rise; 10% Goes to Foreigners

American Society of Composers, Authors and Publishers collected $6,100,000 in 1938, or $200,000 more than the gross receipts had been in 1937. The distributable royalties last year amounted to $4,100,000, this embracing the regular split-up among writers and publishers and the $200,000 spent on membership relief. As usual, 10% of the gross, or $610,000, was set aside for distribution among foreign affiliated societies or ASCAP members retaining foreign rights.

ASCAP expenses in 1938 figured 19.6%, as compared to 18% for the previous year. Increase in administrative costs is attributed to the many court and state legislative fights that the Society had to contend with during last year.

Income from radio in 1938 was just a few thousand dollars more than it had been in 1937. Motion picture theatres contributed about 10% less. The big increase came from such licensee sources as restaurants, hotels and dancehalls. The ASCAP management for the past 18 months has maintained an intensive drive on this latter group with the aid of a traveling crew headed by Dick Powers, adding some 2,200 new licensees to the list.

BARRON'S EYE TROUBLE

Looked Like Might Lose One—But He's Better Now

Lincoln, April 11.

Feared for awhile here that Blue Barron might lose his right eye. Suddenly developed infection (4) and spread to the other peeper. Attended by several physicians, first thought was that the first orb infected would have to be removed to save the second.

Is doing better now. Expected to fly to New York and take a hospital bed until the band gets in Friday (14) for the Edison opening.

Professional Men Hold N. Y. Benefit on May 7

Professional Music Men, Inc., has set Sunday, May 7, as the date for its fifth annual benefit show.

It again will be the Alvin theatre, with the proceeds going into the organization's relief fund.

Arthur Franklin doing the score for 'Some Like It Hot' at Paramount.

North Dakota Bill 'Model' of Attack Most Favored in ASCAP Harrassment

Bills curbing ASCAP or alleged monopolistic practices of similar so-called 'copyright pools' are now pending before the legislatures of more than half the states. Two anti-ASCAP measures have so far become law during current sessions. One, in Montana, is a substitute for a similar one adopted in 1937. It is designed to overcome legal objections to the original. The other is in North Dakota.

Washington, Nebraska, Florida, Tennessee and Wisconsin also already have laws nixing activities of copyright pools. All were passed at 1937 sessions of the legislatures. Preliminary injunctions restraining the enforcement of the statutes were obtained by ASCAP in Nebraska, Florida and Tennessee.

No court has yet passed upon the constitutionality of the anti-ASCAP legislation. The Florida and Washington acts are now before the United States Supreme Court, but on purely technical grounds which do not involve the constitutionality of the legislation.

Many attorneys are of the opinion that many of the provisions of the Washington, Tennessee, Nebraska, Florida and original Montana laws are unconstitutional. The new Montana act and the one recently adopted by North Dakota are believed by lawyers to come closest to meeting all constitutional limitations upon state legislatures.

Some of the bills now pending follow the pattern of the Washington and Montana bills, while others are on the order of the Nebraska and Florida measures. Majority, however, follow the North Dakota bill.

North Dakota bill was also passed by the legislature of New Mexico this year, but was subjected to a pocket veto by the governor.

Barnet Set to Sept. 11

Except for two or three short openings, the Charlie Barnet orchestra is booked solid until Sept. 11. Band opens Friday (14) at the Raymor, Boston, for four weeks with four NBC, twice weekly. Week of May 12 it does a set of one-nighters; week May 19, Capitol theatre, Washington; week of May 26, Flatbush theatre, Brooklyn.

June 16 outfit opens at Playland, Rye, N. Y., where it stays until Sept. 11. Band is guaranteed a minimum of five Mutual wires a week from Rye. Following the Rye date it goes into either the Meadowbrook, Cedar Grove, N. J., or the Lincoln Hotel, N. Y.

RUDY WIEDOFT WINS $26,000 FROM HOLTON

Chicago, April 11.

Rudy Wiedoft, one of the first to use a modern saxophone, last week was awarded $26,000 in settlement from the Frank Holton company on a suit which Wiedoft filed nine years ago.

Basis of the suit was Wiedoft's claim that in 1927 the Holton firm hired him to originate a saxophone for them.

'Washington-Lee Swing's' $50,000 Copyright Suit

Mark W. Sheafe filed a Federal court action in N. Y., Friday (7), against Thornton W. Allen, music publisher, for $50,000 claiming the infringement and piracy of his song, 'Washington and Lee Swing,' written by him in 1910, but never copyrighted or published by him. He claims the defendant pirated the song by publishing it, and boosted its popularity to the point of depriving him of $50,000 in profits. An injunction and an accounting of profits are asked.

The song was originally copyrighted in 1910 by Allen with words by C. A. Robbins, and music by M. W. Sheafe, and the copyright was renewed by Allen and R. G. Thach in 1920, and in 1930 by Allen alone.

Ted Lewis' Mother's Estate

Circleville, O., April 11.

Mrs. Pauline Friedman, mother of Ted Lewis, the maestro, left an estate valued at $12,605.79, according to the appraisal filed in probate court. Of the total estate $12,005 is in real estate.

Mrs. Friedman died several months ago.

TOOTING FOR OFFICE

Bob Craig Out for Council — Politicians Laugh Him Off

Baltimore, April 11.

Bob Craig, local swing maestro, is campaigning for a seat in the City Council. Utilizing his own combo mounted on a truck and handing out considerable jive including a femme hotcha singer stick weaver is getting some space and art in the dailies, but local politicos claim he's strictly on the downheat as far as election chances are concerned.

Craig, though, is depending on brass.

Joe Marsala Enlarges To Tour for Shribman

Currently at the Hickory House, N. Y., with a six-piece outfit including Adele Girard, swing harpist, Joe Marsala will augment to 15-pieces and start out on a road tour for the Shribman office May 30. He leaves the Hickory House May 28 or 29.

Miss Girard will remain with the band. Swing outfits with harps among the rhythm are rare.

Warn Party Throwers Not To Contract Bands Via Caterers; Kickbacks?

Philadelphia, April 11.

Musicians' local clamped down last week on caterers whom they charge not only with the food, but the music'. Ads were inserted in various local society gossip rags to warn people employing caterers that they will 'avoid embarrassment' at their parties if they contract directly for music with a member of the AFM local.

Rex Riccardi, secretary of the union, declared that many caterers have exclusive agreements with certain band leaders and, when the food dispensers are hired for a party, sing in these pets to supply the music. Caterer then gets a kickback from the musicians for his trouble. Even aside from this rebate angle, however, Riccardi said, caterers who contract to supply music are breaking both state and AFM law. 'Any such contracting acting as an agent and thus needs a license, which no caterer has.

'Ad run by the union states: 'To avoid misunderstanding and embarrassment in arranging affairs where musicians are employed, please take notice that members are not permitted to perform at such affairs (and may be withdrawn therefrom) where the caterer has undertaken to furnish the orchestra.'

Woody Herman Stays At Reckwell; to Cedar Grove

Woody Herman orchestra has signed a new term contract with options with Rockwell General Amusement. Band is now at the Famous Door, N. Y., where it stays until April 18. Outfit was on the verge of quitting from Rockwell.

After leaving the Door, Herman's bunch play two one-nighters in New England prior to opening at Meadowbrook, Cedar Grove, N. J., April 21. Band's NBC wire at the Door was pulled out last week. It was out Friday and Sunday, but was set to be returned last night (Tuesday).

O-Kay Revivals

Chicago, April 11.

O-Kay music firm is publishing a series of revivals out of its catalog, including 'Garland of Old Fashioned Roses' and 'Winding Trail.'

Firm has been topping its recent list with Gene Autry numbers.

Night Club Reviews

HOTEL NEW YORKER

Henry Busse, Frazee Sisters (2), Edna Sedgwick, Mark Plant.

Henry Busse's new orchestra, reformed under Local 802 (N. Y.) regulations, is working into shape nicely under its trumpeter-maestro whose now standard 'When Day Is Done' signature song nicely sets the 'shuffle (or Busse) rhythm' style. The new band differs in personnel from the team he had when here last fall. That unit now forms the nucleus of Dave Apollon's stage orchestra. After the usual preliminary rough edges, Busse's combo is now clicking, with guitarist Dick Wharton handling the vocals nicely and Vi Mele doing the femme vocals into the mike.

Supporting show at the Hotel New Yorker's Terrace Room is a nice blend. The Frazee Sisters (3) do their mike harmonics in standard style. Edna Sedgwick, who has terped in filmusicals, gives out with ballet and taps, in two different takes, latter a bolero routine to 'Beguine.' Mark Plant, a big baritone, who, too, has been in revues, and also had a Metro film opportunity, also m.c.'s, although handicapped by a cold on the night caught. Jan Garber's band comes in after Busse, latter going into the Broadway Paramount April 20.

Abel.

NIXON CAFE

(PITTSBURGH)

Pittsburgh, April 8.

Al Marsico's orch (9), Bob Carter, Jimmy Ray, Seror Twins, Darryl B. Dale, Angelo Di Palma, Claire Ray Girls (6).

Tony Comforti keeps giving the Nixon Cafe patrons standard, snappy entertainment. He takes his cue in that respect from Joe Hillier, who's been servicing the spot wisely for couple of years now, and Hillier's steering the acts nicely and mixing 'em up for town's most prosperous nitery.

Up until 10 p. m., the Nixon's primarily a restaurant with probably biggest dinner biz in town. After that, it's strictly hot-cha and it's Hiller's job to spot turns versatile enough to give the customers just the right thing for each session. So far, he's done it, whether by accident or otherwise, and current layout is no exception.

Al Marsico, a local maestro who closed an 18-month engagement at Show Boat recently, is in with his okay nine-piece crew for an indefinite stay and it's a band that fits spot's needs nicely. Right in there on the sweet, which is what the diners want; the swing stuff is serviceable enough for the later needs, and he plays a show like a veteran. That comes natural to Marsico, since he was conducting Dick Powell's Eve. Right theatre band for those de luxe units 10 years ago.

Orch's carrying, as featured vocalist, Bob Carter, of the air waves, who also doubles into the show. He's got a corking tenor voice and knows how to use it, hitting those high registers like a canary and putting plenty of pash into the ballads, his specialty, for the femme ringsiders.

Show's m. c.'d by Jimmy Ray, clever hoofer who turns in a good session of eccentric, soft-shoe dancing. That's become practically a lost art, but Ray should do much to revive it, at least in these parts. He's there on the pedal end and a nice engaging personality to boot. Seror Twins add a French music hall atmosphere with their act, a bit of hoke magic, some hooting and the phoney mirror dance, all of the bits built around their striking similarity. Only trouble here is that Nixon's so built only half of the customers can see the best sections, but that's not the Serors' fault.

Darryl and Dale are a slick ballroom team who look good and are graceful in waltz, foxtrot and rumba, and spot has the sense to time in six Claire Ray girls. They're nice-looking, well - costumed and, what's more, can dance. Swing symphony with Albertina Rasch overtones is their best number and one of 'em does a tap dance specialty, while another, Sherry Saunders, displays a good blues voice when she comes one into the best dance thing, yipee-yi-ee finale. Angelo Di Palma, operatic tenor, is in his fourth year here now and a fixture. It's still half a dozen platters of old favorites before mob permits him to get away.

Nixon's got a 50c couvert, except in case of regulars, when it's usually lifted. Incidentally, regulars make up practically 75% of Comforti's trade.

Cohen.

BROOKLYN CLUB

(BROOKLYN, ILL.)

St. Louis, April 7.

Cliff Winehill, Edwards & Arnold, Roberta Roberts, Fritzi Lura, Four Brooklynettes, Joe Winter's orch (7).

This recently opened nitery across the Mississippi and only 15 minutes from downtown St. Louis, is operated in conjunction with a casino and a high percentage of its clientele is from the local upper crust. With free motor transportation provided to and from a downtown point, and no minimum or couvert, the Brooklyn Club is weaning customers away from St. Louis class spots. Sam Magin, manager, has wisely unstrapped the bankroll for A-1 talent and newspapers ads, the latter greatly overshadowing those used by local niteries.

Cliff Winehill, formerly with the King's Horses, is m.c., and, besides keeping his gags up to the minute and doing a single that clicks, keeps the show moving at a fast tempo. The only fly in the ointment is the house line. The girls seem to have but recently matriculated from the tyro ranks and their work, at show caught, was just so-so.

Spot seats 300. The building is unpretentious, but plenty of kopecs were dished out to fix up the interior.

Winehill starts show with some nifty patter, some of which borders on the blue, and then the Brooklynettes do the first of two routines. Fritzi Lure, a looker in an evening gown, does an acrobatic dancing turn that includes a whirlwind finish. Roberta Roberts, a blues songbird, does best with the old tearjerker, 'You Made Me Love You.'

Edwards and Arnold, youthful tap team in evening clothes, score. Winehill, in his single, clowns through 'He Shall Die,' grotesquely garbed as a cabaliero, and follows with a vitrioquiet turn with a somewhat weather-beaten dummy. He closes. The 60-minute show is brought to an end by t' e Brooklynettes doing their second routine.

Joe Winters batons a smooth orch and uses good judgment in keeping the music soft in the small room. Club boasts excellent cuisine, with dinners starting at $1.50.

Sahu.

Cocoanut Grove, N. Y.

(PARK CENTRAL HOTEL)

Will Osborne's orch (17), with Lynn Davis, Richard 'Stinky' Rogers, Three Peppers, Enrico & Novello.

Will Osborne's and his 'slide music' orch resumes the name band policy interrupted by Curt Houck's Catalina Island band, which followed Chick Webb. Osborne and the Three Peppers, Enrico and Novello and Lynn Davis and Dick Rogers (band vocalists), constitute a four-week fill-in until the room closes May 9 for a rearrangement prior to Larry Clinton's entry May 17.

Osborne and his curtailed show (really only Enrico and Novello) as Webb.

(Continued on page 48)

H'wood, Broadway Nitery, Owes 150G; $7,635 Assets

Hollywood Associates, Inc., operators of the Hollywood Restaurant on Broadway, which had filed an application for reorganization in N. Y. federal court last January, filed a schedule showing assets and liabilities Monday (10). Current assets are $7,635 and liabilities are $150,554. The liabilities are made up of $94,634 in unsecured claims, $46,771 in secured claims, $5,000 for back wages, and the balance in state, government and city taxes.

The largest claim is held by Marshal Bronner, $35,866, for a chattel mortgage on the fixtures. Among the assets are $211 in cash, $3,542 in stock, and $3,431 in personal property.

H'wood's Refugee Theatre

Hollywood, April 11.

German refugees who performed in Berlin cabarets and theatres have taken over the Hollytown theatre. Nightly variety shows will be given.

House has ben renamed the Refugee theatre.

•15 YEARS AGO•

(From VARIETY)

Strikes among the transit systems were hitting London's legit hard.

The increase of bands in vaudeville discredited rumors that orchestras in vaude were on the wane.

The Loew-Metro, Goldwyn and Mayer merger was about ready to be completed.

Marjorie Rambeau made her vaudeville debut at the Palace, New York. Just another case of a star carrying an ordinary sketch.

Max Reinhardt was planning to return to acting in Berlin, his first role in years.

George Biddle, of the Philadelphia society family, reported himself engaged to Grace Moore, the 'Music Box Revue' player. Her answer was that she had opera aspirations.

Lack of road musicals increased the ranks of the jobless among the chorines to a point where cabarets were hiring them at pre-war pay.

An opera troupe was formed for the Theatre Sarah Bernhardt, Paris, which included Rosa and Anna Ponselle, Kathleen Howerd, John Charles Thomas, Nanette Guilford, Richard Bonelli and Mario Chamlee.

An attempt was to be made to get the picture industry back to Fort Lee, N. J.

CAIRO'S BAD SEASON

Wife of U. S. Flyer, Freed by France, Alone Doing Well

Cairo, March 25.

Ray Leda, Belgian warbler from the Paradise Club in London, is at present singing at the Dolls Night Club, the nearest competition to Edith Rogers Dahl, wife of American aviator captured by Franco, who is at the Continental and is doing well with her orchestrations by Fletcher Allen, ex-Noble Sissle sax player.

The Continental cabaret closes until next winter at the end of this month after a very unsuccessful season due in the first instance to a bad orchestra which has since been replaced by Meurice Toubas, and in the second place to war scares which have been particularly acute in the Near East all along since September.

La Belle Marquise nitery, opened four months ago with Ramon Cortes band, air-conditioning and gigantic publicity, has been declared officially bankrupt.

CAFE OPERATOR SEEKS INJUNCTION VS. UNION

Philadelphia, April 11.

Injunction has been asked by the Little Rathskeller to prevent the musicians union from ordering Victor Rugo's band out of the nitery. Union seeks to have closed-shop agreements with six other unions inked by the Rathskeller.

Max Kaliner, operator of the cafe, declares he has a nine-month contract with the band, executed and signed under the supervision of the union. Termer, Kaliner declares, was signatured March 8 and on March 31 Frank Liuzzi, prez of the local, told him the orchestra would be forced to withdraw unless contracts with six unions covering other employes of the nitery were signed. Kaliner says his employes have refused to join the various unions, all AFL affiliates, and have formed their own labor organization.

Belle Baker, Helen Morgan Set for Lamaze's, H'wood

Belle Baker and Helen Morgan have both been set for three-week runs at Lamaze's, Hollywood, by the William Morris office.

Miss Baker opens April 19, with Miss Morgan immediately following.

Saranac Lake

By Happy Benway

During the bank nite drawing at the local Pontiac Russ Kelly won $50.

After bedding at the French hospital, New York, Myra Blake is back at the Rogers.

'Hank' Hearn, who came back here, has been shifted from Atlanta to Charlotte by United Artists.

Moe Gould, Sidney Grill, Emma O'Neil, Josie Barrows, all Will Rogerites have been upped from the infirmary to the walk-around class.

Anna Comerford and Frank Howard in hospital for operations, while Mrs. Teddy Stewart and Eddie Vogt are out of there after successful cuts.

The John Orrs, Pete Smith, Mrs. J. J. Johnston and Buddy Snyder of Rockaway Beach, ogling the Rogers and hellioing Agnes Orr, who's doing well.

Ray Cameron, orchestra leader from a nearby Plattsburg radio station, brought his band and a gang of entertainers to the Rogers to entertain the curing gang.

Alan Crane and Milton Weeks passed another birthday at the Rogers. According to reports it wont be long before they both hit the Big Street again.

(Write to those who are ill.)

Hale to Stage Int'l's Reopener; Shubert Quits Partner Deal

The deal was set last week by the William Morris office for George Hale to stage the show at the International Casino, on Broadway, now an Alex Finn operation, which is scheduled to reopen May 10. Finn, who operates the Mayfair Club, Boston, is not in partnership with Joe Moss at the International, which is contrary to previous reports. Hub coin is behind him.

Originally, Lee Shubert was to have been partnered with Finn in the nitery's operation, but the legit operator stepped out. Moss' connection will be strictly in e salaried position, his job being to promote parties and club events. Charles Washburn will press-agent.

Hale will use 36 girls in the show, the ensemble having gone into rehearsels last week. Al White and Ted Adolphus are his assistants.

Thus far no acts have been contracted for, but the International will pursue a name policy. Same goes for the bands, though nothing definitely has been lined up for the music end, either. Agency is trying to line up a Hollywood attraction.

The International has been closed for several months after first going into receivership. Understanding is that Finn had to put up $50,000 to get the keys.

Hale is guaranteed at least $10,000 for staging, including salary and a percentage of the profits.

ARCADIA, PHILLY, INTO BANKRUPTCY

Philadelphia, April 11.

The Arcadia-International, erstwhile top Philadelphia nitery, closed since Jan. 21, has been thrown into bankruptcy by its 63 major creditors. Sale of its physical assets to satisfy a landlord levy a few days after the spot shuttered was called illegal by Judge Kirkpatrick in U. S. District court and set aside.

New sale at public auction has been ordered for April 27 and 28.

JOE TERMINI
with JEAN HAMILTON
and BOB DU HART
SAILED S.S. MANHATTAN APRIL 5
OPENING
LONDON COLISEUM
APRIL 17

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

Jack and Jean Melville
Dressed by
SIDNEY FISHER
75/77 Shaftesbury Avenue
PICCADILLY, LONDON, ENG.

Best Coffee in England
QUALITY INN
Leicester Square
LONDON, WEST-END

HARRY RICHMAN Ses:
'LORD & STEWART,
19, Albemarle Street,
LONDON, W. 1.
Are England's Best Tailors.'

"Heart of the Loop"
BREVOORT HOTEL
Madison, east of LaSalle, Chicago
Special Theatrical Rates

6 GRAYS
1. TALENT
2. YOUTH
3. BEAUTY
4. STYLE
5. SINGING
6. DANCING
All Total Entertainment
APRIL 14 - - - - - - CIRCLE, INDIANAPOLIS
APRIL 21 - - - - - - PALACE, COLUMBUS
APRIL 28 - - - - - - - - PALACE, AKRON
MAY 2 - - - - - PALACE, YOUNGSTOWN
Direction: MAX TISHMAN
925 West 45th Street, New York City Circle 6-0430

VAUDEVILLE DIRT GROWING

25G SUIT VS. AUSTIN ON 'COCO' TAG

Valdosta, Ga., April 11.

Gene Austin last week was named defendant in a $25,000 damage suit filed in Valdosta City court by George H. Herbert, clown-entertainer known as Coco. Austin, who was here in rehearsal with Billy Wehle's 'Star-O-Rama,' which went on tour last week, was cited to appear at the July term of court to answer the suit, which involves Austin's use of name 'Coco' for a member of his act.

Herbert, in his petition, cites reputation he has built for himself as a clown-entertainer under stage name of Coco and claims that Austin 'wrongfully and unlawfully procured another person to appear on the stage as 'Coco,' thereby seeking to realize on Herbert's reputation and ability.

Petitioner claims that in 1935 he obtained judgment for $50,000 in a Jacksonville, Fla., court against Austin for similar unfair and improper use of name 'Coco' by an entertainer then used by Austin in his act. He further stated that this judgment was written down to $20,000 by court and that, in settlement of this judgment, Austin entered into a written agreement in Los Angeles in 1938, by which pact he promised to discontinue use of name 'Coco' in any future billings.

Austin, who played two weeks ago at the Roxy theatre, Atlanta, used with Candy and Coco' in his billing.

TEXAS CASA MANANA SEEKING BOB BURNS

William Morris office, booking the Casa Manana in Ft. Worth, Texas, expects to have its full list of attractions for the spot set by the end of this week. Thus far, however, no contracts have been sealed.

Casa Manana, which reopens July 21, is anxious to get Bob Burns for just one night (two shows) during the first two weeks. Deal depends on Burns' picture and radio commitments.

Each Casa Manana layout will run two weeks, with the entire run to last six and a half weeks. Kenny Baker, Russ Morgan's orchestra and Connie Boswell are mentioned as possibilities for the first show.

Friars Gross $7,000 At Annual N. Y. Frolic

Annual Friars Club Frolic at the Alvin, New York, Sunday night (9) grossed approximately $6,000, considered good by the club.

Receipts from the program sale, though not entirely totalled as yet, is expected to add another $1,000 to the show's take.

Vaude 'Mikado' Dates

Chicago, April 11.

Harry Rogers has booked his 'Mikado in Swing' unit for a week at the Orpheum, Minneapolis, starting April 14, and will follow with dates in St. Paul and St. Louis.

All-colored 'Mikado' unit opens at the RKO Palace, Cleveland, May 5.

Geo. Riley Seriously Ill

Rochester, N. Y., April 11.

George Riley, of the vaude team of Heller and Riley, is seriously ill at the St. Mary's hospital here.

Complications occurred since an attack of influenza earlier this year.

Frank Neil to England

Frank Neil, of the Tivoli Circuit, Australia, sailed for England Friday (9). He returns to New York shortly.

He's been on a globe shopping tour for acts.

Ramon-Renita Wind Up Royal Palm, Miami Beach

Miami Beach, April 11.

Ramon and Renita, who have played 16 consecutive weeks here at The Drum, Palm Island and the Royal Palm Club, where they are holding over for the second time, close the latter Saturday (15). Dancers are doubling this week into the Olympia theatre, Miami.

Team has Music Corp. of America bids for the Hotel Drake, Chicago, and the Hotel Savoy, London.

Act Booked for Roxy, N. Y., to Have Unusual Tieup with 'Rose' Pic

Buster Shaver and Olive and George Brasno, currently en route back from Europe, have an unusual theatre booking at the Roxy, New York. Instead of being given a specific date, Shaver and the mixed team of midgets have been set with a picture, 'Rose of Washington Square' (20th), if and when it opens. Tentative scheduling of the film is April 21, though it hasn't been fully completed.

A stage production idea that'll fit with the picture is the reason for the booking of the act specifically with 'Rose,' rather than for a given date.

Milton Berger, Jack Davies' associate, set the Roxy deal.

KRELLBERG, FILM EXEC, BACKS B'KLYN VAUDER

Samuel S. Krellberg, exec of Principal Pictures, is the bankroller behind the new vaudfilm venture at the Shubert, Brooklyn, which bowed Saturday (8).

Also financially interested and operating the house are Al Rogers and Bill Miller. Latter two also operate the Rivera, Brooklyn, but Krellberg isn't interested in that spot.

Bernie Set for State, N. Y., at 7½G for Wk.

Ben Bernie's orchestra goes into Loew's State, New York, for one week, beginning May 4.

Bernie's salary remains the same as previously at this house—$7,500 for the week.

Modifying Kid Law

Washington, April 11.

Modification of the D.C. child labor act, which has put furrows in foreheads of numerous producers of road shows in the past decade, is being arranged. Amendment to the 1928 law, being drafted by Corporation Counsel Elwood H. Seal, would allow waivers for kid actors if the Board of Education receives assurances the child does not work excessive hours and gets proper education.

Under the present statute, children under 14 cannot appear on the stage under any conditions and children between 14 and 16 may perform only during the daytime. Several shows have been compelled to make hasty substitutions when local law-enforcers got technical.

BREAKS LONG RULE

Atlantic City, April 11.

With but one year to go before celebrating its 50th anniversary, Chalfonte-Haddon Hall hotel here will end its long drought this summer.

It will break the precepts laid down by its founders in 1890 to install a bar and small band.

Roxy, Atlanta, on the Air

Atlanta, April 11.

Roxy theatre, Atlanta's new vaudefilmer, is using a 5:15 p.m. program each Saturday, featuring its stage entertainment talent.

Heard Saturday (8) were Ben Blue, Carol Bruce, singer.

CENSORING AGAIN SEEN NECESSARY

Showmen Admit There's More Smut on Stage Now Than Ever Before—Blame Influx of Nitery Acts, Also Extensive Work of Vaude Performers in Cabarets

NABE MENACE

By JOE SCHOENFELD

Vaudeville showmen, what remains of 'em, are again taking cognizance of dirt on the variety stages. This time, however, the situation appears more serious and widespread than ever before.

One alibi for the smut that has become so prevalent is the great influx of nitery talent into theatres, due, naturally enough, to the failure of vaudeville to develop talent of its own during the past 10 years. Vaude acts, too, drop frequent or even occasional spotting in cabarets, are also accused of carrying the indigo, okay in the drink and dance spots, into theatres.

A couple of the New York vaudeville booking offices are contemplating revival of the former censorship of stage material. RKO once had an extensive tabu list of gags and business on its vaude stages, though it did make an exception of the Palace, New York, when that house was two-a-day. Failure to enforce the rules at its ace house eventually caused the circuit's censorship system to break down entirely.

Loew's, Paramount and Warner Bros. in the past always put a firm quietus on anything that jumped the border of spoken and physical decency. Frequent reports lately of extensive use of dirty material by acts and specialties may cause these chains to again institute a firm policy against smut, even though their bookings don't cover as wide a range as in former years.

It's pointed out by showmen trying to keep vaude at least at its present level of popularity that dirt can quickly kill it entirely. They point to burlesque, whose popularity waned as it got dirtier, as an example of what smut can do.

It's further shown that a good percentage of vaudfilmers are now situated in nabes and catering to family trade. A ban by parents on children attending these theatres because of dirt would undoubtedly force 'em into straight picture policies.

M.D. Sues Cafe; Claims Injuries in Free-for-All

New Orleans, April 11.

Dr. Hyman S. Zimmerman has filed suit in civil court asking $2,814 damages from Dramas S. and Stephen J. Loyacano and Mary Cremelli, operators of the Chez Paree night club. On the night of March 25, 1938, Dr. Zimmerman claims he was injured during a 'free-for-all' in the club.

Dr. Zimmerman, according to his petition, was in the nitery when the fight ensued. He stated he was struck on the head by a heavy object he believed to be a chair while he was attempting to walk quietly from the place. The defendants, he alleged, were negligent in not supplying a guard to escort him safely from the scene.

Ferry Vs. Perona

Competish from Felix Ferry's new Monte Carlo, N. Y., has proved so tough for boniface John Perona of El Morocco that he has turned to direct mail appeals to former patrons.

For years classed as the No. 1 class nitery, the Morocco never before resorted to any kind of bally gimmicks to drum up biz.

Mich. in Drive to Slash Drinkeries One-Third; Pa. Bill Aims at 400 Cafes

Stage Band News

News of bands in presentation houses, vaudfilm engagements, etc., henceforth will be concentrated in the Dance Music Department, along with other music news.

Twin City Hotel Cafes Use Gimmicks to Hike Biz; Dent Other Spots

Minneapolis, April 11.

In a scrap for cafe patronage, the four leading Twin City hotels, the Nicollet and Radisson here and the Lowry and St. Paul in St. Paul, are offering extra inducements to bring in the customers.

All are using local name bands. The Nicollet has Joseph Sudy; the St. Paul, Lawrence Welk; the Lowry, Carl 'Deacon' Moore, and the Radisson, Carl Lorch.

The opposition also is manifest in other directions. Three of the hotels are offering gratis film tickets to luncheon patrons. One provides free auto parking for cafe patrons. The St. Paul on Sunday night features an all-you-can-eat Smorgasbord supper, while the Lowry has an all-you-can-eat dinner.

One result of the battle is that the hotels are getting the bulk of the dine-and-dance business. In consequence, the run-of-the-mill niteries are given another blow, in addition to generally poor biz and more rigid enforcement recently of the liquor sales curfew.

A single ray of sunshine is the prospect that the state legislature, before adjourning this week, will pass a law extending closing hours to 1 a.m. weekdays and 2 a.m. Saturdays.

MORRISSEY REVAMPS L. A. THEATRE TO CAFE

Los Angeles, April 11.

Will Morrissey's 'Big S' ow' opened today (Tuesday) at Criterion theatre with Al Herman, Jack Pepper, Joyce Hunter, Phil Arnold, Allabazi and others in the cast.

David Bruse is doing musical direction and Palmers Brandeaux staging the dance routines. Theatre has been given a nitery setting, with tables replacing seats.

Coleman Tree Opener

Hollywood, April 11.

Emil Coleman's orchestra is being brought here from New York by Felix Young to reopen the Trocadero early next month.

Nitery keeps same tag.

Admits Cafe Robbery

Philadelphia, April 11.

A youth who sold fruit juices to the 1522 Club here confessed Friday (7) to being one of three bandits who held up the spot 10 days ago and escaped with $425. James Farrell, 21, told police he 'cased' the nitery while in it on business and later, with two other men, tied up the watchman and took the money from him.

Farrell said the brains of the trio gave him and another youth arrested with him only $12 each, then borrowed $10 of that, and that they haven't seen him since.

Set for Ice Show

Vera Hruba, figure skater and Czech refugee, goes into the new ice show at the Hotel New Yorker, New York, opening April 26.

Miss Hruba made two appearances at Madison Square Garden last year.

Detroit, April 11.

The state rum board's drive to drastically reduce drinkeries, including cafes, would clip Detroit of 1,364 such spots, leaving this 1,500,000-pop. town with only 784 emporiums.

Chief motive for the drive appears to be tighter control, in line with beliefs of Gov. Luren D. Dickinson, anti-saloon prez, who recently succeeded to governor's chair on death of Gov. Frank Fitzgerald. Board claims that number of licensees are too great and consequently policing, too, is much too difficult.

New Pa. Bills

Harrisburg, Pa., April 11.

Two bills bearing on beer and liquor licensing in Pennsylvania were introduced in the legislature here last week. One, with Administration support, would tighten present laws, while the other would ease them.

Part of the new governor's plan to reduce licensees by at least a third is a bill to eliminate licenses for sale of beer only. About 400 nitery and drink spots in state would be affected. The other bill would provide for regulation of beer and booze licensing in three zones, instead of in one, as at present. Under the bill, licensees in the business zone could operate from 6 a.m. to 1 a.m.; resident license zone, 7 a.m. to 2 a.m., and night club license, 9 a.m. to 3 a.m.

AFA-BOOKERS TIE HITS PHONY PHILLY BENEFITS

Philadelphia, April 11.

The benefit gimmick, which is becoming increasingly worse here, was the subject of a pact reached last week between the American Federation of Actors and Entertainment Managers Association. Tom Kelly, biz manager of the AFA local, agreed to put into use new contract blanks forbidding acts to play benefits, which the agents claim cost them thousands of dollars a year in commissions.

Acts are supposed to play nothing but legitimate benefits passed upon by Kelly. It has recently been discovered, however, that they are getting around that, on threat of losing work, by claiming they are getting paid for a benefit when actually they are not.

If this new step doesn't aid in clearing up the phony benefit situation, EMA and AFA are prepared to demand that pay for these affairs be put in escrow, similar to the method used by the musicians union.

Loretta Harris Mending After Fatal Auto Mishap

Loretta Harris (Harris Twins and Loretta) is reported recovering in Auburn (N. Y.) City hospital from severe injuries sustained in an auto accident March 5, in which her brother-in-law, Ben V. Harris, was killed. Her husband, Bert Harris, was only slightly injured in the crash. They were en route from Chicago to New York at the time.

Almost completely paralyzed at first, Mrs. Harris has now regained partial control of her muscles. Doctors figure she will eventually be fully recovered. If it's possible to move her, she'll leave with her husband for California in a couple of weeks.

Richman's B'klyn Date

Harry Richman will make his first vaude appearance in the metropolitan New York area in some time April 21, when he starts a week at the Flatbush, Brooklyn.

Singer has been confining himself chiefly to niteries, his last stage date being at the Shubert, Newark, a couple of months ago.

Rose's 'Big Show' Lavish, But Dull in N. Y. Casa Manana Debut

Billy Rose presents 'The Big Show,' starring James Barton, in four parts; staged and lighted by John Murray Anderson; lyrics, Ted Fetter and Billy Rose; music, Dana Suesse; settings, Albert Johnson; costumes, Raoul Pene Du Bois; dances, Robert Alton; technical director, Carlton Winckler.

Cast: James Barton, Ozzie Nelson's and Jay Freeman's orchestras, Berry Bros., 6 Debonairs, Don Barclay Jack Cole Dancers (3), Harry Stockwell, Great Yacopis (9), Chas. King, Yola Gill, Jack Johnson, Lee Lafleur, The & Ashour, Allen & Kent (4), The Sealy Juvelys (2), Capt. Tiebor's Seals, Sylvia & Christian, Albert Lafleur, Laura Constant; 16 ponies, 8 show-girls. Opened April 9, '39, at Casa Manana, N. Y., at $3 and $2 normal minimum, $2.50 and $3 (Saturdays and holidays).

Billy Rose's newest Casa Manana nitery revue is titled 'The Big Show,' modestly sub-captioned 'The Story of American Show Business'. James Barton is starred, and John Murray Anderson produced and staged. Both credits are many, the pretentiousness lavish and, for a cafe show, it's more legit revue than cabaret. Yet, for its size and size of show, it's pretty dull stuff as presently routined. Show has talent—a wealth of it—but is bogged down by an embarrassment of riches and an ambitiousness that slows it to a waltz. But like most of Rose's shows, expert pruning usually achieves happier results.

In the case of 'The Big Show,' considering the general excellence, the impresario might wisely have deferred the premiere until it was a better kind job.

Show is in four parts: Circus, Vaudeville, Cinema and Television. Latter brings into the fore Giant-screen likenesses of Barnum, Hammerstein and Roxy precede the first three branches.

The Story of the American Show Business,' of course, was a good Rose development, although, actually, Rose is already doing a road company of the same thought with his current show at his companion Diamond Horseshoe nitery. The new Casa show is merely a more ambitious elaboration of the show at the Horseshoe.

The switch back to girl shows away from the vaudeville type of entertainments which Rose operated for nearly a year here, is inspired by the expected World's Fair crowds. The femme stuff is generally being primed for the visitors.

Surrounding a costly array of talent, headed by James Barton, who gets star billing in 'The Big Show,' Rose has 16 ponies and eight show girls, a 'chorus of the prettiest things in town,' to quote the billing.

Talent is standard. Chief item (No. 1 part) is 'The Greatest Show on Earth,' blessed by the P. T. Barnum background and has Harry Stockwell well as ringmaster. Capt. Tiebor and his three seals, Barton, The Juvelys and The Yacopis are the standouts. Latter nine, one of the greatest nitery families in the business, were palpably nervous at the opening and blew several of their more difficult tricks, but also got in their clicks. Barton's sequence is a clown getup, with a prop rowboat—looks much like an old Ferry Cowey setup—and a slow, The Mississippi' song and dance precision males, work hard and often throughout the show, lyrically pretty and tuneful.

Part 2, Vaudeville, is routined a la old-school variety lines, including manufactured stuff, with Barton, Allen & Kent, with their standard past and present hoofing, are highlighted by the old-time patter routine in which the woman's essence and footwork easily tops the 'turn's efforts. Jack Johnson, the great colored ex-heavyweight champ, does a boxing bit with Albert LeVoy, Don Barclay and Barton, primed for comedy, the acrobatic Juvelys and Sylvia and Christian with their acro-dance routines, and Charlie King, the single line, round it out. He medleys Cohanians, but King's yesteryear 'Little Nellie Kelly' routine is the major flash.

Part 3, Cinema, is the longest take. It glorifies Roxy and his presentation style, tracing from the Rialto to the Capitol to the Roxy and finally the Music Hall. Don Barclay is cast as Nickelodean reel, an old silent, terrible according to present-day standards, with Harry Carey and Mae Marymore and the Gish Sisters. Yola Gail soprances an aria to recreate the pictures 'presentation' idea at the old Rialto. The Six Debonairs glorify the Roxy usher; Barton handles a clown ballad, 'Keno, Screeno and Lotto'; and 'I Wanna Go Back to Bali' backgrounds the finale flash. The Balinese motif permits Raoul Pene Du-Bois to do his stuff with costumes, and Albert Johnson's settings are equally effective. Jack Cole and his two femme aides wham 'em with their Sumatra stepping, scoring the individual hit of the show easily in this sequence. Cole's exotic routining and dancing has been a typight before at the Rainbow Room, and is equally good in the more al fresco Casa Manana. Harry Stockwell and Yola Gailli handle 'Yours for a Song,' likely ballad of the Berry Bros. colored legmania trio, wind it up. Thus, while captioned Cinema, this is more vaudeish than the orthodox Roxy style of stage presentation.

No. 4, Television, is keynoted by surrealistic costuming, wherein Dubois again manifests much novelty and imagination. The Debonairs get their standard Dance Masterpiece' theme for this sequence; the eight showgirls flash some unusual getups; Harry Stockwell (the off-screen 'Prince Charming' of Walt Disney's 'Snow White') theme-songs 'The Lady of Tomorrow,' and Barton's old drunk scene, 'The Pest,' is worked in under the caption of Cafe Society of Tomorrow. King and Barton closed are the couple heckled by Barton, whose drunk panto is still a standout.

Show clocks two hours exactly, running sans intermission, although a break is intended before Parts 2 and 3 should be workable. Cirous runs 25 minutes; Vaudeville, 30 mins.; Cinema, 35 mins.; Television, including finale and reprise, around 30 mins.

Special score by Ted Fetter, Rose and Dana Suesse hasn't much chance for standout amidst the wealth of talent. Ozzie Nelson works in yeoman fashion, but marathon dancing onstage, and Jay (nee Jerry) Freeman is equally proficient and hard-working in conducting the long and difficult show.

Rose needs heavy shears on this one. But has the material for 'The Show,' per his title; but right now the oversize weights it down.

Abel.

STRAND, N. Y.

Guy Lombardo Orch (12) featuring Carmen, Lebert and Victor Lombardo, Gene Sheldon, Doris Rhodes; 'Dodge City' (WB), reviewed in this issue.

A lusty western meller on the screen, 'Dodge City' (WB), and the smooth, sophisticated Lombardo on stage are a happy coupling this and for the next two weeks. The combo means big audience draw. It's a good blending of contrast, and from the name band perspective undoubtedly the most meritorious bid prared to the run of recent live exponents.

In Lombardo, too, there lies a showmanship object lesson anent the salon or longhair music, despite some recent inroads from the 52d street disciples of murder music. Guy Lombardo and his smooth team of 12, which includes three musical Lombardo frères among 'em—Carmen, Lebert and Victor—have been right on the job for the kiddies, hotels, nateries and theatres for more than a decade, and still well out in front. That speaks more for itself than anything else.

Excepting that it's patent that it's not hard to mix with modern, the unadulterated dansapation isn't something that has proved lasting just by accident. Lombardo's, for one thing, know that the melody is the thing for the masses, whether in the ballroom or the evening's entertainment, and, for vivid dance purposes. There can be rhythm without cacophony and, coupled with a basic knowledge of how to mix 'em up, it's as effective as any of the solid-sending and out-of-the-box 'swing' stuff.

The Lombardos have also capitalized a tin pan alley showmanship of not being afraid to tackle new, worthwhile tunes. When they click, the band takes pride in having been the first to introduce this or that new ditty. In between, of course, Carmen vocal solos or the trio breaks up the vocality. They're not 100% balladry, going in for novelties such as that new 'fish' song authored by Sonny Dowell of Hal Kemp's band and also working in comedy and bits with Gene Sheldon and Doris Rhodes. Latter two are under Nevs Acts.

That's all the show, save for a Lombardo, in reprise, and a trailer for 'Confessions of a Nazi Spy,' which latter gets considerable applause. Biz big.

Abel.

HIPP, BALTO

Baltimore, April 9.

Hudson Wonders (3), Jerry Mann, George Toppe, Estelle Taylor, Rex Weber, Walter Dare Wahl (2), Felice Iulo's house orch (10), 'The Story of Irene and Vernon Castle' (RKO).

Plenty of talent in this layout of standards and socko doings is the result. Paced nicely by Jerry Mann as m.c., with house orch spotted on traveling platform, show opens with Hudson Wonders, two nicely put-up femme tumblers, who score strongly with well-sold aero routine. Right spot for Mann's portion, which consists of session of gagging, impressions and a bit of hoofery, somewhat precocious in delivery but effective nevertheless and an audience pleaser at show caught.

George Toppe follows with three sessions of intricate tapping; marred a bit by lack of room in front of band setup, but a solid sock just the same. Effective handling of dogs and evidence of ballet training gives act aura of class that reflects itself in audience and band response.

Estelle Taylor, a rather quick repeat here, handles adequately a group of vocals which include 'This Can't Be Love,' 'Only Make Believe,' 'Still of the Night' and, as encore, arrangement of 'Deep Purple' and 'Alexander'. Made it rather hard for Rex Weber to follow with more warbling, but smooth touch and tricks of ventriloquism, send latter over lustily, and w.k. rendition of 'Brother, Can You Spare a Dime,' clinches a beg-off. Added bit with femme partner, using her lips to point his own singing, good for plenty of laughs.

Walter Dare Wahl, assisted by stooge in comedy knockabout and arrangement of 'Dinah,' gets his sounding fashion and precedes reintroduction of principals in vocal finale by Mann.

Biz very big.

Burm.

STANLEY, PITT

Pittsburgh, April 7.

Jimmy Joy orch (12), Tony Martin, Ben Oakland, Betty Kane, Ames & Arno, Katherine Westfield & Marionettes, Gai Moran; 'Blackwell's Island' (WB).

Billboards announce it as Tony Martin and his band, but it's really Jimmy Joy and his band, with the dance spots, with Martin confining himself to his own closing specialty, 'Joy Bells,' and doing double duty as m.c.'ing and grabbing off for himself.

Martin's the topper, of course, and looks even better this time than he did at the Stanley a year or two ago. He works easier, voice sounds more socko and he's developing a fairly-good humor that should stand a long way. While working with the band, Martin also has a pianist, but he's with 'TDR Jazz' Yellow's Ben Oakland, the songwriter. He's not programmed and just dropped in on Martin's bid to a sizzling arrangement of the week. Flickerite sings snatches from several of Oakland's tunes and then shy'r introduces a song written by Ben and a friend of mine, Miss Faye Martin.

Martin's vocals, 'Deep Purple,' 'I Married an Angel,' 'Thanks for Everything' and 'I Cried for You,' are backed by a clarinet for a finale to duet with Joy. It's good informal stuff, this finish, and ever big. Martin's entire session is right in the groove all the way.

Joy's been around for years. It was from his outfit that Johnny (Scat) Davis and Andy Andrews sprung—and he's still among 'em, the biggies in the biz. Musically, the crew's solid, but just hasn't found itself in a style to the current craze for a definite identification tag. Joy might have wisely inserted a few whams into his monotone of the repertory, instead of sticking to the standard brands, but that's common knowledge and he's suddenly found the ballrooms to the then' e without much experience in the latter field.

Monotone extends to a version of 'Prelude in C Sharp Minor,' is well done, but a mistake so early in the spot. Betty Kane, Joy's featured vocalist, is on next and got tough breaks at this show, warbling first number into a cold, dry audience. Was dead. Second, 'Melancholy Baby,' is over-arranged and too long getting started, similarly the drums pacody is in bad taste for a femme. She's a looker and even with average pipes should get more nicely in a proper choice of material. As it is, she's just a filler.

Betty Kane (New Acts) follows with a slam-bang tap session neatly tinged with satire, and then band goes into a tune-up with those Coca-Cola bottles; good novelty. Katherine Westfield's marionettes make, with the spot on the tiny puppets and gal working behind them in the dark. In turn, she introduces Gai Moran, doing a rumba to wigged cutie in a waltz to 'Alice Blue Gown,' Joe E. Brown as an eccentric clown with a rubber face and Donald Duck on roller skates. Nothing unusual about turn until the end, but it's good for the proceedings sunday day for Miss Westfield.

Orch comes up with nice arrangement of 'Blackwell's Island,' blends into a hot drum session by Tom Summers and Joy's work on two tenorice sticks simultaneously, which precedes Ames and Arno. Knockabout ballroom satirists are regular vaudeville, but still make good up with their screwy antics and zigzagging spins and falls. Gal's the prettiest pair, but her partner looks after the rough, tougher work. Over big here, as usual.

Their act's the signal for Martin's entrance and he shoots the show down the home stretch a winner. Opening performance didn't get under way until 3:30 p. m. Friday (7) on account of Good Friday observance by theatres until 1 p. m., and biz was way off. That was expected, however.

Cohen.

PARAMOUNT, N. Y.

Tommy Dorsey's orch, Barr & Estes, Edythe Wright, The Del Rios (6), Bob Eberly, Leonard, Frank Gaby, 'Skeets' Hurfurt; 'Midnight' (Par), reviewed in VARIETY *March 15.*

Moderated swing rhythms and special arrangements of t.e Tommy Dorsey band, supplemented by the trombone playing in which this maestro excels, are not new to the Paramount, not too worn for this temple of jive to slacken in draught. House is getting a heavy play from the jitterbugs during the day, drawn by Dorsey, and a sturdy play at night for the picture, 'Midnight' (Par), one of best features this house has had in some time. The combination of Dorsey and the Colbert-Ansache comedy is a box office natural.

Stage show with Dorsey, his specialists, and other acts which augment, is longer than most here recently, but sustains the time without tiring. Dorsey giving his people most of the spotlight, the weight of the band show is carried by Bob Eberly, Edythe Wright, 'Skeets' Hurfurt and others who front for solos, or other doubling assignments. Half of the time, or more, Dorsey is on the bandstand with the boys away from the mike and the top spoon where the others are performing.

His familiar theme tune blends happily into a bandstand with a fine arrangement of 'Hawaiian War Chant,' 'Swing Low Sweet Chariot' and other special improvisations, including the night club tour session which drews the show to its close. Three acts are booked by Paul Kemp, Cab Calloway, Henry Busse and other leaders are woven into an arrangement that ends the opening finalizing by Leonard and Miss Wright.

These two are special downstage vocalist spots. Miss Wright, herself themselves in specially arranged pop tunes in a very effective manner. Bob Eberly, Miss Wright's partner, is the topper of the show, in the nitery tour portion nearer the sign-off.

Three outside acts are booked with Dorsey. They are the Del Rios, excellent mixed acrobatic trio, two men and a girl, who played the Roxy three months ago; Barr and Estes (New Acts), comedy-dancing combination and the standard Frank Gaby, with his ventriloquial partner and a midget.

Gaby has a solid audience bet with his novelty turn. He always was that wherever he played, but his mass and a girl, who played the Roxy three months ago; Barr and Estes (New Acts), comedy-dancing combination and the standard Frank Gaby, with his ventriloquial partner and a midget.

Gaby's novelty turn is the topper of the show, in the nitery tour portion nearer the sign-off.

Three outside acts are booked with Dorsey. They are the Del Rios, excellent mixed acrobatic trio, two men

APOLLO, N. Y.

Count Basie's orch (15), *Helen Humes, Jimmy Rushing, Honey Cole & Bert Howell, Westchester Club Lindy Hop Champs* (6), *Jimmie Mabley, Babe Wallace, Sam Theard, Mary Bruce* line; *'Whispering Chorus'* (Col).

It's all Count Basie at the Apollo this week. He's come a long way since first attracting notice about three years ago, and it's like old home week for the Harlem crowd, which is familiar with his jump style of music.

His instruments operate with the muffler off in this spot, with his playing of an original, 'Miss Thing,' is the tipoff on his versatility. Brass section really blasts, with five mikes down front accentuating this combination, too, because the aggregation has the goods. The original brings on trombone, trumpet and trombone solos with dulcet swing of most minute notes really something.

Opening is usual swingeroo medley. Signoff is 'Out the Window,' but the outfit furnishes some trim backgrounding for the two headliners, Helen Humes and Jimmy Rushing. Former makes up for routine appearance with her swell warbling of 'Heaven Can Wait,' 'Deep Purple' and 'My Heart Belongs to Daddy.'

Rushing, a rotund vocalist, does best with 'Won't You Please Come Home.' His enunciation was a bit off when caught, but he fills in for any singing deficiency with his strut and swagging. Basie could offer more piano solosing, his delt ivory-manipulating being standout.

Surrounding bill is much better than usual at this house. Honey Coles and Bert Howell tops remainder of bill with a particularly clean-cut turn. The tall, angular lad is about the swiftest, most agile tapper seen in this sector in months. Other boy registers solidly with his evenly-modulated warbling and trim work on the guitar-like ape violin. 'Simpla and Sweet' is his best.

Westchester Club Lindy Hoppers include themselves out with terpsing gyrations. This is a white combo, with unbilled colored mixed sextet coming on in mopup spot.

Jackie Mabley stands out in familiar sketch with Babe Wallace and Sam Theard. Mary Bruce's mixed line comes through with two neat production scenes, four femme steppers leading the vigorous dancing.

Weer.

EMBASSY, N. Y.

(NEWSREELS)

A very poor bill. Stock, dated shots make it so.

The world armament race again features, casting an ominous note into its grim undertones. Some of the reels here there is suggested increasingly the theory that the next world conflagration will be fought in the air, since the air forces, with their improved fighting equipment, are highlighted.

Also in the war vein is the fall of Madrid, by Paramount, but there's no action, the reels merely glimpsing the Nationalist forces marching into the city. On the lighter side, there's Clark Gable and Carole Lombard, after their marriage, caught by Fox.

Sports come in for a major share, with Judge-Perry tennis match and Bobby Jones teeing off in the Masters Tournament; Man O' War still spry at 22, and the New York-Chicago Golden Gloves battles.

A note of pathos is lent the program with the showing in Paris of a parade honoring the Kaiser (was dead (U). In the same vein is seen the charred ruins of two U. S. planes whose pilots were burned to death when into two dwellings, setting the planes and homes afire (M-G).

In keeping with the big publicity splurge attendant to the preem of 'Dodge City' in the Kansas city of that name, Pathe has devoted minute footage showing several of the film's players in festive spirit.

Because of the Italian aggression, March of Time's 'Albania' subject was received and rushed in the next say, reel, along with some Zog-Duce footage.

NATIONAL, L'VILLE

Louisville, April 6.

Benny Baker, Pat Rooney, Jr., Herman Timberg, Jr., Sid Walker, Del Breeck, 3 Morin Sisters, Chas. Brinkley orch, College Rhythm Girls (6); *'Slave Ship'* (20th) and *'Old Barn Dance'* (Rep).

Benny Baker heads this layout, ably assisted on the comedy side by Pat Rooney, Jr., and Herman Timberg, Jr., Chas. Brinkley's orch is on the stage and while not a b.o. name still the 'crew' does its musical chores in nice style.

Baker first delivers a couple of gags and paves the way for the College Rhythm Girls line (6), decidedly peppy and youthful.

Morin Sisters (3), harmony trio from radio, group themselves around the mike, wearing long white velvet frocks, and warble 'Old Grey Bonnet' in swing style. Gals' voices blend pleasingly and they set themselves solid, both from the sight and sound angles with pops. Their entire running time is well paced and in the groove for vaude patrons.

Sid Walker, with the shock of black black hair and morning coat, crossfires with Baker for good consulls. Gags contain a few blue innuendos, but at show caught customers went for it.

Pat Rooney, Jr., and Herman Timberg, Jr., click with their hokum clowning, both proving they have inherited some of their dads' showmanship tricks and legomania. Timberg, Jr., registers with clowning impersonations of pic stars, and Rooney's forte is footwork.

Eight minutes of smooth card and cigarette manipulation, topped off by materializing glass of colored liquids from the air, is turned in by Del Breece, youthful magician. Baker follows again, but solo, for more comedy. His style impresses, also his voice with an audience stooge.

Brinkley's orch and the six gals each take turns at a couple of numbers, plenty fast, and in no sense an interlude between the comedy turns. Closer has Baker and Rooney on stage, with Rooney and Timberg seated in boxes on opposite sides of the house for some crosstalk and heckling, all of which counts.

Show runs fraction over an hour, and maintains nice pace throughout. Is set for only two days (8-9). Biz was strong last show Saturday (6).

Hold.

FOX, PHILLY

Philadelphia, April 7.

Charley Barnet's orch, Shirley Ross, Judy Canova, Annie & Zeke, Judy Allington, Muriel Thomas & Adolph Kornspan's house band; 'East of Heaven' (U).

Fox clicks solidly again this stanza with a nifty lineup for the boards. It's also pretty strong stuff for the numerous fans of the various dizzy names for wide appeal. Show when caught at last session opening day was slow in spots overnight, but a little slicing should be easy.

Charley Barnet's orch is making its initial appearance in Philly since it hit the big time and the result is very satisfactory. Still rather questionable as a general name draw, Barnet nevertheless seemed sufficiently known through radio time and discs to have aroused plenty of curiosity in the crowd that followed the jive senders.

Barnet, himself, meshes nicely. Tall and good looking, he's not only an asset for ability to swing a sax, but also a stick. Back of him he has a crew of 15, made up of seven brass, three reeds and four rhythm plus his own sax. Music, of course, is of the bounce variety on which Barnet has established a reputation. Famous Door, N.Y. It's good listening, too, though somewhat rough in spots with the heavy brass contingent.

Principal weakness of the band is slight tendency toward monotony in arrangements. It's accentuated by just about one too many choruses of each number. Cutting them down would help. A little less of Barnet's solo takeoffs would also aid to relieve the ennui problem for general audience, those who come to dance don't appreciate the fine finger and lip work.

On the visual entertainment side, the crew is weaker than most of the older bands with more stage experience. Fox management makes care of that this time with a flock of supporting acts.

Femme chirper with the crew is Judy Ellington, who looks like a blonde, she's weak on pipes. Voice is rather high and thin and she scores only mildly in a short turn.

On the other end of the warble scale and in the final spot is Shirley Ross. As nifty a looker as ever faced a mike here, blonde film canary is equally strong in voice and personality. Following 'Could Write a Sonnet,' recently cut of her selections are numbers she introed in pix. Her easy stage presence and willingness to oblige makes quick attention.

Judy Canova with Annie and Zeke repeat the sock they registered at the Earle here a short space back. Trio is tops on both sight and sound in the hillbilly stuff, and losses in an extra flash with the fine keyboard solo work of Annie. Only hitch of the act this time is in the dress of the two femmes. A hillbilly gal in fine silk stockings is incongruous, and it detracts. Funny comedy they were previously was better. Another weakener is the lengthy patter with Barnet for introing of a couple of laughs. It slows up proceedings and should be sliced. The 'Jesse James' number is rockeroo, as is Judy's short hooding bit for an encore.

Muriel Thomas does two terp singles in opening spot after introduction of the band. Femme's been seen frequently in niteries here. She gets off easily.

Herb.

PALACE, CHI

Chicago, April 6.

Roxyettes. (16), *Frank Paris, Peggy Taylor Trio, Brown & Ames, Randall Sisters* (3); *'Story of Vernon and Irene Castle'* (RKO).

This is a pleasant enough show to go along with a picture figured to have all the necessary b. o. draught. Fanchon & Marco (Roxyettes) line is back here, and, as ever, are especially well with the repeat of the girls working on globes. This has always been a sock line number and it continues to command plenty of attention from the audience. Two other line routines are satisfactory enough.

Topping off the bill is the comedy team of Brown and Ames. Brown holds down most of the routine strictly solo and punches over a highly salable line of comedy chatter. Works in a quiet manner, but his material is loaded with laughs, which he delivers in a clean-cut manner. Brown knows plenty of possibilities for bigger and better stuff, and should rate as a top-liner if he's given a chance and on his present firm comedy foundation. Audience found him to its liking. Lifter for the femme trio, neat trick and puts over her solo warbling and tap number effectively.

Peggy Taylor, in a couple of solid items in his puppet turn, particularly the ice skating and the Suzi-Q numbers, is a real hit. Well with a punch and go over well on clever handling and reasonable motivation. Other puppet numbers in the act lack a sense of realism that detracts from their effectiveness. Randall Sisters sing a trio of songs all alike. They lean towards novelty comedy tunes. A little variety in their presentation would aid.

Back in town on a quick return is the Peggy Taylor Trio. Miss Taylor has brought along a new knockabout burlesque adagio work and the three some manage to snare a sufficiency of laughs from the pratfalls and tripped clothing. In between the hoke they sandwich a couple of legit bits. More actual legit work would heighten the comedy switches and solidify the audience's realization that the team really can adagio if they want to.

Business was good at the last show on Friday (7).

Gold.

SHUBERT, B'KLYN

Nils T. Granlund Revue, with White Sisters (2), *Eye Arden, Dorothy James, Marion Wilkins, Collins & Peterson, Continental Thrillers* (3); *'The Storm'* (U).

Everything was late for this theatre's debut as a vaudifilmer, including the audience. The house, which formerly played legit stuff, has been an hour late opening with its new policy on Saturday (8), due to the late arrival of equipment and scenery; at that, the nabe couldn't have been very excited over the revamped stage show, for only the first few rows were occupied at 3 p.m.

The Shubert's first layout headlines the N.T.G. Revue, which is dirty and lacking in talent. In presentation and content it's a word for action, it's burlesque. But burlesque makes no pretense of hiding under another name, whereas N.T.G. is presumably playing to family audiences in a residential nabe.

As usual Granlund kicks during the show are 'He turned pansy' and 'You look like a broken-down fairy.' Although Granlund's femme, Granlund isn't referring to horticulture or elves. Nor does he walk behind Collins and Peterson) to prompt him; nor does that cause Collins to rise on his toes merely to get the ensuing comeback.

As for the girls with Granlund, they're doubling from his Midnight Frolic, Broadway theatre, N.T.G. doesn't even mention the names of some of them, the opening rhumba-tic dancer getting a brushoff, as does the Russian singer, heckled by Collins from a box. A blonde singer who looks likewise undeveloped at the opening show, but Granlund stresses Eve Arden, who does a well dance. Her talent lies strictly in her sparsely-clad chassis. The 'dancing' is merely a monotonous manipulation of veil to give the audience an occasional peek. What audience there was Saturday matinee was almost entirely male.

Other femmes are Marion Wilkins, dancer, and Dorothy Rourke with the aerial and interpretation of various types of hoofing are very poor; Dorothy James, singer, whose voice doesn't carry anywhere near matching her looks, and the White Sisters, two blondes who do a fast trick act in the aerial and contortion work. They are about the only ones in the show with any talent.

Collins and Peterson, as they are working here, are strictly in the burley idiom. Usually funny, they fail to laughless in this spotting. In a 14-minute setting they're okay, but on for nearly 75 minutes, as they are at the Shubert, they become quite wearing. On the other hand, the Continental Thrillers, skating trio, bring the show to a good finish. Two boys and girl have some fast and thrilling tricks, but their clincher of whirling two stooges from the audience really gets the house.

Future policy of the house has not been ultimately determined. It's a Bill Miller & Al Rogers operation, as is the vaudifilmer. Rivera, in another section of Brooklyn. This show plays three days and then the house goes duals until next week-end, when a new show containing Benny Rubin, Fifi Dorsay and Bob Howard comes in.

Show opens to very low; 40c top Saturdays and Sundays, 35c weekdays, 15c for adults at the matinees and 25c for kids any time. The picture, of course, can't be depended upon for draw, so the entire burden rests on the stage. Latter this week couldn't hold up a cream-puff.

Scho.

STATE-LAKE, CHI

Chicago, April 9.

Leon Miller, Dorothy Oliver, Sally Cook, June Hart, Mary Stone, Knight Sisters (2), *Grisha & Grona, Lee Mabel, Dieterle & Greene, Anardo & Lita, Latin Quarter Sextet; 'Disbarred (Par).*

This is a Balaban & Katz-built unit and issued for the current week under the tag of 'Folies des Femmes.' Its pretty well the peak of the straight vaude shows that have been the policy since house came under B. & K. control. Basically, the idea is solid, but it needs a touch here and there to make it more practical. One hitch would be better utilization of more standard vaudeville talent instead of the occasional novelty stuff which is spotted in this show.

B. & K. turned the production duties over to Leon Miller, who has turned out a bang-up job of building a flashy, colorful and bulky unit. Show has good acts in the show would make it surefire.

Not only does Miller rate for his excellent production handling of 24 girls in the ensemble, outdoing a flock of scene changes, but he also comes through on his own to bang through with a terpsichorean, high-hat presentation of various dances from Walking the Dog to the present-day jive, well executed and smartly delivered.

Specialty turns swarm all over the show, doing a three or four-minute stint and then scramming. Among them are June Hart, who plays an accordion and does a little tap step; Mary Stone, a little jazzy soubrette; Grisha and Grona, a couple of gals who do a sensational turn. Mixed up in the general production bulk, they manage to squeeze through passably enough.

Ralph Cook is the comedian on the bill. He is doubling from the Bali-Bali club here. Cook works hard; has a fair, and he does with the old vaudeville burlesque magic bit that he stands by has been identified with Frank Van Hoven and lately with Dell O'Dell. It still goes over, however, on its hoke comedy. Cook also does some clowning with hefty warbler Dorothy Oliver.

Other acts here are Anardo and Lita with a good Apache number, and the Knight Sisters, who are standouts with their hand-to-hand and adagio work. Unusual to see a girl as under-stander in an adagio turn here and it rates as a good novelty stunt.

Business was good at the supper show Saturday (8).

Gold.

LYRIC, INDPLS.

Indianapolis, April 8.

Orrin Tucker's orch, Bonnie Baker, Lorraine Sisters, The Bodyguards, Carter & Holmes, Vera Fern; 'Hound of Baskerviller' (20th).

Playing his first theatre date after a long stay at the Palmer house in Chicago, Orrin Tucker's crew has plenty of showmanship and a flock of orchestral novelties that earn him a top rank position among stage bands seen here. Use of glee club singing, special lighting numbers featured on a blackout-out stage, etc., makes one think of the styles of Horace Heidt or Fred Waring, and Orrin Tucker's offerings stand on their own.

His band possibly does not sound as a band it should for stage work, but this fact is covered up pretty well since it does no straight musical numbers. Everything is interrupted by vocals, stunts and specialties. The band's style runs to sweet-yet cute, and it has plenty of novel scanty instrumentation. There are eleven men playing, consisting of a rhythm section of bass, drums, guitar and piano plus three saxophones, two violins, and only two trumpets for the brass section.

Tucker dresses his bandstand well by having his femme vocalist, his girl trio and four male singers seated with his musicians. Everyone is dressed formally in tails and evening clothes to add to the generally pleasing appearance. Tucker himself keeps his baton throughout the show, although he does some okay vocalizing.

(Continued on page 48)

CAPITOL, ATLANTA

Atlanta, April 9.

Harry Clark, Nelson Sisters (2), *Harry Harper, White Brothers* (2), *Barney Grant, Bobby Jeanne & Co.* (3), *Ride Capitolians, house band* (12); *'The Mad Miss Manton'* (RKO).

Abandoning unit itype shows as well as Sunday openings this week, Capitol offers a strong array of talent in this layout. It's 45 minutes of solid entertainment, well sold. Harry Clark, who doubs acts for Cap, does the m.c. chores.

Show starts with Nelson Sisters, Vivian and Tiny, pair of lookers, in a circus act on double trapeze. Femmes' tricks, synchronized and rhythmically done, score. They're Cole Bros. Circus performers in season and will join that tent show in about three weeks.

Banjoists Harry Harper follows, strumming out 'Deep Purple' and 'Tiger Rag,' plus train imitation and finishing to 'Bye Bye Blues,' getting over good.

White Brothers, Joe and Al, prove better-than-average acrobatic tumblers. They have good voice, playing and plenty of comedy into their turn. Boys also use a couple of dogs in their act.

Barney Grant, who has been heard on Rudy Vallee's programs, is capped into the act to tie up the show at this catching, second show Easter Sunday (9). Lad works in hillbilly style and has good voice, playing his accompaniments on guitar. He starts with rustic tunes, interjecting salaver for laughs. He then plays 'Nola' on piccolo, follows with 'Listen to the Mocking Bird' and concludes with a cute 'chopper hoofing. He had to beg off.

Bobby Jeanne, assisted by three lads, Bobby, Overton, Norris Spalt and Bobby Hemon, constitutes the strong finale. It's an adagio turn marked by swiftness and pretty tricks. Turn features a 10-foot 'leap for life' and some nifty one-hand catches. Miss Bernhardt has excellent reversed leg and reversed shots being zoomed 200 feet out of mouth of cannon. She does this trick on fair circuits in season.

Biz Sunday (9) was n.ar capacity, which can be considered excellent since it was Easter. Folks down here like to parade in their finery. *Luce.*

FLATBUSH, B'KLYN

Jimmy Dorsey's orch (17), *with Helen O'Connell, Bob Eberle, Ruth Barnes and Sybil Bowan; 'Whispering Enemies'* (Col).

Jimmy Dorsey's band and vocalists and two outside acts augur a good b. o. week for the Flatbush. When caught (Good Friday), house was packed.

Stage policy at this house has been changed only several times and in almost every instance has had a decided leaning toward the blue. Even the band, which formerly appeared entirely around a band, this again shows Dorsey's outfit in a number of ways. Outfit tagged 'Annie's Cousin Fanny,' and some of the cracks of Sybil Bowan during her vocal, are in some comparatively mild, but nevertheless intended double-entendre. It's a little too sharp for a spot that caters to family trade. The youngsters were in the house when caught (last show).

Dorsey's heading a fine, powerful band, and has himself much improved, as far as stage work is concerned, at the head of it. Once stiff to the point of resembling the band's impressions, he's apparently softening. Still has a distance to travel, however, before reaching the intimate informality demanded of bandleaders these days. Band is sock for dancing, but is much too loud at times in this 1,700-seater, goes over strong.

Ruth Barnes and Sybil Bowan neatly vary the jive menu. Former is on early, following a 'Tain't What You Do' instrumental and vocal by Bob Eberle, and clicks. Her fine voice comes from rhythmic to faster tempos and gets her off to plenty applause. Sybil Bowan appears in the last half. Her material earns her the top hand. Caps her takeoffs with an excellent one of Mrs. F. D. R. Impression is good to suit as be good audience which includes the remark, 'big people can take it.'

Dorsey's vocalists, Helen O'Connell and Eberle, are also strong. Miss O'Connell has a lot to contend with from the band. Curiously enough, her tunes are all sensational repeaters. Leads off with 'Hurry Home' then the oldies 'I Cried for You' and 'All the Things You Are.' Latter drew a heckling; almost broke her up at one point. Gal's an asset to the band, contributing a distinctive voice as well as creating a good appearance.

Eberle contributes three songs late, as well as doing several throughout. They are 'Masquerade is Over,' 'Deep Purple' and 'Smoke Gets in Your Eyes.' Singer has a powerful voice which at times drowns out the musical background. Impossible though to pick any one to suit, as he good from one extreme to the other so suddenly. J. D. gives out with his (usual sax bit on 'The Sheik as a clarer, Shows good.

Variety Bills

NEXT WEEK (April 14)
THIS WEEK (April 7)

Numerals in connection with bills below indicate opening day of show, whether full or split week

Loew

NEW YORK CITY
State (13)
Stafford & Louise
Gaudsmith Bros
Judy Garland
Joe Venuti Orc

NORFOLK
State (14)
Berni Vint Orc
WASHINGTON
Cab Calloway
Dave Apollon Rev

Paramount

NEW YORK CITY
Paramount (13)
Tommy Dorsey Orc
Frank Gahy
Barr & Estes
Del Rios

CHICAGO
Chicago (14)
Orrin Tucker Orc
Carlisle Sammy Co
Moore & Revel
State Lake (14)
Gil Lamb

RKO

NEW YORK CITY
Music Hall (13)
Jeanne Devereaux
Alyse Valentine
Val Guest
Marian Baker
George Hayes
Robert Landran
BOSTON
Keith (13-18)
O'Connor Bros & S
Bill Betz
Buster Shaver Co
Harry Savoy
12 Vespers
(4)
Kitaros
Kampus Kapers
Vox & Walton
Buck & Bubbles
Rich'ds Adrian Co
Mallin & Thomas

CHICAGO
Palace (14)
Roxyettes
Frank Paris
Randall Sis
Peggy Taylor Co
Brown & Ames
CLEVELAND
Palace (14)
12 Aristocrats
(4)
24 Texas Comols
Stapleton
Al Sands
Texas Comols
Gracie Barrie
Emmet Oldfield Co

Warner

NEW YORK CITY
Strand (14)
Guy Lombardo Orc
Gene Sheldon Co
Davis Rhodes
PHILADELPHIA
Fox (14)
Chick Webb Orc
Peg Log Bates
Chuck & Chuckles
(7)
Harry Roan
Charles Barnett Or
Judy Canova
Muriel Thomas

PITTSBURGH
Stanley (14)
Fred Waring Orc
(7)
Tony Martin Co
WASHINGTON
Earle (14)
Gae Foster Gie
Trixie Sis
Kathleen Harris
Johnny Cole
Ann Lorraine
Emily Adrian
J. Hyman
George Bell
Case Daley

Independent

NEW YORK CITY
Roxy (14)
Paul Sherman Co
Art Jarrett
Dorothy Crooker
Paul Ash Orc
ATLANTA
Roxy (13)
Phil Hagan
Don Alex
McDonald & Rose
Paul Pickens Co
BALTIMORE
State (14)
Betty Boop Show
(10-13)
Hatter Bros
Nadia Gordoni
Revue De Luxe
Hippodrome (14)
Hudson Wonders
Rex Weber
Gracos Tapps
Estelle Taylor
Walter Dare Wahl
INDIANAPOLIS
Lyric (14)
Jay Willis Orc
Don Hudson Orc
Stroud (2)
Armida
Dick Ware
(7)
Orrin Tucker Orc
Carter & Holmes
Vera Vern
LANCASTER
Colonial (13)
Ross Bros

Ming & Toy
Belett & Eng Bros
Revue De Luxe
MILWAUKEE
Riverside (7)
Dixie Dunbar
Jackie Heller
Edie Fabior
Sully & Thomas
3 Mack Bros
PASADENA
Majestic (11-13)
Frank & Alma
Allen & Irving
Mack, Wilson & D
Masters & Rollins
Dunbar Co
PHILADELPHIA
Carman (14)
Swan, Dann & H
(Three to fill)
PITTSBURGH
Penn (14)
Jean Sargent
Dian Revelers
Milla, Starr & T
Vox & Walton
Rich'ds-Adrienne Co
14 Lowrain Gis
PITMAN
Broadway (18)
Blatner Bros
Max McKim Co
D'Shaler & Bell Rygers
(One to fill)
PROVIDENCE
Fay's (14)
Happy Felton Rev

Provincial

Week of April 10

ABERDEEN
Tivoli
Bert Denver
Billy Dunn Co
Mary Lee
Edna Thompson
Harry Niblock
David Dale
Stanley Taylor
Lewis Hitchie
William Campbell
Buck Savory & W
BIRMINGHAM
Empire
Elmor Cleve Co
Prince Mercado
Renee Marie
Jan Van Albert & S
Jack Joyce Co
Elroy & Holt
DENVER
Paloes
Harry Gordon
Jack Holden
12 Stefan Gis

Clayton Sis
Nellar & Clare
Alex Lennox Co
EDINBURGH
Empire
Jack Anthony
Bond Powell
St John Sis
Desmonde & Clair
Lorelei
Eric Polmer
Jay Morelle
Joan Adrienne
Douglas Ros & L
Fairweather & L
GLASGOW
Pavilion
Jesper Mackalyne
Horschel Heinere
Prestin & Urana
Enid Cruickshank
LIVERPOOL
Shakespeare
Luxor Girls Gall
Albert Durdon
3 Hiltons

Man Paris
Charlie Murray Oro
Mary Cohan
Jimmy Rogers
Monte Carlo
Ted Straeter Oro
Bob Knight Oro
Dick Smart
Elaine Bassett
Fanny Heldy
Anita Colby
Evelyn Kelly
Rosanne Murray
Gays Club
Lew Ayres Oro
Lee Wiley
Paradise
Vincent Travers Or
Place Elegania
Les Lacys Oro
Bill Farrell
Tommy Mills
Ben Ryan
Irve Harris
Rai Colette
Queen Mary
Joe Ellis Oro
Cosmelle Drayerton
Katherine Tate
Carolyn Bell
Rainbow Grill
Borry Winton Orc

Omar's Dome
Lillian Gibson
Eric Harris
Hel Brown
Ted Wick Oro
Palomar
Imogene Coca
Tannor Sis
Gloria Monroe
Kirk Alyn
Blessey & Miller
Jerry Monman
Jimmy Brierly
Georgia Green
Paris Inn
Dominic
Diana & Elaino
Ginger Weldon
Catherine Gildmore
Lillian Gilbert
Eric Blossey
Henry Monott
Marguerite & M
Ken Honeyman
Chuck Henry Oro
Seven Seas
Denny Kawanua
Kay Kaye
Lillian Gibson
Al McKinley
Eddie Bush
Slapsy Maxie's
Slapsy Maxie

Jack Waldron
Joe Bishop
Andy Sorrelli
Virginia Mathews
Moore & Lewis
Tommy Reilly Oro

Somerset House
Harry Ringland
Art Tatum
Jack Owens

Stage 'T' Cafe
Wally Vernon
Billy Young
Henry Galanti
Sherm Howard
4 Squires

Swanee Inn
Eddie Beal
Gladys Bentley

Topsy's
Elmer
Brett Jon
Yarna & Mastore
Alice Lancione
Tho Mercer Bros
Dorothy Brandon
Chuck Foster Oro

Tony Lo Rosa
Joaquin Garay
Sidney Ennis Oro
Carmina

CHICAGO

Ambassador Hotel (Persian Room)
H McCreery Oro
Betty Bryan

Ball Bait
Ralph Cook
Kay Arman
Roy Dietrich
Sally Gaynor
Jimmie Green Oro

Bismarck Hotel (Walnut Room)
Bob Bolmont
Nanno Van Houton
Vieno
Murys & Marlyn
Phil Levant Oro
Betty Gray
Dariel Lay

Blackhawk
Bob Crosby Oro
Ray Bauduc
Eddie Miller
Marian Mann
Dorothy Claire
Gil Rodin
Jack Dolphin Oro
Orrin & Betty

Blackstone Hotel (Italian Room)
Pliner & Serl Oro

Blue Fox
Evelyn Waters
Al Lano
Melody King
Buck Hunt
Jerry Lee & Alma

Brevoort Hotel (Crystal Room)
Florence Schubert
Charles Baldwin
Eleanor Shaw
Norma Ballard

Chez Paree
Hark Rudolph Oro
Sandra
Gloria Wood
Georgia Lo Scau
Jimmy Shield
Sylvia Tucker
Henry Steele
4 Lodoneers

Club Delisle
Dick Buckley
Olga Anion
Sam Hart
Jo Niles
Ralph Lindgren Or

Chez Paree
Cross & Dunn
Adelaide Moffett
Mary Hayo & N
Gary Wood
Wolre Bros
Hilda Harris Oro
Don Orlando Ora
Evans Adorables

Club Lido
Jack Spangler
Paula Kroll
Amolia
Margie Moore
Oliver Harris Oro

Club Alabam
Dorothy Bellington
Evelyn Nesbit
Harriet Hamilton
Sadie Moore
Jack Fagan
Paulette LaPierre
Allen Cole
Effie Burton
Berzie Allen
Dorothy Dolo
Dora Ursalla Oro
Hilda Hamilton Oro
Eddie Roth Oro

Club Rasco
Harry Hynda
Bob Durfree
Dick Hines
Joe Hardy
Ben Jones
Russ Lindgren Oro

Colosimo's
Yacht Club Boys'
Joss Manzanares Or
Lew Fuller Oro

Colosimos
Ada Leonard
Ray Rogers
Bill Baird
Natalie & How
Lulu Gould
Betty Bonnie
Harry Rose
Frangin Sis
Hollywood 4
Henri Garatron Oro

Club Delisa
Sam Robinson
Dominic Lanzetta
Smitty & Block
Caravina Brown
Wesley Long
Brown & Brown
Connie Morrow
Hippie Jones
Bob Brown
Ethele Wilson
Charles Ocon
Ruth Ellis
Red Saunders Oro

Congress Hotel (Glass Hat Rm)
Johnny Bangs Oro

Congress Hotel
Joe Vera
(Tempetian Rm)
Irving Margraff

Drake Hotel
(Gold Coast Room)
Ted Weems Oro
Marvel Maxwell
Elmer Feldman
Madie & Ray
Bernice Parks

Dutch's
John Elliot
Carlos & Dolores
Betty Jerome
Evelyn Harrie
Leilita
Mort Lund Oro

Edgewater Beach Hotel
(Marine Room)
Mary Fran Sackley
Eugenie Mellor
Ray Rorbie Oro
Marion Ross
Stuart Frazor
Harriet Sonin Gis

885 Club
Eddie Vorzos Oro
Helen Coyle
Johnny Howard
Rider Sis
Greco McCarthy

El Dumpo
Laurene No Vel
Ken Lewis
Peggy Moore
Marie Dunn
Whirly Gis
Loons Serena
Ray Bleibers Oro
Sam Robins

Famous Door
Esther Whittington
Bryan Wolf
Eunice Hill
Dave Malcom
Blake Baker
Florine Manners
Mel Nelson Oro
Terry O'Toole
Al Robinson Oro

Frank's Casino
Will Martin
Jack & Estelle
Sandra Byrd
Gladys Bentley
Roberta
Bobby Kirbie
Rocks Elsworth
Bob Tinsley Oro

Gay 90's
Jimmie Ames
Lew King
Colleen
Lonnie Jones
Juno Jackson
Vanotis Gis
Pat Ollis
Bobby Sanders Oro

Gay Parree
Wanda Kay
Ed Currie
Lou Gaylord

Golden Spot
Sid Schapps
Charlene Baker
Mal Borbet
Margie La Tour
Les Andros
Evelyn Lee
Woodie La Rush
Eddie Wells
Tod Smith
Lucille Maddox
Dot Adams
Jack Bryant
Dusty Fletcher
Leonard Reed Gis
F Henderson Oro

Gravenere Hotel (Glass House Rm)
Tonsty Pall Oro
Carl Ryan
Yeva & Doro
Maxine Kirk
Lorraine Vess

Harry's N Y Cab'ret
Jerry Borgren
Bobby Love
Maxino Kirk
Emma Calder
Gelette & Leonardo
Bruce Sis
Chos Engels Oro
Art Bendor
Al Wagner
Billie Bryan
Les Berling

Hickory Inn
Kay Dare
Jean & Eddie
Tom Garvay
Gondoliers Oro

Hi Hat
Lita Gray Chaplin
Jimmy Rose
Zita & Anita
Evelyn Ely
Sid Lang Oro

Hotel Brevoort
Helen Irwin
Alice Munson
4 Harvelaires
Keith Beecher Oro

L'Aiglon
Mary N Kilpatrick
Eusebio Concialdi
Byron Gaines
Don Quixote Oro

Lincoln Park Inn
Hotel La Salle
(Blue Front Room)

Mayfair
Stuff Smith Oro
Gladys Maddox
Jonah Jones

Liberty Inn
Dick Hugos
Helen Durfree
Dick Thomas
Billy Hill
Trixi Bell
Borbra Bow
Rita Manning

Jimmie O'Neil
Earl Wilson Oro

Limehouse
Bob Tank Oro

Little Club
Tanua Tamara
Richard Denzler
Roland & Francine
Joe Kish Oro

Marcelle
Al Copeland
Emmett Klapper
Homer Roberts
Chuck Andrews
Googy West
Lucie Doe
Phil Chopard

Melody Mill
Tiny Hill Oro
Allan DeWitt
Harold Osborne

Milestone
Ann Millions
Flo Whitman
Lucille Carter
Betty Marrie
Della Harrell
Jack Roimnd Oro
Dyrs Lou
Muriel Joseph
Blanche Robbins
Patsy Du Brau
Sharone

Minuet Club
Del Estes
Willie Runyon
Al Mulvaney
Verna Jordan
Art Fabian

Morrison Hotel (Boston Oyster House)
Manfred Gottlieb

Nanaimo Cafe
Vito Ore
Mary Mayo
Gwen Paul
Pinky Tracey
Marcia Strong
Evolyn Reed
Lee Ford

Nappo Gardens
Genovieve Jocyna
Helen Coyle
Tommy Jones
Tiny Gorman
Jono La Vonna
Kay Moore
Honey Lee
Jan Wharton
Sally Sharrat
Sol Schoenbach

Old Heidelberg
Old Heidelberg Ca
Octet
Robert Kessler
Wino Strachn
Harr Louis & W
Gretchen Ray

Paddock Club
Iona O'Donnell
Marsie Strong
Morrita Ryan
Ely Parker
Diane Raye
Jay Hill
Leo Francis Ore

Palmer House (Empire Room)
Eddie Dunbin Oro
Buck Davis
Dixie Dexter
Anderson & Allen
Turnell Sisters
Abbott Dancers
Bill Dodge Oro

Parody Club
Flash Evans
Jim Stevens
Dolorse Shaw
Kathleen Aikin
Chic Sanders Oro

Pershing
Helen Hoot
Johnny Morrissey
Jean Carter
Charlene Baker
Harry Rodgers Oro

Rose Bowl
Willie Shore
Freddie Williams Or
Selbys 3
Gladys Palmer
Glonda Hope
Sol Weiss Oro

Royal Frolics
Dolly Kay
Eddie White
4 Wilson Bros
Jimmie Lee & H
Al Trunk Oro
Mark Fisher Oro
Jack Hilliard
Frank Ross

Sherman Hotel (Celtic Cafe)
Gene Kenny Ore
(Dome)
James Hamilton
Jim Bennett
Jerry Gildlsen
Harry Bennett
Del Orrel
(Pender Room)
Geno Krupa Ore
Jack Lewis
3 Jitterbugs

PHILADELPHIA

Anchorage
Harry Russell Ore
Jack Curtis
Nita & Rayel
Mayar Davis Ore

Bellevue-Stratford (Main Dining Rm)
Mayar Davis Ore

(Burgundy Room)
Frank Jenks Ore

Bon Franklin Hotel (Garden Terrace)
Red Norvo
Terry Allen

Benny the Bum's
Hollywood Cafe Ore
Wilma Douglas
Larry Vincent
Trudela & Jean
Elaino Hinkie
Ed Coles
Jimmy Sanderson

Chez Jacques (Bellmanor, N. J.)
Dixie Hey
Jack Dawn
Mary Joyce
Jerry Lorin
Victor Normand Ore

Cadillac Tavern
Ed Hunter
Dorothy Lewis

Chalfonte Haddon Hall
Jack Nevlon
Sonny Ray
H Reynolds Ore

Club 15
Dick Thomas
Johnny Tuomy Ore
Beverly Baker
Bee Larry
Jean Lou

Chez Paree
Hal Kemp Ore
Judy Starr
(Rest Room)
Emil Coleman Ore
Angna Enters
George & Jaina
Colina Wright Jr

Hotel White
Lou Lang Oro
Charlie Stacy
Mimi Francis
Del Donell

Jimmy Kelly's
Joe Capello Ore
Inge Ross
Gladys Faye
Hyinson Alonna
Mary Laus
Tanya
Lee Leslie
Carter & Schaub
Terry Shannon
Peggy de la Plaula
Monimarcia Boyer
Danny Higgins

Lorenzo
Lorenzo Roberson
Lorenzo Roberson
Teddy Hale
Vivian Middleton

La Marquise
Bill Palermo Oro
Gloria Fleming
Harold Leonard
Jerry Kennedy
Nino Nonno

Larue
Eddie Davis Oro
Joseph Smith Oro

La Coq Rouge
Don Dorey Oro
Anno Fracuius
Tudela 4

Le Mirage
Peter Van Small
Nina Allen
Byrnes & Swanson

Le Bonnie Bird
Herbert Jacoby
Hopo Emorson
Jerry Wilson
Elsie Houston

Leon & Eddie's
Lou Martin Ore
Eddie Davis
Iris Alan
Ting Pin Sou
Lucky Sis
Lucky Spots
Susan & Christine
Jerry Wilson
James Keogan
Ruth Morgan
Wally Wanger 6

Jack Osterman's
Jack Osterman
Roger Steels Ore
Jerry Wilson Ore
Patoy Ogden
Sam Powell

Moore Cellar (Mobelson)
Howard Blaine
Rosalind Lewis
Martha Kovacs
Gypsy Lewis
Barbara Eyton
Lydia Ehrenberg

Max Paris
Charlie Murray Oro
Mary Cohan
Jimmy Rogers

Monte Carlo
Ted Straeter Oro
Bob Knight Oro
Dick Smart
Elaine Bassett
Fanny Heldy
Anita Colby
Evelyn Kelly
Rosanne Murray

Gays Club
Lew Ayres Oro
Lee Wiley

Paradise
Vincent Travers Or

Place Elegania
Les Lacys Oro
Bill Farrell
Tommy Mills
Ben Ryan
Irve Harris
Rai Colette

Queen Mary
Joe Ellis Oro
Cosmelle Drayerton
Katherine Tate
Carolyn Bell

Rainbow Grill
Borry Winton Oro

Marlyna & Michael

Rainbow Room
Ruby Newman Oro
John Hoyrandt
George A Lerner
Eddie Le Baron Oro
Joan Carlier

Russian Kretchma
Yasha Nikoroopo
Natalie Pollakova
Darla Hiros
Marusia Sara
Harmina Michel
Chopinka Cossacks
Senia Karavaeff
Michel Mikoff
Serge Ignatenko
Volodia Katov
Gesia Pobedina

Show Bar (Forest Hills)
Sleepy Hall Ore
Bill Hannen
Martha Wrennelell
Carol Horton
Fred & M Dearborn

Stork Club
Sonny Kendis Ore
Jose Lopez Ore

Top Hat (Union City, N. J.)
Julia Wintz Ore
Emanuel Ovando Or
3 Wilse
Gertrude Bristor
Thelma Novino
Jack Lane
Jerrie Smith

Versailles
M Morgan Ore
Mitzi Green
Harry Bailey
D'Avalos Dancers

Village Barn
Howard Woods Ore
Wynn Wilson
Freda Sullivan
Celia & Milnor
Polly Jenkins Co
Lou Valdez
Walter Donahua

Whirling Top
Geo Morris Oro
Falona
Irene Stanlov
Gay Lane
Ruth LeClaire
Russell Drackan

2-WEEK SHOW

"BARR and ESTES"

with

TOMMY DORSEY

PARAMOUNT, NEW YORK

Placed by

EDDIE SMITH, 22 West 48th Street

LOS ANGELES

Beverly Wilshire
Bray Sis
Howard Gorrard
Harry Owens Oro

Cafe Caliente
Pancho
Diana Castillo
Julie Gonzalez
Lee Lou Dasquez
Eddie Aguilar Ore

Cafe La Maze
Park Ave. Boys
Martha Moore
Mary Malnack Ore

Club Ball
George Tout
Bruce Fletcher

Club Versailles
Jerry Lester
Glorria Gaye
Theodores
Cole Porter

Earl Carroll
Paul Gerrits
Aaron & Broderick
A Robins
Jerry Zarra
Vivien Fay
Susan Miller
Beryl Wallace
Jerry Michaels Gio
Dorothy Gerson
Rosland Gray
Archie Bleyer Ore
Ed Durant Ore

Florentine Garden
Maurice Kosloff Co
Emil Sasson Ore

Frank Sebastian's Cubanola
Eduardo Cansino
Joe Barrio Ore
Grace Hayes Lodge
Jackie Coglan

Gino Hayes
Gino Hayes
Charlie Foy
Lou Salton Ore

Hawaiian Paradise
Loretta Walker
Prince Lei Loma
Joe Sullivan Ore

Indigo Cafe
Sid Bean
Jimmy Ellard
Ray Frost
Val Harris

It Cafe
Cabanero
Rose Mitchell

Jerry's Mandalay
Marguerite Padula
Gay Surprenant Jr
Nevilla Fleeson
Monie Mitchell
Carl Chamberlin Ore
Jimmy Kerr & Boy

La Conga
Don Lee
Spike Featherstone
Jerry Wilson Ore
LaCinta Rhumba Bd

Little Club
Jano Jones
Joe Kendall
Walter Dyson

Little Hungary
Valesco's Gypsies

Maurice's
Leonard Kollor Ore

Mocoma Daly
Kay Gregory
Joey Lee Ore

Ciro's
Ciro Rodriguez
Ruby Rowman Ore
Jack Dorsey
Lorraine Lee
Eddie Lee
Jerry Lewis Ore
Betty Grey
Dariel Lay

Blackhawk
Bob Crosby Ore
Ray Bauduc
Eddie Miller
Marian Mann
Dorothy Claire
Gil Rodin
Jack Dolphin Ore
Orrin & Betty

Blackstone Hotel (Italian Rm)
Pliner & Serl Ore

Blue Fox
Evelyn Waters
Al Lano
Melody King
Buck Hunt
Jerry Lee & Alma

Brevoort Hotel (Crystal Room)
Florence Schubert
Charles Baldwin
Eleanor Shaw
Norma Ballard

Chez Paree
Hark Rudolph Ore
Sandra
Gloria Wood
Georgia Lo Scau
Jimmy Shield
Sylvia Tucker
Henry Steele
4 Lodoneers

Club Delisle
Dick Buckley
Olga Anion
Sam Hart
Jo Niles
Ralph Lindgren Or

Chez Paree
Cross & Dunn
Adelaide Moffett
Mary Hayo & N
Gary Wood
Wolre Bros
Hilda Harris Ore
Don Orlando Ore
Evans Adorables

Club Alabam
Dorothy Bellington
Evelyn Nesbit
Harriet Hamilton
Sadie Moore
Jack Fagan
Paulette LaPierre
Allen Cole
Effie Burton
Berzie Allen
Dorothy Dolo
Dora Ursalla Ore
Hilda Hamilton Ore
Eddie Roth Ore

Club Rasco
Harry Hynda
Bob Durfree
Dick Hines
Joe Hardy
Ben Jones
Russ Lindgren Ore

Colosimo's
Yacht Club Boys'
Joss Manzanares Or
Lew Fuller Ore

Colosimos
Ada Leonard
Ray Rogers
Bill Baird
Natalie & How
Lulu Gould
Betty Bonnie
Harry Rose
Frangin Sis
Hollywood 4
Henri Garatron Ore

Club Delisa
Sam Robinson
Dominic Lanzetta
Smitty & Block
Caravina Brown
Wesley Long
Brown & Brown
Connie Morrow
Hippie Jones
Bob Brown
Ethele Wilson
Charles Ocon
Ruth Ellis
Red Saunders Ore

Congress Hotel (Glass Hat Rm)
Johnny Bangs Ore

Congress Hotel
Joe Vera
(Tempetian Rm)
Irving Margraff

Drake Hotel
(Gold Coast Room)
Ted Weems Ore
Marvel Maxwell
Elmer Feldman
Madie & Ray
Bernice Parks

Dutch's
John Elliot
Carlos & Dolores
Betty Jerome
Evelyn Harrie
Leilita
Mort Lund Ore

Edgewater Beach Hotel
(Marine Room)
Mary Fran Sackley
Eugenie Mellor
Ray Rorbie Ore
Marion Ross
Stuart Frazor
Harriet Sonin Gis

885 Club
Eddie Vorzos Ore
Helen Coyle
Johnny Howard
Rider Sis
Greco McCarthy

El Dumpo
Laurene No Vel
Ken Lewis
Peggy Moore
Marie Dunn
Whirly Gis
Loons Serena
Ray Bleibers Ore
Sam Robins

Famous Door
Esther Whittington
Bryan Wolf
Eunice Hill
Dave Malcom
Blake Baker
Florine Manners
Mel Nelson Ore
Terry O'Toole
Al Robinson Ore

Frank's Casino
Will Martin
Jack & Estelle
Sandra Byrd
Gladys Bentley
Roberta
Bobby Kirbie
Rocks Elsworth
Bob Tinsley Ore

Gay 90's
Jimmie Ames
Lew King
Colleen
Lonnie Jones
Juno Jackson
Vanotis Gis
Pat Ollis
Bobby Sanders Ore

Gay Parree
Wanda Kay
Ed Currie
Lou Gaylord

Golden Spot
Sid Schapps
Charlene Baker
Mal Borbet
Margie La Tour
Les Andros
Evelyn Lee
Woodie La Rush
Eddie Wells
Tod Smith
Lucille Maddox
Dot Adams
Jack Bryant
Dusty Fletcher
Leonard Reed Gis
F Henderson Ore

Gravenere Hotel (Glass House Rm)
Tonsty Pall Ore
Carl Ryan
Yeva & Doro
Maxine Kirk
Lorraine Vess

Harry's N Y Cab'ret
Jerry Borgren
Bobby Love
Maxino Kirk
Emma Calder
Gelette & Leonardo
Bruce Sis
Chos Engels Ore
Art Bendor
Al Wagner
Billie Bryan
Les Berling

Hickory Inn
Kay Dare
Jean & Eddie
Tom Garvay
Gondoliers Ore

Hi Hat
Lita Gray Chaplin
Jimmy Rose
Zita & Anita
Evelyn Ely
Sid Lang Ore

Hotel Brevoort
Helen Irwin
Alice Munson
4 Harvelaires
Keith Beecher Ore

L'Aiglon
Mary N Kilpatrick
Eusebio Concialdi
Byron Gaines
Don Quixote Ore

Lincoln Park Inn
Hotel La Salle
(Blue Front Room)

Mayfair
Stuff Smith Ore
Gladys Maddox
Jonah Jones

Liberty Inn
Dick Hugos
Helen Durfree
Dick Thomas
Billy Hill
Trixi Bell
Borbra Bow
Rita Manning

Jimmie O'Neil
Earl Wilson Ore

Limehouse
Bob Tank Ore

Little Club
Tanua Tamara
Richard Denzler
Roland & Francine
Joe Kish Ore

Marcelle
Al Copeland
Emmett Klapper
Homer Roberts
Chuck Andrews
Googy West
Lucie Doe
Phil Chopard

Melody Mill
Tiny Hill Ore
Allan DeWitt
Harold Osborne

Milestone
Ann Millions
Flo Whitman
Lucille Carter
Betty Marrie
Della Harrell
Jack Roimnd Ore
Dyrs Lou
Muriel Joseph
Blanche Robbins
Patsy Du Brau
Sharone

Minuet Club
Del Estes
Willie Runyon
Al Mulvaney
Verna Jordan
Art Fabian

Morrison Hotel (Boston Oyster House)
Manfred Gottlieb

Nanaimo Cafe
Vito Ore
Mary Mayo
Gwen Paul
Pinky Tracey
Marcia Strong
Evolyn Reed
Lee Ford

Nappo Gardens
Genovieve Jocyna
Helen Coyle
Tommy Jones
Tiny Gorman
Jono La Vonna
Kay Moore
Honey Lee
Jan Wharton
Sally Sharrat
Sol Schoenbach

Old Heidelberg
Old Heidelberg Ca
Octet
Robert Kessler
Wino Strachn
Harr Louis & W
Gretchen Ray

Paddock Club
Iona O'Donnell
Marsie Strong
Morrita Ryan
Ely Parker
Diane Raye
Jay Hill
Leo Francis Ore

Palmer House (Empire Room)
Eddie Dunbin Ore
Buck Davis
Dixie Dexter
Anderson & Allen
Turnell Sisters
Abbott Dancers
Bill Dodge Ore

Parody Club
Flash Evans
Jim Stevens
Dolorse Shaw
Kathleen Aikin
Chic Sanders Ore

Pershing
Helen Hoot
Johnny Morrissey
Jean Carter
Charlene Baker
Harry Rodgers Ore

Rose Bowl
Willie Shore
Freddie Williams Or
Selbys 3
Gladys Palmer
Glonda Hope
Sol Weiss Ore

Royal Frolics
Dolly Kay
Eddie White
4 Wilson Bros
Jimmie Lee & H
Al Trunk Ore
Mark Fisher Ore
Jack Hilliard
Frank Ross

Sherman Hotel (Celtic Cafe)
Gene Kenny Ore
(Dome)
James Hamilton
Jim Bennett
Jerry Gildlsen
Harry Bennett
Del Orrel
(Pender Room)
Geno Krupa Ore
Jack Lewis
3 Jitterbugs

Silhouette
Larry Forbes
Jack Downey
Eddie Sanders
Joan Bayley
Joey Conred Ore

Silver Cloud
Bert Nolan
Millie Grosse
Paul & D Gilbert
Eleino Le Marr
Ted Lawrey
Lou Gutterinan
Vi Gray
Hazel Zelue
Nord Richardson
Johnny McPeak Ore

Silver Frolics
Harry Harrie
Blelino Bailey
Tony & Gene
Fay Wallace
Art Freeman

600 Club
Billy Carr
Sunny Carter
Jimmie Fossaw
Joan Dare
Frances McAvoy
Joan Schelle
Dolores Del Rae
Mary Faber Gis
Joel & Amnotia
Dietrich Sis
Inon Scott
Alohet
Jessie Rosella
Darnay
Dolly Sterling
Patricia Perry
Collette
Lorraine
Sol Lako Ore
Tripoli 2

Sky Rocket
Marjorie Whitney
Dictators
Mathews & Shaw
4 Kings

Stevens Hotel (Continental Room)
Rhythm Boys Ore
Bernhardt & B
Byton Gis

Strasburgers Club
Frances Red Rock
Frank Burhor

Subway
Gingor Dix
Opal Adair
Vivian Rogers
Zona & Lani
Marie Blanchard
Frances Thomas
Edith Matthews
Doloren Mae
Billy Kane
Honry Sax Oro

Swan Club
Rernia Green
Saxon Sis
Cheri
Jules Scott
Nan Bari
Varna Wilson Ore

Thompson's 16 Club
Ray Reynolds
Althea Allen
Jerry Williams
Potsy Thomas
Crystal Cook
Dot Keith Gis
Jessie Carroll
Helen DuWayna
Marsh Marvel
Sammy Frisco Ore

Three Deuces
Baby Dodds
Charles McBride
Lill Armstrong
Kathleen Aikin
(OH Rest Room)
Anita O'Day
Wingy Mannone
Tramp Bell
Lonnie Esterdall
Jimmy Gourley

Tower Inn
Molita Maunor
Irene Jonna
Betty Sloan
Lee Gio
4 Marvellens
Frank Davis Ore

Town Club
Chet Roomer
Bleo Di Fil
Realia Carmen
Millicent De Witt
Wayne Bros
Enid Phillips
5 Chicagoans
Jerry Lestrot Ore
Hal Barber

Villa Madorne
Tony Cabot Ore

Wisona Gardens
Glint Rene
Lee Harmon
Lou Ellen
Nita La Tour
Virginia Robert
Lucilla Johnson
Jerry Vivet
Nita La Tour
Helen Grace
Frank Snyder Ore

Princess Haian
Ben Cole
Scarey Gavin
Al Cubler
Jorrabe Willey
Joe Familant Ore

Ritz Carlton
George McCall Ore
Frank Connell
Judy Blue
Emmn Stouch

Down Beat
Harry Roberts
Houry Patrick
Dublin's Jackeller

Frank Ponti
Monico & Maria
Pauly Lafayette
Margio Drummond
Vince Tomasello
Irving Braslow Ore

El Chico
Kay Laverty
Margaret Marshall
Jack Martinez
Virginia Howard
Lucia Rodriguez
Senorita Marquerita
Jerry Lee
Bobbie Shelby
Alexis Wilson
Ivan Tashman Ore

Embassy
Billy Maple
Aida Alvarez
Edith Reach
Lula Malina
Jerry O'Neill
Al Moore Ore
Jerry Lewis Ore
George Clifford

Evergreen Casino
Tommy Moores

Andrews Sis
Niles & Nadine
Jim Allen
Al Eldrich
Jo M'Kee
1373 Club
Swing King Ore
Eileen Marcellus
Dolly Parker
June Davis
Dorothy Tanner
Betty McKee
Francis Lenox
Mitzi Lane
Florence E Holmen
Frankie Palmaboe's
Bonnie Stewart
Ben Perry
De Alayos
Yvonnette (8)
Bobby Morrow Ore
Harris Tavern
Alabama Corinne
Bobby Lyons
Gretz LaMarr
Betty Thomas
Hollywood's
Charlie Neid
Doris Elliott
Jerry Lewis
Paula
Paul & Merlin
Betty LaMar
Harmon Nelson
Richard Bach
Bobby Lee Ore
Dee Dores
Jack Lynch's
Charles Smith
Vincent Rizzo Ore
Barney Zeeman
Chancy & Fox
Joe Lewis
Helen Morgan
Gloria Gilbert
Betty Brooks
Marlorie Rule
Herb Dalton
Jimmy Blake
J Lynch Gis (12)
Joe Frasetto Ore
Lake Sahmarine
Betty & Jim Lane
Patsy Shaw
Harry Chen
Al Schaak
Cleo Brown
Duval Sis
Victor Hugo Ore
Johnny & George
Maggie's
Helen Maxwell
Marie Clair
Lena Arista
Bucky Shores
Tony Pastor
Kate Smith
Walt Welford Ore
Vann & Vidal
Rose Skipsch & Dog
Mme Irie
Martinello
Manse Inn
Leonard Cook
Billie Richmond
Judy Lane
Elaine & James
Baronne Redonlin
Billy Gates Ore
Open Cafe
Bob Ridley
Viola Kleiss Ore
Peaches Derby
Buck Calhoun
Betty Weeks
Margie Mealey
Jean Lamar
Dotty Moore
Bobby Carr
Joe Burns
Ray Allen Ore
Rendezvous
Ann Sultona
Lane, Edwards & A
Eadie Dunlap
Charlise & Herbara
Bob Lawrence Ore
Stamp's Cafe
Bert Lemish Ore
Dot Lamb
Jack Hutchinson
Johnny Walsh
Andre & Francis
Babe Sherman
Cortez & Marquis
Vic Earlson
Silver Lake Inn (Clementon)
Mickey Pamilant Or
Alice Lamont
Florodora Sextet
Jane Patterson
Lillian Russo
Maria Holt
Georgia Reed
Venice Grille
Jack Rich
Fay Ray
Joey Hayes Ore
Morse Sis
Millicent & D
Viking Cafe
Billie Carlisle
Joe Kenrne
Jerry Palmar Ore
Billy Kearns
Helen Hudson
Pepperettes (3)
Leslie Sis (3)
Bobby Jones
Village Barn
Bobby Evans
Jackie Miller
Charles Fredericks
Muriel Parker
Billy Lee
Alex Gray Ore
Chas & K Joy
Wagon Wheel
Benett & Orlende
Lola
Joy Harkins
Joe O'Shea
Allworth & Yvonne
Al Wilson
Al Bastian Ore
Webster & Dean (Camden)
Lou Kent
Ruth Bruder
Jules Fiacco Ore
Helen Wilson Ore
Goodrich & Nelson
La Lita
F&Princess Sel'ndra
Rasse & Duval
Pat Cranford
Bill Evans
Sid Golden
Sigaretto Carmino
J & T Shallenb'mer
Internationale
Eldoradians
Yacht Club
Kitty Hathaway Ore
Roberta Ramsey

MILWAUKEE

Athletic Club
Hal Munro Ore
Bert Phillip's
Pep Babler Ore
Ethel Sebel
Blatz Palm Garden
Eddie Sonth Ore
Blue Moon
D Davidson Ore
Virginia Rosen
AV Jaspers
Gale Parker
Cardinal Club
Bud Vicol Ore
Chateau Club
Stan Jacobsen Ore
Johnny Frost
Bert Gilbert
Martin Bennett
Patsy Marr
Buyes & Romero
Jackson & Nadra
Marion Wren
Clover Club
Harry Weber Ore
Ruth Phillips
Eva Thornton
Marge Nelson
Eleanor Gall
Lynn Harvey
Flo Radke
Don Kranich
Jean
Club Forest
Virginia Greer
Berdina Dickson
Helen Kaye
Vee Allen
Club Madrid
Jimmy Dunn Ore
Patricia Page Gis
Marguerite Claudet
Lolita Rocha
Gita & Anita
Grace Moore
Sharon Hale
Therese Rudolph
Club Sahara
Gee Cerwin Ore
Club Tevis
Gordon Genschorre
Mona Henderson
Ethel Warren
Phil Kestin
Kathleen Kaye
Claudia Ferris
Dale & Dale
Congo Club
Irma Kline
Al & Hall
Bob Freeman
Mae Jones
Jeff Thomas
Leonard Gay Ore
Cornies Ship
Bill Davidson Ore
Ben Bot Ore
Ralph Lewis
Bailey & Lamarr
Devines Eagles
Dean Hudson Ore
Steve Swanson Ore
Mabel Drake
Dorothy Dale
Red Roberts Ore
Alice Kaye
Jimmy De Palma
Howard Geiger
Hotel Schroeder (Empire Room)
Billy Beer Ore
Roy Bauer
Virg Hofmann
Paul Mann
Hopbeandas 8
Irene Griggs
Tony Salerno
Claude Parker
Six Point Club
Cooper Reda Ore
State Gardens
Earl Rigg Ore
Florence Ball
Dolly Seeley
Ann Helena
Evon Allen
Frank Kuenk
Flo Smith
Shirley Little
Peggy Hall
Sunset Club
Eddie Apple
The Top Tap
Joey Feldstein Ore
Natalie & Howard
Eleanor Leonard
Al Cole
Betty Louis
Marshall Grey
Rocco Alle
Town and Country Club
Knight & Dae
Roberton
Lucieve
Virginia Davis
Madeline Gardiner
Betty Harper

CLEVELAND

Alpine Village
Otto Thurn Ore
Woods & Bray
Starkell & Dawn
Margaret Aemmier
Herman Firchow
Avalon
Hy Borron Ore
Dorothy Gilbert
Carol Chapelle
Airway Club
Troy Singer Ore
Judy Black
Cedar Gardens
Duke Melvin Ore
Hecht's Cat
Chateau
Pete Gerael Ore
Jean Le Vendel
Art West
3 Footmen 1 Fellow
College Inn
Norman Brill Ore
Frolic's Cafe
Tony Emma Ore
Guy Cherneki
Hart & Allison
Yvon Nova
Eddie Barnes
Texas Rockets
Gourmet Club
Louis Cina Ore
Gloria Glamour
Hatten's Club
Lenny Colyer
Bob Armstrong
Rose-Marie
Hanna Grill
Joanna Gordon

Kay Bush
Don & Lou
Len Bennett
Hotel Cleveland
Gene Erwin Ore
Will Osborne Ore
Hotel Fenway Hall
Willard Petts Ore
Hattie Adler
Hotel Sterling
Marty Aaron Ore
Gayle Gaylord
Hotel Hollenden
Sidney Mitchell Or
Patsy Parker
Frank Cook
Jack & Jill
Romany 3
Hotel Statler
Dick Stabile Ore
Wendell Ware
Glover & LaMas
Joe Eddie's
Chick Williams
Arlene Rica Ore
Ann Gordon
Lindsay's Sky-Club
Felson Ellsworth
Harold Simpson
Monaco's Cafe
Rose Marie Ore
Marilynd Maynard
Mounds Club
Orvella Grand Ore
Southern Tavern
Paul Jones Ore
Don Kaye
Nick Kenyon
Ubangi Club
Tommy Barnes Ore
Darrel Collins
Ethel Allen
Rose Morgan
Sonny Carr

DETROIT

Ambassador
Billy Meager
Bill Tracey
Dale Lynn
Geo Alfano Ore
Book-Cadillac Hotel (Terrace Room)
Don Cutler Ore
Monte & Stafford
Rod Drige & J
(Motor Bar)
Peter Kyte, Jr Ore
Chene-Trombley
Jimmy Gargano Or
Frankie Lillis
Harry Jarkey
Jerry Sis
Millie Oberner
Hipletes
Bob O'Neill
Commodore Club
C Costello Ore
Lee De Bain
Don Arden
Artist Models (6)
Carlotta & Myer
Club Frontenac
Baker 3 Ore
Vicki Williams
Marian Kay
Rich & Gibson
Jay Jason
Swanhearts (8)
Cliff Bell's
Kaye Andre
Gardner Smith Ore
Hotel Statler (Crystal Room)
Xavier Cugat Ore
Carmen Castillo
Judy Lynn
Eddie Asherman
Castaire Sis
Raul & Eva
Imperial Club
Ralph Jarrard
Don Carini
Lee Sallie & Jo-Jo
Bonnie Nicholas
Fifi Livites
Margo Wade
Woody Mosher
Frank Ross Ore
Nebiolo Cafe
Leonard Seel Ore
Marie & Marina
Parisian Coads
Jack Stasio
Northwood Inn
Zev Clay Ore
Ann Ellis, Ore
John Hale
Ted & Pratt
Arlene Whitney
Oasis
Lillian Lee Mayr
Renee DeRoy's Gis
Josephine Campbell
Harry Jackson
Don Ricardo Ore
Palm Beach
Amos Jacobs
Barry & DaBba
Brunetta
Georgette Bros
Betty Hampton
Don Pablo Ore
Plantation Club
Gustavo Jones
Evelyn White
Soka & Dorita
Deneres Alexander
Harry Lee
Sadjai
Don Albert Ore
House Line (8)
Powaton
Eddie Cantor
Betty B & Carroll
J Cannon
Sammy Dibert Ore
Saks
Don Harris
Buddy Lester
Renee Villon
Lorel Sis
Geo Kavanagh Ore

Beegy-Woogy
Lew Dolgoff
Harry Kosokoff
George De Costa
Al Marcur
Jim Buchanan
Plaza Cafe
Jimmy Fedorko Ore
Adele Curtis
Lynn & Davis
Dewey Dixon
Betty Hayes
Billy Cover
Le Roy
Johnny Ray
Riviera
Joe Lee Ore
Show Boat
Al Fremont Ore
Leola Frazier
Joan Carroll
Billy Keaton
Barbara M'Donald
Santos & Elvira
Lane & Carroll
Brent, DeW & M
Gary Ryan 3
Line (12)
Webster Hall
Nelson Maples Oro
Buzzy Kounts
Will Ward
George Weber
Union Grill
Tony Lombardo
Art Tagalia
Frank Natala

Wm. Morris Plans

(Continued from page 39)

attorney Buzzell and 44% owned by Calloway.)

Vaude in England

Ellington's 28 concerts in 30 days at $1,000 a concert also included fares both ways. The maestro may break down British labor ministry opposition and fill in a couple of "audeville" dates in England, on the grounds of being unique, but that's not set yet. The English leaders are trying to influence their native authorities to extend that courtesy to Ellington while abroad.

Reuter Agency of London and Paris deposited a $28,000 guarantee in a New York bank before Ellington left N.Y. Dough is to be collected by Mills' N.Y. office at the rate of $7,000 per week. Whether or not Ellington would receive the full amount of the guarantee in the event European hostilities disrupted his tour isn't known.

Music Corporation of America is not contemplating any replacement for Willard Alexander. It's been more than two weeks since he bowed out. Bands which Alexander guided have been spread among Sonny Werblin, et al.

Metro's % Plan

(Continued from page 3)

smash, its percentage payoff could be 40% or more.

The system should appeal to a majority of the Metro accounts because, if a picture is better than figured, it deserves to earn more rental, while if it turns out disappointing at the boxoffice, its licensing value should be proportionately less.

The other deal Metro offers exhibitors is four pictures at 40%, 10 at 35%, 12 at 30% and 12 at 25%, plus what is tabbed by Metro a 'balanced group' of 16, which will be sold at 20% or flat, unless shifted into higher brackets if test engagements—a new Metro feature—prove that they are justified in being moved up.

Should one of the 16 features in the balanced group, after testing, be moved up into a 25% bracket, its place at the bottom of the pack on a flat basis or at 20% will be replaced by an originally-allocated 25-percenter which shows up as a doubtful business getter.

Breaking new trails in selling, with a policy flexible enough to fit each situation regardless of its nature, Metro may be undertaking a system in distribution that will prove revolutionary. General opinion is that Metro is taking an enterprising step forward and one which will go further to cement good relations with the exhibitor than anything developed to date by the distributor branch of the industry.

Television

(Continued from page 7)

that must be determined in the next few weeks.

Enthusiasm for television in G-B theatres of London has been reported to industry circles in New York. Two prize fights and a boat race have been successfully televized. However, this probably would not have been possible without the aid of the British Broadcasting Co., the government agency. In this country, there is no such government assistance or financial aid.

That picture companies are aware of developments was seen in the fact that the Hays office, industry's major organization, recently received a complete report on the current situation on television in the U. S. It also is reported that RKO has prepared a two-reel version of 'Gunga Din,' designed strictly for television broadcasting. This would set it up as a trailer for the feature. 'Not known how it would be used, however.

More Tele Talks

Subject of television dominates list of topics lined up for discussion at the spring convention of Society of Motion Picture Engineers in Hollywood, April 17-21. Six papers are scheduled for reading on the sight-sound technical.

Line-up includes 'Television Lighting,' by William C. Eddy, National Broadcasting Co.; 'Report of Television Committee of Society,' by A. N. Goldsmith, chairman; 'Introduction to Television Production,' by H. R. Lubcke, Don Lee Broadcasting System; 'Continuous Type Television Film Scanner,' by Peter C. Goldmark, Columbia Broadcasting System; 'Application of Motion Picture Film to Television,' by R. W. Engstrom and G. L. Beers, RCA Mfg. Co.; and 'Television Studio Technic,' by A. Protzman, NBC.

306 Strike

(Continued from page 20)

year agreement, is up Nov. 1. At that time, it is understood, increases will be sought all along the line. Negotiations for a new contract, probably on a 'two-year basis' with 5% will no doubt be started early in the fall with the distributors. Should there be difficulty and the exchange workers go on strike, 306 Corp. would be the turn of the operators not to cross picket lines, regardless of the increases now obtained under a contract running until 1940.

The exchange workers did not sit in on meetings at which the strike was settled, but were informed on Sunday (9) to return to work. Branches late Saturday night, in some cases as late at 2 a. m. telephoned film salesmen, bookers and others who have been doubling into 'back rooms' that they should begin to come in Sunday (9) as they had been doing.

Representatives of unions plugged telephones or stayed away Sunday (9) so that operations after the settlement might be avoided, and orders were that nothing be said by anyone knowing about the defeat-victory of 306.

Justice Dept's Frown

On Thursday (6), receiving an official opinion of the Department of Justice that the strike was in violation of the anti-trust laws, a meeting with the distributors, latter now being on the offensive, was quickly arranged by the Hotel Astor. Had not 306 been willing to accept the proportionately smaller victory of screening room increases, and stand the defeat of its major objective against Empire-manned booths, then the distributors were ready to start injunction proceedings. Such proceedings would be up until the Dept. of Justice had ruled on the strike. Its opinion, a blow to 306, automatically armed the distribs therefore, by applying for an injunction. Only way out for 306 seemingly was to get increases for the screening room ops and drop the issue to bring into 306 the Cocalis, Century and other indie houses that employ Empire men.

While 306 will no doubt continue its offensive against these Empire-operated houses, many of which have been periodically picketed for years now, it is doubtful whether 306 will get the houses. They have seven-year contracts with the Empire State Operators, N. Y.-chartered union, under conditions which Cocalis and others say are satisfactory. Another absorption move may be sought, but Cocalis and other indies holding contracts having seven years to go, could insist on fulfillment.

The Jew circuit owns a minority interest in the Century chain of around 30 houses in Brooklyn and on Long Island, headed by the late A. S. Schwartz, and of which Hy Clay Miner is now president. While this circuit, operated by Miner and associates, is an indie and employs Empire, the Jew house uses 306 men. Strike, thus, has placed Loew's in an odd position.

Any thought that because of the jitters the distribs have suffered recently and would, in dealing with indies, they (distribs) may attempt to get these indies to switch to 306 or be reluctant to sell 1939-40 film to them unless they do something about the Empire-306 mess, is one of the wildest of possibilities. Distribs, in such an event, would themselves be indulging in restraint of trade or coercion.

Quit Authors?

(Continued from page 5)

failure to do so, shall be guilty of conduct unbecoming a member of the Guild.' Violation of the rule is punishable by suspension or expulsion from the SAG, which deprives an extra of right to appear before the camera.

Threatened strike of building service employees at Columbia was averted when leaders of other crafts urged workers to remain on the job until their situation could be investigated. Proposed contract with Building Service Employes Local Union will be discussed this week at conference between George Bodle, attorney for the workers, and Bill Holman, studio manager for Columbia.

Designers Near Signing

Deal between the producers and Screen Set Designers is expected to be set this week. Designers have been holding out for minimum of $80 week, with producers offering $1.70 an hour for a 44-hour week. Designers also want a one-week severance notice. Designers now receive from $1.46 to $1.50 an hour.

Three nominees for Junior Council of the Screen Actors Guild have withdrawn, leaving 57 candidates who will go to the post in the annual election Sunday (16). Fred Williams and Allan Watson notified the SAG they could not have sufficient time to devote to the work. Name of Johnny Meyers was eliminated under rule prohibiting player from being elected to Junior Guild office if he had been suspended for rules violation within three years prior to election.

First decision to be disclosed by the new Standing Committee of the producer-Screen Actors Guild Basic Agreement has resulted in a flood of protests by extras. Claim for damages recently filed by SAG because Paramount cancelled a weather permitting call for 96 extras on Jan. 13 when studio executives did not believe weather would permit shooting. Players were given a quarter check, but the SAG asked for payment of an additional three-quarter check, claiming weather would not have interfered with shooting.

Case was considered on March 24, and a decision was announced April 3, with notice sent to all signatories of Basic Agreement. Squawks by extras was because the names of the 96 players were revealed to studios although the protest was filed by the extras. Eddie Quillan, who was candidate for the Junior Council, advised SAG that he had already been notified by the casting department that he would not be required to further calls because he had tried to collect a full check on a weather permitting call, although the Basic Agreement provided only for payment of a quarter check.

SAG tops admitted that Standing Committee should not have disclosed names of players involved, but are trying to rectify situation. Stewart McKee, Los Angeles business man, is chairman of the committee. The union was represented by Murray Kinnell, former treasurer of SAG, and the producers by Lou Anger.

Pacts between the Artists Managers Guild and the SAG for licensing of all agents is expected to be cemented shortly after return of Kenneth Thomson, SAG executive secretary, from Washington. Actor-executive went to capital in interest of block booking bill.

Goldwyn's Attack

(Continued from page 3)

jured UA. The Goldwyn company, by suing UA, would actually have been suing itself and reducing its own property value.'

Goldwyn accuses UA of deliberately trying to delay disposition of Goldwyn's attempt to find out from the courts what the rights of the respective parties are, in respect to each other, by moving to transfer Goldwyn's suit from the N. Y. supreme court to the U. S. district court, where the Equity calendar is more than a year behind, and where the case would not have been reached before another year.

Goldwyn has therefore moved for a speedier determination by recommencing his action in the U. S. Circuit Court in the Wilmington (Del.) jurisdiction, where it was filed yesterday (Tues.), through Ward & Gray, Wilmington attorneys.

LYRIC, INDPLS.

(Continued from Page 45)

ing in the closing number for the final curtain.

Show opens with band's theme to bring on Tucker himself as traveller discloses bands and singers on the stand. First number is 'Hold Tight,' vocals by Lorraine Sisters and Gil Mershon, 'Dixie,' which immediately follows, also runs to voice work as much as it does to straight music. Vera Ferron, acrobatic dancer, comes on as one of the two added acts to do about five solid minutes to good returns.

'Deep Purple,' 'This Can't Be Love,' 'I Cried for You' and a solo comedy number entitled 'The Lyric Blues' are in the next group of offerings by the band. The first is mainly music with a vocal chorus by Gil Mershon, tenor. For the following numbers, however, Tucker brings his four male singers and eight musicians down, who perform in glee-club fashion. They wind up their last number with a socko dancing routine done in a stumbling comedy manner spiing a line of girls.

'Fly and Fiddle,' a straight musical number written by and featuring the band's violinist, is next. It includes a neat toe dance routine in interpretive style by Melba Cortez. Next, on a blackened stage, Tucker presents his 'Lights' number. As the various instruments in the band play successively, colored lights form the shapes of musical notes of different sizes are illuminated and form constantly changing patterns in synchronization with the music. This number also is used to depict the different styles of music played by name bands. Considerable comedy is worked into the idea.

Blonde Baker more than holds her own in the next spot. She is tiny, has a small voice, but she has a selling personality. She was asked to do six numbers at show caught, and she still had to beg off at the finish. Carter and Holmes follow for five minutes of knockout comedy, and the show winds up with a band number.

Biz good Friday (7) at third show. Running time 49 minutes. Kelly.

KEITH'S, BOSTON

Boston, April 6.

Buck & Bubbles, Richards-Adrienne Dancers (3) & Kaptners, Vox & Walters, the Kitaros (3), Kampus Kapers (7), Eddie Rosenwald's house band; 'Gangs Din' (RKO) and Walt Disney Revue' (RKO).

Buck and Bubbles get a warm welcome after a few months' absence, and a well-balanced bill gives them action this week. The dusky duo retain most of the sunrise comedy dialog, and some of the comic tinkling and piano playing that always clicks; and they've replaced the vocals heard on their last visit by more current tunes. The business surrounding them is practically the same, except for Bubbles's presentation of 'Ain't Necessarily So.'

Richards-Adrienne Dancers follow, closing the show. Girls' routining is poor, their first ballroom number, though well executed, being a letdown in tempo. Them, too, the solo tapping of Doris Dupont, as a specialty in this act, is that of a girl not experienced than her immediate predecessors on the program.

Closing number, an adagio with the two male partners tossing Adrienne and a sequin-covered disc, is the highlight of the show. Some of the moves and catches, complicated by a loose disc which is caught by one of the dancers, are startling and call for extremety careful work.

Kitaros, Oriental risley artists, open with their usual clean-cut delivery and precision acrobatics. The drop by the top man from three boxes to the feet of the upside-down ground man is a thriller.

Vox and Walters present a routine now familiar with the regulars and register well with their blend of ventriloquism. A drinking bit by Vox and the baby-crying specialty by Miss Walters are still good. Some of the chatter is not.

Kampus Kapers, an harmonica band of four, with Stubby Kaye as leader, fill the deuce adequately. Kaye does okay with impersonations of screen celebrities woven into his vocal of 'First Affair.' The four boys, alone, please with a gypsy air. 'Who Cares?' duetted by the Rose Sisters, practically keynotes the response to their efforts. Fox.

B'WAY CAPITOL, DET.

Detroit, April 7.

Barry Mirkin, Five Jives, Edith Rutherford, Quinn Sisters (2), Henry Janis, Ruth Rice, Bryce Sherry, Three Marionettes, Three Rhythmettes, John Stanton, Joyce Bennett, Three Chords, house band 'Cowboy and Lady' (Par) (3d run).

This 2,500-seat spot, which several years ago had a first-run vaudfilm policy, is currently harboring its first flash in many years as an experiment of the United Detroit theatres chain (Par), which recently revived vaude in several of its keynabes as a biz booster. What Major Bowes' 'World's Fair Revue' does for this spot will determine the future course for the UD circuit.

Latter chain formerly ran stage shows in the Michigan, another of its four downtown houses, but dropped idea last summer in face of brutal biz. While effects of current flesh at Broadway-Capitol are not apt to influence resumption of vaude in the Michigan, nevertheless it will decide future course for flesh at the Capitol.

Opening night (Good Friday) naturally is a poor test for current lineup, but the Major Bowes unit appears better than his one-time predecessors. It's chuck full of talent (12 acts in all), but only a few are better than the average, notably the Three Rhythmettes, femme songbirds who have cuteness plus okay pipes as assets; Quinn Sisters (2), who turn in a nice skiprope and tap number; and Bryce Sherry, whose nice appearance adds to his warbling.

Show flows fairly smooth, with house band (10 piece) situated on stage and directed by Barry Mirkin, who also m.c.'s in acceptable, though not exceptional, manner. It's behered somewhat, however, by lack of scenery.

Besides the three standout acts, there's also the Three Chords, who mimic all instruments, plus cymbals, etc., in a fairly good combo of pop tunes; Ruth Rice, an acrobatic hoofer; John Stanton, cowboy juggler and noise-maker; Five Jives, sepia harmonizers; Three Marionettes, directed by Charles Dasch, with puppets representing Mae Roosevelt, Eddie Cantor, et al; Henry Janis, above-average mimic, who takes off numerous other and film stars; Skeets Simmons, 'bobo' imitator of animal talk.

Fair attendance on early evening show Friday (7). Pete.

RIVERA, B'KLYN

Jack Denny's orch (12), Phil Regan, Dick Stone, Southern Sisters, Dick's Dotty Remy, Masters & Rollins, Shirley Rust; 'School for Husbands' (Ind).

With a buildup that he's been at the Casa Manana and Manhattan dollouers, Jack Denny has the drawing power to get 'em in. An added b.o. asset is Phil Regan, former Brooklynite, who unleashes a lengthy array of ballads. They bolster one of the most satisfying shows the house has had on its week-end name vaude policy.

Denny hasn't varied his routine much since he last played Loew's State on Broadway. Probably figures it as a winning formula, so why meddle. There's that 'Under the Sea' radio theme, and the ever-popular 'Sophisticated Swing.' He has slightly hoked up his imitation of leading bands, old and new-era, additions catching on nicely. Denny also has 'One o'Clock Jump' and 'Begin the Beguine.' Frank Stone is on for two songs, 'Penny Serenade' and 'I Have Eyes,' begging off because of bill's length.

Shirley Rust is doing her familiar speedy tapstering, but better than the last time here. Her finishing with those twirls on her tapping feet to near perfection.

Phil Regan offers virtually the same song lineup that he did recently at the Brooklyn Strand. Only new entry in ballading repertoire is 'Masquerade Is Over,' which he does okay. Included are his opener, 'I Cried for You,' and then down the line—'My Own,' 'Miss Make-Believe,' 'Wild Irish Rose,' 'That's How I Spell Ireland,' 'I'll My Fife' (from his latest film), and 'Thanks for Everything.'

Masters and Rollins, first attracting notice about a year ago in Brooklyn, have developed their turn into a real audience-pleaser. Not so much mugging, but more strong polish improved. For instance, male of mixed duo has built that slow-motion dance into a real specialty. Duo is well armed and limbed femme has a better sense of comedy timing, too. The professor, roughhouse tango remains a neat climax.

Dick and Dorothy Remy (New Acts) feature hand-balancing and acrobatics of circus type, with a touch of comedy. Southern Sisters (New Acts) seem to have the feelings of fairish turn, their unison stepping being best.

Biz near capacity at first show Saturday (7). Wear.

Nitery Notes

Mary Raye and Naldi, ballroom terpers, open at Ben Marden's Riviera, Fort Lee, N. J., May 4, when spot reopens for season. Others in inaugural show include Faith Bacon, Joe E. Lewis and the Chester Hale Girls.

Betty Berden and Play Boys moved from Town House, L. A., to Victor Hugo, Beverly Hills.

Blackstone booked for RKO time in Iowa, then follows with Great States dates through Illinois and Indiana. Calls it a season June 1.

Seger Ellis combo with Irene Taylor opened 22-day Netherland-Plaza hotel stay Monday (10).

ROXY, ATLANTA

Atlanta, April 6.

Gae Foster Roxyettes (16), Jim Penman, Jerome Kirk & the Claytons (3), Carol Bruce, Ben Blue & Co. (4), Mike Segal's house band (16); 'Gangs Din' (RKO) and 'Four' (RKO) and Four Walt Disney cartoons (RKO).

With emphasis on production, Roxy's Easter Week show rings the bell, with headliner Ben Blue and Roxyettes, prime favorites with local vaude devotees, closely pressed for top honors by personable Carol Bruce, warbler of pop tunes.

Easter motif is carried out in the overture, featuring Roxy's new organist, Richard Gordon, and Foy Harris, a singing usher billed as 'phantom voice.' Show starts with dimly lit cathedral setting, Roxyettes in Easter finery, including picture hats, behind scrim, seated on stage as Jim Penman, with Harris singing 'Lord's Prayer.'

Jim Penman, so-so juggler, is on next and had to beg for his applause. He keeps up a running fire of chatter that falls flat and resorts to blue stuff to get laughs. He was guilty of cons' stable muffing with balls at this clinking, but better with the clubs. Fair.

Jeanne Kirk and her two male partners, the Claytons, in a nitty fast-tap dance, follow after a line routine. One of the Claytons then does a solo acro dance, with the finish in the trio. Line then does a routine to an old pop medley. It's nicely worked out.

Carol Bruce, spotted next, is a looker and has a good voice. She sells her songs beginning with 'You Must Have Been a Beautiful Baby,' 'Begin the Beguine,' and encoring with 'Umbrella Man' and medley of George Gershwin tunes, going back, she offered 'Born to Swing' and finally had to beg off.

Ella Fitzgerald stints Ben Blue with an 'A-Tisket' parody. Blue gets laughs with some hoke card tricks and a few spoofing bits of dancing as leader of pit band in absence of Mike Segal, out temporarily with a flow-of-gab ailment. Blue also plays his standard taxi dancehall bit with blonde Betty Kean, assisted by Jimmy French. Duo also does through a comedy Russian dance and is then joined by Miss Kean and Eddie Hasbrouck in his burlesqued minuet. It scores.

Finale is fan dance routine by Roxyettes, seated on steps, with Foy Harris, offstage, doing vocals over p. a. system.

Show is clocked in 65 minutes and is well paced. There was half a house at this viewing, second of four on opening Thursday (6), presumably being obviously affected by Holy Week. Luce.

Nitery Reviews

Coconut Grove, N. Y.

(Continued from page 42)

the two singers are part of the band and Three Peppers are between dance set entertainers, should spell business for the spot.

What Osborne is offering, beside his danceable music, is essentially the same as the crowd-pleasing 'Ten Cents a Dance' show. Draws attention to his style via a tune tagged 'Listen to the Music of the Broken Bones.' Number spotlights instruments that are a cross between corrugated washboards, while leader explains their use.

Entertainment end leads off with Lyn Davis, female accordion piper. She's rare in that she combines a good voice and delivery with an extremely attractive appearance. Does 'My Heart Belong to Daddy' neatly and off. She's followed by madcap Richard 'Stinky' Rogers. He comes up with 'Hold Tight' and 'Dinah,' last done in various accents and capped by tribute of Hitler and Mussolini. Both vocalists elicit fine response.

Enrico and Novello are holdovers from the previous show. Their dance step work is the sort that never becomes outmoded. Routines haven't been changed. Femme hair has gone back from white to rose-colored costuming, which enhances and adds luster to her appearance. Three Peppers ah; fill in between band sets on piano, guitar and bass. They're neat diversion in the lulls.

Osborne's outfit, quiet as a rule, apparently fits into the dance scheme with customers. Proof of anything is in the test, and the band gets 'em onto the floor. It's an impressive outfit on the stand. The two vocalists also work in the dance sets, while also bring Osborne to the mike for okay vocalizing.

COLONY CLUB, CHI

Chicago, April 9.

Connie Boswell, Joe Mazzanares' orch, Lew Fidler's orch.

Colony club has just about cemented its relationship with the Chicago public and won itself a special niche in the Chi nitery field. It caters on a small and select audience who can afford the pretty stiff tariff, and has managed to prove to these people that they are getting value for their coin.

Sonny Goldstone and Nick Dean are operating the spot carefully and wisely. Their policy of using only a single name attraction as the entertainer has worked out well.

Currently Connie Boswell is the show. And she is. She holds the floor on her own, and does such a job that the audience lets her go reluctantly after she has sung some 30 minutes and should five on encores.

Miss Boswell's voice seems to get better each year, and her style and manner are such that make her a winner wherever and whenever caught. Unquestionably top as a seller of modern songs, she puts them over without overdone arrangements.

Manzanares' orchestra plays for dinner thumbs sessions, while Fidler's group tosses off the standard dancepation and also does a fine job of accompaniment for Miss Boswell. Gold.

Hotel Roosevelt, N. Y.

Frankie Masters Orchestra (12), Marion Frances.

This is the first time east for Frankie Masters, long a standard around Chicago, and the personable rhythmster—not swingy—should fare well in the polite hotel. He's at the Roosevelt only for a month, then Jack Lombardo's hiatus in theatres, latter coming back into the Roosevelt's grill in time for the World's Fair influx. This in itself, incidentally, is a departure. Masters then shifts to a Boston hostelry.

Maestro impresses well on his New York debut. For one thing his crew of 12 (four reeds, three brasses, etc.) is smooth yet dance-compelling. He has a nice touch of showmanship with a patented lighting system, a series of baby spots on the ceiling, as occasion warrants. The twin baby spots, alongside the mike, is a novelty. Band is of modest dimensions when compared to one wonders why not done before in that manner. Marion Frances uses these spots for her solo vocals; also Masters in specialties.

The band does concerted numbers like 'Hi Ho Boston,' in the course of which the 'bottles' illuminate via a unique flashlight system.

Band is of modest proportions that fits nicely into hotel rooms like the Roosevelt. The instrumentalists come forward for occasional specialties, Jay Matthews, trumpeter, particularly featuring a sweet horn. Abel.

Lausanne's B. O. Idea

Lausanne, April 1.

City fathers in this Swiss city are planning construction of a theatre containing two halls, one with a seating capacity of 1,200 and the other 2,800. To cost over $500,000. City presently has no large concert hall, and theatres are closed during the fall and spring, when tourist trade is high.

When completed grab would be made for such concerts as Paderewski, Toscanini, Bruno, Walter, etc.

Returns to Stockholm

Stockholm, April 2.

Gustav Wally, dancer, who was in Hollywood for a Paramount test, but secured no job, has returned to his native Stockholm, where he has put together his own revue at the Sodran.

He's son of Sweden's Rockefeller, Wallenberg, the banker.

NEW ACTS

ARTHUR TREACHER
With Jack Norton
Comedy
10 Mins.
Fox, Detroit

First apparent asset of Arthur Treacher, English butler from films, is his utter naturalness in initial venture before footlights. While his comedy patter with Jack Norton, playing 'drunk,' may stand some bolstering here and there, Treacher nevertheless has avoided the pitfalls of most film artists by not trying to do something he knows nothing about, and by not confining his stuff to Hollywood gossip.

As on the screen, Treacher is interrupted by Norton as the 'drunk' who rants about this and that, receiving barbs from Treacher who nevertheless remains the 'perfect valet.' While the 'drunk' angle may not be liked by the mothers whose children flocked to see Shirley Temple's 'Little Princess' on the current show at the Fox, it's toned down much more than ordinary.

Treacher's discourse on 'I'm a Refugee from the Cinema' gets over well enough, as does majority of his stuff. Some of patter is a bit dry while a little goes over the audience's head. Concludes about nine minutes of zippy chatter with a short rendition of some-nonsense ditty lifted for Shirley Temple in 'Princess.' Pete.

DORIS RHODES
Songs
6 Mins.; Mike
Strand, New York

Doris Rhodes' billing is 'the girl with the Deep Purple voice,' after the song hit of that name, since she is credited with having first extracted the basic strain from Peter de Rose's quite tuneful ultimately became the No. 1 song of the day. After she used it as a humming theme strand, on CBS sustaining series, a lyric was ultimately set to it.

Miss Rhodes is from vaude, having worked on vaud with her first husband, Sammy Cohen. She has a basically worthy style of song selling.

In person she reminds a bit of a younger Jane Baker. However, Miss Rhodes should train down some of that excess poundage although a rather fetching one she can further emphasizes that aspect.

She clicks well with a nicely assorted repertory of songs, including of course, 'Deep Purple.' She heats it up with 'Taint What You Do,' and 'My Heart Belongs to Daddy,' and opens with a nice arrangement of 'Umbrella Man.' In 'What You Do' she works in some nice comedy business with the Lombardos. Abel.

SOUTHERN SISTERS (2)
Dancing
9 Mins.
Rivers, Brooklyn

Two tall blondes have a standard high-kicking dance act that needs further polishing before it will mean much. Comely sisters work nicely together both in high limb tossing and soft shoe routine.

Pair returns wearing abbreviated garb for some tricky somersaults and arch tricks. Girls are attractive in both costumes. Turn needs smoother pacing. Neat for niteries. Wear.

DICK and DOTTY REMY
Acrobatic Novelty
7 Mins.
Rivers, Brooklyn

Youngish looking lad and fat femme vie for laurels in a series of hand-balancing and trick acrobatic stunts. Pair works like veterans, agility and vigorous splits and balancing of really hefty femme member being all the more remarkable because of her size and weight. The two don't appear entirely acclimated to vaudeville stage thus far, comic patter being extremely lame.

Male balancer uses a pair of roller skates for some of his flips onto his hands. It's a novelty that could be further developed. He does a dance on his hands that also indicates future possibilities. Team has a wealth of material which needs further grooming. Switch in wardrobe also possibly would help. Combo looms as night club bet. Wear.

SUNNY SCHUYLER
With Vincent Lopez Orch
Songs
5 Mins.
Bus, Hartford

This lad was formerly with Abe Lyman and Paul Whiteman on the Chesterfield hour. A tenor, he has a nice range. Pulls on a nice mike front and has an easy, going stage appearance, an indication that he's been around.

At show caught he was making his first appearance with the Vincent Lopez orch. Sings only ballads, and these to good returns. Eck.

GENE SHELDON (1)
Pantomime
8 Minutes
Strand, New York

Gene Sheldon must have been associated with the New Act Blue. He's a deadpan, constantly-amazed pantomimist, reminding of Buster Keaton, whose forte is pantomiming, but who gets even better results with the comedy afterpiece. Therefore an unbilled femme foil assists in a bit.

The guitar warmup business is overdone in the forepart, until he gets into his socko instrumentalization. The denouement is obvious, and he could cut it a minute or two to advantage. The business with the drummer—bumps, gestures, etc.—seems the comedy mainstay.

He's a nice interlude. Abel.

BARE and ESTES
Comedy, Dancing
8 Mins.
Paramount, N. Y.

Blending pantomime and comedy dancing, Bare and Estes shape up as a very bright lineup. The business with the drummer—bumps, gestures, etc.—seems the comedy mainstay.

He's a nice interlude. Abel.

The band does concerted numbers like 'Hi Ho Boston,' in the course of which the 'bottles' illuminate via a unique flashlight system.

Band is of modest proportions that fits nicely into hotel rooms like the Roosevelt. The instrumentalists come forward for occasional specialties, Jay Matthews, trumpeter, particularly featuring a sweet horn. Abel.

ONE-NIGHTERS' COMEBACK

Lunt-Fontanne Give Memphis a Mild Shock; Alleged Spice in 'Idiot' Play

As result of the furore over their recent appearance here in 'Idiot's Delight,' Alfred Lunt and Lynn Fontanne will probably never play Memphis. Pair are burned at statements that Lunt 'inserted extremely vile language' into the Robert E. Sherwood play during Memphis performance. They are also irate at the local censor board's announcement that in future they must submit scripts of their shows for approval prior to performance.

It is considered significant that on their current nationwide tour, the Lunts skipped Omaha, where they ran into censorship complications last season. In that case the mayor banned 'Idiot's Delight' on the ground that the play contained a derogatory reference to the city. He later rescinded his order and the show was given according to schedule, but the stars were indignant at the hubbub. Theatre Guild also objected to the extra expense involved in moving the production out of the theatre and back again when the mayor's ruling was reversed.

The Lunts never made any public statement about the matter, but that incident is understood to be the reason they avoided Omaha in booking their current tour. Similarly, although they have made no announcement, it is considered unlikely that they will ever again accept engagements in Memphis. Whether they will again play Philadelphia, where State Senator George Woodward last fall raised a public clamor against 'Amphitryon' as an indecent show, is another matter. In addition to being a regular Theatre Guild subscription city, Philadelphia is one of the key road dates, normally good for at least two weeks of hefty grosses.

According to Col. Lloyd T. Binford, chairman of the Memphis censor board, 'that fellow Lunt substituted a lot of things in the night performance that he didn't use at all in the afternoon when he knew Charlie McElravy (house manager of

(Continued on page 51)

Jennings Appears Set For More U. S. Activity With Lyceum Takeover

Acquisition of the Lyceum, N. Y., indicates that Victor Payne-Jennings will devote considerable time to show activities on this side, despite his London theatre interests. Deal for the theatre, which was about to be taken over by the Bowery Savings bank through foreclosure, is a provisional leasehold. Jennings has until Aug. 1 to exercise an option to rent the Lyceum for three years.

Occupancy of the house may depend on the presentation of 'The Mother,' a drama by Karel Capek, which is due to debut April 25. Show is current in London and is the second import offered by Jennings this spring, he having opened 'The Flashing Stream,' with an all-English cast, at the Biltmore Monday (10). Understood that if the 'Mother' engagement is curtailed, manager has the right to terminate the rental.

Jennings is interested in the operation of five London theatres in association with Charles Killick. They also conduct a modified subscription system, which affords members the privilege of buying tickets at each of the houses at reduced rates. Jennings' first Broadway venture was 'Whiteoaks,' with Ethel Barrymore, which played the Hudson last season and which is having one of the longest tours currently.

Should the Lyceum be retained for three years, a sliding scale calls for a total rental of $96,000 during that period. Fixed charges are around $24,000 annually. Charles Stewart, general manager for Jennings, will handle the house. James Troup will be back with the show, with Arthur Wright and David Stewart in the boxoffice.

Group Must Pay Extras

Extras rehearsing in the Group Theatre's productions of 'The Quiet City' and 'My Heart's in the Highlands' must be paid rehearsal money for both shows. That ruling was made yesterday (Tuesday) by the Equity council.

Group had asked permission to pay such walk-ons at the single rehearsal rate of $15 weekly, on the ground that the outfit is a repertory company. Equity's council denied the repertory plea, ruling that the players involved must be paid $30 a week. About half a dozen extras are involved.

EQUITY MAY LEASE FAIR TO AFA

After apparently having failed in its regulations concerning salaries and working conditions at the New York World's Fair, it is indicated that Equity will hardly seek more attractions than currently under its jurisdiction. Fair committee handled with the American Federation of Actors last week in the hope that some conformity in the rules of both would be worked out.

It was quickly perceived that the divergence is so wide that there could be no such result and the session was promptly terminated. Observers are of the opinion that while AFA's working conditions were framed with the idea of having as many members in Fair jobs as possible, Equity's rules tended to discourage the activities of concessionaires and exhibitors by imposing a limit on working hours and upping the minimum wage.

AFA places a limit of 12 hours daily on its vaudeville, specialty and night club people with jobs at the Fair, a total of 84 hours weekly. Equity sets a maximum of 44 hours weekly for rank and file people and requires time and one half for any additional hours. It also calls for a six-day week, whereas AFA members are on a seven-day basis. Equity proceeded along the lines of trying to get as much possible for its members, who will constitute a minority of professionals at the Fair. Committee was for demanding a high minimum, compromising figure of $50 weekly being fixed. AFA's minimum is $40.

Last week a petition was circulated, idea being for Equity to call a special meeting for the purpose of readjusting the Fair situation. When the requisite number of names was secured, the petition was presented to Equity. When the latter asked some signers what their intentions were, they replied they had affixed their names without knowing what it was all about. Whether the petitioners aim to make additional demands, or to make the regulations more attractive to concessionaires, was not made clear.

Equity people said the meeting, if held, could hardly upset agreements already entered into with Fair exhibitors, latter having signed agreements and posted salary guarantee money.

Kane, of Century, Steering Pinker-Morrison Agency

Tom Kane, of the Century Play Co., is in temporary charge of handling of affairs of clients of the Pinker & Morrison Agency. Kane has not actually taken over full representation, but is acting as a sort of trustee, pending outcome of Eric S. Pinker's difficulties, due to embezzlement charges.

Some agents and playwrights are reported still trying to work out some method of self-regulation.

QUICKIE SPOTS SEEKING SHOWS

Mostly Picture Houses Now, but Willing to Play Lighter Dramas for Change of Pace—Advance Men Report Plentitude of One, Two and Three-Day Stop-overs If Terms Are Right

BIG '40 ROAD

Advance men back from the road report that one, two and even three-day stands, which were supposed to have been largely eliminated, are again available, provided the right type and attraction is offered and the terms equitable. They assert that local showmen in any number of spots between the east coast and the Mississippi basin welcome stage shows now and then.

Nearly all the houses where bookings can be made have a picture policy, hinterland managers conceding their willingness to play occasional stage attractions to provide a change of pace. Not acceptable, however, are dramas on serious subjects. The intellectual plays which do well on Broadway are generally nixed out of town. When one of the more lively plays was suggested recently, a manager in a one-nighter readily agreed to book it, while another in a town some distance away stated he would guarantee the show three nights.

Matter of terms, however, was frequently brought up as a deterrant by the out-of-towners. It's indicated that an independent booker might be necessary to work out a route with such managers. Latter are alleged to have expressed dissatisfaction over the terms offered by the United Booking Office and it has been suggested that the latter be approached to make special provisions for the stands.

Objects to 5% Booking Fee

Small standers say they are willing to go for the extra expense of housing a stage show and take a chance of losing on the dates, as a gesture of compliance to the wishes

(Continued on page 52)

TMAT to Ask Wage Tilts for B.O. Men, Also House and Co. Managers

Material salary increases will be asked from managers for at least groups of members in the Theatrical Managers, Agents and Treasurers union. This was revealed at a powwow between committees of the League of New York Theatres and TMAT last week. It was also indicated that changes sought in the present basic agreement, which expires August 31, are being steered upon advice from the International Alliance of Stage Employees, the stagehands' organization. Hinted that TMAT will be virtually absorbed by IATSE on an autonomous basis, which was planned two years ago.

Principally concerned with the pay tilts are the boxoffice people, currently paid $75 for treasurers and $50 for assistants. Former want $90 and latter $65. There are around 350 b.o. members in the union, which has 745 paid-up members, so that the ticket group is the largest in TMAT, although having the lowest minimum pay. Understood that about a dozen treasurers are paid over the scale, only a few because of ability, the others because being related to producers.

Claimed that the b.o. pay is not a tickable wage, especially because emoluments, such as 'ice' from agencies, is supposed to no longer be a perquisite of the boxoffices. Matter of date weeks was considered by the TMAT board, which did not no suggestions that treasurers be guaranteed a fixed number of weeks per season. Proposals to set that figure at 30 weeks was voted down.

Press agents, who are the highest paid members under the agreement ($150 weekly minimum), will not ask for more coin, but house managers want $125, or $25 more than at present, while company managers will ask for $150 when on tour. Plan to merge the so-called Broadway p.a.s and the road agents appears to have undergone a change through the week, and latest reports have it that the idea is cold.

Known that TMAT and IATSE have been having friendly contacts for some time, two unions formerly being aloof over procedure used when the basic agreement was being effected. TMAT, not having gotten to first base with the World's Fair management, is expected to look for support from IA and other American Federation of Labor affiliates, and its plans to picket the Fair may depend on what these organizations have to say about the situation.

Explain Assessment

Explanation of TMAT's one percent salary assessment from working members is the operating nut, but it is stated the assessment will not extend beyond June 1. Monthly cost is $2,800, of which $1,600 goes for

(Continued on page 50)

Stagehands, TMAT at Odds With Equity on Sundays; Claim Actors' Org Is Stymieing Sabbath Shows

Camera's White Lie

Jimmy Durante is sort of dressed up in 'Stars in Your Eyes,' Majestic, N. Y., but nothing compared to the Easter outfit which he sported for a color picture with Ethel Merman, rotoed in last Sunday's (9) Daily News. In topper, tails, striped pants and spats, the Schnozzle appeared to be very Robert Taylor.

Friends insist it's an optical illusion.

HOLMES WOULD AGAIN TOUR 'RIGHT'

Plans to send 'I'd Rather Be Right' to the road again are being considered, with Taylor Holmes playing the George M. Cohan part. Former is known to have the required backing, matter of terms apparently being the main factor in holding up the tour. Understood that Sam H. Harris, together with George S. Kaufman and Moss Hart, who authored the book and have a percentage of the show, sought 50% of the profits. Holmes countered with an offer of 33 1/3%, plus $500 weekly regardless of what the earnings would be.

Those interested believe that 'Right,' with Holmes, would prove an excellent draw, particularly west of the Mississippi. In recent seasons he toured the territory successfully and is rated one of the best known stage comedians there. 'Right' is figured for San Francisco during the exposition and one or more backers are said to be Coast showmen.

Sunday performances in legit shows on Broadway struck an unexpected snag when union people met with the managers, as represented by the League of New York Theatres, to talk it over. Responsibility for the failure of Sundays to materialize was placed directly at Equity's door. The musicians readily agreed to go along with Equity if the latter's membership voted for Sabbath shows without extra pay during the World's Fair, but the stage hands were anything but pliable about the issue and the Theatrical Managers, Agents and Treasurers elected to ride along with the deckhands.

Not only did the stagehands question Equity's right to dictate on the matter of Sundays, but they came out for an actual seven-day week, aiming to knock out the restriction requiring one day off in every seven. It was virtually admitted that the six-day clause in New York's law was inspired by Equity, which later invoked the double-pay rule, which made the statute practically valueless.

There is no doubt about the other unions opposing the position assumed by Equity on the issue. Pointed out that Equity members are working Sundays in other engagements other than legit without Equity interference. It was also declared that some stage attractions have in effect dodged the one-day-off provision, and it is believed that no objection would be made if seven days were played.

Equity's delay in sending out the Sunday referendum was also criticized, its idea of waiting to see what the other stage unions thought about is being derided. Tuesday (12) Equity said no referendum until the attitude of the others is definitely established.

(Continued on page 52)

Sam Bloom Going To Jail This Week On Ticket Tax Raps

Appeals for clemency having failed, Sam Bloom, of the Leo Newman ticket agency, enters the federal House of Detention, New York, Thursday (13) to start serving four months for admission ticket irregularities, for which he and Phil Guyran were convicted and also fined. Court suspended sentences be alternated and Bloom decided to go first. With five days monthly allowed for good conduct, Bloom would be freed the last week in July, at which time Guyran will take the rap.

After the appeal was denied, a motion was made to Judge John C. Knox to suspend the sentences, court refusing with the comment: 'Were this application to be granted, it were well that the prosecution of the defendants had never begun... the Government would have been spared the expense to which it was put in overcoming the defense... which in my judgment was without the shadow of validity...the repentance and remorse with which the defendants now say they are bowed down are of the same quality as their protestations of honesty upon the trial—false in fact and fraudulent in intent.'

Court also remarked that the money they expended in defense might have better been applied to the sum claimed by the Government, part of which is said to have been paid. Something like $2,000 was figured withheld, both men being fined that sum, plus a fine of $2,500 against the agency. Ticket men insist the claim is based on pyramided tax called for in the statute, legality of which provision has not been ruled on by the higher courts.

Dilemma Facing '2-a-Day' Players; 'Swing Mikado' Commersh Deal On

Hollywood, April 11.

Whether to stick with Federal Theatre's 'Two-a-Day,' current at the Hollywood Playhouse, in the hope that the vaudeville circuits will be transferred to San Francisco for an engagement at Treasure Island early in May, or to abide by contracts entered into some weeks ago to work for J. J. Shubert on the Island, is worrying the bulk of 13 people pacted for Shubert by Jack Laughlin.

Laughlin, at the behest of Shubert, placed 10 professional acts in 'Two-a-Day' under year contracts, guaranteeing each 20 weeks minimum employment during the year with Opera Festival Co., a Shubert production corporation. Contracts carry customary option renewals, in several instances running up to five years. Salaries offered ranged from more than double the FTP stipend up to several hundred dollars each week.

Last week execs of FTP approached members of the Hollywood Playhouse cast, advising them they would have to determine immediately if they would stick for the Frisco expo begring, otherwise necessary substitutions would have to be made.

Position of several of those holding Shubert contracts is that if sticking with FTP they will be assured of their monthly stipend of $24 weekly, while if going with Shubert they have no assurance of work beyond the 20-week minimum.

Whether FTP will send 'Two-a-Day' north is problematical. Coin for transportation of the production and actors is still not forthcoming from Washington, and unless funds are raised by Congress, with additional appropriations, trick will fold here.

Shubert contracts become operative May 15, allowing producer four full weeks after this in which to start rehearsals of his proposed revue for the Golden Gate Exposition.

May Sell 'Swing Mikado'

The WPA theatre project in New York is considering turning over 'The Swing Mikado,' at the New Yorker, for commercial operation, it being proposed to tour the colored cast, jazzed version of the Gilbert and Sullivan operetta, when and if terminate the conflict with the 'Hot Mikado,' presented at the Broadhurst by Michael Todd. Todd, Erik Charrell and Ulrick & Ericson, latter of Chicago, are stated to have made offers. All were mentioned previously as having sought 'buying' the attraction.

WPA appears to have changed its attitude once again as regards 'Mikado.' Several times from Washington it was announced that a commercial deal would be consummated, only to result in a final decision to bring the show from Chicago to Broadway under relief auspices. Understood that criticism in Congress over WPA opposing a commercial attraction resulted in the order to accept a bona-fide offer.

It appears to be a squeeze manouver which may eliminate the relieffer from the metropolis. Under the law people on relief must accept private employment if the pay is higher than in WPA. Should the show go commercial, the minimum salary for principals would be $40 weekly, as against the WPA wage of around $21.

Colored players in the WPA version will be placed in a peculiar position should the managerial offers go through. Because the show originated in Chicago, they are allowed $3 daily sustenance pay. That, with the security wage, is more than $40 per week. If they refuse the switch to commercial management, they will be dropped from the WPA rolls.

WPA states that should the show go on a commercial basis, the manager will have to guarantee certain assurances, including the minimum number of weeks he will work the operated. WPA cannot sell the settings nor costumes to a manager, it is said, so a new production would be necessary.

Plays on Broadway

The Flashing Stream

Drama in three acts by Charles Morgan; presented by Victor Payne-Jennings; stars Godfrey Tearle, Margaret Rawlings; features Leslie Banks, Aylmer Vance; staged by Peter Cromwell; at the Biltmore, N. Y., April 10, '39; $3.85 top.

Commander Henry Carr.....Leo Genn
Carpenter Dennison.....Ernest Thesiger
Lieut.-Com. Dorsing, R.N.....Anthony Ireland
Com. Edward Ferrers.....Godfrey Tearle
Commander Lucas.....Laurier Lister
Lady Helston.....Patricia Godfrey
Rear-Admiral Halstan.....Patrick Curran
The Rt. Hon. Harrowby.....Felix Aylmer
Karen Helston.....Margaret Rawlings
Capt. Winter.....George Cross

Brought over from London intact, this drama was favorably received in Canadian theatres, but that it will achieve similar attention on Broadway is doubtful. Limited engagement probable.

Appearance of Godfrey Tearle and Margaret Rawlings, who are costarred, gives interesting two-handed drama though the latter is technically timely. Tearle impressed opening night as best in performances among a very good cast. His remarkable resemblance to President Roosevelt was noticed by most first nighters.

Locale is within an old fortress on an island in the Atlantic where the staff of officers assigned by the British Admiralty is working out the problems of making the new deep-sea bombing planes. Mathematics largely figured, according to Charles Morgan, the London author-critic who wrote this play. The terms employed are understandable but there are times when the play isn't clear in intention. The romance element is somewhat muddled, too. First two acts are too quiet, although the first part of the second did get favorable reaction. Some of the best writing is in the final session.

Commander Edward Ferrers has been working on a formula that approaches the solution but he is hindered when his collaborator dies. Latter's sister, Karen Selby, described as one of the best mathematicians, arrives on the island to take his place. After some objection to her being within the post, she joins the staff and is quartered with Lady Helston, catty wife of the rear admiral, who is somewhat infatuated with a lieutenant, but thereafter Karen is definitely in love with Ferrers. Lady Helston also is attracted by same sentiment which explains their antipathy to each other.

The admiral gets cold the jitters because of the considerable time used in the experiments and a test of aerial torpedoes, called kamikazes, is rushed ahead. It's described how the scorpions, controlled by wireless, follow a bomber, which has already pushed ahead. It's described how the scorpions, controlled by wireless, follow a bomber, which has already pushed ahead. It's described how the torpedoes. A plane and three men are sacrificed in the demonstration.

Air investigation follows. Evidence is that the detonators in the scorpions were improperly placed. Only the reason is asked of Ferrers. If he admits an error in calculation, the experiments will continue. That he refuses to concede and in the third act the party packs up to depart. Head of the admiralty comes to the island, however, and despite protest from the officers, declares he will pigeon-hole an adverse report and permit the experiment to continue. Karen is disappointed to find no error in Ferrer's figuring. Actually, she lies because of her adoration for Ferrers.

Tearle is a commanding figure. His middle age does not prevent the romance with the youthful-looking Miss Rawlings seeming unusual. Towards the close, when his mind wavers, there may be some question of performance but it is probably plausible enough. Miss Rawlings has been seen to better advantage in the U. S.

Felix Aylmer draws next honors as 'lord of the admiralty' and Anthony Ireland makes the lieutenant a fine lad, likable chap. Others help make 'The Flashing Stream' interesting in some ways. Yet its chances are indefinite. Ibee.

Sunday Night Varieties

(BARBIZON-PLAZA, N. Y.)

The staid, conservative and plush-lined Barbizon-Plaza hotel, must have had a case of capitalistic jitters Sunday night (9) when the proletarian 'Sunday Night Varieties' got through with the so-called upper strata. 'Varieties,' whose future is uncertain because of rather nebulous bankrolling, is a sock addition to the meager Sunday night offerings in Gotham. A bunch of ams who got at it like veterans, and some excellent lyrics and sketches by Samuel Locke, Sylvia John, Jerry Latouche and David Gregory are the main reasons for the excellent impression. Admish is $1.

Compared to 'Pins and Needles,' which set the precedent in revues of 'socially conscious' variety, this stack up well with its predecessor in every department but the music.

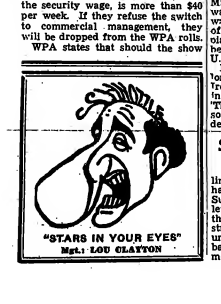
Best of the 23 sketches presented Sunday night was Alexis Rotov's 'Waltz,' a hilarious study of a Nazi officer learning the Viennese waltz. Choreography, by Rotov, was excellent in 'Waltz,' along with the other dances which he conceived and executed. Also 'Bolero,' with a programmed apology to Maurice Ravel, is a swell burlesque. He's assisted in this one by Adele Jerome and Dolores Irwin.

Sharing top honors with Rotov, a film prospect, incidentally, was Danny Kaye, an excellent comedian. A takeoff on cafe society, 'Blase,' main-tained pace, with Kaye, Clarice Vermonte, Mervyn Nelson and Peggy Craven taking part. Latouche did the excellent lyrics.

Neville Chamberlain gets taken for a ride in 'Down on Downing Street,' provided by Sylvia Fine, in which Kaye plays the prime minister. I.L.G.W.U. 'lampoons' the Ladies Garment Workers Union and 'Pins and Needles.'

Nelson and Sherie Hartt are a couple of 'killers' in 'Who Killed Vaudeville,' another laugh bit, in which they play a series of vaude acts. 'Cock Robin,' also by Miss Fine, is well done by Kaye.

Nat Lichtman designed and directed 'Varieties' well, despite the rather cramped quarters of the Barbizon's stage. Adele Jerome handled the ensembles.



"STARS IN YOUR EYES"
Mgt.: LOU CLAYTON

Jersey Spots Active

Newark, April 11.

David Rogers, manager of the Maplewood, Maplewood, N. J., announces an ambitious program for the reopening of his playhouse after two weeks' darkness. Current attraction is 'Little Women,' with Jean Muir and Owen Davis, Jr.; next week, 'The Torch Bearers,' with Alison Skipworth, and the following week, Phillip Merivale in 'Call It a Day.' Other shows scheduled are 'Ten Tors,' 'The Guardsman' and 'Ah, Wilderness' with Fred Stone. Tony Bundsmann is director.

The Montclair, Montclair, N. J., started a season this week after a couple of years' darkness with Somerset Maugham's 'The Circle,' featuring Rosalind Ivan, Helen Craig, Grandon Rhodes and Alexander Campbell. House is under the management of J. Ellis Kirkham.

Other attractions booked are 'Mrs. Moonlight,' with Dorothy Burgess, and 'The Depression's Over,' by Jay Alden, said to be Kirkham himself.

List Few Legits As Having Big Incomes in '37

Surprise was expressed when individual Federal income tax return figures for higher bracketed people for 1937, which were published last week, included very few legit names either from the stage or managerial ranks. Only one production name was discovered. That is partially explained by the fact that the figures given are salaries reported by companies or corporations, rather than profits earned by the controllers or owners. Showmen who were reputed to have had highly successful attractions in

Only 2 Shows in Chicago, Both OK; 'Angel' Registers $22,000; 'Life' 7½G

Chicago, April 11.

Holy Week kept to its tradition last week checked the two shows that kept lighted, 'I Married an Angel' and 'Life,' to some extent. However, the week was profitable by far.

George Abbott presentation, at the Erlanger, has caught on during the past couple of weeks on added exploitation and tieups, especially with high schools and parties. Comedy has now extended date until April 22.

'Angel' is now in its final fortnight at the Grand, quitting April 22 to be followed April 24 by 'Knickerbocker Holiday,' with Walter Houston. On the same night Gertrude Lawrence returns for her second appearance this season, this time, with 'Skylark.' Previous stay, with 'Susan and God,' was an early season smash at the Harris.

Tonight (Tuesday), the Federal Theatre Project starts a new Shakespearean series with 'Othello,' at the Blackstone, to be followed by 'Hamlet.' Ian Keith is getting the billing. FTP continues with 'Big Blow' at the Great Northern. Show is doing only fairly well.

Estimates for Last Week

'I Married an Angel,' Grand (5th-week) (1,300; $3.30). Held to $22,000, same pace as last week, good for Holy Week.

'Life,' Erlanger (5th Week) (1,400; $1.65). Okay $7,500.

WPA

'Big Blow,' Great Northern.

'Othello,' Blackstone. Opens tonight (Tuesday) and indicates coin possibilities on Ian Keith name.

Lunt-Fontanne

(Continued from page 49)

the city-owned Auditorium, where two shows played) was listening. Binford explained he didn't see the performance because he doesn't 'care much about stage plays nowadays' and therefore didn't 'know exactly what they did.' He added that he had been informed of the obscenity by a number of sources. McElravy later explained that he had not heard of 'one single complaint, except from one member of the censor board, who did not see the show.'

Admits Stronger at Night

When informed of the censor board's criticism, Lunt acknowledged that he had used stronger language in the evening show than in the matinee performance. He explained that he has always done so since the first few days of the play's original run in New York. He did so simply because several of the lines appeared to shock certain femme playgoers, who usually predominate at matinees, he said. At evening shows, with less sensitive audiences present, he has invariably used Sherwood's original lines. In any case, he explained, the changes were inconsequential and he was in no sense 'inserting vile language' into the play.

It was revealed that when 'Idiot's Delight' was first announced for Memphis, certain local performers had objected to the play's title because of the script; reference to the Divinity in that connection. At that time one of the members of the company facetiously suggested that the show be billed 'The Rover Boys in the Alps' for the Memphis engagement. Another wag remarked that in view of all the uproar caused around the country by 'Idiot's Delight' and 'Amphitryon,' the Lunts should in future take out a repertory of such shows as 'East Lynne' and 'Way Down East.'

Mex Promoter Attached

Mexico City, April 11.

Offices here and goods of the International Entertainment Co. headed by Sam Spiegel, promoter of the Mexican revue, 'Upa y Upa,' which closed here recently after four presentations,—have been embargoed—by the federal conciliation board to assure payment of salaries to employees engaged in producing the revue.

Show was presented under government auspices.

Revue from over the border called 'Mexicana' arrived in New York Sunday (9) and is booked into the 46th St., N. Y., next week.

Shows in Rehearsal

'Our Town' (Road)—Wee & McCoy.

'Wuthering Heights'—Henderson & Young.

'The Brown Danube'—Bonfils & Sommes.

'The Mother'—Victor Payne-Jennings.

'The Quiet City'—Group.

PITT SHOWLESS IN TWO TOP B. O. WKS.

Pittsburgh, April 11.

Two provably biggest weeks for legit biz in this burg are those during which Thanksgiving and Easter fall. And for the first time in longer than the oldest resident can remember, the Nixon this season has been without an attraction during either of those stanzas.

Spot had nothing on Turkey day and is dark currently due to the cancellation a fortnight ago of 'Five Kings.' The United Booking Office has come in for some blasts from the newspapers, all three of which have continuously been solid backers for legit locally. The failure to provide Pittsburgh with shows also drew a strong protest last week from one of the local drama eds airing a regular column over the ether.

Nixon will be dark for three weeks in a row, reopening April 24 with Lunts in 'Sea Gull' and 'Idiot's Delight.' It closes its season the following week with the annual Pitt Cup and Gown musical, 'At Your Service.'

Philly Without a Show; 'Angel' Comes in May 8

Philadelphia, April 11.

Philadelphia saw pass yesterday the first Easter Monday in memory in which there hasn't been at least one legit house open here. Letdown, which has gripped the city for the past couple of weeks looks set to continue, too, for at least another month. Only booking for the remainder of the season is the Dwight Deere Wiman musical, 'I Married an Angel,' slated for three weeks, beginning May 8. It has been booked here several times and just as frequently cancelled, so playgoers have their fingers crossed. It's set to close Saturday, April 22, and comes here by way of Detroit and Washington.

A prospect is Maurice Evans' uncut 'Hamlet,' which is in Boston this week and is reputed to have no bookings beyond this month. Another possibility is John Barrymore in 'My Dear Children,' for which the Shubert office here has been angling. Yiddish theatre winds up this week at the Walnut with 'Round the Family.' Revue of the Theatre Arts Committee of N. Y. is set for one appearance at the Academy of Music April 28.

Skinner, Evans, Landi Shows Open in Boston

Boston, April 11.

Nothing in town last week, but yesterday (Monday) brought in three shows: Cornelia Otis Skinner in 'Candida'; Maurice Evans in 'Hamlet' and King Richard IV' (repertory), and Elissa Landi in 'Lady Has a Heart.'

WPA opens 'Pinocchio' tonight (Tuesday) 'The Women,' at 31st top, enters Opera House April 17, the same night the D'Oyly Carte Co. comes to the Colonial for a month.

Sherwood Sailing

Robert E. Sherwood, president of the Dramatists Guild, sails April 21 for London, where he will set up a representative for the organization.

Playwright will remain in London, where he has a home, until July, when he goes to the Coast for the RKO production of his play, 'Abe Lincoln in Illinois.' He has virtually completed the screenplay. He will probably finish his next play, an untitled romantic comedy with a democratic theme, during his English sojourn.

Current Road Shows

(Week of April 10)

'Candida' (Cornelia Otis Skinner)—Colonial, Boston.

D'Oyly Carte Opera — Shubert, New Haven.

'Hamlet' and **'Henry IV'** (Maurice Evans)—Shubert, Boston.

'I Married an Angel' (Dennis King-Vera Zorina)—Grand, Chicago.

'Kiss the Boys Goodbye'—American, St. Louis.

'Kiss the Boys Goodbye'—Majestic, Ft. Worth (10); Orpheum, Waco (11); Paramount, Austin (12); Music Hall, Houston (13-14); Texas, San Antonio (15).

'Knickerbocker Holiday' (Walter Huston)—Cass, Detroit.

'Lady Has a Heart' (Elissa Landi)—Plymouth, Boston.

'Little Women' (Jean Muir)—Maplewood, Maplewood, N. J.

Lunt-Fontanne—Taft Auditorium, Cincinnati.

'Mother' (Alla Nazimova)—Lyric, Richmond (14-15).

'My Dear Children' (John Barrymore)—Erlanger, Buffalo (10-12); Victory, Dayton (13); Hartman, Columbus (14-15).

'Our Town' (Frank Craven)—Biltmore, Los Angeles.

'Skylark' (Gertrude Lawrence)—National, Washington.

'Tobacco Road' — Davidson, Milwaukee (9-15).

'What a Life'—Erlanger, Chicago.

'Whiteoaks' (Ethel Barrymore)—Mayfair, Portland, Ore. (10-12); Metropolitan, Seattle (13-15).

'Women' — Royal Alexandra, Toronto.

CORNELL SHOW BIG $18,500 IN 3 STANDS

Cincinnati, April 11.

'No Time for Comedy,' starring Katharine Cornell, did smash in three cities last week, totalling $18,500 in Louisville, Cincinnati and Columbus, O., tryouts.

In its Louisville one-nighter (Monday) the S. N. Behrman play, in which Miss Cornell and the Playwrights Co. are managerially associated, did slightly more than $3,600. Three performances at the 2,500-seat Taft here, at $2.83 top, contributed $6,408, below expectations. Four Columbus shows did $8,500.

Currently at the Taft here are Alfred Lunt and Lynn Fontanne, presenting in repertory 'Idiot's Delight,' 'Amphitryon' and 'The Sea Gull.' Legit concludes in Cincy, April 22, when Walter Huston, starring in 'Knickerbocker Holiday,' ends a three-day booking.

D'Oyly Carte Smash $27,000 in Wash. Week

Washington, April 11.

Cherry Blossom crowds, plus fact that offerings were ideal to catch school kids who were free last three days, blasted the Holy Week bugaboo here completely last week, and carried D'Oyly Carte Opera Co.'s annual stop in the Capital to a very satisfactory figure.

Current is Gertrude Lawrence, in 'Skylark,' with Nazimova,' in 'The Mother,' set to follow April 17.

Estimate for Last Week

D'Oyly Carte Opera Co. National (1,698; $3.30 top). Upset Holy Week tradition with approximately $27,000.

'Whiteoaks' Quits Frisco After 2 Wks.; Finale OK 8

San Francisco, April 11.

Ethel Barrymore's 'Whiteoaks' closed a two-week profitable engagement at the Geary Saturday (8). Unusually warm weather, coupled with Holy Week letdown, hit biz all over. Whiteoaks' b.o. was under expectations.

'Run Lil' Chillun,' currently at the Alcazar, managed fairly well.

Estimates for Last Week

'Whiteoaks,' Geary (2d wk.) (1,550; $2.75). Miss Barrymore well liked, but play somewhat of a disappointment. Advance sale for second week was fairly heavy. Around $8,000, profitable.

WPA

'Run Lil' Chillun,' Alcazar (14th week) (1,269; $1.65). Holding up fine.

Holy Week Exceeds Expectations On B'way; 'Story' Leads Straight Plays, $23,000; 'Way' Eases to 34G

Holy Week on Broadway was better than expected and Good Friday (7) proved very good. Monday (10) holiday matinees fizzled, indicating below-expectations gross for Easter going. Season's finale holiday week has to contend with the state income tax deadline, which falls on Saturday (15). School recess is figured to benefit the Ringling circus at Madison Square Garden. Business there since the start last midweek is under normal.

Again the straight shows were stronger than the musicals. With the possible exception of 'Hellzapoppin,' all the latter dipped. First full week of 'The Philadelphia Story' grossed close to $23,000, while 'The Little Foxes' and 'Abe Lincoln' more than held their pace, bettering $19,000.

'The American Way' slid, but topped Broadway with $34,000. The show's high is expected to be reached this week in nine times. Patriotic spectacle drama averaged $40,000 during the first 10 weeks. Three shows are playing matinees daily. They are 'Hellzapoppin,' 'Outward Bound' and 'What a Life,' while 10 others have nine-performance scheduled.

While the major musicals awaited an upturn, the two 'Mikados,' though not comparable in gross to most others, fared well last week. The 'Hot' or commercial version was rated second among WPA's. Hot 'Swing' show claimed virtual capacity at a lower scale. Latter is reported in a commercial deal for the road.

'No Time for Comedy' tops next week's incomers, opening at the Barrymore; 'Mexicana' is slated for the 46th Street and a possibility is 'Wuthering Heights,' house unnamed. 'The Happiest Days,' was postponed until yesterday (Tuesday), and 'The Quiet City' is listed for the Sun. Monday (16). It had also been postponed.

Estimates for Last Week

'Abe Lincoln in Illinois,' Plymouth (26th week) (C-1,036; $3.30). Some leaders not affected by Holy Week and this was among them, being over $19,000.

'Boy From Syracuse,' Alvin (21st week) (M-1,325; $4.40). Not much under previous week; among attractions taking strongest good Friday (7) night; $20,000.

'Family Portrait,' Morosco (6th week) (D-891; $3.303). Held its own and again probably bettered even break; indications are for fair stay; $9,000.

'Gentle People,' Belasco (15th week) (C-1,107; $3.30). Eased off, with takings approximating $7,500.

'Hellzapoppin,' Winter Garden (30th week) (R-1,671; $3.30). Will letdown throughout toughest week in season; standees in and again $33,000; six matinees this week.

'Hot Mikado,' Broadhurst (4th week) (M-1,116; $3.30). More than held the pace, over $14,000 estimated and quite surprising for stay.

'I Must Love Someone,' Longacre (10th week) (C-1,109; $2.30). Holding spasm gets again in catch-holiday trade; around $4,000.

'Kiss the Boys Goodbye,' Miller (29th week) (C-944; $3.30). Another profitable week though off like most of list; around $9,500, lowest to date.

'Leave It to Me,' Imperial (23d week) (M-1,468; $4.40). Not materially affected in final Lenten period; but dropped $27,500.

'Mamba's Daughters,' Empire (15th week) (D-1,098; $3.30). Among better plays and has good chance to enter the summer; profitable though somewhat off last week, $12,000.

'My Heart's in the Highlands,' Guild (1st week) (D-914; $3.30). Presented by Group Theatre; written by William Saroyan. Opens tomorrow (Thursday) for five performances, but may stay longer.

'One for the Money,' Booth (10th week) (R-708; $3.85). Doing quite well for an intimate revue; upper attendance in recent weeks, again better; quoted at $12,800 last week.

'Star Wagon,' Fulton (27th week) (CD)-913; $3.30). Like bulk of list business during Holy Week was not much off previous pace; probably profitable at $7,500.

'Set to Music,' Music Box (13th week) (R-1,000; $4.40). Should get fair holiday trade; English revue has been off, with last week's gross around $16,000.

'Stars in Your Eyes,' Majestic (10th week) (M-1,717; $4.40). Most musicals, along with this one, were affected, but all expectant of comeback this week; under $22,000.

'The American Way,' Center (12th week) (D-3,433; $3.30). Broadway leader dropped more than expected, with about around $34,000. Advance sale this week indicates new high, however.

'The Flashing Stream,' Biltmore (1st week) (D-991; $3.30). Presented by Victor Payne-Jennings; written by Charles Morgan, London Times critic; imported from London; opened Monday (10); doubtful press.

'The Happiest Days,' Vanderbilt (1st week) (D-800; $3.30). After being postponed twice, it opened yesterday (Tuesday); presented by Courtney Burr; written by Charlotte Armstrong.

'The Little Foxes,' National (9th week) (D-1,104; $3.30). More than held its excellent pace, with attendance approximating capacity again; over $19,000.

'The Philadelphia Story,' Shubert (3d week) (C-1,367; $3.30). New comedy leader played to standees all performances in its second week; around $23,000.

'The Primrose Path,' Cort (15th week) (CD-1,059; $3.30). Moved here from the Biltmore Monday (10); has been around $8,000 and engagement expected to extend into the summer.

'The White Steed,' Golden (14th week) (D-730; $3.30). Last week was low, around $6,000.

'Tobacco Road,' Forrest (279th week) (D-1,107; $1.65). Claims mail orders for New York World's Fair period; should better $4,000.

'What a Life,' Mansfield (52d week) (C-1,050; $3.30). Another show which operates to small money, and with cut-rate aid is completing year's engagement; $3,000 average; should jump with matinees daily this week.

REVIVALS

'Awake and Sing,' Ambassador (1st week) (CD-969; $2.20). Favorable boxoffice reaction with advance projected as second week; 'Rocket to Moon,' around $5,000.

'Outward Bound,' Playhouse (17th week) (D-872; $3.30). Jumped over $8,000 during Lent, but figures to improve starting this week, which will have daily matinees.

ADDED

'The Quiet City,' Belasco. Postponed from Sunday, April 2, and slated to open April 16; series of five Sundays carded.

'Pins and Needles,' Labor Stage (724 seats). Labor unionists' intimate revue around $4,000; should pick up.

'Hide Fay's Show, 44th St. Expected to jump this week; again approximated $9,000, hardly profitable; nightly, including Sunday; three matinees instead of one this week. Vaudeville dropped from billing, show being substituted.

WPA

'Swing Mikado,' New Yorker; capacity claimed. Agencies have some tickets.

'Androcles and Lion,' Lafayette, Harlem; slated to close Saturday (15).

'Pinocchio,' Ritz.

'MICE-MEN' OFF TO $6,000 START IN L. A.

Hollywood, April 11.

Wallace Ford and Sam H. Harris dated to open a legit show in Holy Thursday, which they dub with 'Of Mice and Men,' relight g El Capitan (Monday) (10). Three performances) warranted the venture.

Biltmore unshuttered last night (Monday) with 'Our Town,' presented under local sponsorship.

Estimate for Last Week

'Of Mice and Men,' El Capitan (1,560; $2.20). Good $6,000. Profitable Easter week seen.

WPA

'Run, Lil' Chillun,' Mayan.

'Two-a-Day,' Hollywood Playhouse.

'High Tor,' Belasco.

'Women' Exits After 2d Det. Wk., $7,000

Detroit, April 11.

'The Women' pulled out of town Saturday (8) with a very satisfactory $8,400 to show for its two-week stand at Cass here at $1 top. Second stanza, despite Holy Week, netted around profitable $7,000.

Advance sale heavy for Walter Huston's 'Knickerbocker Holiday,' which opened a week's stand at the Cass Sunday night (9).

'Kiss Boys' 3d Co. Gets OK $12,200 in 3 Cities

The 'Kiss Boys Goodbye' third company, playing three stands last week in the south, registered a profitable $12,200. Cities played were Montgomery and Birmingham, Ala., Memphis and Little Rock, in that order.

The second company of 'Kiss Boys,' which left on Lent in Chicago after a run there, was idle last week but resumes this sesh in St. Louis.

Inside Stuff—Legit

Report that Eddie Dowling might replace Hallie Flanagan at the head of the WPA Theatre Project, which was promptly denied, recalls the fact that he was supposed to figure prominently in the federal theatre, but apparently devoted little time to it. After Mrs. Flanagan was appointed national director, it was generally believed that Dowling differed with her because of reputed radical views, and the same went for Elmer Rice when he headed the project in New York. Dowling proposed touring musical comedies and vaudeville units with relief players, but too many barriers caused him to withdraw.

Dowling is slated to open next week in a rotary stock presentation of 'Our Town,' due to debut in Hartford, Conn., April 19. O. E. Wee and Frank Cody will present the attraction at pop prices. Actor-manager produced and appeared in 'Here Come the Clowns' earlier this season, also presenting the current 'The White Steed,' Golden, N. Y.

James Le Penna, who is a co-defendant in the John Torrio tax evasion trial (both pleaded guilty) in New York, was one of the alleged bootleggers who backed shows on Broadway during the prohibition period. He was familiarly known as Jimmy and was reputed to have financed 'Sweetheart Time,' which drew a good press but did not fare well at the box office. Rufus LeMaire presented the musical, which opened at the Imperial, in January, 1926.

Show was long on comics, having Eddie Buzzell, George LeMaire and Harry Kelly, both the latter now dead.

Joe Flynn, who is agenting the Chicago company of 'Kiss the Boys Goodbye,' is reported to have been on the short end of an argument with the ticket seller at the Harris the p.a. insertion of which cost him a full page ad in the Loop dailies to the effect that there were plenty of low-priced tickets, then discovered all had been sold and blamed the b.o. for not advising him to that effect.

Flynn is now ahead of the show which has started touring. 'Kiss' was supposed to play Holy Week in Chicago, but suddenly cancelled.

Harold J. Rome received a prize of $1,250 from ASCAP for his 'F. D. R. Jones,' rated the outstanding song of the first quarter which ended March 31. It was the second time for the composer to cop the award, first being for 'Sunday in the Park,' one of his numbers in 'Pins and Needles,' Labor Stage, N. Y.

'Jones' was the standout number in 'Sing Out the News,' which played the Music Box, N. Y., during the fall. It was handled by a colored ensemble, which subsequently played Billy Rose's Casa Manana on Broadway.

'The Importance of Being Earnest,' brought in after a short tour, was about the lowest grosser on the road this season, but there was a reason applicable to at least two stands. Prior to playing Montreal local amateurs had appeared in the Wilde comedy, while a stock bunch put on 'Earnest' at Malden, Mass., which affected the Boston date of the pro show.

Montreal has been giving local shows weak support this season. 'Earnest' opened to $198 there and got about $2,900 on the week.

There are frequent additions or interpolations to 'Hellzapoppin' at the Winter Garden, Olsen and Johnson explaining that, regardless of the show's capacity gait, they need changes to maintain the interest of themselves and the other players. Latest stunt is a snowstorm, cued in by a comic in Eskimo garb, at the finale. A wave of cool air is wafted through the theatre and a heavy fall of 'snow' descends upon the audience.

The effect is accomplished by five blowers, plus confetti and plenty of it.

'The Mother,' in which Nazimova opens a tryout this week in Richmond, is the first production designed by Lester Polakov on his own. However, he has previously assisted other scene designers, including Harry Horner and Mordecai Gorelik. Three years ago he did the settings for the Barter theatre, Abingdon, Va., and he has been an instructor at Columbia University, N. Y. He is currently working on murals and dioramas at the New York World's Fair and is also a portrait painter.

Elmer Rice fooled his associates of the Playwrights by not attending the opening of 'No Time for Comedy' in Indianapolis. He sailed for Europe instead, with the intention of writing a play for presentation next season.

Author is expected to retreat to a friend's home on the Dalmation coast, spot being turned over to him for several months. Script may be ready for an August tryout.

James F. Reilly, executive secretary of the League of New York Theatres, has been given a material salary boost by the board. Understood he had been getting $6,000 per year, wise upping his pay to $7,800. Reilly was formerly general manager of the Charles Frohman office.

Equity—TMAT

(Continued from page 49)

It appeared to irk the stagehands when Equity decided to hedge on Sundays by stipulating that the other unions must agree not to tilt wages.

As the situation is at present, N. Y. Local 1 (stagehands) is expected to put Sundays to a vote April 23, but the attitude is that if Mondays are dropped in favor of Sunday, shows will hardly benefit. Questioned, too, is whether the class of people who visit New York over the weekends would be there to attend at the present admission scale. If the feeling between the unions is smoothed over, it is hardly likely that Sundays will start until some time in June, unless Equity speeds its referendum procedure.

Spokesman for the stagehands went over the ground in regards to Sundays. When the present law was enacted, the crew union came out strongly in favor, though the one day's rest stipulation was not then detected as a joker. Indications are that Local 1 has been peeved ever since Equity adopted the double-pay gag.

Among the angles discussed is the position of the newer TMAT union. If it be decided to give Sundays a trial with the one-day rest provision retained, the boxoffices would necessarily be open on that day anyhow, and TMAT ticket sellers would therefore be on a seven-day basis. Figure that some adjustment would have to be made, that point not being considered when Equity's resolution was made to the effect that no extra pay be exacted by the other unions.

Some of the managers do not appear to be in accord with others about business possibilities. One contended that a number of leading players would not assent to such performances, half a dozen name players in current hits being mentioned. Union people then wanted to know why Sundays were sought. The managerial idea, however, may be theory, since it is not known if an, of the featured people mentioned have been asked their opinions. Believed, too, that at least some would appear on Sundays if engagements would be lengthened and fellow players benefited thereby.

A six-day week applies for musicians working vaudifilmers and niteries in New York. Stagehands in all spots only work five days. One day off is for resting, while the other is given up by union rule to afford jobs for the unemployed in the local's membership.

Hammerstein Will Stage $1 Top Memphis Operettas

Reginald Hammerstein has taken the Memphis Open Air theatre for a five-week season this summer. Will present a series of operettas at a $1 top, using Broadway principals and local choristers. Schedule calls for 'New Moon,' 'Roberta,' 'Babes in Toyland,' 'No, No, Nanette' and 'Rose Marie.'

Hammerstein will produce and direct, with Clifford Brooks staging the book. Local music union is said to be cooperative. Nancy McCord and Guy Robertson have leads.

One-Nighters

(Continued from page 49)

of patrons. Stated, however, they have objected to paying 5% of the gross to UBO, as the booking fee. Believed that the UBO could woo back the showmen in the sticks by moderating the fee and adjusting sharing terms. At present, it is reported, they refuse to do business with the booking outfit.

American Theatre Council and the League of New York Theatres talked of plans to revive the road next season, and plans for sending people to the field to enter in deals along subscription lines were at one time fairly well-advanced. Since autumn, however, little or no interest has been exhibited by Broadway showmen.

Recently, when the producers were advised of the willingness of the one-nighters to book shows, they did not seem to be interested. One replied that half a dozen shows were in the higher brackets and would not play out of town except in the more populous stands. Another put it in different terms, saying that putting on shows in New York was like a poker hand, and if okay a fortune is possible. He did not think much of the road's possibilities, although he is touring two companies. Such views are entirely different from those of managers before the depression.

Next Season Looks Big

Regardless of the small stand situation, according to present indications, next season should be a bumper one for the road. That will be in contrast to the current season, which has been unusually lean. Optimistic view of next season is based on two factors—the number of touring shows in prospect and the fact that Broadway's current season is the most profitable in several years.

It has long been a truism that a good season on Broadway means a hefty ensuing season on the road—or in other words, the road always runs a season behind New York. That is explained by the fact that grosses on the road depend on the number and quality of touring shows rather than on general business conditions throughout the country. Theory has invariably been borne out for many years.

Fact that the total grosses for Broadway hits are running more than $1,000,000 ahead of last season points to better business out of town next season. And the fact that the current road season is running more than $800,000 behind last year reflects the slump in Broadway's total take last season.

Same conclusion is indicated by the most profitable Broadway shows that are prospects for the road next season. They include such hits as 'Abe Lincoln in Illinois,' 'Boys from Syracuse,' 'Hellzapoppin,' 'I Married Adam,' 'Gentle People,' 'Leave It to Me,' 'Oscar Wilde,' 'Set to Music,' 'Stars in Your Eyes,' 'American Way,' 'Life Begins at Forty,' 'Philadelphia Story,' and possibly 'Kiss the Boys Goodbye,' 'One for the Money,' 'Primrose Path' and 'Mamba's Daughters.' That is the most promising list of likely roadshows in several years. Another bullish weathervane for next season on the road are the plans of the Legitimate Theatre Corp. for touring shows in towns with subscription audiences, in virtually virgin territory.

Future Plays

'Carriage Trade,' a new comedy by Robert Thomsen, has been acquired by George Abbott. Rehearsals are skedded for early fall and a cast for which Betty Field, Lea Penman, Gene Tierney and Joyce Arling have already been selected will be completed then.

'Saint or Sinner,' a musical drama with a score by Rochelle Phillipp, will be a possible fall production to be presented by a new group headed by Ben H. Atwell, press agent, and Herman Phillips, theatrical attorney. Scenes are said to have their locale in such varied places as a Pennsylvania mining town, South America and a Spanish bistro in Greenwich Village.

'Years Ride the Night,' a new play by Mary Cass Canfield and Ethel Borden, has been bought by Arthur Hopkins for fall production. Deal arranged by Leah Salisbury is said to be the author's first drama.

Literati

Revised Connecticut Nutmeg

'Connecticut Nutmeg,' taken over by Heywood Broun, will be retagged 'Broun's Weekly Connecticut Nutmeg' and later come out as 'Broun's Weekly'.

Understood Broun's deal with members of original board, who will continue as contributing editors, included cash payment and dividends if and when weekly becomes profitable. Although publisher's policy is outright New Deal, anti-Fascist and anti-anti-Semitic, attempt will be made to balance contents by opening columns to conservative contribs.

'Nutmeg,' until now an eight-page rag, goes to 32 this week (13), and will try for as many pages as possible after more for the dime price. Harold Yurdin stays as managing editor, Mrs. Connie Broun is pedling display space. Editorial offices are in New Canaan and Bridgeport Herald, a Guild paper like the 'Nutmeg,' prints the job.

Skolsky Resuming

Sidney Skolsky resumes his Hollywood column shortly, having been signed by the Federal Feature Syndicate, a New York outfit, for syndication. Column will go out six times a week, and will carry the regular features of the previous Skolsky columns.

Skolsky has been idle for some months, or since his contract with King Features expired. Previous to that, his column had gone out from the Chicago Tribune-N.Y. News Syndicate.

Douglas Whitney, business manager of Federal syndicate, wouldn't say when Skolsky stand which will be his N. Y. outlet, excepting that he's dickering with both the News and Mirror, which previously carried Skolsky. Also says he has eight papers lined up to start.

Fight 'Economy Firings'

Latest act in continued conflict between Newspaper Guild and S. I. Newhouse is decision of the Guild's Representative Assembly to merge the units of the Long Island (N. Y.) Newspaper Guild, which covers Newhouse papers, into a single unit. Action taken despite reputed opposition of Press employes, who urged policy of 'peace' with Newhouse rather than one of 'conflict.'

Decided by the Guild that alleged steady series of 'economy' firings on the Newhouse Long Island papers will be stopped only by the unity of all Guild members on those dailies. While the Press and Star-Journal united in fact, with reporters covering for both papers.

Farm Overseas Press Club

Formation of a new organization comprising former American newspaper correspondents abroad effected at a breakfast at the Hotel Algonquin, N. Y., on Monday. Around 50 invited to attend the organization meeting, at which Wythe Williams presided.

Announced by Williams that the group, temporarily calling itself the Overseas Press Club, would devote itself chiefly to social and cultural interests of the members. Committee named to draw up by-laws and work out a permanent name for the organization. On the committee are Eugene Lyons, Charles R. Ferlin, Irene Kuhn, Samuel Dashiell and Williams.

Duty-Free Books Expected

In the belief it's only a matter of time when foreign books will be admitted here duty-free, as the result of a continued campaign to that end, publishers abroad are beginning to make American sales arrangements. Such a one concluded last week when-by Dr. Alexander Schaeffer was appointed U. S. rep for the Documenta Press of Paris.

Recent reduction of U. S. postal rates on books, whereby the postage was equalized with that for papers, has given impetus to the drive for the removal of the book tariffs. Campaign led by British publishers, who point out American books are admitted into their country duty-free. They want it to work both ways, claiming it to be good for the industry as a whole on both sides of the water.

Suggestions made during last week's session of the Canadian House of Commons that duties which were taken off American periodicals several years ago should be re-imposed as a means of checking flow of objectionable magazines into Canada have been rejected as impractical by Finance Minister Dunning.

'New Daily Not Gars'—Time

Projected new N.Y. daily newspaper is taking tangible form, with leave of absence granted Ralph McAllister Ingersoll from his duties as publisher of Time Magazine to take active charge of the undertaking. Ingersoll began his new duties Monday (10) at the midtown offices of Publications Research, Inc., corporate name of the new undertaking.

Associated with Ingersoll, who will serve as publisher of the new daily, are Edward Stanley, former head of the AP Photo Service, who will be editor; Dashiell Hammett, the whodunit scribbler; Harry C. Cushing, banker, and John F. Wharton, attorney.

Time organization or any of its officers have no interest, financial or managerial, in the projected daily, it's emphasized by the weekly in the current issue. Had freely been mentioned that Henry R. Luce, the Time head, was an interested party.

No starting date for the new daily, nor, it's said, has a name been selected as yet. Ingersoll, publisher of Time for the past two years, previously was managing editor of Fortune, and before that an editor of The New Yorker.

Fiction vs. Front Page

Pronounced drop in mag sales past few months resulting in price cuts as a bolster effort. Even digest mags, which maintain high sales price is necessary because of absence of advertising, are slashing the tariff. One leading digest has cut its price from 25c to 10c, and another is ready to follow. Price cuts by other periodicals not so severe, but nevertheless sufficiently deep to lure readers again.

Drop in mag sales blamed on the European to-do, which favors the newspapers. Also, growing practice of the papers of interpreting as well as reporting the news, cutting in on the province of the mags.

As some of the mag editors put it, most fanciful fiction is tame compared to the reality of what's coming out of Europe today. If readers can get that for 2 or 3 cents, they won't pay 25c or even 15c for a mag. Some wonder whether readers will pay even 10c or 5c.

Brookes Heads Hearst Setup

John S. Brookes, Jr., Washington lawyer and industrialist, elected pres of American Newspapers, Inc., the William Randolph Hearst publishing enterprises. Moving to N. Y.

Brookes to work closely with Clarence J. Shearn, Hearst's voting trustee in the holding company setup. Committee of Hearst execs which directs company's business policy continues that function.

$100,000 Suit vs. News-Week

James Moore filed a Federal court action in N.Y. Monday (10) against Weekly Publications, Inc., for $100,000 damages, alleging libel. The plaintiff claims to have been a professional ball player and to have played with the Philadelphia Athletics and Chicago White Sox.

He says that News-Week, published by the defendants, libeled him in the April 18, 1938, issue.

Chi Times Leans Other Way

Chicago tab Times, formerly a strong New Deal paper, indicates an about-face in its political leanings since Lou Ruppel resigned as managing editor to join Columbia broadcasting as press chief.

The Times has started to rap certain New Deal operations, particularly the Chicago Federal Theatre Project.

A. K. Newshounds Gather

Invitations have gone out to members of The Silurians, organization of old-time N. Y. newspapermen, for club's 15th annual spring dinner to be held at the Hotel Lafayette, N. Y., on April 29.

A. k. newshounds will elect new officers at the same time. Present head of The Silurians is Joseph J. Canavan, with Robert R. Wilkes the secretary.

LITERATI OBITS THIS WEEK

Samuel J. Ryan, 79, retired editor of the old Appleton (Wis.) Crescent and the man credited with giving Edna Ferber her first job, died April 4 at his home in Monrovia, Calif.

Ed H. Bradley of Atlanta Journal editorial staff for 21 years died Wednesday (5) afternoon of heart attack at fishing camp near Branark, Fla.

Nathan A. Coward, 52, editor and publisher of the Belton (S. C.) News for the last 14 years, and a former member of the state assembly, died March 30, a victim of pneumonia.

Helen Valery MacKean, 38, former member of the editorial staffs of the Brooklyn (N.Y.) Daily Eagle

(Continued on page 53)

Broadway

William Brandt bedded with the flu.

Hollie Flanagan ill with grip-e last week.

Frank Phelps, Warner labor executive, in Florida.

Sidney Fleischer recovered from flu and back at his office.

Paul Dullzell, recovered from serum shots, back at office.

Artie Block, of Windsor b.o., seriously ill at Medical Center.

Gabe Hess, Rays office legal head, back from West Indies cruise.

Erin O'Brien-Moore may leave Doctors' hospital in three weeks.

The Tom Wallers became godparents in Washington Sunday (9).

Walter Brooks is on a milk diet, feeding a couple little ulcers the docs found.

Kay Kimber, nee Marlowe, sailed for the Dorchester, London, past weekend.

Silver jubilee dinner of Catholic Actors' Guild at the Astor Sunday (16).

Austin Keough off to Asheville, N. C., and Atlanta on business and vacation.

Donald Oenslager due back this week from vacation at Sea Island Beach, Ga.

N. Bernard Freeman, Metro's Australian manager, in from the Coast for huddles.

Miguel Roldan, of the old La Conga, now with the Havana-Madrid nitery.

Pat Duggan (Matson & Duggan lit. agency) back to work after a tussle with flu.

Red, white, and blue envelopes now used at Center for 'The American Way' tickets.

George Jessel says Louis Nizer is the toughest after-dinner speaker he ever had to follow.

Gower and Jeanne, Rainbow Room dancers, set for their first Broadway musical, 'Streets of Paris.'

Luise Silleox, Authors' League exec sec, relieved her back in a fall while shifting a bus.

Sam Morris, Warner Bros. v.p. in charge of foreign, back at his desk after being ill about a week.

Joe Phillipson, who represents J. Fr. Cooper interests in Dixiemount, is in Florida for three weeks.

Too much weight for W. G. Van Schmus is why he's in Los Angeles where they're trying to take some of it off.

'Pins and Needles' souvenirs are small flashlights for program perusal in the dark. There is a keying attachment.

Joe Schoenfeld (VARIETY) pulled a sneak and jumped off for the second time recently. Edna O. Tansey is the bride.

Robert Buckner, author of 'Primrose Path,' has shaved off his beard, which he grew because of a skin infection of the face.

Benny Goodman autographing his 'The Kingdom of Swing' book in Gimbels. Irving Kolodin, music critic of the Sun, collaBed.

John Joseph in from Hollywood for home office confabs on U. production and to supervise makeup of the company's annual product announcement.

Irma (the first Mrs. Jack) Warner and director Al Rogell back on the Coast, and due to stop off for a wedding ceremony today (Wednesday) in Las Vegas.

Tyree Dillard, Jr., Metro's attorney in charge of anti-trust litigation, returns to N. Y. this week from three weeks' rest at his home in Greensboro, N. C.

Leon G. Turrou, ex-G-Man, was refused a visa by the German consulate in N. Y. P. S.—Warners' 'Nazi Spy' pic, written by Turrou, opens soon at the Strand.

Bill White has a Metro writing contract which he starts this week so Ruth Morris (Mrs. White), v.p. of the agency bearing that name, accompanies him the end of this week.

Lucius Henderson, 90, old-time legit player, seriously ill in Lenox Hill hospital, N. Y., with a lung infection. Lately he's been with the Federal Theatre's radio division in N. Y.

Helene and Odd M(an) Samuel, VARIETY mug emeritus, in from New Orleans for Mrs. Samuel's one-woman art exhibit at the Argent Gallery. That's a bigtime display grounds so Helene's seemingly made the big leagues.

Philadelphia

By Herb Golden

Ben Biben bedded by grippe.

Harley Clyde drew biggest Sunday night crowd in years for screening of 'Castles.'

Hedgerow preparing farce on dictators, 'Beloved Leader,' for April 21, its 16th anni.

Doris Greenblatt, sister of piano-rambler Ben, has started a weekly vocal chore on WIP.

Vine street is planning a handball league at the Broadwood to perspire off those extra pounds.

Betty Brodel, in the line at Jack Lynch's, now doubling as warbler with Joe Frasetto's band.

Otis Skinner expected in Philly April 21 as honor guest at Collegiate Dramatic Conference at the U. of P.

Joe Venuti last week received first swing citation by Down Beat club. Presented by Rex Riccardi, secretary of AFM local.

Embassy combing the socialite book for a successor to Eleanore Piper and Cynthia Hare, who between 'em picked the spot for six weeks.

Johnny Murray, male half of a pro terp duo frequent seen in niteries here, is an elevator operator by day in the Market St. Bank building.

Arthur Cohn, chief of WPA music copying project, won $500 award given by American Society of the Ancient Instruments for best modern composition written especially for ancient instruments.

Paris

By Hugo Speck

Marion Daniels spotted at ABC.

Rene Maison in on Manhattan.

Marie Dubas in from North Africa.

Jean Sablon readying for return to America.

Last 'Folies Bergere' revue off nation-wide tour.

Arabella and Rich signing for London appearance.

Alexander Kipnis in from America for French tour.

'Un Vrai Paradis' ('Real Paradise') new Bal Tabarin revue opens.

Fritz Kreisler due for first Paris recital in two years at the opera, April 20.

Jeff Musso to Italy to start 'Dernlere Jeunesse,' starring Raimu and Jacqueline Delubac.

Josette Day signed for femme lead in Marcel Pagnol's next, as yet unnamed, Pagnol doing scenario.

Mady Slcovich took lead in 'Folies Bergere' as Jeanne Aubert exited to back new Rip revue at Nouveautes.

Edward Stirling in from New York assaulting 'Abe Lincoln in Illinois,' Theatre Come the Crowns' and 'Oscar Wilde.'

Metro holding Marie Antoinette exposition at Galeries Lafayette at same time film is at nearby Paramount.

Maurice Lehmann commenced filming 'Fric-Frac,' adapted from the Edouard Bourdet play. Fernandel heads cast.

Elvire Popesco and Claude Dauphin to top Bernstein's new fall production, 'Martyr,' at Theatre des Ambassadeurs.

Noele Norman, elected 'Miss Cinema 39,' to be given two film trials, one by Maurice Cammage, other by Jacques Houssin.

Lilian Harvey in from Cap d'Antibes; enroute to London, saying she'll make next film in France, with Jean Boyer directing.

Lisette Lanvin and Jean-Pierre Aumont to co-star in 'Face au Destin' ('Facing Destiny'), which Andre Berthomieu will direct.

Renee Saint-Cyr and Pierre Blanchar will top cast of 'La Nuit de Decembre' ('The Night of December'), Kurt Bernhardt's next.

St. Louis

By Sam X. Hurst

The Coliseum closed for season.

Virginia Haskins, 26, will sing with the Chicago City Opera Co. next season.

Barney Rosenthal, manager of Republic Pictures, visiting brother, Jake, at Waterloo, Ia.

Ralph Leon, former sports writer for defunct St. Louis Times, is p. a. for Fairmount Jockey Club.

Tryouts for the 92 places in the singing and dancing chorus of the Municipal opera will be held May 3. Applicants are restricted to natives.

Thomas L. Williams, ex-Ville, copped a $100 prize for his group of one-act plays, entitled 'American Blues,' from the Group Theatre, New York.

'King of Kings' was revived for special showing during Holy Week under the auspices of the Metropolitan Church Federation at the Missouri theatre.

Sydney

By Eric Gerrick

Cooler weather upped film theatre biz.

Larry Adler is successfully playing nabes for the Hoyts.

Cinesound running a talent school under Alec Kellaway.

Jan Rubini into the Regent, Sydney, as guest conductor for Hoyts.

James McCully appointed manager of the Liberty, Melbourne, for GUT.

The Liberty, renovated film theatre known before as the Melba, has been reopened by GUT in Melbourne.

Six chorus girls with the Harry Howard 'Hollywood Hotel' revue have returned to the U. S. Local femmes replaced.

John Evans, Roy Barmby and Teddy Lane are runnin' the Greater Union during absence of Norman B. Rydge, who's in the U. S.

Biggest skidder here recently was M-G's 'Stand Up and Fight.' 'Pygmalion' (GB) is still pulling plenty for GUT here and in Melbourne. 'Suez' opened to smash trade here.

Looks as though gangster pictures again finding favor. 'Angels with Dirty Faces' (WB) had a good run, here and 'They Made Me a Criminal' (WB) also stands good chance of repeating.

CHATTER

London

George Foster, the agent, passed 75th birthday.

Albert Sandler being held over in Africa for another eight weeks.

Tyrone Guthrie elected director of the Old Vic and Sadler's Wells theatres.

Sam Barton to New York week of May 1 for a Loew's State vaude date.

Clifford and Marion may go into a Big Bill Campbell vaudeville unit in August.

Edith Evans and Peggy Ashcroft will appear in a new version of 'The Cherry Orchard.'

Eric Boon, new English lightweight champ, signed for seven weeks vaudeville tour for Stoll.

Stanley Scott writing to friends in England that he is building three new theatres in Australia.

Maurice Colleano and brother buying a trailer, in which they intend to live during the summer.

Arthur Christensen, editor of Daily Express, rumored slated for supervising editorship of all Beaverbrook papers.

Negotiations on for Emlyn Williams to appear in his current play, 'The Corn Is Green,' in New York at conclusion of London run.

Henri Lartigue in from Paris for talent. Has booked Georgie Hale girls for Les Ambassadeurs, Paris, as soon as they finish at Cafe de Paris and Cafe Anglais.

'Sons of Adam,' propaganda play by Ronald Thomasson produced at the Arts Theatre Club, is the story of the persecution of the Jews in a country conquered by Germany. It gives the players small chance to score.

'Here Comes the Bride,' new play by unknown author, will be done in the West End, starring Naunton Wayne. Show will be sponsored by Bernard Delfont, Tucker, among others. No date set.

Eric Maschwitz of Hazelmere, Surrey, to concentrate on play writing. First he'll do sequel to 'Lilac Time,' to be dubbed 'Lilacs Mowing Again' and follow on play, 'West One,' in collaboration with Fred Thompson.

Edward Gaffney, secretary of Paramount here, has resigned after 23 years service with the company. He will, however, remain a director of Paramount Film Service, Ltd. Succeeded by P. D. Co-nwall, corporation's chief accountant.

Des Moines

Bill Brown back from a vacation in Arkansas.

Mrs. Paul Fine hospitalized at Iowa Methodist.

Mrs. A. H. Blanks back from a siesta at Hot Springs.

Isadore Weiner now selling for Universal here. He was with Columbia in Omaha.

Harold Fair back from some deep-sea fishing off Florida, with a 'certified' seven-foot shark.

Lou Levy, of Grand National, is reorganizing the Variety Club here, with headquarters at the Savery hotel.

Iowa senate passed the bill to increase chain store taxes considerably, but did not include chain theatres.

Pending remodeling, the Tri-States offices are scattered all over the Paramount building for a few weeks.

Irving Grossman will run New Rialto Park this summer. He will also continue to head WHO's Radio Enterprises.

Kansas City

By John Quinn

Jack Dempsey in town over the week-end to referee the rassling bouts.

Allan Karf, Fox Midwest booker, hospitalized for a tonsilectomy past week.

Barrett C. Kiesling, Metro, in town several days good-willing for his company.

Joseph Meier presented 'Passion Play' for week in the Music Hall of the city auditorium.

Mike Cullen, Loew's district chief, spending few days with John McManus, of the Cleveland, lining up spring policies.

Anzon Weeks and crew moved into the Terrace Grill Friday (7) with Liliane and Mario, dance team. Clyde McCoy moved out after two-week stand.

Minneapolis

By Les Rees

Lawrence Welk's band into Club Casino.

Harry Hirsch (Gayety stock burlesque) confined to home by illness.

Gene Meredith, of Warner Bros., moving out to Lake Minnetonka home.

Joe Fieldman, Universal salesman, in Asbury hospital recuperating from minor operation.

Joseph Sudy orchestra, with Harris and Shore, dancers, into Hotel Nicollet Minnesota Terrace.

Katherine Hohn, Twin Cityite, has five-year contract with RKO as result of Lasky search for talent.

Harry Sherman back to New York after booking musical comedy unit into Winnipeg and along west coast.

Closest Jeanette MacDonald gets to Minneapolis on her concert tour this month is Rochester, Minn., and Sioux Falls, S. D.

W. A. Steffes, president Northwest Allied, off to New York to work on arrangements for Allied States' national convention here June 13-15.

Final report of Twin City Variety Club's $25,000 European refugees' relief fund shows it went over top with more than $200 to spare.

Literati

(Continued from page 52)

and the N.Y. American, died Thursday (6) after a short illness.

Kathryn Forbes, novelist, died Friday (7) in Beasin, Spain, of injuries received in wreck of a Madrid-Paris train near that town on Monday. Her husband, Romilly Fedden, was instantly killed in the mishap. Mrs. Fedden author of a number of published novels, together with many translations. Daughter, two sons and two brothers survive.

F. E. W. Bright, 64, ex-city editor of the Detroit Times and active on Detroit News staff until few weeks ago, died in Detroit, April 3. Began with Windsor (Ont.) Record, joined Detroit News and later worked on the short-lived United States Daily before joining the old Detroit Journal.

Col. Ernest Leroy Bourne, 56, editor of the Salt Lake Telegram, died Friday (7) of a heart attack.

Merritt Reed, 53, veteran newspaperman and editor, died Monday (10) in Phoenix, Ariz. He was formerly city editor and managing editor of the Philadelphia Evening Ledger, m. e. of the New York Post, m. e. of the Philly Public Ledger and editor of the North American Newspaper Alliance. Widow and brother survive.

NEW PERIODICAL

The American Liberal, monthly mag of national affairs, published by the American Liberal Press. Louis Durant Edwards editor. Lloyd Gloss Edwards as associate ed. Pub has an editorial board consisting of H. G. Murray, Harrison Grey Fiske, George L. Marsland, jr., Elizabeth Fielding Elkins, and Ralph T. Young.

CHATTER

Ellery Sedgwick to France.

Ludwig Marcuse here, and will become a U. S. citizen.

Ford Madox Ford has changed publishers, going to Knopf.

George L. Rosenberg and Jack T. Schwartz readying a new mag.

Pierre Lovely talks before the Book and Magazine Guild Friday (14).

Fulton Oursler's boy, Will Charles Oursler, marries Adelaide Burr next month.

Scott Hart, of the Washington Post, has had a novel accepted by Derrydale Press.

J. Ellis Thomsett Grell, of F. W. Dodge Corp., the publishers, weds Elien L. Rodenbach soon.

Harper to issue a volume of Paul Green's plays this week under the title of 'Out of the South.'

David Joseph Quirk, formerly picture editor of the Boston Daily Record, has joined the staff of Look.

Ruddick C. Lawrence has quit American Boy staff to rep Fortune in Cleveland. Harry Kelsey, brother of Gene ('One for the Money') Kelly, staging dances for Playhouse's 'Meet My Sister.'

The Harry Kalmines, John McGreeveys, Harry Feinstein and Benny Amdur all in from Florida vacations.

Bernie Cummins featuring a tune just turned out by Larry Rothmon, a local lad. It's 'Anyone Lovely As You.'

Hollywood

Harry Cohn hospitalized.

Richard Broderick recuperating.

Sam Woods back from England.

Phil Berle to Washington on biz.

Greer Garson back from London.

Alice Faye to New York via Canal.

Sophie Stewart a visitor from London.

Florence Roberts back from Honolulu.

Jimmy Hatton suffered heart attack.

Lew Ayres readying for European tour.

George White flew in from Manhattan.

Howard Adams in hospital with asthma.

Terry Brickley joined Associated Artists.

Harry Rapf back from month's vacation.

Richard Greene to hospital for tonsilectomy.

Sam Katzman in from month's vacash in N. Y.

Kitty Kelly hospitalized with sprained back.

Margaret Lindsay motoring to Grand Canyon.

Toscha Seidel in from personal appearance tour.

Virginia Verrill to Toronto for personal appearance.

Frank Morgan appointed to Georgia governor's staff.

Claude Rains east to plow his Pennsylvania farm.

Howard Barnes here gandering for N. Y. Herald Tribune.

Sid Grauman and wife to Honolulu for delayed honeymoon.

William Keighley and Genevieve Tobin left for world tour.

J. E. Benton is new managing director of Ambassador hotel.

Louis B. Mayer back at his desk after convalescence in desert.

Morton Lowry going to England after current chore at Warners.

Joseph Bernhard in from Manhattan to confer with Jack Warner.

Walter Wanger told Hollywood Chamber of Commerce about future of film biz.

Republic studio broke out with a new house organ, 'Studio Insider,' edited by Sam X. Abarbanel.

Robert Montgomery checked in at Metro after leave of absence in east, where he directed 'Philadelphia Story' for Theatre Guild.

Pittsburgh

By Hal Cohen

Woods and Bray return to Nixon Cafe Monday (17) for another long stay.

Charlie Washburn in on a quickie three weeks ahead of the touring Lunts.

Helen Ryman has joined the Playhouse staff in charge of special promotion.

Norman Porter signed for role in new Burnett Hershey play, 'Brown Danube.'

Ann Artis leaving next month to join hubby, Art Mix, with the Cole Bros. show.

Yiddish actress Molly Cohn in for week of repertory at Lando theatre in Hill district.

Ralph Kipp and Lily Pons both signatured for May Beegle concert series next season.

Harry Stifler daughter has enrolled for three-year course at West Penn Nursing School.

Fred Reporter of the UA exchange manager) back from belated honeymoon in Florida.

Tom Kelly, author of libretto for coming Pitt Can and Gown musical, 'At Your Service.'

Shirley Musician Frank Wilson now a gentleman farmer with acreage in nearby Mars, Pa.

Paramount staged a farewell dinner for their chief, Joe Kauffman, transferred to Cleveland.

Fred Kelly, brother of Gene ('One for the Money') Kelly, staging dances for Playhouse's 'Meet My Sister.'

The Harry Kalmines, John McGreeveys, Harry Feinstein and Benny Amdur all in from Florida vacations.

Bernie Cummins featuring a tune just turned out by Larry Rothmon, a local lad. It's 'Anyone Lovely As You.'

Chicago

Walter Zivi completing a new play.

Henry Markbreits expect a family addition shortly.

Pitt Alt country club will be on WGN this summer.

Sam Cole heading back to Key West for more sunshine.

Jimmy Savage in the mend after having his appendix snatched.

Frank Beaucher, of WOR, in for some confabs with Harold Higgins, local office chief.

Edith Griffith, back from stay at Chez Paree, Omaha, readying for skip to Australia.

NBC and Ruthrauff & Ryan tossed a party for Tommy Riggs at the Merchandise Mart club.

Irene Castle gave a special showing of 'Two Aces' flick at the Drake last week, but held down attendance to 300 on promise to RKO to limit number.

Regeared Ringling Circus Makes Seasonal Debut; Names Missing

By JACK PULASKI

With labor trouble that highlighted the debut of John Ringling North and his brother Buddy as directors of the largest of big tops last season adjusted, the circus season got its annual indoor start at Madison Square Garden Wednesday (5) for a 25-day date of 49 consecutive performances of the Ringlings, Barnum & Bailey Circus.

There is considerable change in the summer lineup. Some acts regarded as fixtures are out, supplanted by new faces, doubtless at the instance of the young management. There is added emphasis in costuming, even down to the workmen, and gay colors in ground cloths, treated in two tints of blue. Similar color scheme will be followed when the show goes under canvas, the interior being blue and be-starred.

Impression is that the Ringling outfit has been geared for a lower operating nut than last season. This is indicated by the replacement of name turns. Circus fans may welcome the changes, for the show, in strength of performance, seems to be up to form, with lapses here and there which should be corrected when the rounding is completed and tightened. Premiere started at 8:30, and the blowoff came exactly at midnight.

Gargantua's 'British Accent'

Gargantua, the gorilla, whom press agents humorously claimed picked up an English accent while being exhibited over there this winter, is not featured on the opening this season. He's with the menagerie and is the show's second feature.

Gargie is ferocious all right, but in the large barred, glass cage he didn't look the big bad monk, especially to people at a distance, or looking down on him from the higher locations. Frank Buck, who featured the spec last year and spieled anent the gorilla, is occupied otherwise this season.

Most of the new features are aerialists, topper being Rosello, an import, who fell and went out after the second night. On audience reaction, he did not obtain the results of the Wallendos of the high wire, who are showing abroad, but he got the best plaudits at the opening. Rosello works on a crescent-like burnished trap, which accounts for his 'Man in the Moon' billing. Device is at the top of the Garden, most of the stunts accomplished while he reclines on his back. There are risley bits, with a head balance the concluding trick. Converging the spotlights and the 'moon' revolving, it proves decidedly effective.

From overseas, too, are the Four Queens, girl quartet, also working up near the girders. It's a combination ladder and high trap turn attracting some attention. The Great Arturo (Trotsi) is another performer specializing in the aerial scene. He is the clown who did stew stuff with one of the Wallendo turns last season and scored distinctly. Arturo is now dressed in tux and has a girl assistant. While his antics are like his previous appearance, he does not get over as well, probably because of a weak finish.

Tightwire Soloist

Hal Silver, billed as Hubert Castle, is the tightwire soloist, opening with a stew bit, too. Castle sometimes works without a balancing aid but uses one for his back somersault. Announcement that he is the only artist to accomplish that feat goes for those who forget but it is claimed he can duplicate Con Colleano's forward.

Wild animal display has Terrell Jacobs working with 38 tigers and lions, claimed the largest number ever over here. A 50-foot cage is used, as against 42 feet last season. Some of the cats are from Mabel Stark's act. Turn, which runs 17 minutes, has the trainer completely encircled when the pets are in position. Making a dozen lions lay side by side is his most effective feat. Dolly Jacobs precedes the big act with a horse-riding lion, while Diane handles an elephant with a tiger aboard. Elephant lines around the track provides a punch as former, with a shagging single mammoth concluding that display.

Show promised to be more horsey than before and has new equine features. Wild West is out and not missed. On tour there will be an added tent for a 'horse fair' and various equipages not familiar to the younger generation will be exhibited. A flock of Kentucky breds are used in the center for the liberty horse display. Announced as showing for the first time, and although fine looking animals, that's the way they performed despite William Heyer's handling. They are not numbered and became mixed up, some jumping the ring bank.

Heyer is much better astride Yo Yo, a high-stepper. His sister, Tamara, is in menage, as is Dorothy Herbert, who is back with the outfit. Dashing Miss Herbert is also riding in the jumps, blindfolded for the high leap. Others astride jespers are Estelle Clark, Norma Humes, Anne Hamilton, Bobbie Warriner, Hilda Voorhees and Bobbie Cropper. Races at the finale include a flat race with riders in jockey dress, pacers drawing sulkies and girl riders in several events, including the chariots.

Cristiani Click

The Cristiani troups is the sole riding act in the show and it is a crack exhibition by the men. Their precision leaps from tanbark to bareback, four and five ensemble, are standout stunts. Minus the Loyal Lepenskis, the girl end is secondary, in fact, the femmes here are more concerned in other turns, particularly the Faludys, an acrobatic act on the platform, one girl going four-high by means of the teeterboard.

The other acrobatic acts have the Ortans, Zerbinis and Demins. The feats are virtually the same as the top turns heretofore in the show, perhaps minus the same 'selling.' Same may apply to the trained small animal display, with Alf Loyal and his dogs in the center. Latter canines are in need of further practicing, the act being quite under standard. Trained seals go through the standard routines and impress as average. Fallenberg's bears, however, are up to snuff.

Platform acts in another display are more diverting, as for instance, the Sidneys, plus Will Morris and Bobby cycling routines, reminiful of the crack wheel turns in vaudeville. Alcardis, an import, specializing in club swinging in the middle ring, are supposed to toss torches, but there were none. There are but two perch acts in the show, with the Walkmir Trio the outstand-

(Continued on page 75)

Detroit Votes $26,000 For Summer Concerts

Detroit, April 11.

Common council has assured resumption of open-air concerts this summer on Belle Isle, voting to restore a 1939-40 budget of $26,000.

Latter are given by Detroit Symph. There's no admish charge.

Pix-Broadway

(Continued from page 1)

Sidney Kingsley's fall production of his, 'The Outward Room,' and several other unrevealed plays, RKO, Columbia, 20th Century-Fox, Samuel Goldwyn, Paramount and Selznick are all considering scripts for Broadway presentation. John Byram, of Paramount's story department, will probably go to London in mid-May to look over the current plays there for New York stage possibilities as well as screen adaptation.

Although most film execs expect no resumption of legit financing before next fall, some hope the Wharton-Wilk plan will be okayed in the next few weeks, permitting production of Broadway plays during the World's Fair period. Latter officials claim the present dearth of incoming plays is directly the result of uncertainty over the fate of the new plan.

Publication last week of the Guild's new basic motion picture royalty contract applying to the sale of film rights to stage plays simultaneously with the deal for legit production caused some criticism from Hollywood executives. They claimed the angle involving the price to be based on a royalty of the picture's gross would never be approved by them. However, it was pointed out by Guild members that the new basic contract does not apply to the contemplated Wharton-Wilk plan and would not affect it.

RINGLING CIRCUS' TOP FEATURE HURT IN FALL

Ringlings, Barnum & Bailey circus' top feature, Rosello, fell during the show's second night (6) at Madison Square Garden and was severely injured. Both wrists and one heel were fractured. It was thought that would be out of the show indefinitely, but doctors at the Polyclinic hospital, where Rosello was moved, said he would be able to go on within eight weeks.

Rosello is an imported act, as are the Four Queens, an aerial turn which will be given first billing during his absence. Performer worked the highest up of any act in the outfit and is billed 'The Man in the Moon.' Rosello's performance is classed as a high trapeze exhibition without finishing feat, striking the platform like a plummet and it was feared he was also internally injured. By Sunday his condition was reported favorable, however. Performer hails from Germany, his wife helping by manipulating cords which revolve the crescent-like device he works on. Couple had expressed belief that they could appear over here rather than in troublous countries overseas. His right name is Frederick Kostis.

Circus management sent out a hurry call for another feature to replace the injured aerialist. No decision was made on stripping lithographs and ads anent Rosello. Show has about $16,000 worth of paper on the act, which will not be further used until he reappears.

Carny Organization To Be Pushed by AFA

Chicago, April 11.

With the start of the new outdoor season the carnival division of the American Federation of Actors is stepping up its organizational activities.

Paul Sander, head of the AFA carnival division, journeyed to New York this week for consultations with AFA's executive secretary, Ralph Whitehead.

The AFA also is renewing a drive to clean up carnivals and has contacted officials in towns where carnies stop to be on the watch for any violations.

MARRIAGES

Elsa Bierring Rains to Boris Radoff, in Des Moines, April 7. He's a Des Moines radio entertainer.

Ruth Lapidus to Fred Weidner, in New York, April 2. He's a radio and nitery singer.

Edna Saunders to Bill Forman, in Pittsburgh, April 4. Bride's a dancer, he's with Tommy Carlyn's band.

Eleanore Cunliffe to Cam Ritchie in Detroit, April 1. Bride is CKLW, Detroit, accountant; he's CKLW traffic manager.

Curtis L. Roberts to Nora Holcomb, in Spokane, April 2. He's KHQ (Spokane) staff artist and continuity writer.

Elizabeth V. Sahner to Wilbur B. Hulsig, in Fredericksburg, Va., April 8. He was Budd of the former radio comedy team of Stoopnagle and Budd and more recently has been a radio m.c.

Pauline Slocum to Burns Lee, ex-publicity head of Benton & Bowles, April 10, in Los Angeles, Cal.

Edna O. Tansey, non-pro, to Joe Schoenfeld (Variety) in New York, recently. It's *Scho's* second try.

BIRTHS

Mr. and Mrs. Charles Spaetka, in Mansfield, O., twin daughters, March 26. Father is assistant manager of Warners Sixth Street theatre, Cosmo, O.

Mr. and Mrs. Harry Grey, son, in Hollywood, April 6. Father is associate producer at Republic.

Mr. and Mrs. Buddy Clark, daughter, in Los Angeles, April 9. He's the radio singer; she's daughter of Ralph Hitz, the hotel man.

Mr. and Mrs. Bob Evans, son, in Boston, April 1. Father is special events manager for WBZ, Boston, and WBZA, Springfield, Mass.

Mr. and Mrs. Erie Hampton, son, in Los Angeles, April 9. Father is with Metro publicity department.

OBITUARIES

ROBERT COURTNEIDGE

Robert Courtneidge, 69, actor, producer and manager, whose daughter, Cicely, is currently starring in the London success, 'Under Your Hat,' died of pneumonia in Brighton, England, April 6.

Active in the English theatre for more than half a century, he made his first stage appearance in a pantomime, 'Babes in the Wood,' at Prince's theatre, Manchester, at 17. Member of a Shakespeare company, he was in 'The Bells of Haslemere' in 1887 and subsequently abandoned his career as an actor to become a manager.

Following seven years as manager at Prince's theatre, Manchester, he went to London and met considerable success as a producer. Among his better known productions were 'Paddy the Next Best Thing,' which

IN LOVING MEMORY OF
MAURICE
Passed April 13, 1931
BELLE BAKER
HERBERT ABRAHAMS

he launched in 1920 and accompanied on its American tour, and 'The Arcadians,' a musical, which played two years in London. American version of this latter was presented by Charles Frohman at the Liberty, New York, 1910 with a cast featured by Frank Moulan and Julia Sanderson.

Owner of the Shaftesbury theatre, London, and holder of a part interest in the Theatre Royal, Bristol, he was author of pantomimes and collaborated on the scripts of several plays. Noted before the war for his hit musical comedies, he came to America several times to produce stage for their production here with Charles Frohman, his American rep.

LUDWIG FULDA

Ludwig Fulda, 77, German-Jewish dramatist, poet and translator, whose play, 'The Talisman,' won the Schiller award in 1893 but failed to gain confirmation from former Kaiser Wilhelm II, who disliked certain portions of it, died in Berlin April 8.

Graduate with honors from Heidelberg University in 1884, he soon pursued a writer's career and accounted for such plays as 'The Secret King,' 'The Pirate,' 'Robinson's Island' and 'Master and Servant,' among others. Most popular of his works were 'The Twin Sisters' and 'The Boyhood Friends,' which achieved considerable German production around 1900. He was noted for his German translations of Shakespeare's sonnets, Rostand's 'Cyrano de Bergerac' and works of the French dramatist, Moliere. Sponsored by the Germanistic Society of America, he lectured in the United States in 1906 and 1913.

BILLIE SHELDON

Billie Sheldon, 58, vaudevillian, minstrel and night club performer, died at his home in Philadelphia April 4. Sheldon, whose real name was William H. Crumley, for 11 years was a member of Dumont's and Welsh's minstrel troupes. His specialties were Irish songs and Irish comedy.

Starting in vaude as a boy, Sheldon continued actively until demise of the minstrels. He then went to work in a Philly trolley plant, taking night club dates until recently. Survived by widow.

ROSA GREEN KESSANLY

Rosa Green Kessanly, 77, noted contralto of the '90s died at her home in O'Bannon, Ky., April 3. Born in Louisville, she studied music in Paris, and concerted in France and England for 10 years.

Before the World War she married Telemaque Kessanly, publisher, of London, and lived there until 17 years ago. Body was cremated and sent to London.

Two sisters survive.

JOE HERBERT

Joe Herbert, 35, vaude and nitery performer, died of a heart attack in Hartford April 7. He recently toured with his own unit, 'Joe Herbert's Revels.'

Widow, the former Mickey Hale, of the Hale Sisters, and his father survive.

JAMES C. CANNON

James V. Cannon, 37, a musician, died in Saranac Lake, N. Y., April 3, following a three-year illness. His last engagement before his breakdown was with Ray Noble, as saxophonist and clarinetist.

Surviving are his widow, Marion, now at the Will Rogers hospital, in Saranac Lake, his mother, father, two sisters and two brothers.

Interment in Davenport, Ia.

JACOB W. CONRAD

Jacob W. Conrad, 57, who wrote many popular tunes shortly before the World War, died in a Brooklyn hospital April 7 following a lingering illness. Among his more prominent compositions were 'Ashes of Love,' 'I Have a Sweetheart' and 'I'll Change Your Sadness to Gladness.'

Surviving are his widow, daughter and son.

RAY KAMMERER

Ray Kammerer, 28, saxophonist with Red Nichols' orchestra for the past year, succumbed to a heart attack Monday night (10) while with his wife, Aridith, in their Cincinnati apartment. Orchestra ended Netherland-Plaza hotel run Sunday (9).

Kammerer's body was shipped to his home in Mankoto, Minn.

MAX SCHWARTZ

Max Schwartz, 78, former restaurateur, who as proprietor of Little Hungary, in N. Y., was host to scores of celebrities, including the late Theodore Roosevelt, in pre-prohibition days, died at his N. Y. hotel home April 4.

ARTHUR G. CZERWINSKI

Arthur G. Czerwinski, 53, former opera singer, died April 1 in a Milwaukee hospital of pneumonia after an illness of two weeks.

Survivors are a son, daughter, mother, two brothers and two sisters, all of Milwaukee.

LAWRENCE ANDERSON

Lawrence Anderson, 46, legit player, died in London hospital, March 28, of pneumonia.

Although in bad health, he had until shortly before his death, been in 'Magyar Melody' at His Majesty's, London.

WALKER ELLIS JANES

Walker Ellis Janes, 62, stationary engineer at the Grand theatre, died

In Loving Memory of My Dear Wife and Lifelong Pal
MAUDIE MALLIA
Who Was Taken Away April 9, 1937
HENRY MALLIA

at his home in Columbus, O., April 3.

Widow, four daughters and two sons, survive.

JOE HIXSON

Joe Hixson, 80, for years associated with theatres in Lima, O., died April 1 in Lima, from injuries suffered in an automobile accident.

Services and burial were in Lima.

Mrs. Pearl Spandau, 38, died in a Des Moines hospital, April 3, following an operation. She was the wife of J. J. Spandau, manager of the Universal Exchange, Des Moines. Burial in Pittsburgh.

Rollie J. Sickels, 36, of Film Service, Inc., film distributor, died March 15 in Milwaukee. Survived by widow, daughter, mother, four brothers and five sisters.

Francis Sisars, 80, voice and diction teacher, died April 5 in Hollywood. Before moving to California he had tutored opera stars for 30 years.

Mother, 80, of Elsie La Mont, retired partner of the comedy vaude team of Kraft and La Mont, died in Philadelphia April 3.

Harlan West, 49, head of RKO studio grip department, died April 6 in Los Angeles.

$150,000 CAIRO FIRE

Cairo, March 25.

The laboratories and projection room of Misr Film studios, near Cairo, have been destroyed by fire.

Damage, covered by insurance, is estimated at $150,000.

Girl Shows Seen Keynoting Trend Of N. Y. World's Fair; N.T.G. Signs

Nils T. Granlund last week signatured a pact for twin shows, a 'Congress of Beauties' revue and an outdoor Aztec Sun-Worshiping Girl's show, for the New York World's Fair. N. T. G.'s signing keynotes a major trend expected to be prevalent at the fair, the exhibition of girl shows.

Besides the 'Congress' Aztec shows, the fair also packed the 'Amazons in No-Man's Land,' beauty culture unit. This will be a walk-through. Exhibit is said to be tied up with Bernarr Macfadden health enterprises.

The Aztec show will have an Indian girl ballet and other outdoor activities, a la nude ranch, with visitors viewing proceedings from behind a glass enclosure. The other N. T. G. show will be housed in miniature theatre seating about 1,500. Name looters ostensibly from all sections of the globe are to be in the revue, which will include 40 people. Granlund early this week went to the Coast and intervening points to pick representative talent from all sections of the U. S. He's being assisted by Busby Berkeley and Earl Carroll in making Hollywood selections. Granlund's twin enterprise is backed by Charles Hertzig of the Metropolitan News Co.

Faith Bacon has been added to the Fair's nudity sweepstakes, signing this week to do a 'Fawn Dance' for N. T. G. Della Carroll, scheduled to go into 'The Streets Of Paris,' which fell through, will also be a featured N. T. G. nude.

Meyer Davis signed yesterday (Tuesday) to put two bands into N. T. G.'s shows at the Fair. He's also supplying music for the Terrace Club at the Fair.

Seek Later Curfew

The amusement zone will remain open after 10 p. m. when the remainder of the exposition will shutter, it was disclosed this week. Area is so arranged that it can be operated as a self-contained unit even after other exhibits across Horace Harding boulevard are closed. The amusement zone has its own parking area and several separate gates, one leading to the Independent subway system on the grounds. The nightly fountain-fireworks in the amusement area is scheduled to start at 10 p. m. There also is talk that the zone will stay open until 2 or 3 a. m., depending on how biz holds up.

This sector has room to accommodate 250,000 at one time. The area's elaborate lighting system is rapidly being swung into place with the area expected to be practically completed by the first week of the fair, which opens April 30.

Jack Sheridan's 'Living Magazine Covers,' the model-posing exhibit, promises plenty of undraped girls. The 'Artists Colony,' another new show in the amusement zone, is more of a walk-through, with sketching of artists a feature. Sketches will be sold. A nude life model is planned as the focal point of the artists. 'Arctic Girl's Temple of Ice' also is set. It features a model 'sunk' in a cake of ice.

Expo Highlights

Crystal Palace, which is a small reproduction of the original building that housed N. Y.'s first world's exposition in 1853, will have highlights of the Philadelphia exposition of 1876, the Chicago fair of 1893, the Century of Progress and other fairs, including the 'Fair of Tomorrow.' These will be presented in living tableaus and miniature sets.

Advance ticket sale to the expo indicates a sustaining attendance this summer. Real influx of out-of-town visitors is not expected until late June.

Force of exposition guards is being increased and drilled. Estimated that at least 1,000,000 persons daily will pass through the gates.

The Visiting Press building is scheduled to be opened for use this week while the Independent subway line is slated to start trial runs on the new extension from Kew Gardens to the amusement zone Saturday (15).

Hollywood, April 11.

Nils T. Granlund is due here tomorrow (Wednesday) from New York to line up 24 film girls, eight specialties and four old-time picture names for his N. Y. World's Fair 'Congress of Beauties.'

Mum's the Word

The hometown pride act pervades the attaches at the New York Fair grounds, according to the initiates now making preview tours. Comparisons to Frisco's show are deemed odious by the most humble Fair guide, or, as one observed, 'From what I hear that Treasure Island expo would make a nice little sideshow at our Fair.'

Talking about the various states, most of which have buildings at the N. Y. Fair, one minor exec observed that it must be because of 'sheer jealousy' that California isn't represented with a state bldg. at the N. Y. expo. Asked if N. Y. has a building at the Frisco Fair, the same exec dismissed it, 'No, but why should we...didn't they steal the idea from us?'

It's a Grover Whalen rule that Fair attaches are not to talk to the press.

DOWNIE BROS. CIRCUS OPENS SEASON IN GA.

Macon, Ga., April 11.

Downie Bros. Circus opened 1939 season Wednesday (6) with two performances in Central City Park, where show wintered. Local showings were sponsored by the American Legion.

Circus was sold last month by Charles Sparks to William M. Moore & Co., a Georgia corporation, made up of William M. Moore, of Denison, Texas, who has been in show biz for more than 40 years; H. A. Decker and T. Leo Moore, Electra, Texas, oilmen, and Paul M. Conaway, Macon attorney and newspaperman.

Barnett Bros. Open

Spartanburg, S. C., April 11.

Barnett Bros. circus has left York, S. C., winter quarters on northward tour. Season opened with day and night performances in York.

Weisgal May Do Palestine Spec on Randall's Island

Meyer Weisgal, currently readying the Palestine Pavilion for the New York World's Fair, may also present a Palestine pageant in Randall's Island Stadium, the N.Y. this summer. Both ventures are planned to show the progress made by Jews in rehabilitating the Holy Land. Pavilion at the Fair will be an exhibit, with most of the material imported from Palestine, while the show at Randall's Island would be in the nature of a spectacle.

Producer has no plans for reviving 'The Eternal Road' for the Fair, as had been reported.

Soviet's R. C.

(Continued from page 1)

cow on a national holiday celebrating the adoption of the Stalin Constitution. 'It seemed as though all Moscow was dancing in the great square near the Kremlin and before the Opera; loud speakers poured out music and the people danced. Gradually I realized the music was American and that the words to the songs were English. I shall long remember 'Annabelle' and 'The Man on the Flying Trapeze.'

Minor reported night clubs, with music and dancing, in Moscow hotels—'these did not exist a few years ago.' He was impressed by the abundance of food, 'especially after noting the shortage in Germany.' Russian people are better fed and clothed than five or six years ago, although there is a great shortage of housing facilities. There has been remarkable progress in the development of physical things since 1936, Moscow subway being outstanding.

Minor's talk, replete with interesting facts and acute observations on economic and political developments in the Soviet, would be well repeated on a network broadcast. Painting both sides of Russian picture, it should offend no fair-minded person.

Ringling Circus

(Continued from page 54)

ing survivors and still among the best of their type. In this display is still another aerial turn, a single trapeze with the very blonde Fritzi Bartoni aloft. Girl takes the center and features a half turn to a heel catch. From Italy are the Pilades, cousins of the Cristianis, who summersault over elephants, using a runway and sort of springboard. Turn is featured.

The fliers again have the Concellos in the center, act being perhaps the best of its kind extant. Featured in Antoinette's two and one-half to a leg catch. She dropped to the net twice opening night, but on the third try was caught well up on the legs. The Randolfs and Comets are on the ends.

The clowns have scrapped the fire engine stunt. One replacement is 'Ferdinand The Bull,' staged in the center ring, designed for the kids, with a bow to Walt Disney. In the production spec and in other parts, the jungle motif is introduced by Charles LeMaire and Mme. Andre Sherri, the designers. At the opening two horsemen circle the ring, one carrying the stars and stripes and the other that of New York's World Fair.

Tent is partly hooked into the slogan for the metropolitan engagement: 'The World Comes to the World's Fair.'

Spec is led by five girl drum-majors, plenty dressed up. LeMaire has also dolled up the staff—there is Fred Bradna, show's pacemaking director, in tailcoat, something he can brag about. A giraffe parades in the starting procession, but the idea of leading a lioness, too, was skipped, for they found it too much trouble last season.

Deal between the circus management and the American Federation of Musicians calls for a monthly wage of $45, plus keep for razorbacks, hostlers and canvasmen. That is the figure reputedly offered by the show to AFA last summer, when the dispute with the union ended when the show folded at Scranton, Pa. Previous demands called for $60 monthly, old wage having been $30.

John Ringling North claimed the show could not exist if such wages were paid and also objected to a five-year contract. New arrangement calls for one year and provides that disputes be placed before the American Federation of Labor. Questioned if as much common labor will be used on the road as formerly. Big top will be a fourth less tent, as against six poles, but will be higher, reaching up 60 feet, also wider to provide a more rounded effect. Difference in capacity is not expected to be material.

Sidelights

They are spraying perfume around the arena back and front during performances, a distinct improvement over the strong-smelling disinfectants used heretofore.

Circus will not play Brooklyn proper this season for the first time, a building on the lot used last year eliminating that booking. Big top will first pitch canvas in Long Island City, on a lot near Madison Square Garden bowl.

The main tent will be cooled throughout the season. Deal with General Electric calls for lowering the temperature considerably under that on the outside. Cooling process is that used in railroad stations when trains are stalled still, and airports when planes are being readied to go aloft. Process is a blower system.

Roland Butler is general press agent, as heretofore, Frank Braden and Gardner Wilson are ranking staff, with Jimmie Jerome Harriman in contact press agent. Bill Conway is contracting agent for New York, with Al Butler having that assignment outside. Joe C. Donahue is general traffic director, while Beverly Kelley is in charge of radio programs.

Outfit rolled into town ahead of schedule. It started for the Garden from the Mott Haven yards, where it was ferried from Jersey City, Saturday (1) afternoon, elephants drawing the heavy wagons. But there was some doubt about the show opening on the advertised date because of the Garden playoffs. Had the Rangers not dropped the game to Boston at the Garden Saturday, circus would have been compelled to postpone until the latter end of the week.

Twins were born to Terrel and Dolly Jacobs, she being out of show for the first few days.

Frisco Fair Needs More Coin; Its $20,000,000 Spent; Demand for Kid Shows and More Free Attractions

San Francisco, April 11.

Financial crisis is impending at the Golden Gate International Exposition, with execs reported seeking additional cash from oil companies, public utilities and banking interests which have already advanced dough to support the Fair. With practically all of the $20,000,000 raised in advance of the opening already spent, the expo needs additional funds now to finance a number of major attractions necessary to help draw larger crowds.

Conflicting rumors are being heard —one that the new money will insist that General Manager Harris D. H. Connick be given absolute authority to carry out his own plans; another that no new cash will be forthcoming unless Connick steps out.

It is also reported that a big-shot showman from New York has been offered the top spot at the Fair at a salary of $100,000. Connick has been accused by some of thinking in terms of the Fair's past, which he also managed, and of failing to keep abreast of modern trends in showmanship. Management's lack of interest in showmanship generally is blamed for the absence of Gayway attractions drawing repeat trade. Zone is heavy on dame shows, of which there are 11, and on the Gayway there are no pet appeal. Leo Singer's Midget Village, which was shuttered a few days after the Fair's opening because of financial difficulties, may reopen soon. The midgets and Singer are still in town pending settlement of contract.

Henry Clive is still stalling on setting an opening date for his Hindu rope trick. Expo put up $20,000 for a building for the show. Clive wants to charge 50c. and he figures that the crowds on the Gayway are too thin at this time to enable him to meet his nut. The Monte Carlo show has closed. Originally intended to be a bingo parlor, Monte Carlo was turned into an expose of gambling. Show was a poor biz getter from the very start. A syndicate is said to have offered the expo brass half $450,000 for the bingo concession, but was turned down because it bingo does come to the Fair it will be operated by the expo.

'Folies Bergere' a Big Click

Major financial success at the exposition at the present moment is 'Folies Bergere,' currently in its sixth week, playing 23 performances a week, with present capacity attendance in the 3,300-seat California Auditorium. Originally set for six weeks, 'Folies' will now run for at least four more stanzas. Show has been getting terrific word-of-mouth buildup with considerable repeat trade, although newspaper advertising has not kept to a minimum.

It is generally conceded the expo has another winner in 'Cavalcade of the Golden West,' a mammoth spectacle and pageant with a cast of more than 160 playing 2,000 characters in the 23 scenes, with around 100 horses, a herd of some 30 cattle, and replicas of two old-fashioned locomotives, early San Francisco horse-drawn street cars and other realistic atmosphere. Staged outdoors in a huge open-air theatre with a seating capacity of some 3,000, 'Cavalcade' employs such novel devices as a 20-foot curtain of water. Show has plenty of action and color, but up to the present has not had the proper ballyhoo. However, within the last few days the expo has hired a press agent who put devote all his time to selling 'Cavalcade.' Showmen have declared that the expo-financed 'Cavalcade' is a better show than any other the Fair has had in recent years.

Night crowds at the Fair haven't been as heavy as expected. Louie Lipsky, local showman who has investments on Treasure Island, is said to be on the verge of inking a deal which may bring more fairgoers to the Island at night. Lurie has in mind a big ice show to be staged in the California Coliseum, a 9,000-seater which has been a white elephant.

Sally Rand's One Red Week

Concessionaires claim that their money is being used to meet current expenses and that the brass hats have been slow in paying off. Concession revenue has been big, in spite of the weak midway. There are still some shows doing poor biz, such as 'Musee Mecanique,' the 'Mark Twain' house, 'Hydrosphere' and 'Scotch Village.' Some of these don't belong on the Gayway. The 'Scotch Village' is in a bad location and is being poorly sold. However, its operator, William Russell, is a smart showman and it is felt that this village will be a comer to be reckoned with this summer. Sally Rand's Nude Ranch is lagging and is said to have gone in the red one week recently.

New Show Opens

Sally Rand got her new show, 'Miss America,' underway on Easter Sunday. Manager Connick wanted the name of this concession changed because of a plan he had to stage a 'Miss America' contest in the 9,000-seat Coliseum off the Gayway.

The appointment of Art Belcher as temporary chairman of the Concessioners' Association, has started rumors that the restaurant concessionaires on the Gay Stem are organizing to take over control of the association in an effort to dictate the publicity policy on the Gayway. Belcher, a local restaurant man, has some eateries on the Island.

Concessionaires are still squawking for more gaiety on the Gayway. They would like to have the expo hang out some flags to liven it up, bring in some more kid shows and provide more free attractions with proper ballyhoo.

Fair execs realize that something went wrong with the Edwin Franko Goldman concert. Publicity and an effort is being made now to publicize the band to the limit. A p.a. has been assigned to concentrate on plugging the outfit. One of the first things arranged under the new order of things for the Goldman band was a series of broadcasts. Goldman hasn't been any too cooperative in working with the press on publicity stunts.

Fact that grounds are getting cluttered up with papers from hot dog stands, etc., throughout the Island is undoubtedly due to too drastic a cut in the janitorial staff.

Treasure Island was overrun with kids last week, during the expo one of its best weeks from standpoint of the gate. Weather was perfect. One of the largest week days at the Fair was its opening in February occurred on a Thursday, April 6 (Army Day). Break in weather started April 1, when 44,446 went to the Fair. Following Sunday saw 75,748; Monday, 27,715; Tuesday, 37,670; Wednesday, 51,375; Thursday, 53,316; Friday, 36,788; Saturday, 53,316; Sunday, 60,257.

DALLAS' SHOWMANSHIP TO BUCK FORT WORTH

Dallas, April 10.

Backed by the Dallas Wholesale Merchants' Association, subsidiary of the Chamber of Commerce, an attempt is now being made here to form a corporation to finance a summer show to attract tourists who hitherto have spent their coin in Fort Worth. Sponsors plan two-month run, July and August, of varied professional talent in some outdoor arena, yet to be picked, with a seating capacity of at least 5,000.

Idea germinated in 1936 during Texas Centennial when Fort Worth plastered this section with signs advising strangers to go to Dallas for education, come to Fort Worth for entertainment. Long-time rivalry grew worse last New Year's Day when Fort Worthians snubbed the Dallas Cotton Bowl game. Abortive attempt to keep the dough at home failed last summer when Dallas Park Board tried to build a dance pavilion at White Rock Lake, city resort on outskirts, but was blocked.

Saved from Hammer

Los Angeles, April 11.

Payment of taxes amounting to $1,809, plus costs, averted a tax lien sale of the Hagenbeck-Wallace circus by the county assessor.

Most of the equipment will be removed to Peru, Ind., and the animals to Ringling winter quarters in Sarasota, Fla.

ESTABLISHED 1898

We take great pleasure in announcing the association of Willard Alexander with the Agency. Mr. Alexander, in particular, will supervise the Agency's orchestra and band activities.

William Morris Agency, Inc.

New York

Chicago

Hollywood

London

RADIO SCREEN STAGE

VARIETY

PRICE 25¢

Published Weekly at 154 West 46th Street, New York, N. Y., by Variety, Inc. Annual subscription, $10. Single copies, 25 cents. Entered as second-class matter December 22, 1905, at the Post Office at New York, N. Y., under the act of March 3, 1879.
COPYRIGHT, 1939, BY VARIETY, INC. ALL RIGHTS RESERVED.
Vol. 134 No. 6 NEW YORK, WEDNESDAY, APRIL 19, 1939 64 PAGES

BLAST HOODLUM PIX-RADIO

Anyway, It's Great for A.T.&T.

French government telephoned across the Atlantic last Friday (14) after President Roosevelt's speech. France requested A.T.&T. to ask NBC to arrange telephone translations in French, German and Italian so that the French radio ministry in Paris could make transcriptions and re-broadcast to Europeans later in day.

Matter was referred to the NBC shortwave department, which has a full complement of linguistic spielers. Because of the question of Presidential courtesy involved, NBC believed it should first ascertain the White House's opinion. With France waiting and the A.T.&T. holding an ocean circuit open, Guy Hickok of NBC called the White House but could not contact any of the secretariat. He then asked for President Roosevelt himself.

A moment later F.D.R. was on the line in person and gave permission.

'Feel of a Live Audience' a Bonanza For Coast Niteries' Free Names

Hollywood, April 18.

Theatre Authority may have knocked the gimmicks out of benefits but it also gave the acting gentry out here a ham-hypo that is defeating the purpose of the TA setup. Where the bow-stealers once performed 'free gratis' so that this or that cause might pick up a few needed simoleons, they now do the same thing, only work at it mugg harder, for a cafe owner—with no philanthropy attached.

Ask the big timers who jump at the chance to be called to stage center from their tables, 'How come?', and they'll lay you out with, 'Gotta have that feel of an audience.'

Stick around long enough and they'll put on the act for you. But you gotta applaud so's they can take the bows going away. Yet, their reasoning isn't as far-fetched and fatuous as may seem at first tumble. Blame it on dat ol' mechanical debbil, microphone.

Here's a sample of what you get: 'How'd you like to talk into a little round metal gadget day in and day out without knowing how you're getting along and whether you're clicking or not. You can lay eggs all day without knowing it. It's the same on sound stages as it is in radio. It's a little different in radio; you get

(Continued on page 50)

European War Scare Puts a Production Hiatus on Costly Pix

Hollywood, April 18.

Major studio pictures carrying heavy budgets are being set back on production schedules pending European developments. Front offices feel that unnecessary financial risks would be taken in turning out big films in the event armies start marching and the markets of affected nations would be lost for revenue.

Shift will not affect plant personnel, as films of lesser cost are being moved up. Gigantics will mark time

(Continued on page 62)

THEATRE, PLUS TOWN, TO BE ENTIRELY MOVED

St. Louis, April 18.

The Greenville, a 200-seater operated by K. H. Wilkinson, at Greenville, Mo., a town of 800, will be moved with the rest of the community to one of the hills overlooking the Francois river when the new $15,000,000 Wappapello Dam is built.

The present site of Greenville will be submerged 40 feet more than was estimated by the construction of the dam, and there is no other recourse for the inhabitants than to seek another location.

$20,000-A-WEEK FRED WARING DEAL

What may develop into the biggest time and talent expenditure of its kind is Chesterfield's engagement of Fred Waring for the across-the-board spot which Amos 'n' Andy formerly filled on the NBC-red (WEAF) link. Should the contracts with NBC and the bandman go 52 weeks the cig account will have spent around $1,800,000 for time and $1,000,000 for talent. Waring's weekly stipend for the series of five quarter-hours a week is reported to be $20,000. It's the first time that a name band has been sponsored on such basis.

Waring's competition besides A & A will be 'Easy Aces' (Anacin). It's also the first time that the three networks, CBS, the NBC-blue (WJZ) and the red, have had commercials pitted against one another in this 7-7:15 p. m. EST niche.

Waring could have commenced May 29 for the cig account but he elected to wait until he had completed his run at the Strand, N. Y., which begins April 28.

PULPIT, PARENTS ATTACK GRIMERS

'Dead End Kids' Type of Films and 'Gangbusters' Air Shows Charged with Contributing to Juvenile Delinquency

'ANTI-CRIME'

By WALT RASCHICK

St. Paul, April 18.

Front page hullabalooo—arguments pro and con regarding demoralizing effect of hoodlum films and sensational radio programs—has split this territory wide open.

Statements by juvenile court officials, church leaders, Boy Scout execs, educators and civic leaders have stirred a hornet's nest. Of the town's rialto, only show-wise Lou Golden leaped to the films' defense, and landed himself a scad of type spread lavishly under a three-column headline.

Uproar began when Stanley C. Hedstrom, senior probation officer of the boys' division of Ramsey County (St. Paul) Juvenile court, charged that such films as those featuring the 'Dead End Kids,' and radio fare such as 'Gangbusters' are positive factors contributing to juvenile delinquency.

Judge of Juvenile Court Carlton McNally, a recognized authority on problems involving delinquent boys, seconded Hedstrom's statements under a page-one banner line: 'I have had to deal with boys in court who were emulating the 'Dead End Kids.' When these young actors were first on the screen their plight was depicted as deplorable. In later movies they have been made to have exciting and attractive adventures. Children want to see them time after time.

'If the children had the power to know the right from the wrong this might be all right. But these lads

(Continued on page 55)

N. Y. Fair Preem But 10 Days Off; Big Rush On Finishing Touches

With the New York World's Fair's April 30 premiere only 10 days off, working force on the Flushing Meadows site was doubled this week as the usual last-minute rush got into full swing. Approximately 15,000 are working on the grounds, a big portion of them in the amusement zone, which is 50-75% behind the remainder of the exposition with its building program. The midway is the furthest retarded.

Because of importance in having the bulk of the Fair operating on the opening day, additional crews probably will be added for the final

(Continued on page 62)

President Roosevelt's Frank Plan To Woo S. A. Good-Will Via Screen

Washington, April 18.

Broader use of motion pictures to promote friendly relations and strengthened ties between the United States and Latin America is up to Congress, at the moment when domestic distributors—particularly the newsreel companies—are working with the State Department to put up a fight against cinema seduction of the Germans and Italians.

Plan for bringing the other Western hemisphere countries closer to the U. S. via films was officially proposed last week when President Roosevelt sought $176,000 to carry out a picture project recommended last fall by a special advisory committee. It's part of a $1,000,000 scheme to prevent the European totalitarians from luring the South Americans to their way of thinking and from snatching our valuable trade.

On several fronts, the Federal Government is appealing for film industry aid in maintaining cordial relations with Latin America. Recently, Nathan D. Golden, chief of the Commerce Department's motion picture division, has been pointing to the money which can be made in the South American market, urging U. S. producers to try to recoup

(Continued on page 19)

B'WAY MAY SEE A 3D SWINGOPATED 'MIKADO'

'Mikado in Swing' colored unit, currently at the Orpheum, Minneapolis, is being offered to New York bookers by producer Harry Rogers. If a deal is set, it will mean three swingopated 'Mikados' on Broadway, the other two being the legits—WPA's 'Swing Mikado' ($1.10 top) and Michael Todd's 'Hot Mikado' ($3.30 top).

Thus far no deal for 'Mikado in Swing' has been set. Unit contains 90 people, including five musicians, and is said to be a copy of the WPA's version, only condensed.

Rogers is asking $7,000 a week for the show, plus a split of the grosses.

NEW 'JITTERBUG JOINTS' SOCK B.O. IN PA.

Philadelphia, April 18.

Latest thing on the nitery front here and in other Pennsy towns, and spreading speedier than a dictator's dreams, are 'jitterbug joints,' selling nothing more potent than ice cream sodas, and providing music via coin machine and an oversize dance floor for the kids to work out on. About a dozen of the spots have mushroomed in the past six weeks, with The Topper the newest and floosiest.

Spot has no show in the professional sense of the word. It has one team of topnotch jitterbug terpers

(Continued on page 51)

Quints Must Parlez Anglais for 20-Fox; Ires Cannuck Gov't

Toronto, April 18.

Stipulation of 20th Century-Fox, that the Dionne quins will have to speak English in the last of the series of films, for which the five youngsters are under contract, has aroused a furore among the federal-appointed guardians, this complicated by the racial action of the French-

(Continued on page 61)

April 18th, 1939

Mr. Phil Spitalny
New York
Dear Phil:

You will be happy to know you and your all Girl Orchestra have just broken every record ever established at this theatre

Howard Feigley, Manager
Rivoli Theatre, Toledo, Ohio

CANCELLATION ANGLES LOOM AS MOOT EXHIBITOR POINT IN THE TRADE CODE

Leading Indies Doping Out Various Aspects—Buying and Benefits Weighed—Arbitration Limitations Another Important Phase

Pending the approval of the trade practices code by leading indie exhibitor organizations, with or without exceptions, considerable discussion in theatre operating circles hinges on the extent to which exhibitors will benefit by the cancellation features of the plan.

Among other things, the question arises on how the cancellation clause will work where theatre chains buy pictures under lump sum deals, and then allocate the rentals themselves to their own houses. Under such deals, where made, there would be nothing to stop a lumper-in-buyer with a representative string of houses from allocating rentals low enough in one house to get the 20% privilege, while adding on rental in other spots where either 15% or 10% would be permitted under average of rentals set.

The exclusion privilege is 10% when the rental averages over $250. It is 15% when the average licensing fee is from $100 to $250 and 20% on rentals of under $100. There is nothing in the code, as written, which determines the average rental on a basis of a week, for instance. Regardless of the run of the pictures, if the rental isn't less than $100, the 20% cancellation privilege cannot be used.

In other words if one house plays a picture for one or two days, the average rental for such a theatre would be less than runs of longer length. Thus, two theatres might pay the same rental on given features if figured on a daily basis, but average up very differently when calculated on the runs of each.

A majority of the average rentals, it is claimed, would run less than $100. For this reason, plus the fact that many theatres change shows three and four times weekly, the smaller indies and a fair number of major circuit houses will fall into the 20% cancellation class.

However, the exhibitor in many instances, it is feared, is going to be unable to knock out 20% or one-fifth of his entire supply because he may need all the pictures he can buy in order to continue operating. If in double bills, the exhib changing four times weekly now requires eight pictures a week or a total on the year of over 400. This makes him play virtually everything he can buy.

It is a question, also, whether the indie may find it possible to buy as easily because an opposition house, with better buying power, may now pick up more pictures on the ground that from 10 to 20% of those bought may be cancelled.

How About the Opposish?

There is another field of thought in buying circles which revolves around the question of whether stronger houses may want to take advantage of their rejection powers, because such pictures thrown out would then become available to the next guy. While the picture cancelled by the one house may not be so good for that operation, it might be used to advantage by another house. As pointed out in buying circles, there is a theatre for every picture.

A possibility is that, under the exclusion provisions of the trade practice code, deals may be made on a basis that if there are any cancellations to a distributor by one theatre, they may be made automatically available to the other fellow.

In other words, under such selling the distributor might offer 'B' theatre any of his pictures that are being cancelled by the opposition 'A' theatre. Thus 'B' theatre would be assured of anywhere up to 20% of the distribs pictures, if cancelled out by 'A' theatre.

The question of cancellation of pictures on moral, religious or racial grounds is something else again. If one exhibitor cancelled a picture on such grounds, with arbitration not holding his reasons, can an opposition theatre in the same situation then avail itself of that picture? It is assumed it could.

In addition to the cancellation feature and elimination of score charges, the average exhibitor is very interested in an arbitration system that will impartially handle disputes arising between buyer and seller.

The demand for more definite details of arbitration machinery is likely to be insisted on by the majority of exhibitor organizations before final acceptance of the code. Numerous exhib bodies have recited acceptance and endorsement of the code with this and some other exceptions.

The only important rejection flatly is that of Allied States Assn., which has informed the distributor committee it refuses to consider the code because of lack of arbitration details, and other trade reforms it seeks, including elimination of block booking.

William F. Rodgers, Metro's general sales manager and spokesman for the distributors on the code, stated yesterday (Tues.) that up to then only one exhibitor body outside of Allied has turned the trade practices concordat down flatly. This is the Intermountain Theatres Assn. of Utah. No reasons were given for the rejection, according to Rodgers, who adds that Allied States has never officially informed the distribs of its reasons for failing to consider the final draft.

While the MPTOA is submitting the code, as ultimately drawn, to its board members and will convene the directors at an early date, not yet set, it is believed this national body will be among the groups accepting.

The ITOA of Southern California and Arizona, the MPTO of Virginia, the Theatre Owners & Mgrs. of the Rocky Mountain Region and the ITOA of New York have all informed Rodgers of their acceptance of the pact with minor reservations noted. The Allied Independent Theatre Owners of Iowa & Nebraska has endorsed the code with one exception and is submitting recommendations to its board of directors for final action.

N. Y. Indies' Partial OK

After intensive study of the latest revised trade practice agreement, the Independent Theatre Owners of N. Y. has partially endorsed the code as a step in the right direction. It is not entirely acceptable to the theatre owners, however, due to omission of all vital trade practices which the code should cover.

According to Harry Brandt, president of the I. T. O., the new agreement fails to provide specific guides for arbitration. While arbitration is specified where it is claimed a contract has been breached, the code specifically exempts from arbitration the question of license fees or other terms and conditions on which pictures may be licensed. Unless the phrase 'other terms and conditions' is clarified, much confusion is bound to arise as to exactly what is the subject of arbitration.

The I. T. O. is unqualifiedly opposed to any code which does not make every dispute, no matter what its nature, the subject of arbitration. Failing that, the code would have to be rewritten and greatly amplified.

Sundry Objections

The association is also not in accord on other grounds. First, while exhibitor associations are to choose the general panel of arbitrators, the code provides that the neutral panel of arbitrators is to be mutually agreed upon by both distributors and exhibitor interests. This means that affiliated and independent exhibitors shall have an equal voice in their selection. I. T. O. believes that choice of a neutral panel by distributor representatives is a sufficient protection to affiliated exhibitors and only indie exhibs should have a voice in choosing the panel, instead of both classes of theatre owners.

Second, code provides that if a distributor breaches a contract, arbitrators are restricted to awarding damages on the amount fixed in the license contract. This, it is claimed, merely perpetuates present unfair provision of standard contracts. Arbitrators should be allowed to adequately compensate an exhibitor for any breach by a distributor, since the liquidated damages, as fixed in the standard contracts, unreasonably limit such damages.

Finally, one thing which hasn't been dealt with and which the I. T. O. feels should go in, is a clause to prohibit a distributor from reallocating pictures for any reason, such as redesignating a 'B' picture as an 'A'. Once classified, original designation should be allowed to stand.

AISNER'S EASTERN PIC MAY GET PAR RELEASE

Robert Aisner, head of Hersut Films, who plans making several pictures at the Eastern Service studio, Astoria, L. I., returned from France this week. He went to Paris to arrange details of his first on this side, 'Bricks Without Straw.' A budget of $300,000 has been set, and Sylvia Sidney will star, with Marion Gering directing. Scripting will be by Irwin Shaw, author of 'The Gentle People.' Aisner will start shooting next month.

Negotiations between Aisner and Paramount for release by latter of 'Bricks' are held up pending Aisner's return from Paris and Russell Holman's return from Hollywood. Latter will be back in two weeks, following Par studio huddles.

S. W. SOUR ON MUSICALS; OK WESTERNS

Oklahoma City, April 18.

Only the bravest exhibitors are showing musicals in this and nearby states nowadays, with the galloping notes having definitely soured as far as the folks in the villages are concerned. Even the hypnotic musicals are killing cashiers from loneliness. The occasional exception often gives exhibitors hope, but after he runs a couple more he usually says never again.

Preference for good westerns, on other hand, has mounted even in the bigger cities. 'Mustangers,' such as 'Stagecoach,' 'Oklahoma Kid' and 'Dodge City' are finding plenty of folks lining up for their pasteboards. Result has also been a healthy addition to the b.o. at the smaller houses playing the dyed-in-wool horse operas from the smaller studios.

L. A. to N. Y.

Neil Agnew.
Fred Astaire.
William J. Baker, Jr.
Irving Berlin.
George Brent.
Nana Bryant.
Ted Denton.
Gene Fowler.
Dave Gould.
Milton Gunsburg.
Nils T. Granlund.
Mitzi Haines.
Ted Hodges.
Sidney Howard.
Larry Kent.
Fay Murray.
Lyn Lys.
Lillie Messenger.
Norman E. Morey.
Troy Orr.
Ben Pesksay.
Ralph Roian.
Eleanor Powell.
Sam Sax.
Frank Schenck.
Randolph Scott.
Sol C. Siegel.
Harry Spears.
Kathleen Wilson.
Mrs. Max Winslow.

N. Y. to L. A.

Maxine DeShon.
Richard Carlson.
Earl Carroll.
Mr. and Mrs. Will Fyffe.
Harriet Hilliard.
John W. Hicks, Jr.
Sam Levine.
Mr. and Mrs. Albert Lewin.
Russell Morrison.
Rags Ragland.
Charles Ruggles.
S. Sylvan Simon.
George J. Schaefer.
Phil Van Zandt.
Anthony Veiller.
Franklyn Warner.
Andrew Weinberger.
Gordon E. Youngman.

Other News of Interest to Films

Italy feels lack of Yank pix.....Page 19
Metro, Par and 20th O. K. in Reich.....Page 19
Irene Rich piqued at Welch's.....Page 34
Goldwyn countersues radio agency.....Page 35
Radio reviews: Phil Baker, Bob Benchley, Bing Crosby, 'Grouch Club'.....Page 44
Mae West's big $17,500 in Atlanta.....Page 49
Pic coin for strawhats.....Page 57

Details of WB Conversion Program All Set; 6% Debentures Due in Sept.

With more than 75% of outstanding debentures deposited under the Deposit Agreement, Warner Bros. directorate last week declared the Plan of Exchange (dated July 22 last year) effective. This provides for exchange of Optional 6% Convertible Debentures, due next September, for new 6% debentures, series being due in 1948.

Under the plan, $19,338,000 aggregate principal amount of the old bonds were deposited and certificates to be exchanged for new bonds issued for same. Statement to bondholders said that $6,196,000 worth of the old bonds have not been deposited under the Plan of Exchange and are now outstanding. Directors gave holders of these until next May 1 to exchange for the new obligations.

The new bonds, due in 1948, have been listed on the N. Y. Stock Exchange and will be set direct in exchange for old liens to those desiring to exchange. Certificates of deposit issued to old bondholders who wished to switch to the new issue now are exchangeable for 6% debentures due in 1948.

Warner Bros. statement to holders of these certificates of deposit showed that $25,534,000 aggregate principal amount of the old bonds due next September were outstanding at the close of business last April 11, of which $19,338,000 worth have been deposited under the plan. Besides the undeposited total, $485,000 principal amount of Certificates of Deposit are held in the company treasury for use for sinking fund purposes.

Warner Bros. has bought $3,102,000 worth of old bonds (due next September) in the open market and retired them. Company has from now until next September to retire the $6,196,000 worth of old liens presently outstanding. While Warner Bros. is hopeful that an additional $500,000 worth or more of old bonds would be exchanged, open market operations may be resorted to in handling others.

Warner Bros. now has a bank loan agreement company to borrow up to $6,000,000. Loan is to be at 5%, being in the form of notes. These will be retired at the rate of about $500,000 every months starting in April, 1946, with final payoff in 1944. Stanley Co. of America, some theatre properties and $3,000,000 cash are on the Burbank studio, Hollywood, go up as security for the loan.

U. S. Bill of Particulars To Be Filed by May 1

The U. S. Government will file its bill of particulars against the major companies by May 1, if not sooner,' is the statement issued by Robert L. Wright, special assistant attorney-general, handling the examination before trial of United Artists. Harry Muller was on the witness stand during Thursday's (13) proceedings, and was questioned on exhibitor contracts, names of producers and their identities, amendments to contracts, identity of producers' representatives in N. Y., contracts on single pictures, and methods of indexing cards. Various exhibits such as long-term contracts were given to the Government to examine.

Hearings postponed until today (Wednesday), at which time the U.S. may call Harry Gold, Jack Schlaifer and Paul Lazarus of UA to testify.

BROADCASTERS RAP H'WOOD 'CHISELS'

Washington, April 18.

Strained relations between films and radio have been tautened by the attempted free-time grabs of some Hollywood producers, which have caused the National Ass'n of Broadcasters to protest chiseling attitude toward broadcasters. Warning was sent to all association members last week that Metro and Warner Bros. are seeking to induce stations proprietors to plug the film industry without remuneration. Direct representations to WB, but only sideline comment about the M-G attitude.

The trade body pointed to the WB transcription series, 'America Marches On,' which Harry Maizlish, manager of KFWB, Hollywood, contends is strictly non-commercial and the script, offered as news about forthcoming film production, disseminated by Metro. Commented in italics that while M-G-M will spend $2,500,000 in boosting features in papers, magazines, etc., the studio proposes 'not a dime for radio.'

TORRES SUES WB FOR $1,000,000 ON 'JUAREZ'

Los Angeles, April 18.

Miguel C. Torres, Mexican producer, has filed a $1,000,000 suit against Warners, charging parts of his picture, 'Maximilian and Carlotta' were used in 'Juarez.'

Plaintiff claims his script was rejected by Warners in 1936.

Gabriel Pascal also is being sued for $51,000 by Torres, charging breach of contract. Plaintiff alleges Pascal withdrew from a co-producing deal to make Italian-German versions of Torres' Spanish film, 'Juarez and Maximilian.'

Zehner Goes Hays

Hollywood, April 18.

Harry Zehner, Universal exec for 18 years and recently the studio's censor contact, moves over to the producers' association to work with Joseph I. Breen.

Fills the berth formerly held by Iselin Auster.

SAILINGS

April 21 (New York to Paris) Truman Talley (Queen Mary).

April 19 (New York to Paris) Herman Wobber, Walter Hutchinson (George Washington).

April 19 (London to New York) Ben Blumenthal (Paris).

April 18 (New York to London) Mr. and Mrs. Fred Astaire, Mr. and Mrs. Godfrey Tearle, A. E. Matthews (Georgic).

April 15 (Los Angeles to Honolulu) Richard Crooks (Lurline).

April 15 (Los Angeles to Tahiti) Dell Lord (Haraki).

April 15 (New York to London) Ellen Drew, Ray Milland, W. Buchanan-Taylor, Bruno Walter, Sir Robert Peel, Jeffrey Bernard (Aquitania).

April 15 (London to New York) George Sanders, Adolph Zukor, Gladys Cooper, Victor Saville, Bela Lugosi, Gerald Cook (Queen Mary).

ARRIVALS

(At the Port of New York)

Mr. and Mrs. Will Fyffe, Albert Bassserman, Jean Sablon, Robert Alzner, Paul Graetz, Pia Igi, Walter Saxer Dancers.

U. S. STILL ROBBING FILMS

RKO EXECUTIVES MASTERMINDING AT STUDIO

Hollywood, April 18.

RKO execs, headed by prexy George J. Schaefer, opened a series of confabs here today (Tues.) on the 1939-40 product schedule. Indications are the new program will number 44 to 50 pictures. Here from New York for the huddles are Gordon R. Youngman, of the legal staff, and S. Barrett McCormick, advertising and publicity chief.

Final word on the new year's line-up awaits the arrival of Merl Depinet, v.p. in charge of production. Meanwhile, Schaefer is ironing out the details of a deal whereby Harold Lloyd will produce one or more features for RKO with another player, still unnamed, in the starring role.

Another problem focusing Schaefer's attention is the proposal to relieve Pandro Berman of general production supervision on the lot and permit him to devote his full time to his own producing unit. They failed to reach an agreement in their recent talks in New York. However there is little likelihood of Berman relinquishing his present contract which has a year to go and gives him a share of the profits on all pictures turned out by the studio.

Fewer Republic Films But '39-40 Prod. Costs May Come to $9,000,000

Spurred by a substantial increase in the number of accounts sold last year when James R. Grainger moved into the company as president in personal supervision of sales, Republic for the 1939-40 season will produce fewer pictures but increase the budget for them by $1,500,000 to $2,000,000.

Instead of 59 features as scheduled for the current (1938-39) season, Republic will offer a total of 50, plus four serials, for the 1939-40 semester, but will raise the production budget to $8,500,000, with leeway for the spending of another $500,000, if needed, to bring it up to a maximum of $9,000,000.

The company is announcing a total of 28 regular features and 24 westerns. Some of the regular features will cost more than in the past in line with Rep's ambitions to push itself into major company.

Following regional meeting held in New York last week, Rep goes into a two-day session in Chicago tomorrow (Thursday) and Friday (21).

Max Roth, central division manager, will chairman the meeting, to be attended by h.o. executives headed by Herbert J. Yates, Granger, Bill Saal and Al Adams. M. J. Seigel, in charge of production on the Coast, will also attend.

Hardy's Tax Rap

Washington, April 18.

Last-minute scramble to duck a large tax assessment was engaged in Monday (17) by Oliver Hardy, picture comedian.

Hardy requested the U. S. Board of Tax Appeals to reconsider an asserted $48,892 deficiency in his 1936 and 1937 income and profits taxes.

The Gals Take Off

Hollywood, April 18.

The Women' rolled yesterday (Monday) at Metro with an all-femme cast of 135.

Top roles are taken by Norma Shearer, Joan Crawford, Rosalind Russell and Virginia Grey.

STILL A TOPPER

Hollywood, April 18.

Irene Rich is back at Warners as lead femme in the new feature serial, 'The Hobby Family.'

Henry O'Neill also in the cast.

So British

The following letter, addressed to the Paris Herald, appeared in the April 4 edition of that paper:

London, March 30.

To the Editor, European Edition:

I stumbled upon an American review called VARIETY in my club recently. This publication, which seemed to have something to do with the stage, and which was written in a peculiar form of English, mentioned that the 'latest dance' in Paris is called the 'Chamberlaine.' The review then added: 'It's being done with an umbrella.'

May I ask your readers if this is true? If so, I deplore such facetious nonsense. It will lead nothing to Anglo-French relations, which are complicated enough, without the addition of unseemly hilarity. *Aldershot.*

Paramount's L. A. Convention; 34 Will Be Biggies

Hollywood, April 18.

Paramount's national sales convention comes back to Hollywood this year after a lapse of two years. Session is slated for June 12-14, with 200 American and foreign delegates convening at the Ambassador hotel. Idea of the Hollywood huddle, according to Neil F. Agnew, is to give the representatives a closeup of modern picture production.

Par has 58 features on next season's schedule, with 34 in the upper brackets, eight in the medium-cost 'A' division and 16 in the 'B' class. Practically all the titles were set at last week's studio huddle but will not be given out until the conventions next month. Conferees, including Barney Balaban, Stanton Griffis, Robert Gillham, Ed Weisl, Leon Netter and Russell Holman leave for New York over the weekend, passing up the 'Union Pacific' premiere at Omaha.

Studio plans to supplement its own stars with name players from other plants for top spots in its 1939-40 product. Names new to the lot will be brought into the Par fold by outside deals and loans. Execs are agreed that the ambitious schedule requires star-studded casts.

Meanwhile plans were laid for the speedy buildup of 14 young players already under contract. Campaign includes a nationwide tour winding up at Menlo Park, N. J., for the film industry's golden jubilee in August. Young thesps, to be groomed are Joseph Allen, Muriel Angelus, Judith Barrett, Louise Campbell, Ellen Drew, Betty Field, Susan Hayward, Joyce Mathews, Patricia Morison, Robert Preston, William Henry, William Holden, Evelyn Keyes and Janice Logan.

A sales convention in London, presided over by David E. Rose, will be held May 5-7. Fred W. Lange, Par's general foreign representative in Continental Europe, sails today (Wed.) for N. Y. to confer with John W. Hicks, Jr.

RCA Receivership Suit

Benjamin M. Golder, holder of 1,500 shares of RCA common; Frank Blum, holder of 107 shares, and Anna Weill, holder of 100 shares, will ask N. Y. supreme court today (Wednesday) to allow them to intervene and join the eight consolidated stockholder actions against the Radio Corp. of America, Westinghouse Electric, American Telephone & Telegraph, and General Electric.

Golder's application states that he holds more stock than all the eight combined. The suit charges waste, mismanagement and asks for the appointment of a receiver for RCA.

MONOPOLY BODY RESUMES IN FALL

Evidence Being Collected on Several Fronts—All the Chronic Peeves Due to Be Aired at This Session

WOTTA COMPLAINT!

Washington, April 18.

Motion picture industry will be subjected to another public X-raying, probably in the fall, at the hands of the Congressional-Departmental monopoly probers. Economic diagnosticians already preparing to trace the concentration of business and power in the hands of relatively small number of individuals and to analyze the methods by which the majors have acquired their domination.

Evidence is being collected on numerous fronts, with the supervision entrusted to Daniel W. Bertrand, economist who listed the ills and evils of the NRA code in special analysis of what happened while the Blue Eagle was flying. Bertrand currently is special aide to Leon Henderson, formerly NRA head statistician and reported likely to head the Securities & Exchange Commission.

Witnesses at the Senate Interstate Commerce Committee hearings on the Neely bill have been interviewed during the past two weeks, while other staff researchers for the Temporary National Economic Committee have been digging into files of the Justice Department, Trade Commission, and NRA. Bertrand's four-year-old review of the film code has been brought up to date and the Darrow Board criticisms have been dusted off.

Trust, Restraint Bugaboos

While the Congressional-Departmental crew has endeavored to avoid witch-hunting, the size and social importance of the film industry makes it a natural for students looking for shortcomings of the anti-trust acts. Object will be to see how the Clayton, Sherman, and Trade Commission laws failed to check development of a few huge enterprises and whether there is need for general legislation to encourage more competition in all branches of the trade. No punitive angles, except to the extent that Congress may enact laws under which the Government would exercise closer supervision in the future, possibly by means of a Federal Corporation Act for all firms engaged in interstate commerce.

Outline of the film inquiry is being kept confidential, but all of the chronic peeves probably will be aired. Experts are readying to chart the historical growth, linking the evolution of trade practices—notably blockbooking, clearance, talent pooling, and chain exhibition—with the development of the business to its present stage. Finances are likely to figure importantly.

Hearings likely will be deferred until the Justice Department's suit gets under way, although TNEC will not be able to delay indefinitely, and is certain to go ahead in the event of stalling in the New York Court. Doesn't want to tip the prosecutors' hand but has enough data to go ahead without waiting for the verdict in the big anti-trust proceeding. The bill of complaint is likely to be the text-book.

Lloyd-Par Renewal Talk

Discussion on renewal of Frank Lloyd's production-directing contract with Paramount is expected to occur on the Coast during current visit there of Barney Balaban, Stanton Griffis, et al. Lloyd's present contract is up on completion of 'Rulers of the Sea.'

Will Fyffe, English comedian, who goes into this picture, left for Hollywood Saturday (15). Charlie Ruggles, who has been in the east, went back on the same train.

Jas. Roosevelt Reported Sounding Out Alexander Korda on Joint Buy, With Sam Goldwyn, of the UA Corp.

Infallible Tipoff

Barometer of Universal's banking relations may be the al fresco manner in which U prez Nate Blumberg toted company banker Bill Taylor along at the dinner given by Blumberg to the trade press editors last week. This was the film man's return courtesy for the free feed the newspapermen had given him a year previous, when he assumed the Universal presidency.

Blumberg's dinner was at the Hotel Astor, N. Y., last week and banker Taylor not only seemed to enjoy the unconventional anecdota of the trade newshawks, but had a pretty good repertoire of his own.

Goldwyn Wants 100% Severance From UA Corp.

Samuel Goldwyn, according to the essence of his latest moves, is now seeking to break his present contract with United Artists Corp. and has asked the courts to establish that UA has breached his contract. Papers in the new suit filed in Wilmington (Del.) federal district court last week differ radically from the original suit filed and withdrawn in New York, in that he now asks the right to terminate his contract.

Goldwyn's original intention was to have the courts declare whether UA had breached his contract by permitting Douglas Fairbanks and Alexander Korda to form new companies, which virtually took over all rights and privileges accruing to the Elton Productions (Fairbanks) and Korda Film Prods., Ltd., companies, and to give him the right to go back to his original non-exclusive contract. If Goldwyn emerges victorious in his latest suit, there is every indication that he will break completely with UA and dispose of his one-fifth interest.

Charles Schwartz, of counsel for United Artists, took another crack at Goldwyn in rebuttal of Max D. Steuer's statement of last Tuesday (11). On Wednesday (12) he refuted Goldwyn's attack on the internal management of UA and alleged abandonment of 'idealistic policies' which formed the keystone of United Artists Corp. at the time of its formation, by stating that Goldwyn did not object to any change in management policy, when he filed his first suit in New York.

As to Goldwyn's contention, or intimation that pictures UA has contracted for are not comparable with his own pictures, Schwartz stated that Goldwyn is in error and that unequivocally, pictures which David O. Selznick, Charles Chaplin, Alexander Korda and others will produce will be of a quality and standard second to none, 'not even second to Goldwyn.'

As Schwartz views it, and he is unmistakably speaking for the Corporation, 'the trouble with Goldwyn is that he seems to think that he is the only pebble on the beach.' Other stockholders and the management do not agree with this thought. 'The truth is,' Schwartz reiterated, 'Goldwyn is unhappy because he cannot secure a voting trust, with himself as sole voting trustee, so that he can completely dominate and control the company's destiny.'

London, April 18.

One of the main reasons for the visit here of James Roosevelt, v.p. of Samuel Goldwyn Productions, is said to be a conference with Alexander Korda. Aside from bringing over 'Wuthering Heights' for its premiere at the Caumont theatre April 26, object of talks with Korda is reported to be a new proposition Samuel Goldwyn has for Korda to join forces with him in Goldwyn's fight against United Artists Corp.'s alleged 'acts of mismanagement.'

Out of these talks may come a revival of last year's attempt by Goldwyn and Korda to buy control of UA. Reports here are that Goldwyn is prepared to put up most of the financing and to pay possibly an even greater price for control than $8,000,000 the first option called for.

Says Silverstone

Murray Silverstone, UA general manager, yesterday (Tuesday) scoffed at reports that there was a possibility that control of UA might be sold to Goldwyn and Korda.

'That deal is deader than a mummy. Chaplin's stock is not for sale any more, and company is in a prosperous condition, there is no desire on any one's part to sell out,' Silverstone said.

Korda-Pallos' New Co.

London, April 18.

A new company, called London Films Export Co., Ltd., has been formed with Steven Pallos as chairman of the board. On the board of directors also are Harry George, representing Denham Securities and Prudential Assurance Co.; Basil Black, representing Alexander Korda, and John Sutro, representing private financial interests.

Purpose of the new company is handling of world-wide distribution deals on Korda Productions, London Film Productions, Pinewood Productions and other pix, with Pallos personally handling all deals.

VARIETY
Trade Mark Registered
FOUNDED BY SIME SILVERMAN
Published Weekly by VARIETY, Inc.
Sid Silverman, President
154 West 46th Street, New York City
SUBSCRIPTION
Annual..... $10 Foreign..... $11
Single Copies.....25 Cents
Vol. 134 No. 6

INDEX

Bills 54-55
Chatter 81
Dance Bands.....45-48
15 Years Ago..... 51
Film Booking Chart..... 29
Film Reviews.....22-23
Film Showmansh'p..... 8
Forum 63
House Reviews.....52-53
Inside—Bands 48
Inside—Legit 58
Inside—Music 47
Inside—Pictures 27
Inside—Radio 37
International News..... 19
Legitimate 56-60
Literati 31
Music 45-48
New Acts 53
Night Clubs.....49-51
Obituary 82
Outdoors 63
Pictures 2-33
Radio 34-44
Radio Reviews..... 44
Radio—International 42
Vaudeville 49-51

NEELY TALKATHON ENDS ITS WEARY COURSE; MUCH BITTERNESS THROUGHOUT

Winds Up Monday (17) with Only Its Sponsor at Hand—Myers' Offer to Modify—Second Week of Hearings Spotlighted by Recriminations

Washington, April 18.

Changes to meet the chief objection of opponents, and warning that there will be a lively fight if Congress does not keep hands off the film industry, closed the Senate Interstate Commerce Committee's talkathon on the Neely block booking bill Monday (17) after bitter name-calling during the latter stages.

With only Senator Matthew M. Neely on hand for the close, there was no hint how soon the subcommittee may stage a showdown on reporting or shelving the perennial headache for major producer-distributor companies. During most of the time less than a quorum heard the testimony, which was more voluminous than ever before.

Offer to modify the section aimed at blind selling came from Abram F. Myers, counsel of Allied States Association, during rebuttal in which he scoffed at contention the industry will be ruined if block selling is outlawed, and insisted the distributors' trade practice proposals do not meet the needs of exhibitors and the public. Previously, Charles C. Pettijohn, general counsel of Motion Picture Producers and Distributors of America, summed up the opposition arguments with a point-by-point analysis of the claims of bill's backers, insisting that 90% of theatre owners side with producers and distributors in protesting the legislation is unworkable and injurious.

Personalities entered the proceedings with increasing frequency during the second week of committee listening. Parade of Motion Picture Theatre Owners of America members blasted Allied spokesmen. Several women opponents of the bill questioned the intelligence and sincerity of sisters who previously urged passage. Myers and Pettijohn, as well as Mrs. Mary T. Bannerman and Miss Catherine Lyford, field marshals for the women's organizations siding with Neely, kept firing sarcastic remarks at each other and interjecting interpretations or hostile comments, and Senators Neely and Wallace H. White, Jr., had a heated exchange which later was blue-penciled from the transcript.

Warning that Senator Neely will not have as easy a time as he did last year if he gets his legislation on the calendar—which is widely doubted—was tossed out subtly by Senator Sheridan Downey, the California Democrat, who appeared in the role of typical film fan and praised the industry. Relating that he, his wife and his five children have been eager theatre patrons for years, Downey credited the films with material improvement in the past five to 10 years, declared he never knew a parent who believed his offspring were in any way injured by pix, and told Congress to keep hands off the industry.

Senator Downey Would Let Well Enough Alone

'If the movies at the present time are improving, should not serious consideration be given to leaving it in their hands,' he inquired.

With remark he is 'amazed' at growth and accomplishments of the business, Downey reminded Senator Neely that exhibitors are going to keep on giving the people what they want to see and the public is likely to keep on attending the pictures it now patronizes. Morals and taste cannot be bettered by upsetting established trade practices, he said. Persons who have been boosting his bill 'are being led astray by their own idealism,' he remarked.

Irked by claim the bill is supported primarily by uninformed persons, Myers recalled the repeated controversies between indie exhibs and major distribs and insisted that opponents of the measure—who pointed to 'changed conditions' since the 1938 hearings—have presented little new testimony which cannot be overcome by minor adjustments in phraseology. At the last moment he advocated rewriting of Section 4, which originally required a 'complete and true synopsis' as part of every license agreement.

Tacitly agreeing with producer spokesmen who said the section aimed at blind selling is filled with pyramids, the Allied leader said exhibs would be satisfied with 'an accurate' synopsis which gives 'a general outline of the story and description of the pricipal characters.' Also suggested the committee add requirement that distributors furnish prospective customers in advance with information about the type of film and the way the studio has handled 'questionable subject matter.'

Trade Practice Code No Cure, Says Allied

Plea that loss of European markets has injured the industry to the point where Congress should be cautious about taking any action which would inflict monetary wounds merits little consideration, Myers said. Industry admits it expects to recoup in South America, he noted, while there is no concrete proof how the bill would cause damage except to the extent it would remove monopolistic power from the hands of the majors.

The trade practice suggestions, some of which are very desirable, will not cure the situation about which Allied has been squawking for years, committee was told. Conditions attached to the proposed broadcast cancellation clause nullify most of the offer, while the principle of block booking 'is made all the more onerous by the very wording.' The proposition put forth by majors not only perpetuates, but even 'exalts' the objectionable distribution method, to his mind. Exhibs still would not have sufficient freedom, while producers could effectively counteract their apparent concessions by turning out cheaters. The gesture to give up dating is nothing more than 'window-dressing.' Seen also in the proposal to permit theatre-owners to obtain outstanding pictures as long as the strings are kept in the pending agreement. Myers said, however, he is happy over the distribs' offer to quit forcing shorts and discard score charges.

Producers' fears about the consequences of the anti-block booking feature are wholly without foundation, Myers declared, particularly since the majors voluntarily have gone a considerable distance toward giving up the practice. Cited the figures produced by the Hays organization spokesmen in their attempts to show exhibs have considerable freedom, remarking that 'most of the transformation which the bill would require has been accomplished by the distributors in their own interest in comparatively recent years because the contracts today, without exception, provide for separate price groups less than the entire block.'

'If distribs are sincere in talk about 90% cancellation, they are taking a big a gamble as if block system were junked, Myers argued. 'They have no more assurance of a market under a cancellation system than if they would have under a selective system,' he maintained, but they prefer the elimination method because it is 'the one least likely to affect their monopoly.'

With playing time limited by the calendar and the clock, the industry as a whole will not lose money, he said. Decreased rentals from retailment of bookings for shoddy films will be more than made up by the larger return from good films. Workers will not suffer, because independent producers will have a better chance and competition will force all studios to do a better job.

'The only menace to the B-g Eight from the enactment of the Neely bill is one which those fighting it have not mention,' Allied pioneer contended. 'That is the opening of the business to the competition of independent production. With compulsory block booking abolish'd, the Big Eight, in common with all other industries, will have to sell their products on their merits. An independent picture which is better than a trust-made picture will supplant it on the screens. The public will benefit greatly from the increased incentive to make good pictures. Against these considerations the ef-

(Continued on page 27)

SCULLY DETAILS U'S PROD. PLANS FOR '40

Cincinnati, April 18.

W. A. Scully, U's general sales manager, announced that the production budget would be $5,000,000 higher than in the season just closing, in outlining the 1939-40 program at the first Universal regional convention opening here this week. There will be 40 features in the lineup for the coming season besides four special attractions, seven outdoor pictures, seven westerns, four serials, 13 two-reelers, a special two-reel film and 43 single reels. In addition, there will be 104 issues of Universal newsreel.

The four specials include three to be made by Harry Edington's Famous Productions, plus 'The Mikado,' British-made feature in color, starring Kenny Baker and D'Oyly Carte Opera players.

Richard Arlen and Andy Devine are set for the outdoor thrillers while Johnny Mack Brown will star in the westerns.

Attorney Donovan's $65,000, Irving Trust's $37,500 New RKO Fees

Federal Judge William Bondy yesterday (Tues.) allowed William J. Donovan, as attorney for Irving Trust, trustee of RKO, $65,000 as an ad-interim allowance for his services for the period beginning Oct. 1, 1937, to Sept. 30, 1938. He also allowed $588 disbursements. Donovan had asked $95,000 for the period. Since July 1, 1934, prior to this allowance, he had received $245,000.

Irving Trust was allowed $37,500 for the same period. It had asked for $85,000. Prior to this allowance it had received $155,000.

Eleanor Powell's New M-G Pact Prior to Personals

Hollywood, April 18.

Metro handed Eleanor Powell a new contract prior to her scheduled departure Saturday (22) for the east on a personal tour, opening at Loew's State, N. Y., April 27. She is due back in June for 'Broadway Melody of 1940' and 'Dancing Co-ed.'

Chris Schonberg accompanies to direct music.

Studio Contracts

Hollywood, April 18.

20th-Fox renewed Alice Armand's player ticket for one year.

Charles Vidor inked director pact at Columbia.

Jane Clayton signed with Harry Sherman at Paramount.

Lana Turner's player option lifted by Metro.

Jane Wyman drew new player pact at Warners.

Warners signed Glen Langan as stock player.

John Huston's scripter option taken up by Warners.

Columbia picked up Robert Sterling's player option.

RKO signed Edgar Kennedy for six more shorts.

Universal renewed Ken Goldsmith's producer contract for one year.

20th-Fox boisted Nancy Kelly's option.

Metro renewed Pete Smith's producer ticket for three years.

Edward Ellis'ner signed to a player contract by Warners.

Metro extended Dennis O'Keefe's pact for one year.

Rudolph Mate, cameraman, inked for three more years with Samuel Goldwyn.

Ann Rutherford banded new player pact by Metro.

20th-Fox handed player contract to Katherine Aldrich.

Julius Evans signed to develop new acting talent at RKO.

Monetta Darnell drew player pact at 20th-Fox.

Neely Sidelights

Washington, April 18.

Statistics on cancellations startled Senator Smith, the subcommittee chairman. When Charlie Pettijohn recited the number of rejections of films high in the cultural and artistic scale, the South Carolina solon inquired 'You mean to tell me they refuse to play those pictures? Then one man is the arbiter of what the public sees?'

Flareups and Jagged Nerves

Flareups became frequent last week as the strain of long sessions wore out nerves of the subcommittee and the stage managers for opposing sides. Frequent verbal tiffs involved Pettijohn and Abram F. Myers, the Allied attorney.

Sharpest outbreak was a rebuke for Senator Neely at the hands of Senator White. Irked by heckling of witnesses attacking the bill, the Maine Republican voiced resentment Wednesday (12), accusing colleague of bias. When Neely began inquiring why Dr. Howard M. LeSourd, dean of the Graduate School at Boston University, was interested in the subject of blockbooking, White sounded off with query, 'Am I to understand that anyone who comes here either at the solicitation of the motion picture group or with their knowledge is repudiated as a witness?' Neely scoffed at the idea and drew retort, 'You are challenging the motives of anyone who appears here in connection with this bill.' The author of the measure then rapped White as 'a partisan' of the industry and 'an advocate of the opposition.' When they cooled down both agreed to eliminate the remarks from the official transcript.

Dr. Wilbur's Letter

Efforts to hurry the proceedings to conclusion nearly resulted in suppression of Dr. Ray Lyman Wilbur's letter intimating the Motion Picture Research Council may be satisfied with the trade practice agreement. Senator Neely proposed witnesses stop reading communications from persons for or against the bill but could not prevent Senator Smith from offering the Wilbur letter.

$1,000,000 Salary Snares a Ribbing

Fat film salaries boomeranged. Senator Neely sacrastically commented that 'one producer made more salary than all 96 senators' according to recently-disclosed treasury figures. Referring to L. B. Mayer's seven-figure income.

Pettijohn Defines the Femmes

'There are two kinds of motion picture ladies; those who cooperate in elevating the standards and those who by the very nature of their profession are for the Neely bill,' according to Pettijohn.

Majors Disclose Their Bookings

Number of Contracts from High to Low, Per Company

Washington, April 18.

Exhibitor complaints about being forced to show films they would like to reject were undermined by tabulations on 1937-38 bookings offered the Senate Interstate Commerce subcommittee last week. Figures revealed wide variation in popularity of six major producers' product.

Comparative ratings, with the number of bookings for the first 15 films and the least desirable pics, were:

20th Century-Fox

'In Old Chicago,' 12,214; 'Thin Ice,' 12,119; 'Happy Landing,' 11,941; 'Heidi,' 11,892; 'Rebecca,' 11,588; 'Can't Have Everything,' 11,439; 'Life Begins at College,' 10,969; 'Wife, Doctor, Nurse,' 10,943; 'Kentucky Moonshine,' 10,860; 'Wild and Wooly,' 10,835; 'Love and Hisses,' 10,832; 'Sally, Irene and Mary,' 10,600; 'Ali Baba,' 10,685; '45 Fathers,' 10,633; 'Checkers,' 10,467, and 'Dinner at the Ritz' (57th) 3,581.

Paramount

'Wells Fargo,' 13,200; 'Buccaneer,' 11,352; 'Jungle Love,' 11,499; 'Souls at Sea,' 11,224; 'Spawn of the North,' 11,132; 'Double or Nothing,' 11,079; 'Artists and Models,' 11,062; 'Blue-beard's 8th Wife,' 10,811; 'Texans,' 10,580; 'Dr. Rhythm,' 10,370; 'Tropic Holiday,' 10,296; 'Ebb Tide,' 10,066; 'Cocoanut Grove,' 10,062; 'True Confession,' 10,052; 'College Swing,' 9,569; and 'Love on Toast' (50th), 3,847.

RKO-Radio

'Stage Door,' 9,507; 'Radio City Revels,' 9,073; 'Life of the Party,' 8,708; 'Joy of Living,' 8,679; 'Fit For a King,' 8,676; 'Hawaii Calls,' 8,664; 'Having Wonderful Time,' 8,638; 'Snow White,' 7,815; 'Carefree,' 7,588; 'Mother Carey's Chickens,' 7,523; 'Annapolis Salute,' 7,506; 'Fight for Your Lady,' 7,479; 'Wise Girl,' 7,454; 'Go Chase Yourself,' 7,379; 'Sky Giant,' 7,379, and 'The Rat' (46th), 845.

Metro

'Navy Blue and Gold,' 10,673; 'Bad Man of Brimstone,' 10,784; 'Test Pilot,' 10,733; 'Judge Hardy's Children,' 10,183; 'Yanks at Oxford,' 10,123; 'Love Finds Andy Hardy,' 10,047; 'Big City,' 9,986; 'Girl of the Golden West,' 9,997; 'Last Gangster,' 9,992; 'Rosalie,' 9,959; 'Thoroughbreds Don't Cry,' 9,922; 'Double Wedding,' 9,882; 'You're Only Young Once,' 9,835; 'Firefly,' 9,720; 'Crowd Roars,' 9,602, and 'The Chaser' (45th), 5,455.

Universal

'Three Smart Girls,' 10,569; 'My Man Godfrey,' 9,892; 'Magnificent Brute,' 9,269; 'Talk of the Town,' 9,257; 'Wings Over Honolulu,' 7,911; 'Road Back,' 7,906; 'Two in a Crowd,' 7,573; 'Flying Hostess,' 7,200; 'We Have Our Moments,' 6,950; 'Girl on the Front Page,' 6,912; 'As Good as Married,' 6,784; 'When Love Is Young,' 6,725; 'Sea Spoilers,' 6,205; 'Breezing Home,' 6,071; 'Mighty Treve,' 5,997, and 'Four Days' Wonder' (34th), 2,315.

Columbia

'Theodora Goes Wild,' 10,298; 'Pennies From Heaven,' 9,907; 'More Than a Secretary,' 8,371; 'Adventure in Manhattan,' 8,130; 'Devil's Playground,' 7,957; 'Craig's Wife,' 7,653; 'When You're in Love,' 7,593; 'Devil Is Driving,' 7,476; 'North of Nome,' 6,788; 'It's All Yours,' 6,779; 'Promise to Pay,' 6,623; 'Women of Glamour,' 6,214; 'Thunder in the City,' 6,190; 'Man Wanted,' 6,095; 'Legion of Terror,' 5,988, and 'Beloved Vagabond' (38th), 2,006.

Fred Schuessler Named Selznick Casting Head; Mayo, Rettig Shifts

Hollywood, April 18.

Fred Schuessler moved in as Selznick-International casting director, filling the berth left vacant by the resignation of Charles Richards.

Bob Mayo, formerly with Columbia, took Schuessler's old job at Paramount.

Earl Rettig has succeeded Joe Colman, resigned, as casting director at the Hal Roach studios. Recently Rettig was unit business manager on 'Capt. Fury.'

'Snow White' Bilings Were 7,815; Rentals, $4,000,000

Washington, April 18.

Figures submitted to the Neely committee listing name of films and total theatre bookings were studied with interest by representatives of film distributing companies who are attending the hearings on the proposed anti-blockbooking bill.

Paramount leads with 13,200 bookings for 'Wells-Fargo,' nearly 1,000 bilings ahead of the second most-played film, 'In Old Chicago' (20th), 12,214.

Film rentals were not given. Of all pictures listed, 'Snow White' (Disney-RKO) is credited with the highest returns, said to be verging on $4,000,000, domestic. This despite the total bookings to date of 7,815 theatres.

IATSE PEACE PACT TODAY

SWG 'Resignation' Talk from ALA Called a Gesture by N. Y. Scribes

Screen Writers Guild letter of last week to the Authors League of America disavowing any intention of withdrawing from the parent organization, is causing considerable speculation in New York writer circles. Action is generally viewed as a gesture, but just what it implies and how far it goes is a matter of widely varied opinion.

One view is that the disavowal was merely to head off any uproar that might develop over the earlier report that a break with the League was contemplated. It was also suggested in some quarters that the entire sequence of events had the appearance of shrewd tactical maneuvering by the Coast affiliate. According to that opinion, the Guild execs may have tossed out the withdrawal rumor and followed it with the letter of disavowal as a deliberate trial balloon to test sentiment within the membership of the League and its affiliates.

On the other hand, certain writers expressed the view that the report of a contemplated break with the League was actually unfounded and that the film scribesters' report regarding the League's attitude about affiliation with the AFL showed a genuine desire to get all the background on the subject. Careful reading of the letter doesn't conclusively settle the matter either way.

Despite statements by Marc Connelly, League prez, and Lillian Hellman and Dashiell Hammett, Guild council members, that the Guild could affiliate with the AFL without quitting the League, other writers doubt that view. According to such dissenters, Guild affiliation with the AFL might involve a question of divided loyalty. It is doubted that either the League or the labor federation would permit such a situation to arise.

Among certain officials of the Associated Actors and Artistes of America, the AFL-chartered international union of all show biz performers, the opinion is expressed that their organization holds the AFL jurisdiction for writers. According to that view, if the Guild affiliated with the AFL, it would have to do so under the Four A's banner. Since the Screen Actors Guild holds the jurisdiction over the film end of show business, the SWG would have to become a subsid of the actors' branch. That whole line of thought is based on the idea of a broad interpretation of the word 'artistes' in the parent group's title. Certain Four A's execs have consistently held to the opinion that 'artistes' covers all artistic workers in show business, not merely the performers implied in the 'actors' portion of the name.

These same Four A's heads feel, however, that the SWG should welcome affiliation with AFL on the ground that the actors' outfit could give the scribblers much more power. To support that argument, they point to the fact that the writers have made little progress toward winning a closed shop contract from the studios, whereas they might have done so quickly if they had been allied closely with the actors. Existing setup under the Inter-Talent Council is merely an informal cooperative one, with none of the members having a call on the services of the others.

Olivia for 'Raffles'

Hollywood, April 18.

Warners loaned Olivia de Havilland to Samuel Goldwyn to share the lead with David Niven in 'Raffles,' recently acripted by John Balderston.

Miss de Havilland reports as soon as she finishes 'Gone With the Wind.'

Dieterle's 'Hunchback'

Hollywood, April 18.

William Dieterle, borrowed from Warners, gets a directing job on remake of 'The Hunchback of Notre Dame,' RKO's most ambitious picture for the 1939-40 program.

Shooting starts in September, with Pandro Berman producing.

Just an Outer Circle

Hollywood, April 18.

The much ballyhooed exclusive quarters for members of the Inner Circle at Earl Carroll's theatre-restaurant has proved pretty much of a press agent's dream. It's still serving as a storeroom for broken chairs, empty cases and other abandoned property.

Any mention of it brings tongue-in-cheek stone silence. Inner Circle also strictly for the scrapbook.

Par Proxy Fight May Stem from $25,000,000 Action by Stockholders

Joseph Nemerov, attorney representing the minority stockholders, who, on Jan. 6, filed a $25,000,000 stockholder action against Paramount Pictures, Inc., 31 officers and directors, American Telephone & Telegraph, Western Electric, and Electrical Research Products, Inc., stated on Saturday (15) that the action will be transferred from the N. Y. supreme court to the federal court. It was pointed out that while the action claims damages to the stockholders in excess of $25,000,000, money damages is not what is sought, but the removal of incompetent directors and officials.

Toward this end a proxy fight at the annual stockholders meeting in June is looming. The Paramount answer to the suit is expected in 10 days.

MUSICIANS' POWWOW AGAIN POSTPONED

Discussions with the American Federation of Musicians, scheduled for Monday (17), have been postponed indefinitely. Pat Casey, labor rep of the film producer-distributors, who arranged for the meetings with the musicians, may go back to the Coast meantime.

Understanding is that the musicians, whose ranks number many unemployed members, will seek to install men in various classes of houses and in accordance with policies played. There is no indication whether the film theatres will agree to demands AFM may make.

The musicians' union, according to reported proposals, would call for the use of men in at least one downtown first run house; in all instances where two-a-day attractions are played and in houses where the seating capacity reaches a stipulated figure, or when the admission scale is at a price to be agreed upon.

Revive 'Road to Rome' As Gable-Loy Starrer

Hollywood, April 18.

'The Road to Rome,' on the shelf several years, is being dusted off by Metro as a co-starrer for Clark Gable and Myrna Loy.

Shooting starts as soon as Gable finishes 'Gone With the Wind.' Producer is Joseph Mankiewicz.

Doran Joins Edington

Hollywood, April 18.

D. A. Doran checked in at Universal to handle stories for the Harry Edington unit.

Edington is producing four pics annually for U.

Fuzzy Goes Mustang

Hollywood, April 18.

Universal has signed Fuzzy Knight for seven westerns.

Teams with John Mack Brown and Bob Baker.

SIGNING DUE ON COAST WED. (19)

Would Have Been 24 Hours Sooner, but for Browne's Absence in Chicago—Report Subpoena for Bioff

D. A. FITTS' STANCE

Hollywood, April 18.

A peace pact between the IATSE and Technicians Local 37 is scheduled for signing tomorrow (Wednesday). Settlement was delayed 24 hours because local officers of the IA were unable to contact George E. Browne, prez of the IATSE, for his okay. He's reported to be in Chicago.

Reported William Bioff, former IATSE head on the Coast, was subpoenaed for a grand jury inquiry into the labor organization, which is set for today (Tuesday). Harold Smith, IA international rep, John Gatelee, and Frank Stickling, IA leaders, were closeted most of yesterday (Monday) with District Attorney Buron Fitts, but no statement was forthcoming whether the grand jury investigation would be stalled. Believed, however, the hearing will be recessed after a few formalities are disposed of, if IA reps agree to respect the tentative deal on restoration of autonomy to Local 37.

Agreement negotiated by Fitts includes the dropping of all charges and counter-charges and petitions before the Labor Board. Superior court cases expected to be continued today unless Judge Emmet Wilson is advised that the proposed settlement has collapsed. Washup of NLRB cases is scheduled for tomorrow.

Although no further action here is due on the threatened walkout of projectionists, unless producers agreed to negotiate demands of studio locals, Gatelee said today the strike is still hanging fire, although other IA spokesmen said producers indicated a willingness to meet with IA and work out a solution. Parley expected to be arranged some time today (Tuesday).

$3,000,000 Studio Tab

Tilt in film production costs of more than $3,000,000 annually is forecast by major studio executives if demands of the International Alliance of Theatrical Stage Employes are granted by the producers. The IATSE studio locals are seeking substantial wage adjustments, shorter hours, and a six-hour minimum work day. Cost of implementing the minimum work call from three hours is estimated at $2,000,000, with figure at Metro alone placed at $250,000.

International Photographers Local 659 is demanding jurisdiction over all employes of photographic departments and 44-hour week with the same pay now received for 54 hours. This move would invalidate pact between the producers and American Society of Cinematographers which is now ready for inking.

ASC now has control of directors of photography or first cameramen, but Local 659 has demanded all camera film production and process work be supervised by one of its first cameramen.

Wage tilt also is asked for various classifications in Sound Technicians Local 695, with a 44-hour week for all members who have been working on 54 and 60-hour production schedules. Other members already are working on 36-hour basis.

If demands of Technicians Local 37 are granted, pay of nurserymen will be tilted from 90c an hour to $1; lamp operators from $1.21 to $1.28 an hour; laborers from 82½c. to 91c. an hour, and electricians and property men from $1.21 to $1.41 an hour, same pay now received by best boy.

Laboratory Technicians Local 683 is demanding 44-hour week for foremen, with same pay they now receive for 60 hours. Scale now ranges from $60 to $108 a week. Demands

(Continued on page 23)

Jury Still Out on Whether the Film Drive Was Worth the $1,000,000; Findings Will Determine '39-40 Bally

For Revenue Only

Hollywood, April 18.

Merchants of Sonora, Cal., are making a bid for film troupes by constructing a wild western street with 22 fronts, including hitching posts.

Chamber of Commerce aims to attract some of the business now going to Lone Pine, which is cashing in on a similar street. New layout will be dedicated with a three-day celebration, starting May 14.

Linda Ware's Father Fears a 'Jackie Coogan Fate' for Film Moppet

Detroit, April 18.

George W. Stillwagon, father of Linda Ware, moppet recently put under contract by Charles R. Rogers, instituted guardianship proceedings here last week so she 'won't meet the same fate as Jackie Coogan when he grows up.' Stillwagon is a steel worker in the Ford car factory here.

Juve actress was awarded to custody of Mrs. Anna Stillwagon, an aunt, last fall in Hollywood when Rogers sought to align her up for $150 weekly, with a possible $1,200 weekly within seven years. Stillwagon's wife died 11 years ago, he testified, and he gave daughter into his brother's custody temporarily.

Judge Elliott Craig, Hollywood, last October ordered half of child's earnings be put in trust for her future use, but Stillwagon last week asked that all her earnings go into trust with jurisdiction placed under Detroit court. Juve, until going to Coast, was a singer over WXYZ's children's program here.

SAG OUTLAWS JUNIOR COUNCIL'S ELECTION

Hollywood, April 18.

Class B election held Sunday (16) to fill 17 vacancies on the Junior Council was declared void by the Screen Actors Guild on receipt of legal advice that balloting was invalid because a quorum of 20% membership was not present in compliance with Guild bylaws.

Less than 12% of membership voted. Junior Guild leaders said the small vote indicated lack of sympathy with present policies and resultant passive interest in election.

'BOYS TOWN' SEQUEL

Probably Called 'Father Flanagan' —Tracy in Omaha

Omaha, April 18.

Spencer Tracy will appear once more as Father Flanagan when Metro produces a sequel to 'Boys Town,' it was revealed here following a conference between Msgr. E. J. Flanagan and Tracy. The picture, which will probably be called 'Father Flanagan,' may go before the cameras in September. It was talked here that the plot might be about one or more of the boys after they leave the home.

Tracy stopped here en route to New York, from where he plans to leave for a short vacation in Europe.

Damrosch's Pic Bow

Hollywood, April 18.

Dr. Walter Damrosch makes his screen debut in 'The Star Maker' at Paramount.

Veteran conductor plays himself.

Industry heads are currently taking stock of the full effect of Motion Pictures' Greatest Year campaign to determine whether the drive measured up to expectations, was a terrific flop, or was moderately successful. They want to know if the expenditure of $1,000,000 was justified. On the decision probably will rest the outcome of any similar campaign this year, and the sort of machinery which will be employed to carry it out.

Among other things that top officials want to ascertain is whether it improved feeling in the trade; if the campaign developed goodwill among country newspaper editors; if it made fan magazines any happier; and, most of all, if such a large outlay of coin is sensible considering the feeling stirred up among independent exhibitors over the Movie Quiz contest.

Allegations of country publishers may have already reacted this year in state legislatures and in Congress, with a record number of bills aimed at the picture industry introduced in state legislative sessions. Action of Congress on the Neely measure and other anti-film legislation also will be watched closely because of known influence of these country editors with political leaders in their districts.

Proponents of the Greatest Picture Year drive feel that it halted a skidding boxoffice and turned newspaper blasts into puff editorials and a more constructive handling of film news. However, many of these now claim that the drive would have been just as effective without the Movie Quiz contest—possibly, even, a lot more successful. Despite this, they believe that such a contest proved a concrete means of checking whether the advertising in newspapers was being read.

On the other hand, old-line exhibitors view the results coolly. They realize that there always is a summer slump and that invariably the new product placed on the market in the fall is probably the best of the season. Hence, they feel that so far where the campaign bolstered the boxoffice take to any material extent. Independent exhibitors and distributors were inclined to regard the campaign as merely contributing to a better condition in the industry.

Made 'Em Quality-Conscious

One outstanding flaw of the Greatest Picture Year drive, as cited by some exhibs, was that it collectively called attention to motion pictures and made cinema audiences critical, in some cases, adding to the number of self-appointed critics in theatres. They contend that the campaign focused attention on product, and that this was unfavorable when pictures were bad. When the fans ran into a poor film, they were inclined to tab all pictures as 'pooh' because of the tag, 'motion pictures are your greatest entertainment.'

Examples of this were the booing of the screen sign calling attention to the drive in some houses. The Quiz Contest did not react favorably with a number of exhibitors. One exhibitor told his patrons that he was selling entertainment and continued stressing his pictures. He offered Quiz booklets, if asked for them, but emphasized his motto that he did not mix his business via that medium but strictly from the entertainment standpoint.

Some in the trade felt that it was unfortunate that the drive called attention to the weakie pictures released during the campaign. Fact that some flat screen subjects were included in the contest also did not help, they claimed.

An aftermath of the campaign, in the opinion of certain exhibs, was that it made critics of film audience members where's before they went to the theatre to be entertained.

Craven of FCC Vague as to When Practical Television Will Arrive

Stating that television now is just going into the second phase of its development (public service and adoption by the public on a limited scale), the television committee of the Federal Communications Commission, conferring with television company representatives last week in New York, would not estimate when commercial television would arrive in this country. However, they believed the initial phase of technical development was about to be supplanted by a secondary one in which it would be introduced to the public via limited number of sets.

Commander T. A. M. Craven, chairman of the committee, refused to admit that commercial television was five years off in the U. S., or even, merely observing, 'Who can say when it will arrive?'

Asked about the jurisdiction the FCC would have over television in the theatre, under the existing experimental setup, Commander Craven, at a press conference at the Ambassador hotel, where the FCC has stayed while in N. Y., answered only indirectly and not for the Commission. He indicated that the FCC authority was extended only to the television transmitters. It was pointed out to him that showing television in theatres at present ostensibly would be placing a laboratory process into theatres operated for profit. He indicated that picking up such a program was a responsibility of the person or firm operating the transmitter and that cinemas would be accountable to that party.

Craven had been informed that Radio Television screen might be installed in one or more Radio City theatres, and that other picture houses were contemplating installation of television sets in their lobbies when regular television broadcasts start next April 30.

Ducks Bulldup Queries

Commander Craven had no comment other than that of refusing to take responsibility for past glowing publicity stories when asked if he believed bullish publicity on television was desirable at this public service and necessity at the present time. He claimed that his committee had nothing to do with patents and consequently could not answer as to what steps the Government would take to prevent television from becoming a patent monopoly.

Television programs employing motion pictures and picked up by sets in theatres this week brought up the question if film companies owning the production would not insist on payments from any such cinemas. Dumont telecast programs will carry Paramount film trailers and possibly newsreels clips, while NBC may use RKO-Pathe news and RKO film releases. RKO has a print of a two-reel television version of 'Gunga Din' in New York at the present time. It is likely that it will be sent out over RCA-NBC test programs, when regular telecasting begins at the end of this month.

The RKO two-reel subject is virtually the full 'Gunga Din' footage edited down to two reels, with dialogue covering the story for the most part.

The FCC television committee is looking into the matter of channels that will be made available for television broadcasters, trying to decide if the Radio Mfrs. Ass'n standards should be officially adopted for the whole country, and seeking a clearer understanding on the television field. Commander Craven described the visits to New York (four days), Philadelphia and Schenectady as 'a co-operative endeavor between the Government and private enterprises in planning the development of a new art.'

F.C.C.'s Philly O.O.

Philadelphia, April 18.

Three members of the FCC were in Philly last Tuesday (11) to get some first-hand knowledge of the television industry. They inspected the plants of Philco and RCA-Victor and the research laboratories of Farnsworth. Following the o.o. tour of each place, they sat down with officials of the organizations for anywhere from an hour to two hours to discuss in general the problems of the budding industry. They also viewed an exhibition of each company's process.

The commissioners who were in Philly comprise the television committee of the FCC. They were T. A. M. Craven, chairman; Norman S.

Too Good

Hollywood, April 18.

Andrea Leeds replaced Margot Stevenson as femme lead in Samuel Goldwyn's 'Music School,' starring Jascha Heifetz.

Explanation was that Miss Stevenson's perfect diction did not fit the character.

VISIO ACTORS' UNIONIZATION LEFT OPEN

Question of jurisdiction over television is being side-stepped by the Associated Actors and Artistes of America, AFL-chartered parent union of all show business performers. Such representation is claimed by Equity, American Federation of Radio Artists and Screen Actors Guild, all Four A's subsids, but the governing body will not make any decision until television development clarifies the situation.

Broadcasting companies have been using performers for occasional experimental shows and programs, and there have been claims of non-payment for such work. According to Four A's execs, however, the regular network fee for television assignments is $25 for a non-makeup performance and $50 for a makeup one. Four A's has made no regulations to govern the situation, but is permitting employers to set their own scale.

Although Equity made a strenuous claim for television jurisdiction some months ago, the legit branch is not figured likely to be favored by the Four A's board when the question of visio representation finally comes up for consideration. Contrary to Equity's claim, there is nothing applicable to television in the association's charter, nor is there specific reference to it in the Four A's charter or constitution, as the documents were drawn up long before visio was even thought of.

Idea of the Four A's heads is that the parent body will retain jurisdiction over television until such time as the new medium takes a definite slant in the direction of one of the existing forms of show biz. One vague idea is that if a telecast originates at a studio with live performers it would lie within AFRA jurisdiction, whereas if a film were used SAG would have representation.

LE ROY STARTS PAIR NEXT MONTH AT M-G

Hollywood, April 18.

Mervyn LeRoy set May 15 as the starting date for two of his Metro productions, 'A Day at the Circus' and 'Babes in Arms.'

Marx Bros. cavort in 'Circus' and Mickey Rooney shares tops with Judy Garland in 'Babes.'

'ANGELA' IN SEPT.

Hollywood, April 18.

Sinclair Lewis has set Sept. 1 as the starting date for his play, 'Angela Is 22,' to be produced in collaboration with Lester Cowan.

Release outlet not yet set.

Case and Thad H. Brown. Commissioner George Henry Payne joined them in New York the following day (Wednesday). Craven declared here that their report will be made to the whole commission as soon as possible.

Among the group consulted with here were Philo T. Farnsworth v.p. of the Farnsworth corporation; E. A. Nicholas, pres. and W. M. Grimditch, Philco's v.p. in charge of engineering.

Purpose of the visit, aside from the more intimate view of what is being done in visio, it was said here, was to get the idea of the manufacturers on standardization of equipment with an eye to issuing general visio transmission tickets shortly.

BATTLING STOVER

Stirn's Lawyer Still Objecting to RKO Reorg Moves

John S. Stover, attorney for Ernest W. Stirn, RKO class 'A' stockholder, continued his battle against the proponents of the plan of reorganization in the Federal court in N. Y. when on Wednesday (12) he filed objections to the granting of general creditor claims of approximately $18,000 each to RCA and Lehmann Bros.

Stover had attempted to block the rights of these persons to file the claims on the grounds that they were guilty of laches, in that they had filed no claims in the reorganization et al, and hence had no standing in the proceedings. In this he was overruled by Judge William Bondy. He is now attempting to block payment for the same reasons, plus others which he had recited heretofore. These are that the 'deposit agreement' is void, violating Section 60 of the rules of Civil Procedure; that 7/12ths of RCA's claim has been assigned to Atlas; that Atlas has no standing in the proceedings; that M. H. Aylesworth is an Atlas man and kept them informed, for pay, of RKO proceedings; and that all the proponents have forfeited their equity in the proceedings.

Judge Bondy on Monday (17) gave Stirn until May 15 to file his record on appeal with the Circuit Court of Appeals.

BRIT. EXHIBS' JITTERS OVER TELEVISION

London, April 8.

Gaumont-British is putting Baird visio equipment into 10 of its key houses at this time, making a round dozen in all. Aside from Marble Arch Pavilion and Tatler, which were installed some time back, big screen is going into the Gaumont, New Gallery, Dominion and New Victoria in the center belt, as well as five big halls in uptown sectors. Composite capacity of the lot is well beyond 25,000 seats.

Picture theatre meanwhile went into their first huddle on the situation this week, when distribs (Kinematograph Renters Society) accepted invitation of Cinematograph Exhibitors Ass'n for a joint powwow. No conclusive decision was reached beyond a general impression that over television until such time as the new medium takes a definite slant in the direction of one of the existing forms of show biz. One vague idea is that if a telecast originates at a studio with live performers it would lie within AFRA jurisdiction, whereas if a film were used SAG would have representation.

Lefty Breaks the Jump to Mexico City; Abner's $5 Mex for Each $1 U.S.

By Joe Laurie, Jr.

Mexico City, April 18.

Dear Joe:

Well, I suppose you're surprised to see that I am in Mexico City instead of being on my way to New York. I really can't tell you how it happened except that it's all Abner's fault. We were riding along nice and happy and enjoying ourselves very much, if you can call looking at cactus and desert in Arizona and New Mexico enjoying yourself, but in a way it showed what a large country we have to put vaudeville back in it it should ever come back. Well, we arrived in San Antonio, Texas, which as you know is a swell city, and I renewed old acquaintances with a swell gang of guys. First we met Henry Bergman and his swell wife, Gladys Clark—you remember them when they were headliners in vaudeville. Well, Bergman is now working in San Antonio for the Inter-State Circuit and is doing swell. He tells me he likes the town and its people and his job, which, after all, is all a feller has to do to be happy. His big boss is Bob O'Donnell—and many a week me and Aggie played for him at the old Harlem Opera House, and now he is running the works for Mr. Hobiitzella, and he certainly has a great organization. Bergman had me meet all of 'em. There was Eddie Collins who manages the Majestic at San Antonio, and brother that is *some* theatre. It's as pretty a place as you've ever seen and when I walked in there I thought I was in Radio City. It's a first run house and also a fine run house. Then I met Homer Le Temps who runs the Aztec, another grand house, and he showed me around the place, and it made me feel kinda foolish with my little breakaway in Coolacres. Then I met Lynn Krueger who manages the Helloydale theatre and what a grand guy he is. It's a suburban house but run like a city place. Then I met LeRoy Handley, Eddie Collins' assistant at the Majestic, who also knows what the show business is all about. Then I had the pleasure of meeting Miss Mary Louise Wallsiser who writes a column for the News and is really a great newspaperwoman. She remembered our act and told me about an interview I gave her about two years ago and when you consider that she is a pretty busy little lady who has been in Hollywood interviewing stars and can still recall a little guy like me that she hasn't seen in 10 years, I think it shows she is plenty good as a newspaperwoman. Our time for the few days in San Antonio was taken up by the brother of Bob, and it just goes to show you that a family can have two great guys in it. Bill is the city manager of the Inter-State at San Antonio and is married to Madeline Foy, one of the Foy kids, and she is raising an O'Donnell-Foy gang. That is a pip. Well, you can see that Aggie, Abner and me had some time in San Antonio.

But what I'm trying to tell you is how I come to be down here in Mexico City. Abner got to talking and before I knew it he was telling me that we are on our way to Mexico City this week. I thought there and maybe we would pick up an idea to bring back with us to the Fair. Not knowing much about geography I said okay; that is Aggie sed okay and I just nodded my head. Come to find out it's over a 1,000 miles from San Antonio but Abner didn't say anything about that. Little he said is that he knew a lot of people down there and everything would be okay. Well I will say this for the guy, he spoke Spanish to the Mexicans on our way down and we nearly got out what we ordered which I think is close enough. Where the guy ever picked it up I don't know because he's a sort of a closed-mouth Leftie except when he's gabbing. Before we knew it we landed in Mexico City. He changed some of my American dough and got us five bucks for one which made him smart with Aggie right away. Aggie was for getting all our dough changed and living here as she figures we couldn't make that kind of money at the N. Y. Fair.

Well, I haven't had much chance to look around yet, so will write you next week how we're doing here. We are going to see a bull fight and some shows... and are going to meet some of Abner's friends. We may have to go to visit the jails to do that but you can't say for the guy—he's okay so far; any guy that can get you five bucks for one is either smart or crooked.

Will have to stop for now as Aggie and Jr. are out on a shopping tour and she's spending dough like it was grass. Best to my American friends and don't be surprised if I come back wearing a sombrero. SEZ

Your pal,

Lefty.

P. S.—Jerry Doyle sez, "A dog that will bring a bone will carry one."

exhibs should have the rights to reproduce any televised public event. 'We should also, I think,' concluded Metcalfe, 'combine together to prevent use of films, apparatus and arrangements in making of movies for television. If they like to create their own artists and apparatus, that is all right, but we should be very worried indeed to allow them to use the amenities our capital has created—even our newsreels.'

Last sentiment was a crack against GB and Movietone, who hire out current reels to BBC.

Lee's Television Mount

Hollywood, April 18.

Don Lee network put papers in escrow for purchase of a 30-acre site on the Mack Sennett estate in the Hollywood hills.

Company plans erection of a television station on the 1,700-foot height to be renamed Lee Peak.

Vince Hart Back East

Vincent G. Hart, for years with the Production Code Administration division of the Hays office, is back at the New York office after three months with the PCA under Joseph I. Breen on the Coast.

Hart is scheduled to remain with the PCA division in N. Y.

OFFICIAL FAIR PHOTOGS

Albany, April 18.

Official Motion Picture Producers, Inc., has been chartered to carry on motion picture activities at the N. Y. World's Fair. Corporation has the concession as official photographers of all pictures to be shot at the fair.

Principal factors are Edward Rubinstein, of Ruby Camera Exchange, and Leslie Winick.

RCA TELEVISING N. Y. WORLD'S FAIR BLDG.

Dedication of Radio Corp. of America building at the New York World's Fair tomorrow (Tuesday) will be covered by television for the benefit of reporters remaining in New York City. They will view ceremonies on receivers in the RCA Building, Radio City, ceremonies being telecast from exposition grounds to RCA-NBC transmitter on top of the Empire State Bldg, from which actual sight-and-sound broadcast will go out over metropolitan area.

In announcing plans for opening the RCA Exposition Bldg., it was pointed out that television would play an important part in the exhibit, including Hall of Television, Television lab, television camera, model transmitter and other telecast material.

Besides dedicating the RCA Bldgs. at the exposition, the same day RCA Mfg. Co. will demonstrate its new cicoine model television receivers to dealers in New York for the first time.

Lamarr with Robt. Taylor

Hollyw April 18.

Basil Rathbone leads the supporting cast in the Hedy Lamarr-Robert Taylor co-starrer, 'The Lady of the Tropics,' at Metro.

Picture is slated to roll next week with Jack Conway directing.

VISIO RELEASING OUTFIT

P. A. Powers and Jacques Kopfstein have formed the Television Holding Co. to acquire television rights to shorts and feature pictures.

New company plans to supply 35 mm. prints to telecasters on rental basis.

SLIDING PIX % FOR LEGITS

Quebec's Additional Censor Costs

Montreal, April 18.

Film exchanges face additional taxation through enactment of a provincial statute whereby the entire cost of the upkeep of the Board of Censors of the Province of Quebec is to be borne by distributors.

Currently a fee of $3 per reel is paid to the Board of Censors for banning or mutilating product. Understood that Board of Censors gets from $25,000 to $35,000 a year in fees, keeping the board operations in the black. Additional taxation would boost revenues by $10,000 annually, which would not put any distribs out of business, but would raise salaries of individual members of the board.

The burnup is that present Board of Censors has been unusually tough on product. In addition to ban on 'Devil's Island' and major operation ordered on 'Wuthering Heights,' censors have recently banned 'Angels With Dirty Faces,' 'King of the Underworld' and several other productions.

Unconfirmed reports here are to the effect that Premier Duplessis is seriously considering a change in the setup of the Board of Censors. Dental surgeon from Three Rivers, the premier's home town, is being talked of as an addition to the board, possibly replacing one of the officials.

The new tax on distribs has been opposed by members of the Legislature on the grounds that a public office of that kind should not be dependent upon fees from the film industry, but it is not likely that Duplessis will be dissuaded from his decision.

'AMERICAN WAY,' 'ABE' AND 'PHILA.'

'Lincoln' Is an Example, Where $225,000 Minimum for Screen Rights May Go Up to $275,000 and Even as Much as $400,000

NEW IDEA

A vital factor in the Playwrights' Co.'s injunction suit to prevent 20th Century-Fox from 'infringing' on 'Abe Lincoln in Illinois' with the 'Young Mr. Lincoln' film is the percentage contract under which Robert E. Sherwood's current play was sold to RKO. Under the terms of that sale, the price will vary according to the gross earned by the picture version of 'Abe.' Therefore, if 20th's 'Young Lincoln' does damage the 'Abe' film, as the suit alleges it may, Sherwood and his fellow-playwrights would stand to lose considerable.

Although announcements of the 'Abe' picture sale to RKO mentioned a price of $275,000, that was an estimated figure. The actual minimum was $225,000 advance, plus a sliding scale of percentages based on the picture's gross. Understood the added $50,000 is based on an expected gross of about $1,500,000 from the film. However, if the screen version were to prove an exceptionally powerful grosser, say as high as $2,000,000 or more, the sale price due the Playwrights might come to upwards of $400,000. No such figure has ever been realized from a picture sale of a legit play.

There are a number of other elements in the deal that might prove important, however. One is that some rival picture company might buy the rights to E. P. Conkle's 'Prologue to Glory,' the play about Lincoln's youth which received enthusiastic reviews when produced by the Federal Theatre in New York last season. But because of the extraordinary notice aroused by the success of 'Abe' and Raymond Massey's performance, the Sherwood play is regarded as the most likely material for a popular film.

It has been pointed out that by permitting the release of the film version of 'Abe' before the stage play has run its course in New York and on the road, the Playwrights are risking a huge loss. That is figured on the theory that the film may drastically shorten the play's run. That would not only lose all the grosses from those prospective weeks of running time, but would fail to give the picture the hypo that is deemed to result from a long legit run. The producers would therefore stand to lose coming and going if the picture kills the play. That was what Sherwood had in mind when he recently explained the sale to the Equity council after the latter had criticized the deal.

Democracy Angle to 'Abe'

As has been stated, Sherwood and the Playwrights' have consented to take the risk involved merely with the idea of spreading Lincoln's inspiring words about democracy to the wider audience reached by the screen than the stage. Major factor in Sherwood's decision was his recent South American vacation, during which he saw widespread indications of world unrest and Fascist efforts to undermine democracy in the Latin American countries.

'Abe' deal was the first one ever made on the basis of a percentage of the film's profits. Since then, George S. Kaufman-Moss Hart's 'The American Way' has also been sold to RKO on the same basis for an estimated $250,000. Philip Barry's 'The Philadelphia Story' has also been sold on a percentage basis, but that was in advance of its legit production. Katharine Hepburn, who plays the lead in the stage version, is the purchaser, apparently with the idea of transferring her title with the understanding she repeat her part in the film.

In general, however, picture companies have always refused to make buys on a percentage of the gross. In that connection, it is significant that the 'Abe' and 'Way' purchases were made by RKO through its unit producing setup of Max Gordon Plays and Pictures Corp.

Gordon Starts with RKO

Hollywood, April 18.

Max Gordon checks in at RKO next week to start preliminary work on the film version of his Broadway production, 'The American Way,' which will star Fredric March and Florence Eldridge in their original roles.

Stager is the first of two Manhattan hits to be screened. Other is 'Abe Lincoln in Illinois.'

Group Theatre's N. Y. Film Prod. Plans; Nix If It Cramps Legit End

Time Rushes By

Hollywood, April 16.

Thomas Gray's classic poem, 'Elegy Written in a Country Churchyard,' is almost ready to hit the screen as a cartoon for Metro release.

It took Gray seven years to write it. Cartoon, produced by Hugh Harmon, runs seven minutes.

Group Theatre's contemplated entry into film production will be on a more or less experimental basis. With plans only tentatively set so far, the idea is to see how the venture works out and to chart subsequent policies accordingly. Main consideration will be whether the picture activities interfere with the outfit's legit undertakings. Since the Group is primarily devoted to the stage, no work on any other medium will be allowed to interfere.

Plan as worked out so far calls for the Group to produce one picture at feature length at the Eastern Service Studios, Astoria, Long Island, probably releasing through Paramount. Production would be budgeted around $300,000 or $400,000, with outside financing used. An original screenplay by Clifford Odets or Irwin Shaw would be used, but it would have to be something suited to and written expressly for the film medium.

Neither Odets (who is currently in Mexico, working on a new play) nor Shaw has an idea for the screenplay. Shaw, whose 'Gentle People' is a current Group hit and whose 'The Quiet City' is being given experimental performances, is now writing on the adaptation of 'Bricks Without Straw' for Paramount and then intends writing a couple of novels.

About two dozen members of the organization will be taken away after 'Gentle People' closes at the Belasco and 'Awake and Sing' concludes at the Windsor. With Franchot Tone due on the Coast early in June, 'People' is expected just about to finish out the season. Group's two experimental shows, 'Heart in the Highlands' and 'Quiet City' are not expected to have such a strong draw.

Group's policies are decided by Harold Clurman, director, and a board elected by the members. Board currently includes Roman Bohnen, Morris Carnovsky, Luther Adler, Elia Kazan and Sanford Meisner. If one board member votes with Clurman their decision stands, but a unanimous vote of the five board members overrules the director.

There are about 16 regular members of the Group, all of whom are on regular annual salaries regardless of whether or not they are in shows or what parts they have. Salaries vary for different individuals and all are set by the board. All are under the Equity minimum, but none would be rated star salaries under commercial managements. There are about six other actors belonging exclusively to the Group, but not regular members. Experimental productions are financed by the Group, but outside backing is used for the others.

Besides Odets and Shaw, the Group's playwrights include John Howard Lawson and (it is expected) William Saroyan, author of 'Highlands.' Lawson is currently on the Coast revising a script for fall production by the outfit. Waldo Frank, a novelist, is likewise working on a play, his first, while the organization likewise hopes to receive plays from Ramon Naya and Tennessee Williams, who were uncovered through the recent drama writing contest.

PA.'S SABBATH MOVE; WISC.'S ANTI-BILLS

Philadelphia, April 18.

Surprise measure to repeal Sabbath films in Pennsy was introduced in the legislature in Harrisburg last week to add to the troubles of an industry already deluged under the biggest hopperful of sniping legislation here in its history. Well over a score of bills, many of them vitally affecting the film biz have been introduced this session.

The Sunday law repealer was introduced by Representative Herbert G. Gates, Armstrong county Republican. Although the measure has no outright Administration backing, Gov. Arthur H. James is known to be not unfriendly to such an act. Conservative and a dry, considerable liberal legislation passed during the recent Earle administration has been under fire since James took office.

Another measure dropped in the hopper the previous week demands theatre divorcement in Pennsy. It was introduced by Representative Alvin H. Hocke, of York. Still another introduced by Representative Robert Boyd, of Philly, requires all film houses of 800 seats or more or with 10 feet back of the proscenium to have an asbestos curtain and a switchboard, controlling all lights, within four feet of the curtain control. Licensed attendant to take care of the curtain and lights would be required to be on duty at all times.

Representatives Thomas H. Allen and Thomas B. Van Bele, of Philly, have introduced an act prohibiting theatres from charging more on Saturdays, Sundays and holidays than they do during the week. (Warner Bros. here recently put such a regulation into effect in their circuit.)

Two measures relating to projection rooms (Representative Boyd's), would require an operator for each machine in a booth, and the other demands that all inspectors of projection rooms must have had at least 10 years' experience as a projectionist.

Only measure that really has exhibs worried is the 4% tax bill pending. With the state's revenues well out of kilter, the legislature is searching for anything to grab coin.

More Divorcement

Milwaukee, April 18.

Divorcement and chain tax bills have made their appearance in the Wisconsin legislature. The divorcement measure, which follows the general lines of the Alliled-sponsored bills to prevent producers and/or distributors from owning or operating theatres in a given state, provides for fines up to $10,000 for violation. A similar measure failed of passage in the 1937 legislative session. The chain tax bill provides an occupational tax of $5 per theatre for chains of five houses and less: $10 per theatre for chains of more than five houses but less than 11, within and without the state, the fee graduated up to $100 for each theatre in chains of more than 800 theatres.

Two at U for Boyer

Hollywood, April 18.

Charles Boyer gets the co-starring spot with Irene Dunne in 'The Modern Cinderella' at Universal, causing shift in the studio's shooting schedule. 'Cinderella' moves ahead of Deanna Durbin's 'First Love,' in which Boyer is also slated to appear.

Meanwhile, Miss Durbin goes into 'After Schooldays,' under Henry Koster's direction. Both films roll within two weeks.

Trendle, Cooper Par Partnership Renewals Due Soon

The George Trendle-Paramount deal covering the United Detroit chain of houses, is due to come up for renewal discussion this summer. Trendle, in charge of the Detroit string for Paramount and in on a salary and percentage, made his deal originally with the Par trustees.

Discussion concerning a permanent partnership between Par and J. H. Cooper to cover the Nebraska and Colorado houses is proceeding satisfactorily, with probability such a partnership will be set shortly.

SUIT OVER SALARY SUCKER LISTINGS

As had been anticipated, publication of U. S. tax figures and salaries is proving one of greatest sucker lists in the world. This is seen in the suit brought by Rembert B. Wurlitzer, the organ man, with Supreme Court Justice Isidor Wasserwogel in N. Y. last week granting a temporary restraining order against Universal Syndicate, ordering the company to halt publishing and circulating its 'Salary Directory.'

The v.p. of Rudolph Wurlitzer Co. was listed as receiving $60,000 a year. He claimed that this amount was exaggerated, and that the publication constituted an invasion of his privacy. Wurlitzer also claimed his name was used for commercial purposes without his consent. He seeks $50,000 damages.

Schwarzwald on U B's; Gross Boss of Oaters

Hollywood, April 18.

Milton Schwarzwald, shorts producer for Universal in the east, checked in at the studio here to take charge of 'B' product.

Jack Gross, former western head of RKO theatres, joins U this week, in charge of western and action productions.

H'WOOD-LEGIT PLAN COMES UP TODAY

Latest draft of the plan for re-entry of film financing into legit production will be considered tomorrow afternoon (Wednesday) by the Dramatists Guild council. Although Sidney B. Fleischer, Guild attorney and negotiator of picture sales, is recovering from an appendectomy and will not attend the meeting, the council will give the document a tentative lookover. Group may reach a final decision after Fleischer has returned and explained the legal points involved.

Robert E. Sherwood, Guild prez, has looked over the draft, known as the Wharton-Wilk plan, and will express his attitude when he presents it to the council. He sails Friday (21) for London and will be gone several months, but it is emphasized that the council's final decision on the matter need not await his return.

Only thing now standing in the way of an immediate answer appears to be Fleischer's unexpected operation. Even so, it is questioned whether the council will act precipitously on a matter of such vital importance to the dramatists.

Meanwhile, the picture companies appear to be confident that the agreement will go through and Sherwood himself predicted at the Guild membership meeting last fall that the matter was virtually certain to be settled shortly. Certain revisions have been made in the plan since then by Luise Sillcox, Guild representative; Jacob Wilk of Warners, J. Robert Rubin of Metro, and Fleischer but in general the plan still involves setting an arbitrary price on the screen rights of legit plays, based on a percentage of the stage run and involving guarantees of not interrupting the Broadway engagement while it is still profitable.

Just what the immediate effect of passage of the plan would be is uncertain. Certain studio execs appear to believe that there will be a sudden spurt in production and it is known that all the major companies are studying scripts and readying plans. But whether any productions will actually be launched this season and how many are likely to result next season cannot be accurately gauged.

Sam Sax Sails Friday

Sam Sax, head of the Brooklyn Vitaphone studios, arrived from the Coast Monday (17) after a series of conferences with H. M. Warner, Jack L. Warner and Hal B. Wallis.

Sax sails Friday (21) for England to take up his new duties as head of the Warner Teddington studios.

Pivar's First Roll

Hollywood, April 18.

Ben Pivar's first Universal picture, 'In Old California,' rolled yesterday (Monday) after a week's delay caused by Andy Devine's commitment at Paramount.

Pivar is making seven features for U's 1939-40 program, with Devine and Richard Arlen in the leads.

FILM SHOWMANSHIP

Bronte Novel Passed Out as Advance Bally For 'Heights' in Pitt

Pittsburgh, April 18.

Figuring 'Wuthering Heights' would take-care of itself, once reviews and word-of-mouth got around, but that it would take something special to get class flicker the proper opening, Charlie Kurtzman, manager of Loew's Penn, has been running a free circulating library in his lobby for last month.

'Library's' limited to only one work, of course, and it's the Emily Bronte novel. Kurtzman stocked with 400 copies, theatre buying half of them and UA the remainder, and hands them out to any patron who'll sign a card promising to have copy back within seven days.

So far, all but a small percentage have returned the books and management figures that 'Wuthering Heights' will have been in at least 1,500 Pittsburgh homes before picture opens Friday (21). And even if none of 'em comes back on final leg, theatre won't worry too much since 200 copies cost Penn only $80 and Kurtzman figures to double that several times in extra biz from readers who have made their first contact with the Bronte work through the Penn 'library.'

TOUGH ATLANTA DAILY BOOSTS HARDY FILM

Atlanta, April 18.

Despite alleged publicity ban in force among three Atlanta newspapers, any of them can be sold on a good contest idea, especially if it costs the paper nothing but space. Consistent grabber of this type of publicity is Eddie Pentecost, mgr. of Loew's Grand theatre.

Pentecost's latest is tieup with Atlanta Journal, in connection with Metro's 'Hardys Ride High.' Entries in contest must write letter of not over 300 words telling why various members of family enjoy reading journal. Any member of family may write letter, but it must express ideas of whole family and only one letter can be submitted from one family. Judges from paper's staff will select 10 best letters and whole families of winners will be guests of Loew's Grand and sheet at monster dinner party, following which they will adjourn to theatre to see pic.

Journal was sold strong enough on contest to start it on page one, give it a column of type in addition to three-col. scene still from pic.

Bank Nite Out; Now It's Coffee and Rolls

Cleveland, April 18.

Coffee - and - doughnut breakfasts, dished up gratis for early femme shoppers catching the first show, are being made a regular Saturday feature at Loew's Stillman by Jack Lykes.

House manager originally worked up the stunt with Milt Harris, Loew's p.a. and Ed Fisher, U.A. rep, as a builder-upper for latter's 'Prison Without Bars.' Regarded at first as a one-shot gag but such a large horde of hungry femmes showed up and liked it so much that Lykes repeated it for 'Let Freedom Ring!'

A bona-fide U. S. mail box installed in lobby of Loew's State, for convenience of convention trade, is also being used as an odd weekly bally by Harris. Next to box is a table with free writing paper.

'Ballerina' Contest

Boston, April 18.

Local exploitation of national contest for one-month all expense trip to Paris for winning essay on 'Ballerina,' sponsored by Dance Magazine, is featured by window displays and tieup on screen of Fine Arts Theatre showing the picture.

George Kyaska, operator of Fine Arts, arranged for a window display last week-end in Jordan Marsh's department store, and for tie-up window in French Line offices. Entry blanks are distributed at the door of the theatre.

By John C. Flinn

Whatever the ultimate boxoffice record of 'Wuthering Heights' (Goldwyn-UA), the production stands as a fine example of showmanship courage and skill which have expressed themselves in its shape making and launching of the film. Teeoff at the Rivoli (N. Y.) indicates a highly profitable engagement. Its reception throughout the country in neighborhood and small-town theatres will depend chiefly on the word-of-mouth advertising which will follow the key-city first runs. On the deserving side 'Wuthering Heights' rates hearty public support—and may get it.

Most startled group in the industry who are observing the enthusiastic audience reception of the film must be the story and scenario staffs of the Hollywood studios. 'Wuthering Heights' is a novel written nearly a century ago. It is a tragic, gloomy tale of mad jealousy and hatred revenge. The locale is the windswept English highlands, gray and bleak, certainly not a tempting background for the camera.

In other words, 'Wuthering Heights' in theme, characters, plot and setting possesses not one familiar attribute for which studio scenario departments search zealously through thousands of manuscripts, plays, novels and synopses.

It violates all the accepted rules of successful film stories. Its leading characters are something less than sympathetic—they are psychopathic exhibits. And the ending is stark, dire, tragic, an uncompromising finale which utterly disregards all popular theories of screen entertainment that you must send 'em out happy.

And yet the sum total of effort by the Goldwyn organization is an attraction of undisputed power and beauty, containing excellent acting, skillful direction, excellent photography, expressive musical accompaniment and technical perfection. What ingredient in film making contributed chiefly to the highly successful result? Showmanship—and the courage to use it.

'Wuthering Heights' first appeared in film announcements more than a year ago when Walter Wanger listed it as a forthcoming production for United Artists release. It is likely that not one in 100 persons in Hollywood had the slightest idea what the story was about, who wrote it, or why in the world Wanger intended to make a picture bearing such a forbidding title. Chances are that most of the industry believed the title was misspelled or, at any rate, would be lost and forgotten when the picture was ready for release—if ever.

In the intervening months the screen script by Ben Hecht and Charles MacArthur was handed by Wanger to Samuel Goldwyn, who was on the earnest hunt for material for Merle Oberon. Goldwyn at the moment was disheartened after doing a succession of productions from trite original stories ending with 'Cowboy and the Lady,' a Gary Cooper vehicle, and a disappointing one.

POST-MORTEM PUBLICATION

When Goldwyn made inquiries as to genesis of 'Wuthering Heights' he learned that it was a novel by one Emily Bronte which was published in 1847, the same year in which the author's sister, Charlotte, brought forth her famous 'Jane Eyre.' He was informed that of the two books, 'Jane Eyre' became instantly popular and has remained so to this day, whereas 'Wuthering Heights' attracted no attention at all. Emily died at 31, in 1848, a year after 'Wuthering Heights' appeared. In a brief historical account of the Bronte sisters, William Lyon Phelps declares:

'Wuthering Heights' came from a person who lived entirely in her imagination; the persons she created were more real to her than the persons she saw on the street. The terrific passion Emily displayed in her poem 'Remembrance' characterizes Heathcliff and Cathy. Today in our interest in pathological and psychological problems, the novel 'Wuthering Heights' is more contemporary than when it was written. She was a century ahead of her time. No woman living today anywhere in the world is capable of writing a book equal in power and splendor of imagination to the novel written by this lonely girl in 1847.'

What prompted Goldwyn to undertake a film production of 'Wuthering Heights' has not yet appeared on the record. It is an expensively produced picture, extravagant in detail. He went about it in his usual thorough manner. He sent William Wyler, the director, to England to study the period and obtain an actor for the role of Heathcliff. All details of costuming, settings and production were carefully worked out. Wyler brought back to Hollywood Laurence Olivier for the lead opposite Miss Oberon.

INTENSIVE EXPLOITATION JOB

As to the job of quickening some public interest in 'Wuthering Heights,' a comparable intensive campaign was planned and carried through. To this end Lynn Farnol, United Artists publicity director, made three trips to Hollywood for exploitation conferences. Goldwyn was as concerned with advertising illustrations and copy as he was with scene and dialog.

In the magazine and newspaper copy which has ushered in 'Wuthering Heights,' there has been the same impudent disregard for film advertising tradition that has marked the filming of the story. The familiar catch phrases with which so many recent productions have attempted to lie in their appeal with the rapid swirl of current world events have been conspicuously absent. Attention has been concentrated on the tragic love story in copy and illustration, and on the mechanical displays in the national magazine copy to the demands of first-run newspaper displays.

Importance of the trade-paper advertising has been stressed by publication of laudatory comments by Frank Capra, Alexander Woollcott, William Lyon Phelps and others. What they have said is not so important as who has said it. The ballyhoo has conveyed the impression of a film with class and distinction, without claiming for it any universal audience appeal except that a classic of literature has been faithfully and competently translated to the screen.

That 'Wuthering Heights' warrants widespread trade interest and will stimulate discussion may appear more evident in the coming months and, perhaps, years. Its success has proved the boxoffice values of a great store of literary material which has been neglected heretofore. Goldwyn has done more than produce a single good film, and Farnol has done something more than furnish an effective campaign. What has been demonstrated is that commercial values which have been overlooked and disregarded may be found in many plays and novels heretofore believed to be useless.

Goldwyn has made a valuable contribution if he has opened up, as suspected in some quarters, new sources of screen material.

McCOY INDIAN GIVES 'RANGER' GOOD BREAK

Atlanta, April 18.

Ticket tearer at Cameo theatre, downtown indie, spying Indian in front of house overheard Redskin, who was staring at one-sheet of serial, 'Lone Ranger Rides Ag'n' tell onlooker 'That's my pop,' as he gazed at picture of Chief Thunder Cloud, who plays Tonto in serial. Mgr. Walt Meier was summoned and promptly signed up Indian, a full-blooded Mohawk, yclept Chief Bright Fire Thunder Sky—not only Chief Thunder Cloud's son, but his double in Lone Ranger on number of occasions.

Meier put Indian on his stage Monday and Tuesday (18), and hauled him over to Hearst's Georgian and Sunday American, which use Lone Ranger cartoon strip, and got pic and space with him. Chief Bright Fire, etc., is a graduate of Columbia U., speaks perfect English and sings in his act.

Lobby Crystal Gazer Draws Crowds to Fays

Philadelphia, April 18.

Sid Stanley, operator of Fays theatre here, has recently been attracting considerable attention for both pix and stage shows at his house by setting up a booth in the lobby with a miniature mystic who looks into a crystal ball and tells prospective patrons not only their futures but why they should see the current bill.

'Mystic,' actually an usher, is reduced in size by having the people view him through special lenses. Two-way speaking system enables him to talk and hear what is being said outside the booth. House carpenter constructed it all, excepting the lenses.

Just Neighbors

Dallas, April 18.

One crack in 'Dodge City,' when playing here, proving a natural whameroo. It's Alan Hale's, 'This town smells like Fort Worth,' as he and Errol Flynn ride into pioneer Dodge City.

Gag was greeted with much whooping and hollering, blotting out following dialog.

WILBY-KINCEY HOUSES STEP UP SPEC. BALLY

Spartanburg, S. C., April 18.

Barefoot boys, a stagecoach, baseball players and 'Moonlight Sonata' cleverly mixed in a busy week of Wilby-Kincey exploitation in its four local houses.

Carolina tied in with Ford car dealer for 'Stagecoach' stunt that attracted wide attention. Stagecoach, an A1 meseum piece, was mounted atop a modern Ford truck with big banners plugging pix and driven over city and urban areas.

Opening 'Tom Sawyer, Detective,' the State got a nice newspaper feature space by admitting free the first 99 barefoot boys to attend.

Carolina tied in for strong sports element good will by entertaining Spartanburg team of South Atlantic League and introducing players from stage.

'Moonlight Sonata' was sponsored for State by local music clubs with big advance ticket sales build-up, emphasizing how high-type classical musicals can be sold solidly before playing dates.

Some stunts were okay for page one newspaper space. All received neat plugs.

RETAIL STORE ADS TIE-IN 'MIDNIGHT'

Oklahoma City, April 18.

Lining up tie-in ads with local merchants is old stuff in show biz but generally ad man lines up a single ad and rests on his haunches. Not so with Pat Patchen, of Standard Theatres here, who figured that if one picture could be lined up why couldn't several of them. And he did just that last week. For the benefit of other spots where one man has several theatres to push it's worth repeating.

Patchen tied up local Montgomery-Ward store on 'Midnight' (Par) for a half page four-column spread half of which was devoted to film mat and top half spieled, 'For That Midnight Look.' Display was also arranged at Tower theatre.

'Little Princess' (20th) run at the Plaza was blurbed by two-column half-page ad about under Brown's Dept. Store bill with store conducting a style show of clothes worn by Shirley Temple in the film and giving top half of ad to Princess mat.

Silent for Years, Vox Humana Now a Novelty

Philadelphia, April 11.

Henry Friedman has had an organ in his Lansdowne theatre here for years. When he was certain, 10 years ago, however, that talking picture had really arrived, he decided the days of the old-piper were over, tossed a canvas cover over it and proceeded to forget about it. Couple months ago he got an idea and hired an organist. She plays pop requests only, mostly from kids in the audience.

Now it's one of the Lansdowne's most popular novelty features.

All Aboard for Omaha, 'UP' Jaunt Costs $50,000; Radio Ballyhoo All Set

Hollywood, April 18.

Paramount's 'Union Pacific' eastbound caravan of 125 persons will cost the studio around $20,000 for the three-week trip which will end in New York after covering, for publicity purposes, 52 key points where the film will be shown. UP railroad is franking the trip along its own line. On other tracks, the charge is $2 a mile for the service, with no charge for the equipment from the UP and the Pullman company, which is donated.

Appropriation of $30,000 has been made by Paramount for publicity expenses exclusively. Of players in the film, Joel McCrea and Barbara Stanwyck will make the entire trip for personal appearances. Cecil B. DeMille joins the party in Omaha (27), going east as guest of William Jeffers, UP president.

Train list includes 10 studio publicity men, three studio camera men and three newsreel photographers. Idea is to pick up local newspaper writers en route.

WOW's Stunt

Omaha, April 18.

Foster May, WOW special events head and newscaster, left Sunday for Hollywood, from where he will return to Omaha with the special 'Union Pacific' premiere crowd.

May plans special transcriptions there and at points along the way, which will be airmailed back and aired over the station during regular 'Man on the Street' schedules.

CHAMP DEAD-PANS GET 'BLONDIE' O.O.

Allentown, Pa., April 18.

Two unique and highly successful stunts were used by Leo Trainer, manager of Wilmer and Vincent's Rialto here, in selling 'Blondie Meets the Boss.' First was a midnight screening of the film, before it opened, for Allentown's four 'Champion Sourpusses,' selected with the aid of the town's newspapers, which gave them an immediate interest in the exploitation. Only one of the four failed to break into laughter at tha picture, according to the story.

Trainer also put on exhibition in a pen in the lobby for 10 days preceding the opening a wire-haired fox terrier. He offered to give the dog to the person who gave it the best name. A sign on the pen said that Blondie was so busy making the picture she didn't have time to take care of the terrier and it therefore needed a good home.

Peg Maleon Has Outing, Back to Dock Again

Ft. Wayne, April 18.

Palace theatre and Fishman's Apparel store sponsored 'Miss Peg Maleon' contest to ballyhoo opening of 'Pygmalion' (MG) here Thursday night (13). Most popular local working gal was picked by vote. She underwent a complete transformation under man's on day of pix opening, was guest of honor at dinner party at Berghoff Gardens, and made personal appearance just before picture started a special preview.

First promotion contest of its kind held here in several years, and it drew much interest. Winner was Ruth Nobles, secretary in local Metropolitan Life offices.

Pete Smith's 13 for M-G

Hollywood, April 18.

Pete Smith's new Metro contract calls for 13 specialities on the 1939-40 schedule. One is a special specialty, half human and half cartoon, to be made in collaboration with Hugh Harmon and Rudolf Ising.

First under the new pact is 'Culinary Carving,' which rolled yesterday (Monday), Felix Feist directing.

FRISCO EXPO KAYO FOR B.O.

'Wuthering' Hits Heights, $16,000, In Loop; Orrin Tucker New Aid To 'Dodge' 33G 2d; 'Castles' 17G 2d

Chicago, April 18.

Business continues generally good in the loop, with all the houses presenting themselves in their best attire and with their best foot forward. Holdovers mark a good number of the houses, but they all indicate rating such extended stays on the business they managed to corral the week before.

Best of the h. o. spots in the Chicago which is continuing 'Dodge City' (Par) which replaces last week's Mischa Auer onstage with this week's p. a. of Orrin Tucker orchestra. New attraction figures to aid general strength of the holdover and will deliver another profitable week for the house which has come back strong in the past three sessions to ride in more coin than the Balaban & Katz flagship has seen in a long time.

Another strong stayer is 'The Castles' which remains in the Palace and evidences an ability to get coin over a lengthy period. Without going into any zoom brackets, picture indicates a strong and steady play. Of the same type of patronage comes the business for 'Grand Illusion' which is going into its second week in the Apollo and figures to stick for several more in view of the French dialog. And the fourth h. o. of the loop is 'Prison Without Bars,' which goes for a second week in the Garrick.

Of the new pictures the best is 'Wuthering Heights' the h. o. attraction getting great comment and looks like a real money-maker.

Estimates for This Week

Apollo (B&K) (1,200; 35-55-65-75) —Illusion' (World) (2d week). Continuing to fine $7,000 currently after taking down excellent $9,500 last week.

Chicago (B&K) (4,000; 35-55-75)—'Dodge City' (WB) and Orrin Tucker orchestra on stage. Second week for picture. Bonnie Baker, earlier with band, getting plenty of billing on previous click in this house. Headed for $33,000, splendid, after taking nowie $42,000 last week with Mischa Auer in person.

Garrick (B&K) (900; 35-55-65-75) —'Prison Bars' (UA) (2d week). With sensationalism in the ads managed solid $5,500 last week and indicates bang-up $4,500 currently.

Oriental (Jones) (3,200; 25-40)—'Lady and Mob' (Col) and 'Family Next Door' (U) and vaude. Bright take in the offing at $13,000. Last week single bill of 'Boy Slaves' (RKO) and vaude took down hot $16,000.

Palace (RKO) (2,500; 35-55-65-75) —'Castles' (RKO) and vaude (2d week). Going along in fine shape and looks to garner highly satisfying $17,000 after managing fine $22,000 last week.

Roosevelt (B&K) (1,500; 35-55-65-75)—'Spit, Madame' (Col) opened on Saturday (15) and is in line for around $10,000, not too solid a take. Last week, 'Missouri' fore-shot a fine in midstream and went out after a single session at $10,500, fairish.

State-Lake (B&K) (1,700; 25-40)—'St. Louis Blues' (Par) and vaude. Picture not much strength for this house, and vaude will have to support entire boxoffice load. Will grab around $13,000, okay. Last week, 'Disbarred' (Par) snapped up a nifty $15,000.

United Artists (B&K-UA) (1,700; 35-55-65-75) — 'Wuthering Heights' (UA). Opened Saturday (15) with off to a fast getaway that evidences a solid initial session at $16,000. Last week, 'Ice Follies' (M-G), wound up second and final session to meek $8,900.

'Castles' Sturdy $7,000, Seattle; Beery N.G. 4G

Seattle, April 16.

'Dodge City,' in second week at Orpheum, again proving that moviegoers here like action stuff. It may hold third week. 'Story of Irene and Vernon Castle' is good at the Fifth Avenue.

Estimates for This Week

Blue Mouse (Hamrick-Evergreen) (850; 32-37-42)—'Three Sons' (Par) (U) and 'Society Smugglers' (U). Extended run from Paramount, third week looking for okay $2,500. Last week, 'Love Affair' (RKO) and 'Man Votes' (RKO), dual, third week, eight days, good $3,000.

Coliseum (Hamrick-Evergreen) (1,900; 21-32)—'Topper' (UA) and 'St. Louis' (Par). Hitting for fair $2,400. Last week, 'Jesse James' (20th) and 'Paris Honeymoon' (Par), acoko $3,900.

Fifth Avenue (Hamrick-Evergreen) (2,349; 32-37-42)—'Castles' (RKO) and 'Saint Strikes Back' (RKO). Big campaign; looks for good $7,000. Last week, 'Princess' (20th) and 'Fast Loose' (M-G), $6,300, good.

Mesaiche (Hamrick-Evergreen) (850; 32-37-42)—'Daughter' (WB) (2d wk). Indicated slow $2,200. Last week, same film, big $4,600.

Orpheum (Hamrick-Evergreen) (2,600; 32-37-42)—'Dodge City' (WB) and 'Winner All' (20th) (2d wk). Anticipated big $6,200 and may hold third week. Last week, same films, immense $10,000.

Paloma (Sterling) (1,350; 16-27-37-42)—'Last Warning' (U) and 'Crooked Mile' (Par), plus vaude. Look for fair $4,000. Last week, 'Gambling Ship' (U) and 'Cipher Bureau' (GN) and 'Silver' unit, big $5,900.

Paramount (Hamrick-Evergreen) (3,039; 32-37-42)—'Madden' (M-G) and 'Everybody's Baby' (20th). Expect only $4,000, poor. Last week, 'Three Smart Girls' (U) (2d wk), good $3,000.

Roosevelt (Sterling) (600; 21-32)—'Wings Navy' (WB) and 'King Un-Masked' (Par). Heading for fine $2,000. Last week, 'Off Record' (WB) and 'Devil's Island' (WB), $2,400, good.

7,000 TEACHERS HYPO L'VILLE GROSSES

Louisville, April 18.

With upwards of 7,000 school teachers in town for the annual Kentucky Education Ass'n convention, first-run biz received a decided impetus Friday and Saturday (14-15). Returns are pretty evenly divided, but most of the downtown houses are flirting with topflight figures. 'Wuthering' received the nod from critics as best pic of the week and b.o. is making good showing.

H.o.s 'Dodge City,' at Mary Anderson, 'Three Smart Girls,' on a dual at Brown, a moveover from Rialto, will wind up with satisfactory grosses. Plenty of rainy weather lately, but a tossup whether an aid or a drawback to b.o.s.

Estimates for This Week

Brown (Loew's-Fourth Avenue) (1,500; 15-30-40)—'Three Smart Girls' (U) and 'Risky Business' (U). Copped a good share of the visiting teachers' patronage after moveover from Rialto. Looks like best business this garnered this year, sweet $3,000 in prospect. Last week, 'Midnight' (U) and 'Sudden Money' (Par), mild $1,600 after moveover from Rialto.

Kentucky (Switow) (900; 15-25)—'Kings Din' (RKO) and 'Tailspin' (20th). Pointing to fair $1,600. Last week, 'Jesse James' (20th) and 'Saving Sister' (U), forte $1,900.

Loew's State (Loew's) (3,100; 15-30-40)—'Wuthering Heights' (UA) and 'Kid Texas' (M-G). Reviewers fell for this one and customers are acting on word-of-mouth to pile up a satisfactory figure, probably $8,000. Last week, 'Broadway Serenade' (M-G) and 'Whispering Enemies' (Col), average $6,000.

Mary Anderson (Libson) (1,000; 15-30-40)—'Dodge City' (WB) (2d wk). Healthy holdover at $3,500. Last week, hearty $6,000.

Ohio (Settos) (800; 15)—'Desert Gold' (Par) and 'Dr. Clitterhouse' (WB), split with 'Miss Broadway' (20th) and 'Always Goodbye' (20th). Steady $1,100. Last week, 'Sweetheart' (U) and 'Slim' (WB), split with 'Jesse James' (20th) and 'Going Rich' (20th), mild $900.

Rialto (Fourth Avenue) (3,000; 15-30-40)—'Prom Missouri' (Par) and 'Nurses' (20th). Great $7,500. Last week, 'Three Smart Girls' (U) and 'Risky Business' (U), got bumper $7,500 and moveover.

Strand (Fourth Avenue) (1,400; 15-30-40) — 'Fisherman's Wharf' (RKO) and 'Beauty Asking' (RKO). Will get fairish $3,000. Last week, 'Baskervilles' (20th) and 'Winner All' (20th), fair $3,200.

COAST CUES N. Y. ON SHOW BIZ?

It's Not Quite the Same, but None the Less, Starting with the Treasure Island Fair, Films Haven't Been Doing Well

CAFES, LEGIT DITTO

San Francisco, April 16.

Biz is terrible here. Most houses are doing between 30 and 40% less than they did last year at this time. Falloff in trade got underway during the Fiesta Week, which heralded the opening of the Golden Gate International Exposition. The pix boxoffice is that the Fair's none too hot right now, but just the same it's pulling away from the theatres. When the weather gets better and war scares quiet down tourists really start coming in—the situation will be brighter, of course, or so it is hoped.

Maybe the local Fair biz is something the New York showmen might give more than casual attention to, now that Grover Whalen's big show is ready to preem. However, the elements are not quite the same. After all, Broadway isn't Market street.

However, product on a whole is much better than the lineup of pictures playing here last year at this time, and it's just better than with poorer pictures. Last March the Orpheum had Deanna Durbin's 'Mad About Music.' Very Orpheum now has Durbin's new 'Three Smart Girls Grow Up,' generally conceded one of her best and her gross on the Durbin picture in its second week at the Orpheum this year is $1,100 under the second week of 'Music' last year.

The Warfield hit a new low last week with Jeanette MacDonald's 'Broadway Serenade.' Ordinarily the MGM canary is hot stuff locally, but she is anything but that now.

Night club biz is also way off. Most of the dine-and-dance spots had been in pretty bad shape for some time and had been holding off shuttering until the Expo got underway hoping that things would pick up then. A number of them are now dark. Others are starting to cut down on the overhead by trimming their floor shows. Of the hotels, the St. Francis is doing sensational biz with Harry Owens' band, but the others are dying.

Legit season here has been practically nil this year. There had been some talk of the revival of the legitimate theatre during 1939 in this former stronghold, but that's not being came of it. Floppos of 'A Room for the Bride' (Irene Rich), and 'Whiteoaks' (Ann Harrymore), both of which were here a couple of weeks ago, has the boys on Geary St. wondering just what the Fair on Treasure Island will do to the legit this year. The legit season here during the Panama Pacific International Exposition in 1915 laid an egg.

Estimates for This Week

Fox (FWC) (5,000; 35-55-75)—'Dodge City' (WB) and 'Sudden Money' (Par) (2d wk). Errol Flynn has a strong vehicle which would have been way up on the money if the war scare and the Fair hadn't hit. Looks like this former gamer $12,000, which is better than some pictures have been doing here of late during first week. Last week, 'Dodge' got off to a slow start but trade started to build and ended with stable $20,000.

Golden Gate (RKO) (2,850; 35-55) —'Castles' (RKO) and vaudeville (2d wk). Rogers-Astaire well liked, however big biz in the dumps all over town and will have to be satisfied with $13,000, which is big these days for a holdover. Jay Brower is running a new band at the Gate. Group is far more versatile than former band and is going over big with audience. Manager George Bole extended himself in lavish costumes for his 12-man girls' revue. Last week, 'Castles' got $16,000, which was under expectations for the picture.

Orpheum (F&M) (2,440; 35-55)—'Three Smart Girls' (U) (3d wk). Had hopes of hanging up new records with this well-liked bill which slipped quite a bit during the second stanza after a big teeoff. However, 'Girls' is showing sustaining power

(Continued on page 31)

B'way Rolling Up High Figures; 'Heights' Smash $50,000, 'Hardys' Good 28G, 'Finn'-Garland Big 37G

The dollars are rolling in merrily on Broadway this week, with holdovers as well as new shows receiving more than average attention. A lift is looked for during the week, with kids getting time off due to the mid-term exams. They were out of school all of last week, and, in several instances, piled up business beyond expectations for Tuesday, Wednesday, Thursday and Friday (11-14). The week-end also was sturdy, in spite of the exhibition baseball game.

Mightiest of the box office stalwarts is 'Wuthering Heights.' It was given a special preem Thursday night (13) and is rocking through at the Rivoli, non-stage show stand, for a splendid $50,000. Another straight filmer, Capitol, though not approaching the Riv figure, is holding up fairly well, but is heavily in some trouble with 'Hardys Ride High.' A possible $28,000 is in store here, a good profit under the present policy. Picture will hold over.

Still another fresh show that is crashing forward by big coin is Metro's 'Huckleberry Finn,' with Judy Garland and Joe Venuti orchestra on the stage. Prospects are sanguine for $37,000, best gross in several months.

Matching strides with the business-grabbers is the lately luckless Criterion, which is reviving 'Mutiny on the Bounty.' House ends its week (today (Wed.)) at 9,000 or close, away over average.

The holdovers, two of them on third weeks, are all doing well. 'Castles,' ending its third week tonight (Wed.) at the Music Hall, will get about $83,000, after weeks of $108,000 and $100,000, for heavy profit.

'Dodge City,' with Guy Lombardo's orch, at the Strand, may reach a fancy $35,000, while 'Alexander Graham Bell' has a good chance to pick up the same amount of coin currently. 'Bell,' now on its third week, will go a fourth, while Guy and Lombardo will essay a third (final) week for the Strand Friday (21). The 'Dodge'-Lombardo combination got a strong lift from the kids during all of last week to finish the first week at 50,000, meeting fondest expectations of management.

Paramount socked through on first week of its new policy, with Tommy Dorsey for a terrific $53,000 and on the second, ending last night (Tues.), is remaining strong for a total of $45,000. This show tees off on a third (final) stanza today (Wed.).

Globe is on a second week of 'Prison Without Bars' and also is holding again for a third. The current (2d) round will be 9,000 better, very good, after an initial seven days of $13,800, smart profit. 'Pygmalion' is also good, the 10th week looking about $7,500. Rialto got $6,000 with 'Flying Irishman' on week ending Monday night (17), only big 6 and yesterday (Tues.) opened 'Eagle and the Hawk,' a reissue.

Estimates for This Week

Astor (Loew's) (1,017; 25-35-55-75)—'Pygmalion' (M-G) (19th week). Still doing very well, about $7,500. Last week (16), Easter week hypo raised gross to $10,000.

Capitol (4,520; 25-35-55-85-$1.25)—'Hardys Rides High' (M-G). House recovers from several weeks of disappointing returns on a chance for $28,000, maybe and holds. 'Man of Conquest' (Rep) had been set for opening tomorrow (Thurs), but is moved back to April 27. Last week here 'Broadway Serenade' (M-G), $14,000, poor.

Criterion (1,662; 25-40-55)—'Mutiny on Bounty' (M-G) (reissue). A lot of people must have missed this one before, take looking $8,000 or near, good. Last week 'Within Law' (M-G), $7,000, only fair.

Globe (1,274; 25-40-55)—'Prison Without Bars' (UA) (2d week). Draught excellent, $9,000, or over, second week. First week $13,800, one of best figures attained here in years.

Rialto (1,700; 25-35-55)—'Love Affair' (RKO) and 'You Can't Get Away With Murder' (WB), both 2d runs, last week (Tues.) at $7,800. In ahead for six days, 'Darling Daughter' (WB) (2d run) and 'Winner Take All' (20th) (1st run), got only $6,000.

Paramount (3,664; 25-35-55-85-99)—'Midnight' (Par) and Tommy Dorsey (3d-final week). Windup stanza starts today (Wed.) after second week's $45,000, and first seven days, $53,000, in both cases smash marzumma. On Wednesday (26) house brings in 'Lady's From Kentucky' and, on stage, Henry Busse's orch, Lanny Ross and Shirley Ross.

Radio City Music Hall (5,980; 40-60-84-99-$1.65)—'Castle' (RKO) and stage show (3d-final week). Maintains excellent strength for washup lap of $83,000, after second week's biz of $108,000 and first seven days at $100,000. Holdover is creamy total. 'Dark Victory' (WB) opens tomorrow. (Thurs.).

Radio (750; 25-40-55)—'Eagle and Hawk' (Par) (reissue). Moved in here yesterday (Tues.) after week of 'Flying Irishman' (RKO) at only $6,000, somewhat disappointing. In ahead, 'On Trial' (WB), drew the same.

Rivoli (2,092; 25-55-75-85-99)—'Wuthering Heights' (UA). This picture, drawing fine notices, will be one of the biggest for Riv over at $50,000, or thereabouts. House is giving it plenty of advertising backup and solid run looks set. Because of draught, the 99c price is being maintained as a weekday top. The final (4th) week of 'Three Smart Girls' (U) was $16,000, good.

Roxy (5,836; 35-55-75)—'Bell' (20th) and stage show (3d week). Got the kids last week (2d) to push through a surprised $37,000 and with a good past weekend under its belt, may get $35,000 currently (3d wk). As a result, picture is being held a fourth leg, with 'Cisco Kid' set back to April 28.

Strand (3,450; 35-55-75) — 'Huck Finn' (M-G) (2d run) and Judy Garland, plus Joe Venuti's orchestra. Things are humming here to tune of possible $37,000, very big. Miss Garland drawing plenty of kids. Last week, 'Late Society' (Par) (2d run) and Joan Davis-Dave Apollon, pushed to $24,000, above house's recent grosses.

Strand (2,767; 25-40-55-75-85-99)—'Dodge City' (WB) and Guy Lombardo (2d week). Milder notices on picture last week didn't stop gross from building to smash $35,000, while this week (2d) the draught is very firm for a possible $35,000. Combo goes a third week easily.

H.O.S LOAD K. C.; 'HEIGHTS' NICE $13,500

Kansas City, April 16.

Sky high figures of last week resulted in a flood of holdovers currently. Five of the six first runs are continuing for a third week, showing good films can get business, despite competition.

Best program is the Midland, with a terrifical premiere of 'Wuthering Heights,' double-billed, as usual. Situation gives this house clear sailing on the new biz.

Current week will see a total gross considerably under that of last week, but encouraging, nevertheless.

Estimates for This Week

Esquire and Uptown (Fox Midwest) (820 and 1,200; 10-25-40)—'Three Smart Girls' (U) (2d wk). Returns heavy at the Uptown and fair at the Esquire. Holdover week will see $5,000 combo, a 40-grand position with Uptown on the long end. Last week, pair of houses rang up $7,500, strong.

Midland (Loew's) (3,573; 10-25-40) —'Wuthering Heights' (UA) and 'Kid from Texas' (M-G). Only new pic in town, and okay at $11,000 last week 'Broadway Serenade' (M-G) and 'Blondie Boss' (Col), not up to expectations at $9,500.

Newman (Paramount) (1,900; 10-25-40)—'Dodge City' (WB) (2d wk). Presently looks for good $6,000, very good. First week's $11,500 tremendous.

Orpheum (RKO) (1,500; 10-25-40) —'Daughter' (RKO) (2d wk). Another example of what a good film can do. Holding nicely at $5,500. Last week's $9,500 very big.

Tower (Fox Midwest) (2,050; 10-25-40)—'Bell' (20th) (2d wk). 'Everybody's Baby' (20th) (2d wk). 'Bell' not getting big money, but steady trade. Currently nearing $5,000, okay along with last week's $7,000.

Durbin Good $8,000, 'Mikado'-Cagney OK 12½G, as Mpls. Biz Holds Up

Minneapolis, April 18.

Continued good boxoffice activity here is the consequence of another lineup of draw attractions. It's the third successive week of healthy grosses. Looks as though Old Man Depression's on the run temporarily at least, although bad snowstorm and cold over the weekend hurt grosses.

Current big stimulants are the 'Mikado in Swing' unit 'Three Smart Girls Grow Up' 'Ecstasy' and 'Pygmalion'. Big stage show a considerable portion of the WPA version of the Gilbert and Sullivan opry, is carrying the Orpheum into the five figures, but the three aforementioned films, at the Century, Time and Worth respectively, will turn in the biggest profits. High nut precludes the 'Mikado' from earning heavily coming at its present clip, its trade being stymied in part, apparently, because it is hooked up with a western picture, 'Oklahoma Kid,' which just doesn't fit into this combination.

Saves the order of the day for the newest Durbin film and it will run at least two weeks at the Century. 'Ecstasy,' playing a second week, is holding 'em out at the sure-seater Time, while 'Pygmalion,' in the vaudeville loop week, continues to spell prosperity for the sure-seater World.

Orpheum will have a second consecutive stage show for the first time in many a moon. Wayne King coming in Friday (21). Another holdover attraction, 'Kiss the Boys Goodbye,' is underlined for the Lyceum April 27-28.

Estimates for This Week

Aster (Par-Singer) (900; 15-25) 'King Lear' (RKO) and 'Beloved Asking' (RKO), dual first-runs. Heading for mild $1,500. Last week, 'Thief of Nation' (Par) and 'Everybody's Baby' (20th), dual first-runs, $1,600, fair.

Century (Par-Singer) (1,600; 25-35-40)—'Three Smart Girls' (U). Flood of laudatory notices lavished on this one. Durbin one of the top boxoffice names here. Will run at least two weeks and perhaps longer. Good $8,000 indicated. Last week, 'Topper' (UA), $7,300, fine.

Gopher (Par-Singer) (1986; 25) 'Never Die' (Par). Fairly good going for this one, lack of cast names holding down figures. Will run mild $2,300. Last week, 'King Turf' (UA), pulled after six days, $2,200, light.

Orpheum (Par-Singer) (2,800; 35-40-55) — 'Oklahoma Kid' (WB) and 'Mikado in Swing' on stage. Former a handicap for elaborate stage show, which is responsible for most of the trade. Feature fans won't go for a western and matinee biz is adversely affected. Fairly good $12,000 in prospect. Last week, 'Love Affair' (RKO) $6,800, good, but under expectations.

State (Par-Singer) (2,300; 25-35-40) 'Broadway Serenade' (M-G). MacDonald name good boxoffice, but mixed opinions on film's merits hurting. Stretching to reach mild $5,500. Last week, 'Midnight' (Par), $6,000, good.

Time (Gillman) (290; 25)—'Ecstasy' (Indie) (2d run). Advertised to adults only and getting the male play. Had a long and prosperous run at Worth here more than a year ago, but since then Hedy LaMarr has come into greater prominence. Heading for tremendous $2,500. Last week 'Lost Patrol' (RKO) (reissue), $700, light.

Uptown (Par) (1,200; 25-35) — 'Ice Follies' (M-G) split with 'Cafe Society' (Par). First neighborhood showings. Mild $2,200 in prospect. Last week, 'Young Heart' (UA), $2,600, fair.

World (Steffes) (350; 25-35-40-55) —'Pygmalion' (M-G) (7th wk.). Still in the money and should run a while longer. Reaching upward to good $1,600. Last week, $1,800, fine.

Durbin Fancy $4,500, Burns $3,700, in Lincoln

Lincoln, April 18.

Paced by 'Three Smart Girls,' the town is letting most of its money go to the Nebraska again for the third week in a row. 'Girls' won't get last week's 'Dodge City' money, but is doing well.

Stuart, after two weeks, decides it's not a dual feature house, and returns to single with 'I'm Nobody's Baby.' Lincoln is now dualing, after sliding on grade C singles. Varsity is hit bad.

Estimates for This Week

Colonial (NTI-Noble-Monroe) (750; 10-15)—'Gun Law' (RKO) and 'Bad rod' (WB), split with 'Mexicali Rose' (Rep) and 'Beloved Brat' (WB). Good $1,400. Last week (RKO) 'Outsiders' (GN) and 'Frog' (GB), split with 'Mystery Plane' (Mono) and 'Rolling Westward' (Mono), dual, $800.

Liberty (NTI-Noble) (1,000; 10-15-25)—'Woman Doctor' (Mono) and 'Pride of Navy' (Rep). Light $1,100. Last week, 'Romance Redwoods' (Col) and 'Wife's Relatives' (Rep), poor $900.

Lincoln (LTC-Cooper) (1,600; 10-15-20)—'Professor Beware' (Par) and 'Persons Hiding' (Par). None too good $1,800. Last week, 'Carefree' (RKO), came too late to catch on, $2,000.

Nebraska (LTC-Cooper) (1,236; 10-25-40)—'Three Smart Girls' (U). Heading into fancy money, $4,500. Last week, 'Dodge City' (WB), two days, $7,100, very big.

Stuart (LTC-Cooper) (1,900; 10-25-35)—'From Missouri' (Par). Nice enough $3,700. Last week, 'Midnight' (Par) and 'Pardon Nerve' (20th), $3,000, just average.

Varsity (NTI-Noble) (1,100; 10-25-35)—'Gaucho's Boy' (Mono). Very slow, $1,100. Follows week of 'Vanishing Lady' (GB), which did vanishing biz act, $900.

Crawford-Apollon N.G. 17G in Wash.; Durbin Fine 16½G

Washington, April 18.

Easter tourist trade about gone, but siege of cold rain is killing opening of outdoor parks and 10 degrees and the overall take, if still not below average, is not below average. 'Ice Follies' and Dave Apollon's band, at Capitol, are under par, but money-makers are Three Smart Girls Grow Up' at Keith's, and 'Dodge City,' which is making third time in Earle's 10 years that a combo bill has been held over second week.

Estimates for This Week

Capitol (Loew) (3,434; 25-35-40-66) —'Ice Follies' (M-G) and vaude. Even Crawford fans are wise to this one, and Dave Apolion's band of little value to offset it. So-so $17,000. Last week, 'Girl Will' (M-G) can thank Fred Waring's orch for good $22,000.

Columbia (Loew) (1,234; 25-40)—'Sergeant Madden' (M-G) (2d run). Back downtown after fair week at Capitol and looking at satisfactory $4,000. Last week, 'Exile Other' (UA) (2d run), oke $4,300.

Earle (WB) (2,216; 25-35-40-66)—'Dodge City' (WB) and vaude (2d wk). Marking third time in 10 years that house has held entire combo show second week, and passing the 16-500. Last week same bill pocketed swell $22,000.

Keith's (RKO) (1,830; 35-55)—'Three Smart Girls' (U). Sock bally and reviews carrying Durbin to fine $16,500. Last week, 'Love Affair' (RKO) (3d wk), held to strong $8,000.

Metro (WB) (1,600; 25-40)—'Women Wind' (WB). Kay Francis no draw here and comes out today (16) with flopp $1,500, for five days. Last week, 'Persons Hiding' (Par), fair $3,600.

Palace (Loew) (2,242; 35-55)—'Midnight' (Par) (2d wk). Five-day holdover will pay okay $7,500. Last week, adequate $13,600.

'HEIGHTS,' $6,500, TOPPING INDPLS.

Indianapolis, April 18.

Torrential rains, as well as such counter attractions as the roller derby and home show, are being blamed by downtown theatres for slackening trade at the boxoffices this week. 'Wuthering Heights' and 'Blondie Meets the Boss,' on twin bill at Loew's, is leading the straight film houses with a moderately good figure.

'I'm from Missouri' and 'Back Door to Heaven,' on dual at Indiana, are second with a very mild take, while 'Dodge City' continues to show strength after being moved over to the Apollo, following an excellent first week at the Circle on a single bill.

This week the Circle is faring nicely with Joan Davis in person plus 'Saint Strikes Back.' The usually consistent vaudfilm Lyric is languishing a bit with 'Women in Wind' and a battle of music between two name orchestras.

Estimates for This Week

Apollo (Katz-Dolle) (1,100; 25-30-40)—'Dodge City' (WB). Moved over from Circle for second week. Results good at $3,800. Last week, revival of 'Eagle and Hawk' (Par) on dual with first-run of 'Third Nation' (Par), light $2,600.

Circle (Katz-Dolle) (2,600; 25-30-40)—'Saint Strikes Back' (RKO) and vaude headlining Joan Davis. Latter given credit for drawing gross of $10,600, okay. Last week, 'Dodge City' (WB) did strong weekday business to wind up with plenty of gravy at $9,800, very good.

Indiana (Katz-Dolle) (3,100; 25-30-40)—'From Missouri' (Par) and 'Back Door Heaven' (U). Burns played up in former film's cast, but take is only lukewarm at $5,000. Last week, 'Castles' (RKO), modest $4,800.

Loew's (Loew's) (2,400; 25-30-40)—'Wuthering Heights' (UA) and 'Blondie Meets the Boss.' Former pic given special exploitation with premiere Thursday night (13), ahead of regular schedule; $6,500, all right. Last week, 'Broadway Serenade' (M-G) and 'Spy Hunt' (Col); faded after promising start, and finished at $4,900, not so good.

Lyric (Olson) (1,900; 25-30-40)—'Women Wind' (WB) and vaude headlining Dean Hudson and Jay Mills bands. Novelty of battle of music band not enough to offset lack of name value of two orchs, and gross of $8,500 means red ink. Last week, 'Baskervilles' (20th) and Orrin Tucker's band on stage, $10,900, okay profit.

First Runs on Broadway

(Subject to Change)

Week of April 20

Astor — 'Pygmalion' (M-G) (20th wk).

Capitol—'Hardys Ride High' (M-G) (2d wk).

Criterion — 'Back Door to Heaven' (Par) (19).

(Reviewed in VARIETY, March 12)

Globe—Prison Without Bars' (UA) (3d wk).

Music Hall — 'Dark Victory' (WB).

(Reviewed in VARIETY, March 15)

Paramount—'Midnight' (Par) (3d wk).

Rialto—'Eagle and the Hawk' (Par) (revival) (18).

Rivoli — 'Wuthering Heights' (UA) (2d wk).

Roxy—Alexander Graham Bell' (20th) (4th wk).

Strand — 'Dodge City' (WB) (3d wk).

Week of April 27

Astor — 'Pygmalion' (M-G) (21st wk).

Capitol — Man of Conquest' (Rep).

(Reviewed in VARIETY, April 12)

Globe—'The Challenge' (Film Alliance) (29).

Music Hall—'Dark Victory' (WB) (2d wk).

Paramount — 'Lady's From Kentucky' (Par) (26).

(Reviewed in VARIETY, April 12)

Rivoli — 'Wuthering Heights' (UA) (3d wk).

Roxy—'Return of Cisco Kid' (20th) (28).

Strand—'Confessions of Nazi Spy' (WB) (28).

Hollywood—'Juarez' (WB) (25).

'HEIGHTS,' $9,500, BRIGHTENS BALTO

Baltimore, April 18.

Avalanche of h.o.s is reflecting itself in mind, if not sluggish doings. 'Wuthering Heights,' one new entry at Loew's Century, is attracting strong femme trade and cashing in nicely on favorable notices.

Keith's, pressed for playdates, is opening 'Midnight' tomorrow (Wed.) in spite of combined good response to second week of 'Three Smart Girls.' There's no letup for 'Dodge City' at Stanley, now in third session practically in the bag.

Estimates for This Week

Century (Loew's) (3,000; 15-25-40)—'Wuthering Heights' (UA). Only new film in town of h.o.s. attracting good response, particularly from daytime femme customers, and indicating nice $9,500. Last week 'Broadway Serenade' (M-G), fair $8,200.

Hippodrome (Rappaport) (2,205; 15-25-35-40-55-66)—'Castles' (RKO) (2d wk), plus h.o. of vaude headed by Estelle Taylor. Holding midish pace with $9,000 after strong opener to $15,400.

Keith's (Schanberger) (2,406; 15-25-35-40)—'Midnight' (Par). Opening tomorrow (Wed.) after Three Smart Girls' (U) added solid $8,700 to big initial take of $14,600. Playdate jam for product at hand prevented Durbin from going into third week.

New (Mechanic) (1,550; 15-25-35-55)—'Graham Bell' (20th) (2d wk). Holding steady pace against strong opposition and adding fairish $5,000 to nice opening round of $8,800.

Stanley (WB) (3,280; 15-25-35-40-55)—'Dodge City' (WB) (2d wk). Holding town's lead with best biz in recent months. Will add healthy $10,000 to new opener of $17,600. Indicates a third week.

APPEALS CT KAYOS 'HELL'S ANGELS' SUIT

The Circuit Court of Appeals in New York Monday (17) dismissed the appeal of Richard Barry against Howard Hughes, Caddo Co., Inc., United Artists Corp. and United Artists Theatres Circuit, Inc. Suit was begun in Federal court in January, 1932, alleging plagiarism of the plaintiff's story, 'The Breaking Faith of an Insurgent' in the Hughes-UA film, 'Hell's Angels.'

An accounting of profits, an injunction and damages had been sought. The suit was dismissed by Judge William Bondy on April 3, 1936, the Circuit Court upholding Judge Bondy, opining, 'We should hesitate a long while before holding that the use of material, apparently in the public domain, subjects the user to damages. The two dialogues have no resemblance...we agree with the district judge that it has not been shown that Barry's story was copied at all, and we do not believe that it was.'

Competish Heavy In Cleve., but Pix OK; 'Live' N.G. 3G

Cleveland, April 18.

Although they have several competitive factors against 'em the major houses are doing better currently than they did Easter Week. Competitive events include department store competition sales, a one-week rodeo at the Arena, the Skating club's annual ice carnival and the Sportsmen's show at civic auditorium, all opening at same time.

'Alexander Graham Bell,' at Palace, coupled with Hugh Herbert on stage, is getting nice biz. Stage is stealing all the femme trade with 'Made for Each Other,' while 'Dodge City' is proving the top one for the Hipp's best holdovers in some time.

Estimates for This Week

Allen (RKO) (3,000; 30-35-42-55)—'Let Live' (Col). Too heavy for outlines and slow at $3,000. Last week (2d), 'Princess' (20th), barely $3,200.

Hipp (Warner) (2,700; 30-35-42-55) —'Dodge City' (WB) (2d wk.). Second stanza is shooting for high $9,000. Grabbing over to Hipp. Last week, $18,000, mighty sweet and near the top for this season.

Palace (Loew's) (3,200; 30-35-42-55) —'Graham Bell' (20th) plus Hugh Herbert, Dixie Dunbar in vaude. Very nice opening biz, $18,000 mark. Last week, 'East Side Heaven' (Col) with Gracie Barrie topping vaude, Glenn Miller, $11,000.

State (Loew's) (3,450; 30-35-42-55) —'Beach Other' (UA). Caught on instantly with reviews, who are shoving pin downtown store sales, and bouncing up to $12,000, good. Last week, 'Broadway Serenade' (M-G), fair $10,000.

Stillman (Loew's) (1,972; 30-35-42-55)—'Prison Bars' (M-G). Patriotic theme and ballyhoo for star-studded cast will add up to a good $6,000. Last week, 'Prison Bars' (UA) $9,000, a grand surprise.

Oberon, $13,500, 'Dodge,' $12,000, Prov. Toppers

Providence, April 18.

'Wuthering Heights,' at State, and 'Dodge City,' at Majestic, are riding high. 'Love Affair' is a holdover at the Albee.

Estimates for This Week

Albee (RKO) (3,000; 25-35-50)—'Love Affair' (RKO) (2d wk) and 'March of Time.' Paced at nice $4,500 for second week, $7,200 in first week.

Carlton (Fay-Loew) (1,400; 25-35-50)—'Princess' (20th) and 'Winner All' (20th) started off hefty $6,500. Last week, 'Fast Loose' (M-G) and 'Mystery Plane' (Mono), so-so $4,000.

Fay's (Indie) (2,200; 25-35-50)—'Pirates Sky' (U) and vaude. Stepping along to strong $8,000. Last week, 'Blackwell' (WB) and vaude, neat $7,000.

Majestic (Fay) (2,200; 25-35-50)—'Dodge City' (WB) and 'Chasing Danger' (20th). Rousing $12,000 in sight. Last week 'Princess' (20th) 'Winner All' (20th), swell $11,000.

State (Loew) (3,200; 25-35-50)—'Wuthering Heights' (UA) and 'Kid Texas' M-G). Swell $13,500 spotted. Last week 'Broadway Serenade' (M-G) and 'First Offenders' (Col), okay $11,000.

Strand (Indie) (2,200; 25-35-50)—'Sudden Money' (Par) and 'Forged Passport' (Rep). Weak $3,500 in five-day run. Last week, 'Missouri' (Par) and 'King Chinatown' (Par), nice $7,000.

'LOVE AFFAIR' NEAT $23,000 IN DETROIT

Detroit, April 18.

Good weather, coupled with strong product generally, is giving spots needed shot in arm. It's a tossup between 'Love Affair' plus vaude at the Fox and 'Dodge City'-'Society Lawyer' combo at the Michigan. 'Three Smart Girls' is sticking for its third sesh at the Adams on second run.

Estimates for This Week

Adams (Balaban) (1,700; 30-40)—'Smart Girls' (U) (3d wk) (2d run), plus 12 Crowded Hours' (Par), dual. Durbin opus, after pulling down takes of $8,000 and $6,000 here, following initial opening sesh at the Fox, figures to get okay $4,000 currently. Last week coupled with 'Saint Strikes Back' (RKO) good $6,000.

Fox (Fox-Michigan) (5,000; 30-40-65)—'Love Affair' (RKO) plus Eddy Peabody heading stage show. Getting good word-of-mouth and should hit $23,000, nice. Last week slightly over $25,000, neat, for 'Little Princess' (20th) with Arthur Treacher heading vaude.

Michigan (United Detroit) (4,000; 30-40-65)—'Dodge City' (WB) plus 'Society Lawyer' (M-G), dual. Former getting gobs of bally; should get getting gobs of bally; should get swell $20,000. Last week good $15,000 for 'Mikado' (Par) and 'On Trial' (WB), despite snow and rain.

Palms-State (UD) (3,000; 30-40-55)—'Midshipman' (2d run) combined with 'Streets of N. Y.' (Mono), dual. Colbert-Ameche opus moved here after two stanzas at Michigan; figures on $7,600, good. Last week 'Never Die' (Par) and 'Made Criminal' (WB) okay $6,000.

United Artists (UD) (2,000; 30-40-65)—'Broadway Serenade' (M-G). Headed for good $10,000. Last week, second, a poor $6,000 for 'Ice Follies' (M-G), following fair $8,000 first stanza.

DUAL-VODE OK $10,000 IN HUB

Boston, April 18.

Holdovers 'Dodge City,' 'Three Smart Girls' and 'Huckleberry Finn,' feature film now this week.

Of the new product, 'Hound of Baskervilles,' on dual, is a leader at the Fox and Fenway.

Estimates for This Week

Boston (RKO) (3,200; 20-30-40)—'Honest Man' (U) (2d run) and 'Girl of the Streets' (Col) (1st run), double, with vaude, six-day week. Heading for good $10,000. Last week, 'Dodge City' (WB) and Disney Revue (RKO) (both 2d run), five days; and 'Mystery Plane' (Mono) and 'Pride of the Superstitious' (U), dual, plus vaude, five days, $11,500, good.

Fenway (M&P) (1,332; 25-35-40-55) —'Baskervilles' (20th) and 'Secret Service Air' (WB). Very strong, around $8,500. Last week, 'Missouri' (Par) and 'Inside Story' (20th), dual, good $6,500.

Keith Memorial (RKO) (2,907; 25-35-40-55)—'Smart Girls' (U) (2d wk) and 'Almost Gentleman' (RKO) (1st wk), dual, plus March of Time. Heading for slay $10,000 in six days. Last week, 'Smart Girls' and 'Flying Irishman' (RKO), big $19,000.

Metropolitan (M&P) (4,367; 25-35-40-55)—'Dodge City' (WB) and 'Jane Arden' (WB) (2d wk). Okay $17,000 indicated. Last week very good $25,000.

Orpheum (Loew) (2,900; 25-35-40-55)—'Huckleberry Finn' (M-G) and 'Blondie Boss' (Col) (2d wk). Around $15,000, good. Last week (6 days), dandy $15,000.

Paramount (M&P) (1,797; 25-35-40-55) — 'Baskervilles' (20th) and 'Secret Service Air' (WB). Best in several weeks, about $12,000 promised. Last week, 'Missouri' (Par) 'Inside Story' (20th), satisfactory $8,000.

Seollay (M&P) (2,538; 25-35-40-50) —'Hunch Woman' (Par) and 'King Chinatown' (Par) (both 2nd run). Pallid $5,500 indicated. Last week, 'Topper' (M-G) and 'Oklahoma Kid' (WB), (2nd run), $7,000, fair.

State (Loew) (3,600; 25-35-40-55) —'Hunch Woman' (M-G) and 'Blondie Boss' (Col) (2d wk). Sustaining okay pace, around $10,000. Last week (5 days), very good $11,000.

Now It's Sunset Studio

Hollywood, April 18.

Old Conn studio has a new coat of paint and a new name, Sunset Studio.

Currently it houses Colony, Metropolitan, Victory and Million Dollar Productions.

Philly Slows Up, but 'Heights,' $15,000, Excellent; 'Bell' Very Quiet $12,000

Philadelphia, April 18.

With a couple of exceptions, notably 'Wuthering Heights,' b.o.'s are almost back to their lethargic pre-Easter gait. 'Heights' opened Wednesday night (12) to a blare of fanfare and will get swell $15,000. Set to hold over for probably two more cantos.

'Dodge City,' in its second lap at the Stanley, is doing fairly well. Biggest disappointer is the pair of 'Alexander Graham Bell,' at the Boyd. Getting only poor $12,000 and is being replaced by 'Hardys Ride High' (Tuesday (20).

Estimates for This Week

Aldine (WB) (1,303; 32-42-57) —'Wuthering Heights' (UA). A setup for this house, which could do considerably more than the current take $15,000 if it had more seats. Last week (3d), 'Midnight' (Par), satisfactory $6,000 in five and half days.

Boyd (WB) (2,360; 32-42-57) —'Bell' (20th). Suffering from both competish and week reviews. Sad $12,000 for the turn, with hopes of a holdover n.g. Last week, 'Broadway Serenade' (M-G) was given an extra day but managed only good $13,000.

Earle (WB) (2,758; 26-32-42) —'Honest Man' (U) (3d run). Getting nice choice of flicks on the late run, this big house seems to be hitting a fairly even keel at $7,000. Same last week with 'Oklahoma Kid' (WB).

Fox (WB) (2,423; 32-37-42-57-68) —'Society Lawyer' (M-G) and Chick Webb's orch and Ella Fitzgerald on stage. Quality here, but gross is unhealthy $20,000. Last week, 'East Side Heaven' (U) with Stanley Lupino, Lady Canova and Charlie Barnet's orch on stage, profitable $24,000.

Karlton (WB) (1,066; 32-42-57) —'Midnight' (Par) for 'Heights' booking at the Aldine pushed the Karlton on first run before its week was up; $6,000 for the sesh, v.g. Last week, 'Baskervilles' (20th) (2d run), $4,500 for five days, nice.

Keith's (WB) (1,670; 32-42-57) —'Broadway Serenade' (M-G) (2d run). Abysmal par at $4,500. Last week, 'Smart Girls' (U) (2d run), pretty good $4,800.

Palace (WB) (1,400; 26-42)—'Within Law'. (M-G) and 'Crisis,' a newsreel compilation of European events, piled together with short-fuse to provide a three-hour show here under the new policy. Talk of shifting it to the Earle because small crowds and low prices make it hardly profitable, although $5,000 this week good. Last week, 'Never Die' (Par), nice $4,500.

Stanley (WB) (2,916; 32-42-57)—'Dodge City' (WB) (2d wk). 'Fairy' good $14,000 for the stanza, although wavering and its future undetermined. May go out this weekend without completing two weeks or may stay a few extra days to get house back on midweek openings, as 'Ella unveiled' on a Saturday. Last week, $23,000, excellent.

Stanton (WB) (1,457; 26-32-42) 'Women Wind' (WB). Not blowing hard enough at $4,000 to be very satisfactory. Same true last week with 'Winner Take All' (20th) at a similar figure.

'Castles,' $6,500, 'Heights,' $6,000, Healthy in Port.

Portland, Ore., April 18.

'Wuthering Heights,' at Broadway and 'Story of Irene and Vernon Castle,' at Orpheum, are the two hot b.o. winners this week. Each has a different type of customer appeal, but scoring heavily.

'Dodge City' in second stanza at the big Paramount, is one of the strongest biz-getters house has had in time time.

Estimates for This Week

Broadway (Parker) (2,000; 30-35-60)—'Wuthering Heights' (UA) and 'King Turf' (UA). Well exploited and answering for good $6,000. Last week, 'East Side Heaven' (U) and 'Culver' (U), good $5,200.

Mayfair (Parker-Evergreen) (1,-500; 30-35-60)—'East Side Heaven' (U) and 'Culver' (U). Okay at $500. Last week 'Pygmalion' (M-G). Ended four-week run with fair $2,200 for fourth week.

Orpheum (Hamrick - Evergreen) (1,800; 30-35-40)—'Castles' (RKO) and 'Secret Service' (WB). Putting this house over in great shape for $6,500. Last week 'Missouri' (Par) and 'Ambush' (Par), poor $4,000.

Paramount (Hamrick - Evergreen) (3,000; 30-35-40)—'Dodge City' (WB) and 'Flying Irishman' (RKO) (2d week). Big $4,500. First week great $7,200.

Rivoli (Indie) (1,100; 20-25)—'Trade Winds' (UA) and 'Thanks Everything' (Par) (revivals). Nice $1,800. Last week 'Dr. Kildare' (M-G) and 'Flirting Fate' (M-G), fair $1,600.

United Artists (Parker) (1,000; 30-35-40)—'Three Smart Girls' (U) and 'Risky Business' (U) (2d wk). Good $4,000. First week great $5,800.

Key City Grosses

Estimated Total Gross

This Week $1,554,500
(Based on 25 cities, 166 theatres, chiefly first runs, including N.Y.)

Total Gross Same Week

Last Year $1,652,300
(Based on 23 cities, 164 theatres)

'MIDNIGHT' AT $12,000 CHEERS CINCY

Cincinnati, April 18.

Flicker trade currently is dipping only slightly below Easter Week's b.o. figures despite weekend deluge which jumped Ohio river and neighboring streams to flood proportions. Lack of patronage from natives Saturday (15) and Sunday (16) was made up by hordes of out-of-town baseball fans, who swarmed upon theatres when exhibition games between the Cincy Reds and Detroit Tigers were washed out.

This week's ace tugger is 'Midnight,' which is doing all right by the Albee. 'Stagecoach,' at the Palace, also is rolling along in okay fashion. Keith's has a top-notch 'Society Lawyer,' and the Lyric jerked 'Twelve Crowded Hours' to close of first day, shoving in 'Eagle and Hawk' (reissue) for rest of week.

Holdovers 'Dodge City' and 'Castles' are fetching above par returns for the Capitol and Shubert.

Estimates for This Week

Albee (RKO) (3,300; 35-42)—'Midnight' (Par). Nifty $12,000. Last week, 'Dodge City' (WB), biggest in months, $17,500.

Capitol (RKO) (2,000; 35-42)—'Dodge City' (WB). Moveover from Albee for second week. Socko $6,-500. Last week, 'Three Smart Girls' (U) (2d run) (2d wk), fair $3,600.

Family (RKO) (1,000; 20-30)—'Criminal' (Col) and 'Comet Broadway' (WB), split with 'Wong' (Mono) and 'Fisherman's Wharf' (RKO). Normal $2,200. Same last week on 'Trouble Shooter' (RKO) and 'Mystery Plane' (Mono), split with 'Let Live' (Col) and 'Mexicali Rose' (Rep).

Grand (RKO) (1,200; 25-40)—'Three Smart Girls' (U). Transferred from Capitol for third run and fourth week. Mild $2,400. Last week, 'Wife, Husband' (20th) (2d run), poor $2,200.

Keith's (Libson) (1,500; 35-42)—'Society Lawyer' (M-G). Weak $3,-500. Last week, 'Madden' (M-G), disappointing $4,000.

Lyric (RKO) (1,400; 35-42)—'Crowded Hours' (RKO), yanked after first day. 'Eagle and Hawk' (Par) (reissue) shoved in to fill out week. Sorry $2,600.

Palace (RKO) (2,600; 35-42)—'Stagecoach' (UA). Okay $10,500. Last week, 'Broadway Serenade' (M-G) very poor $7,000.

Shubert (RKO) (2,150; 35-42)—'Castles' (RKO) (2d wk). Nice $5,-500. Last week, fine $9,500.

McCOY HYPOES 'CULVER' TO $11,500 IN DENVER

Denver, April 16.

With Clyde McCoy's band on the stage doing most of the draw, 'Spirit of Culver' is easily topping the town currently.

All but one of the other houses have moveovers or h.o's.

Estimates for This Week

Aladdin (Fox) (1,400; 25-40)—'Princess' (20th), after a week at Denver. Good $3,600. Last week, 'Honest Man' (U), strong $4,000 after two at Denver.

Denham (Cockrill) (1,750; 25-35-40)—'Missouri' (Par) (2d wk). Great $7,000. Last week, a big $9,000.

Denver (Fox) (2,525; 25-40)—'Culver' (U) and Clyde McCoy's band on stage. Big $11,500. Last week, 'Princess' (20th), nice $9,000.

Orpheum (RKO) (2,600; 25-35-40) —'Castles' (RKO) (2d wk) and 'Fisherman's Wharf' (RKO). Good $7,500 indicated. Last week, 'Castles' and 'Jury' (RKO), big $12,000.

Paramount (Fox) (2,200; 25-40)—'Blackwell' (WB) and 'Boy Trouble' (Par). Good $4,500. Last week, 'King Turf' (UA) and 'Romance Redwoods' (Col), fair $3,500.

Rialto (Fox) (678; 25-40)—'Honest Man' (U), after a week at each the Denver and Aladdin, and 'First Offenders' (Col). Good $2,000. Last week, 'Daughter' (WB), after week at each the Denver and Aladdin, and 'Society Smugglers' (U), strong $2,300.

B'KLYN SPOTTY

'Midnight' Dual Good $21,000, but 'Follies' N. G. 16G

Brooklyn, April 16.

Bright biz at the Paramount, which is showing 'Midnight' and 'Lady and Mob,' and Albee, with 'Love Affair' and 'Inside Story.'

Other downtown deluxers are doing tolerably well.

Estimates for This Week

Albee (3,274; 25-35-50)—'Love Affair' (RKO) and 'Inside Story' (20th). Attractive $17,500. Last week 'Princess' (20th) and 'Winner All' (20th), okay $16,500.

Fox (4,089; 25-35-50)—'Away with Murder' (WB) and 'Wife's Relatives' (Rep). Drop to mild $13,000. Last week 'Missouri' (Par) and 'Women Wind' (WB), good $16,000.

Met (3,616; 25-35-50)—'Ice Follies' (MG) and 'White Room' (U). Down to $16,000. Last week 'Stagecoach' (UA) and 'Risky Business' (U), excellent $18,000.

Paramount (4,128; .5-35-50)—'Midnight' (Par) and 'Lady Mob' (Col). Swell $21,000. Last week 'Blackwell' (WB) and 'Boy Trouble' (Par) (2d wk), dandy $19,000.

Strand (2,870; 25-35-40)—'Convict's Code' (Mono) and 'Special Inspector' (U). Okay $6,000. Last week 'Star Reporter' (Mono) and 'Secret Police' (Par), co-so $5,000.

'AFFAIR,' $12,000, TEPID IN PITT

Pittsburgh, April 18.

Weather currently is reacting both ways. While heavy rains slugged openings on Friday (14) generally they had opposite effect over week-end. Deluge of near-flood proportions kept people in town, and resulted in one of biggest Saturday-Sunday periods in several weeks.

Great week, particularly, for the holdovers and there are three of them current. 'Dodge City,' at Warner, is leading the trio by wide margin and heading for the handsomest gross this spot has witnessed in almost a year. Every name band attraction at this spot. Also getting the works is 'Love Affair,' at Penn, despite rather tepid grosses.

'Three Smart Girls Grow Up,' at Alvin, and 'East Side of Heaven,' at Fulton, doing nicely in second weeks, and reissue of 'Magnificent Obsession,' dualed with 'Moto on Danger Island,' at Senator, bettering average.

Estimates for This Week

Alvin (Harris) (1,850; 25-35-50)—'Three Smart Girls Grow Up.' Letting by nicely for eight days of h.o. should better $6,000, not bad at all on top of week's $12,500 opening stanza. House gets back to regular Thursday getaway (20) with 'Alexander's Band.'

Fulton (Shea-Hyde) (1,750; 25-40) —'East Side Heaven' (U) (2d wk). Showing here little trouble hovering around the $5,000 mark on the h.o. Over $7,000 last week, very good. Switch in bookings brings in 'Wuthering' (UA) after 'Heaven' instead of 'King of Turf' (UA) latter being shelved for time being.

Penn (Loew's-UA) (3,300; 25-35-50) 'Love Affair' (RKO). This one's rated being worthy of being kept coming through. Notices were all raves, customers are going out talking and Boyer-Dunne are making a reckon with. However, film isn't delivering as expected. Will be lucky to crack $12,000 and that's just average big here. Last week, 'Dodge City' (WB), swell $22,000.

Senator (Harris) (1,800; 25-40)—'Magnificent Obsession' (U) (reissue) and 'Moto' (20th). Combo heading for around $2,300, which isn't bad here. Last week, 'Snow White' (RKO), pretty sluggish $2,100.

Stanley (WB) (3,600; 25-35-60)—'Madden' (M-G) and Fred Waring's orch. Flicker generally rapped and Waring's band here is far from credited to Waring. Looks like around $23,000, just fair and not much profit to show for it. Good Pennsylvanians are usually good for at this spot. Last week, 'Blackwell' (WB) and Benny Meroff's orch, good $16,000, around $10,000 less than Martin did on his last visit here year ago.

Warner (WB) (2,000; 25-35-50) 'Dodge City' (WB). Moved here after big week at Penn and sailing along beautifully. Sunday (16) was house's best Sunday since seven-day week began in this state and flicker looks headed for $10,000, or better, which should mean another h.o. Last week, 'Huck Finn' (M-G), also moved here after Penn engagement, good $5,400.

L. A. NG with Only 2 New Pix; 'Serenade' Sour $18,500, 'Eagle' Reissue OK 15G, H.O.s Hold Up

Broadway Grosses

Los Angeles, April 16.

With five houses having holdovers, and two customary moveovers, current week does not hold out any great prospects for startling grosses. Only houses with new fare are the day-date State and Chinese, where Metro's 'Broadway Serenade' is coupled with 20th's 'Everybody's Baby,' and the Paramount, where reissue 'Eagle and the Hawk' (Par) was rushed in two days ahead of schedule. War opens will be held over nine days, with similar run scheduled for 'Lady's from Kentucky,' opening (20), all-Negro show to open with 'Union Pacific' (29).

Principal holdovers are 'Dodge City,' entering its second week, Downtown and Hollywood, and 'Castles,' at RKO and Pantages.

Estimates for This Week

Chinese (Grauman-F-WC) (2,024; 30-40-55-75), 'Broadway Serenade' (M-G) and 'Everybody's Baby' (20th), dual. Two red weeks in row for this Hollywood blvd. acer. Not enough excellent b.o. 'Bad' week. 'Huck Finn' (M-G) and 'O'Connor' (M-G), very poor $7,000. Coming, 'Gracie' (WB) (4,000; 30-40-55-65), 'Dodge City' (WB) (2d week). Continues to hit excellent pace on sensational stanza with big $11,000 in prospect. First week big $16,400.

Four Star (F-WC) (900; 40-55), 'Prison Bars' (UA) (2d week). Second stanza moderate $2,200, after first seven days just about broke even with $3,200. Holds until April 26.

Hollywood (WB) (2,756; 30-40-55-65), 'Dodge City' (WB) (2d week). Doing close to holdover pace big $10,-000. First week very big $15,100.

Pantages (Pan) (2,812; 30-40-55), 'Castles' (RKO) (2nd week) and 'Peck's Bad Boy' (RKO), dual. Off about 40% on second week, for very good $7,500. First seven days big $14,000. 'Castles' will hold third week, with 'Society Smugglers' (U) as second feature.

Paramount (Par) (3,595; 30-40-55) —'Eagle and Hawk' (Par) (reissue) and stage show. Will be held nine days to get house back on regular Thursday opening, with okay $15,000 in sight. Last week (5 days), 'Missouri' (Par), brutal $6,900.

RKO (2,872; 30-40-55)—'Castles' (RKO) (2nd week) and 'Peck's Bad Boy' (RKO) dual. Headed for sweet $7,000 on holdover after first week's very creditable $13,000. 'Castles' will go third week, with 'Society Smugglers' (U) second feature.

State (Fox-Wc) (2,414; 30-40-55-75)—'Everybody's Baby' (20th). Very mediocre $10,000. Last week 'Huck Finn' (M-G) and 'O'Connor' (M-G) dipped to $11,300, poor.

United Artists (F-WC) (2,100; 30-40-55) — 'Huck Finn' (M-G) and 'O'Connor' (M-G). Another comedy team on moveover, with $2,700 best in sight. Last week 'Tailspin' (20th) and 'Musketeers' (20th), poor $2,600.

Wilshire (F-WC) (2,296; 30-40-55-85)—'Huck Finn' (M-G) and 'O'Connor' (M-G), dual. Poor on moveover, $3,400. Last week 'Tailspin' (20th) and 'Musketeers' (20th), very bad $3,300.

BUFF. BLOOMS; COLBERT FINE $17,000

Buffalo, April 18.

Extraordinary high grosses are being registered at the downtown box-offices here this week. Final figures show Buffalo four of the wickets into top brackets.

'Midnight' gets the palm for the week's high, but 'The Story of Irene and Vernon Castle' is close behind.

Estimates for This Week

Buffalo (Loew) (3,500; 30-35-55) 'Midnight' (Par). Fine $17,000 indicated. Last week, 'Society Lawyer' (MG) and Phil Spitalny's femme orch, excellent $18,300.

Century (Shea) (3,000; 25-35)—'Blackwell' (WB) and Photo' (20th). Good $7,500. Last week, 'King Turf' (UA) and 'Flying Irishman' (RKO), poor $4,000.

Great Lakes (Shea) (3,000; 30-50)—'Castles' (RKO) and 'Crowded Hours' (RKO). Looker here with big $18,-000. Last week, 'Dodge City' (WB) and 'Sudden Money' (Par), swell $14,000.

Hipp (Shea) (2,100; 25-40)—'Dodge City' (WB) (2d run) and 'Sudden Money' (Par). Still strong and looks to land fine $10,000. Last week, 'Princess' (20th) (2d run), fair $5,500.

Lafayette (Ind.) (3,300; 25-35) 'Smart Girls' (U) and 'Homicide Bureau' (Col) (2d wk). Looks like another banner figure. Probably over $9,500. Last week, skyrocketed to big $14,000.

'Stagecoach' Big $9,300 As Top Pix, Low Temp., Hypo All Omaha B.O.s

Omaha, April 16.

Good entertainment and continuing chilly weather are whirling the b.o. wickets here this week. Late arriving 'Stagecoach,' dualed, is getting a smash reception at the Omaha, with big in the offing.

'The Story of Irene and Vernon Castle' is holding up well in second week at the Brandeis.

Estimates for This Week

Avenue - Military - Dundee (Gold-berg) (950-650-750; 10-25-40)—'Din' (RKO) and 'Made Me Criminal' (WB) split with 'Off Record' (WB). 'Kansas Wildcat' (20th) and 'Thanks Everything' (20th), tripler, $2,200, good. Last week, 'Idiot' (M-G) and 'Dark Journey' (UA), first-run, split with 'Dark Rapture' (UA), 'Lady Vanishes' (20th) and 'Illegal Traffic' (Par), tripler, $2,200, good.

Brandeis (Singer-RKO) (1,250; 10-25-35-40)—'Castles' (RKO) (2d wk). Good $4,200. Last week, smash $7,500.

Omaha (Blank) (2,000; 10-25-40)—'Stagecoach' (UA) and 'Pardon Nerve' (20th). Smash $9,300. Last week, 'Midnight' (Par) and 'Woman Doctor' (Rep), very good $8,300.

Orpheum (Blank) (3,000; 10-25-40) —'Wife, Husband' (20th) and 'Top-per' (UA). Good $9,200. Last week, 'Princess' (20th) and 'Boy Trouble' (Par), $10,000, very good.

Town (Goldberg) (1,250; 10-20-25) —'Rough Riders' (Rep), 'Crime London' (GB), both first-runs, and 'Thanks Everything' (20th), tripler, split with 'Honor West' (Par), 'Pirates Skies' (U), both first-runs, and 'Gunga Din' (RKO). Good $2,000. Last week 'Dark Journey' (UA), 'Rumbling Ship' (U), first-runs, and 'Jesse James' (20th), tripler, split with 'North Yukon' (Col), 'Spy Ring' (Col) and Fisherman's Wharf' (RKO), tripler, $1,600, good.

Stone Ducks 'Wave'

Hollywood, April 18.

George Barbier replaced Fred Stone in 'Tidal Wave,' now in production at Republic with John Auer directing.

Stone asked to be relieved of the assignment.

'DODGE,' $6,000, RIDES HIGH IN OKLAHOMA C.

Oklahoma City, April 18.

'Dodge City' is set for nice $6,000, with possibility of more if weather remains okay. Other films are sticking around average figures only.

Estimates for This Week

Criterion (Mid) (1,500; 25-35-40)—'Dodge City' (WB). Well received for excellent $6,000. Last week, 'Midnight' (Par), nice $5,200.

Liberty (Stan) (1,200; 20-25)—'Persons Hid(ne' (Par) and 'Trouble Sunbeam' (RKO), split with 'Nancy Drew' (FN) and 'Third Nation' (Par). Good for average $2,600. Last week, 'Dry Fronts' (Par) and 'Newsboys Home' (U), split with 'Family Door' (Par) and 'Long Chinatown' (Par), fair$ $2,400.

Midwest (Stan) (1,500; 25-35-40)—'Ice Follies' (M-G). Fair $4,000. Last week, 'Mexicali Rose' (Rep), good $4,500.

Plaza (Stan) (750; 25-35-40) — 'Princess' (20th). Moveover from Midwest; $1,400 bit over average. Last week, 'Paris Honeymoon' (Par), moveover $1,300, fair.

Rialto (Mid) (1,100; 20-25)—'Home Prairie' (Rep) and 'Barefoot Boy' (Mono). Average $2,500. Last week, 'Blondie Boss' (Col) and 'Romance Redwoods' (Col), fair$ $2,200.

Tower (Stan) (1,000; 25-35-40)—'Midnight' (Par). Moveover from Criterion. Good for $2,600. Last week, 'Fast Loose' (M-G), full-week after previous three-day run, $2,600 good.

A STATEMENT OF POLICY AND AN ANNOUNCEMENT OF 1939-40 PRODUCT FROM 20TH CENTURY-FOX FILM CORPORATION....

Without hysteria, without braggadocio, without making rash promises that we can never hope to fulfill, Twentieth Century-Fox proudly presents its program for the season 1939-40.

The company will release fifty-two pictures.

In the following pages, we list titles, stars, players and directors that will be used to make up our 1939-40 program.

The literary properties outlined are the most important ever offered by this company. From this list will be selected the pictures that will make up our next year's group.

In spite of their great merit, a certain percentage of our story properties will fail to develop, because there always has been and always will be a percentage that, in final form, will not reach up to Studio expectations and must be replaced or dropped.

This is a situation which is inherent in the production of motion pictures.

These hazards, these changes, these heartbreaking disappointments are realized only by the man who has to deal day by day with the actual problems of production, but they exist in our industry and they cannot be eliminated.

As to the casts, we list that group of personalities under contract to this company and those already borrowed from the outside from whom these pictures will be cast.

Other deals of course will be made, other names will be added from time to time as they have been in past years; but we do not mention our

hopes in many directions simply because these negotiations are not actually completed.

In asking you, our customers, to purchase this product, we call your attention to the following facts on which you can base your judgment:

1. The production record of this company for the past four years since the 20th Century-Fox Film Corporation was formed.
2. The list of important box-office names under contract to this organization plus our ability to buy our share of additional talent in the open market.
3. The list of impressive and well-known properties from which our program will be made, plus the purchase of other timely books or stage plays offered on the market which may be superior to or more timely than some of those we have indicated in spite of their respective merit.
4. The incentive to continue to operate and conduct a successful and constantly growing company and to secure the continued good will and respect of the thousands of contented customers the world over which this company enjoys.
5. The mutual necessity of making product that will produce a profit for ourselves and for you, which can only be done in the future as in the past by producing the greatest number of money-making box-office attractions.

These ingredients and the reasons as stated above plus this company's well-known record do not make so-called blind buying quite as blind as some would make you believe.

To the exhibitor who has used 20th Century-Fox product these past four years, we pledge the utmost that is possible to deliver a continuous flow of well made and profit-making quality motion pictures, to the end that we can continue to deserve and secure that support and confidence that has made this company's record one of which we are all very proud.

President, 20th Century-Fox Film Corporation	Vice-President in Charge of Production	General Manager of Distribution

OF THE 52 20TH CENTURY-FOX PICTURES FOR
PRODUCE 24 FROM THE FOLLOWING GREAT

THE RAINS CAME

The biggest production ever attempted by 20th Century-Fox. Based on Louis Bromfield's best selling novel. Directed by Clarence Brown. Co-starring MYRNA LOY, TYRONE POWER, GEORGE BRENT with a supporting cast including Cesar Romero, Joseph Schildkraut, Maria Ouspenskaya and Henry Travers.

STANLEY AND LIVINGSTONE

A production that has been more than two years in the making. A special expedition braved the African wilds for months to obtain authentic scenes. Directed by Henry King. The cast is one of the most impressive in screen history: SPENCER TRACY, RICHARD GREENE, NANCY KELLY, Sir Cedric Hardwicke, Walter Brennan, Henry Hull, Henry Travers, Charles Coburn, thousands more.

HOLLYWOOD CAVALCADE

The "Big Parade" of film history . . . patterned to the scale of "Alexander's Ragtime Band." Co-starring ALICE FAYE and DON AMECHE. A cast blazing with luminaries of the film capital. Screen play by Ernest Pascal, from a story by Lou Breslow.

MARYLAND

In TECHNICOLOR. Produced as a companion picture to "Kentucky." Tingling and fascinating drama that revolves around the breeding of thoroughbred trotting horses and the glorious history of the state of Maryland. From the story by Sonya Levien.

Maeterlinck's
THE BLUE BIRD

Starring SHIRLEY TEMPLE. In TECHNICOLOR. One of the most important properties ever acquired by this industry. Based on the play and book of world-wide fame. Screen play by Ernest Pascal. To be produced with a lavishness that will make it stand out among even the very biggest of 20th's top-bracket hits.

EVERYTHING HAPPENS AT NIGHT

Starring SONJA HENIE. Romantic comedy, thrilling with the grace and heart-lifting beauty of the most spectacular ice ballets yet to present this top-ranking "First Ten" star.

DRUMS ALONG THE MOHAWK

In TECHNICOLOR. From Walter Edmonds' best of best-sellers. Two whole years of research and writing have been devoted to getting the full throbbing power of this story of pioneer trappers and the American Revolution onto the screen. Its multi-star cast will be one of the year's most impressive.

THE MARK OF ZORRO

TYRONE POWER will star in this adaptation of one of the most sensationally successful and colorful boxoffice hits in all screen history. A role ideally suited for this most versatile and dashing of great stars. Truly big-picture!

A BRITON AT YALE

RICHARD GREENE'S sky-rocketing popularity will leap forward again with the showing of this attraction—an intensely dramatic story woven around the traditions and high-spirited activities of one of America's greatest universities.

SWANEE RIVER

The romantic Old South in song and drama. Starring DON AMECHE in a characterization that gives full play to his wealth of talent.

LITTLE OLD NEW YORK

Starring ALICE FAYE. The famous play by Rida Johnson Young, a notable success on stage and screen, rich in heart-warming sentiment and romance. Perfect for the glorious abilities of beautiful Alice Faye.

LADY JANE

Another SHIRLEY TEMPLE dramatic spectacle . . . produced with all the breath-taking scope of "The Little Princess." Resplendent with the brilliant and reckless gaiety of New Orleans at Mardi Gras. From the classic by Mrs. C. V. Jamieson. Directed by Walter Lang.

AN S. S. VAN DINE MYSTERY
(TITLE TO COME)

A master-stroke of showmanship stars SONJA HENIE in a story by one of the greatest writers of detective fiction. A picture loaded with the electrifying surprises for which Van Dine is famous.

Elsa Maxwell's
HOTEL FOR WOMEN

The flair of the famous Elsa for the daring has made her entertainments internationally famous. Here she makes her debut as a screen personality . . . in a story she co-authored with Kathryn Scola. A spontaneous-publicity natural . . . a word-of-mouth sensation. Directed by Gregory Ratoff. The first of three Cosmopolitan Productions.

DANCE WITH THE DEVIL

An original story by William Rankin and Eleanore Griffin, who wrote "Boys Town."

FRONTIER MARSHAL

A dramatization of the West in its most lawless and tumultuous days . . . depicting the never-to-be-forgotten exploits of historic Wyatt Earp.

HE MARRIED HIS WIFE

WARNER BAXTER and BINNIE BARNES, who scored so brilliantly in "Wife, Husband and Friend," in a story even richer in hilarity and romance.

THE KHYBER RIFLES

A story of heroic action . . . as British regiments and native hordes clash for the gateway to India . . . historic, blood-drenched Khyber Pass. To be produced on a lavish scale.

JOHNNIE APOLLO

Vital with timely significance and drama . . . showing the disillusionment of modern youth facing a troubled world. Story by Samuel G. Engel, Hal Long and Roland Brown.

20,000 MEN A YEAR

Quick-on-the-trigger alertness won 20th this story of modern aviation's newest phase—the fliers of tomorrow and their training in American colleges. Thrilling and alive with youth. From the story by Frank Wead.

THE COMING YEAR, DARRYL F. ZANUCK WILL PROPERTIES OR OTHERS EVEN GREATER

HERE I AM A STRANGER

Sincere, moving, powerful, human! Father and son drama against a college background. From the novel by Gordon Hillman, first published in McCall's magazine.

SCOTLAND YARD

Based on the famous stage play of the same name by Denison Clift. Pulse-pounding with all the suspense and fascination its title suggests.

BREACH OF DISCIPLINE

The sensational European stage hit about women in the medical profession.

STEINMETZ, THE GREAT

A production of epic scope, revealing the human side of the scientist whose miracles captured every imagination. His early struggles and romance make a story compelling with real-life impact.

RED CROSS NURSE

A tribute to that inspiring group of women, followers of the Florence Nightingale tradition, whose heroism has repeatedly thrilled the world.

BRIGHAM YOUNG

America's pages know no more arresting and vital figure than the illustrious founder of the Mormon Church. His indomitable courage in the face of crushing obstacles constitutes one of the most grippingly dramatic stories ever written.

Irving Berlin's

SAY IT WITH MUSIC

An exciting new type of American cavalcade—original, different! Mellow with heart-warming memories inspired by 25 of the most popular melodies ever written. Prodigal with all that makes for production greatness!

I WAS AN ADVENTURESS

Vivid-as-life experiences of a woman who led a band of European swindlers. Unmatched for minute-to-minute excitement.

A DEAL IN HEARTS

A bright comedy of domestic relations and complications . . . involving a wife who fought the eternal triangle with fire.

THE LITTLE DIPLOMAT

Starring SHIRLEY TEMPLE. A perfect vehicle . . . to be produced with the abundance of show values with which 20th has determined to surround the world's No. 1 star!

DANCE HALL

Adapted from W. R. Burnett's colorful and powerful novel of the steel workers, "The Giant Swing." Directed by Gregory Ratoff.

LILLIAN RUSSELL

Brightest star of the brightest days of New York musical comedy, her story glistens romantically with diamond brilliance, sparkles with champagne effervescence. The era that gave the Gay White Way its name.

BELLE STARR

The famous woman outlaw of the turbulent West whose deeds of brazen daring rivalled those of Jesse James.

THE POSTMAN WALKS ALONE

One of the most compelling titles and one of the most vital stories the studio has scheduled for production.

•

These Popular Series

SOL M. WURTZEL, *Executive Producer*

4 CHARLIE CHAN PRODUCTIONS

Even stronger casts and higher-budget production are planned this year, following the enthusiastic acceptance by exhibitors and the public of Sidney Toler in the title role!

4 JONES FAMILY SERIES

The constantly-growing affection of theatre-goers for this family—both individually and as a group—is being reflected in successively larger boxoffice returns. More important story material will still further strengthen their value to you.

3 MR. MOTO ADVENTURES

Peter Lorre, as the famous Saturday Evening Post sleuth, has steadily become a more firmly established boxoffice asset. Added impetus will be given his popularity by the stronger material afforded him in 1939-40.

4 JANE WITHERS COMEDIES

The wisdom of 20th's star strategy is reflected in the fact that Jane Withers, again in 1938, was high in the enviable "First Ten." Plans for the forthcoming season include important casts and stories calculated to widen her top-rank appeal and marquee pull.

—and—

13 ADDITIONAL FEATURES

As yet untitled.

FIRST QUARTER RELEASES 1939-40

(TENTATIVE)

Release Date	Production	Release Date	Production	Release Date	Production
Aug. 5	HOTEL FOR WOMEN	Sept. 2	STANLEY AND LIVINGSTONE	Oct. 7	STOP, LOOK AND LOVE
12	CHICKEN WAGON FAMILY (starring Jane Withers)	9	THE JONES FAMILY AT THE WORLD'S FAIR (N. Y.)	14	A BRITON AT YALE
19	HOLLYWOOD CAVALCADE	16	HE MARRIED HIS WIFE	21	HOLD ME TIGHT
26	MR. MOTO adventure	23	CHARLIE CHAN AT TREASURE ISLAND	28	THE RAINS CAME
		30	RED CROSS NURSE		

THE STARS AND PLAYERS

The personalities listed below include those now under contract to 20th Century-Fox and such others as are already set for our 1939-40 pictures. As the season progresses, additional established names will be cast in fulfillment of story demands. And 20th will continue its successful practice of developing talent into stars of maximum value.

Don Ameche
Annabella
Lionel Atwill
Lynn Bari
Binnie Barnes
Warner Baxter
Walter Brennan
(Courtesy Samuel Goldwyn, Inc.)
George Brent
(Courtesy Warner Brothers)
Nigel Bruce
Spring Byington
John Carradine
Charles Coburn
Eddie Collins
Joan Davis
Amanda Duff
Alice Faye
Henry Fonda
Douglas Fowley
Russell Gleason
Richard Greene
Sir Cedric Hardwicke
Sonja Henie
Henry Hull
(Courtesy M-G-M)
Nancy Kelly
Peter Lorre
Myrna Loy
(Courtesy M-G-M)
Elsa Maxwell
Pauline Moore
Mary Nash
Marie Ouspenskaya
Tyrone Power
Jed Prouty
Marjorie Rambeau
Kane Richmond
The Ritz Brothers
Florence Roberts
Cesar Romero
George Sanders
Joseph Schildkraut
Montague Shaw
Slim Summerville
Shirley Temple
Sidney Toler
Spencer Tracy
(Courtesy M-G-M)
Henry Travers
Joan Valerie
Wally Vernon
H. B. Warner
Marjorie Weaver
Arleen Whelan
Jane Withers
Roland Young

THE PRODUCING ORGANIZATION

DARRYL F. ZANUCK
Vice-President in Charge of Production

WILLIAM GOETZ
Vice-President and Executive Assistant to Darryl F. Zanuck

SOL M. WURTZEL
Executive Producer

Associate Producers

Harry Joe Brown
Raymond Griffith
David Hempstead
Nunnally Johnson
Edward Kaufman
Kenneth Macgowan
Gene Markey
John Stone

Directors

Otto Brower
Irving Cummings
Roy Del Ruth
Allan Dwan
John Ford
Eugene J. Forde
Norman Foster
Herbert I. Leeds
Henry King
Walter Lang
Sidney Lanfield
George Marshall
Gregory Ratoff
William A. Seiter
Malcolm St. Clair
Alfred Werker

The Writers

Jack Andrews
Arthur Arthur
John Balderston
Edwin Blum
Lou Breslow
Walter Bullock
William A. Drake
S. G. Duncan
Philip Dunne
Kenneth Earle
Walter D. Edmonds
Robert Ellis
Don Ettlinger
Robert Harrari
Sam Hellman
Anne Herendeen
Ethel Hill
Joseph Hoffman
Leonard Hoffman
Betty Hopkins
Frances Hyland
Boris Ingster
Frank L. James
Rian James
Jack Jungmeyer
Curtis Kenyon, Jr.
Fidel La Barba
John Larkin
Henry Lehrman
Sonya Levien
Helen Logan
Walter Morosco
Morris M. Musselman
Samuel Ornitz
Ernest Pascal
William Rankin
Eleanore Griffin
Gregory Ratoff
Albert Ray
Allen Rivkin
Sid Silvers
Richard Sherman
Edith Skouras
Milton Sperling
Barry Trivers
Lamar Trotti
Harry Tugend
Karl Tunberg
Jack Vernon
Darrell Ware
Frank Wead

SHORT PRODUCT

The policy of producing its own short subjects, under the supervision of Truman Talley has evoked such a gratifying exhibitor response that 20th Century-Fox will continue it this season. Quality will again guide the planning of these one-reel featurettes.

6 LOWELL THOMAS' MAGIC CARPET OF MOVIETONE

Incomparably the finest in its field, narrated by the greatest voice of screen or radio. A subject whose breath-takingly beautiful photography and interesting subject matter has made it a "must" for all the better theatres.

6 ED THORGERSEN'S SPORTS REVIEWS

Already, in one season, an established success. Its unique "inside story" slant on outstanding sports activities accounts for its great popularity. Narrated by the man who knows... and knows how to tell it.

6 DRIBBLE-PUSS PARADES

The absurdities, peculiarities and laughs in life are shown on the screen while America's No. 1 funny man, Lew Lehr, convulses you with his cock-eyed comment.

4 ADVENTURES OF A NEWSREEL CAMERAMAN

To be individually produced—not compiled as in the past—thus heightening the amazing thrill and suspense that have made this series one of your surest-fire attractions.

4 VYVYAN DONNER FASHION FORECASTS

In TECHNICOLOR. A subject with sensational feminine appeal that has taken the men by storm. The tops in smartness, beauty and audience pull. With sparkling comment by Ilka Chase that would, in itself, mark this series as outstanding.

—and—

26 TERRYTOONS

Paul Terry's organization will have *ten* subjects in TECHNICOLOR this season—five of which will be delivered before January 1, marking another forward stride in this company's live-wire production schedule.

MOVIETONE NEWS

Probably never before in this country's life has the public been so intensely interested in news the world over...making it a matter of utmost importance that your theatre show the finest in newsreels. Movietone News' farflung international organization...the morale of its cameramen who snatch scoops in the very midst of peril...the unequalled speed with which it rushes the news to your screen...its incomparable corps of editorial specialists...all make it unchallenged No. 1 in newsreels. Issued twice each week.

TRUMAN TALLEY
Vice-President and Producer

LOWELL THOMAS
News Commentator

LEW LEHR
Newsettes

ED THORGERSEN
Sports Commentator

EDMUND REEK
General Manager

RUSSELL MUTH
European Director

HARRY LAWRENSON
Foreign Editor

VYVYAN DONNER *and* HELEN CLAIRE
Fashions and The Feminine World

20th CENTURY FOX

JOSEPH M. SCHENCK
Chairman of the Board

SIDNEY R. KENT
President

Pitt's WB-Loew Pool Behind on Pix, Stanley, Lone Flesher, Drops Stage

Pittsburgh, April 18.

Product jam, which has set local WB-Loew pool several weeks behind release schedules, is shoving Stanley, town's only flesh spot, into straight picture policy for month at least. Fred Waring, current, will wind up presentation for the time being. WB deluxer going films only Friday (21) with opening of 'Castles.' It's the first interruption in spot's combination policy since March, 1937, when shows were resumed following six-month musicians' strike.

Under pool setup here, Penn, the Loew house, gets choice of product, with Stanley taking the next best pix and playing them with presentations and combined B films being dualled at the Warner. However, with eight heavily-budgeted films available immediately for the next month, all of which ordinarily would go to Penn, WB management had no alternative. Distributors refused to give Stanley these pictures on stage-show terms and necessity of playing them off at once became imperative on account of subsequent runs.

Stanley management announced in newspapers that interruption in stage shows would be for four weeks only, although that period may be extended an additional fortnight or more, depending upon the run of product at that time. Pool execs expect holdovers on several pix, aside from ones that will be moved to Warner for continuation of downtown run, and this may keep deluxer fleshless longer than expected.

Following 'Castles,' Stanley has 'Spellbound,' 'Confessions of a Nazi Spy' and 'Hardys Ride High' set, while Penn will stack up 'Wuthering Heights,' 'Broadway Serenade,' 'Dark Victory' and one yet to be set during same period.

Stanley will return to town's regular straight picture price scale, 25-35-50c. With shows, house gets 60c top. In some quarters, it was thought rival Harris outfit might capitalize on situation and shoot in flesh at its downtown deluxer, the Alvin, but that's out inasmuch as spot also has flock of big pix lined up for that stretch, including 'Bell' and 'Rose of Washington Square.'

Figured total of 25 Stanley employees, including 18 musicians, will be jobless during the four-week period. Pit boys were taken by surprise when they got their notices last Monday (10), there having been no previous intimation that house had been considering any such move.

LEIGH AS 'REBECCA' AFTER BIG BLOW OVER

Hollywood, April 18.

Second American role for Vivien Leigh is the top spot in David O. Selznick's 'Rebecca,' slated to start June 15 under direction of Alfred Hitchcock. Actress is expected to complete her role in 'Gone with the Wind' before that time.

Meanwhile Selznick plans to roll 'Intermezzo' about May 15, with Leslie Howard as star and associate producer.

Cutting In on Grinde

Hollywood, April 18.

Eddie Dmytryk, cutter, is pinch-hitting for Nick Grinde as director of Paramount's 'Million Dollar Legs.' With a week's shooting to go, Grinde was bedded by a throat infection.

Dmytryk had been editing the picture.

Miss Brooks Out at 20th

Hollywood, April 18.

Phyllis Brooks checked off the 20th-Fox contract list after two years on the list.

She will freelance.

LLOYD'S REMAKE IDEA

Hollywood, April 18.

Harold Lloyd has acquired from Pathe all rights to stories from which his eight starring silent features and 13 two-reelers were made.

Retired comedian is looking around for a youth to groom for the parts he played. He will produce the pictures.

M'waukee Negro Protest Bans 'Birth of a Nation'

Milwaukee, April 18.

'The Birth of a Nation,' film classic that has survived nearly a quarter of a century, was banned from Milwaukee Saturday (15) by order of the city's motion picture commission. The original film, once hailed as the greatest screen spectacle of all time, opened in the morning at the Alhambra, with accompaniment of modern sound, etc.

Late Saturday the censors met in Mayor Hoan's office and ordered the picture discontinued after Sunday night's showing. Commission also ordered immediate deletion of scenes it considered contrary to public policy and decreed that after Sunday night 'Birth of a Nation' shall be forever barred from this city.

Commission's order came after representatives of Negro organizations protested that many scenes were prejudicial to their race.

Will Rogers Memorial Drive Starts Thurs. (20); Special Short All Set

'Four Auld Lang Syne,' the short which will keynote the annual Will Rogers Memorial drive, was previewed last week. The Rogers National Theatre week starts tomorrow (Thursday), and more than 5,000 circuit and independent houses already have agreed to participate this year. Drive is headed by Major L. E. Thompson, RKO executive.

Short this year, which will be flashed on the screen before collections are made in theatres, spotlights Raymond Massey and Robert E. Sherwood, star and author respectively of 'Abe Lincoln in Illinois,' current Broadway legit hit. Film has Sherwood comparing, in a brief introductory speech, certain qualities of Will Rogers to that of Lincoln. Then Massey is depicted in two typiecal scenes from the play. Besides closeups of Will Rogers Memorial activities, major part of remainder of picture is covered by Lowell Thomas' commentary and talks by Spencer Tracy and Deanna Durbin. Short was made at Fox Movietone plant in New York, Edmund Reek supervising. Film stock was contributed by Pathe-Dupont, Eastman Kodak and Filmex-Gevaert.

Per always, the funds obtained during Will Rogers week go to support the hospital and kindred philanthropies at Saranac Lake, N. Y.

TONY MARTIN VAMPIN' 'TIL M-G PACT'S READY

Pittsburgh, April 18.

Tony Martin signed here last week to open Bon Air Country Club outside of Chicago May 25. Ticket calls for a month's stretch and will delay singer's return to the Coast until at least first of July. Understood there's an M-G deal on the fire for Martin, who asked for and received his release from 20th-Fox some time ago.

Martin will go into Bon Air with Freddy Martin's band following couple of additional weeks of p.a.'s in theatres. His wife, Alice Faye, is due in New York this week by boat from L. A. and will join him in either Youngstown or Akron, O., where he's splitting current session.

There had been talk earlier of Martin going into new 'Broadway Melody' with Eleanor Powell, but George Murphy has since been set for that spot.

Extra Hitch for Pair

Hollywood, April 18.

Two pictures went back into work for three days of added scenes at Warners.

Claude Rains was recalled from his Pennsylvania vacation for new shots on 'A Family Affair,' directed by Michael Curtiz. Terry Morse is piloting 'Waterfront,' the other film requiring additional shooting.

Growling Again

Hollywood, April 18.

Al Rosen is dusting off 'The Mad Dog of Europe,' which he has been planning to film for the last four years. Story deals with Germany since 1914.

Current plan is to release the story in film and book form at the same time.

WARNERS HAS 5 EDITING ON '40 SKED

Hollywood, April 18.

With actual production completed on this year's schedule, Warners has five features of the 1939-40 program in the editing stage and four more in work. Those in the cans for next season are 'Devil on Wheels,' 'Hell's Kitchen,' 'Enemy Agent,' 'Waterfront' and 'Elmer the Great.'

WB's 'Dust Be My Destiny' rolled today (Tues.), John Garfield heading the cast. 'Career Man' is slated to start May 15 and 'Three Cheers for the Irish' two days later.

First week in May launches four features on the WB lot, beginning with the Edward G. Robinson starrer, 'Footsteps in the Dark.' Those to follow are 'The Kneiht and the Lady,' 'Not Wanted' and 'Dead or Alive.'

Pic Engineers In Coast Sesh, Study Gimmicks, Gadgets

Hollywood, April 18.

Annual spring convention of Society of Motion Picture Engineers opened yesterday (Mon.) at Roosevelt hotel, with 125 out-of-town members registered for the sessions, which run through Friday.

Nate D. Golden, chief of the motion picture division, Department of Commerce, highlighted the opening session with comprehensive survey of the foreign film markets. Golden disclosed that political and economic difficulties abroad has resulted in large decrease in revenue for American film producers during 1938 in comparison to the year previous.

Latin America is the fastest expanding market for American films, with 5,239 theatres operating, and increasing yearly, Golden stated. Total of 1,706 feature films were produced in 1938 in the Far and Near East, he disclosed, with Japan producing 575 of this number. Production for the year in Europe was off, with Germany leading with 137 of the 609 features made on the continent.

At the morning session W. B. Rayton presented paper which disclosed that American optical manufacturers were now producing lenses the equal of any made in Europe. Sessions on sound, color, laboratory and projection practice, and photography will be held daily, with SMPE presenting symposium on television as climax to the convention.

Delegates made inspection tour Monday of the Paramount studios to witness intricacies of projection background, process, special effects and miniature work. Group visits Warners plant Thursday (20), with convention banquet slated for that evening.

'Glory' Up to Start

Hollywood, April 18.

Samuel Goldwyn's Philippine yarn, 'The Real Glory,' rolls next Monday (24), Gary Cooper starring and Henry Hathaway directing.

Specialty built for the picture is a 700-foot tropical lagoon on the United Artists lot.

Andy's New Girl

Hollywood, April 18.

Metro dipped into the musical field for the girl Andy Hardy tumbles for in 'Andy Hardy Gets Spring Fever.'

She is Helen Gilbert, recruited for concerts and for the last two years 'celist with the studio orchestra.

Omaha's Salesman Change

Omaha, April 18.

Ralph Olson, formerly with Universal, has joined RKO, and Carl Reese, 20th-Fox, has resigned to join Republic in Des Moines.

N. E. Ohio, St. Louis Sector, Texas And Other Zones in New Bldg. Rush

Canton, O., April 18.

Most ambitious program of new theatre construction, modernization and renovation in more than five years, is under way in northeastern Ohio, with almost a score of new houses scheduled to make their bow before the summer wanes. A. G. Constant of Inter-State Theatres, Inc., with headquarters in Steubenville, plans a new $60,000 house at North Canton, O., seating 750 and ready this summer.

Construction of a modern cinema on S. Market street is to be started in Minerva shortly by the Manos Amus. Co. of Youngstown, seating 900.

R. T. Kemper of Shelby plans a new $30,000 house immediately at Crestline, seating approximately 500.

Lorenzo Buzzelli, who recently acquired the Five Points, nabe at Akron, plans adding 50 feet to the rear of the house, increasing the seating capacity to 650, add air conditioning and enlarge the marquee.

At Bedford a new house in the $100,000 class is planned to start soon. George Stoughs, Cleveland architect, is preparing the plans. In the same town Mrs. Lena Stillwell is contemplating enlarging the Bedford by acquiring more ground.

P. S. Rasico, president of the Berea Amus. Co., has acquired the old Pastime there and plans extensive modernization.

A new 1,200-seater is planned at Lorain by George Shenker and John Dandrea, at a cost exceeding $150,000.

Shea Theatre Corp. has acquired downtown site in New Philadelphia for new first run. Company operates the Union there.

George K. Angeles of Mansfield planning 1,500-seater in Norwalk, at cost about $60,000. Abe Schwartz and Jack Shulman are building a 1,200-seat deluxer in Painesville.

Architect Myron M. Goodwin, of Youngstown, is preparing plans for another de luxe nabe in that city to cost $80,000. Joseph E. Shagrin and associates, who recently built the Foster, back of the venture.

Work has been started on $50,000 theatre to seat between 500 and 600 at Bryan, O., by the Elianess Theatre Corp.

St. Loo Zone's Big Bldg.

St. Louis, April 18.

Excavation has started for a new $250,000 de luxe nabe on the outskirts of St. Louis, and is the opening gun of a theatre building campaign that reaches into the rural sections of Missouri and Illinois. The Shoshan Realty Co., which owns and operates the Norside, another de luxe nabe in St. Louis, is owner of the new house, which will be a 2,000-seater.

Tommy James soon expected to award contract for new 1,000-seater, estimated to cost $150,000; will cater to Negro trade exclusively. It's in a Negro district, where two other smaller houses are now in operation.

Bandon & Marco reported to be readying plans for $200,000 house in the northwestern section of the city on site it purchased for the Florissant Cinema, which it recently was operated last summer. A syndicate headed by Nat Koplar, formerly associated with F&M, is reported to be preparing plans for the construction of another 2,000-seater in the extreme north part of the city.

At Belle, Mo., the Chamber of Commerce is giving serious thought to forming a stock company to provide the town with a film house. At Dexter, Mo., Charles Weeks, who operates the Weeks, 525-seater, mulling plans for 600-seater next door to the present house.

Mae Preston, Salem, Mo., who operates the Lyric, 350-seater, preparing to give the go-ahead signal for a new 500-seater there, construction of which was stopped several months ago when she started negotiations with F. V. Mercier, Perryville, Mo., on the local situation. About two years ago Miss Preston and Mercier started a small war among exhibitors when they both started plans for new houses. Frisina Amuse. Co. intervened and the troubles were ironed out when Miss Preston took over the Mercier project. Construction was then stopped on both houses. Miss Preston's new house will cost around $50,000.

G. W. Gordon, Bloomfield, Mo., is remodeling a store building in Bloomfield into a 400-seater and expects to open about April 20. The Cameo 300-seater, Mountain Grove, Mo., recently destroyed by fire, rebuilt and being operated by Dean W. Davis, West Plaines, Mo. Construction has started on 450-seater in Fairfield, Ill. H. L. Fitner, who is interested in the Carmel, 450-seater, and the Rex, 300-seater, both shuttered, will operate the new house.

Excavations being made for new 750-seater for Frank Barnes at Carmi, Ill. Barnes also is interested in the 500-seat Strand, in Carmi. Mrs. O. P. Caulfield, Edina, Mo., owner of the LaBelle, 200-seater in LaBelle, Mo., recently destroyed by fire hasn't determined whether she will replace it with another. Construction is almost completed on the 600-seater Bond, Greenville, Ill., which will be operated by the Frisina Amuse. Co., of Springfield, Ill. The project will cost $30,000. Theodore Coleman, Mt. Carmel, Ill., owner of the 630-seat American, destroyed by fire several months ago, is contemplating rebuilding the structure. Coleman also operates the Uptown, 700-seater in the same town.

The Hope, Sesser, Ill., owned and operated by S. Hope, remodeling its stage to accommodate flesh acts. Hillbilly entertainment is No. 1 on the amusement sked. V. Merritt, Taylorville, Ill., and Tony Serra, Springfield, Ill., will open the Lux, 600-seater, Edwardsville, Ill., about May 1.

Texas' Building

Dallas, April 18.

Hailed as proof that show biz is zooming around these parts is the announcement of plans for new theatres in smaller cities in this area. This does not include the recently completed Lakewood, swanky nabe here, or the remodeling of two other nabes—Haskell, destroyed by fire, and Rosewin, suburban house. Neither does it include new house, first in history, at Seagoville, south of here.

Building will include the Pines at Cleburne, Tex., 558 seats on two floors, $15,000; Tower at Carlsbad, N. M., 850 seats, one floor, $20,000; Hobbs, at Hobbs, N. M., 780 seats, one floor, $20,000; Clovis, at Clovis, N. M., 900, one floor, $30,000.

Just finished is the Texas at Waxahachie, Tex., formerly the Ritz, 550 seats, floor and balcony, $20,000; Texas, at Sherman, Tex., 900 seats on two floors, and the Irving, at Irving, Tex., Dallas suburb, 500 seats, the latter two houses to cost about $45,000 between them. The Irving will replace the present house there, and Waxahachie job is being erected where old house fell from flames.

Detroit Active

Detroit, April 18.

Theatre building is being resumed hereabouts in earnest following slump in the recession of 1938. Wisper & Wetsman circuit has started excavation for a $300,000 nabe on east side. Will seat 2,250, to be known as Harper.

Esquire, located just inside suburban Grosse Pointe, to be reopened late this month or early in May by group of east side business men. Several other spots being considered in various parts of Detroit and suburbs.

Worcester's Newie

Worcester, Mass., April 11.

Ground is expected to be broken April 17 here for a $110,000 picture house, with opening date set for Labor Day. Greendale Theatre Corp., Arthur A. Blanchard, of Southbridge, Mass., president, and Harry J. Steinberg, of Worcester, treasurer, the owners. Building also will house the Associated Theatrical Syndicate.

New 500-Seater

Sun Prairie, Wis., April 18.

Kermit Charboneau plans to build a 500-seat theatre here costing about $40,000.

John Grey's New One

Oklahoma City, April 18.

John Grey will build a new theatre at Woodward, Okla., with work to begin within a week. Two other theatres are at present operated by John B. Terry here.

H. J. Logan purchased interests of C. E. Runyan in the Runyan theatre at Barnsdall, Okla.

HALE'S INITIALER

Hollywood, April 18.

First job for Alan Hale under his new contract at Warners is top spot in 'Boycott.'

Picture rolls early in May.

Italy Already Slapped by Absence Of Yankee Films, Survey Reveals

The absence there of strong American films is already being felt considerably in Italy, according to a letter received by a distributor in New York from a former major picture exec in Rome, who's now operating in Paris. The author of the message, whose identity is concealed because of possible reprisal against him should he return to Italian distribution, said that the dearth of American features was becoming increasingly felt since many theatres in Italy will close this year earlier than usual for the summer, due to lack of product. Italian theatres customarily close during the hot months. Also, the writer says, the theatres will probably open later than usual in the fall for the same reason.

Eight American major distribs and most independents quit distribution in Italy Jan. 1 because of the Italian government's film monopoly, which sought to dictate terms on which foreign companies could distribute in that country.

Absence of top-flight American product has produced many unusual developments in Italy. American pictures are being shown even now because four U. S. major distribs, who are obligated to sell films in Italy, due to contracts there, are providing some films. Italian distribs, however, handle their product. Also, there are some reissues still playing. It will be a year before American pictures disappear entirely, according to the correspondent.

A peculiar situation has developed with dual bills, which indicates the hold that U. S. pictures still maintain on the Italian public. Although French product is rated the best in years, when a French-made film and an American picture play on the same double bill, the film from France usually gets second billing. This holds true even with product from lesser American distributors.

For the first time, exhibitors in Italy are deliberately billing any U. S. film as 'This Is an American Picture,' because of scarcity of American features and the marquee draw that Yankee films have on the customers.

Also disclosed was that while few theatres, if any, have actually closed thus far because of lack of product, many houses that formerly used two features presently are showing only one and filling their time with vaudevilla and stage shows. The writer confided also that an anti-American picture attitude was being developed, apparently under government supervision.

Australian Distrib Assn. Seen in Need Of Political Tactician

Sydney, April 1.

Speculation is rife here as to who will be named successor to Sir Victor Wilson, who quits in June as boss of the Motion Picture Distribs' Assn. Nothing is expected to be definitely set until the return of MPDA members now visiting U. S.

Inside sources reveal possible successors in Sir Archdale Parkhill, former Minister of Defense; Fred Marks, now chief of the Films Commission; Senator Foll, prominent politician, and Major Condor, former radio mogul. Stuart F. Doyle, too, has been mentioned, but when questioned Doyle said he was too busy for the job.

It's understood Wilson's successor must have political backing. There are still plenty of political snags ahead for the MPDA unless a proportion of exhib demands are met. Victories scored by the Motion Picture Exhibs' Assn. recently over the MPDA have paved the way via the political route for other exhib measures.

S. Africa Concerts Set For Moore, Menuhin

London, April 10.

Grace Moore will concert in South Africa for South African Theatres in September, 1940.

Yebudi Menuhin concerts for the same firm in March, 1940.

Fischer Switches Policy Of Ambassadeurs, Paris

Paris, April 10.

Clifford C. Fischer, who'll operate the Restaurant des Ambassadeurs this summer, will switch the policy of the nitery back to the tea dansant, dinner and after-theatre supper, which was dropped during the winter for the more popular-priced straight night club comeon, a show but no eats.

Spot will be orchestrated this summer, after opening May 11, by Joe Kaye, English batonar who played for official galas given in London during the visit there of President and Madame Lebrun, and the Rafael Canaro Argentina band, for tangos and rhumbas. Show will carry line of girls, but troupe, to be topped by four or five name acts, as in previous years, hasn't been decided on.

M-G, PAR, 20TH BIZ SAFE IN REICH

There's little likelihood that Metro, Paramount and 20th-Fox will be forced out of Germany or territory controlled by the German government, according to information received in New York this week from European reps of the three companies. Once it was reported that repercussions from U.S. government blasts against dictator nations might shortly force these three remaining American companies from German distribution entirely.

Recent report, however, indicates that German exhibitors have indicated they must have outside product other than 'German-made films and that they would rather have the bulk of these foreign pictures come from U.S. than other countries.

Current London Plays

(With Dates When Opened)

'Me and My Girl,' Victoria Palace—Dec. 16, '37.

'Room for Two,' Comedy—Sept. 6, '38.

'Dear Octopus,' Queens—Sept. 14, '38.

'The Corn Is Green,' Duchess—Sept. 20, '38.

'Quiet Wedding,' Wyndham's—Oct. 14, '38.

'Goodness, How Sad,' Vaudeville—Oct. 18, '38.

'Geneva,' St. James—Nov. 22, '38.

'Under Your Hat,' Palace—Nov. 24, '38.

'Number Six,' Aldwych—Dec. 21, '38.

'They Walk Alone,' Shaftesbury—Jan. 19, '39.

'Magyar Melody,' His Majesty's—Jan. 20, '39.

'Design for Living,' Haymarket—Jan. 25, '39.

'Tony Draws a Horse,' Strand—Jan. 26, '39.

'Gas Light,' Apollo—Jan. 31, '39.

'French Without Tears,' Piccadilly—Feb. 5, '39.

'Little Ladyship,' Lyric—Feb. 7, '39.

'The Mother,' Garrick—March 3, '39.

'Robert's Wife,' Savoy—March 6, '39.

'Black and Blue,' Hippodrome—March 8, '39.

'Gate Revue,' Ambassadors—March 9, '39.

'Sugar Plum,' Criterion—March 15, '39.

'Mrs. Van Kleek,' Playhouse—March 17, '39.

'Johnson Over Jordan,' Saville—March 21, '39.

'Family Reunion,' Westminster—March 21, '39.

'The Man in Half Moon Street,' New—March 22, '39.

'Dancing Years,' Drury Lane—March 23, '39.

'When We Are Married,' Prince's—March 27, '39.

'The Doctor's Dilemma,' Whitehall—March 28, '39.

'Heaven and Charing Cross,' St. Martin's—March 29, '39.

'A Woman's Privilege,' Kingsway—April 13, '39.

MEX WAGE DEMANDS TO BRING SHOWDOWN

A showdown from U. S. major picture companies is expected shortly on demands of their Mexican exchange workers for increased pay.

Situation was discussed last week by foreign managers in New York at the Hays office.

LONDON'S 'MICE' GETS CENSOR OK

London, April 18.

After two years of censorial disapproval, 'Of Mice and Men' has been okayed for public showing here and goes into the Shaftesbury May 2.

Claire Luce got around the censors last week and presented the play at the Gate for a private performance. Playing the original role which she created in the New York production last year, Miss Luce was supported by John Mills and Niall MacGinnis, handling roles created on Broadway by Wallace Ford and Broderick Crawford.

'Mice,' the John Steinbeck dramatization of his best-selling novel of the same name, was highly regarded by the press in its Wednesday night (12) performance.

'A Woman's Privilege,' which opened at the Kings Thursday (13), proved an anemic comedy that showed only snatches of smart dialog. Plot, too, is unlikely.

Condemnation Faces London Legit Houses If They Don't Improve

London, April 10.

The London County Council has become active of late in demanding reconstruction of a number of older theatres. These demands will necessitate either abandonment of a number of them for theatre purposes, or their razing and conversion into business structures.

The Lyceum has already passed out of existence, and will be replaced by an office building, with shops on the ground level. The next one condemned in its present form is the Gaiety. Associated Theatre Properties has an 80-year lease at a $37,500 per annum rental. LCC, the present landlord, demands improvements that would cost $200,000 in the next five years.

The London Hippodrome, owned by Moss Empires, Ltd., now a subsidiary company of Gaumont-British, and operated as a musical house by General Theatres Corp., also a subsidiary of G-B, is also slated for extensive alterations at the conclusion of 'Black and Blue,' now playing there. Improvements demanded by LCC aggregate $300,000, also covering a period of five years. Taking this expenditure into consideration, the owners are seriously considering razing the property and erecting an auditorium that would seat about 3,500, as against the present seating capacity of 1,430. This would involve approximately $750,000. The new building would necessitate the absorption of the shop frontages.

There are a number of other theatres upon which the LCC is making demands for alterations. In fact all older houses are more or less subject to modern regulations.

DUNCAN SIS, SANDLER CLICK IN SOUTH AFRICA

Cape Town, March 28.

African Consolidated Theatres' 1939 variety show opened yesterday (Monday) at the Alhambra here to a capacity house. Duncan Sisters and the Albert Sandler Trio were the biggest click.

Freddie Bamberger, pianist-comedian, also was a big winner. Joe Laurel, comedian; Gypsy Nina, singing accordionist; Cookie Bowars, Chester Fredericks and Gloria Lane, American dancers, also got over.

Flu Socks Mex Biz

Mexico City, April 18.

Flu epidemic in Mexico has slashed amusement biz's intakes by about 30%.

Yank Companies Hit Multiple Selling In Argentina; 4-8 Dates on One Deal

Multiple-selling system employed largely in subsequent-run cinemas of Argentina currently is disconcerting to U. S. film executives. This method of selling features has been in force in Argentina for the last eight years or more, a policy sonra larger U. S. major companies admittedly have resisted for some time. It's now confined to Buenos Aires and larger cities but not prevalent in first-run situations.

As explained by opponents of multiple selling, basically, it varies from ordinary flat-price deals in that the distributor gives the exhibitor four to eight additional playdates for a feature after the initial run. For this, the distrib receives $150, for example, instead of $100 he might be expected to receive for a regular single booking. Giving this right to rebook for the additional $50 is beginning of worries and expenses for the distributor.

For the $150, the distrib finds he must keep a print of that particular film available for possible additional showings. He must maintain an elaborate bookkeeping system and each time the print is serviced, inspected, shipped, etc., it means an additional outlay of $7-$10 for the distributor. It also confuses his exchange and keeps the vault filled with old prints.

3 and 4 Pix on 1 Bill

American distribs of course, are fully cognizant of the present practice in Argentina of playing three and four features on one bill—and this is back of the entire multiple-selling setup. Because he requires many films, the exhibitor naturally wants to get them as cheaply as possible. Result is that he boosts the multiple-selling idea.

Some distributors describe the extra $50 in the $150 multiple-selling deal as extra gravy. Others fail to see where they benefit after costs of servicing, etc. However, these continue to distribute films there because of the possibility the economic fallacy of the plan would ultimately thwart its continuance. Also, they wish to maintain good will.

Biggest objection to the multiple-selling raised by opponents is that it prevents the distributor from obtaining what he calls a decent fee for secondary features and does not make the exhibitor obtain the full benefit of a picture when it first plays his theatre. They contend that if the system was eliminated, the exhibitor requiring one or two secondary (second or third-run) features would have to shop and the distributor would thus secure a much better dbt rental for the additional film. Thus, too, the exhibitor would have a better show. Advocates of eliminating multiple-selling charge that the constant rebooking of the same film into the same theatre, even though spread out over several months, certainly offers no incentive for the potential thastregoer.

Taylor, Brunner Head So. African Ice Show

Cape Town, March 28.

Thirty artists arrived from England last week for 'Switzerland,' the ice ballet and revue, which opens tonight (29) at the Empire, Johannesburg, for African Consolidated Theatres. Phil Taylor and Melitta Brunner, 1932 world's champion, head the outfit.

After Johannesburg the outfit comes to the Alhambra, Cape Town. Following the South African tour the entire show goes to Australia.

BIG HYPO FOR SO. AMERICAN PIX MARKET

Hollywood, April 18.

A Hollywood goodwill and super-salesmanship junket descends on South American countries around June 1. The delegation will be industry leaders, including Sid Kent and Adolph Zukor, who will participate at sales meetings and also push deals for native pictures.

Goodwill gesture to accelerate the sale of American pictures in Latin countries embraces the routing of stars there for personal; aid in the opening of hundreds of closed houses, and the production of more Spanish language pictures here.

Although all studios are pitching in on the South American biz drive, 20th-Fox is making an intensified effort to cut in on Paramount, which long had a dominant position in sales in S. A. Obviously, with most of European market shut execs are concentrating on the Latin American countries to partially make up losses.

President's Plan

(Continued from page 1)

their European losses by turning out more Spanish-language features. Several publications representing South America as the industry's new El Dorado have been bolstered by speeches, latest in Hollywood Monday (17) when Golden spoke before film engineers.

The newsreel situation has been discussed secretly at the State Department, which is alarmed over the gratis reels being furnished South American exhibitors by the Germans. American companies have been asked to do everything possible to cultivate the theatre-operators below the Caribbean, although there is little chance any scheme can be perfected under which the U. S. would furnish films on a charity basis. The producers have promised to insert the maximum of subtle propaganda and educational material in their weekly releases. Details being kept confidential at the diplomats' request.

The Government's efforts are waiting for Congressional ratification that it would not be competitive with commercial activities. President Roosevelt wants to use the requested money to dub reels of Government functions into Spanish and Portuguese; produce a film on the other countries to be released in the U. S; produce a special feature on this country for general distribution to the South Americans; and equip embassies in nine countries with permanent sound projection apparatus.

Tennent Quits Drury Lane For Own Producing Co.

London, April 18.

H. M. Tennent, for the past five years general manager of the Drury Lane theatre, has resigned and will devote himself to his own play-producing company.

New unit will be called H. M. Tennent, Ltd.

President's Plan

Hollywood, April 18.

Multiple-selling system employed largely in subsequent-run cinemas of Argentina currently is disconcerting to U. S. film executives. This method of selling features has been in force in Argentina for the last eight years or more, a policy sonra larger U. S. major companies admittedly have resisted for some time. It's now confined to Buenos Aires and larger cities but not prevalent in first-run situations.

As explained by opponents of multiple selling, basically, it varies from ordinary flat-price deals in that the distributor gives the exhibitor four to eight additional playdates for a feature after the initial run. For this, the distrib receives $150, for example, instead of $100 he might be expected to receive for a regular single booking. Giving this right to rebook for the additional $50 is beginning of worries and expenses for the distributor.

For the $150, the distrib finds he must keep a print of that particular film available for possible additional showings. He must maintain an elaborate bookkeeping system and each time the print is serviced, inspected, shipped, etc., it means an additional outlay of $7-$10 for the distributor. It also confuses his exchange and keeps the vault filled with old prints.

3 and 4 Pix on 1 Bill

American distribs of course, are fully cognizant of the present practice in Argentina of playing three and four features on one bill—and this is back of the entire multiple-selling setup. Because he requires many films, the exhibitor naturally wants to gat them as cheaply as possible. Result is that he boosts the multiple-selling idea.

Some distributors describe the extra $50 in the $150 multiple-selling deal as extra gravy. Others fail to see where they benefit after costs of servicing, etc. However, these continue to distribute films there because of the possibility the economic fallacy of the plan would ultimately thwart its continuance. Also, they wish to maintain good will.

Biggest objection to the multiple-selling raised by opponents is that it prevents the distributor from obtaining what he calls a decent fee for secondary features and does not make the exhibitor obtain the full benefit of a picture when it first plays his theatre. They contend that if the system was eliminated, the exhibitor requiring one or two secondary (second or third-run) features would have to shop and the distributor would thus secure a much better dbt rental for the additional film. Thus, too, the exhibitor would have a better show. Advocates of eliminating multiple-selling charge that the constant rebooking of the same film into the same theatre, even though spread out over several months, certainly offers no incentive for the potential thastregoer.

New London Casino Show NSG, but Paul Draper OK at C. de P.

London, April 18.

Though a spectacular production, weak dancing specialties and a general lack of sparkle resulted in a faltering debut of the new London Casino revue here Wednesday night (12).

Several importations who were to have appeared in the show were unable to do so due to refusal of the Labor Ministry to grant them permits.

Despite the conflict with the Casino's opening, the Cafe de Paris pulled a big crowd on the same night with the click opening there of Paul Draper, the American dancer.

Annabella to Make Pair For 20th-Fox in England

Hollywood, April 18.

Annabella is slated for two 20th-Fox pictures to ba mada in England for distribution in America as well as Great Britain.

Studio plans 10 features at Denham for 1939-40, but only four for release in the U.S.

WARNERS' 'D

Stays Second Week in

(Bette's Best! Opening in 156 Simultaneous Spots!)

WARNERS'

Starts As Advertised

WARNERS'

Starts As Advertised at St

(Greatest of the Great! The Special of Specials!)

WARNER

$2-Top Roadshow at H

ODGE CITY'

Every Date It Plays!

(It's Another 'Robin Hood'— But Bigger!)

3rd-week flash already in from Portland; N. Y.; Hartford; Frisco!

DARK VICTORY'

at Radio City This Week!

CONFESSIONS OF A

'NAZI SPY'

rand, N. Y. Next Week!

(The Film Event That's Page One News!)

S' 'JUAREZ'

ollywood, N.Y. Same Week!

HARDYS RIDE HIGH

Metro production and release. Features Lewis Stone, Mickey Rooney, Cecilia Parker, Fay Holden. Directed by George B. Seitz; screenplay, Agnes Christine Johnston. Kay Van Riper and William Ludwig, based on characters created by Aurania Rouverol; music, David Snell; camera, Lester White; editor, Ben Doob. At Capitol, N. Y., beginning April 12, '39. Running time, 66 MINS.

Andy Hardy	Mickey Rooney
Judge Hardy	Lewis Stone
Marion Hardy	Cecilia Parker
Mrs. Hardy	Fay Holden
Polly Benedict	Ann Rutherford
Aunt Milly	Sara Haden
Consuelo	Virginia Gray
Mr. Archer	Minor Watson
Philip Westcott	John King
Don Davis	John T. Murray
Dobbs	Hollywood Hobbes
Mr. Benedict	George Irving
Miss Booth	Aileen Pringle
Susan Bowen	Marcella Ward
Caleb Bowen	Donald Briggs
John Bannerman	William Lee
Clerk	Truman Bradley

The sixth in the Judge Hardy's Family sagas about 'average' Americans takes the clan to Palm Springs and almost $2,000,000 inheritance. Hence the title about the Hardys riding high well fits the latest in the Metro series, which is up to standard. Per usual, Mickey Rooney dominates the natural comedy situations, which he now well knit team of director George B. Seitz and scriptists Johnston-Van Riper-Ludwig weld together with such canny skill. Acceptable boxoffice right down the line.

'The Hardys Ride High' is a nice change of pace, taking the small town family's clan into the big roundings, but their economic honor is saved—the inheritance turns out to be a will o' the wisp, and the family leaves a few outlandish bills in a state of climactic suspense, it brings the Hardy family back to their natural surroundings in Carver, Midwest U. S. A.

However, it's a setup for Rooney's playboy ambitions, as he is primed for a phoney chorus girl romance and gets a taste of too much of society. And while the 'man-to-man' talks which Lewis Stone and young Rooney regularly indulge in, are becoming a bit stylized, the circumstances naturally segues into this position.

The heart-to-heart between father and son about when a boy of 16 may start smoking, drinking, or chasing is great stuff for the family trade, and every minute of footage shrewdly preserves the basic tradition of wholesome family relations. The high regard by Andy (Rooney) and mother Cecilia Parker for mother (Fay Holden) and respect for their kindly, if somewhat cantankerous, aere (Stone) is as deftly captured by director Seitz in this, as in any of the five predecessors in this series.

There's the usual amount of adolescent s.a. by the winsome Ann Rutherford, but a little more is added via two new tangents—Virginia Grey, a hightpowered femme from Detroit nitery (Andy Hardy's chorine crush), and in the planting of a romantic interest for Rooney in Sara Haden. That's a good premise for the sequel Hardys, since the new hair-do and sartorial regalia helps establishes 'Aunty Milly' for the future releases. Miss Grey is a flashy number, a peach for Metro showgirl assignment, and John King, as a light menace, is another good force for Metro. Aileen Pringle is in for a brief sequence as a countess. The rest are bits, but excellent. William Orr, Polly's fleeting juvenile interest, is also a new and promising starter.

The ingredients have been put together with consummate skill, with the same high production standards that have distinguished the previous Hardy Family releas. *Abel.*

INSIDE STORY

20th-Fox release of Howard J. Green production. Features Michael Whalen, Jean Rogers, Jack Chandler, Cecilia Parker, Ricardo Cortez. Adapted by Jerry Cady from original by Dev Jones and Wilbur Wernes. Virgil Miller; editors, Jack Murray and Norman Colbert; music, Samuel Kaylin. At RKO Alden, N. Y., beginning April 14, '39. Running time: 61 MINS.

Borney Collahan	Michael Whalen
Jane White	Jean Rogers
Snapper Doolan	Chick Chandler
Gus Peters	Cecilia Parker
Paul Randall	John Kline
Aunt Mary Perkins	Jane Darwell
Lucy Peters	June Gale
Uncle Ben Perkins	Charles Waldron
Whitey	Theodore Von Eltz
Collins	William Pawley
J. B. Douglas	Charles D. Brown
District Attorney	Ricardo Cortez
Flora	Jan Duggan
Dora	Louise Carter
Hopkins	Ralph Peters

Gaited for fine support on dual programmers, the Roving Reporter series, featuring Michael Whalen and Chuck Chandler, carries the same set by the previous releases. Mystery murder and newspaper yarn sets well as a vehicle for Whalen's jane comedy stooge. Picture has added distinction of Ricardo Cortez's name as director, his first assignment in lines after 16 years before the camera.

Howard J. Green and Cortez have given their leads strong support with such troupers as Spencer Charters, Theodore von Eltz, June Gale, Jane Darwell, Bert Roach and others, resulting in all contributing workmanlike performances. Whalen's work is on a par with his previous efforts as a 'roving reporter' with a penchant for solving minor mysteries, with a nonchalance and good humor. His style and handling of the part, however, could stand more pointed and definite direction.

'Inside Story,' which has little to distinguish it from a host of similar clip-joint yarns, does more for Jean Rogers than it does for anyone else concerned. Possessed of youth and attractive looks gives indications of definite screen promise. She should go much further with proper direction and handling. Cast as a nightclub hostess, she is equally at home as a tough moll as she is spoken lines when transformed into a homebody with a yen for the simple life.

Cortez's direction is good job, although some of the climactic sequences let down too easily and should have tighter handling.

Production is nicely dressed, photographed and gagged. Chandler delivers his bon mots, Cecilia Parker, and a sister team, Jan Duggan and Louise Carter, also hit the ball with their comedy lines good Charles and Douglas Dowley have important parts in the drama, the former especially effective.

Streets of New York

Monogram release of William T. Lackey production. Stars Jackie Cooper and Robert Paige. Directed by Sidney Miller. Buddy Pepper. Directed by William Nigh. Story and screenplay, Robert Andrews; editor, Russell Schoengarth; photography, Harry Neumann. Served at Gay Playhouse, N. Y., private screening, April 12, '39. Running time, 72 MINS.

Jimmy	Jackie Cooper
Jerry	Robert Paige
Jiggs	Sidney Miller
Flat Foot	Buddy Pepper
Benny	Bobby Stone
Sylvia	Irene Ryan
Frank	Robert Tucker
Ritzy	Bobby Jordan
Pop O'Toole	George Cleveland
Roger Wilson	Robert Emmett O'Connor
Mr. Parkman	Robert Emmett O'Connor
Tom Keenan	Dick Purcell
Judge Carroll	Irving Mack
Anne	Marjorie Reynolds

'Streets of New York,' which gets a little away from routine lines, is a strong entry in the Monogram list, and another Jackie Cooper starrer that should do all right if not pointed for the top. Former child star, who holds his own as an adolescent, has a very strong following among the young girls will go to see him in this effort even if he doesn't throw his arms around any young ladies. This pic, with Robert Paige, Sidney Miller and 'Boy of the Streets' for Mono did all right, but this third, because of thrill popularity, may cause some confusion, but again the nature of the subject makes it clearly for kids.

Little Martin Spellman, a definite screen discovery, tops Cooper's supporting cast as the urchin adopted by whom Cooper shelters. Spellman, who had a bit in 'Boy's Town' (M-G), stepped into an important part when Mono put him in 'I Am a Criminal,' subsequently signing him to a long term. He is a natural and ingratiating little fellow with a fine film voice for a kid.

Numerous other youngsters, all products of the slums, are in the picture and form a sort of Dead End Kids group for Cooper, which include Sidney Miller, Buddy Pepper, Bobby Stone, Robert Tucker and the inimitable Irene Ryan (Gracie Allen). Their performances are satisfactory. The only femme in the cast is Marjorie Reynolds and she is on only for a few minutes.

Elder characters, in addition to the judge, George Cleveland and Dick Purcell as a gangster and George Cleveland, screen vet.

The story concerns Cooper, owner of a newsstand who studies law at night school. His troubles and joys, including effort of a boy friend to make him and his mob to knock him out of business, form the basis for the plot. Story is built for largest stress the human interest surrounding the life of Cooper and Spellman, the toward the end pulls in a gangster killing, cops, etc., for sudden melodramatic flavor.

William Nigh's direction is satisfactory and William T. Lackey's production, with photography by Harry Neuman, is excellent. *Char.*

WOMEN IN THE WIND

Warner Bros. production and release. Features Kay Francis and William Gargan. Directed by John Farrow. Screenplay by Brian Marlow and Albert Dekker from novel by Francis Walton; technical advisor, Frank Clark; musical director, Leo F. Forbstein; dialog director, Jo Graham; editor, Thomas Pratt; camera, Arthur L. Todd. At Paramount, N. Y., week April 13, '39, dual. Running time: 63 MINS.

Janet Steele	Kay Francis
Joe Bennett	William Gargan
Doc	Victor Jory
Shelby Malcolm	Marc Lawrence
Denny Corson	Eddie Foy, Jr.
Frieda Bormann	Sheila Bromley
Kit Campbell	Ann Sheridan
Bill Steele	Charles Anthony Hughes
Johnnie	Francis Ford Seiler
Sloan	John Dilson
Bormann	Spencer Charters
Farmer's Wife	Vera Lewis
Chimer	William Gargan
Air Race Official	Gordon Hart
Jean	Ann Sheridan
Phyllis	Rosella Towne

This is billed in the press books as Kay Francis' swan song in the cinemas, and that she is departing the screen to wed. Whether it means her retirement from all pictures or only WB, it is not a happy ending, happy farewell. It has Miss Francis playing an aviatrix in about the 'eleventh air meller to come along in recent months. Aside from calling on her for little acting ability, the film uses the time-worn theme of a transcontinental air derby—this time for femmes.

Production is a typically strong Class B effort, footage and names, aside possibly from the Francis draw, obviously being graduated so it will fit into lower section of dual brackets instead of the top bracket. Picture is ture actually serves as a springboard for further enhancement of William Gargan, Marc Lawrence, Ann Sheridan and boost for recent screen newcomers, including Eddie Foy, Jr., Eve Arden and Sheila Bromley.

Director John Farrow has held interest well considering the feeble story. Kay Francis as pilot who risks her life in order to help her crippled brother, a former racing pilot. Plot has her keeping a Joe Boreman, just acclaimed a hero for smashing cross-country flight mark, in order to use his plane in the L. A. to Cleveland air race. The director's nice sense of values adds several neat touches to an otherwise monotonous tale.

Bill Gargan makes a likeable swaggering pilot, Marcie Rosenbloom, as his chief mechanic, chips in with one of his neatest comedy roles. Victor Jory, cast as an evtsrix, and about whom the story concerns itself but little, looks like a heavy. Ann Sheridan, cast as the blonde trouble-making wife to the ace flyer, also indicates future possibilities. Eddie Foy, Jr., kept in the background as modest grease-monkey who smashes the transcontinental record, lends a new film material. Victor Jory, Charles Anthony Hughes and Rosella Towne lend good support.

Dialog often becomes trite, including such humdrum expressions as 'He's been asking for relief you'd better go inside;' 'I hoped you'd feel that way,' and 'His heart is as big as a mountain.' Production is a bit confused in picturing locales—epic being that of the landing field of Phillips, with a mountain range showing up clearly in several shots. *Wear.*

Romance of the Redwoods

Columbia production and release. Features Charles Bickford, Jean Porter, George Oliver, Pat O'Malley. Directed by Charles Vidor. Screenplay, Jack Jungmeyer, Michael L. Simmons; camera, Allen G. Siegler; editor, Byron Robinson. At Liberty, Lincoln, dual. Running time: 66 MINS.

Steve	Charles Bickford
Jean	Jean Porter
Whitaker	Al Bridge
Mike	George Oliver
Mother	Ann Shoemaker
Sandy	Cedric Hardwicke
Yankee	Pat O'Malley
Joe	Marc Lawrence
Socko	Earl Gunn
Porter	Don Beck
Jackson	Orville Alderson
Duke Naddler	Charles Wilson

Tailor-made for the action houses, 'Romance of Redwoods' has faults in photography which will probably pass unnoticed by those who's that kind of a picture. Story is spotty and dark, with most of the faces haggardly shadowed. As an entertainment it has a few moments of suspense and movement which will take the eye of the outdoor fans, but for the most part it's slow. It could have been cut more.

Featured are Charles Bickford, a Canadian lumberjack; Jean Porter, who grew up in the timberlands; and Gordon Oliver, a city gent who smashes his way through bowls her over with a few choice lines from Edgar Guest.

Bickford, having been one of the strong and silent, stands by and watches Jean won by the city smooth-talker, who is an all right guy even if he wears store-made duds. Story gets its first quirk, when Oliver, who is working on Bickford's on the saw, is hurled to his death in the blade. Looks like Bickford did it for the jealousy motive, which leads to a scandalous trial, and a forest fire climax.

Screenplay makes Bickford a strange collection. He has muscles like an ox, can break a man's back and frequently does, but he's soft about any animal with an injured foot or paw and keeps a menagerie of them in the house.

Al Bridge, the lumber boss, plays a semi-roughie. Lloyd Hughes, one-time lead, is a superfluous aviator-forest ranger, whose part means nothing to the timberjacks. Although he does what he can with it. Ann Shoemaker and Marc Lawrence make the other showups.

Charles Vidor's direction is fair, but he lets the picture lag in what's supposed to be its big moment—the forest fire—while Bickford flounders around in the forest trying to save a bunch of timber. Fire scenes are partly redeem camera honors for Allen Siegler.

'Romance' is an overall and workshirt special. *Barn.*

My Wife's Relatives

Republic release of Sol C. Siegel production. Features Bernard Gleason, Lucile Gleason, Russell Gleason. Directed by Gus Meins. Screenplay, Jack Townley, from story, Dorrell and Stuart McGowan; editor, Ernest Nims; camera, Jack Marta. At Bway, Brooklyn, week April 15, '39. Running time: 64 MINS.

Jim Higgins	James Gleason
Lil Higgins	Lucile Gleason
Sid Higgins	Russell Gleason
Grandpa Higgins	Harry Davenport
Jean Higgins	Mary Hart
Lil's Ellie	Purnell Pratt
Widow Jones	Maude Eburne
Mr. Eddie Jones	Charlotte Greenwood
Tommy Higgins	Tommy Ryan
Bill Bell	Henry Arthur
Lizzie	Sally Payne
Jarvis	Eddie Kane

This is one of Republic's Higgins Family series, a programmer of less than average entertainment content. Cheap production, trite story and comedy situations hold it down to strictly the lower half of double-bill situations.

Gleason family, James, Lucile and son Russell, are again in the most important spots, but their material keeps them from justice. Harry Davenport, Mary Hart and mopped Tommy Ryan, in prominent supporting roles, are equally handicapped by the script and production. Gus Meins' direction looks uninspired, and photography is decidedly spotty.

Story is a boy-meets-girl affair, plus the old gag of wealthy parents' objections to their son's romance with a hired hand's daughter. Gleason is office manager for a small legitimate candy tycoon, but quits when Pratt orders him to break up the affair between the candy boss's daughter (Mary Hart) and Henry Arthur, the candy king's scion. Gleason tries to establish his own candy business and is made overnight when his wife loses a diamond ring and an advertisement is inserted in the newspaper specifically offering a $5,000 reward if it is found in one of Gleason's candy bars. Russell Gleason is again in a doubtful role, almost gumming up the romance and the factory, and is the only one in the film who manages to get laughs.

There's a comedy side romance between oldsters Davenport and Maude Eburne, a missing widow, but this is sillily carried through.

There's no evidence in the film of any great expenditure of coin or time to make it top-grade film fare; in fact, quite the contrary. *Scho.*

SPECIAL INSPECTOR

Syndicate release of Warwick production. Features Charles Quigley, Rita Hayworth, Jessica Ralph, Ralph Byrd, Stanley Edgar Edwards; editor, William Austin; camera, Ira Morgan. At Gay Playhouse, N. Y., April 13, '39, dual. Running time: 66 MINS.

Tom Evoe	Charles Quigley
Patricia Lane	Jessica Ralph
Silver	George McKay
Mike	Ralph Byrd
David Foster	John Spacey
Jerry	Edwin Laughlin
Dapper	Seb Ridenour
Jessie	Grant Richards
Pete	Bill Irving
Mother Jones	Vivian Austin
Ralph Collins	Fred Sale
Rita Hayworth	Vincent De Emma
Williams	Don Douglas

As the newsreel flickered off, this spectator heard voices in the row behind. 'That's the feature?' asked a girl's voice.

'Special Inspector,' said her companion. 'Is it any good?' Picture, Charles Quigley and Rita Hayworth are in it. 'I don't remember. Is it a kind of thing that's all right—I could go for her.'

'No, I know him,' the girl replied. 'He's the guy that sells the phoney kitier or smashes the dope ring or breaks up a gang of smugglers. There's goes—now let's see what happens.'

'Yeah, there he is,' muttered her companion. 'He's a government revenue agent and is going to try 'n' catch the mob of fur hijackers. See, they hold up trucks, kill the drivers and then smuggle the furs across the border. There's Rita Hayworth. Her brother was murdered by the gang and she's gonna spy on 'em.' The voices trailed off, the figures on the screen were lost in a blizzard of snow. There was an instant noise—loud, swelling louder. It was the sound track. The spectator looked up. 'The End,' flashed the legend across the screen.

'Geez, that wasn't so hot, grumbled the man. 'Just the same old crime stuff. No shooting, no fights and no surprise. Kinda dumb. And geez, weren't the photography and sound punk?'

'Sure were,' the girl agreed. 'It didn't make much sense. Maybe the other feature will be better.'

The spectator stumbled up the aisle. 'Well, it's a pretty good antithesis, anyway,' he mumbled. *Hobe.*

Miniature Reviews

'The Hardys Ride High' (M-G). Sixth in the Hardy Family series and up to standard for surefire boxoffice.

'Inside Story' (20th). Another in the newspaperman-cameraman team series will do all right as second half programmer.

'Streets of New York' (Mono). Jackie Cooper starrer that should do good business, singly in some situations, and in the duals.

'Women in the Wind' (WB). Kay Francis' finale for WB, this meller of feminine aviators is only a strong dualer.

'My Wife's Relatives' (Rep). Higgins Family entry n.g. for top. Strictly lower half dualer.

'Special Inspector' (Synd). Stereotype crime meller. For occasional lower half dualing.

'Code of the Streets' (U). Another melodrama with the 'Little Tough Guys' playing sleuth. Nice boxoffice.

'Undercover Agent' (Mono). Sweepstakes racketeer meller; so-so filler for duals.

'Double Crime in the Maginot Line' (Mono). French military meller, timely for exploitation.

Code of the Streets

Universal production and release. Stars 'The Little Tough Guys.' Harry Carey, Frankie Thomas; features James McCallion, Juanita Quigley, El Brendel and Leon Ames. Directed by Harold Young. Screenplay by Arthur T. Horman; camera, Elwood Brendel. At Century, N. Y., week April 15, '39. Running time: 72 MINS.

Lieut. Lewis	Harry Carey
Bob Lewis	Frankie Thomas
Chuck Foster	James McCallion
'Chick' Foster	Leon Ames
Gloria	Juanita Quigley
Tommy Shay	Paul Fix
Merchant	El Brendel
Halstead	Marc Lawrence
Mildred	Dorothy Arnold
Young Man	Stanley Hughes
and these Little Tough Guys:	
Sailor	Harris Berger
'Murph'	Billy Chester
'Mack'	Charles Duncan
'Bernie'	Wm. Benedict
'Tap'	David Gorcey

Although the story fabric is not new, 'Code of the Streets' delivers a lot of juvenile delinquency stuff and what can be done with them on the screen. Picture looks like another moneymaker for Universal. The 'Little Tough Guys' live up to their previous record as boxoffice. Good enough to stand on its own in certain houses where they go for hoke melodrama, and fine support on dual programs. Has sufficient ingredients. Has 'Tough Guys' band playing amateur Sherlocks.

Plot, again incorporating the usual appeal for juvenile trade, story blends the activities of east side delinquents with a moving and pathetic fable. It has the older brother of the youngster gang about to go to the pokey for a crime he did not commit and a faithful detective demoted to pavement pounding because he insisted on the man's innocence without being able to bag the guilty party. Aspiring son of the 'broken' policeman sets out to solve the murder mystery, finally enlisting the support of the 'little tough guys.' Results are a thoroughly satisfactory ending out in a gambling resort and the ingenuity of the cop's son eventually exonerates his real criminal. Only a few novel twists have been given the plot which enables it to hold interest despite some improbabilities.

Director Harold Young displays nicety of balance between the more serious exploitation of the plight of the kid mob and the mystery element. He is helped materially by very slick performances from Frankie Thomas, as the ex-detective's son, and James McCallion, as head of the gang, and Harry Carey, brother of the condemned man.

Harry Carey makes a reasonable sleuth who is shifted to the ranks because of his own convictions. Western fave shows a flair for such cop roles. Harris Berger, Billy Chester, Charles Duncan, William Benedict and David Gorcey, as the 'little tough guys,' show up as well as the last time out after they get over their initial nervousness. Paul Fix, as the older brother who almost makes a trip to the hot seat, has one powerful sequence that will stand out as the best in the picture.

Leon Ames, El Brendel (doing his usual comedy relief as small time owner), Marc Lawrence and Dorothy Arnold head the support in strong fashion. Juanita Quigley appears in a bit at the outset of the film.

Arthur T. Horman's screenplay is strongest in the dialog and the few original twists. Elwood Brendel, listed as cameraman, presumably is the comedian trying his skill as a photographer. It's a good first effort. *Wear.*

Too Dangerous to Live

(BRITISH-MADE)

London, April 8.

Warner Bros. production and release. Features Sebastian Shaw, Anna Konstam. Directed by Edward Lexy. Adapted from a German Screenplay. Paul Gangelin, Conrad Cluessen. Lyrics from poem by David Hiams. At the Phoenix, London. Running time, 74 MINS.

Jacques Leclerq	Sebastian Shaw
Lou	Anna Konstam
Julius	Hugh Williams
Marjorie	Greta Gynt
Rutbridge	
Wills	Ronald Adam
Julius	Edward Lexy
Saunders	Ian MacLean
Selford	Gordon Little
Manners	George Relph
Herbert	Tony Bartlett
Burton	Torin Thatcher

An excellent cast, smart direction, adequate photography, effective material and a few sensitive settings have been combined into a smoothly motivated picture that should go commercially in the U. S.

Gang of European jewel thieves is headed by one Willis (Ronald Adam), who knows all the members from ever seen, since he communicates with them via microphone. Here (Sebastian Shaw) is first shown as an international criminal, replete with pedigree and other credentials, who attempts to blackmail the proprietors of a robbery, is himself captured by them, brought to their headquarters, convinces them of his prowess and is permitted to join them. Not until late does it develop he belongs to the French police, and is specially detailed to capture the leader of the criminals. *Jolo.*

'TRIAL' DATE SET

Hollywood, April 18.

Jean Parker gets the femme lead opposite Johnny Downs in 'Parents on Trial,' a Ralph Cohn production at Columbia, slated to roll next Tuesday (25).

Director is John Schwartz.

UNDERCOVER AGENT

Monogram release of B. B. Derr production. Features Russell Gleason, Shirley Deane. Directed by Howard Bretherton. Adapted by Milton Raison from original story by Martin Mooney; camera, Arthur Martinelli. At Loew's State, Times Sq., New Amsterdam, N.Y., dual, April 14, '39. Running time: 68 MINS.

Bill Trent.....Russell Gleason
Betty Maddox.....Shirley Deane
Tom Maddox (Pop).....M. Kerrigan
Mrs. Minnay.....Oscar O'Shea
Pat Murphy.....Robert Middlemass
Graham.....Selmer Jackson
Bartel.....Rolf Benedict
Pussyfoot.....Ray Bennett
Blake.....Frank Jenks

Not much support even for neighborhood duals. Another in the crime cycle, with little to recommend it except the sterling work of the veteran J. M. Kerrigan.

Produced in the low brackets on familiar sweepstakes-racket lines, most essentials for this type of story are there, but lacking first-rank stars, outstanding production direction, unusual script attention, picture creates no unusual interest. Martin Mooney injects some novelty into his yarn, suggesting his expose of a sweepstakes counterfeiting ring by glorifying the U. S. Postal Inspection Service.

Russell Gleason is a railway postal clerk with an ambition to become a postal inspector. After losing his pawnshop holdup, he gets in dutch with the Service because he toted a gun off duty and against instructions. Finally redeems himself by unofficial sleuthing which helps the Government track down the sweepstakes crooks.

Shirley Deane gets by in the feminine lead. Gleason, however, is a convincing juvenile, wandering through the picture in namby-pamby fashion. Kerrigan, as the girl's father has a fat role as an old Shakespearean actor who loves his bottle but comes through to redeem himself in the finale in grand style. All the best lines are his and he more than makes the most of them. Oscar O'Shea, another old-timer, does pleasing work as the friendly pawnshop keeper.

Rep of the Gleason-Deane team in the Jones Family' series may offer some exploitation possibilities to draw them in.

THE ALIBI

(L'ALIBI)
(FRENCH MADE)

Columbia release of Les Films production. Features Erin von Stroheim, Albert Preisen, Jany Holt and Gaston Modot. Directed by Pierre Chenal. Story by Marcel Achard; adaptation, J. Camassel and R. Juttke; music, George Auric and Jacques Ibert; English titles, Harry Alan Towers. At 5th Ave. Playhouse, N. Y., week April 9, '39. Running time, 88 MINS.

Professor Winckler.....Erin von Stroheim
Inspector Calas.....Louis Jouvet
Laurence.....Albert Preisen
Helena.....Jany Holt
Jordan.....Philippe Lemaire
Dany.....Margo Lion
The Birds.....Florence Marly
The Professor's Assistant.....Fun-San Régis
Gérard.....Maurice Marsac
Kris.....Roger Blin
Bobby Martin and His Orchestra with Thelma Minor

(French, German, English; with English Titles)

Pierre Chenal's direction and the excellent acting by Eric von Stroheim and Louis Jouvet elevate this French talker to passable foreign boxoffice. With additional shrewd trimming of unwieldly, extraneous plotting it should serve as the lower section of double-feature spots and hold certain appeal in arty theatres. For regular run theatres, it is better enhanced with several spicy episodes and rather plain-spoken dialog (also hinted by the English titles).

Von Stroheim, an expatriate from Rodyneck for some time, is doing right well in France, portrays a sinister mind-reader, who figures several killings in order to lure up his original vengeful slaying. His heavy bribing of a Paris night club hostess, in order to provide him a dual alibi away from the scene of the murder, develops into a merciless pursuit by the police. This manneuvering by the gendarmes is a bit confusing and wanders away from the main thesis. The reappearance in the film of Von Stroheim actually saves innumerable sags in script and action. He dominates every scene and overcomes several implausible episodes and implausible moments.

Louis Jouvet, as the inspector in charge of the murder case, is a skillful portrayal which is marred by the introduction of Albert Preisen as his first assistant. Latter is fairly satisfying but the way he is dragged into half of the picture mounts superbly and one is kept entirely mystified as to which one of the three lieutenants is the German spy. Still this dramatic climax, as hunt narrows down, fails to pack a wallop. Although only 88 mins. from the German border and with escape almost a certainty, scripters choose to have the culprit meet his inevitable fate by suicide in a pillbox within the fort. A pitched battle at the border line might have furnished a more dramatic punch.

On the whole it is a provocative production, pregnant with audience interest at a time when European war news is in every headline. Although there is no indication whether the French government cooperated in the production, enough of the secret workings of the underground fortifications are actually reproduced to intrigue and satisfy audience curiosity.

The girl's room after 2 a.m. when the bribe to establish his alibi back made. It is here that reference is made to a business proposition, the femme indicating that such is never too early or too late. This is subsequently smoothed over by the proposition. Film also has a bubble dancer, closeups confined to a fleeting glimpse, for obvious reasons judging by her quick back of it. Other dialog is likewise risque but essential to the plot.

Production carries the Hays seal, Ripley or not. Judged by what remains in the picture, plenty was pruned. Product was a sinner in permitting certain things in order to sustain the plot.

Photography is one of weakest portions of film, bad lighting being especially noticeable in closeups.

Wear.

Double Crime in the Maginot Line

(FRENCH-MADE)

Tenvere release of Felix Gandera production. Features Victor Francen, Erin Korene. Directed by Felix Gandera. Adapted by Pierre and Robert Bibal from novel by Pierre Nord. Music by Jean Lenoir; camera, Nicholas Hayer. English titles, Milton Doushkess. Reviewed in Projection Room, N. Y., April 12, '39. Running time, 83 MINS.

Colonel Bruchot.....Victor Francen
Anna Bruchot.....Erin Korene
Police Inspector Lucas.....Jacques Baumer
Commander d'Espinac.....Fernand Fabre
Lieut. Jean.....Jean Tissier
Lieut. Canelle.....Henry Guisol
Lieut. Kleber.....Jean Dunot
Lieutenant Malvitz.....Jacques Berlioz
Colonel of the 2d Bureau.....Pierre Magnier
Assistants.....Jacques Vitry, Marcel Dieuleveult
Detective Lenard.....Stanchi
Gunsmith.....Maxime Valery

(In French, with English Titles)

In 'Double Crime in the Maginot Line,' exhibitors have a picture title to conjure with. One of the most widely publicized and mysterious topics in world events, long in the public eye, it possesses a strong appeal for an intriguing murder mystery meller. It is an 'exploitation' natural, despite the fact that the result is a bit disappointing. Much more is expected from the subject matter. Production, however, has enough on the ball to merit attention from showmen apart from the foreign language houses.

Picture is a mystery and yet not a war story, wavering between the two. Opening rather bogs down with a glimpse of one of the focal points in the French system of underground fortifications and a demonstration of impressive military parade and march of troops emerging from and entering the subterranean stronghold.

From there on interest begins to perk, not only when the secret workings of the fantastic military mechanized honeycomb come to view, but also when script writers and director introduce the main problem of intrigue going on in the midst of France's first line of defense hitherto considered impregnable. A good deal of footage is devoted to plot establishment, once the real story gets under way. This portion is slow moving and could stand speeding up by judicious cutting. Characters and motives dealt with at this point are cloaked in too much mystery.

Yarn is not only a spy story, but also psychological study of a French army veteran stationed at the fort. His career has been a bitter one, but he is considered capable and 'trustworthy by his superiors. A new commander takes over the fort, and the first day he discovers a mysteriously murdered by sub-machine gunfire. Suspicion falls on Capt. Bruchot (Victor Francen) and later on three of his lieutenants. Bruchot succeeds in establishing his innocence, but in place of a full report, secret investigation and cleverly unmasks the real culprit by interesting mathematical deduction. Intensely jealousy shown by Capt. Bruchot over his young and pretty wife (Vera Korene), the only woman in the cast, is a minor theme which serves to complicate things somewhat, but essential because it turns out that it was her brother who was the murderer and spy.

Francen gives an impassioned and outstanding performance. Miss Korene, likewise, holds audience interest in the little she has to do. In the main her work is subordinated to the major meller, the feminine appeal being secondary.

Picture could be vastly improved by expert cutting and editing. For instance, while suspense is built up of the picture mounts superbly and one is kept entirely mystified as to which one of the three lieutenants is the German spy, still this dramatic climax, as hunt narrows down, fails to pack a wallop. Although only 83 mins. from the German border and with escape almost a certainty, scripters choose to have the culprit meet his inevitable fate by suicide in a pillbox within the fort. A pitched battle at the border line might have furnished a more dramatic punch.

On the whole it is a provocative production, pregnant with audience interest at a time when European war news is in every headline. Although there is no indication whether the French government cooperated in the production, enough of the secret workings of the underground fortifications are actually reproduced to intrigue and satisfy audience curiosity.

BLACK EYES

(BRITISH-MADE)

London, April 8.

Associated British production and release. Stars Mary Maguire and Kay Kruger. Directed by Herbert Brenon. Screenplay, Dudley Leslie; camera, Günther Krampf. At Regent Cabridge, London. Running time: 72 MINS.

Tania.....Mary Maguire
Petroff.....Kay Kruger
Boudine.....Walter Hills
Karlo.....John Wood
Miss Brown.....Marie Wright

'Black Eyes' is a remake of the recent French-made 'Dark Eyes,' which starred Harry Baur and Simone Simon. Basically, there's little new in this story, but it's told well.

It's direct, stripped of non-essentials and generally well acted, with strong situations that indicate the constant imminence of violence, which is admirably avoided. Film can be featured here and would fit nicely on U. S. bills.

Story is laid in Russia. Otto Kruger (Petroff) is head waiter at a fashionable Moscow restaurant which has private rooms for amorous gentlemen and their lady friends. Petroff has reared his black-eyed daughter, Tania, to believe he's an important man in the commercial world, and she is proud of her father's dignity. He lends money to drunken officers at usurious interest, listens to financiers talking business, and manages to take advantage of it in the stock market.

Because of improving his station in the world he's ashamed of his parents. Petroff appeals to Boudine, a middle-aged banker, who's constantly on the lookout for new affairs. The girl becomes attracted to the rotue, who takes her to the restaurant where Petroff works. Petroff enters the private dining room, confronts his daughter, sends her home and tells the rue his relationship to the child. The banker had promised to assist Petroff in purchasing the restaurant, but it now looks as if the waiter is ruined through having made a deposit on the purchase which represented his entire savings. A stock market gamble, however, turns out very profitably at the psychological moment.

Mary Maguire, as the daugher, is charming in the earlier scenes, but sags a bit when emoting. Kruger is ruthless in his business dealings, but his love for the child inclines one to sympathize with his paternal obsession. Walter Hills is okay as the banker. All others are reasonably adequate.

Jolo.

WITHOUT A HOME

(Polish-Made)
(WITH SONGS)

Foreign Films release of Adolph Mann production. Directed by Alexander Marets. Adapted from Jacob Gordin's Yiddish play; songs, Szajewicz; camera, Jerzy Wilczynski; music, Joseph Kon; Leonard Fleischer. Reviewed in Projection Room, N. Y., March 31, '39. Running time, 99 MINS.

Jacob Gechman.....Adam Domb
Avremel.....Alexander Marten
Bluwer.....Ida Kamińska
Henoch.....Ben Zuker
Motel.....Anatol Winogrodzki
Fishel.....J. Simonscher
Beele.....Vera Gran
Lina.....Dora Fiskel

(In Yiddish, with English Titles)

'Without a Home,' adapted from Jacob Gordin's Yiddish stage play of the same name, has been made into an excellent Yiddish film that should spell box office in locales where the tongue is spoken. Made in Poland, and including the entire Warsaw Art Theatre company, headed by the director and star, Alexander Marten, Bluwer, this drama whose story is lent direction in spots serves to maintain a steady gait that might easily have sagged in a full length film.

Story is excellent for Yiddish theatre audiences, dealing with Marten's musical education. The girl's aunerie and the subsequent breach between him and his wife when he goes for a Yiddish club singer, with the sad of the singer, who's unaware of his love for her, he sends for his wife and son. Another son had been drowned prior to his emigation.

The crux of the story concerns the wife losing her mind w' her grief over losing her husband is coupled with her psychological reaction to the news that the second son, too, had drowned. Actually he had only run away. His return sees the gradual recovery of her mind and a closer tie between husband and wife.

Dora Fiskel is convincing as Lina, the wife, while Vera Gran, an unusual looker for a Yiddish film, is the singer. Her voice is pleasant, and she does the standard 'Oim A Hejm' ('Without a Home') well. Adam Domb, Marten, Ben Zuker, Ida Zeigan and J. Schumacher also do well. Camera is poor.

Wanger No Stranger

Hollywood April 18.

John Meehan checked out after 10 years at Metro to write an original for Walter Wanger, with whom he started his career as a scripter.

Advent of Meehan raises Wanger's writing roster to six, highest in two years. Other scribes are Sarah Y. Mason, Victor Heerman, Tay Garnett, Budd Schulberg and Lester Cole.

IATSE Peace Pact Today

(Continued from page 5)

call for payment of time and half for hourly employes after six-hour day.

Pay of Class A laboratory technicians would be tilted to $1.40 hour, Class B to $1.25, Class C to $1.12½, and Class D to $1. Scales now range from 68c. to $1.13 an hour. Negative cutters are asking $20 for cutting picture and $20 for sound track. Weekly rate would be $66, with overtime after 44 hours.

Ready to Parley

Demands for immediate negotiations were presented yesterday to Victor H. Clark, assistant to Pat Casey, by Lew C. G. Blix, Herbert Ailer, Thomas C. Bryan and Harold V. Smith, business representatives of Coast studio locals. Action was taken on telegraphic orders from George E. Browne, prexy of the IATSE. Request to confer was accompanied by ultimatum from Browne threatening to order nation-wide strike of theatre projectionists.

Ultimatum was said to have been accompanied by demand that proposed grand jury investigation of IATSE be called off. Ten union executives have been ordered to be summoned for inquiry scheduled to open today. Move was prompted by Jeff Kibre, leader of autonomy group in local 683.

Demands resulted in hurried all-night conference between IATSE tops and producers at the ranch home of Attorney Barton Hurn Fitts. The IATSE was represented by Gatelee, Stickling and Smith, international representatives. Producers' delegation was composed of Joseph M. Schenck, prexy of the Producers' Association; E. J. Mannix of Metro, and Attorney Mendel B. Silberberg.

Delegation from Local 37 composed of Joseph M. Carpenter, Guy Cooper, Jeff Kibre and Ed Heim was instructed to stand by at Eleven Oaks hotel in Fresno to be called for conference after Fitts had talked with producers and IA leaders. Delegation waited for several hours and was then advised by Russell Cresse, sons, deputy district attorney, that they would not be needed since the IATSE tops insisted on election being held to determine whether Local 37 members desired autonomy and retention of present officers.

Fitts talked with Local 37 the next day at the Coast Workers hotel and that autonomy be restored immediately, that Smith and Blix, Local 37 business representative, be ousted, and that Gatelee and Stickling be withdrawn. It was agreed if these things were done all charges and counter-charges involving IATSE would be dropped. These include superior court actions for injunctions against the IATSE, fight over $100,000 tied up in the treasury, and the complaint before the fourth National Labor Relations Board for investigation of IATSE.

Autonomy, Then Election

Weekend conference between two groups was then arranged by Fitts with an effort to get them together on the question of an election. Officers of Local 37 agreed to an election under proper circumstances, but insisted IATSE should first restore local autonomy to the organization.

Standby strike order wired to Harold V. Smith by George E. Browne follows:

'Upon receipt of further telegraphic advices you are instructed to immediately withdraw from service all of your members employed in all theatres owned, operated or controlled by any major circuit. This is occasioned by refusal of major producing companies to agree to contract demands made by West Coast Studio Locals. Stand by.'

It was reported similar wires were sent to IATSE representatives throughout the country. Understood that if strike call came it would also involve 12,000 IATSE workers in major studios.

In the meantime the Committee of Industrial Organizations was prepared to make no backdoor deals with Stockwell, business representative of CIO Projectionists Local Union 1418, said local would respect any legitimate strike. Whether it was ordered out of the CIO or the American Federation of Labor. However, he added that at the present time he could not state whether strike would be branded as illegal if it was ordered by President Browne without giving the workers a chance to vote on proposed walkout.

Local 37 has renewed its demand that Attorney-General Frank Murphy order an investigation of the situation here.

Witnesses Grilled

Despite efforts of District Attorney Fitts to settle controversy, his office was continuing with examination of witnesses to be examined by the Grand Jury this week. Richard Bimhart and Mary Blumer, bookkeepers for Coast locals, were questioned, as well as Martha Stewart, former bookkeeper, who had been reported missing. Latter is said to have kept book in which 2% sal ry assessment collected from members was listed.

Suit of James E. Shaw for appointment of receiver for Local 37 has been withdrawn. Shaw said international officers are now in charge of the local and that any grievances of members will be taken up with them. He had sought to oust local officers of Local 37.

Various fights involving the IATSE were started by autonomy drive led by Kibre. Browne ordered international representatives to take charge of the local under an emergency, and a flood of court actions immediately followed. Local's $100,000 fund still is tied up, with both sides being able to touch it. Trial of issues was scheduled for superior court today (Tues.), but Judge Emmet Wilson indicated he would grant a postponement if it appeared there was a chance of a settlement being reached.

SAG Draws Squawks

First decision to be announced by the Standing Committee of the Producers-Screen Actors Guild Basic Agreement resulted in a flood of protests being filed with the SAG. Extra delegations headed by Eddie Quillan and Ann Sothern had threatened to blacklist them because they had attempted to collect a full check on cancellation of a weather performance by Pennant.

The SAG filed a claim for a full check for 89 extras, claiming shooting would have been possible on day weather cancelled and that actual disallowed, and names of extras were disclosed in notice to studios advising them that decision had been reached in their favor.

Extras claimed they had no knowledge of claim being filed. Players said they were satisfied with payment of quarter check when the call was cancelled in compliance with agreement between the two groups. After a hurried conference with members of the Extras Committee, topic in the SAG admitted mistake had been made in disclosing the names of the extras.

Agent Franchising Near

Plans for franchise agreement between the Screen Actors Guild and Managers Guild will be completed this week. The State Senate has approved a bill permitting the SAG to settle jurisdictional disputes between agents and their clients, and the measure had been recommended for passage in the house. All agents will be required to secure a license from the SAG, and the present seven-year term contracts will be cut to three.

Further negotiations between producers and the Screen Publicists Guild have been postponed until major studio publicity heads can classify members of their department as reporters, reporters, planters, etc. Film executives claim no minimum salaries can be fixed until it is learned just what various flacks do and importance of their work. The SPG is demanding minimum of $50 weekly for beginners and $150 weekly for seniors.

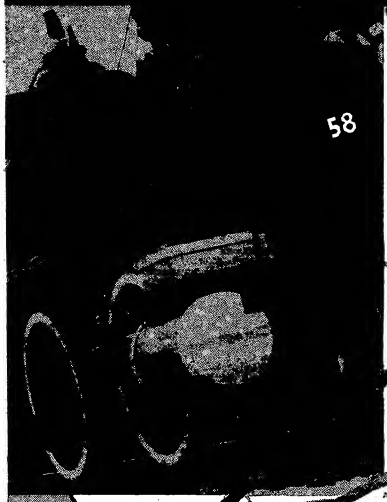
Negotiations between the producers and Screen Writers Guild were renewed this week, with James C. Batten, trial examiner for the National Labor Relations Board, sitting in as observer. Producers have submitted a counter proposal calling for a five-year pact, with 75% guild shop the first two years and 80% thereafter.

Arnold Heads ASC

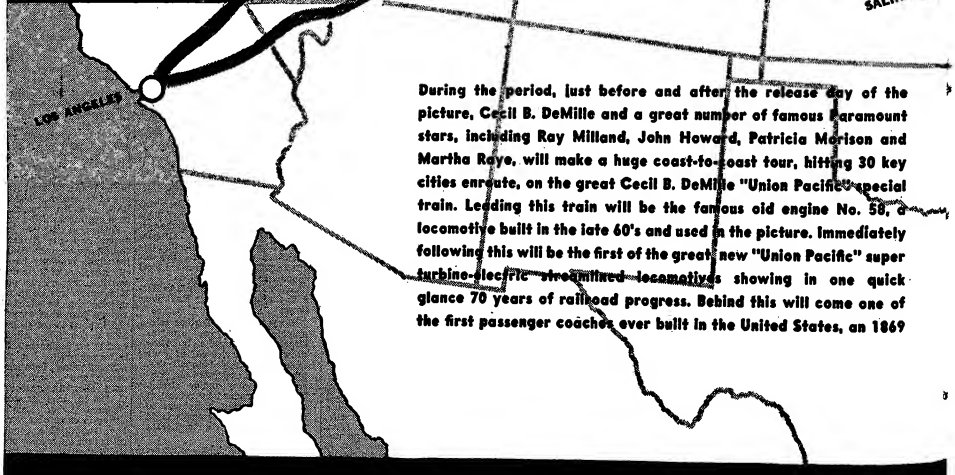
John Arnold has been elected president of the American Society of Cinematographers to succeed Victor Milner. Tay Garnett was named first vice-president, Teddy Tetzlaff, second v.p., Joseph Valentine, third v.p., and Frank Good, secretary-treasurer.

Screen Cartoon Guild has filed petition with the National Labor Relations Board to be certified as bargaining representative for cartoonists at Metro. Producer labor representatives have agreed to recognize the Guild if NLRB cross check discloses majority of cartoonists at Metro are members of the organization.

The greatest exploitation
PRE-SELLING THE GREATEST



The route of the Cecil
all-star



During the period, just before and after the release day of the picture, Cecil B. DeMille and a great number of famous Paramount stars, including Ray Milland, John Howard, Patricia Morison and Martha Raye, will make a huge coast-to-coast tour, hitting 30 key cities enroute, on the great Cecil B. DeMille "Union Pacific" special train. Leading this train will be the famous old engine No. 58, a locomotive built in the late 60's and used in the picture. Immediately following this will be the first of the great new "Union Pacific" super turbine-electric streamlined locomotives showing in one quick glance 70 years of railroad progress. Behind this will come one of the first passenger coaches ever built in the United States, an 1869

Paramount

Cecil B. DeMille's "UNION PA
and Joel McCrea with Akim Tamiroff •

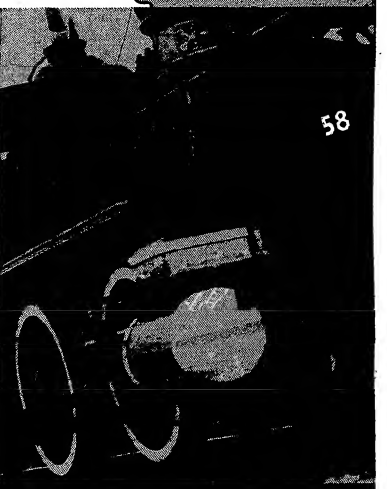
Produced and Directed by CECIL B. DeMILLE • Screen Play by Walter DeLeon, C. Gardner Sullivan and Je

stunt in Picture History—
AMERICAN EPIC OF THEM ALL!

B. DeMille "UNION PACIFIC"
special train

baggage car, a civil war period coach and a blacksmith's car. Following these will come the line-up of streamlined pullmans carrying the Paramount stars. You can see the key cities the train will hit.

A special shortwave transmitter, as part of the train equipment, will make possible continuous broadcasts of the train to the cities it is approaching. There will be another big-time broadcast from Schenectady. A Hollywood preview of "Union Pacific" is planned for each city where the train stops. The train will be open to the public and Mr. DeMille and the stars will be available, where possible, for personal appearances at previews.



CIFIC" *starring* Barbara Stanwyck

bert Preston · Lynne Overman · Brian Donlevy

ley, Jr. • Based on an Adaptation by Jack Cunningham of a Story by Ernest Haycox • A Paramount Picture

Clark New Dayton City Manager For RKO; Other Theatres-Exchanges

Dayton, April 18.

William A. Clark named manager of all RKO theatres in Dayton, succeeding Millard M. Blasttnar, resigned. Goodwin Sable, for the past four years manager of the RKO State, made manager of the Colonial, while William Wesgley, assistant Colonial manager, promoted to State. Robert Tucker, chief of service at the Colonial, becomes assistant manager there. Changes announced by Col. A. F. Frudenfeld, Cincinnati, division manager of the RKO Midwest corporation. Joe Goetz, Cincinnati, sent up as temporary RKO manager here, has returned to his post as assistant to Frudenfeld.

F-WC Remodeling

Los Angeles, April 18.

Fox-West Coast is remodeling the American, Butte, and Liberty, Great Falls, Mont.

Winners in the final week of Fox-West Coast's exploitation contest here Lew Clark, Dome theatre, Ocean Park; Morse Rabwin, Granada, Wilmington; Frank Burhans, Paramount, Oakland.

Monogram's two Pacific Coast distributing organizations are sending eight representatives to the national sales convention in Chicago, May 4-6. They are Dan Maitland, E. J. McCarthy, Rep Olmstead, Howard Stubbins, Mel Huiling, Al Goldstein, Cecil Farnes and Gordon Allen.

H. H. Wise bought 525-seat Fillmore from James Edwards.

Marty Solomon, city salesman for Columbia, shifts to Philadelphia this week. Wayne Ball arrived from Denver to take over management of local exchange.

Philip Walls, new manager of Rex, Bakersfield, recently taken over by Fox-West Coast.

C. E. Lilly Regains House

St. Louis, April 18.

C. E. Lilly, owner of the U City Theatre, in St. Louis County, which was part of the Greenman Theatres, Inc., until Harry Greenman resigned Fanchon & Marco as a district manager of the St. Louis Amus. Co., is again in possession of the house. Lilly operated the house as the Irma but the tag was switched when Greenman became the operating head. When Greenman returned to F&M the house was taken over by F&M but last week it was returned to Lilly.

Royal Cowgar has obtained possession of the Gem, 328-seater at Richland, Mo., from Don F. Atkinson. George Wallace, Old Mines, Mo., is reported to have successfully bombarded negotiations for the purchase of Riverside, 300-seater, Herculaneum, Mo., from Frank Greene.

The Avalon, Girard, Ill., taken over by S. Langley. Will operate the 350-seater six nights a week with three program changes a week, formerly operated Saturday-Sunday only.

Jett Bros., Fairfield, Ill., awarded contract to build new house for Frank Barnes in Carmi, Ill.; $20,000 has been earmarked for the structure.

F. Goldberg, Irvine, Ky., building new theatre in his home town.

The Gem, Beardstown, Ill., operated by S. E. Pertle of Jerseyville, Ill., being remodled to permit the installation of 160 more seats, thus accomodating 450 customers.

Victor J. Urbana disposed of Grand, 300-seater, Breese, Ill., to Bernard Tamborine.

Capitol, Huntsville, Mo., completely remodeled.

Fox-Midwest contemplates reopening Star, 700-seater, Benton, Ill., padlocked for several years.

The owners of the 450-seat Strand, Fairfield, Ill., mulling plan to erect another in the same town.

S. E. Pirtle, Jerseyville, Ill., owner of the Princess, Beardstown, Ill., contemplating extensive improvements at his house.

The Gem, 340-seats, Chester, Ill., sold by A. M. Beare to Oscar Turner, who with Steve Farrar is interested in a number of houses in Southern Illinois.

Jack Harris, formerly on sales staff of National Screen Service, has become booker for various out of town theatres. He added two houses in Pinckneyville, Ill., operated by Malcolm R. Reid, to list of clients last week.

Fitz Zone Dodges

Pittsburgh, April 18.

General offices of Harris Amusements Co. will move first of month from Clark building headquarters, where outfit has been spotted for last five years, into town's ace hotel, the William Penn. Harris gang will occupy an entire left wing of the third floor.

William L. Brown, veteran tristate exhibitor and operator of the Palace in nearby Tarentum, Pa., just appointed special tax investigator in Pennsylvania state department of revenue at a salary of $4,200 a year. His son, William R. Brown, will take over management of Palace.

Martin Seed, son of Harry Seed, WB-FN exchange manager here, named manager of new State, Erie, Pa., previously called the Palace. Getting new name and complete remodeling job from owner Harvey Immerman.

Mickey Sleissinger, former Greenville (Pa.) exhibitor, has landed lease on Ritz, Rankin, for long-term period. House was run for many years by Steve Dascalos, who recently lost his lease on it.

Fred J. Herrington, secretary of MPTO here, named to the committee monitoring a city ordinance of government for Pittsburgh and also to the advisory committee of the Allegheny County Real Estate Owners and Tax Payers League.

Dean McCloskey just named manager of new Castle, which will reopen in couple of weeks. House, formerly known as State, Pearl and Castle Shannon, was purchased recently by Dr. W. C. Frost, who is modernizing it completely.

Jerry Wechsler, former distributor here, so joined M. S. England Enterprises here and will assist in distribution of Beck Flight, which England control in this territory. Firm also owns three special features, films, "Cloistered Flight of Nazareth' and 'Monastery,' on which Wechsler will concentrate.

Paul Wechsler, Pittsburgh, Johnstown, Harrisburg, Pa., has been closed by owners Harry Rachlele and Walker Bros. for exclusive renovations. Operators expect to have it ready for reopening some time this month.

Bill Hitchcock, assistant in Republic exchange, one of the winners in Motion Picture Art Fund's contest for German Refugees.

Philly Zone Moves

Philadelphia, April 18.

Lou Bolander named manager of the Tioga; formerly was at Colonial, Lancaster.

Shifts in the Comerford circuit take Paul Tighe from the Roman, Pittstown, to the Penn, Wilkes-Barre; Mark Levan from Pittston to the Roman; Tom Carey to Orpheum; Fred Lee to Kingston; George Horlacher from Kingston to the Parsons; Joe Kearns to the Comerford; Joe Comerford from Mauch Chunk to the Feeley, Hazleton.

Moe Sherman, formerly with Grand National, now managing the Capitol, Wilmington, on temporary ticket.

Horace Wright, RKO student salesman, shifted to Atlanta exchange as a full-fledged film peddler.

Warner out-of-town managers being called in a few at a time for Confabs with Ted Schlanger.

K. C's Many Changes

Kansas City, April 18.

Elmer Rhodes, district manager for Fox Midwest, last week made a series of sweeping changes of managers of the company's local houses. Resignation of Stanley Chambers, Towne manager, occasioned the long string of changes.

Frank Ritter has taken the reins at the Towne. Morrill Moore has taken over Ritter's former charges, the Isis and Apollo, 'A' houses. The Warner, formerly handled by Moore, is now under Glen Carroll, who left the Rockhill. From the Vista, Ralph Wallace takes the Rockhill. Owen Hitchler is assigned to the Vista from the Linwood, and Charles Barnes is handling the Linwood.

Barnes' former post at the Uptown, now being filled by Henry Rodick, assistant manager at Newman. Joe Reinke moved from the Brookside to the Madrid, and Dale Haveione from the Madrid to Brookside.

Uptown and Tower, with the Esquire, are first runs, and others are subsels. First runs are now under direct supervision of Lon Cox, city manager, where formerly these three houses were under supervision of Chambers.

Chambers has just recovered from a serious attack of the flu. His health along with other biz interests are figured as reasons for his resignation. He had been at the Tower since it went under the Fox banner more than a year ago, and was formerly manager at the U'town, which he continued to supervise.

Loew's Promotions, Transfers

S. H. Meinhoid of Loew's announces the following Greater New York promotions and transfers: Walter Mock, former assistant at Kameo, Brooklyn, now manager of Canal, N. Y.; Martin Feldman, manager of Canal, moves to Burland; Edward Crawford, manager of Burland, transferred to Town Olympia; John O'Connor, assistant at Astoria, moves to Kameo; Ben Newman, manager of Rio, moves to Bronx, while George Kirby, manager of Bronx, goes to Astoria, chief usher Paul Swater, Prospect, is promoted to assistant at Astoria.

Rebuilding Pronto

Charlotte, N. C., April 18.

The Grove, China Grove, destroyed by fire few weeks ago, will be rebuilt immediately, says Lewis Saunders, son of Mrs. Lola Saunders, owner and operator of the playhouse.

20th-Fox Re-elects Slate

Old board of directors was re-elected at the annual stockholders' meeting of 20th-Fox held yesterday (Tuesday).

Following this meeting the new directorate renamed the present slate of company officers for ensuing year.

F-WC SPENDING $500,000 ON 3 SPOTS

Los Angeles, April 18.

Three new theatres will be constructed immediately in California at a cost of around $340,000, and close to $160,000 has been appropriated for house remodeling in this state and in Montana, it is announced by Charles P. Skouras, operating head of Fox-West Coast Theatres. Total outlay by circuit on new construction and improvements will exceed $500,000.

New theatre construction, plans for which are now being drafted, will include house at Fresno, to cost approximately $140,000; a new theatre in Los Angeles, built in association with Dave Bershon, at cost of around $125,000, and one at Oildale, near Bakersfield, Cal., representing investment of more than $75,000.

Close to $50,000 will be spent in remodeling three circuit houses in Glendale. Circuit will rehuild Valley theatre, North Hollywood, and increase capacity from its present 300 to around 600, at cost of $25,000. Another $49,000 has been appropriated for major improvements to the Liberty, Great Falls ($25,000), and the American, Butte, which will be completely remodeled at cost of around $24,000.

Bernerd Sails Back, M. J. Wilson to Coast; GN Situation in Air

Jeffrey Bernerd, managing director of Grand National Films, Ltd., of London, sailed for home Friday (21). Maurice J. Wilson, co-managing director, leaves New York for the Coast on Saturday (22) to size the talent situation for company's English producing plans.

Bernerd's company will continue to distribute GN product in the British Isles, if Grand National Pictures continues further production. The English distributing company has a five-year franchise.

'CAVALCADE' FILM IN FINAL CUTTING

Hollywood, April 18.

'Cavalcade of America,' the feature which the picture business is turning out for New York World's Fair, is now in the cutting room. Preview probably will be held in about 10 days so that the picture can be shipped east for start of its continuous run in the U. S. Pavilion starting in New York beginning April 30.

Government has theatres in its buildings at this fair and also at the Golden Gate exposition in San Francisco. Another 'cavalcade' feature, stressing western angles, is being prepared for exhibition by the film business at the Coast fair.

Estimated that approximately 32-50% of the footage in 'Cavalcade of America' is new material which was shot here. Cecil B. DeMille is in charge of production. In addition, clips from the industry's feature pictures containing historical scenes and episodes are being cut in to complete the running story of U. S. history, dating back to the 16th century.

STORY BUYS

Hollywood, April 18.

20th-Fox purchased Rex Taylor's yarn, 'Queen Takes Queen.'

Martin Mooney sold two mystery tales, 'Gangs of Chicago,' to Republic, and 'Air Crazy' to Universal.

20th-Fox bought 'Breach of Discipline,' by Elizabeth Ligoti and Arthur Schneffer.

A. Edward Sutherland acquired screen rights to 'The General Has a Wife,' by Capt. Thomas Lelivelt.

Universal purchased 'Slightly Tempted,' by Max Marcin and Manny Seff.

An April Fool in Paris

By Bill Halligan

Did you ever see a prizefight in Paris? You sit in the front row and watch a couple of kids throwing punches that take you back to the Joe Lynch-Jack Sharkey days in the old Garden. Don't make the mistake I did of getting excited—the French take it in stride like a symphony concerto.

However, I let a yell out of me at once and a dozen shooshes greeted me. It looked like there would be some opposition to the hattie in the ring as I was in no mood to stand for a shoosh. I had just left the restaurant of Montagne and the Chateau Neuf du Pape was working. I felt like a million. I was just about to let one go from the floor when I heard a voice yell, 'Hello Bill.' I looked around and there was Billy Seaman. Bill and I were old pals from Manhattan. I didn't know he was in town. Bill used to sit up in Reuben's delicatessen across from the Ansonia and show Arnold how to make a sandwich. He was an oasis of companionship in the Montmartre desert. We forgot about the fights and went over to Ciro's and had a drink. He invited me to attend a party the following night and he went home. I went to the Chabanais. The next night I met the gang at the apartment of Ray Goetz. They were giving Buddy De Sylva a farewell party at Volson's—in case you don't know about Volson's skip it. Jules Glaenzer had been over there all afternoon getting things in shape. That's the other way of saying that the grape was going to be 'just right.'

George Gershwin, DeSylva, Bill Seaman and the girls were drinking cocktails. We got in a couple of cabs and in five minutes we were in a private dining room that was a pip. The dinner was a masterpiece that would take Irvin Cobb's vocabulary and more. The pheasant would have made Diamond Jim turn over in his bronze. There was a hahy grand in the room and Gershwin was playing it. I had a dollar cigar in my mouth, a drink of Napoleon brandy in my hand and a pip on my lap. Let's see, am I leaving anything out? The Napoleon was the kind Mark Hellinger would give you the Warner Bros. for. Glaenzer had heard that there was a dance marathon going on somewhere on the outskirts and that's what he wanted to take us to. Seaman and I knew when we were well off and we wouldn't budge. Kept coming bottles of just one more quart. Jules got sore and went out and sat in his car. He sat there a long time.

The Attack on and Retreat From Moscow

I don't remember when we came out, but I had a pip. I wouldn't have changed places with Lindbergh looking out of an embassy window. I had a dream on my arm and I was afraid I was going to wake up. We headed for a Russian bodega in the Montmartre. When we got there Buddy and I went down to the gents' powder room for a hit. DeSylva always looks like a winter in Palm Beach. He had been in the south of France for a month and was burned as black as a blonde's heart. A Russian gigolo who looked like George Raft after a hard night took one look at DeSylva and said something in Russian that translated into 'Ho! I ain't no place like Harlem.' I had my hands full of father and tried to laugh the crack off. Buddy is a peaceful soul and said nothing. The Russian thought we were showing a little ki-yl and came out cold with an encore crack about Buddy. I hit him with a soapy right that spilled him into the Scotts tissue department. Buddy was too far gone to get quickly. I dotted him again. He stayed down for keeps. I was afraid reinforcements were coming so I did a retreat from Moscow that would have made Napoleon's flight look like a Brooklyn outfielder. We went upstairs and joined our party.

Some one started to sing the 'Volga Boat Song'—a Russian with a hedge. A square cutter, came over and apologized for the trouble downstairs. Would we have some vodka? We would. The gang went home but I stayed on with my fair companion. You don't get stiff with vodka—you get unconscious.

I telephoned her the next day at six from the Russian Embassy.

F.P.-CANADIAN NET FOR '38 AT $974,788

Toronto, April 18.

Reporting considerable improvement during 1938, Famous Players Canadian annual meeting here, reported net profits of $974,788 after all charges, this including provision of $46,926 for minority stockholders in subsidiary companies. This net profits figure compared with $865,731 over the previous year. Current earnings were $2.38 per common share as compared with $2.12 in the previous period.

Earned surplus shows a marked gain and stands at $3,364,686, compared with $2,917 at the end of '37. Profit from the 1938 operations was $2,231,659 as compared with $2,184,524 the previous year. Major charges, such as bond interest and depreciation, showed no marked variation. Working capital improved sharply. Current assets of the National now are $2,032,268, compared with current liabilities of $562,302. This leaves a working capital of $1,475,966, as compared with $1,239,123 a year earlier.

K-A-O's $1.75 Divvy

Keither-Albee-Orpheum directors declared $1.75 dividend on the preferred stock last week out of operating surplus, covering the quarter ending Sept. 30, 1938. Divvy is payable July 1 to stock on record June 15.

Chaplin's Double Celeb

Hollywood, April 18.

Charles Chaplin last Saturday (15) celebrated his 50th birthday and the anniversary of 25 years in pictures.

Started with Mack Sennett, and a year later was starred.

Hopping Internationally

Hollywood, April 18.

Hopalong Cassidy hops across the Canadian border in Harry Sherman's next Paramount production, 'Calgary Stampede.' Most of the picture will be made in that sector.

Filming starts in June, with Bill Boyd in his old familiar role.

NW ALLIED'S INTERNAL 'PEACE' PRIOR TO CONV.

Minneapolis, April 17.

With Bennie Berger, independent circuit operator, leading the opposition indie exhibitors to thresh out differences arising from his purchase of Metro 'runs' for his Paradise, local peace is believed to be in the offing in the ranks of Northwest Allied States. The peace would pave the way for a more harmonious Allied States' national convention, scheduled for Minneapolis June 13-15 and is particularly desired so that a better stage may be set for that gathering.

Dissension arose in Northwest Allied ranks principally because Berger shows the M-G pictures at the Paradise ahead of independent opposition houses a lower admission price, and Prez W. A. Steffes refused to do anything to stop him. Now Berger says negotiations are underway to eliminate the cause of grievance and 'the one man revolter,' who has been threatening to pull out of Northwest Allied and form a rival body, asserts he 'wants to play ball.'

The Northwest Allied annual convention will be held the day prior to the Allied States' national meeting. Steffes, a member of the national Allied board, says he will not accept reelection under any circumstances.

Rochester Allied

Rochester, N. Y., April 18.

Rochester independent theatre owners have organized a branch of Allied Theatre Owners of New York, district aiming to include Le-Roy, Brockport and theatres as far west as Phelps and Clifton Springs.

Max Fogel, Webster theatre, named temporary chairman, and Charles Thibitts, secretary.

TITLE CHANGES

Hollywood, April 18.

'Maizie Was a Lady' is release title for Metro's 'Broadway to Wyoming.'

'The Spirit of Knute Rockne' is latest tag for 'The Story of Knute Rockne' at Warners.

'Music School' is third handle for Samuel Goldwyn's Jascha Heifetz starrer.

Neely Talkathon Ends

(Continued from page 4)

forts of the monopolists must not prevail.'

Explaining Allied does not desire to shackle producers, Myers challenged the majors to show their sincerity by accepting the amendments he proposed to Section 4. Quoted objections by Sidney R. Kent and Jason Joy and said, 'If they will meet Allied at this half-way point, they will prove conclusively that they do not seek immunity for the motion picture industry; if they oppose the passage of the bill with these amendments, they will demonstrate their opposition to any regulation which threatens in any degree to neutralize the monopolistic power which they wield over the industry or the dictatorship which they exert over the screens of the United States.'

Shortcomings of the Justice Department's anti-trust suit are a reason for enactment of the legislation, solons heard, because the New York petition does not touch blind selling. Further, the outcome of the litigation, which may be filled with endless delays, is uncertain.

The legislation 'follows a blazed trail' and is not radical, Myers insisted. Resembles the Clayton Act, in its provisions against offering films in blocks at lower prices, and the food and drug laws in its synopsis requirements.

Pettijohn's Summation Stresses Disunion

Opponents were the only witnesses to present any information about production and distribution, which are just as deserving of consideration as a minority of exhibitors who favor the legislation, Pettijohn declared in his summary. Disagreement among supporters as to reasons for the bill was charged, with reference to the different understandings of 'community selection' of films. Pettijohn said exhibitors want to pick features which most people will see, women's clubs want pictures they think public should see, and public wants right to see any picture it desires to see.

'In days like these, no great American business, with its facilities to keep happy 88,000,000 people each week, and with its ability and willingness, as demonstrated by past performances, to serve a useful purpose, should be hamstrung by a piece of indexible Federal legislation which attempts to specify how pictures should be marketed and made by statute,' Pettijohn declared.

'If we are to have a bill, let's have a fair bill—fair to all concerned—fair to the producer, distributor, the exhibitor, and the public. If it is wrong to sell more than one picture at a time, it's just as wrong for anybody to buy more than one picture at a time. And while we're solving blind buying by statute, let's do something for the public, which is buying motion picture entertainment blindly. Let the bill provide that the public pay on the way out instead of on the way in.

Foes of the reform scheme occupied the stand all last week, when numerous women spoke a good word for the majors, nullifying the complaints of crusading sisters at the outset of the hearings.

Chief attacker was Ed Kuykendall, veteran MPTOA president, with Col. Jason S. Joy, story editor for 20th Century-Fox, and Carl E. Milliken, secretary of the Hays organization, bolstering the arguments of the major producer-distributor companies.

Advocates of the ban had some of their props weakened Thursday (13) when the committee heard a letter from Dr. Ray Lyman Wilbur, president of the Motion Picture Research Council and of Stanford University, qualifying his support of the legislative penacea. Dr. Wilbur, who served in President Hoover's cabinet, has been one of the leading fingerpointers for several years, although he has steered the frequent crusades by remote control. Gist of the communication was that if the majors are willing to make sincere attempts to remedy conditions about which the table-pounders have been complaining, Congress might give them a chance to show their good faith.

Even though it was noted Dr. Wilbur emphasized abolition of block leasing, the majors felt the letter was a virtual surrender and counted on the recanting to take the life out of the Neely bill campaign.

Statistical evidence that theatre-owners are not as hog-tied as the indie crew claims was offered by Charles C. Pettijohn, the MPPDA general counsel, to round out tables showing the relative desirability of different pix from six major studios. His figures tended to bear out the contention that the arty films are most likely to be spurned by exhibs. Comparison was:

Highs and Lows in No. Of Cancellations Shown

Less than 20 cancellations on: 'Lady Be Careful' (screen version of salty play, 'Sailor Beware'); 'Last Gangster,' 'Big City,' 'Desire,' 'Alcatraz,' 'I Am the Law,' 'They Gave Him a Gun,' 'Saratoga,' 'Her Jungle Love,' 'Bad Man of Brimstone,' 'Angels with Dirty Faces,' 'A Slight Case of Murder,' 'Little Tough Guys,' and releases of 'Dracula' and 'Frankenstein.'

Films heading the list of rejections: 'Music for Madame,' 5,873; 'Quality Street,' 4,837; 'Hitting a New High,' 4,662; 'Great Garrick,' 3,389; 'April Romance,' 3,871; 'Saint of New York,' 3,756; 'Winterset,' 3,259; 'Midsummer Nights Dream,' 2,971; 'Three Impersonations,' 2,730; 'Under Your Spell,' 2,136; 'Good Fairy,' 1,897; 'Green Pastures,' 1,503; 'Crime and Punishment,' 1,506, and 'Stolen from Heaven,' 1,472.

Giving the viewpoint of the largest group of exhibs, Kuykendall went overboard for the trade practice agreement—even though it falls short of MPTOA wishes—and countered on the majors' argument that the Neely bill is impracticable.

While in accord with the objectives of the legislation, MPTOA members do not feel the Neely bill will be helpful, organization head maintained. Convinced it will mean 'nothing but damage' and writing of a 'practical and effective' law of this kind is impossible.

'We have led the fight for an unconditional option to cancel a reasonable number of pictures out of each contract for any group of pictures. The Neely bill offers no such option to cancel after the pictures are licensed. We firmly believe that this is the only practical solution of the problem.'

Picking up the majors' parallel, Kuykendall presented economic arguments against the proposed reform. Exhibs, acquiring only exhibition rights, are in a unique position and 'unlike other retail stores, the theatres cannot carry a variety of articles in stock and on sale at the same time.' He pointed to the advantages of buying in large blocks in order to get the benefit of lower prices in stressing the idea that the Neely plan would increase costs. 'Retail prices with wholesale buying will do us great damage,' he commented.

The bulk of theatre operators dislike compulsory block booking, MPTOA leader asserted, if they are forced to accept 'unwanted pictures to get the ones we want,' but still need a dependable supply of product.

Proposed trade practice pact will benefit the little operators, Kuykendall maintained, differing diametrically with the Allied States Association leaders. Noted that 10,059 houses are in towns with fewer than 10,000 people and said the bulk will pay less than $100 per film, thus receiving the right to reject 20% of the total bought. The larger theatres have sufficient economic power to wriggle out of tight contracts and to win their own concessions, he added.

Higher rentals would be inevitable, according to Kuykendall, if the bill passes. Congress should pause before outlawing a distribution system under which bulk buyers get better terms. Without doubt, the effect would be to lift costs and so close many little houses which now carry a good part of the production cost despite the small sums each pay.

No surety the legislation, despite the stiff penalties, will eliminate compulsory block booking, Kuykendall argued. Particularly in competitive situations where bidding is lively. In many spots, rivalry will make the exhibs keep on booking in blocks, no matter what Congress does about it, but the buyers will have to pay fatter rentals.

Portion of the bill aimed at blind selling is 'fantastic,' he said. Impossible to make an advance blueprint, while the financial burden on studios will mean another hike in cost to exhibs. Law would put exhibitors on the spot, making them responsible for the calibre of pictures that they are powerless to control, wrecking the production code administration and destroying the sanctity of contracts. Enforcement provisions are so vague that exhibs may be subject to same severe penalties as are provided for distribs. Measure is 'an open invitation' to unscrupulous competitors to file complaints and instigate prosecutions.

Kuykendall and Myers Pan One Another's Orgs.

Name-calling provoked an outburst when Kuykendall blasted the Allied crowd and told Senator Neely the rival exhibh outfit would run out on everything it cannot dominate. Recalled how Allied fought the NRA code and has been bleating to the Justice Department since the Blue Eagle died. Abram F. Myers, the Allied counsel, took offense, promising 'recriminations' and protesting the MPTOA head attacks 'everybody who doesn't belong to his distributor-subsidized organization.'

Several of his followers backed up Kuykendall. Rebuttals came from Henry R. Berry, of Hartsville, S. C.; Lyle M. Wilson, of Roanoke Rapids, N. C.; Harry E. Hogan, of Fort Valley, Ga.; Oscar C. Lam, of Rome, Ga.; Leo Brecher, of New York; and William F. Crockett, of Virginia Beach, Va. They foresaw practical difficulties and industry injury, with Brecher fearful the bill will give producer-controlled chains a tighter grip on the whole trade. They aired peeves such as excessive clearance and sketchy advance notices—but could not see any help from the legislation.

Absolute impossibility of producing quality films under the measure was related by Col. Joy, who said that sale of films individually would encourage quickie production. Pointed to the Alexander Graham Bell,' 16 others were altered while lensing was in progress.

Mrs. Wilder Tileston, of New Haven, said intelligent patrons much prefer to make their own selections of film fare and will not allow 'well meaning pressure groups' to dictate their entertainment. She hit at one of the reform group arguments by disclosing the Labor Department's Children's Bureau has no evidence of connection between juvenile crime and pictures.

The Hays organization's efforts to lift standards was related by Gov. Milliken, who remarked about the difficulty in trying to sell the public what it doesn't desire. Reluctance of theatre audiences 'to be improved' is a consideration that cannot be overlooked, he reminded the solons, and any move to try and improve the morals of patrons will boomerang, until they are ready to be uplifted. 'We have to convince people' that they like high-grade screen entertainment before it can be sold, he added.

The industry's self-discipline has been effective, due in large degree to the aid of informed public opinion through the Legion of Decency and Better Films Councils, the Hays exec related. Process cannot be wholly successful in a short time, however.

Governor Milliken stressed the relation of the International Federation of Catholic Alumnae. In 1922 the organization was able to approve only 25% of the output, he said, but with the improvement in production control the situation has grown better steadily. When the 1927 Hays commandments were adopted, the Federation was passing 40% of the product; in 1930 when the revised canons were adopted the ratio had gone up to 50%; in 1934 when the Breening process was adopted the Catholic women were satisfied with 77%. In the past two years, over 90% of all pix have been placed in the A category by the Legion, and none of the small number of condemned flickers have been given the Hays stamp.

Nice Haul, George

Hollywood, April 18.

George Raft goes into the top role in 'I Stole a Million' at Universal on a one-picture deal.

Frank Tuttle directs on budget of $500,000.

Inside Stuff—Pictures

Although Bayard Veiller wrote 'Within the Law' for stage production in September, 1912, and although it has been made four times as a motion picture, the current remake by Metro marks the first time that Veiller has profited directly in the motion picture rights. Financial sidelights of 'Within the Law' are well known in legit circles. After the spring try-out of the play, William A. Brady sold for $10,000 his quarter interest to Arch Selwyn and A. H. Woods. Veiller, as author, sold his royalty rights to Selwyn for $2,500. Soon before the play opened in New York, with its story of police corruption and protection, the murder of Herman Rosenthal, a gambler, had opened wide a scandal which subsequently led to death sentences for five men, including Police Lieutenant Becker.

'Within the Law' ran two years at the Woods' Eltinge theatre and was played on tour and in stock for a dozen years. Selwyn voluntarily gave Veiller royalties which amounted to close to $20,000. The author never participated in the sale of the film rights until several months ago when Metro paid $10,000 for the dialog privileges.

Major studio execs are in a fever over the slow methods of a producer-director who has maneuvered himself into an expensive jam. With an outside star drawing a heavy salary, the script is not ready to shoot. Seventeen writers have worked on it, and now the p-d has been told that further scribes will have to be paid out of his own pocket. Then the is leading man trouble. P-d turned down one male lead after tests and spurned another as too young. A month ago he refused a name player for the male spot, and now he wants him but can't get him because the actor is busy.

Life magazine states that under no circumstances does it exchange art for advertising with film companies. The pic mag is surprised that such an impression should prevail and points out its prestige and policy ought automatically to prevent credence of such a report.

It is true that Life is carrying considerable film business but any publicity department professing any business-office connection is doing so for alibi reasons. Life carried $71,121 in film advertising the first quarter of 1939. Satevepost carried $55,125 and Collier's $33,795.

Martin Starr, former talent agent now a radio commentator, has withdrawn his suit against Dorothy Lamour, supposedly without settlement or payment. He sued for $35,000. Action was dropped when attorney Louis Nizer, representing Miss Lamour, persuaded him that he had no case. Starr is reported to have told Miss Lamour he was dropping the action because of Nizer's opinion. Miss Lamour expressed her appreciation for having helped her in early stages of her career. Starr is credited with having selected her from among beauty contest winners at New Orleans.

'Three major studios have been forced to enlarge their still and portrait departments to keep up with the rising demands for production and personality art by daily newspapers and picture mags. Paramount, RKO and Universal completed new quarters last week and other studios are mulling similar improvements. With dailies clamoring for weekend and midweek layouts, the studios are getting more free publicity than at any previous time in Hollywood history. Universal's still lab has been turning out an average of 18,000 prints weekly for several months.

Nine money-making westerns by the same producer-director-writer combo is claimed as a record for one year by Republic. Trio consisting of William Berke, producer; George Sherman, director, and Betty Burbridge, writer, made The Three Mesquiteers series on average budget of $35,000.

Install ARPAY
Onliwon Towels and Tissue
ECONOMY WASHROOM SERVICE
Write A. P. W. Service, Albany, N. Y.

New York Theatres

THERE'S A BETTER SHOW AT THE RKO THEATRES

7th Av. & 50th St.
ROXY
ALL SEATS 25c TO 1 P.M.
HELD OVER
"Alexander Graham Bell"
—On the Stage—
New Stage Show

FLYNN DODGE CITY
COMING: STRAND
Confessions of a NAZI SPY
OPENS A.M.

LOEW'S State TIMES 10
Today Only
IN PERSON
Judy Garland
ON SCREEN
"Huck Finn"

TUESDAY
Walter Wanger's
"STAGE COACH"
On Stage
EDDIE DeLANGE
and Orch.

"WUTHERING HEIGHTS"
UNITED ARTISTS
RIVOLI Broadway at 49th St.
Doors Open 9:30 A.M. MIDNITE SHOWS

SECOND WEEK
Capitol
Broadway at 51st Street
"The Hardys Ride High"
Lewis STONE • Mickey ROONEY
Cecilia PARKER, • Fay HOLDEN
A Metro-Goldwyn-Mayer Picture

PARAMOUNT TIMES SQUARE
HELD OVER—THIRD WEEK
CLAUDETTE COLBERT
DON AMECHE
"MIDNIGHT"
IN PERSON
TOMMY DORSEY AND HIS BAND

Criterion
Doors Open 9:30 A.M. Up to 1 A.M. at times
B'way and 45th St. midnite show every nite
Continuous Performances, Popular Prices
LESLIE HOWARD in Bernard Shaw's
PYGMALION
20th Big Week! As M-G-M Hit

RADIO CITY MUSIC HALL
BETTE DAVIS
IN
"DARK VICTORY"
Spectacular Stage Productions

HARDY LAUGHS at the Capitol

BROADWAY and 51st STREET — MAJOR EDWARD BOWES Managing Director

HELD OVER 2nd WEEK

DOORS OPEN 9:45 A.M.

"Crowded house rocked with hilarity!" —*Bland Johaneson, Mirror*

"Highly entertaining. Recommended without reservations." —*Howard Barnes, Herald-Tribune*

"A sheer delight from beginning to end!" —*Wm. Boehnel, World-Telegram*

"Thoroughly enjoyable . . . human, down-to-earth!" —*Rose Pelswick, Journal-American*

"Up to the high M-G-M standard. Hearty comedy." —*Kate Cameron, News*

"Audience has plenty of fun watching the Hardys ride high and handsome!" —*Eileen Creelman, Sun*

"What could be a slicker treat . . . a swell time is had by all." —*Archer Winsten, Post*

Don't Miss

"The HARDYS RIDE HIGH"

(They become millionaires overnight!)

Metro-Goldwyn-Mayer's Springtime Tonic with

LEWIS STONE • MICKEY ROONEY • CECILIA PARKER • FAY HOLDEN • *Directed by George Seitz*

Screen play by Agnes Christine Johnston, Kay Van Riper, William Ludwig

(Above from extra-space ad campaign)

Note to Ad-men!

Use this cartoon in your campaign. You can reproduce direct from the above.

HARDY HOLD-OVER BUSINESS!

2nd Week at Big Capitol, N.Y., is your tip-off to hold extra time open!

(And the next in M-G-M's Springtime Fanfare of Hits is Myrna Loy, Robert Taylor in "Lucky Night." And more lucky nights and days thereafter!)

BANKO RACKET EXPOSES JAILS 2

Milwaukee, April 18.

A young Milwaukee woman and her fiance admitted readily to Milwaukee police Thursday (13) that they had a hand in an ingenious scheme by which a $500 bank night award in a Janesville (Wis.) theatre was 'won' several weeks ago. They are held on warrants charging obtaining money under false pretenses. Their $200 share of the $500 prize has been put away as a nest egg for their intended June wedding, and there is some doubt, legal officials of Janesville say, that the money can be recovered because the question of lottery, as it might involve theatre bank nights, has not been definitely adjudicated.

Meanwhile, Detective Capt. Adolph Kraemer questioned the Milwaukeeans, Agnes Gerek and Theodore Lasky, her fiance, about the scheme. They implicated an employee of the Jeffris theatre in Janesville, as Lasky told Kraemer: 'My job as a plumbing supply salesman took me to Janesville. I knew one of the theatre employees and he suggested to me with the idea that we could make a few dollars in the theatre bank night. The theatre employee asked me to get some one to do the drawing at the bank night March 30 when the pot was $500. I took Miss Gerek there.'

Then, Lasky continued, the theatre employee suggested how the scheme would work. Lasky was given a ticket stub for the pool drawing, he said, and Miss Gerek was given the part of the ticket which ordinarily goes into the barrel for the drawing.

They sat in different parts of the theatre and when the drawing was to be made the theatre usher called for judges to supervise the drawing. Miss Gerek, by prearrangement, stepped to the stage as one of the judges. Her good looks, Lasky blushingly admitted, helped to persuade the judges that she should do the drawing.

Her hand, holding the stub of Lasky's ticket, went into the barrel. After she fumbled in the thousands of number stubs for a moment, she came up with the 'winning' ticket. It was, of course, the one she had in her hand when it went into the barrel.

Lasky's friend, the theatre employee, handed the winning stub to George Gilman, operator of the p.a. system. He called off Lasky's name and he claimed the $500 pot, Lasky said. The award was to be made the following week and Lasky kept $200 and gave the theatre employee $300.

But the scheme was exposed because Gilman, from his perch, saw Miss Gerek's clenched fist go into the numbers barrel. He watched Lasky and the young woman leave the theatre together and took the license number of their car.

Then Gilman went to the sheriff's office at Janesville and Police Chief W. H. Ford and Dist. Atty. John Matheson were called in. Through the license number, police apprehended Lasky and Miss Gerek. Ford and Matheson came here to get the couple. Before leaving, Lasky said: 'I've got my share salted away in anticipation of our marriage June 10. If I have to give the money back, I'll do so.'

Fiddle Up, Jascha

Hollywood, April 18.

Jascha Heifetz returns from his concert tour next Monday (24) to complete his work in Samuel Goldwyn's 'Music School' for United Artists release.

Violinist, who recorded a number of pieces for the picture last fall, will be here three weeks.

TMAT'S PIC HOUSE PICKETING

First picketing by the Theatre Managers, Agents & Treasurers of any New York house using film is the Cina Roma on Broadway.

Theatre varies its policy between Italian pictures and Italian vaudeville shows.

Two in the Saddle

Hollywood, April 18.

Bob Baker goes into the top bracket with Johnny Mack Brown in a series of westerns for Universal's 1939-40 program.

For the last two years Baker has been doing westerns for the Trem Carr unit, which recently washed up its releasing agreement with U.

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 reviews as given in VARIETY and the running time of prints are included.)

COPYRIGHT, 1939, BY VARIETY, INC. ALL RIGHTS RESERVED

Rev. In Var.—Reviewed in Variety. Key to Type Abbreviations: M—Melodrama; C—Comedy; CD—Comedy-Drama; W—Western; D—Drama; Mu—Musical. R. T. Min.—Running Time in Minutes

WEEK OF RELEASE	Rev. in Var.	TITLE	TYPE	Co.	TALENT	R. T. Min.
2/3/39	2/1	HONOLULU	CR	M-G	E. Powell-R. Young	85
	3/15	SUNDOWN ON PRAIRIE	W	Mono	T. Ritter-D. Fay-C. King	53
	2/8	ST. LOUIS BLUES	Mu	Par	L. Nolan-D. Lamour	85
	2/8	FISHERMAN'S WHARF	CD	RKO	B. Breen-L. Carrillo	71
	11/9	THE ARIZONA WILDCAT	C	20th	J. Withers-L. Carrillo	69
	4/12	PIRATE OF THE SKIES	A	U	K. Taylor-R. Hudson	60
	12/23	TORCHY BLANE CHINATOWN	M	WB	G. Farrell-B. MacLane	58
2/10/39		TEXAS STAMPEDE	W	Col	C. Starrett-I. Meredith	57
	3/8	NORTH OF SHANGHAI	D	Col	B. Furness-J. Craig	59
	2/15	HUCKLEBERRY FINN	CR	M-G	M. Rooney-W. Connolly	88
	3/22	NAVY SECRETS	D	Mono	G. Wilhelm-T. Gray-D. Robinson	62
	1/25	PERSONS IN HIDING	M	Par	L. Overman-J. C. Nash	69
	1/18	BOY SLAVES	D	RKO	A. Shirley-A. Daniel	70
	2/15	WOMAN DOCTOR	D	Rep	F. Dorsett-H. Wilcoxon	65
	3/22	HOME ON THE PRAIRIE	W	Rep	G. Autry-S. Burnette	58
	2/1	TAIL SPIN	D	20th	A. Faye-C. Bennett-C. Farrell	83
	2/1	MADE FOR EACH OTHER	D	UA	C. Lombard-J. Stewart	90
	1/18	WINGS OF THE NAVY	D	WB	G. Brent-O. de Haviland	88
2/17/39	2/15	FAST AND LOOSE	CD	M-G	R. Montgomery-R. Russell	78
		LITTLE MAN	D	Mono	M. Robson-R. Bellamy	66
	4/5	BOY TROUBLE	C	Par	C. Ruggles-M. Boland	70
	1/25	GUNGA DIN	D	RKO	C. Grant-D. Fairbanks, Jr.	120
	2/8	THE THREE MUSKETEERS	Mu	20th	D. Ameche-Ritz Bros.-R. Barnes	71
	2/15	KING OF THE TURF	D	UA	A. Menjou-D. Costello	85
	2/22	CAN'T CHEAT HONEST MAN	C	U	W. C. Fields-Edgar Bergen	79
	3/1	NANCY DREW, REPORTER	M	WB	B. Granville-J. Litel	67
2/24/39	2/22	LET US LIVE	D	Col	H. Fonda-M. O'Sullivan	69
	2/22	LET FREEDOM RING	Mu	M-G	Nelson Eddy-V. Bruce	87
	4/12	STAR REPORTER	D	Mono	J. Hall-M. Hunt	62
	2/15	ONE MILLION B.C.	D	Par	S. Sidney-L. Erickson	90
	10/26/38	SUNSET TRAIL	W	Par	W. Boyd-C. Syners	64
	2/22	FORGED PASSPORT	M	Rep	P. Kelly-J. Lang	64
	2/15	BEAUTY FOR SALE	CD	RKO	L. Tone-R. Lane	67
	2/8	PARDON OUR NERVE	CM	20th	L. Bari-J. Gale-G. Williams	70
	4/5	SOCIETY SMUGGLERS	D	U	P. Foster-I. Hervey	70
	2/8	YES, MY DARLING DAUGHTER	C	WB	P. Lane-J. Lynn	85
3/3/39	9/7	PYGMALION	C	M-G	L. Howard-W. Hiller	96
	4/12	MYSTERY OF MR. WONG	M	Mono	B. Karloff-D. Tree	69
	2/8	CAFE HOUSE	CD	Par	M. Carroll-F. Morgan	88
	3/8	I WAS A CONVICT	M	Rep	B. McLane-B. Roberts	62
	3/1	TWELVE CROWDED HOURS	M	RKO	R. Dix-L. Ball-J. Aldridge	63
	2/15	WIFE, HUSBAND, FRIEND	D	20th	L. Young-W. Baxter	79
	2/8	STAGECOACH	D	UA	C. Trevor-J. Wayne	95
	3/29	RISKY BUSINESS	M	U	G. Murphy-D. Kent	66
	3/8	SECRET SERVICE AIR	M	WB	R. Regan-J. Litel	59
3/10/39	3/8	BLONDIE MEETS BOSS	C	Col	F. Singleton-A. Lake	75
	3/8	ICE FOLLIES OF 1939	D	M-G	J. Crawford-J. Stewart	81
	3/29	MYSTERY PLANE	A	Mono	J. Trent-F. A. Young	60
	9/30	THE BOLSHOI SCHEME	D	Par	C. Laughton-B. Lansbury	86
	4/12	ROUGH RIDERS ROUND-UP	A	Rep	R. Rogers-M. Hart-R. Hatton	55
	3/1	SAINT STRIKES BACK	D	RKO	G. Sanders-N. Hamilton	64
	4/19	INSIDE STORY	D	20th	M. Weldon-J. Rogers	61
	10/5/38	PRISON WITHOUT BARS	D	UA	C. Lochaire-E. Best	68
	3/1	SPIRIT OF CULVER	D	U	J. Cooper-F. Bartholomew	89
	3/15	THE OKLAHOMA KID	M	WB	J. Cagney-E. Lane	80
3/17/39	3/22	LONE STAR PIONEER	W	Col	Bill Elliott	56
	4/12	WITHIN THE LAW	M	M-G	R. Russel-J. King-P. Kelly	65
	3/22	KING OF CHINATOWN	M	Par	A. M. Wong-A. Tamiroff	56
	2/22	LITTLE PRINCESS	D	20th	S. Temple-A. Devine	93
	3/29	MYSTERY WHITE ROOM	M	U	B. Cabot-H. Mack	58
	4/5	ADV. OF JANE ARDEN	M	WB	R. Rowne-W. Gargan	58
3/24/39	3/1	WHISPERING ENEMIES	D	Col	J. Holt-D. Costello	62
	3/22	SERGEANT MADDEN	D	M-G	W. Beery-A. Curtis-T. Brown	78
	4/5	TRIGGER SMITH	W	Mono	Jack Randall	51
	3/15	MIDNIGHT	C	Par	C. Colbert-D. Ameche	92
	3/8	MY WIFE'S RELATIVES	C	Rep	J. L. and E. Gleason	63
	3/8	THE FLYING IRISHMAN	D	RKO	D. Corrigan-A. Appleby	73
		TROUBLE IN SUNDOWN	W	RKO	G. O'Brien-L. Keith	
	11/30	EVERYBODY'S BABY	C	20th	J. Prouty-E. Gleason	61
	3/22	THREE SMART GIRLS	Mu	U	D. Durbin-C. Winninger	87
	3/8	BLACKMAIL ISLAND	D	WB	J. Garfield-E. Lane	71
3/31/39	3/8	LADY AND THE MOB	C	Col	F. Bainter-I. Lupino	65
	4/19	ROMANCE OF REDWOODS	D	Col	C. Bickford-J. Parker	68
	4/5	DOCTORS' WIVES	D	M-G	W. Pidgeon-V. Bruce-Carrille	77
	3/22	SUDDEN MONEY	C	Par	C. Ruggles-M. Rambeau	66
		SILVER ON SAGE	W	Par	W. Boyd-R. Rogers	66
	3/22	ALMOST A GENTLEMAN	D	RKO	J. Ellison-R. Wood	64
		MEXICALI ROSE	RM	Rep	G. Autry-S. Burnette	
	3/29	HOUND OF BASKERVILLES	M	20th	R. Green-W. Barrie	78
	4/12	FAMILY NEXT DOOR	C	U	H. Herbert-J. Hedges	69
	3/29	ON TRIAL	M	WB	M. Lindsay-J. Litel	62
4/7/39	4/5	BROADWAY SERENADE	Mu	M-G	J. MacDonald-L. Ayres	111
	4/19	UNDERCOVER AGENT	M	Mono	S. Dean-R. Gleason	65
	2/22	I'M FROM MISSOURI	D	Par	Bob Burns-G. George	77
	3/15	LOVE AFFAIR	D	RKO	I. Dunne-C. Boyer	87
	2/22	ME, MOTO IN DANGER ISLAND	M	20th	P. Lorre-J. Hershott	70
	4/12	EASY SIDE OF HEAVEN	Mu	U	B. Crosby-J. Blondell	90
	3/29	WUTHERING HEIGHTS	D	UA	M. Oberon-L. Olivier	103
	4/12	DODGE CITY	O	WB	E. Flynn-O. de Haviland	100
4/14/39		FIRST OFFENDERS	M	Col	W. Abel-B. Roberts	
	4/5	THE RAID FROM TEXAS	W	M-G	D. O'Keefe-F. Rice-R. Johnson	70
	4/19	STREETS OF N. Y.	M	Mono	Jackie Cooper	73
	4/5	DRUMMOND'S SECT POLICE	M	Par	J. Howard-Heather Angel	55
	3/8	NEVER SAY DIE	C	Par	M. Raye-B. Hope-E. Cossart	80
	4/5	THEY MADE HER SPY	D	RKO	S. Eilers-A. Lane	67
	4/5	THE NIGHT RIDERS	W	Rep	J. Wayne-R. Rogers	62
	4/5	ALEXANDER GRAHAM BELL	D	20th	D. Ameche-L. Young-Fonda	
	4/12	WOMEN IN THE WIND	M	WB	K. Francis-W. Gargan	
4/21/39	4/19	THE HARDYS RIDE HIGH	C	M-G	M. Rooney-L. Stone-F. Holden	80
		DANGEROUS FINGERS	M	Mono	J. Stevenson-B. Lynne	
	4/12	BACK TO HEAVEN	D	Par	W. Ford-A. MacMahon	81
		FIXER DUGAN	C	RKO	L. Tracy-P. Shannon	
	4/12	FRONTIER PONY EXPRESS	W	Rep	R. Rogers-M. Hart-R. Hatton	58
	4/5	WINNER TAKES ALL	C	20th	T. Martin-G. Stuart	61
		INSPECTOR ROERNLEIGH	D	20th	G. Harker-A. Sim-H. Williams	
	3/15	ZENOBIA	C	UA	O. Hardy-H. Langdon-B. Burke	71
		BIG TOWN CZAR	D	U	B. MacLane-E. Sullivan	
	3/15	DARK VICTORY	D	WB	B. Davis-G. Brent	105
4/28/39		OKLAHOMA TRAIL	W	Col	C. Starrett-I. Meredith	
		CALLING DR. KILDARE	D	M-G	L. Ayres-L. Barrymore	75
		BOYS' REFORMATORY	D	Mono	Frankie Darro	
		MAN FROM TEXAS	W	Mono	Tex Ritter	
	4/12	LADY FROM KENTUCKY	D	Par	G. Raft-E. Drew-M. Herbert	75
		BLUE MONTANA SKIES	W	Rep	G. Autry-S. Burnette	
	4/5	VERNON AND IRENE CASTLE	D	RKO	F. Astaire-G. Rogers	90
		THE TOOGOOD COP	M	20th	K. Holt-J. Shaw-V. Weldler	
		RETURN OF CISCO KID	D	20th	W. Baxter-L. Bari	
		FOR LOVE OR MONEY	D	U	J. Lang-E. Kent	
		SWEEPSTAKES WINNER	C	WB	M. Wilson-J. Bors	
	1/25	CAN'T GET AWAY WITH M'DEE	M	WB	H. Bogart-G. Paige-B. Halop	75
5/5/39		OUTSIDE THESE WALLS	M	Col	D. Costello-M. Whalen	
		LUCKY NIGHT	CD	M-G	M. Loy-R. Taylor-J. Allen	
		WOLF CALL	M	Mono	Movita-J. Carroll	
		UNION PACIFIC	D	Par	B. Stanwyck-J. McCrea	
		RACKETEERS OF RANGE	W	RKO	G. O'Brien-M. Reynolds	
		CHASING DANGER	CD	20th	F. Foster-L. Barr-M. Vernon	
		CAPTAIN FURY	D	UA	B. Aherne-V. McLaglen	
	4/19	CODE OF THE STREETS	D	U	H. Carey-F. Thomas	72
		CONFESSIONS OF NAZI SPY	D	WB	E. G. Robinson-F. Lederer	

$300,000 FIRE DESTROYS 2 THEATRES

Atlantic City, April 18.

Plans for the rebuilding of the two big Wildwood amusement enterprises, William C. Hunt's Casino theatre and the Blaker's theatre, destroyed by fire Thursday (13), at a loss of more than $300,000, are already under way and a new house is expected to be erected on the spot to be ready for the summer season. Hunt had already approved plans for a new Blaker's which now he will transfer to the plot of the one destroyed and in all probability will rename it the New Casino.

The fire which threatened the entire amusement area of this neighboring resort was discovered shortly before the evening show of the Casino. Fanned by a stiff breeze the flames quickly spread and before firemen could do anything a block consisting of the two theatres, a bowling alley, cigar store, motordrome, and roller skating rink were blazing. Hunt's Ocean Pier across the Boardwalk from the spot was saved by the quick work of firemen.

Projection Room Starts Blaze

Moorhead, Miss., April 18.

Fire which started in the projection room badly damaged the Strand here, and will necessitate the closing of the theatre for some time. Patrons escaped without any injuries.

$30,000 Theatre Fire

New Orleans, April 18.

Fire of unknown origin caused $30,000 damage to the Ace theatre here Thursday (13). Blaze was said by firemen to have originated in the projection room. Policemen patroling beat at 2 a.m. saw smoke billowing from upper floors of building and turned in alarm which had to be repeated twice as filling station next door was threatened. Extra apparatus rushed to scene to prevent spread.

Theatre is operated by Bijou Amus. Co.

REP. FRANCHISES IN 3 KEYS MAY BE SWITCHED

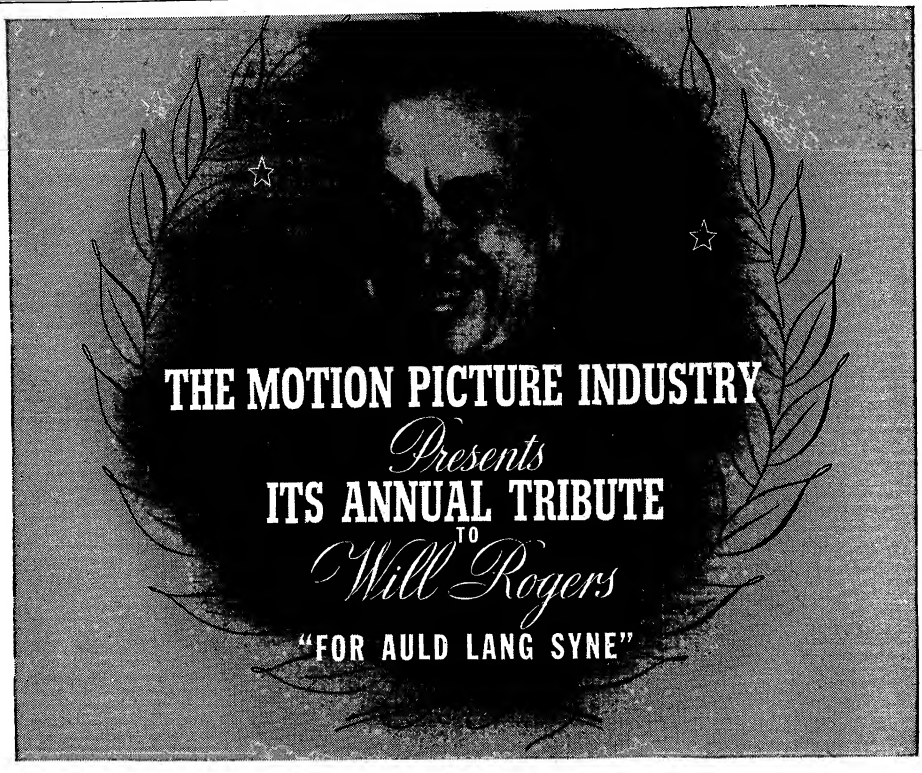
Republic Pictures in the Albany, Buffalo and Detroit territories may not be handled this coming season by Jack Berkowitz, Bernie Mills and Sam Seplowin, present franchise holders. Although product is still going through these distributors, it is understood they have refused to consummate a new franchise on distribution percentages which have been drastically cut.

Trio did not attend the Republic convention in New York last week. Jack Berkowitz, Republic eastern sales manager, maintains the situation is still in status quo, but it is known that new franchise deals for the three territories are being discussed with other distributors.

Copyright Masterminding, Prelim to Brussels Conv.

Committee for the Study of Copyright of the National Committee of the U. S. on International Intellectual Cooperation is nearing the end of a series of conferences on copyright legislation. Importance attached to these huddles is seen because the United States has been asked to attend the Diplomatic Conference in Brussels late this year when revision of the Berne Convention will be discussed.

Included among national associations studying the copyright bill is the Hays office which has a special committee assigned to this task. Robert W. Perkins, Edwin P. Kilroe, Gabriel L. Hess and Edward A. Sargoy have been active in deliberations of the subcommittee on formalities in the creation, preservation and transfer of rights under copyright, remedies for infringement of copyright, registering of single copies of out-of-print works, and 'the problems of mechanical recordation rights for copyrighted musical compositions, as well as the right to copyrightability generally for a sound track containing work of a literary, dramatic or musical natured, captured in the form of a special performing rendition thereof for audible communication.'



STARS INCLUDE:

RAYMOND MASSEY
Star of the current Broadway success, "Abe Lincoln in Illinois." Courtesy Max Gordon Plays and Pictures Corp., who will produce the picture.

SPENCER TRACY
Courtesy of MGM.

DEANNA DURBIN
Courtesy of Universal.

LOWELL THOMAS
Courtesy Movietone News

ROBERT E. SHERWOOD
Author of "Abe Lincoln in Illinois." Courtesy of The Playwrights Co., producers of the play.

THIS SHORT SUBJECT RUNS 10 MINUTES. SUPPLIED GRATIS TO ALL EXHIBITORS TAKING COLLECTIONS FROM THE AUDIENCE

Proceeds for the future support of the Will Rogers Memorial Hospital, Saranac Lake, N. Y., and for its kindred philanthropies, maintained for the needy of stage and screen. And for the aid of local institutions specializing in the care of handicapped children

WILL ROGERS NATIONAL THEATRE WEEK

WEEK BEGINNING THURSDAY, APRIL 20th • MAJOR L. E. THOMPSON, Chairman

Order prints from the following Zone Chairmen of WILL ROGERS NATIONAL THEATRE WEEK . . . or from any branch manager or film salesman:

District	Zone Chairman and Company
ALBANY	Philip Fox, Columbia
ATLANTA	John Exell, Universal
BOSTON	Morris Wolf, Metro
BUFFALO	Sydney Samson, 20th Century-Fox
CHARLOTTE	Robert J. Ingram, Columbia
CHICAGO	Jack Osserman, RKO
CINCINNATI	Edwin Booth, Metro
CLEVELAND	Frank D. Drew, Metro
DALLAS	Dook Roberts, Warner Bros.
DENVER	H. A. Friedel, Metro
DES MOINES	R. M. Copeland, Paramount
DETROIT	Frank Downey, Metro
INDIANAPOLIS	George T. Landis, 20th Century-Fox
KANSAS CITY	William Warner, Warner Bros.
LOS ANGELES	Clayton T. Lynch, Metro
MEMPHIS	James Rogers, Columbia
MILWAUKEE	Arthur N. Schmitz, RKO
MINNEAPOLIS	Harold Johnson, Universal
NEW HAVEN	Lou Wechsler, United Artists
NEW ORLEANS	E. B. Price, Paramount
NEW YORK CITY	Harry H. Buxbaum, 20th Century-Fox
OKLAHOMA CITY	Ralph B. Williams, RKO
OMAHA	Al Mendenhall, Paramount
PHILADELPHIA	F. L. McNamee, RKO
PITTSBURGH	Harry Seed, Warner Bros.
PORTLAND	Louis Amacher, Metro
ST. LOUIS	John E. Gerrison, Universal
SALT LAKE CITY	Charles Walker, 20th Century-Fox
SAN FRANCISCO	Dennis J. McNerney, United Artists
SEATTLE	Lawrence J. McGinley, Universal
SIOUX FALLS	Sherman Fitch, RKO
WASHINGTON	Sam Wheeler, 20th Century-Fox

Foreign Writers at Fair

Foreign scribbling notables preparing to descend upon N. Y. for the World Congress of Writers at the N. Y. World's Fair, called by the International P.E.N. Jules Romains, international pres of P.E.N., gets here May 1 to act in his capacity as head of the worldwide group of authors and as the French writing rep. Dorothy Macardle, the Irish rep, already here, and lecturing on Anglo-Irish literature preliminary to taking part in the conclave of writers.

Practically every civilized country will be repped at the World Congress of Writers, the P.E.N. maintaining a branch in every capital in the world.

Reprint Rights

Effort to solve the difficulties involved in the sale of reprint rights for old magazine stories has been undertaken by the A. Thorndike branch of the Authors League of America. Pointing out that although the c[illegible] received from such sales is virtu[illegible] gravy, the Guild in an article in the current issue of the League Bulletin argues that the ultimate result may be to deprive the writer of his original market.

Explains that the publication of old stories in cheap reprint mags amounts to unfair competition with the original publisher, who is forced to pay full price for such material. According to the Bulletin, publishers are in many cases now refusing to buy material from writers who are known subsequently to sell reprint rights to their work. Stated that the writers in question are thus depriving themselves of a more lucrative market by selling to a frankly bargain one. Bulletin article lists the offer an outright solution, but concludes with the statement that it's 'indeed a question.'

Guild Files Against Globe-Dem

Regional office of NLRB will make an investigation of charges filed by the St. Louis Newspaper Guild against the Globe-Democrat Publishing Co., publishers of the Globe-Democrat, only am. mag. Stated it had violated the Wagner Act by coercion, discrimination and refusal to bargain.

Elwood Douglas, prez of the St. Louis Guild, who signed the complaint, said the Guild was attempting to negotiate on behalf of 150 members but had made no progress. He charged also that the newspaper had disputed the Guild's claim to majorities in various departments. E. Lansing Ray, Jr., sec of the publishing company, denied the charges. The Guild also is negotiating with the St. Louis Star-Times Publishing Co., owner of a p.m. rag for a new contract.

2 Dailies Reorganizing

Two dailies, one in Boston and the other in Brooklyn, N. Y., have had the way paved for them to reorganize.

Way has been cleared for financial reorganization of the Boston Transcript as the result of a Federal court insolvency finding against the paper. Finding issued after company's controller testified that debts were $349,908 in excess of a fair valuation of the property.

Appraisers set the value of the company's real estate at 'not more than $300,000,' and the machinery at 'not more than $60,000.' New finance plan would not only give the daily operating fund, but would allow for construction of a new plant.

Federal court order has accepted the petition of the Brooklyn (N.Y.) Daily Eagle to reorganize under the Chandler Bankruptcy Act. Order provides for the present management to act as trustees, in conjunction with a referee, William L. Moorehouse, named by the court.

Petition to reorganize is a friendly arrangement with creditors. Schedule shows $265,500 in unsecured claims. Proposal is to give notes without interest to unsecured creditors at 25 cents on the dollar, payable out of the first 50% of the annual net earnings. Daily, petition shows, has been operating at a monthly loss of around $10,000.

Eagle's present publisher is Frank D. Schroth, who acquired control from M. Preston Goodfellow in August. Schroth formerly published papers in Pennsylvania and in New Jersey.

10-Cent 'Mein Kampf'

While American publishing rights to Hitler's 'Mein Kampf' is still to be legally determined, third publication of Dr. Fuehrer's sheet has been brought out. Latest is a vastly abbreviated version on newsprint in tab size. Sells for a dime, whereas the two book printings, by Houghton Mifflin and Stackpole, each costs $3.50.

Sponsor of the 10-center is a new publishing organization, the Noram Publishing Co., located in Connecticut. Stresses the fact that no royalty goes to Hitler.

Publishing for Felllotians

Eugene R. Collins, publisher of the Troy Observer-Budget, failed last week to obtain an okay for payment of $3,000 covering 300 copies of 'A Pictorial History of the New York State Constitutional Convention 1938,' which recently came off the press. The books, containing 220 pages, were prepared by Collins.

Convention, on the closing day last summer, authorized him to print 300 copies at $10 per, for distribution to the delegates. Presiding Justice James P. Hill of the Appellate Division and chairman of the convention's committee on contingent expenses, objected to the pictorial presentation of several delegates. He notified Chief Judge Frederick E. Crane of the Court of Appeals, president of the convention, that he would refuse to approve the bill. Whereupon Judge Crane declined to sign a payment voucher.

Collins hopes to collect eventually.

Roycrofters Sale Set

Sale of The Roycrofters, book organization founded by Elbert Hubbard at East Aurora, N. Y., to Samuel R. Guard, Indiana mag publisher, was approved in Federal Court after 91% of the creditors agreed to accept Guard's offer of $60,000 for the enterprise.

Guard, who's already made an initial payment of $5,000, to pay an additional $30,000 before May 1 under the terms of the agreement. New owner to assume mortgages totaling $25,500, and pay balance of $19,500 over three-year period. Guard to continue The Roycrofters company in its present location.

Bread Loaf Writers' Parley

Fellowships to deserving writers nominated by editors and allotted in positions of authority will again be awarded at the 14th annual Bread Loaf Writers' Conference at Middlebury, Vt., opening Aug. 16. Conclave will continue until Aug. 30.

Prof. Theodore Morrison, of Harvard, will be in charge, with the staff to contain Robert Frost, Louis Untermeyer, Bernard De Voto, Herschell Brickell, Edith Mirrielees, Fletcher Pratt, John W. Gassner, Gorham Munson, Raymond Everitt, Alan Collins.

Among the lecturers will be Archibald MacLeish, J. P. Marquand, Herbert Agar and Walter Pritchard Eaton.

Twice-a-Year Book-Magazine

Coincident with getting ready second number of Twice-a-Year, her mag in book form, Dorothy Norman is preparing to branch out as a book publisher. Under the imprint of the Twice-a-Year Press, she will publish a volume by Angna Enters, entitled 'Love Possessed Juana.' Book not to appear until next fall, however, by which time Miss Norman will have a number of other books ready for publication.

Although in book format, Twice-a-Year is a semi-annual journal of literature, the arts and civil liberties. Mary Lescaze is assistant editor.

Ban Lust and Crime News

Threat of Rochester, N. Y., District Attorney Daniel J. O'Mara to take action against Toronto-published National Tattler carrying Rochester items caused voluntary discontinuance of circulation in Monroe County. Sheet reportedly was selling up to 18,000 weekly at a dime per with such headlines as 'Woman Butchered in Abortion' and 'Chinks Rape Schoolgirl.'

O'Mara said he would have acted under the same state law invoked against the Rochester Bugle in 1936, which forbids sale of a publication devoted chiefly to lust and crime news.

Worcester Guild Unit

Newspaper Guild unit has been formed in Worcester by employees of Worcester Telegram and the Evening Gazette. Only last week management announced a five-day 40-hour week which went into effect yesterday (10).

Pay raises also were granted in several instances.

Dixie Discovers North

Jonathan Daniels, editor of the Raleigh (N. C.) News and Observer and author of the book, 'A Southerner Discovers the South,' has been given a new assignment by his publishers.

He and his family will live in the New England states for several months and he will write a second volume; 'discovering' New England.

LITERATI

Morrison's Coast Post

Denis Morrison has been named Hollywood correspondent for London Daily Mail and Sunday Dispatch. Bill Mooring continues to service London Film Weekly, Daily Herald and Oldham's Press from the Coast, and Col. Frank Jacobs files the film copy for Amalgamated Press.

Super-Club Date

New idea in parties has been devised by the Philly and Camden Newspaper Guild to raise funds. Shindig will probably be one of the town's fugest. It will be held on three distinct levels in Town Hall, former Scottish Rites Temple, on May 13.

On one floor there will be a show, contributed by practically every nitery and theatre in town, in a 2,000-seat auditorium. On another floor there will be a swing band, in a room holding 1,500 terpers, for those that like that type of music. And on still another floor there will be a sweet band in a room holding 3,000 dancers, plus a large balcony audience.

Guild figures the setup should make everybody happy, no matter what he likes.

Scribner's Mag New Corp.

New financial set-up for Scribner's Magazine sees ownership of the pub passed from Harlan Logan Associates. Management continues the same, however, with Harlan Logan as directing head; Don Wharton, executive editor, and Warren T. Mayers, business manager.

When Scribner's was acquired by Harlan Logan Associates, Bert Garmise was a member of the group. Garmise withdrew recently to publish on his own.

'The Albanian Struggle'

'The Albanian Struggle,' newest publication of the Federal Writers' Project, has been announced for April 27. Book with the timely title has been in preparation several months by the Massachusetts division of the Project and records the historical ups and downs of Albanians 'in the old world and new.'

Book runs about 200 pages, will retail for $2, is sponsored by Albanian Historical Society and will be published by The Writer, Inc., of Boston.

Fitch Vs. Poor's Co.

Fitch Publishing Co. suing Poor's Publishing Co. for injunction, accounting and damages claiming 'Poor's Annual Dividend Record (1938 Dividend Information on Stock Securities)' infringes 'Fitch Dividend Record for 1938,' quarterly publication.

The plaintiff alleges that shortly after publication of its book on Oct. 10, 1938, Poor's copied a large part of the Fitch copyrighted work.

Back in Biz—After 80 Years

After a hiatus of some 80 years, Walt Whitman's famous periodical, the Brooklyn Freeman, is to be revived. Plans to get it going again being made by Roscoe Brumbaugh, Brooklynite, and he figures to have it restarted within a month or two.

Although Brooklyn Freeman was a local publication, fame of its publisher gave it a national rep. In its resuscitation it will take on a broader aspect.

American Lady Resumes

American Lady, one of the group of mags directed by Dagobert D. Runes, has resumed publication following unwinding of distribution tangle. Snarl which developed under the periodical's previous distributing arrangement caused a halt in publication in January. New distributor is American News Co.

Policy and staff of American Lady as previously, with Grace Caldwell editing. Pub is for femmes.

Magazine Contents as Book

Ferman for a mag piece to be republished in book form, but a distinct innovation will be the republication in a single volume of the entire content of the February issue of Survey Graphic.

Issue had been given the special subtitle of 'Calling America,' and that's the title by which the book will be called when brought out by Harper's soon.

NEW PERIODICALS

Headline Detective Magazine to be added to the Dell detective group of periodicals on May 20. Companion mag to Inside Detective and Front Page Detective. West Peterson to edit.

Tolerance, monthly mag, purpose of which is indicated by title. Publication headquarters on the west coast. Editor is Edward Wheeler.

Broadcast, new weekly radio mag containing programs and features. To sell for a nickel. Publication offices on the Coast. Publishers are H. W. Dickow and A. J. Urbain.

LITERATI OBITS

Herman J. Ewald, 50, day city editor of the Milwaukee Sentinel, died last week.

Harry Stephen Vorhis, 65, former newspaperman and more recently trade paper editor, died Thursday (13) in N. Y. after a long illness. Began his newspaper career on the Waterbury (Conn.) Republican, rising to city editor. Came to N. Y. and joined the old Evening Sun. Left to become editor of the American Silk Journal, and was editor of the Notion and Novelty Review upon his death. Survived by his widow, daughter and a sister.

William A. Shaw, 72, for nearly 40 years editor of St. Petersburg, Fla., Times, died last week after a long illness.

David E. Shaw, 72, many years with the Evening Wisconsin, died April 11 in Merryville, Wis. His wife died two days later. Surviving are a son and three daughters.

William Farquhar Payson, 63, author and book publisher and former mag editor, died Saturday (15) at his home in N. Y. after a three-year illness. Payson was active in the city N. Y. Times before becoming managing editor of Vogue, editor of the old Outlook and editor of The Field. Became an official of the old Sturgis & Walton publishing house in 1909, and in 1924 joined Frederick J. Quinn & Clarke, book publishers. Firm became allied with the Georgic Press in 1934, when Payson was active in the organization. Authored a number of published books and a play. Widow, a brother and a sister survive.

John George, 80, retired newspaper editor and publisher, died Sunday (16) in Portland, Ohio. Native of Jackson, Mich.

CHATTER

Klaus and Erika Mann back from the Coast.

Ezra Pound back in the U. S. after 18 years abroad.

Eve Curie partied by her publisher, Doubleday.

Eleanor Early on a Caribbean trip for data for a new book.

Alice E. Norman upped to vice-prez of the Fawcett mags.

Helen Hayes going to Alaska for material for a new book.

Johnston Pugsley seeking a place in Woodstock for the summer.

Park Row Publishing House formed by Alfred B. Heppner.

Catherine D. Bowen engaged to wed Dr. Thomas McKean Downs.

Constance McEwen has given up N. Y. for a place in Montclair, N. J.

Helen Augusta Rollins, of the Time staff, engaged to William H. Gould.

Ben Hall, of the N. Y. City News Association, marries Angela Shawell soon.

Gheda Kenyon giving costume recitals based on her novel, 'Scarlet Anne.'

Irvin Cobb's home town, Paducah, Ky., has named a new park in his honor.

Real name of David Rame, author of 'Wine of Good Hope,' is A. D. Divine.

Curtis Brown, the literary agency, going into new quarters the end of the month.

Frank Neil sold a book on modern youth to Bobbs Merrill for early publication.

Louis Bromfield made a Chevalier of the Legion of Honor by the French government.

Willis Hillstone has moved his typewriter from Staten Island to Long Island.

Edna Ferber's autoblog, 'A Peculiar Treasure,' was the June selection of the Literary Guild.

Lester Grady the new editor of Silver magazine, succeeding the late Eliot Keen.

Mildred L. Wicksman, of the McGraw-Hill publishing firm, wed to Gilbert S. Goodkind.

Ben Ames Williams a hound at the Scotch game of curling, even going to Canada to indulge.

Joan Vosiis, associate editor of Screen Book, the Fawcett mag, engaged to Peter Curtis.

Viking will bring out Ben Hecht's new novel, 'A Book of Miracles,' in June. A 200,000-wonder.

Daughter to Mr. and Mrs. Hans P. Treuenfels. Father is an exec of Greystone Press, associate editors.

Ray McCarthy, the advertising man, and Alfred E. Goldberg, associated in a new publishing project.

George Parmly Day, prez of the Yale University Press, presented with a decoration by the King of Sweden.

Ladislas Farago last reported from in Texas on that lengthy tour on assignment from both Bobbs-Merrill and Esquire.

Henry Weiss and Joseph G. Solomon together on a new publishing project under the name of Advance Publications.

Ruth Feiner, who's now living in London, coming over next month preliminary to the publication of one of her novels here.

That new Ira Wolfert novel has already been sold for America and England, although he's not even completed it as yet.

Frank Goodman, editor of San Diego Tribune, was elected chairman of the Associated Press for California and Nevada.

Philip Jordan, feature editor of the London News-Chronicle, will have a book published here by Harper's, 'There Is No Return.'

August J. Wiesner, Jr., has succeeded H. Theodore Rowe as editor of the five N. J. newspapers published by Warren M. Ingalls.

Walter Pessels, who was with Pictorial Review until the mag's demise, has joined Macmillan, the book house. Walter Pessels is femme.

Dashiell Hammett completing a new melodramatic story of several brothers on a Connecticut island during the Civil War period. No title yet.

Crosby Gaige has edited still another cook book, 'The New York Times Cook Book,' which Doubleday will publish next month.

Helen Morgan, magazine writer, has had first book published by Harcourt, Brace. Volume deals with food allergy and is tagged 'You Can't Eat That.'

Will Irwin is at Chapel Hill, N. C., collecting data for a series of articles he is doing on the training universities give young men for government service.

Mildred Walker, who authored 'Doctor Norton's Wife,' the recent Literary Guild selection, has sold Harper's a short story to Woman's Home Companion.

John Martin, recently ousted as publisher of the Philly Ledger, is understood trying to return to the publishing field with a weekly, set to come out about May 7.

Gladys Shelley, the actress, who appeared on Broadway in 'Moon Mulberry Street,' will have her volume of rhymes, 'It's All Nonsense Anyhow,' brought out by the Poets Press.

Ken has bought a piece on mocketeers and chiselers in the amusement biz, allegedly written by a femme performer in one of the current Broadway productions but run without the author's name.

Author Frank Scully, now sec of the California Dept. of Institutions, finally moved the last of the family furniture from Nice to Hollywood after three years of being through four strikes, two years and one counter-revolution.

Action of superintendent of schools in Easton, Pa., in asking teachers to boycott the Easton Express because it opposed teachers' tenure act, brought quick response last week from Pennsy Newspaper Publishers' Association. Group charged supe's action strikes at 'fundamentals of free press.'

Expo Kayo B.O.

(Continued from page 9)

and the third week's take may equal last week's $7,700.

Paramount (F-WC) (2,740; 35-55-75)—'Bell' (20th) and 'Chasing Danger' (2d wk) (Par). Despite preview bally on Treasure Island, with hundreds of Hollywood folk on hand, 'Bell' has failed to ring the bell. Second week will get $7,000. Last week ended with $15,000 in the till.

St. Francis (F-WC) (1,470; 35-55-75)—'Broadway Serenade' (M-G-M) (2d wk). Moveover from the Warfield but fans just go for either Eddy or Jeanette MacDonald alone. May reach $2,500 which is very sour. Last week (2d wk), 'Backstreets' (20th) and 'Everybody's Baby' (20th) gave this house another bad week at $3,200.

United Artists (Cohen) (1,200; 35-55-65)—'Wuthering Heights' (UA) (1st wk). Rave notices for this artsy picture which, is doing pretty good biz, should garner fair enough $9,000. Last week good $12,000.

Warfield (F-WC) (2,680; 35-55-75) 'Blackwell' (WB) and 'Woman Doctor' (Rep). With nothing else to compete with in the way of new features, all of the other houses holding their bills for a second or third week, 'Blackwell' and 'Doctor' should get more than anticipated poor $9,000. Last week, 'Broadway Serenade' (M-G), did brutal $8,000.

READ THE MAN WHO KILLED HITLER

THE STANDARDS

in all SAMUEL

April 14, 1939

MR. SAMUEL GOLDWYN
7210 SANTA MONICA BLVD.
HOLLYWOOD, CALIFORNIA

WUTHERING HEIGHTS OPENED AT RIVOLI TODAY FRIDAY RUNNING EVEN WITH OPENING DAY SATURDAY OF HURRICANE WHICH OPENED AT RIVOLI JANUARY 15TH, 1938, AND IS BIGGEST BUSINESS IN RIVOLI SINCE THAT DATE. NEVER SUCH ENTHUSIASM AND UNANIMOUSLY EXCELLENT REVIEWS ON ANY PICTURE TO PLAY RIVOLI. AUDIENCE REACTION AND COMMENT ENTIRELY COMPARABLE TO EXCELLENT REVIEWS. FROM REACTION AND TYPE OF AUDIENCE BELIEVE THAT EVERY PICTURE GOING PERSON AND ESPECIALLY WOMEN WILL WANT TO SEE PICTURE. BELIEVE PICTURE SHOULD RUN AT LEAST SIX WEEKS TO TOP BUSINESS

JOHN WRIGHT
RIVOLI THEATRE
NEW YORK CITY

"'WUTHERING HEIGHTS' IS ONE OF THE FINE

"My thanks to the first run theatres where 'WUTHERI expert handling they have given my picture has been a sple join with me in appreciation to exhibitors everywhere."

OF SHOWMANSHIP

GOLDWYN *Productions*

SAMUEL GOLDWYN
7210 SANTA MONICA BLVD.
HOLLYWOOD, CALIFORNIA

April 13, 1939

WUTHERING HEIGHTS PHILADELPHIA OPENING AT THE ALDINE LAST NIGHT TREMENDOUS SUCCESS. PLAYED TO 2,369 ADMISSIONS. LINE FULL BLOCK LONG AT BOX OFFICE CAUSED MORE THAN TWO THOUSAND TICKET BUYERS TO BE TURNED AWAY. TREMENDOUS CROWDS FORCED 34 REFUNDS AND 200 RE-ADMISSION TICKETS FOR PEOPLE WHO HAD ALREADY PURCHASED TICKETS AND COULD NOT WAIT MORE THAN AN HOUR TO SEE PICTURE. REVIEWS ARE ABSOLUTE RAVES. REGARDS.

CHARLES PERRY

FILMS EVER BROUGHT TO THE SCREEN."

(MILDRED MARTIN, *Philadelphia Inquirer*)

HEIGHTS" has already opened. The
follow-up to the efforts of my staff who
Samuel Goldwyn

Released thru
UNITED
ARTISTS

Irene Rich Piqued at Welch's Grape Juice; Washing Up After Six Years

Hollywood, April 18.

Irene Rich and Welch's Grape Juice are near the end of their six-year association. Star is reported burning at what she claims is a company refusal to cut her in on its prosperity which is commonly attributed in considerable measure to the advertising campaign of which Miss Rich is the centerpiece. Program is said to be one of the cheapest on the air with a rating around 8.9 in C.A.B.

Miss Rich considers herself doing a swell selling job and shut out from outside money because of the exclusivity clause in her contract. She had made hundreds of speeches to jobbers around the country. Unkindest cut of all, in her opinion, was the recent demand of her sponsor that she not broadcast from San Francisco where she was appearing in a stage show but make a special trip to Los Angeles and pay the entire expense of the journey for herself and cast. This was ungracious and unnecessary, she thinks.

Young & Rubicam has been reported interested in her services for General Foods but that deal now seems cold. In any event it looks like a wash-up with Welch.

Olsen-Johnson Considered For Lehn & Fink Show

Olsen and Johnson, currently on Broadway in their own show, 'Hellzapoppin,' are among the acts being considered by Lehn & Fink for the program it wants to put on this fall in behalf of Hinds Honey & Almond Cream. Olsen and Johnson have had several previous radio series. Account would like to get something that could give it a 15-point rating practically from the start. It can call for either a half or full hour.

William Esty & Co. is the agency. HH&AC hasn't had a network hook-up since April, 1938. It's last was 'The Life of Mary Southern' on a daytime CBS schedule.

Talk George Faulkner Out of Desire to Get Away from It All

George Faulkner, staff writer and producer for J. Walter Thompson, who was recently transferred east from working on 'The Circle' (Kellogg), has been temporarily talked out of resigning from the agency. Faulkner wants to quit and lay off all summer.

Agency suggested that he take a vacation right away and let the resignation idea ride until he gets back. Faulkner is now resting in Bermuda.

Don Kaye at KYA

San Francisco, April 18.

New musical director at KYA, local Hearst transmitter, is Don Kaye, who succeeds Walter Rudolph. Kaye also has an orchestra at the Hotel Claremont in Berkeley.

Station also has a new string quintet consisting of prominent local musicians under Betty Marino's direction. Group airs five times weekly.

Other personnel changes include additions of Dick Ellerz, formerly of KFOX-KGO, to the newscasting staff, Chet Blomeness and Hollon F. Davis to the sales department, and Steve Bryher of Vancouver, B. C., and Ned Burman to the announcing staff. Burman was formerly with KGDM, Stockton, Cal. He and Bryher replace Bert Buzzini and Dick Wynne, resigned. Fred Fox and Al Zitcot have been shifted from the merchandising service and technical forces, respectively, to the production staff.

Ad Libbing Breaks Out

On a recent Kellogg Circle program the Marxes, Groucho and Chico, ran a six-minute script spot into 11 minutes with the result that the ensuing scramble to come out even brought the show into the sign-off 90 seconds early. Foursome filled with unannounced instrumental number until network signed them off.

Stick-to-the-script orders have gone unheeded on several programs and the agencies are considering drastic steps to make all comics respect the timing.

'ON TO BATTLE CREEK,' IS THE CRY

Chicago, April 18.

Trek to Battle Creek, Michigan, is on following the switch in advertising chieftains by the Kellogg company. Hotel registers there look like convention of AAAA and newspaper and magazine reps. Practically every agency in the nation is on the Kellogg tail as the talk circulates that J. Walter Thompson's grip on the account is weakening.

Reported around town that N. W. Ayer is getting the account back 100%, with even the agencies which had minor pieces of the account being declared out of the picture.

Hays McFarland agency here had wheat Krispies on the air for Kellogg with 'Don Winslow of the Navy' show which is reported to have come through with bang-up job.

Ray Paige Program May Shift to Another Time; Opposite Kyser

United States Rubber is looking for a better time spot on CBS. Present niche is Wednesdays at 10 p. m. opposite the Kay Kyser program, currently batting above 20 in C. A. B.

Report in trade that the rehearsal time on Raymond Paige's '99 Men and a Girl' program was excessive is denied. Paige is rehearsing his men in sections, strings, brass, percussion, etc., before the dress rehearsal. About five hours weekly is all that's required for the show.

COURTENAY SAVAGE IN N. Y. FOR GUILD

Courtenay Savage, Chicago radio scripter, is currently in New York for a week's vacation and huddles with Radio Writers Guild execs. He's a vice-pres of the organization, and its top representative in Chicago.

Although it was indicated Savage's confabs with the Guild are of a routine nature, it is believed the matter of regional representation on the group's council, as outlined in the tentative agreement with AFRA, may be discussed.

ARMY LOOSENS UP

Reported Much More Cooperative to Radio Stations

Omaha, April 18.

Radio men here report a general releasing of reins governing airings from army posts. All three local stations broadcast maneuvers from Fort Crook on Army Day, with WOW transcribing a special broadcast of the program from the U. S. observation plane.

The Seventeenth Infantry band, heretofore available only on special occasions, can now be aired whenever desired.

Fredric Marches (Florence Eldridge), leads of 'American Way,' have leased Weston, Conn., home of John Orr Young (Young & Rubicam). Acting duo moves in next month.

Jean Hersholt Returns For Chesebrough in Fall

Hollywood, April 18.

Jean Hersholt has been contracted for another 39 weeks, starting in the fall.

His 'Dr. Christian' dramatic series for Chesebrough vaseline muted last week for long layoff until October. Program will take best time available on its return.

RADIO'S ROLE TO WORRIED

Montreal, April 18.

Telephone commentators are the latest type of pest besieging local radio stations. Both CFCF and CKAC report regular calls from listeners who insist on discussing political developments via phone.

At CKAC one regular called up in a panic last week to ask did Chamberlain and Daladier know that Hitler was sending the German navy for maneuvers off the coast of Spain, and why wasn't something being done about it. Flavius Daniel, traffic man at CKAC, reassured party by telling him that Daladier and Chamberlain had known of Hitler's projected naval parade several weeks in advance and that the situation was well in hand.

Another kibitzer, a devout Catholic, called to protest against the action of Pope Pius XII in congratulating Franco, and could the station do anything about it.

Roy Durstine, Benton, Young Forming Agency

Roy S. Durstine, who resigned a week ago from B.B.D. & O., is reported as readying to form an agency partnership with John Orr Young and William S. Benton.

Young retired from Young & Rubicam six years ago, while Benton gave up his partnership in Benton & Bowles two years ago to join the University of Chicago as public relations head.

'CUT-THROAT BOYS' FORM LUNCH GROUP

St. Louis, April 18.

Directors of Public Affairs Departments of seven local radio stations have buried the hatchet by forming an informal, untagged bi-monthly luncheon club at which their trials and tribulations will be discussed. Opportunities to scoop each other will not be abandoned even though the boys break bread at their individual expense.

One of the reforms advocated by Jerry Hoekstra, KMOX, who with Gene Kemper, KWK, launched the club, is the use of a candelabra to hold the mikes of all stations at big events instead of cluttering up the place with individual instruments. Hoekstra and Kemper hope to develop more efficient handling of coop broadcasts without putting the damper on efforts to grab off 'exclusives.' Besides Hoekstra and Kemper, Frank Eschen represents KSD; Bill Durney, WIL, and Paul Arandt, KXOK. Invitations to join which were sent to Public Affairs Directors at WEW and WTMV, the latter in East St. Louis, probably will be accepted.

Gilmore Takes Count

Hollywood, April 18.

Coast radio loses one of its veterans May 12 when Gilmore Circus blows off NBC Coast network. Program has been airing consistently for 10 years.

Oil backers not so sure they'll be back.

Scoop's Appendectomy

Maurice Scoop, of Air Features, Inc. (Blackett-Sample-Hummert), is recuperating at his home from an appendectomy.

Due back at the office next week.

At-the-Source Collection Looms As Major Radio-ASCAP Controversy

Self-Squelch

Insiders got a giggle last week during the 'Easy Aces' broadcast when the telephone rang and Jane Ace answered. On the other end, supposedly, was a C.A.B. survey representative demanding:

'What program are you listening to at the moment?'

'Why,' replied Jane, 'is there something good on?'

STUDEBAKER MAY FORSAKE SPOT

Chicago, April 18.

Possibility looms that the Studebaker account, now on a nationwide spot spread, may shift to the networks at the expiration of present contracts. This follows the general push-around that Studebaker is getting from a number of stations as to time allotments.

With daylight saving time coming in to disrupt network schedules, spot shots are reported getting the works in many instances, and Studebaker, using evening time, is feeling plenty of pressure.

Situation has the local station reps in a healthy sweat, since the Studebaker spread is the biggest hunk of spot biz to fall into their laps in many a month. Studebaker biz adds up to plenty of maxuma, using three evening 15-minute shots a week on some 60 stations.

KASTOR EXPANDING JENNINGS' DEPT.

Chicago, April 18.

Expansion of the radio department of Kastor agency here is under way. Department chief Robert Jennings gets more space and half-dozen new staff people. First to join the agency in the expansion drive instituted by Jennings will be John Greene, who will be listed as continuity chieftain. Greene comes in from the Coast and has written such shows as 'Attorney-at-Law' and 'Dick Tracy.'

Besides putting on the agency's continuity department Jennings is also intent on building a separate production staff for the Kastor office, said to now negotiating with several producers in Chicago and other key cities to join the agency.

Kastor office anticipates new radio accounts.

JENNINGS' 'AWARD' SHOW

Procter & Gamble's Teel to Sponsor 'The Best Skit'

Chicago, April 18.

Bob Jennings of Kastor agency has taken off the shelf his pet idea which was submitted when he was with WLW some time ago to Gruen watch. It involves an 'award of merit' to 'the best skit' and then revival of selected program with a new cast.

Procter & Gamble has bought the idea for a half-hour night-time show to sell Teel, new liquid dentifrice. It will supplant 'Midstream.' On CBS at 10 p. m. Mondays, starting May 1.

George Fogle will produce. Jennings hopes to get Walter Huston or Gertrude Lawrence as one-time starters.

Arthur Edes Leaves WEEI

Boston, April 18.

Arthur F. Edes, program director for WEEI, Boston, will go on indef leave of absence immediately to devote his summer time to operation of '1940 Hart House' in Ipswich, Mass. Edes, just released from a local hospital after an eye operation, took over the historic eatery a year ago.

No successor has been announced by WEEI.

Neville Miller, president of the National Association of Broadcasters, advised John G. Paine, ASCAP general manager, at a conference last week, that his office was gathering a mass of data relating to music uses for submission to the Society. This data would, Miller inferred, play an important part in the future discussions between the two factions about a new license contract.

It has already become evident that a major cause of contest within the broadcast group itself will be the question of having ASCAP collect the fee on network commercial programs at the source, NBC and Columbia. While NBC appears not anxious to fight this issue, CBS still holds to the position that all commercial fees should be collected by ASCAP directly from stations. If the networks yield on the source collection angle, the indications are that the smaller stations will benefit from reductions in their sustaining fees.

Dome 'n' Name Phi Beta Kappa Has Radio Yen

Phi Beta Kappa is going on the air. A drive 'In Defense of the Humanities and Intellectual Freedom' is being organized on a basis of 13 half-hours. Expect a tumble from one of the networks on a basis of the 500 big names who belong to the fraternity (honorary to students who are wown at their studies) and who are expected to appear on the programs.

Actor Franchot Tone, novelist Rupert Hughes and ex-ambassador Dave H. Morris are cited as samples of the names Phi Beta Kappa can deliver.

Benny Cooper, a young actor in the radio serial 'There's a Law Against It,' is the activating force behind the radio proposal. He wears a key, too.

Radio Trade Expects Associated Press To Sell News to Sponsors

Opposition news services have reconciled themselves to the entry of the Associated Press in the commercial radio field. The feeling among them is that the AP's operating heads have things pretty well greased for next week's meeting of the AP members and directors in New York when it is expected that a resolution will be adopted permitting local franchise holders to sell their news for commercial programs.

Previously the AP operating chiefs have had to contend with the strong anti-radio sentiment of the service's small newspaper members. This situation, it is believed, has been solved through the device of sectional meetings at which conditions facing the AP in radio have been assiduously and suavely explained. Most of the AP directors are big newspaper owners who have stations of their own and these have been reluctant to acting favorably on the commercial radio service without having the cooperative sentiment of the majority of the AP member newspapers.

Daytime Run Extended By Kate Smith's Salt Co.

Kate Smith's tri-weekly 15-min. commentary program on WABC-CBS for Diamond Crystal Shaker Salt has been renewed for another eight weeks as of May 1. Program's aired at noon Tues., Thurs., Sat.

Program was scheduled to exit March 31, was renewed for four more, and again for the above eight.

Kay Lorraine, singer who was drafted from KMOX, St. Louis, for 'The Hit Parade,' has been renewed for another 13 weeks. 'Parade' is on CBS every Saturday night.

ONE-TIME SCRIPT RIGHTS

POP TYPE SHOW DUE FOR FORD

N. W. Ayer is working on a new show for Ford Motor. It will be of the popular entertainment type.

Account hasn't had a program of this classification since Al Pearce quit for Grape Nuts (General Food).

Goldwyn Countersues For 'Stella Dallas' Air Rights; Phillips, B-S-H

Samuel Goldwyn and Samuel Goldwyn Inc. have filed answer in N. Y. federal court to the suit of Charles H. Phillips Chemical Co., Blackett-Sample-Humbert, Inc., and National Broadcasting Corp. over the rights to 'Stella Dallas' against Air Features Inc., Selwyn & Co., Inc., Olive Higgins Prouty and the film producer.

The answer declares that the suit states no cause of action; that Goldwyn had purchase the picture rights of 'Stella Dallas' from the author, Olive Prouty. He asserts he made two versions of 'Stella Dallas,' one in 1926 and the second in 1937. Goldwyn then claims he started a radio version of the picture over WABC in October, 1937, and that the plaintiff, disregarding Goldwyn's rights, started a similar program over the NBC network. Goldwyn counterclaims for injunction, accounting of profits, damages and for the court to rule that the picture and radio rights belong to him.

The plaintiff is suing for an injunction, claiming that the radio rights to 'Stella Dallas' are theirs, and that Goldwyn is infringing. Phillips and B-S-H claim to have purchased the rights from Air Features and Selwyn & Co. in 1937.

FLORIDA FLIPS

By BOD REED

Miami, April 18.

Florida C. of C. slogan: 'Stay through May,' Similar to air talent maxim, 'Croon through June.'

Broadcasters dubious about Open House Week. They like to get into listeners' homes but aren't anxious for reciprocity.

FCC finds stations with less biz carry more music. Torch songs to unfaithful sponsors.

With Dursting out, B. B. — & O. should grasp the alliterative opportunity to add someone named Babbem or Bibberby to the firm.

Producers are going nuts over an old, old problem—Trying to square 'The Circle.'

SEP says, 'Money Makes the Fair Go.' 'And,' adds the visitor, 'vice versa.'

Hillbillies shy at paying to join AFM. Claim next will have to buy shoes.

Radio commentators demand 'press' galleries in Congress just like newspapermen. They stand on their equal right to be bored.

George V. Denny's still awaiting his gold mike from Woman's National Radio Committee. All he gets is golden silence.

Simile coiners are now seeking a one-armed paperhanger as busy as Milton J. Cross.

Benny Goodman and Artie Shaw booked into 1940. What's that inscription on Swing's tombstone?

Boston sport fans holler, 'We want Hoey,' but the Yankee net retorts, 'This is your favorite dish, Frisch.'

U. S. PRESSURE GROWS

NBC is doing a good job in shortwave propaganda. And NBC is keeping it a secret. Meanwhile from Washington comes further evidence that sentiment is growing to get the Government into radio broadcasting as an operator. The theme song for the new pressure is provided by the ominous hum of the Rome-Berlin axis.

Neither NBC nor CBS has done much to mollify or even acknowledge clubwomen, parent-teacher and group pressure generally as regards kid programs. On the contrary, the tactics of buck-passing network officials possibly aggravate, rather than appease. This week alone civic personages in St. Paul-Minneapolis are on a rampage. It so happens part of their ire is directed at filmdom's 'Dead End Kids'. But there's fire left over for radio kid shows which are lumped together. The chief of police of Toronto has just called juvenile radio serials a menace. A group in Connecticut raps 'Dick Tracy' and 'Little Orphan Annie' by name. But the networks do nothing.

Politicians who have a sentimental affinity for the basic conception of radio stations manned and bossed by politicians will make the most of the international situation. Other critics of the industry will make the most of the kid show criticism. The networks will meanwhile rely on their Washington lobby.

Fight over Government broadcasting looks inevitable, with renewed pressure being exerted for construction of a Federally-operated short-waver to bolster the economic and educational defense against the dictators and totalitarian theories of government. Interdepartmental committee which has been pondering the international radio situation for past year is reported on the verge of suggesting the United States compete with Germany and Italy on an equal basis in spreading propaganda via the air-waves.

Although the networks and several independent stations—notably Wide World and General Electric—are firing special programs at Latin America, the White House advisory group, led by FCC Chairman Frank R. McNinch, was said to have reached the conclusion a government plant is imperative to give other nations of the Western Hemisphere the 'right' slant and to counteract the colored news broadcasts emanating from Fascist and Nazi antennas. Report will emphasize the extent to which the European trouble-makers are trying to woo the Latin Americans and undermine the Roosevelt good-neighbor policy.

The Navy is not keen on assuming the burden of maintaining the proposed station, although the Interior Department — which is dabbling in radio on a broad scale under the guise of education—is enthusiastic about having a transmitter to further its ambitions.

Early stages of the FCC chain-monopoly probe did afford the networks a chance—of which they took advantage—to build a backfire against the Government broadcasting idea. Statistical evidence offered by NBC and CBS in particular showed that private enterprise is lavishly cultivating the South American audiences, with substantial outlays for special features in addition to short-waving the better domestic programs. But few members of Congress paid much attention.

SALTER SURE TO WIN

He Books Meredith, Tone or Evans for Pepso Hiatus

Three script shows were offered as replacements for Bob Hope-Pepsodent on the NBC red for the summer. Sam Lyons Agency laid out one with Burgess Meredith; Wm. Morris Agency offered one headed by Franchot Tone; and Music Corporation of America held up one led by Maurice Evans.

All three included the orchestra of Harry Salter for background music.

DRAMATIZE MARSHALL MONTGOMERY'S CAREER

Half-hour program dramatizing Marshall Montgomery's 35 years as an international ventriloquist will be aired by NBC on the blue (WJZ) link at 9 p.m. tonight (Wednesday). It will serve as this week's installment of the network's 'Horse and Buggy Day' series.

Montgomery was the first ventriloquist to broadcast, appearing on WOR in 1925.

Bilee Byers' Bad Luck

San Francisco, April 18.

Actress Bilee Byers, of the KGO-KPO staff, who broke her right leg twice within the past year, fractured her right thigh last week when the auto in which she was riding with a friend crashed into a telegraph pole. The latest break is not serious, according to doctors. Miss Byers has been broadcasting from wheel chairs or with crutches most of the time this past year.

She's in the Wesson Oil and Snowdrift serial, 'Hawthorne House.'

TED COOK'S STUFF ON NBC

Hollywood, April 18.

Production staff at NBC is cooking up two programs of light summer fare. One is half-hour comedy turn built around Ted Cook's 'Coo-Coo Nest,' syndicated humor column.

Other is being typed by Frances Marion for a name filmite.

MEAT PACKERS MULLING SHOW

Ruthrauff & Ryan has yet to get an okay on the half-hour show which it recently produced and recorded in Hollywood for the Institute of Meat Packers. Representatives of the trade association are still making the rounds of member packers playing the record and soliciting contribution to a general fund for the underwriting of the network series.

If the proposition goes through it will be a new account for R&R.

E. M. Stoer Due to Name Successor to E. Roosevelt As Hearst Radio Prez

Board of directors of Hearst Radio, Inc., will meet possibly the latter part of this week to appoint a successor to Elliott Roosevelt, who quit as president of the company last Saturday (15). Actual tagging will be pretty much up to E. M. Stoer, operating and fiscal head of the Hearst station group and it. subsidiary, International Radio Sales.

Roosevelt joined the Hearst organization in 1935. After he had become president he spent but a few months in Hearst Radio's New York office, and that was in early 1938. For the past 8 months he has had practically nothing to do with the operations of this station group. After he had withdrawn the representation of his Texas State Network from IRS the Hearst office had considerable difficulty contacting him in Fort Worth.

Hill on American Oil

Edwin C. Hill starts a five-a-week series for the American Oil Co. on CBS May 1.

It will be from 6:05 to 6:15 p.m. every day but Saturday and Sunday.

10 YEARS' COMMISSION

Ann Leaf Washes Up Her Deal with CBS Artists Bureau

Under exclusive contract to CBS and its Artists Bureau since 1929, organist Ann Leaf will bow out of that arrangement with the expiration of her current contract next week. She will freelance.

Now backgrounds the Kitty Kelly, Doc Bradley's Daughters, Lorenzo Jones, and Mr. Keen, Tracer of Lost Persons, shows on both CBS and NBC.

MRS. HOLT SHUTTLES FROM CHI TO CINCY

Mrs. Emily Holt, national executive secretary of the American Federation of Radio Artists, is still dividing her time between Cincinnati and Chicago. Dickering for a contract with WLW, Cincinnati.

Expects back at the home office in about two more weeks. Meanwhile George Heller, treasurer and associate executive secretary, is in charge.

Metropolitan Life Back

Metropolitan Life Insurance Co. returned to the air last night (Tuesday), sponsoring Edwin C. Hill 7-7:15 p.m. Monday through Friday on WNEW, N. Y. Hill will act as commentator on dramatized case histories of life insurance cases taken from the Met files. Cast of actors will do the dramatization. Lord & Thomas agented.

Metropolitan hasn't been on the air since dropping its early morning exercise program. Latter was a feature of WEAF, N. Y., before the station went NBC and continued after.

Burns and Allen to N. Y.

Hollywood, April 18.

Burns and Allen will do two months of broadcasting from New York through May and June.

While east Ray Noble doubles on the program from one of the night spots, how being negotiated.

ADMEN BALK BUT BUY THAT WAY

Radio Authors with Courage to Make Demands Sell Only Single Broadcast Rights—Oboler's 'The Harp' Has Been Sold Five Times, Latest Sale at Highest Price Yet

GAIN IN VALUE

Retention of all but the one-time broadcast rights to air material, which is one of the major objectives of the Radio Writers Guild, has already been established as a regular policy by a few of the leading authors. Three outstanding examples are Arch Oboler, Henry Fink Carlton and William Ford Manley (latter two work as a team).

Oboler's sketch, 'The Harp,' was used by Chase & Sanborn last Sunday night as a psychological horror vehicle for Boris Karloff. It was the fifth time the piece had been used on the air. Previously Henry Hull, Brian Aherne, Maurice Evans and a no-name radio cast had aired it via commercial network. Repeated use of the script not only failed to injure its value, but actually brought increased fees, according to Oboler, who revealed that the price for the latest airing was the highest he has received for it.

Oboler makes it an invariable rule to dispose of only the single-broadcast rights to all his work. Others of his scripts which have been used (and paid for) repeatedly include 'Cat Wife,' 'Rich Kid,' 'I Do' and more. Explained that agencies or networks make all sorts of frantic objections to letting the author retain all but the one-time rights to his work the first time such a deal is suggested, but that they rarely put up much argument after they've grown used to the policy.

Must Fight for It

According to observers in the trade, the practice of disposing of only the single-broadcast rights (retaining all subsequent radio, magazine, book, film, television and stage rights) to material is one that almost any writer can follow if he has the courage and determination to insist upon it. Contrary to arguments invariably advanced by the purchasers, such terms will rarely kill a sale. If the broadcaster wants the material he'll pay for it and give any reasonable terms required. If he doesn't consider it good radio material he won't buy it no matter how many subsequent and subsidiary rights are included nor how low the price is.

Furthermore, there is a strong psychological factor involved, it is pointed out. That is that if an author knows and insists on his full rights that fact gives him added standing in the eyes of the prospective purchaser and in some cases actually enhances the value of his script. Observers explain that situation by stating that it's human nature to place a higher valuation on something that's harder to get—it's as simple as that.

There is also the element of repeated use proving the worth of radio scripts. For that reason, such pieces as Oboler's 'The Harp' bring steadily increasing prices because they have proved to possess listener interest. And a sponsor is naturally inclined to use material whose value he knows rather than experiment with scripts of untested merit, no matter how good they seem in the reading. However, it is explained that majority of radio material has little subsequent or subsidiary worth, (technically termed 'intrinsic' value among writer representatives). But it is argued that if all writers would stand on their prerogatives and refuse to dispose of all rights to their material there would be little need for author organizations.

Background Buzz

EAST

Charlie Stuart added to warble staff at WCAU, Philly, for early morning spot formerly handled by Don Bovay.

WPEN, Philly, airing the wisdom of the Municipal Court's domestic relations and minor misdemeanors departments in a new series tabbed 'The Court Speaks.'

Alan Scott, commentator on WCAU, Philly, named new public relations head. Will not overload into work of Ken Stowman, press department head.

Norman Benson, 19, grad of WCAU's Children Hour, has been added to outlet's regular gab crew. Had been doing vocals since he got too old for the kid stanza three years ago.

Lillian Slater, p.a. for WPEN, Philly, will become Mrs. Harold B. Pressman on June 16. Fiance's in the printing biz.

Course in radio technique in education, begun in February at West Chester, Pa., State Teachers' College, will advance next week to the laboratory stage with the production of the first of a series of shows on WDEL, Wilmington, by the students. Tom Smith, grad of the college in 1936 and now program director of WPEN, Philly, is instructor.

Harold Ogden, Hartford Times, airing 15-minute sportscast over WTHT.

Clifton Fadiman, question-asker of 'Information Please,' has located in Weston, Conn., near home of Frank-lin P. Adams, regular expert on the program. John Kieran, other staff answerer, spends much time in nearby Westport, home of his sister, Helen Reilly, fictioneer.

Bill Dyer forced to give up his long-time stand in the 7 p. m. spot at WCAU, Philly, to make way for Amos 'n' Andy. Moves up half an hour.

Powers Gouraud leaves WCAU, Philly, in mid-April for a month in London and Paris. After that certain yet whether he'll return to the Yellow Cab 'Night Owl' show.

Norman Benson joined WCAU, Philly, gab staff.

WHAT, Philly, 100-watter in the Public Ledger building, celebrated its ninth anni.

Robert M. Kent, formerly of KFH, Wichita, Kan., for four years, has been placed in charge of the local studio of Station WEMMN, of Fairmont, W. Va. George Shackley, coordinator of the Moonbeam Trio, has a new girl swing trio which he's auditioning. Composed of Jo Ann Drake, Kay Holley and Sunny May.

Robert Glaenzer, formerly with the Morgan Selznick agency, has been appointed sales contact with agencies and clients of the WMCA studios, Gotham. Charles Gaines will continue as representative on theatres, pictures and personal appearances.

John (Tex) Howard, announcer at KQV, Pittsburgh, made publicity director for the station.

Harriet Engle, former Pittsburgh actress, now has vocal quarter-hour on KGB, San Diego.

Beckley Smith, news commentator on WJAS, Pittsburgh, off the air for two weeks to have his appendix clipped.

Jack Orrison, who resigned from KDKA, Pittsburgh, dramatic staff, few weeks ago, member of 'Circus' cast over CBS chain.

Hope Day doing quarter-hour song session over KQV, Pittsburgh.

Bernie Armstrong, KDKA, Pittsburgh, organist, had his career dramatized on station's 'Footnotes of Famous Feet' show last week.

Jack Craddock will assist Rosey Rowswell again this year in airing Pirates baseball games over KDKA and WWSW, Pittsburgh.

Daily sportcast over WHAM, Rochester, switched to joint sponsorship of Avalon cigarets and Kendall Refining Co., each getting three nights a week. Bill Stern, WHAM announcer, replaces Harry McTigue, now in Florida, who will devote full time to broadcasts of Rochester Red Wings baseball games.

Al Zink, from WBRK, Pittsfield, Mass., has joined the newsroom staff of WGY, Schenectady. Bob Mahaney returned to Utica.

Neil Collins, publicity for WHK, Cleveland, resigned. John Vorpe supervising department until appointment of successor.

William Kennedy, formerly of Detroit's WXYZ, new announcer at WTAG, Worcester.

Bob Dailey, blurber for WTAM, getting up with chickens for new commercial of his own tagged 'Daily News With Dailey.' Quarter-hour at 7:30 a. m. set six times weekly for year's period by Peter Hall Mounds' Candy Bars.

Jack Logan subbing for Beckley Smith on WJAS, Pittsburgh, newscasts while latter is recovering from an appendix operation.

Willing under the name of his fa-milar 'Doctor Sunshine,' Russell Pratt, of KDKA, Pittsburgh, has just published a new book called 'Cheery Thoughts.'

Jimmy Thompson, announcer at WJAS, Pittsburgh, and Maria Denmore, singer with Tommy Carlyn's band, have announced their engagement.

Kenny Baker's 'Poem for My Mother' over the Jack Benny program last Sunday night is the product of Robert Sutherland, 12-year-old Buffalo schoolboy.

WEST

Clarence H. Talbot, formerly with KHQ, Spokane, and KIRO, Seattle, at KGO, Frisco, announced yesterday. Staff. KALE added Robert Harris to its announcers. Fred Aiken is new KOIN engineer.

KWG-KEX, Portland, added two spielers, Ralph Rogers from KFPY, Spokane, and Tommy Franklin.

Rollie Truitt is again set at KEX, Portland, Ore., for another season of baseball announcing. It's Wheaties.

Vic Hurley, continuity director of KOMO-KJR, Seattle, added Ruth Glassock, who writes and acts.

Bryant Washburn at KIRO, Seattle, checking young screen and radio aspirants for Jesse Lasky's 'Cavalcade of Hollywood.'

Mrs. Earl T. Irwin, prez, KVI, Tacoma-Seattle, on Route to Honolulu. She's recovering from severe flu siege and is accompanied by her mother, Mrs. L. Doernbecher.

Jim Foster, new miker on payroll of KVI, Tacoma-Seattle.

New salesman at KFRC is Ed Woods, who has been assigned to Treasure Island to garner business for the station from Golden Gate International Exposition concessionaires and exhibitors.

Jerry W. Buckrell is the new network sales representative at KGO-KPO, San Francisco, succeeding Chet Blomess, now with KYA. Jerry Rhodes has been upped from junior to senior salesman and Edward E. Ulrich, former supervisor of pages, has become a junior salesman. New supervisor of pages is Stanley Smith.

Addition to the KGO-KPO Frisco sound effects department is Cal Edgerton, previously on the guest relations staff.

SOUTH

Out to catch the farmers and factory workers before they hie off to their chores, WLVA, Lynchburg, Va., will hit the air an hour sooner with 'Don Patrol' m.c.ed by Don O'Connor, recently with WEED, Rocky Mt., N. N. C.

Albert N. Snook, formerly with Barron G. Collier, to sales staff of WKY, Oklahoma City.

Marie Green, KOMA, ill at St. Anthony's hospital, Oklahoma City.

Red Woodward, Ann Shipp, Jimmy Peter and Dave Dingleberry have formed saxophone quartet for Melodic Moments on WBAP, Fort Worth.

Glenn Condon, KOME, Tulsa, Okla., manager, running banquet and reception for the Oklahoma Press Association.

Bill Butterfield, KCRC, Enid, Okla., announcer, married Alma Butterfield of Ponca City.

Howard Carraway, chief announcer for KGKO, Fort Worth, teaching courses in radio at the Myrtle Dockery School of Fine Arts, Fort Worth.

Arthur B. Church, of KMBC, Kansas City, visited his son-in-law, Tom Morris, in the sales-continuity department of KGKO, Fort Worth.

Steve Kirby, WWL, New Orleans, announcer, has taken up aviation and made his first solo flight.

Wendell Ramsey named production manager of KTOK, Oklahoma City.

Frank J. Keegan, sales representative of KLRA, Little Rock, has resigned his position, to open a recording studio in Little Rock. He was also publicity director of KLRA for the last year and a half.

Good News for RCA

NBC Grosses Sputtering Amos 'n' Andy Spot Sold—Big Second Quarter Due

With the inclusion of the Chesterfield contract NBC has since Jan. 1 taken in $11,519,141 in new and renewed business, or an increase of $5,067,361 over what it had been for th. like period of 1938. This represents an increase of 78.5% over what w.as the biggest year (1938) for any one network. Of the former amount $4,471,552 lines up as new business and $7,041,489 as renewals. The accounts taken away from CBS (Chesterfield, Old Gold and General Mills) figure $2,953,170.

Chesterfield has contracted for 82 stations, whereas Amos 'n' Andy used but 46 outlets.

Sleet Kayoes Week-Old WBBM Tower in Chi

Chicago, April 18.

Sleet broke down stations WBBM and WGN last Thursday (13) night, with WBBM getting the worst of it when its 490-foot tower crashed to the ground. WGN (Tribune station) was off the air for little more than an hour, while WBBM was stilled from 8:52 p.m. until 1:30 in the morning.

WBBM tower was erected only four weeks ago at a cost of more than $30,000 and was in service less than a week when it did its nip-up. Engineers of WBBM and the Public Service Co. of Northern Illinois hurriedly erected two 50-foot wooden poles as emergency antenna with which the station operated over the week-end. Deal has been made by WBBM for the use of the old WENR transmitter until another WBBM tower is erected, which is figured to take about three months.

Quickly after the WENR tower became available for its use only a few days before, the WENR transmitter having been used for several weeks by WGN, while the Tribune was building its new transmitting tower.

MYRON KIRK JOINING ELLIS

Myron Kirk will join the Sherman K. Ellis agency as an executive in the radio department May 1.

Kirk was for two years v.p. and radio director of Ruthrauff & Ryan, later becoming sales head of Famous Artists, Inc., Hollywood talent combine.

Audio-Scriptions In Protest of Perry Bill As Restrictive, Reactionary

Audio-Scriptions, Inc., has circulated members of the New York state legislature with a protest against the Perry bill, which seeks to bar all off the air recording with out permission of the artists. The bill passed the state senate a couple weeks ago.

Protest letter charges that the law will serve to drive independent offthe-air recorders out of the business and concentrate this work in the hands of a broadcast monopoly. Also that it's reactionary, in that it restricts freedom of the air and curtails the tremendous educational possibilities that can be developed in connection with recordings.'

Lion Oil Refining Co., through Radcliffe-Scott Associates, four five-minute newscasts daily for one year on KARK, Little Rock.

F. C. C.'s WASHINGTON DOCKET

MAJOR DECISIONS

Washington, April 18.

California: Topping last week's family shake-up of KGDM, Merced—divorcing newspaper company from the station but retaining control in the McClung family—Golden Empire Broadcasting Co. has passed into the hands of Ray McClung, Horace E. Thomas and Stanley R. Pratt, Jr. Sale involves $8,000, and KGDM is a 250-watt daytimer. Station was stated at a net loss, prior to Federal income tax, of $2,608 from May 1, 1937, to April 30, 1938. Pratt is taken over with the idea of developing programs of local interest. Cost of amendments to transmitter approximately $1,000 per month at $300 and $200 per month at Redding, with equipment changes and improvements set at $12,500.

Transmitter has been supplying a valuable service to the area, Commish determined, and a 'higher grade personnel will be employed' under the new ownership. Power strength of both stations will be increased and studios will be built at Marysville and Oroville to which remote control lines will be extended. Transmitters furnish only primary service now available to areas they are located.

Sale of the stations by present owners—William Shield, Harold Smithson and Sydney R. Lewis—will add to radio holdings of Ray McClung. Third-interest in KYA, Seattle, and chunk of KWLK, Long View, Wash., already held by McClung, who will become owner of all the Frisco corporation stock of Golden Empire Broadcasting Co. Sale involves $25,000, of which $20,000 has been paid to owners, and the remaining $35,000 to be pinnked down with the same agent within 30 days. Current assets and depreciated value of the plant amount to $48,000, according to the sale.

Elmer W. Pratt appeared for transferors, with Clarence C. Dill and James W. Gum appeared for transferee.

Colorado: Turndown for Mountain Top Trans Radio Corp., Denver, stirred up a hornet's nest because Commish failed to cite clipping of the Denver Post, which alleged that the Austrian-born millionaire who claimed derivative citizenship through naturalization of his father, thrown down because of his alien status. Commish ruled that it was a show of real need for service proposed.

Organization was authorized to issue 10,000 shares of capital stock, with a par value of $10 each, of which only 1,500 shares have been issued. Remainder—which paid for all of the stock issued—holds 2,498 shares, while his son, Myron D. Neuster, and E. E. Barlow each own one share.

No need for the proposed station, which would operate on 1310 kc with 100 watts nights, 250 watts days, Commish decided. Primary service would be rendered to at least a dozen Colorado stations in the vicinity. Some evidence, however, that there have been some educational efforts made in the offing to sign up with the transmitter because of its proposed low rate ($45 per hour; $26.25 per half-hour; $15 for a quarter-hour, etc.).

Applicants were represented by Watson, King & Brode and Jones, Gum.

Mississippi: Ups and downs of McComb Broadcasting Corp., McComb, finally ended in the turndown of application for daytime studio to be operated on 1200 kc. Approximately a year from the date of application Commish turned in unfavorable report on the plea. Commish decided proposed service would benefit McComb, but Delta Broadcasting was held last November, after which same examiner recommended a grant.

Corporation has authorized capitalization of $15,000, divided into 1500 shares common stock valued at $10 per share, with Robert Lindsay, president of Lindsay Bros., concern, owns 1,100 shares, while 800 shares were taken by Lindsay Bros. Commish pointed out that Lindsay Bros. owned 50 by O. W. Phillips, a director. Remaining 50 tickets held by Transmit Service, Inc., as consideration for a tract of land on which transmitter will be constructed.

Station will be in the hands of comparative newcomers, since Lindsays moved to McComb only a few years ago and Blumenstock is a resident of Berkeley, Calif. O. W. Phillips lives at Magnolia, Miss.

No primary service exists at present in the area to be served, though surrounding stations receive from WWL, New Orleans. National rate will be $25 and local rate $15 per half-hour, with discounts for broadcasts on a long-term contract basis.

Applicants were represented by Frank Stollenwerck.

Texas: Overturning a favorable examiner's report of last October, Commish put its foot down on application of Radio Enterprises, Inc., a station to be operated on 1310 kc with 100 watts nights, 250 watts days, at Victoria. Reasons why plea should be sub-canned, according to the decision, with one of the principal reasons being the apparent intention of the Victoria Chamber of Commerce to dominate the station in the interest of that city, and of three members of the applicant corporation to submit personal financial statements showing that they are non-residents of Victoria also taken into consideration.

Stock of the applicant corporation, intended to move to Victoria and manage the station, Commish found, is in management thereof is to be subject to and under the direction of the Chamber of Commerce of that city, and the policies formulated by the station management, under which the station will be operated, to be subject to the approval of the Chamber of Commerce," Commish said severely.

Melvin D. Hildreth appeared on behalf of the applicant.

Ill.: Revocation of construction permit issued to the Hunt Broadcasting Association of Greenville, for a daytime studio on 1200 kc, made positive by Commish finding that the common law partnership originally formed for the purpose of erecting the station had been dissolved by the death of one of the three partners. Refused to okay a plea for modification of the construction permit filed in 1937 because the grant 'terminated on the date of dissolution of said Association.'

Utah: Scrap between two Provo establishments over the frequency assignment of 1210 kc with 100 watts nights and 250 watts days, settled by Commish on a basis of which could furnish the best service and the longest hours to the community. Winner was the Utilities Value & Air Show, headed by Clifton A. Tolboe, building contractor who showed ample funds for the proposed venture. Provo Broadcasting Co., organized in 1937, lost out because it "would utilize only 96 hours of the week, in contrast to Tolboe's intention to use 156 hours, and because it failed to make arrangement for remote lines to outlying communities—its main source of programs.

Elmer W. Pratt appeared for Tolboe. Provo Broadcasting Co. retained Ben S. Fleber and John W. Kendall.

Wisconsin: Commish denied application for three applications in as many states—seeking assignment changes of control, or transmitter changes. In Wisconsin, Commish, Canadian and U. S. transmitters would receive interference from WISN, Milwaukee. Two Canadian stations were permitted to boost its night power from 250 watts to 1 kw. Commish decided, even though an improved service would result to the Canadian stations, interference to WISN in terms of signal strength. Station now operates on 1120 with 250 watts night and 1 kw days.

Efforts of WJBO, Baton Rouge, La., to protect itself from curtailment which would result if transmitters were granted additional night power nullified by WISN turndown. No need shown for additional or enlarged service area, it was stated, as transmitter operates satisfactorily with its present assignment of 1120 kc with 500 watts (except 8 and 9 p.m. Sundays) and 1 kw days, but not at night.

Application of WAPO Chattanooga, for a switch from the local frequency of 1420 kc, to the regional frame of 1120 kc, with a boost from 100 watts nights, 260 watts days, to 500 watts nights, 1 kw days, was unnecessary and unbearable, according to the decision. Station would be limited to its approximately 1.4 millivolts per meter contour nights and 'substantial curtailment would occur to Station WAPO's interests.'

John M. Littlepage, William A. Porter and T. P. Little-page, Jr., appeared for Station WAPO. Interests of Station Kari A. Smith and Lester Cohen represented WJBO, and Jos. S. Fleber, Cecil W. Friedman and John Kendall appeared on behalf of the Chattanooga transmitter.

MINOR DECISIONS

California: Martin K. Calawaya & Harry B. Hooper, Marysville, granted motion to dismiss without prejudice application for new station to be operated on 1420 kc with 100 watts nights, 260 watts days.

Georgia: WAGA, Atlanta, denied petition to reconsider and grant without hearing its application for assignment of WAGA's license to the Liberty Broadcasting Corp. Hearing scheduled for June 12 in Washington.

Indiana: WIBC, Indianapolis, granted motion to dismiss without prejudice its application for change of hours of operation from days to limited (sunset at East Chicago, Ind.).

New York: WEXL, RCA Communications, Inc., Rocky Point, granted authority to operate temporarily with 20,000-watts on 31420, 35580 kc, for the purpose of determining the effectiveness of the Rocky Point transmitter for long distance communication, to July 13.

Vermont: WSYB, Rutland, granted temporary, granted involuntary assignment of license from Charles E. Adams, Administrator of Harry C. Whitney, deceased, to Executor of Mary M. Whitehill Estate, to Lloyd E. Squire and William G. Ricker, doing business as Radio Station WDEV.

SET FOR HEARING

Iowa: WSUI, State University of Iowa, Iowa City, jump juice from 500 watts nights, 1 kw days, to 1 kw nights, 5 kw days, using directional antenna at night, with power in both cities locally and installed new equipment and directional antenna.

Oregon: KOAC, Oregon State Agricultural College, Corvallis, boost power from 1 to 5 kw, install new equipment and vertical radiator, move transmitter locally (to be heard before Commish).

N. 120, and questions to be investigated.

NEW APPLICATIONS

Alabama: Roy E. Martin, Opelika, new station to be operated on 1210 kc with 100 watts nights, 250 watts days.

District of Columbia: Allen B. Dumont, Washington, new television broadcast station to be operated on 43000-44000, 60000-66000 kc with aural and visual power, 1 kw.

Louisiana: Calcasieu Parish Council of Church, New Orleans, voluntary assignment of license to WBNO, Inc.

Missouri: KWTO, Springfield, MO., Jump night power from 100 watts to 250 watts.

New Jersey: Atlantic City Broadcasting Co., application for new station amended to be operated on 1100 kc with 1 kw, night (Atlantic City), specified hours, 1 kw, 1 kw, 1 kw

Horrible Suspicion Groundless

St. Paul, April 18.

When Irene's baby in 'Valiant Lady,' General Mills' script show, was born Friday (7), NBC's Gotham headquarters four days later frantically wired Lloyd Griffin, radio director at Knox Reeves in Minneapolis: 'NBC WILL NOT ACCEPT GIRL-MOTHER SITUATION IF BABY IS ACTUALLY ILLEGITIMATE. IRENE MUST HAVE BEEN MARRIED BEFORE BABY WAS BORN. PLEASE WIRE ME AT ONCE IMMEDIATE CONFIRMATION. GORDON.'

Even the program's listeners don't know yet whether the new-born babe is an eyebrow-lifter, hence Griff's pronto explanation: 'IRENE'S BABY LEGITIMATE. CORDIALLY. GRIFF.'

Right now there's still a lotta mystery attached, but Lloyd is assuring everybody it'll all come out all right in the script.

Inside Stuff—Radio

CBS challenges the system that NBC has been using in breaking down the latter's gross time income by red (WEAF) and blue (WJZ) links. NBC credits all billings on red supplementaries, regardless of the originating network, to the red link's side of the ledger. Columbia holds that if an account uses such red supplementaries with the blue basic network the business in toto should be attributed to the blue trail.

This juggling, CBS estimates, gives the red an edge of about $100,000 a month on the breakdown. Columbia's interest in the way NBC treats these figures is actuated at this particularly by the fact that CBS's gross is on the way to staging an appreciable comeback and this $100,000 difference can mean much in the bid for monthly billings leadership between CBS and the red link. CBS anticipates regaining this leadership by October.

Radio authorship has been added to the major subjects on the schedule for this summer's writers' conference sponsored by the University of Colorado, at Boulder, Col. Norman Corwin, CBS producer, will be in charge. Conference will extend from July 24 to Aug. 11. It will be the 10th year for the confabs.

Other regular members of the staff will include Albert Maltz, drama; Eric Knight, novel; Edward Davison, poetry; Douglas Bement, short story, and Burges Johnson, miscellaneous prose. Additional leaders who will conduct special discussions will be Louis Bromfield, Robert Morse Lovett and (tentative) Carl Van Doren. Sessions will consist of workshop meetings, round-table discussions, individual conferences and general meetings. About 120 writers of various classifications attended last summer's conference.

Although George A. Richards has relinquished active charge over his three radio stations, WJR, WGAR and KMPZ, it appears doubtful that he'll turn over presidency of his Detroit Lions pro football team to William A. Alfs, vice-president. Leo Fitzpatrick, general manager of WJR here, recently became executive v.-p. with active charge of WGAR, Cleveland, and KMPC, Beverly Hills, in addition to station here.

Rumors have flooded town that Walter O. Briggs, multi-millionaire owner of Detroit Tigers baseball team, would take over controlling interests in Lions but that appears ill-founded. Richards, whose long illness has necessitated shifting of official duties, figures to return to active charge of the Lions, at least before next fall.

Third season is now under way for Ad Liberties, house mag published by Knox Reeves agency, Minneapolis, during each year's baseball season, especially for benefit of radio sponsors going to spring training camps, baseball club owners, league people, and sales divisions and reps of various broadcasting clients all get on the mailing list.

Co-sponsoring on ball game broadcasts are General Mills, Inc., B. F. Goodrich Co., Socony-Vacuum Oil Co., Inc., Procter & Gamble Co., and Coca Cola Co. Ad Liberties carries plx, merchandising tips, and dissertations on mike technique designed to prod goods from the shelves.

Joint Committee on Radio Research, currently in a state of suspended animation, will not supervise the collecting or computation of data on the matter of set ownership in the United States as of Jan. 1, 1939. Members of the committee feel that there's not enough interest in such project nor has there been enough change in the past year to make a count worth while.

It is possible that the National Association of Broadcasters might decide during the July convention that a compilation by states and counties ought to be made for this year. If so the joint committee will agree to serve as a clearing house for the figures. Breakdown for last year wasn't issued until June anyway.

Kate Smith celebrates the beginning of her ninth straight year on the air with the broadcast of May 4. She will repeat the tune linesup she did on her first broadcast, 'By the River St. Marie,' 'Dream a Little Dream of Me,' 'I Surrender Dear' and 'Please Don't Talk About Me When I'm Gone' are listed.

Singer recently resumed making recordings for Victor, cutting her 'God Bless America' and 'Star Spangled Banner' several weeks ago and six pops in the last two weeks.

Winifred Huntoon Heidt, who won a special fellowship and a provisional contract for coming season of Met Opera through Met auditions over NBC, formerly sung with local radio stations, including WWJ and CKLW.

A mezzo-soprano, Mrs. Heidt is wife of William Heidt, legal counsel for the Detroit Edison Co., and has sung in numerous concerts in Detroit.

More Santa Clausing with CBS stock by the Philadelphia Levy family. During February Isaac D. Levy gave away 125 shares of Columbia A paper, retaining 62,375 shares, according to report last week to Securities & Exchange Commission. Recipient not revealed.

Assemblyman James J. (Jerry) Wadsworth, a leader in the New York lower house, son of Congressman James W. Wadsworth, is said to be the 'Jerry Jordan' who warbles a 'Down Memory Lane' sustainer on WOKO, Albany, at 9:30 Tuesday mornings. It's a lark.

WDRC's New Mt.-Top Experiment Starts May 1

Hartford, April 18.

WDRC has set May 1 as tentative date for start of broadcasting activities from the station's new experimental station, WIXPW, located on top of Meriden Mountain, Meriden, Conn. The station is of the 'frequency' modulated type invented by Major Edwin H. Armstrong, professor of electrical engineering at Columbia University.

WDRC is maintaining the station strictly from an experimental standpoint. Kenneth McCloud will be in charge. Was constructed by Italo Martino, chief engineer and vice-president of WDRC.

UNCLE DON KELLEY

He Reads Comics in WLS-Chicago Times Tieup

Chicago, April 18.

Tieup between WLS and the Daily Times puts the lab's Sunday comic on the Prairie Farmer station. Don Kelley, promotion chief of WLS, sprouts forth as an entertainer under the tag of Uncle Don.

Uncle Don will read the funnies. Some of them, however, will be dramatized and bulk of cast will be recruited from kid listeners and readers who clip coupons from the Times.

For its side of the bargain Times will publish weekly pictures of auditions, programs, etc.

JUDGMENT CONFIRMED

Involved Dispute Between KEEN and Ryan Clarified

Seattle, April 18.

State supreme court has unanimously affirmed the judgment which a lower court had granted Howard Ryan, agency head, in his suit against KEEN, local outlet, for breach of contract. The judgment amounted to $12,500.

Deal involved two contracts. Under one Ryan was to operate the station for three years, with a down payment of $4,500 and a rental of $450 monthly. Other contract gave him an option to buy the station for $49,500. In the event the option was exercised the down payment and rentals were to be deducted from the purchase price.

When the FCC heard of the deal it advised KEEN either to ask for a transfer of the license to Ryan or to cancel the lease agreement. Station subsequently barred Ryan from the premises and cancelled the contracts on the ground that he had defaulted in paying current bills. Ryan denied this in his suit.

PRESS RESISTS RADIO RIGHTS CLAIMS

Washington, April 18.

Battle over press vs. radio privileges in the sacred galleries of the U. S. Capitol, near settlement last week, with radio commentators headed toward a permanent place on the scribblers' bench.

One-man fight of Fulton Lewis, Jr., MBS news commentator and former Washington correspondent for Universal Service and International News Service, for radio representation relieved by the House Rules Committee—with Lewish predicting Friday (14) a 'unanimous' committee vote favoring the granting of gallery facilities to broadcast news experts. Similar proposal being weighed at the Senate.

Struggle to resume his place in the press gallery as a radio-newsman developed Thursday (13), when former colleagues got wind of a committee meeting and stormed the hearing room to protest against a resolution which would give Lewis his old privileges. Stage had been set for a quiet okay, without hearing, but news correspondents broke up the meeting with phone-calls, door-poundings and other interruptions and getting in on an open hearing next day.

Two members of the Standing Committee of Correspondents—comprising top-notch Washington correspondents—jealously guard the membership of the House press gallery—appeared in opposition to Lewis' ambitions. Paul McGahan, long-time correspondent for the Philly Inquirer, and Alfred (Mike') Flynn, Wall Street Journal representative and chairman of the Standing Committee, delivered the principal yelps of the Fourth Estate. (Most of the argument based on historic traditions which opened the House and Senate galleries to accredited members of the press, early in the 19th century—hence, radio is an interloper.)

Following hearings, Lewis claimed that the committee 'voted unanimously that 'it is the sense of the Rules Committee' that radio be given equal news gathering facilities with the press in the galleries of the House of Representatives.' Special subcommittee, composed of Representatives John Dempsey, Dem., N. Mex.; Carl Mapes, Rep., Mich., and Howard W. Smith, Dem., Va., was appointed to work out physical arrangements, according to Lewis. Scribbiers contended, however, Lewis had not scored anything more than a moral victory.

Dissemination of news by radio is a distinct field by itself, Wall Street Journalite testified, but Lewis argued that he is performing for radio exactly the same duties he performed for 13 years as a newspaperman. Only difference the method of final delivery to the public.

Lewis, who was supported by Herbert Moore, representing Transradio Press, also is awaiting action from the Senate on a similar resolution introduced in the Senate two weeks ago by Senators Gillette, Dem., Ia., and Barbour, Rep., N. J. Senate measure would provide a niche for radio scribblers in the paddock set aside for newsmen in the Upper House.

Berth in the Capitol press galleries is highly prized by newsmen as it entitles occupants to a ringside seat for the annual performance of Congress. Privileged pencil-pushers are loath to make room for anybody who does not wire a daily story to one or more newspapers.

Don Shaw of WMCA, N. Y. Fails to Get Off-Web Wax Concession from 802

Washington Lobby

Washington, April 18.

Tiffing between the FCC and the Census Bureau over a national survey of radio receivers in connection with the decennial population count. Radio regulators want to find out exactly how many sets are in use and where they are located, instead of being forced to rely on trade estimates and inadequate sales figures. National defense argument used to overcome Census Bureau unenthusiasm, with the FCC pointing out how valuable it would be in event of war to know how effective nationalistic propaganda over the air might be. The Census Bureau maintain it will greatly increase the cost, besides delaying the final check, to add numerous questions to the blanks which the enumerators must fill in. But the Commish has countered with threat to seek money from the Treasury to make the poll itself, which would cost materially more as an independent enterprise.

Early action on long-advocated factual study of the FCC, the Communications Act, and the industry by Congress is predicted in cloak-room gossip at the Capitol. Likely the Senate shortly will be asked to pass combination resolution, embodying separate proposals of Senators Burton K. Wheeler of Montana and Wallace H. White Jr. of Maine, authorizing the Interstate Commerce Committee to go on the prowl. Wheeler wants to head off any telegraph company merger which would reduce the number of jobs in this field; White desires to scrutinize everything about radio from monopolies to superpower and have a crack on the FCC's chain-monopoly probe. Senator Wheeler probably will designate a subcommittee to reframe the resolutions in the near future.

Test of strength between the military and the civilians over occupancy of the radio spectrum is taking shape. Army reading broad television and facsimile experiments and may demand large segment of the bands now earmarked for private use. Undercover skirmishing has occurred frequently in past couple of years, with majority of the FCC feeling the warriors are too greedy. Showdown at the White House may be necessary to see whether in peace-time the peaceful activities are to be subordinated to the ambitions of the Army. Under the statute, all radio facilities can be commandeered by the President for government use in event of war, national catastrophes, or threat of emergency.

Painless Parker's Quiz

San Francisco, April 18.

Recovered from a recent illness, Dr. Seth Maker (The Philistine) has resumed his semi-weekly broadcasts over KFRC under the Painless Parker (chain dentists) banner, shifting the point of origin to the Golden Gate International Exposition.

Title of the program has been changed to 'Exposition Quiz.'

Dorlich Brothers in Radio

St. Louis, April 18.

Albert S. and Robert A. Dorlich, brothers, of St. Louis, have been granted a license by FCC to erect, maintain and operate a station at Sedalia, Mo. The station will be operated on 1.500 kc. full time with 250 watts in the daytime and 100 watts at night. Robert will serve as general manager.

Both men are employes of the American Sales Co., with Albert manager of the company's Smithton, Mo., office. The station is expected to be in operation in 90 days.

Request for a revised off-the-air recording scale for musicians, made by Don Shaw, of WMCA, N. Y., last week, was nixed by New York Local 802 of the American Federation of Musicians. Scale is $18 per man extra for platters made from a broadcast. Shaw wanted it reduced to about a third of that.

Explanation of Shaw's request is that it would enable him to congeal tentative agreements with several backers of major network shows. In effect, these plans were to take line cuttings of certain shows and rebroadcast them on WMCA later on the same evening of the live airing. However, the $18 tap, combined with time and sundry charges made it too costly to the prospective sponsor for only local N. Y. returns.

Shaw claims to have had the if and when agreements with American Tobacco for its two Lucky Strike shows and several others. Idea is the same as putting a rebroadcast locally to catch audiences which might have been elsewhere during the live airing. Fred Allen's Wednesday night rebroadcast to the west is now aired locally in New York.

ALLEN'S SHOWS AT MIDNIGHT CONTINUE

NBC will continue its rebroadcasts of the Fred Allen-Bristol-Myers show over the blue (WJZ) link at midnight for another seven weeks, meanwhile taking sample surveys of listening percentages as it goes along. Network has begun to analyze some of these samples but none of the results so far suffice to show just what sort of an audience these midnight rebroadcasts in the metropolitan area are getting.

NBC's researchers expect to be able to produce something concrete on this study within the coming two weeks. There have been six of these Wednesday rebroadcasts to date.

SECONDARY PICKETING SUIT BY EMERSON CO.

Emerson Radio & Television Corp. and Emerson Radio, New York, Inc., filed a N. Y. supreme court action Wednesday (12) against Radio Union Local B-1010, and William Beede, business agent of the local, for an injunction. Plaintiff seeks to prevent the union from picketing their customers' stores and from issuing misleading statements about them.

It is stated that early in 1939 Emerson was approached by the union, which wanted to organize its shop. This was refused on the ground that the employes were satisfied and wanted no union. Without taking the matter to the National Labor Relations Board, the union recently commenced the picketing.

Supreme Court Justice Isidor Wasservogel on Saturday (15) denied the application for a temporary injunction against the union, but set trial date for April 27.

Molly Rejoins Fibber

Hollywood, April 18.

Fibber McGee and Molly (Mr. and Mrs. Jim Jordan) were reunited on tonight's (Tues.) Johnson wax program after being parted professionally for year and a half due to illness of femme member of the comedy team.

Jordans are now making their home here permanently.

Victor F. Campbell, from WGR, Buffalo, has joined WGY, Schenectady, staff as production man and announcer. Succeeds Radcliffe Hall, shifted to NBC's New York staff.

Fred F. Laws was appointed Friday (14) assistant to the president (Stan Hubbard) of KSTP, St. Paul.

Bureau of Missing Business

(This department is devoted to discussions of types of advertising that, for one reason or another, usually offer resistance to radio. Often, as in heavy goods, the product does not lend itself to consumer advertising; again, as in insurance or utilities, overlapping political or industrial factors operate against radio.

In any event, the object of this series is to stimulate thought and exchange of ideas. Persons within the trade are invited to express themselves, either on specific subjects brought up, or on related aspects overlooked or not covered.)

NO. 4—UTILITIES

Although about half of the gas and electric public utilities are now using radio, a check shows that a combination of budget trouble, press relations, skepticism and lack of station availability keeps the rest from using the medium.

Both industries now conduct national advertising campaigns in publications, efforts confined to load building. The use of radio is not included, although 'The Mystery Chef' program sponsored by the gas industry and discontinued last fall reached national proportions. There have been recent attempts to revive the 'Mystery Chef' program as a part of the national advertising effort of the American Gas Association.

That the utility industry, particularly the electric end, which has borne the most political attack, could well use a national radio program devoted to improving public relations few deny. The paradoxical aspect is that if there was really as tighter knit a power trust as politicians frequently allege, with autocratic central authority, there would be greater likelihood of such a program being sold.

As things stand today, it is extremely difficult to reconcile the vast differences of opinion that exist among the various electric companies as to how to sell most effectively the American public on the honesty, service, and principles of the industry. In a few locations the use of radio by public utility companies seems impossible. These are the cases where a company is operating in a location where there is a large station blanketing an area far greater than the one the public utility serves. The public utility feels that the expense is impossibly high and there enters the factor that it would be broadcasting facts, opinions and policies over the territory of neighboring companies to whom they might not be agreeable.

The greatest problem affecting the sale of radio time to public utility companies is the advertising budget situation. Over a long period of years utility earnings have been compressed by lowering rates and increasing costs of operations, including taxes. Frequently the rate slashes have been so great that even the increased use of the product has not restored earnings.

Expenses have been pruned wherever possible, and of course advertising budgets have suffered.

Apparently when the question of radio advertising has been broached up utility companies have not cared to endanger their newspaper relations, especially at points of radio-newspaper antagonism, by dipping into the newspaper budget. Radio dollars have had to be extra dollars. In a number of instances when due to the pressure of the recession companies have had to discontinue programs but say that they will resume activities with the first ray of financial sunshine. The situation indicates that stations would do well to cultivate the utility industry assiduously even though immediate results might not justify the effort.

When and if advertising budget pressure does release, it will need alertness to see that the extra dollars are spent on the air rather than on other forms of advertising. There is competition from direct mail, which many utilities value very highly on the basis of results.

Stations shooting at public utility business are apparently weak on selling the value of the medium. Most companies not now using radio say that they feel the cost is too high. Part of this is linked to with the general budget problem, but more presentation of data and specific arguments is indicated. Primarily the management of the average public utility company is factual minded.

The efforts to sell syndicated programs to the industry have not been any too successful. Most of the companies are of the opinion that the programs have been too costly, but an even more general criticism is that they have not been adapted to local needs. This is an extremely difficult situation to meet because of the great variance in policies and conditions of the companies. The average combination company, that is, the one selling both gas and electricity, usually has difficulty in using a program designed to sell either gas or electricity which for a number of household uses are competitive.

The indication is that the advertising managers are very reluctant to buy a program solely on the basis of a couple of discs. They want to know what the future ones are going to be like. Having least appeal of all seemingly are ideas which are based on depicting electricity in a glamorous or a highly theatrical manner.

Most of the companies using radio today are enthusiastic, some of them venturing the opinion that it is more profitable to them than newspaper space. First in popularity are spot announcements, followed by home economics programs. The average utility company usually has the talent within its own organization to originate some service series. One company is buying time on a cooperative basis with appliance dealers. In a few spots following out the idea that the more they can localize themselves, become a part of the community and civic activities, the easier will be the public relations path, gas and electric companies are sponsoring the airing of high school athletic events, principally football and basketball.

The whole range of sponsorship covers almost every type of program from symphonies to religious services. Strangely enough, little management opposition to radio is reported. Of course, the usual intensive type of sponsorship exist, but even these seem to be in the less malignant forms.

Radio time salesmen can get a lesson out of the fact that comparatively few big expensive programs are used. Usually the first reasoning on the part of a station is that since a public utility is about the biggest business locally, it should have the most elaborate program.

Station Ideas

WKRC's Clients by the Yard

Cincinnati.

'It takes nearly a yard to list our clients,' asserts WKRC in a new mailing piece. To prove it, a yardstick is reproduced along the margin of a tall sheet and each account itemized. With this WKRC gives statistics designed to carry out the 'blue chip' billing the station has adopted. It sums up this way:

Seventy-five firms are sponsoring 258 quarter-hours of commercial broadcasts using 182 network commercial quarter-hour periods plus 76 local and national spot quarter-hours plus 33 one-minute talks, playlets, etc., plus 26 'Woman's Hour' announcements, plus 3 'Economy Kitchen' participations, plus 148 station-break commercials—to advertise 107 featured products.

WOW's Trek Into Nebraska

Omaha.

Arrangements have been made by WOW to distribute samples of advertisers' products on the annual Chamber of Commerce Good Will trip early in May. Good Willers will visit 70 towns in Nebraska, Wyoming and Colorado.

Bill Wiseman, station's publicity head, will make the trip and wax interviews along the way to be airmailed back to station for regular airings. Transcriptions will be sponsored by Omaha National Bank.

Tea Party Clicks

Domestic Finance Co. renews Domestic Tea Party Fridays 3:15-3:30 p.m. over WHAM for 13 weeks. Helen Lewis Grinnan is hostess to groups of society women at tea in Sagamore green room and Dick Toole of WHAM staff quizzes them on variety of company topics. Each includes boost for its own organization and Homer Bliss of WHAM staff handles the commercials. Account placed through Metropolitan Advertising Co.

Program is recorded and repeated Saturday mornings so participants can hear themselves over the air.

Hosiery Bails Contestants

Milwaukee.

'Melody Master Mind' is the title of a new commercial program originated and sold by WTMJ to the local Miller's fashion center. Listeners send in song titles and if the 'Melody Master Mind' can't play them, sender gets a box of silk hose. Grand prize, to be awarded at the end of present series, is an all-expense trip to the New York World's Fair.

Listeners must go to downtown store to get entry blank on which to send song title. The World's Fair winner will be determined on a basis of letters sent on the theme, 'Why I'd Like to Go to the World's Fair in New York.' Map in the store window shows route to the World's Fair and number of days left in contest.

Bob Heiss of WTMJ conducts the quarter-hour programs. Grant Sandison, WTMJ salesman, arranged the series.

Fisherman's Forum

Hartford.

'Fisherman's Forum' is being ethered over WDRC on Thursdays for 15 minutes. Features interviews between Ray Barrett, announcer, and Richard 'Dick' Pitney, local Isaac Walton disciple. Fishing experts are being lined up for future interviews.

Quoth Shakespeare

Santa Rosa, Cal., April 18.

New business listed by KSRO here includes the following item:

Sponsor's name: Roma Macaroni Factory, San Francisco.

Title of program: Time for Tea.

Advertised product: Coffee.

Spot Campaigns

(New, Renewed or Pending)

Duquesne Brewery, Pittsburgh, took over Tom Manning's 20-minute sportscasts over WTAM, Cleveland, beginning last week. It's for 13 stanzas with option, at 11 p.m. six times weekly.

Procter & Gamble (Oxydol), through Blackett-Sample-Hummert, using KGO, San Francisco, for its transcribed serial, 'Manhattan Mother,' five days weekly.

Los Angeles Soap Co. (White King soap), through Raymond Morgan agency, Hollywood, has signed for 39 spot announcements on KSRO, Santa Rosa, Cal.

Sherwin Williams Paint Co., of Oakland, spotting 48 announcements on KSRO, Santa Rosa, Cal. Placed direct.

Folger Coffee Co., through Raymond Morgan agency, Hollywood, placing five five-minute programs weekly on KSRO, Santa Rosa, Cal. Title, 'Today's Best Buys.'

Mrs. Rose Lee Farrell, kitchen queen for WFBM, Indianapolis, sold solid. Sponsors limited to six in any half-hour period, taking five-minute national rate, and at present she is working for Continental Baking, Maytag Washers, Hansen Laboratories, Electric League, Swift and Calavo Growers Association.

Reid Murdoch & Co., (foods) through Rogers & Smith, Chicago, with KFRC, San Francisco, for 1,564 100-word announcements, using 30 a week.

Lloyd K. Hillman (autos), through Ted Dahl agency, Los Angeles, bankrolling 'Swing Session' with transcribed music, Jack Murphy and Dave Scofield one hour Sunday mornings on KFRC, San Francisco, for 52 weeks.

Standard Beverages, Ltd. (soft drinks, mixers), through Emil Reinhardt agency, Oakland, using KFRC, San Francisco, for five 100-word announcements daily through July 9.

Southland Life Insurance Co., instead of calling its agents to Dallas for a meeting to hear A. Morgan Duke, president, purchased time on WFAA, Dallas, during which Duke addressed agents and policy holders of the company throughout the state.

WMCA, New York, grabbed off the first announced sponsored program emanating from the New York World's Fair. Station signed Dr. Scholl's Foot Comfort Shops, an exhibitor at the Fair for 15 mins. daily five days a week at 8:45 a.m. Program will carry news of the Fair. It's down for 13 weeks.

Presba, Fellers and Presba Agency of Chicago set.

Yellow Cab Gasoline Co., Oklahoma City, signed year's contract for spot announcements preceding Amos 'n' Andy broadcasts on KOMA, Oklahoma City, local CBS outlet. Deal handled by B. M. Grotkop.

Mullins Hybrid Corn Co., Corwith, Iowa, through W. H. Millhaem Co., Des Moines, announcements of 65 words each three a week.

Good Luck Food Co. has placed through Hughes Wolff Co., 15 Home Forum Participations on KDKA, Pittsburgh, to be used up before May 24.

Greeting Card Publishers, through Badger & Browning, Boston, placing announcements this week.

Little Crow Milling Co. (Coco-Wheats), Warsaw, Ind., through Rogers & Smith, Chicago, beginning Sept. 25 for 186 periods of 15 mins. each, three a week.

'Awful Fresh' MacFarlane, Scotch candy-maker, who capitalizes on ungrammatical advertisements and who has been a space-buyer in newspapers for a number of years, is trying out radio again, with KSFO, San Francisco, selling a weekly man-in-the-street program handled by Tom Breneman, free-lance. Program is recorded during the daytime in front of the MacFarlane factory-store on upper Market Street and broadcast via discs in the evening. Botsford - Constantine - Gardener agency has the account.

WNAC, Boston, and five Yankee Net stations have signed Socony Vacuum Oil company for a thrice-weekly series of 15-minute interviews with prominent personalities. Program, 'Names in the News' will run 52 weeks, airing Mondays-Wednesdays-Fridays at 7:45 p.m. J. Stirling Getchell, N. Y. C.

Fed from WNAC studio. WEAN, Providence; WTAG, Worcester; WFEA, Manchester, and WCSH, Portland, are carrying series; starting May 1st, WSPR, Springfield, will be tied into the string.

International Harvester Co., with markets, spot news and Washington bulletins on KRNT, Des Moines.

WTMJ, Milwaukee has recently set:

Studebaker, 13 quarter-hour e.t. programs, through Roche, Williams & Cunnyham, Inc., Chicago.

Railway Express Agency, New York, advertising service, 30 spots, through Caples, New York.

General Motors (Oldsmobile), 26 spots, through D. P. Brother & Co., Detroit.

Ford Milwaukee branch, advertising cars, 78 spots, through N. W. Ayer, Chicago.

Washington State Apples, Seattle, 26 spots, through J. Walter Thompson Co., San Francisco.

United Drug Co., New York (Rexall 1-Cent Sale); four programs (Rubinoff), through Street & Finney, New York.

Advertising Business Co., Fort Worth, placed series of 13 quarter-hour transcriptions, 'Treasure of the Lorelei,' on KGKO, Fort Worth, for the Ashburn Ice Cream Co. of Texas. Program is bi-weekly supplied by Walter Biddick of Los Angeles.

Parkin Hatchery, Shawnee, Okla., has placed 'Abner Pinfeather with Sunflower Sam and his Crew' show

(Continued on page 53)

570 KC NBC RED • BLUE
WSYR
FOLLOW THE LEADER!
Month after month—year after year—WSYR has carried the bulk of the NATIONAL SPOT ACCOUNTS placed in Syracuse.
THERE'S A REASON, too, why local advertisers choose WSYR by a wide margin.
SYRACUSE NEW YORK

CBS SALESMAN-DOMINATED

Radio Daffodils

Milwaukee—A near-sighted youth, lugging a belated entry to the 'Ma Perkins' annual spring seed offer, rushed breathlessly up to a WTMJ receptionist. 'I wanta get this in. I hope I'm not late.' The beautiful brunette smiled assuringly. 'I'll take it.' The lad looked quizzically through thick glasses. 'Are you Ma Perkins?'

Duluth—William Claybrook billed as 'The Human Cork' gave a pool-side demonstration at the YMCA of how he was unable to sink. A pseudo-human cork was present to challenge Claybrook, but was showed up for an imposter. KDAL broadcast a gurgle-by-gurgle.

Charleston, S. C.—Bob Leigh's 'Food for Thought' program on WCSC had to be temporarily discontinued because the surge of tourist business in the Hotel Francis Marion's dining room where the stanza originates created a shortage of space.

Philadelphia—Stan Lee Broza WCAU's program director and m.c. on its Horn & Hardart Children's Hour, was in the midst of his commercial on Sunday (2) when one of the smaller of the kids began to yowl. Broza paused, moved the mike nearer so the moppet could be heard more clearly and then, as its mother carried it out, announced:

'Even children cry for Horn & Hardart food.'

Cleveland—A clerk in one of the Kroger stores approached a customer recently. 'What will you have, sir?' he asked.

'Give me 2,500 eggs' was the reply from Sidney Andorn, WGAR special eventsman.

The clerk called the manager, the manager called the division office, the division office called Andorn. What did he want the eggs for?

For racing purposes. He was having a mob of kiddies play hare and hound with hen fruit so that WGAR could broadcast the uproar.

'We want to get in on this,' said Kroger. Upshot was the grocery chain sponsored the race and provided the eggs.

Minneapolis.—Seneca, Iowa, farmer who listens to WCCO's early programs every ayem, heard announcer Clellan Card recommend installing radio sets in hatcheries to make hens lay better. Clodhopper bought an $11 radio, installed it in the hennery, but when he spun the dial for the first number, an orchestra was blaring 'Hold Tight!'

San Francisco.—Distinction of presenting a horse on the air direct from the studio is claimed by KFRC, Mutual-Don Lee outlet here, which last week aired a 'Feminine Fancies' broadcast on which the guests included the race horse, 'Malicious.'

TOP COMMAND ALL OUT SELLING BIZ

Responsible for Network's Brilliant Deals but Sensed as an Organizational Weakness on Administration Side—Matter Now Being Adjusted

NEW POLICY DUE

The Columbia Broadcasting System is reported as preparing to reorganize the administrative setup of its sales department. The purpose is to develop a more efficient co-ordination of its various selling components so that the frequent dilemma in which one division finds another division of the network competing against it for an account will be avoided. This waste of effort and confusion is proving much too costly and embarrassing, and remains the outstanding weakness in the Columbia organization.

All sales ideas, plans and approaches would have to clear through this chief administrator and all moves in those directions regardless of whether it involved network campaigns or major spot accounts on CBS-operated properties would be checked with him at all times. To the trade Columbia has always figured as being topheavy on salesmen in both the official and the executive brackets. William S. Paley does no small share of selling on his own. Edward Klauber, the executive v. p. has continued to maintain some of his sales connections despite his administrative burdens, while Paul Kesten, who ranks third in the official roster, personally handled the deal which brought Amos 'n' Andy over to CBS. William B. Lewis, v. p. in charge of programs, devotes much of his time to direct selling. Even Mefford R. Runyon, third rating v. p., has a finger in on sales as the official whose duties include the supervision of Radio Sales, Inc., national spot selling outfit for the CBS managed and operated stations.

About the only CBS v. p that ostensibly stays away from selling or hasn't his pet accounts is Herbert Akerberg, who has charge of station relations. Lawrence W. Lowman, who holds the title of v. p. in charge of operations, includes a selling organization, Columbia Artists, Inc., within his sphere of supervision.

Recent splash of $6,000,000 in new accounts at CBS proves the salesmen get results.

Columbia figures that it's business in May will be around 50% better than it was for the like month of 1938. The estimated weekly new and renewal business for this May is $35,675 as compared with $16,611 for the average week in May, '38. This represents a boost of 91.7%. The weekly cancellations last May came to $36,890. For the average week this May it is estimated they will be $22,890, or 37.6% less than they were in 1936.

Henry O'Toole at WTAG

Worcester, April 16.

Henry O'Toole was added to WTAG staff to have general supervision of announcers and program activity.

He was with station a few years ago as conductor of a shopping mart.

FRED THOMPSON BUSINESS MAN

Washington, April 18.

Frederick Ingale Thompson, Mississippi newspaperman, inducted into office as a member of the Federal Communications Commission, Thursday (13). Appointed by President Roosevelt to fill the vacancy caused by resignation of Commissioner Eugene O. Sykes, Thompson will top off a long career as a newspaper publisher and shipping man with at least two years in which to find out if he cares to continue in the turbulent post of FCC Commissioner. Will serve out the remainder of Judge Sykes' term, which expires in July, 1941.

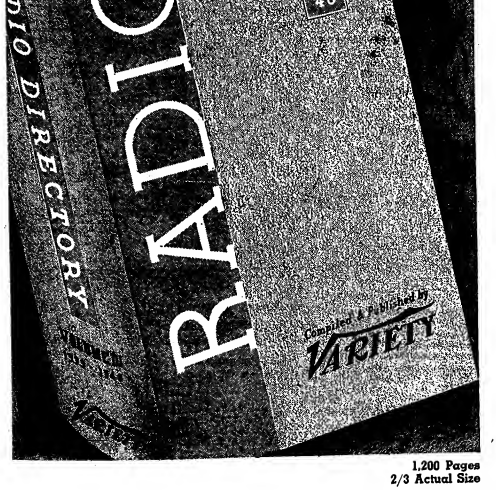
New Commissioner was born at Aberdeen, Miss., and became editor of the Aberdeen Weekly at the age of 17. Newspaper publishing experience includes: Chief owner and publisher of the Mobile, Ala., Daily and Sunday Register, 1909-32; owner and publisher of the Mobile News-Item, 1916-1932; owner and publisher of the Birmingham Daily and Sunday Age-Herald, 1922-27, and a director of the Associated Press for approximately 10 years. Since 1922 has owned and published the Montgomery, Ala., Journal, an evening sheet.

Ray Linton Back in Biz

Chicago, April 18.

Ray Linton, who recently returned from a journey to South America, is setting up once more in the general station rep business here.

Has negotiations on with several stations and expects to be organized in a week or so.



1,200 Pages
2/3 Actual Size

NEW YORK
154 W. 46th St.

CHICAGO
54 W. Randolph

HOLLYWOOD
1708 No. Vine St.

LONDON
8 St. Martin's Pl.
Trafalgar Square

The 1939-40 VARIETY RADIO DIRECTORY, now in editorial and advertising preparation, is an ideal advertising medium for stations and talent.

Consider the value of this PAID CIRCULATION:

AGENCIES buying 96.5% of all national radio time, both network and spot, each purchased from one to ten copies of the Radio Directory.

SPONSORS whose budgets total well over $65,000,000 annually, not including spot radio, each purchased from one to three copies of the Radio Directory.

•

ADVERTISING RATES

Full page	$175.00
Half page	90.00
Quarter page	50.00
Bleed, per page, extra	25.00
Color, per page, extra	25.00

(These rates are net)

Baseball Biographies on Radio Discs

P. K. Wrigley Spotting Buildup for Cubs in Towns of National League

Chicago, April 18.

National exploitation and radio plugging for a baseball team and its various members is being readied by the Chicago Cubs, National League team owned by P. K. Wrigley. Neiser-Meyerhof agency is preparing a series of 15-minute discs on the lives of the individual members of the Cubs team. These discs will be spotted in the various National League towns and will plug not only the Cubs but also the teams of the League and baseball in general.

Wrigley has been a pioneer in the strong tie-up between baseball and radio; not only in play-by-play commercial deals, but for the past two years has been turning his sponsorship rights money back into radio by buying time to plug the Chicago Cubs and baseball on Chi stations.

This is an added step in Wrigley's determination to further the close association between radio and baseball. Series will run at least 13 shots and if a click, figures to run to 26. Indications are that series will be ready some time in May.

'FRED HOEY BOOSTERS' FAIL TO MOVE EXECS

Boston, April 18.

Frankie Frisch went on the air for Colonial Network Saturday (15), broadcasting a play-by-play description of the first exhibition baseball game between the Boston Bees and Red Sox, with Atlantic Refining Co. as sponsor and this week marks the official end of the Fred Hoey Boosters campaign. John Shepard, 3rd, president of Colonial Net, stood pat on his deal with Frisch and the sponsor backed him up.

Friends of Hoey, who had broadcast play-by-play stuff for the Yankee and Colonial Nets for 13 years, promoted a sensational campaign of protest against the dropping of Hoey this season, and for two weeks bombarded the general public with direct-mail, newspaper and sound truck bally. The committee rounded up a pile of signatures on a petition to R. H. Colley, president of Atlantic, and claimed more than a million signers.

BASEBALL CLOGS WBBM EVENTS ON WIND, GARY

Chicago, April 18.

With baseball crowding WBBM, the Columbia outlet here, WIND, will take over a flock of the cream afternoon Columbia shows. Topping the list for the immediate future will be the Philharmonic broadcasts on Sunday afternoon.

Other items will be the coverage of the big stake races on Saturday afternoons and other shows and events of national importance that take place during the early p.m.

Norman Baker 'Cancer Cures' Suit to Trial

Wichita, Kan., April 18.

E. Haldeman-Julius, publisher of Girard, Kan., must defend himself in trial against suit for $500,000 by Norman Baker, ex-broadcaster of Muscatine, Ia., according to a ruling of the Kansas supreme court. Baker alleged publisher libeled him by publication in one of his papers of derogatory statements concerning claims of benefits resulting from treatment of cancer at a Muscatine hospital.

Joseph Freed Out Of Muzak, Also Koehler; Pete Holland New G.M.

Joseph D. R. Freed, vice-president and general manager of Muzak, wired entertainment service, has resigned, effective this Saturday (22). Going out with him are his secretary and Joe Koehler, assistant and head of promotional dept. Latter's resignation was effective yesterday (Tuesday).

Formerly an exec of Freed-Eisman Radio, Freed has been with Muzak for about a year. In that time the company has expanded considerably, instituting several new services, the latest being its Sponsored Program Service. Warner Bros. owns Muzak. Peter Holland, heretofore treasurer of the org, will replace Freed in charge.

PARTICIPATING BASEBALL

Grimm Vs. Fonseca With Four Sponsors Via WJJD

Chicago, April 18.

Four national sponsors will run play-by-play baseball on WJJD, with former big league managers Charlie Grimm and Lew Fonseca at the mike. On the plugs will be La Palina, Walgreen's, Bowman's Dairy and Gillette.

All products will get plugs daily, with the sponsors rotating through the innings. With a quartet of backers, plug-by-plugs on WJJD looks for terrif promotional backing in stores and newspapers. Walgren's will strip all windows with pluggers and will keep stores' radios tuned in on broadcast. LaPalina will cover all cigar stores with strips and stands; Bowman's will put pluggers on all milk bottles, while Gillette will run a daily two-inch ad on the sports page of the newspapers.

Play-by-play will be run as a 'feud' between Fonseca, former White Sox (American League) manager, and Grimm, former Cubs (National League) manager. Grimm is under contract to WBBM, which solicit him to WJJD.

SPRING INTO SUMMER

SPRING into Summer now with a campaign to reach our 'Friendly Family' of 1,500,000 Italo-Americans! And that's just what Progressive Advertisers are doing so that they become welcome guests with our "Friendly Family," which summers with us daily!

WOV NEW YORK 1000 WATTS — THE INTERNATIONAL BROADCASTING CORP. NEW YORK — WBIL NEW YORK 5000 WATTS

Now Observing Open House Week

WGY SETS PLANS

Has Various Personages Give Talks —Other Activities

Schenectady, April 18.

WGY is observing Open House Week by adding five programs to studio-audience schedule, broadcasting invitations to listeners to attend and inspect its new studio building, and airing talks on radio's purpose and significance by a group of leading Schenectadians. Besides a pair of ticked shows, 'Name Your Number,' a 10:30 p.m. shot, and 'Juvenile Jamboree,' Saturday morning salvo, station is presenting Annette McCullough's Syro 7:15 p.m. song recital, John Sheehan's 'When Day is Done' on a 10:45 p.m. block, and Gordie Randall's 'Fashions in Melody' feature on a 6:45 p.m. spot twice nightly before 6 p.m.

General come-see-hear has been extended, audience chamber seating 150. Ushers are on duty from 11 a.m.

Addresses on 'Radio' have been slotted for Chester D. Lang, director of publicity, General Electric; Lawrence Hanger, president of Schenectady Chamber of Commerce; Dr. Dixon Ryan Fox, head of Union College, and Rev. D. Victor Frelick, president of Schenectady Federation of Churches, set.

FRISCO'S BIG BALLY

Some 75 Programs Scheduled—Union Gives Radio a Break

San Francisco, April 18.

Local observance of National Radio open house week got under way auspiciously yesterday, with some 75 programs scheduled to be broadcast during the week from the radio studios at the Golden Gate International Exposition on Treasure Island, and 40 newscasts and other programs being aired by either KPO or KGO direct from a Market street window of The Emporium, city's largest department store.

Musicians Union Local No. 6 has waived its demands for higher pay for musicians broadcasting from the island for this week only, as a special concession to the broadcasters during the 'open-house' celebration. The four network outlets here—KSFO, KPO, KGO and KFRC, and at least one indie station, KJBS—will originate programs at the island. One of the first was KGO's baseball rally last night, presented from the Hall of Western States, with sportscasters Ernie Smith and Don Thompson as emcees, and members of the San Francisco Seals and the Sacramento Senators' ball teams participating in a baseball quiz conducted by Lefty O'Doul. Will Aubrey of KGO's Musical Clock and a group of diamond stars also present.

Most ambitious series of broadcasts of its type ever attempted locally is the set-up arranged by KGO and KPO with The Emporium. Only once before has the store allowed any live talent demonstrations of any kind in its windows, and that was a television display ten years ago. All of the stations' quarter-hour newscasts between the hours of 8:45 a.m. and 6 p.m. are being broadcast from one of the store's two largest windows, with Bob Andersen and Robert Ackerley alternating at the mike. News dispatches are received in the window over two teletypewriters direct from the United Press and the International News Service.

Also being aired from the window are Janet Baird's news commentaries, 'Through a Woman's Eyes,' and Ira Blue's two daily quarter-hour shows devoted to radio program news, KGO's 'On the Air' and KPO's 'Let's Listen.' A public address speaker in front of the window enables onlookers to hear the broadcasts as well as watch them. Programs are also being piped throughout the store via a p.a. system. Local department stores have been noticeably apathetic towards radio as an advertising medium, but through these broadcasts KGO and KPO hope to make them 'sit up and take notice.' The new types of programs were chosen for the window broadcasts because they are deemed especially suitable for department store advertising.

Emporium is calling attention to the broadcasts in its display ads during the week, and a special ad is being prepared in cooperation with the local RCA distributors.

Promotion displays will be presented by the four two stations at a special luncheon of the San Francisco Advertising Club Wednesday (19). Speaker for the luncheon has not been announced.

Special picture displays have been installed in a number of downtown windows by KSFO, as well as KGO and KPO. Announcements calling attention to National Radio open house week are being aired by all stations, and special invitations have been mailed to important contacts by station managers in conjunction with copies of the booklet, 'The ABC of Radio.'

Dealers are plugging the 'open house' week in their newspaper ads and are also stressing the importance of buying higher-priced radio sets for better reception and greater selectivity. The inexpensive sets have been leading in local sales.

STATIONS SWAP EXECS

Six of St. Louis' Seven Talk Over Other Fellow's Station

St. Louis, April 18.

'National Radio Open House' opened Monday (17) with all seven commercial stations united to focus attention on the advantages of the American system of broadcasting. Arthur J. Casey, KMOX production director, is chairman of committee that arranged the sked. Half hour programs being built by the stations.

On each of these programs a speaker from a competitive station will call attention to the freedom of the air waves in the U. S. and invite listeners in this area to become better acquainted with their broadcasting stations by visiting them during the week. Additionally, civic groups now broadcasting over local stations will devote one of their programs to Open House Week.

On the local programs, station managers will fill the speaking assignments. Merle S. Jones of KMOX will speak over WTMV, William West of WTMV over WIL, Ray Hamilton of KXOK over WEW, Robert Convey of KWK over KXOK, L. A. Benson of WIL over KWK, and Al Foster of WEW over KXOK. KSD is not sending any speakers to another station and no one from another station was invited to speak over KSD.

WDRC PARTICIPATES

Opens Studios — Alterations Make WTIC Premises Unavailable

Hartford, April 18.

Turning about face, WDRC is participating in Nations' Radio open house week. Had previously announced it was planning nothing. Extent of cooperation is through a series of announcements, advertising the week, with the public being invited to visit the studios from 10 a.m. to 10 p.m. daily.

On the other hand, WTIC, which had announced plans for participation in the National Radio open house week, is cancelling all plans that will bring the public to the studios. Station last week started an extensive alteration program in its studios. However, station is cooperating by broadcasting announcements stressing the present day value of radio to the nation. Point to be stressed during the week is the freedom of radio in this country as compared to other nations.

DALLAS' BOOKLET

Visitors Get Printed Treatise on the Hour, Ways of Radio

Dallas, April 18.

Making it easier for Joe Dokes to understand what makes radio, WFAA, Dallas News station here, has prepared a booklet to be given to visitors at the plant. Called 'Your Visit to WFAA,' it explains in simplest terms the rudiments of the works, plugs the outfit's mobile unit, KAXD, and station's new vertical radiator, 653 feet high, tallest structure in Texas.

Last pages dedicated to 11 members of the staff, giving brief blogs. Smiling from the print are Raymond Collins, technical supervisor; Paul Barnes, plant supervisor; John Hemley, plant engineer; Jim Webb Cooper, plant engineer; Paul Bostaph, studio control engineer; Darwin Peterson, plant engineer; Loran Wucker, plant engineer; Gerald Howard, plant engineer; Clyde Mosteller, plant engineer; William Ellis, studio control engineer, and Olin Brown, studio control engineer.

BRYANT WASHBURN WEEK

Synonymous with National Radio Week at KIRO, Seattle

Seattle, April 18.

Bryant Washburn is here scouting in jammed studios for talent on behalf of Jesse Lasky's 'Gateway to Hollywood' program. His advent was turned into a public exhibition by KIRO. Station reasoned thus:

(a) It's National Open Radio open house week.

(b) Washburn used to be a film star himself.

(c) His presence was a made-to-order excuse for inviting people to the studio to see something better than 'an interesting arrangement of panels.'

KMOX Touring Kitchen

St. Louis, April 18.

KMOX's 'Magic Kitchen' trailer, with Kathryn Snodgrass in charge, started on a trek that will visit 35 cities in Illinois and Missouri as part of the Ford Motor Co.'s commercial caravan. At each stop in the six weeks' jaunt Miss Snodgrass is skedded to address a local club on home economics.

In the meantime another kitchen unit, housed in a KMOX trailer, will continue the local daily sked of visits to grocery stores. Margaret King will continue to m.c. the daily program broadcast before a live audience in the KMOX Playhouse.

More Lawyers Register

Washington, April 18.

Seven additional attorneys, including three New Yorkers, admitted to practice before the Federal Communications Commission last week. Barristers include:

Frank Borut, Louis Karasik and Beverly R. Myles, New York; Wesley E. Brown and William D. P. Carey, Hutchison, Kans.; J. Randolph Coleman, Jr., Washington, D. C., and Lawrence Dumas, Jr., Birmingham, Ala.

Connie Boswell on Metro

Connie Boswell goes on Metro-Maxwell 'Good News' program for a series in May.

—my deep appreciation . . . . "LIFE"
April 17th Issue

HILDEGARDE

John Royal Among Speakers Set For Ohio State's 10th Anni Meeting

John Royal of NBC will tackle the hot potato problem at a round-table discussion in Columbus May 2 at Ohio State University's annual (the 10th) Institute of Education by Radio. Royal will discuss 'Handling Controversial Issues.' This is the same troublesome theme that Fred Willis of CBS handled at last spring's session with some embarrassment when Mr. Ford's Mr. Cameron was mentioned.

Other radio personages due to speak include Emerson Markham of WGY, Schenectady; Caesar Saerchinger, Neville Miller, Judith Waller, Sterling Fisher, Franklin Dunham and Joe Reis. Full schedule follows:

Monday, May 1

(AFTERNOON)

1. Agricultural Broadcasts, Room 1470
   G. Emerson Markham, in Charge of Agricultural Broadcasts, Station WGY, Schenectady, Chairman
2. School Broadcasts, Room 1440
   A. S. Barr, Processor of Education, University of Wisconsin, Chairman
3. Radio Courses in Colleges and Universities, Room 1437
   H. L. Ewbank, Department of Speech, University of Wisconsin, Chairman
4. Research in Radio Education, Room 1587
   J. Wayne Wrightstone, Associate Director, Evaluation of School Broadcasts, Ohio State University, Chairman
5. The Educational Uses of Facsimile, Ultra-High Frequency Stations and Recording, Room 1360
   Ellsworth Dent, Director, Educational Department, RCA Manufacturing Company, Chairman
6. Broadcasts for General Education, Room 1540
   Caesar Saerchinger, American Historical Association, Chairman
7. Broadcasting by Community Service Organizations, Room 1370
   Byron S. Williams, Program Supervisor, Station WOSU, Ohio State University, Chairman

Tuesday, May 2

(MORNING)
Social Administration Building
Presiding, Judith Waller
Educational Director, Central Division
National Broadcasting Co.

DEMONSTRATION OF UTILIZATION OF A CLASSROOM BROADCAST
Student group under the leadership of Mrs. Maisie Moore, Classroom Teacher, Detroit Public Schools

EVALUATION OF THE DEMONSTRATION
Sterling Fisher, American School of the Air, Columbia Broadcasting System
Franklin Dunham, Educational Director, National Broadcasting Co., New York
Joseph Reis, Nation's School of the Air, Station WLW
Louis E. Fatha, Evaluation, Bureau of Educational Research, Ohio State University

(NIGHT)

1. Dramatic Programs, Room 1440
   Earle McGill, Casting Director, Columbia Broadcasting System
2. Forum Programs, Room 1437
   Allen Miller, University of Broadcasting Council, Chicago
3. Handling Controversial Issues, Room 1540
   John Royal, V. P. in Charge of Programs, National Broadcasting Co.
4. Public Relations Broadcasts, Room 1587
   Karl Berns, Assistant Secretary for Field Service, Ohio Education Association
5. The Radio Workshop, Room 1470
   Larry Roller, Educational Director, Stations WHK-WCLE, Cleveland
6. Training School Directors of Radio, Room 1370
   William D. Boutwell, Director, Radio Project, United States Office of Education
7. The Princeton Study, Room 1587
   Paul Lazarsfeld and Staff
8. The Wisconsin Study, Room 1649
   Leeter Ward Parker and Staff
9. Evaluation of School Broadcasts, Room 1340
   I. Keith Tyler and Staff

Wednesday, May 3

(MORNING)
Social Administration Building
Presiding, W. I. Griffith
Director of Radio, Iowa State College

Effect of Radio on Listener Attitudes
R. R. Lowdermilk, Ohio State University

Professional Training in Great Britain
Philip Cohen, Production Director, Educational Radio Project, United States Office of Education

How School Broadcasting Units Study Their Listeners
Tracy F. Tyler, College of Education, University of Minnesota

General Discussion

W·J·R THE GOODWILL STATION
W·G·A·R THE FRIENDLY STATION
THE GREAT STATIONS OF THE GREAT LAKES
Basic Stations Columbia Broadcasting System
Edward Petry & Company Inc., National Sales Representatives

MORE LOWDOWN ON WAXES GIVEN FCC; CBS-WORLD DEAL SPARED PUBLICITY

Rosenberg Condemns NBC Policy on Off-the-Line—Percy Deutsch Heard—Cyril Langlois Raps ASCAP—Non-Copyrights Hard to Sell

Washington, April 18.

More complaints about unfair NBC barriers in the way of off-line recording by independent disc-cutters, together with added appeals for promulgation of quality standards and changes in the announcement rule, went into the FCC chain-monopoly investigation record last week as remainder of the transcription makers took the stand.

Anticipated airing of the CBS-World deal was blocked by stipulation of attorneys that confidential information should not be disclosed until the transaction is completed. The Commish added a bit, however, to its gradually expanding knowledge about Transamerican and found out about the tax-free music efforts of NAB and Lang-worth.

Complaints about the NBC policy were echoed by Emanuel J. Rosenberg, Transamerican v.p. Terming the ban on indie recordings unfair, Rosenberg noted the web limits the use to which an advertiser can put his program and upsets campaigns by forcing them to obtain recordings from RCA. Although he offered to pay any extra costs, NBC refused to permit his firm to obtain indie platters of a program staged by one of Transamerican's clients. Permission also has been denied by MBS but has been granted by CBS.

Did $2,500,000 Biz

Rosenberg disclosed that Transamerican, buying its platters in the open market and mostly from RCA, did $2,500,000 worth of business of all kinds last year. Actual recording business was about $100,000 to $125,000. Spent $250,000 to $300,000 for talent used on its wax programs, getting performers through various agencies and experiencing no trouble in recruiting people managed by network bureaus.

Warner Bros., which is interested in Associated Music Publishers as well as owner of KFWB, Los Angeles, holds all but a minority portion of Transamerican stock, Rosenberg admitted. Of the 1,000 shares of no-par common, the film company has 650, John L. Clark has 175 and Rosenberg has 175. All of the 2,500 shares of $100 par preferred held by WB.

Deutsch on Stand

Doubt about policies which will be followed after CBS gains control was voiced by Percy L. Deutsch, president of World. No discussions yet whether the web will follow NBC's example and restrict privilege of making off-line recordings and platters of studio shows to its subsidiary. He termed the off-line business of relatively minor importance from World's point of view and expressed belief unions will boost the cost to the extent it will become increasingly less significant to the trade in general.

With a gross of $1,500,000 in year ended April 30, 1938, World gets the bulk of its income from the manufacture of discs, Deutsch testified. About $1,100,000 from this source last year, chiefly from the library. Production averages 12,000 pressings a month, with 150 stations subscribing to the library service, 64 of them indies, 36 CBS, 31 NBC, and 17 MBS.

World does not try to prevent subscribers from buying other services, although there is exclusive provision in its pacts, Deutsch maintained. Restricting the library to one station in each market does not prevent the outlets from rounding out their program structure with waxed entertainment from other sources.

Networks and transcription firms are not competitors, Deutsch maintained. Seasonal and distribution angles encourage wax commercials and attract advertisers who would find it unprofitable to buy network time.

World gets a 7½% cut from stations on sponsored transcription programs and a commission ranging from 15% to 25% on the commercials where it doubles as agency and station rep. Only fee for use of library discs on commercials is a talent charge applying solely to national accounts, company head stated. No charge to stations who build local sponsored programs around the World library.

Despite the impression given members of the trade body, the Langlois & Wentworth agreement with National Association of Broadcasters does not require an increase in the supply of public domain music over the initial 100 hours unless there is sufficient demand in advance, probers learned from Cyril O. Langlois, who told of the difficulty in selling stations and the public on the idea of uncopyright tunes.

Under the agreement by which NAB unloaded its white elephant, Lang-worth will round out the first 100 hours by adding 80 hours of its own to the 20 hours previously canned by the trade org's Bureau of Copyright, he said. But another 100 hours will be recorded only if there are 150 additional subscribers and the other 100 hours—giving a maximum of 300 hours of tax-free music —will be produced only when 200 additional clients are signed up.

So far, Lang-worth has received renewals of the prior agreements with NAB from only 35 broadcasters. Originally 100-odd were committed to the Bureau of Copyright.

The cost of platters, fixed in the NAB agreement, probably will rise because of higher talent charges, Langlois warned. Pointed to the scale of American Federation of Musicians —which now gets $18 a side instead of $50 for six hours as formerly—and the probability American Federation of Radio Actors will make demands on the disc manufacturers.

Song Plugging

The two separate corporations did $100,000 worth of business last year, Langlois told the FCC committee. Hard time getting across the idea that music on which copyright has expired or which never has been protected is worth using or listening to. Song-plugging, particularly to exploit forthcoming films, is a major obstacle. He pointed out there has been very little new music for many years, with popular tunes pretty patternized, and protested against unfair use of phonograph records with name bands. Unscrupulous broadcasters misrepresent their programs, making listeners feel they are hearing live bands.

The ASCAP practice drew condemnation from Langlois. Little stations are injured particularly, while the newspaper-owned plants have a particular advantage through arrangement waiving the fee on programs where music is not used. Langlois was particularly irked that stations pay the copyright pool a slice of what may be received for programs embodying his firms' public domain tunes.

Denial that WOR discriminates against indie recorders was entered by J. R. Poppele, chief engineer of Radio Quality Group, which makes platters for the Bamberger outlet and is owned likewise by R. H. Macy & Co. The Newark station has never restricted the right to make off-line discs or can studio presentations, but imposes a nominal charge to cover additional expenses and requires outsiders to pay wire costs. Explained the fee of $10 per program—with a $200-a-month maximum, which enables any recorder to can the entire WOR output—is applied impartially. Station has put in $16,000 worth of extra equipment to care for feeds to other recorders, he said, and is entitled to a return on this investment. Total business of Radio Quality Group last year was only $25,000.

Baseball on WIRE, Indianapolis

Indianapolis, April 18.

WIRE, Indianapolis, airs American Association baseball games played by Indianapolis Indians for fifth consec season.

It's no secret why programs pay out on WNAX. It's the station where 5,000 watts do the job of 50,000. But, rates are right in line with the 5,000 watts power.

Frequency tells the story—570 K.C. —plus ideal soil and climatic conditions for radio transmission.

WNAX is your primary daytime outlet to 3,917,000 people — 719,500 radio homes.

Those people—in five states—Iowa, Nebraska, Minnesota, North and South Dakota — last year spent $891,466,000 for the things you're trying to sell.

WNAX rates enable you to buy these 719,500 radio families for as little as 3 1/3 cents per thousand. You ask how? Just drop us a line, or call your nearest Katz Agency office.

And, of course, you can buy WNAX in combination with the Iowa Network at an exceptionally low rate.

WNAX YANKTON, S.D. • 570 Kilocycles • CBS
5000 WATTS L.S. • 1000 WATTS NIGHT
Represented by THE KATZ AGENCY
Key to a 5-STATE, $900,000,000 MARKET in the MIDWEST

Raise in License Resented in Palestine

Most of Added Funds Not for Programming—Multi-Lingualism Complicates

By HARRY ZINDE

Jerusalem, March 31.

The Palestine Broadcasting Service greeted its 40,000 license holders on its third birthday (March 31) with the announcement that from now on radio licenses will cost owners $3.75 a year instead of $2.50 as previously. Let in the welter of birthday greetings from everyone in the country, the announcement made little splash until the local English daily, The Palestine Post, picked it up and began hammering away at the local authorities. They claimed that with the economic position of the country as it is today another buck twenty-five is pretty steep. They lambasted type of programs being put on the air in Palestine, claiming that with 40,000 paying their $2.50 yearly much more could be done in the way of entertainment.

The PBS authorities in a statement to the press said that the additional $60,000 a year would go to military and civic services including ship-to-shore telephonic communication, radio two-way communication and such while $10,000 would be added to the program budget.

The present budget of the station including all technical staff is in the neighborhood of $100,000 a year, three-quarters of which is for programs. The main difficulty faced by the station is that it has to put out three programs a night, one for the Arabs, one for the Jews and one for the English, all on the same transmitter and all within the same budget.

Well-Mannered Reproof By BBC's Head on Gov't Keeping Part of Fees

London, April 11.

BBC's collar of serfdom sometimes chafes a little so that it squawks against its overlord, the government. Director-general F. W. Ogilvie spoke a piece in this vein at Liverpool when he explained that revenue from radio licenses since founding of corporation had produced $180,000,000, but of this BBC had seen only $105,000,000, the government taking the rest.

'As taxpayers,' he said to his public audience, 'when you pay your 10 shillings' (the price of annual license) 'do you regard it as a payment for services rendered or do you regard it as an instrument of taxation from the government? That is not a question for me to answer.'

GREECE ASKS U. S. BIDS FOR STATIONS

Washington, April 18.

American manufacturers of radio broadcasting equipment have been invited by the Greek Government to submit proposals for the installation of two broadcast stations at Salonika and Jannina, American Commercial Attache at Athens informed the Department of Commerce.

Contracts will include two plants for the generation of electricity, to augment the undependable supply available at the sites of the proposed two broadcasting stations, and complete antennae and equipment for airing transcribed programs from both stations.

Plan is for a 10 kw. station at Salonika and a 5 kw. station at Jannina, to be used to relay programs from the 15 kw. transmitter now in operation at Athens.

Greek Government has asked to receive quotations listing separately the cost of the survey in connection with construction and installation of equipment; specifications, approximate delivery date of equipment and terms of payment.

London Calling

C. B. Cochran's biggest chore yet in radio is emceeing of biographical program on life of Jerome Kern.

Mason's Herb Beer, Normandy, Smith's Advertising Agency, on behalf of Newbalt & Mason, placed the contract with IBC.

Phillips Denial Magnesia renewed Normandy contract for another year. Agency is C. Mitchell & Co.

CANADIAN PROPAGANDA

Churches Will Reason By Shortwave With Germans, Italians

Toronto, April 18.

United Church of Canada will make use of short wave broadcasts to make known to the peoples of Germany and Italy, in their own languages, the desire in this country to be friends and settle differences without mutual destruction in war, it was unanimously decided at annual conclave here of the Canadian church leaders.

Aim is to identify Canadian efforts with universal peace instead of militarism.

MORE ABOUT ROYAL VISIT

Toronto, April 18.

Manufacturers of aspirin will probably declare a special dividend once the curtain rings down on the Royal visit to Canada. Storm-trooper tactics of Canadian Broadcasting Corp. in affecting a monopoly of all proceedings during the trans-Canada jaunt of Their Majesties is treading on plenty of toes, particularly among the owners and operators of independent stations. Concentration camp tactics.

General letter has gone out from headquarters here to all station managers across the country that it would be 'in good taste' for indies carrying the Royal broadcasts to omit commercial programs and spot announcements not only during the time the King and Queen may be on the ether, but 15 mins. before and after the Royal pronouncements are skedded.

According to the present program of 15-minute chats by either, this resolves into a 45-minute sustaining period for the indies, with the stations taking it on the chin for revenue losses and the commercial program talent also muzzled and presumably losing out on their pay check.

Well over 100 CBC commentators and technicians, under the supervision of Bob Bowman, chief of the CBC special events department, will handle the radio end of the Royal journeys. Definite instructions have been out that no hitch must mar the event.

Aboard two Canadian destroyers, the Saguenay and the Skeena, scores of announcers and technicians will journey on May 13 to meet the H.M.S. Repulse when the British battleship enters Canadian waters off the coast of Newfoundland two days out of Quebec. Commentators for this phase of the Royal visit are CBC staff members who are on the naval officers' reserve. Members of the engineering staff will also be former members of the Royal Navy.

Leap Frog

In order to broadcast the Royal visit, CBC will divide its special events department into two groups which will 'leap-frog' each other. When one group is in Quebec covering the arrival, the other will be in Montreal making arrangements to broadcast activities there. The Quebec contingent will then jump straight to Ottawa after the Royal arrival at Quebec. When Their Majesties leave Montreal, the second group will hot-foot for Toronto. Same method will be used across Canada to the Coast and then back again.

The King will speak five times during his stay in Canada; such points are Quebec, Ottawa, Winnipeg, Victoria, and Halifax. The big event will be the Empire Day broadcast from Winnipeg on May 24, when His Majesty will climax his Canadian tour in an address for which all radio stations in the British Empire will join the CBC national network.

Also of prime importance to the Empire will be the broadcast of the King's speech at Ottawa on May 18 (3 p.m. EDST), when he unveils the National War Memorial and rides at the head of the Royal Canadian Dragoons and the Princess Louise Dragoons for the trooping of the color on Parliament Hill. This colorful event will undoubtedly be listened-in by the majority of Britishers throughout the Empire.

One interesting broadcast of the Royal visit will be the running of the King's Plate in Toronto. The date of this turf classic has been changed to May 22 to coincide with the visit of Their Majesties. On the completion of the race, the King will present the gold plate which his grandfather, Edward VII, presented as an award, with 50 guineas, in perpetuity.

Speiser Org Intervenes In France as Recording Firms Assert Privilege

National Association of Performing Artists has intervened in France in a suit brought by two recording companies there to restrain use of their discs on three French outlets. Herbert Speiser, of the NAPA counsel, declared that the organization has no objection to restraint of use of the waxings by radio stations, but maintains that that privilege belongs to it and not to the disc manufacturers.

Suit was filed by Polydor and Trans-Oceanic recording companies, both subsidy of American needling firms, against radio stations Poste Parisienne, Radio Cite and Radio 37. It is similar to the Paul Whiteman suit in this country, by which the NAPA hopes to universally establish the right of the recording artist to regulate use of his work.

Speiser said he does not expect the French suit to go to trial, but that an agreement will be reached before that time.

BUDGET SHIFT EMBARRASSES CBC

Toronto, April 18.

Refusal of Premier Hepburn to shoulder 50% of the cost of projected public buildings in Ontario will at least delay the construction of the new $800,000 national headquarters contemplated here for the Canadian Broadcasting Corp.

Original idea, on which CBC went ahead and paid $58,000 for the building site, engaged architects, etc., was that the Federal Government would pay half of the construction cost and Ontario would meet the other half, this in a joint attempt to create employment.

Sudden about-face of Premier Hepburn, which has resulted in topping off millions of dollars in public works estimates, now has the frantic CBC officials here burning the Federal wires.

Moose Jaw Has Own Plan For Royal Ceremonies

Moose Jaw, Sask., April 18.

Officials at CHAB here are busy making preparations to broadcast ceremonies in connection with the visit of King George VI and Queen Elizabeth to this city on May 25. Moose Jaw to be the only city where evening welcome will be accorded their Majesties during the Canadian tour.

T. O. Wicklund, special events director in charge of CBC broadcasts originating from various stopping places along the royal route, passed through city last week. Moose Jaw will not be included on the national network as a pickup point when the King and Queen pay brief visit to city, he informed CHAB.

As result local station is making elaborate plans to give event complete coverage on its own. Pickups will be made by at least four different microphones stationed along route to be followed by royal procession through city.

Regal party scheduled to arrive in Moose Jaw by train at 9 p.m. M.S.T. and following official reception by civic authorities will drive at head of ten cars up city's main thoroughfare between expected crowd of 45,000 persons.

D. G. Bridson, BBC north region program producer, readying special 'Calling New York' effort for April 23, to be booked on to the American webs as U.K.'s greeting to the World Fair. Aims to give comprehensive impression of British life and character, and program will mix bits from all parts of the country.

BROKERAGE IRKS AGENCIES IN CANADA

Montreal, April 18.

Major radio agencies are disturbed about the practice of small timebrokers buying up chunks of time on local stations and jobbing them out for spot announcements. If the situation isn't adjusted the agency men propose to protest to the Canadian Association of Broadcasters.

Nub of the agency men's plaint is that clients figure that they can save money by buying into these participation programs instead of spotting programs of their own. Although the time brokers haven't weaned away any important accounts so far, the agencies want to stymie anything that might lead to kickbacks to accounts from the timebrokers.

IN CANADA

Ken F. W. Cooper, photographic expert, to conduct forum for camera fans over station CFCC starting this week.

Parizeau is also handling newscast for Richelieu Cheese, seven times weekly, over CKAC. Translates British United Press copy for Richelieu.

Everything Nice BUT THE RHAPSODY IN BLUE
Tops in Theatres
PAUL WHITEMAN
and his
ALL-AMERICAN BAND
Playing
• Paramount Theatre Springfield, Mass.
Five Days Starting April 20th
•
• Paramount Theatre Newark, N. J.
Week of April 28th
TUNE IN THE CHESTERFIELD SHOW
CBS Coast-to-Coast
Wednesdays, 8:30 E.S.T.
BOOKED EXCLUSIVELY BY
Artists Management, Inc.
17 East 45th St. New York
MUrray Hill 2-1888

WBAL means business in Baltimore

Hear Ye! Hear Ye!
KLEENEX
COURT ORDER
Her Honor, Nancy James
By HERBERT LITTLE, Jr.,
and DAVID VICTOR
WABC—CBS
12:15-12:30 P.M. E.S.T.
Monday Through Friday
Direction LORD & THOMAS
Management ED WOLF
RKO Bldg., New York

WBNS
COLUMBUS, OHIO
ALL YOU NEED IN CENTRAL OHIO
5000 WATTS DAY 1000 NIGHT
JOHN BLAIR & CO.
NATIONAL REPRESENTATIVES

IN BALTIMORE IT'S WFBR
NATIONAL REPRESENTATIVES EDWARD PETRY & CO.
ON THE NBC RED NETWORK

TO COVER GREAT BRITAIN YOU MUST USE RADIO NORMANDY
Full Particulars of Air Time and Talent from
International Broadcasting Company, Ltd.
37, Portland Place, London, W.1.

Dear NBC:
"WILL YOU LOVE ME IN DECEMBER AS YOU DO IN MAY?"
"DON'T FORGET"
ALLEN PRESCOTT
Fridays, 8-8:30 P.M., WJZ

SHEPARD CRITICIZES BLUE

AFFILIATES' VIEWS HEARD BY PROBE

Rosenbaum of WFIL Also Expounds IRNA Ideas—But Shies Away from Government Attorneys' Implications That Uncle Sam Should Step In

PAY OFF

Washington, April 18.

Excessive network demands on time of affiliated outlets, curbing their opportunities to develop spot and local business and put on community service programs, brought complaints to the FCC last week, but kickers shied away from the idea of government determination how webs and stations should adjust their relations.

Summoned as Commish witnesses, John Shepard III and Samuel R. Rosenbaum related the principal peeves of Independent Radio Network affiliates when FCC attorney F. King Funkhouser sought to show the vicious chain practices and lay groundwork for government regulation of web expansion and operation. Two IRNA leaders argued, however, that possibilities of voluntary negotiations should be exhausted before the government steps in.

Bulk of the wailing about chain demands came from Shepard, who was particularly critical of NBC Blue contracts, but said the Red arrangements are satisfactory in view of the amount of sponsored chain business. Revealed wide differences in revenue from the two NBC combos.

Network habit of asking affiliates to carry chain commercials during station local option time—at the lower network rate—is exasperating, Shepard testified. He yelped particularly about his inability to work out arrangement so that WNAC, his Boston Red outlet, can carry General Mills' Grouch Club, handing network critics potent ammunition for possible fight over legislation stiffening the government's supervision over chain performances.

'I do feel in a case where NBC is requesting time, that is the station's option time, for a program the station can't or won't clear at that time, and the advertiser wants the station, then if the station makes a recording off the line they should be entitled to make the contract for the time direct with the advertiser and receive their full commercial rate less discounts from the advertiser rather than the lower network rate of 37½% based on the fact that the station is taking a program off as an accommodation to the advertiser and time which it does not have to sell that advertiser through NBC under its contract,' the Bay Stater asserted.

He spoke particularly about the General Mills problem. With the 6:30 Sunday night spot already filled, WNAC offered to record the 'Grouch Club' and play it at another time, possibly Monday, he said. Arrangement was agreeable to General Mills, but acceptable to NBC only if the web got its regular slice and Shepard was satisfied with the 37½% rate.

It's the Blue

After explaining the distribution of time between the chain and the affiliate, the Yankee-Colonial operator agreed the network demands are reasonable in the case of the Red and are essential to chain operation. But in view of the big blocks of unsold time reserved for the Blue, the arrangement is wholly unsatisfactory, and Blue affiliates must tie up with another web—as his Providence and Bridgeport transmitters have done—in order to be sure of adequate revenue.

'I think the network is entitled to it if they prove that they can use it, but I think there is too big a gap between the amount of time on which they have an option and the amount of time which experience has shown they need or can use,' he asserted.

The free-time provisions need adjustment in the case of the Blue web, he maintained. Unfair to force affiliates to carry chain commercials in the gratis hours and not give them more programs in the period when they will receive compensation.

'As soon as you get over the hump of the free hours, and then get over the hump of the 20% hours, then you start getting a good payment from the network,' probers were advised. 'You don't on the Blue, because of the limited amount of commercial time sold on the Blue. It materially affects the revenue of the station due to the fact that most of the time used as free hours the station gets nothing, and when they do it is on the basis usually, very seldom above the 20% figure.

'I have long felt and have so expressed myself to NBC that it would be a much fairer proposition to take the first hour free, the second hour at 20%, the third hour at 30%, the next hour at 37½%, and then go back to the next hour free again, up until you used up your free hours, which would give NBC an opportunity when they did use the number of hours they really should, to make the payments to the station the same. It wouldn't affect the payment to a Red network basic station one iota to do it that way. It would help out the stations that have suffered from lack of revenue and lack of revenue on the Blue and probably some of the supplementaries.'

Contrasts

To illustrate his complaint and suggestion, Shepard compared the operations of his Red and Blue outlets. Admitting the rates vary, he revealed that during the week ended April 1 WNAC (Red) received $5,078 for carrying chain commercials, while WEAN (Blue) got only $655, and WICC (Blue) a mere $378. The Boston station rate is $900, WEAN's is $200, and WICC's is $160.

The effect on the station on a Red network basic contract is, I believe, as fair a contract as probably can be drawn,' Shepard said. 'NBC uses practically all the option hours, except a few on Saturday morning and afternoon. It produces very good revenue for the station; programs fed to it are a great help to the station in securing other business.'

Where Blue outlets are tied up by exclusive contracts, they are in a serious predicament, Shepard complained. His plants need the bolstering available through the Mutual tie-up, although NBC has balked at releasing unused time so WICC and WEAN can carry MBC commercials. For several months he has disregarded the NBC contract to air one MBS feature, he admitted.

Restrictions in NBC contracts must be waived in some circumstances, if the local outlets are to keep alive, Shepard advised. WNAC can take program from New York, provided it is not fed simultaneously to other stations except in New England and New York, and under the Red pact can tie other NBC stations into regional web. That's fair, he said, because some lants in small cities can't sell much local time and can accommodate the extra network programs.

'The amount of money that is paid to stations on the Blue network is pretty small and they need other sources of program revenue in order to make enough money to do a real good broadcasting job,' he commented.

Blue Inferior

Comparing the two NBC skeins, Shepard told the probers there is no evidence the Blue ever will equal the Red. Sustainings on the Blue are inferior and it is almost impossible to build up an audience with the lower grade programs to compete with the Red. He saw no sign that NBC is laying down on the job, crediting the network with aggressive and conscientious efforts to obtain commercials for the Blue outlets. But is convinced 'it is necessary for the Blue network stations to have more option hours and fewer network option hours until such time as a fair proportion of the network option hours are used by the network.'

Despite his dissatisfaction, the arrangements with the Blue are more desirable than those which he formerly had with CBS. Describing CBS demand for option on all time—when he yanked his stations from the CBS—in contrast with the NBC formula, he remarked 'we couldn't see it.'

With both Shepard and Rosenbaum, the Commish attorney had difficulty getting any backing for the idea of government supervision over web-affiliate relations. They said that sometimes the network and sometimes the station has the advantage in bargaining over contracts—depending on local conditions—and doubted any rule can be promulgated which would work satisfactorily. Particularly on division of time and compensation. Public interest is promoted by any web tie-up, because of improved program service.

'It would delay in many cases service to the public if there was too much regulation by the Commission,' Shepard opined. 'I think it is a matter that can be worked out between the committees of IRNA and the networks.'

Rosenbaum took the same view about Funkhouser's suggestions the FCC should step in to adjust the web-outlet situation. Government should encourage the parties to attempt a more satisfactory agreement instead of trying to dictate.

'I believe that the moral effect of an encouragement by the Commission and their expression of confidence in the industry will go much farther to accomplish a really constructive solution than any effort by the Commission to formulate in advance regulations which would require a degree of omniscience which I am afraid the government does not always display,' WFIL operator gloomed.

Although he feels competition from web managed and operated plants sometimes is 'a little hit tough,' Shepard argued vigorously against any move in the direction of government rate regulation. Doesn't want to see it in any degree. His beefs were about the large discounts granted by WEEI, competing CBS outlet in Boston, and the differential rate on spot business on WBZ-WBZA, the NBC Boston-Springfield duet. While the published rate for both of the latter stations together is $640 for web programs, national advertisers can buy the two for $400, he noted. This borders on the edge of unfair trade. The WEEI discounts run up to 38 or 39% against the general trade maximums of 25%, thus being equivalent to a lower rate for spot users of the CBS outlet, he explained.

Exclusive pacts are good under some circumstances, and the FCC should not attempt to lay down a hard and fast rule about them, both IRNA leaders said. Shepard noted that when the web doesn't use much of the optioned time, stations suffer from being tied to a single chain. He doubted the possibility that webs can guarantee affiliates a certain number of commercial hours and suggested that freedom to tie up with another chain is a better solution to the problem in some situations. Rosenbaum agreed that the desirability of an exclusive clause hinges on conditions in each instance, preferring no regulation.

As Funkhouser voiced skepticism that IRNA can accomplish much toward adjusting the time problem, Rosenbaum said the indies feel there is a chance of thrashing out differences along general policy lines at round-table parleys. Some CBS affiliates feel that, potentially at least, they are tied up too tightly, but the chain has been very cooperative and there are no serious complaints, WFIL owner said. Options occasionally are excessive, however.

If practices which adversely affect the public interest aren't remedied by voluntary effort, Congress or the Commish should 'take cognizance' of the situation, Rosenbaum agreed, but the industry ought to have a reasonable chance to work out its own salvation. Some progress being made on several important issues, notably allowing the affiliate more time to cover local events, particularly politics; preventing the chains from dumping too many sustaining talks on station time; and limiting continuity. He opposed government efforts to set program standards, predicting the National Association of Broadcasters will be able to handle this problem.

D. C. APPEALS UPHOLDS FCC

Washington, April 18.

String of judicial reprimands for the FCC was broken Monday (17) by a District of Columbia Court of Appeals decision upholding the right to grant a new hearing on the application of WKZO, Kalamazoo, for full time with a directional antenna. Judges, who recently spanked the Commish for reopening proceedings improperly, this week tossed out the complaint of WOW, Omaha, that rules had been disregarded in granting the Michigan station the privilege for which it has been fighting more than five years.

The WOW complaint was not well-founded inasmuch as there was ample notice the Commish regarded the application favorably when the second hearing was held in 1938, the decision said. Omaha station complained that the Commish in effect granted a permit different from that prosecuted, inasmuch as the original plan was to build antennas 120 feet shorter than the standards—adopted 18 months after the initial proceeding—requires. There was no injury in not requiring amendment of the application and failing to have still another public trial after the standards were promulgated,' Chief Justice D. Lawrence Groner maintained.

The License Plate Says "Ohio" BUT...

Their Gas and Oil Are Bought in New England

There is nothing surprising in this situation. Gas and oil are bought where a car is operated—not where it is registered. And because New England is within easy motoring distance of 72% of the country's population, some 3,000,000 visit it during summer months. They spend over $500,000,000 in New England for recreational needs.

Naturally most of these people have a radio. Naturally, too, most of them listen to WTIC.

A summer program over WTIC offers a unique opportunity to secure bonus coverage at no extra cost. An audience of 1,500,000 in the primary coverage area; 680,000 additional in the secondary coverage area; (Jansky and Bailey Survey figures). And a guest audience of many hundreds of thousands more. All with purchasing power far above the average.

The New York World's Fair 1939 expects close to 17,000,000 visitors. Many thousands of them will visit WTIC's New England this summer.

Four years ago we ran this advertisement. It was true then. It's just as true today!

WTIC
50,000 WATTS HARTFORD, CONN.

Dear Radio Directors:

WOW develops talent. Talent scouts recently "discovered" WOW's Ray Suber, now on five shows out of Chicago, and WOW's Jettabee Ann Hopkins, now transcribing her "Jangles" program as "Adopted Daughter" in New York.

WOW is a fertile field for talent scouts. Ask us or our "reps," John Blair & Co.

Sincerely yours,

WOW
OMAHA, NEBRASKA

John Gelder Jr.
Manager,
RADIO STATION WOW
Omaha, Nebraska

BING CROSBY, SPORTSCASTER
Louis vs. Roper Punch
Sustaining
Tuesday, 12:45 a. m.
WJZ-NBC, New York

Coming into New York around one a. m., this broadcast of the almost two-minute squaring off between 25-year-old Joe Louis and 38-year-old Jack Roper was not bad radio, as it must have been dull watching. At least the radio listeners only gave up some sleep to keep awake that long. What invested the occasion with some curiosity appeal was the appearance of Bing Crosby as a sportscaster. He didn't actually handle the 'fight,' but he did the preliminary color stuff. And with commendable poise, clarity and pertinence. It was a lark for the screen-radio singer. He had more reason to be there in his role than Roper had.

There was plenty of stalling in getting the punch under way. As if the promoters wanted to substitute introductions of celebrities for the lack of action expected in the ring. It was a sorry affair by any standard. They hardly bothered much to talk up the splendor of the sport, at all, although Crosby did bouquet, without illusions, the hopefulness of Roper. Mark Kelly's remark when the contender was promptly counted out was 'the fight is over, but it was a corker while it lasted.' That must go into the record as a model of masterly covering up for fight promotion, press agentry, high-low.

Boy, fetch the atomizer! *Land.*

'MIDNIGHT AND OTHER FOLLIES'
With Clifford Whitley, Sir Francis Towle, Elsa Macfarlane, Jack Mason, Adelaide Hall, Nanette Wayne, Eve Beoke, Jack Hulbert and Cicely Courtneidge
Biographical
60 Mins.
Tues. (23), 8 p.m.
BBC, London

Program was aimed to do honor to Cliff Whitley, who put the modern floor show on London's map. Compilation was after the fashion to which BBC is partial; dragging in as many personalities as time allowed, and recalling by music or gags, incidents in his upward career. There's usually plenty glamour about these personalities, particularly a chap like Whitley, whose work and ideas have put him in contact with top names of many countries, so the hour had much color. Though its continuity failed to build an outstanding or romantic program.

Cis Courtneidge and Jack Hulbert, speaking from their dressing room at the Palace as Cliff's guests, filled set the pace, and others who came to the mike for a personal word were Sir Francis Towle, Beaumont Wayne and Eve Becke, and 'Whispering' Jack Smith sent a greeting by spec-ial recording from Hollywood. Recordings were also introduced of Maurice Chevalier, Sophie Tucker, Kisler and John McCormack, with an effective gag was to borrow Michael Standing from 'I Town Tolo' program to give a commentary of Chevalier's arrival in 1932, when Whitley paid him $45,156 for a two-week stand.

Whitley himself did most of the explaining, sounding completely at home behind the mike, kidded along by variety dept's emcee, Lionel Cavlin, but the program failed completely to jell was on account of it being a composition of so many bits and pieces. Adelaide Hall, for example, did a couple of snatches, but just as her intense, satisfying blues had beginning to roll around the ears she was faded out for more gab. So it was with the others.

In his wind-up spiel, incidentally, Whitley mentioned his plans for putting on a top-scale musical in the West End with two major stars sometime in the year.

GENE O'HAIRE
Talk
15 Mins., Local
YANKEE CLEANERS
Tues., Thurs. & Sat., 6:30 p.m.
WGY, Schenectady *(BBD&O)*

Two 'Sports Roundups' by O'Haire heard in new series were a bit tame. Not fat bit of information nor was there any unusual style shown. Programs seemed to be mainly snips from wire reports and local release —run-of-the-mill stuff woven into scripts without particularly distinctive touches. After the baseball season opens, mere details as to scores, etc., probably will be sufficient to hold attention. Right now, however, more digging for pipeline news and sidelines continuity would help. Broadcasts should carry some individual imprint.

Spot is excellent for sports—Paul Douglas filled it Monday through Saturday with baseball dope from New York on NBC last season. Roundup faces local competition from, or at least comparison with, Bob Emery's year-round sports 7:30 on 6-45 block alternating days. Latter probably operates on a larger budget, but lays off in the hot stuff depression made. Sports fans hereabouts are inclined to be critical of any miker.

O'Haire, familiar to WGY dialers by reason of previous sportscasts for other tobacco accounts, possesses a splendid voice and a smooth delivery. Grade A miker, he can sell advertising—setup calls for a minute midday plug by him—well. *Jaco.*

'FIESTA'
With Six Singing Senoritas, Mary Alcoit, Shumate Bros. Carol Gay, Eight Caballeros, Carlos Jiménez Quinines, William H. Furlong, Senor G. Hawley & Ben Feld's orch.
30 Mins.—Local
Sustaining
Sunday, 2 p. m.
KMOX, St. Louis

A one-shot program arranged by Production Director Chester B. Rowell as a contribution to promoting good will between the North American republics was in the nature of a travelogue of Old Mexico, with musical accompaniment, and all of the stations talent, except Papey Cheshire's hillbilly galaxy which probably can't play Mexican tunes, sounded as though it over the o.k. style. Starting off with 'Fiesta' by a chorus and orch Marvin E. Muellen, gabber, Rowell used his familiarity with Spanish tongue by reeling off a lot of words and then translating them into English as he introduced the first of several speakers, all of whom used about all the superlatives in the book to describe the wonders of our southern neighboring republic.

William H. Furlong, San Antonio, U. S. representative of the Mexican government's national highway dept. gave the most especially for the broadcast and he not only described many of the scenic wonders of the country, but also told how good roads, good accommodations, comfortable rates, etc., could be obtained by the tourist. Senor Pancho Scanlon of the National Railways of Mexico was another whose dissertations were instructive and interesting.

In between the talks and the reading of telegrams exchanges between Mexican and American officials, Mary Alcott warbled 'Clelita Lindo' and 'La Golondrina,' and in the latter sounded more like a senorita than during the first. Carol Gay, one of the station's femme commentators, took a turn at interviewing one of the visitors and brought some alluring facts about Mexico. One of the bright spots was when Feld's orch switched to Mexican music and enlisted the aid of the Six Senoritas in rocking over 'Ferdinand the Bull.' *Sahu.*

'BLUEGRASS BREVITIES'
With Robert Ansell's Orchestra, Charles Martin, Alan Jackson
Novelty Music
15 Mins.
Mondays, 3:45 p.m.
WHAS-CBS, Louisville

A bright 15-minute concoction of novelty tunes and instrumental combos evolved from the WHAS house band, directed by Bobby Hutcheson, who is responsible for the arrangements. Program is piped to the CBS net as a pleasant afternoon interlude.

'Deserted Ballroom' opened, an interesting atmospheric arrangement which musical portrayal of the title faithfully. Number has a ghostly theme in a minor strain, and sounds haunting. Next was a medley from 'Sweet Sue,' received sparkling treatment by the brass brigade, followed by 'Doll Dance,' utilizing only the woodwinds and strings. Chuck Martin scraped the gut to good effect with 'Violinda,' a typical Joe Venuti hot fiddle novelty, and selections from Maughn Marietta, bringing in principal melodies of that show, and 'Tramp, Tramp, Tramp,' 'Sweet Mystery of Life,' 'Falling in Love With Someone,' and 'Sing, Sing, Sing,' wound up the stanza.

Alan Jackson handled the announcing end okay. *Hold.*

'MONEY FOR WORDS'
With Tip Corning
Spelling
30 Mins.: Local
ROXY CLEANERS
Wednesday, 9 p. m.
WABY, Albany

Sustaining spelling bee program from Palace theatre. Setup: competition between teams of five from State and adjacent communities, area colleges and local organizations, during initial 20 minutes. And volunteering by patrons, in their seats during next six. Cash prizes.

Wordmaster Corning handled himself pretty well, and should improve. One thing program should do is employ round-the-neck cards or other means of identification. George Lofink, of Fablan staff, had introduced contestants by name, but without city or address. Coming contests on subsequent rounds address them except as 'a young lady,' 'a man,' etc. Identity is of greater importance on a local station than on networks, although latter pay heed. Pickup not always perfect, but size of theatre (3,800-santer) probably responsible. Lofink, delivering midway plug for following week's bill and otherwise assisting, is okay. *Jaco.*

Libel Suit Vs. WINS

Susanna Welchbrodt filed an application to examine Hearst Radio officials in N. Y. supreme court in order to help her frame a complaint against them.

She claims libel in a broadcast over WINS the week of March 10, 1938, at which time she claims it was stated that the separation she had won from her husband was not a separation, but that she had been an illegal bride.

FOLLOW-UP COMMENT

'Backstage Wife' (WEAF, 4 p.m.) weaves a tangled snarl of people sore at each other, misunderstanding, jealous, and having little spiteful clashes. All this against the background of a theatrical career for several of the characters, and the financial backing of a theatrical production by persons whose wilful notions complicate life. It's all phoney-genteel, utterly unrealistic and, for the casual tune-inner, hard to follow.

'The Guiding Light' is part of the NBC message of Procter & Gamble. It concerns a minister, Rev. Tom Bannion, who loves a girl, Mary, who was done wrong by a newspaper columnist named Phil. Ted left Mary and the pastor would like to move in. But he's a timid, self-abasing soul. I'm-not-good-enough-for-you. Mary, it is his line. What is apparently good enough for the afternoon audience.

Harry Salter subbed for Eddie De Lange on the Phil Baker program, and Lud Gluskin disclosed Artie Shaw's bounce band with the Robert Benchley-Old Gold show over the past week-end. In both instances it was a case of sweet danspation replacing swingo exponents. In both cases it seemed one to standard and, if anything, an enhancement, in that the band didn't detract from the main comedy purpose in hand. At any rate, both shows progressed more smoothly, although again the stylized stoogery was the main thing.

DeLange allegedly objected to changing for Baker's quippery, and the program repeatedly informed that a house combo like Harry Salter's, with violins and strings, would work out for the better. It's one of the sponsor this time.

Intro, in the drift of Benchley to the Coast, had Gluskin's super-arrangements, leaning on the good-humored, but not the hot-jive side, blended well. In both instances, too, the maestros were properly spotlighted by the comedians through judicious crossfire, kidding of the surname (as in Gluskin's case), etc.

Richard Himber on the Reid ice-cream show seems to be suffering from George Washington Hill-itis. Fast gait of Himber's dance gallops almost makes listener suspect it's a road company of the Lucky Strike formula. The answer, of course, must be the sponsor, because Himber is himself a distinctive 'hypo-mid' style—on his Studebaker transcriptions.

But for those who don't know or reason out the wherefores and whyfores of behind-the-mikeitis, they must be wondering what's happened to Himber.

Warner Bros. produced sustainer, 'Grouch Club,' sponsored for the first time coast-to-coast (General Mills' Kix, broadcast in the myers' time offer), was importantly spotlighted as the newest comedy show on the air at WEAF-NBC Monday night at 6:30 p.m. Sunday night (16), but somehow it all didn't come off. Starring Groucho Marx, Lucille Ball, Harry Ruby and Leon Errardo's band, it was hit 'n' miss. Show has been announced for more a year now out of KFWB, the Warners' Hollywood station, from whence film commercial also emanates, and some of it has been condensed into WB shorts, but on its first commercial respect the effort was shy of the mark.

Highlight was the sequence having to do with the 'free library' that was one of the better WB shorts in this series, but in the main m.c. Jack Lescoulie sounded as if he's been listening too assiduously to Ken Benny. Then his tone inflection tips that off, plus the fact that the tele-typed, 'Play Leonardi!' is a dead ringer for 'Play Benny!' Lescoulie also makes a crack about 'where you folks are tuned in to this station' which, if Jack Benny to come on right after us.'

Gene Krupa's orchestra was on the air Saturday night at midnight from the Hotel Sherman, Chicago. Date was the first anniversary of the band's debut. Krupa's crew has undergone many changes in personnel since then, and seemingly always for the better. Crew impresses as a clean, well-balanced bunch naturally dominated by the leader's drums. Not too heavily, however, to make the skins throw the rest off kilter.

Band has settled into a style which, fortunately, doesn't call for the blare which might be expected from an outfit led by a leader with a hot reputation. Rather it calls for the sweet to be in the fore most of the time, creating smooth listenable sustainers.

Stan Shaw, the ole milkman-banjoist with NBEW, politely chided VARIETY by reading verbatim a comment in this department of two weeks ago, wherein it mentioned Shaw's long-winded intro spiel, but observed that the post-meridian disc-broadcaster had removed some onus by injecting bits of chatter to get the show under way.' Shaw postscripted that he's been four years on the air doing the same formula, hence it took VARIETY a long time to find it out.

Shaw, per usual, is a synthetically breezy platter-chatterer, and 'if the VARIETY boys happen to be listening in, I will now play 'Variety is the Spice of Life,' he wound up.

Rash.

British Blueprint Novelty Revue

London, April 11.

When BBC starts in with its new Wednesday night 'Roundabout' on May 3, it is aimed to be the most comprehensive variety program yet done here. All BBC regional stations will have a part of it. Linked at Broadcasting House, London, by producer Francis Worsley, from the dramatic control panel items from north, south, east and west will follow each other in non-stop succession.

Syd Walker in an item called 'Mr. Walker Wants to Meet You,' and, accompanied by Ernest Dudley, who authored all the 'Band Waggon' scripts, will go on tour in search of people whom listeners, as much as he, should be glad to meet up with. The Western Brothers, comedy duo, have been booked for the first three programs, and will appear as 'The News Narks,' hitting the headlines of the day's news with chasts of rhyming wit. All other sections of the program will be contributed from the BBC branches.

From the Midlands, David Gretton is organizing a tour of taverns in whose taprooms, backyards or bars customers play games of peculiar local significance; item will be called 'Inn-door Sports,' and will run seven or eight minutes each week. Pastimes he will unearth include: shove halfpenny, skittles, bagatelle, marbles, quoits and tip-cat.

E. M. Delafield has written four family sketches which will form the West's contribution, each being self-contained. Scotland will put over a 'One-Man Revue,' not for reasons of thrift but because it has an artist known as Ian Sadler, who contrives unassisted to provide a complete entertainment of impressions, songs, sketches and what have you. Northern Ireland's first contribution will be the first of the folks Mr. Walker wants to meet, Tommy Thompson, who sings topical rhymes in the 'Ulster Weekly' program from Belfast.

Bob Emery, the 'Big Brother' of WGY New York, took his 'Hillbilly House' kid program into Town Hall Saturday night (15) under the auspices of the John Purroy Mitchel American Legion Post. Tickets were for charity and not sold at the box-office, so that squared the Gerry Society on the performance. Emery's kids range from six to near-adults. Show was not broadcast.

Bob Emery's show necessarily somewhat slow, partly due to Town Hall's lack of theatrical equipment, but Emery managed it with a surprising amount of genuine talent. If anybody's worried, the performance serves to remind professional observers that, without weeping at the grave of vaudeville, there's still plenty of talent that performs gratuitously up. Among the best items was a troop of negro boy scouts from Harlem who warbled 'Shortnin' Bread' across.

Being primarily radio kids, many of the performers used the wrong number greasepaint in the wrong spots. Purple eye-shadow got a bad beating.

Performances were given afternoon and evening and should enhance the popularity of this Hoover-kid program, which has a big following with the mothers of future Shirley Temples. And, incidentally, a replica of the latter miss showed up, complete in Crinoline hoop-skirt and bloomer and just crying for Bill Robinson. *Land.*

'DR. I. Q.'
With Lew Valentine, Allan C. Anthony, Garry Morfil, Gana Kemper, Bert Keyes, Bob Richardson, Robert Enoch
30 Mins.
MARS CANDY, INC.
Mon. 9:30 p. m.
KWK, St. Louis *(Grant)*

The debut of this audience participation quizzer over a group of 16 Missouri, Illinois and Iowa broadcasting stations on NBC Blue occurred from Fanchon & Marco 5,000-seater Fox Monday (10) with Wyatt originating. It was a good stunt for the station to make a tie-in with the Fox instead of the municipal auditorium as it enabled the customers to get tickets for their admission fee. The bankroller is pretty liberal for in addition to doling out approximately $700 in cash for correct answers, also dished out cartons containing 24 bars of Milky Way candy and two dozen to the following week's screen show to those who flunked.

With five station employes planted in various parts of the house with portable mikes, Lew Valentine selected each section, in turn, for his questions. Those with the mikes had already selected a contestant and this served two purposes. It spared the customer the embarrassment of appearing on the stage and permitted the program to progress in quick tempo.

The cash prizes, in silver, range from a high of $25 and $10 to $5 boosted the ante on several occasions. Some of his questions were pretty stiff and a majority of them could be answered in the allotted time. Allan C. Anthony who does the commercial spiel, did it in a crippy manner that should please the sponsor. The program will originate from KWK at the Fox for the next four weeks and then move to WENR, Chicago, for several weeks. Then it will originate from WGN, WOWO, WTCN, WHEN, WGBF, WBOW, WEBC, WAVE, WSM, WSB, WDAY, WFYR, KOA and KDYL.

Well handled addition to the embarrassingly large family of quiz shows. *Sahu.*

RICHARD HIMBER'S ORCHESTRA
With Lowell Thomas
Discs
15 Mins.
STUDEBAKER
M-W-F; 8 p. m.
WABY, Albany

(Roche, Williams & Cunnyngham)

Richard Himber's orchestra furnishes the entertainment and Lowell Thomas teams with Ben Grauer in delivering the plugs for Studebaker's pre-war Champion. Champion on transcriptions turntabled over various stations three nights weekly. Not a matter-of-fact but pretentious production of Himber's music and Thomas' name should prove gn attraction for a sponsor of his calibre.

Dialers may be disappointed, after opening announcement, to find Thomas only in role of a plugging orator. 'Featuring' his name, under these circumstances, may be questionable. Himber gives it up himself in his sustaining at outset, and flattening it when no commentary is forthcoming. Thomas voices smoothly but rather lengthy blurbs. These should be sufficient, but Grauer also drum-beats, in the pleasant manner advertising agencies, if not all listeners, like.

Between the moments of ballyhoo, Himber's instrumentalists do their stuff attractively. Stuart Allan has one vocal spot on each skimmer and fills it nicely. *Jaco.*

'COUNTRY HOME HOUR'
Magazine
45 Mins.
PARTICIPATING
Mondays, 8 p. m.
CKLW, Windsor (France)

Smarly compiled magazine program for kick appeal. Douglas McCuaig and Blackburn rates bows as editor of the program, for the untiring ease with which he pulls rabbits out of the hat.

Opens with a brief talk sponsored by National Union of Farmers, discussing current points of the general application; then a 'recipe exchange' in which two housewives swapped ideas for the table; then a piece about poultry farming (sponsored by and introducing Fui-o-Peck concern); quiz-stuff with questions for listeners to ponder; 'Take It or Leave It,' a Ripley item telling of a young man of the country side (backed by Wakeley's Hop Manure); hints on managing the vegetable patch, with tuffies, and they can get a special I.B.C. chart by mailing a request with postage (Ryder's Seeds look after this operation); and an item called 'Rural England,' retelling old stories and legends of the rural countryside, with 'swan upping' on the Thames, that strange process whereby a regular census and check of all the swans is carried out by specially appointed officials; chat on dogs, in which Brittany Spaniel 'Scruff' was featured, rounded off program in which excellently recorded and thoughtful selected music made an effective link between items.

TOD WILLIAMS
News Review
15 Mins.: Local
NORTHLAND MILK CO.
Daily, 7:30 a.m.
WTCN, Minneapolis-St. Paul *(Hutchinson)*

Program is completely written by Williams, sustaining staff-member, former newspaper reporter, he uses dynamic vividness. Packs his squibs with colourful words.

Recently lingoed the conviction of two would-be extortionists thusly: 'The extortionists, Mr. Williams, attempted to put the lug on Charlie Ward for 15Gs will spend the next few years as house guests of the Great White Father at Leavenworth.'

Rash.

BOB EMERY'S KID RECITAL

ASCAP WINS FIRST ROUND

Dorsey's Private Puff Sheet Emerges As an Adv.-Seeker; MPPA Tabus It

Attempt of John Gluskin, a lawyer and personal manager for Tommy Dorsey, to solicit music publisher averting for the bandman's fan mag giveaway has encountered strong opposition from the Music Publishers Protective Association. In a circular letter addressed to the trade last week, Walter G. Douglas, chairman of the MPPA, warned that the taking of space in Dorsey's throw-away monthly, 'Band Stand,' would be in violation of the association's code of ethics. Douglas also wrote that at a meeting of the MPPA board last Tuesday (11) a committee was appointed to formulate a plan for an agreement for the elimination from the industry of all types of subsidies.'

'We think,' Douglas's letter stated, 'that it is hardly necessary to warn you that if you take advertising in Bandstand there will follow in all probability many publications of a similar nature, and therefore for the good of the industry and yourself individually a potential evil of this sort should be nipped in the bud.'

Gluskin, a lawyer by profession and brother of Lud Gluskin, conductor for CBS on the westcoast, has been scouting around the industry for a music publishing house that Dorsey could buy. Gluskin is also personal manager for such bandmen as Shep Fields, Jack Teagarden, Red Nichols, Gene Krupa, Glenn Miller, Ray Kinney and Bunny Berigan; also their lawyer.

In a conversation with Douglas, Gluskin stated that much money has been spent in building up the fan giveaway.

Dorsey Explains

Following Walter G. Douglas' talk with Lud Gluskin, Tommy Dorsey called together several professional men and appealed to what he termed their sense of 'co-operation.' Dorsey started off his speech by reeling off the list of things that he does not do, such as holding raffles for plugs, free special arrangements, demanding publisher attendance at big openings, or insisting on cutins. Dorsey said that while he hoped the publishers would take ads, any opposition would not affect his friendship for the exploiteers.

Those who attended the meeting were Jack Bregman, Jonie Taps, Mack Goldman, Larry Spier, George Marlo, Henry Spitzer, Irving Tanz and Rocco Vocco.

'Red Sails in Sunset' Suit Dismissed; Shuberts Sued Shapiro in 1936

Suit which the Shuberts had brought against Shapiro, Bernstein & Co. in 1936 in connection with 'Red Sails in the Sunset' was dismissed by Justice Isidor Wasservogel in the N.Y. supreme court Monday (17). A favorable decision would have permitted the Shuberts to bring an infringement action against Peter Maurice, British publisher of the tune.

After Shapiro had acquired the American rights to 'Red Sails' from Maurice, the former noted that the first three bars were similar to the melody of 'From Now On' from the score of 'The Street Singer,' by Richard Myers, which operetta had been produced some 10 years previous by the Shuberts and had but a week's run. Shapiro subsequently worked out a deal with the Shuberts whereby the publishing house got a worldwide release of any claim against 'Red Sails' for the sum of $500. 'Red Sails' became a smash hit, doing over 650,000 sheet copies in this country and Canada along.

The Shuberts then through its subsid, Century Library, Inc., brought suit against Shapiro, Bernstein & Co. asking that it be permitted to amend the contract. It also asked the court to rule that the release was meant to apply to the United States and Canada only and that the Shuberts were free to sue Maurice on all other uses throughout the world. Justice Wasservogel ruled that he interpreted the release as being in effect for the world.

Benny Goodman Booked For First St. L. Theatre

Benny Goodman's orchestra will play its first theatre date in St. Louis the week of May 5, when the Fox (Fanchon & Marco) plays the aggregation in its occasional vaude-film policy. Goodman's only previous appearance in St. Louis was a dancehall engagement some time ago.

Date at the Fox calls for a guarantee and percentage.

Sam Tabac Out; Spitalny Link Denied

Sam Tabac has resigned as a member of the executive board of the New York musicians union as the result of a series of differences with the local's officials. Report that the pressure was brought against Tabac because he had attempted to get H. Leopold Spitalny's job as general contractor for NBC was ridiculed by John F. Royal, the network's program chief.

Royal said that no one had ever approached him about the post ever since Spitalny was installed four years ago.

COUNT BASIE FOLLOWS KRUPA AT SHERMAN

Count Basie orchestra follows Gene Krupa at the Sherman hotel, Chicago, for six weeks with options opening May 20.

Band is the first colored outfit to go into the Sherman since Noble Sissle's band was there a number of years ago. Basie will have network wires.

SUPREME COURT CLEARS THE WAY

Florida and Washington Decisions Now Make Possible Direct Test of Constitutional Issues—Majority Sees State Laws Impairing Property Rights in Music, but Justice Black Sees Only Monopoly

FEDERAL JURISDICTION

Washington, April 18.

Initial victory was chalked up Monday (17) by American Society of Composers, Authors, and Publishers in fight against radio industry's attempt to outlaw blanket licensing system. United States Supreme Court, without hinting its feeling about vital constitutional question, ordered further proceedings in copyrightholders' assault on state legislation designed to force adoption of per-piece royalty basis.

Decisions upholding Federal district court in Florida and reversing another in State of Washington were encouragement for ASCAP and indicated way for direct test of validity of the state acts through medium of injunction proceedings which prevent enforcement. Only important bit of cheer for music users was series of unfriendly remarks about ASCAP by Justice Hugo L. Black, who dissented vigorously in the Florida case and declined to go along with the majority in the Washington tiff. Lineup was 5 to 2, with Justice Felix Frankfurter not participating in either decision.

The litigation turned on a fundamental but significant legal point—whether the Federal courts have jurisdiction in the attacks on the restrictive statutes adopted in connection with the National Association of Broadcasters' drive against the copyright pool. In Florida row, the point was the refusal of the three-judge Federal court to dismiss the petition for an injunction, while the Washington argument, with issues almost exactly reversed, revolved around failure of a similar tribunal to receive evidence showing the controversy involves at least $3,000, the amount necessary to establish right of action in Federal courts.

Majority decisions were presented by Associate Justice Stanley Reed, former solicitor of interests placed on the bench by President Roosevelt. Observers were unable to find in his remarks any hint how the majority may feel toward ASCAP and the

(Continued on page 55)

Buddy Morris Quits as Gen'l Manager Of Warners' Music Publishing Group

Edwin H. (Buddy) Morris resigned yesterday (Tuesday) as vice-president and general manager of Warner Bros.' music combine, the Music Publishers Holding Corp., effective this Friday (21). Morris had intimated a couple months ago that he was considering quitting but Warner executives at the time discounted it. Morris suddenly decided yesterday that the best way to solve the situation was to make a quick break. He is leaving just after the group had rung up one of the biggest quarters for sheet sales in its history. During the initial quarter for this year the group had five best sellers dominating the list week after week.

Buddy Morris, son of Sam E. Morris, WB v.p. in charge of foreign sales, took charge of the Warner publishing combine 10 years ago, rating as one of the youngest executives in the business.

He has a couple of propositions, one of them a reported alliance with the Max Dreyfus publishing interests, or as an independent publisher, but he will spend the next few weeks on his Connecticut farm mulling things over. Those close to him believe he will in some way wind up with Dreyfus.

Morris is a director of ASCAP, president of the Music Publishers Protective Association and chairman of the ASCAP publishers' availability committee.

ASCAP CHECKS NEW YORK

Dick Powers Field Crew Takes Up Empire State Survey

ASCAP field crew in charge of Dick Powers starts giving New York State a thorough going over this week. Group will check up on spots that haven't taken out licenses and also work out readjustments with those licensees that have been complaining about their fees.

Crew will make its headquarters in Syracuse.

ASCAP LAWYER 'GRATIFIED' BY DECISION

Louis D. Frohlich, of general counsel for ASCAP, yesterday (Tuesday) expressed himself as gratified by the ground covered in the majority decision of the U.S. supreme court on the Florida and Washington State cases. Frohlich said that he was not in the least worried by the monopoly angle raised in the Florida opinion since Justice Reed declined to take this issue into account.

As result of the decision, ASCAP, he said, will proceed in two directions. First it will undertake to try out the question of a preliminary injunction before a special circuit of three judges on the Washington State law. After the Florida attorney-general has filed its answer to ASCAP's plea for a permanent injunction, the Society will then ask for a date of trial on this plea. In any event the Florida issue is expected to come back to the U.S. Supreme Court, with the losing side contesting the constitutionality of the state statute.

ASCAP has been doing business in Florida since it obtained its preliminary injunction but it's still shut out of Washington State. The Society hopes to get a hearing before the special statutory court on the Washington State injunction plea within a couple months.

Muggsy Spanier at Sherman

Chicago, April 18.

Muggsy Spanier orchestra, a novelty group, booked into the Old Town Room of the Hotel Sherman, opening on April 28.

Will also double occasionally into the Panther Room.

Coin Machines Started 'Beer Barrel Polka'

In 'Beer Barrel Polka,' which gives indications of becoming a big sheet seller, Shapiro-Bernstein has background story which runs almost parallel to the one about 'The One Rose That's Left in My Heart.' In both instances the piano copy demand was instigated by coin-operated phonograph machines. Without hardly any radio plugs, the sale on 'Beer Barrel Polka' has reached an average of 5,000 copies a day.

Shapiro-Bernstein first heard about the tune when songslide users in the midwest started writing to Harry Blair, who handles that phase of plugging for the firm, about furnishing them with a set of slides on 'Beer Barrel Polka.' At Blair's suggestion S-B undertook an inquiry and found that a Victor version of the number, which had been imported from Europe, was receiving a big play on coin machines among Czechoslovakians in the auto manufacturing belt, particularly Detroit.

S-B then traced the foreign copyright ownership abroad and obtained the rights of the number to all English-speaking countries, but Great Britain. Lew Brown prepared a set of English lyrics, while Wladimir A. Timm, of the Standard Phonograph Co., which handles Victor's international list, furnished a new title. The original title was 'Wasted Love,' Jaromir Vejvoda, a Czech, is the composer.

Unlike other polka melodic, that have appeared on American market in recent years, 'Beer Barrel' is in strictly polka tempo. The others have been treated as schottishe foxtrots so that they might attract the fancy of the modern ballroom shuffler. Robbins Music Co. p., is taking advantage of the click outlook of 'Beer Barrel' by reviving 'When They Played the Polka,' a number which it plugged extensively last year, but with slight success.

Jack Fulton's new band opens April 25 at the Chase hotel, St. Louis, for a six-week run. Lynn Chalmers the femme warbler.

Miller Threatens Action In Availability Distemper; Wants Inside Links Revealed

Miller Music, Inc., one of the firms in the Metro-Robbins publishing group, has instructed its counsel, Julian T. Abeles, to bring suit against ASCAP, the latter's board of directors and the publishers' availability committee in connection with the methods used by the Society in allocating royalty. The complaint will charge that the availability setup is infested with fraud and conspiracy and ask that the availability committee be ordered to explain how it arrives at the availability value of a publisher's catalog. It will also call upon certain members of the committee to disclose their investment relations with firms of which they are not officers and the part they have played in protecting the interests of such firms when attempts were made to reduce the latter's availability ratings.

The complaint will further charge that the firms represented by the 12 interlinking publishers on the ASCAP board of directors and availability committee control over 85% of the availability points. If the undercover interests of some of these directors were included this would come close to 90%.

Committee's action this month of clipping the points of numerous small publishers without readjusting the ratings upward of others has aroused considerable resentment among this element. Another peeve has to do with the committee's adoption of a rule which limits rating changes to 10% for any one quarter. Those publishers who have for some time fought to get better breaks on their availability now hold that this rule prevents them from getting an equitable adjustment. The firms clipped 10% this time included Ager, Yellen & Bornstein, Bregman, Vocco & Conn, and Crawford Music Corp., while T. B. Harms was granted a 10% boost. All firms with 500 or more points were also each boosted 10%.

Without applying the added zero which the committee adopted at its last meeting, the availability portion of the royalties for the first quarter of 1939 was paid off on the basis of 8,401 points. The distribution for the quarter before last was based on 8,531 points. This reduction automatically raised the value per point. As a result of this difference of 430 points publishers rated at 500 points were each able to collect $460 more for the quarter ending March 31, 1939.

Commenting on the latest procedure of the publishers availability committee in ASCAP of adding a zero to each member's availability points, Fred Fisher said last week: 'With all my protests all I've been able to get from the committee is zero. Now the committee has given me one without my even saying anything. So that coming or going all the small publisher can expect to wind up with from the availability committee is a goose egg.'

Jack Fulton's new band opens April 25 at the Chase hotel, St. Louis, for a six-week run. Lynn Chalmers the femme warbler.

BANDS and ORCHESTRAS

Week of April 21

Permanent address of bands and orchestras is published without out charge. While every effort is made to insure accuracy in this department, cooperation in notifying errors will reduce mistakes to a minimum.

Key to abbreviations: B—ballroom, C—cafe, CC—country club, H—Hotel, N—Night Club, E—restaurant, T—Theatre.

Booking Agencies: CMA, Consolidated Radio Artists, 1250 Sixth Ave., N.Y.C.; FB, Frederick Bros., 1270 Sixth Ave., N.Y.C.; MCA, Music Corp. of America, 745 Fifth Ave., N.Y.C.; Rockwell Amus., 1270 Sixth Ave., N.Y.C.; William Morris Agcy., 1270 Sixth Ave., N.Y.C.

A

Aaronson, Irving, c/o WHN, NYC.
Alberto, Don, El Chico N., NYC.
Alpert, Mickey, Bradford H., Boston.
Ambassadors, Royale, Congress H., Chi.
Andrews, Gordon, Club 18 N., NYC.
Armstrong, Louis, c/o Joe Glaser, 1270 6th Ave., NYC.
Arthur, Zinn, Shubert T., Bklyn.
Asb, Paul, Roxy T., NYC.
Arnheim, Gus, R-O-K, Hollywood.

B

Bailey, Bert, Plantation Club, Milwaukee.
Baker, Bob, c/o Wm. Morris.
Barnet, Charley, Raymor B., Boston.
Barnett, Jimmy, c/o FB.
Bardo, Bill, Blackhawk H., Davenport, Ia.
Barris, Dick, Beverly-Wilshire H., L.A.
Barron, Blue, H., Edison, NYC.
Basie, Count, c/o MCA.
Bauer, Tony, Scaler's N., Milwaukee.
Baum, Charles, St. Regis H., NYC.
Becker, Howard, Rainbow B., Denver.
Bergere, Maximilian, Versailles N., NYC.
Bestor, Don, c/o Wm. Morris.
Biltmore Boys, Carleton H., Wash., D. C.
Blake, Lou, Atlanta-Biltmore H., Atlanta, Ga.
Blanco, Pedro, Embassy C., Philadelphia.
Bleyer, Archie, Earl Carroll's R., H'wood.
Bolognini, Bonto, L'Aiglon R., Chi.
Borra, Mal, Florentine Gardens, H'wood.
Bragale, Vincent, Ambassador H., NYC.
Brandywine, Nat, Essex House H., NYC.
Brigode, Ace, Merry Garden B., Chi.
Buck Verne, Oriental T., Chi.
Burkarth, Johnny, Plantation Club, McConnellsville, Ind.
Burton, Paul, Southern Tavern, Cleveland.
Busse, Henry, H. New Yorker, NYC.

C

Calloway, Cab, Cotton Club, NYC.
Camden, Eddie, Sou'bern Mansion, K. C.
Candullo, Joe, Versailles Club, Hollywood, Fla.
Carlyn, Tommy, Nu Elms, Youngstown, O.
Carter, Benny, Savoy B., NYC.
Cerwin, George, Club Sahara, Milwaukee.
Chernlavsky, Joel, WLW, Cincinnati.
Chicco, Louis, Versailles C., H'wood.
Clark, Buddy, Armando's R., NYC.
Clinton, Larry, c/o Rockwell Amus.
Colburn, Bernie, Ansley H., Atlanta, Ga.
Cornwall, Joe, Newbouse H., Salt Lake City.
Costa, Joe, Chase H., St. Louis.
Costello, Charles, Commodore Club, Det.
Courtney, Del, New Kenmore H., Albany, N. Y.
Cromwell, Channcy, Paxton H., Lincoln, Neb.
Crosby, Bob, Blackhawk R., Chi.
Cummins, Bernie, Wm. Penn H., Pitts.
Cutler, Ben, Book-Cadillac H., Det.

D

Darisse, Gilbert, Chateau-Frontenac H., Quebec.
Davis, Eddie, Larue R., NYC.
D'Andrea, Joseph, Pepper Pot N., NYC.
Davis, Johnny, Miami Club, Miami, Fla.
De Lange, Eddie, c/o William Morris.
De La Rosa, Oscar, c/o Wm. Morris.
Dell, Eddy, Centre Club, NYC.
Denny, Jack, c/o Wm. Morris.
Deutsch, Emery, Nicolet H., Mpls.
Dixon, Lee, Biltmore H., Dayton, O.
Dooley, Phil, Palmer H., Chi.
Dorsey, Jimmy, c/o Wm. Morris.
Dorsey, Tommy, Paramount T., NYC.
Duchin, Eddy, Palmer House, Chi.
Duke, Jules, Tutwiler H., Birmingham.

E

Ellington, Duke, on European tour.
Ellis, Joe, Queen Mary R., NYC.
Ellis, Segar, Netherland-Plaza H., Cincy.
Embassy 4, Magic Bar, Mpls.
Ennis, Skinnay, Victor Hugo's R., H'wood.
Ernie, Val, El Morocco, NYC.
Erwin, Gene, M. Cleveland, Cleve.

F

Feldstein, Joey, Tic Top Tap N., Milwaukee.
Fressette, Joe, Jack Lynch's Walton Roof, Philadelphia.
Fidler, Lou, Colony Club, Chi.
Fields, Irving, MCA.
Fields, Irving, Grossinger H., Fallsburg, N. Y.
Fisher, Freddie, Rose Bowl, Chi.
Fisher, Mark, Royale Frolics, Chicago.
Fonseca, Buzzi, St. Moritz H., NYC.
Foster, Chuck, Topsy's N., Southgate, Calif.
Frederick, Marvin, Cosmopolitan H., Denver.
Frederics, Jan, Boulevard Tavern, Elmhurst, N. Y.
Fremont, Al, Show Boat, Pitts.
Funk, Larry, Freedomes Club, Detroit.

G

Gasparre, Dick, Ambassador H., NYC.
Gay, Leonard, Congo Club, Milwaukee.
Gendron, Henri, Colosimo's N., Chicago.
Gill, Emerson, New Penn Club, Pitts.
Gillen, Frank, Northwood Inn, Detroit.
Gillette, Jack, c/o CRA.
Golden, Neil, Stuyvesant H., Buffalo.
Gollo, Cecil, c/o FB.
Goodman, Benny, c/o MCA.
Grant, Bob, c/o Wm. Morris.
Gray, Marty, Gaze N., Milwaukee.
Gray, Ted, Gatineau CC, Ottawa, Ont.
Grenet, Eliseo, El Chico, NYC.
Gumin, Joe, Chateau Club, Milwaukee.

H

Hass, Alexander, 254 W. 75th St., NYC.
Hamilton, Bob, Majestic B., Long Beach, Calif.
Hardy, Bob, Flamingo N., Boston.
Haring, Bob, c/o R-O-K.
Harper, Nic, Wisconsin Roof B., Milwaukee.
Harris, Phil, Wilshire Bowl, Los Angeles.
Hart, Little Joe, Old Vienna R., Cincinnati.
Henderson, Fletcher, Grand Terrace, Chi.
Henry, Chuck, Paris Inn, L. A.
Herbeck, Ray, Dellwood Club, Buffalo.
Herman, Woody, Meadowbrook Club, Cedar Grove, N. J.
Hill, Tiny, Melody Mill B., Chi.
Hinder, Richard, H. Essex House, NYC.
Hite, Les, Cowan's Dome C., L. C.
Hohengarten, Carl, CBS, Chi.
Hoffman, Glen, Glen Echo Park B., Wash., D.C.
Hold, Ernie, Belmont-Plaza H., NYC.
Hopkins, Len, Chateau-Laurier H., Ottawa, Ont.

J

Jacobs, Howard, Wm. Morris Agency, NYC.
Jacobson, Stan, Chateau Club, Milwaukee.
Jahns, Al, Providence-Biltmore H., Prov.
Jay, Vaille, Wirth's Futuristic B., Milwaukee.
Jurgens, Dick, Trianon B., Chi.

K

Kain, Paul, Wardman Park H., Wash., D.C.
Kaye, Sammy, Commodore B., NYC.
Kavelin, Al, Chase H., St. Louis.
Kendis, Sonny, Stork Club, NYC.
Kenney, Mart, Vancouver H., Vancouver, B. C.
Kent, Larry, Biltmore Bowl, L. A.
Kent, Peter, Book-Cadillac H., Detroit.
Kerr, Jimmy, Jerry's Mandalay N., Hollywood.
King, Teddy, Rivera T., Bklyn.
King's Jesters, Claridge H., Memphis.
Kinney, Ray, Lexington H., NYC.
Kogen, Harry, NBC, Chi.
Kozan, Gene, Sherman H., Chi.
Kuhn, Dick, Astor H., NYC.
Kyle, Al, State-Lake T., Chi.
Kyser, Kay, H. Pennsylvania, NYC.

L

Lally, Howard, Five o'Clock Club, Miami.
Lawson, Don, c/o Rockwell Amus.
Lang, Sid, Hi-Hat Club, Chicago.
Le Baron, Eddie, Rainbow Room N., NYC.
Levant, Phil, Stevens H., Chi.
Light, Enoch, Taft H., NYC.
Livengood, Tinney, Open Door N., Milwaukee.
Livingston, Jimmy, Euclid Beach Park, Cleve.
Lombardo, Guy, Strand T., NYC.
Lorch, Carl, Radisson H., Mpls.
Lucas, Clyde, Chateau Hills CC., Newport, Ky.
Lyman, Abe, Royal Palms Club, Palm Beach, Fla.

M.

Maineck, Matty, Cafe LaMage, H'wood.
Massanaro, Joe, Colony Club, Chicago.
Maples, Nelson, Webster Hall, H., Pitts.
Martin, Don, Firenze B., NYC.
Marsala, Joe, Hickory House N., NYC.
Marshard, Jack, H. Plaza, NYC.
Martell, Paul, Arcadia B., NYC.
Martin, Freddie, Arcadia B., NYC.
Martin, Lou, Leon & Eddie's N., NYC.
Masters, Frankie, Roosevelt H., NYC.
Matheson, Bob, Rendevous C., Milwaukee.
Maynard, Eddie, Governor Clinton H., NYC.
McCreery, H., Ambassador H., Chi.
McCoy, Clyde, c-o Gus Edwards, First Nat'l Bank Bldg., Chi.
McDonald, Billy, U. S. Grant H., San Diego, Calif.
McFarland Twins, De Witt Clinton H., Albany, N. Y.
McPartland, Jack, 8 Deuces C., Chi.
Mellen, Earl, Madure's Danceland, Whiting, Ind.
Miller, Glen, Paramount T., Newark.
Millinder, Lucky, State Line B., NYC.
Millington, Bseco, Black Cat N., NYC.
Mills, Herbie, Oriental Garden B., Chi.
Molica, Leon, El Patio B., San Francisco.
Moore, Carl, Lowry H., St. Paul.
Morgan, Russ, Club Paree, Chi.
Morton, Gerry, H. Savoy-Plaza, NYC.
Munro, Hal, Allen's Club, Milwaukee.
Murray, Charles, Mon Paris N., NYC.

N

Nagel, Harold, Pierre H., NYC.
Newman, Lou, Rainbow Room, NYC.
Noble, Leighton, Ritz-Carlton H., Boston.
Nola, Kay, c/o Wm. Morris, H'wood.
Noel, Henry, 88-18 28th St., Long Island City, N.Y.

O

Olman, Val, c/o Rockwell Amus.
Osborne, Will, Gen. Oglethorpe H., Ga.
Osborne, Will, Park Central H., NYC.
Owens, Harry, St. Francis H., San F.

P

Palmer, Skeeter, Seneca H., Rochester, N.Y.
Panchito, Versailles R., NYC.
Parke, Bobby, c/o Rockwell Amus.
Paul, Eddie, Columbia B., Cleve. O.
Pendarvis, Paul, Palace H., San Francisco.
Peppers, S. Park Central H., NYC.
Peyton, Jimmy, Plaza B., Pittsburgh.
Playboys, Town House H., L. A.
Pitner & Earl, Stevedore H., Chi.
Prima, Louis, Jitterbug House, Los Angeles.

R

Ramona, Arcadia B., St. L.
Ramos, Ramon, c/o Wm. Morris.
Raymond, Carl, Rainbow Rendezvous, San Francisco.
Reichman, Don, Greenwich Village Casino, NYC.
Reichman, Joe, Mark Hopkins H., San Francisco.
Renard, Jacques, Cocoanut Grove N., Boston.
Reisman, Leo, 180 W. 57th St., NYC.
Rhythm Boys, Stevens H., Chi.
Ricardo, Don, Casino Cubano, D.C.
Richards, Jimmy, 400 Club, Wichita, Kans.
Rico, Don, Seville R., Boston.
Robbins, Billy, Coronado H., Worcester, Mass.
Roberts, Bill, Sir Francis Drake H., San F.
Roberts, Red, Devinos Eagles B., Milwaukee.
Rodrigo, Nano, Havana-Madrid N., NYC.
Rogers, Eddie, Belvedere H., Baltimore.
Roland, Don, Marcus Daly, Beverly Hills, Calif.
Rollini, Adrian, Belmont-Plaza H., NYC.
Romanelli, Luigi, King Edward H., Toronto.
Russell, Jack, Pershing B., Chi.

S

Sabin, Paul, Van Cleve H., Dayton, O.
Sanabria, Juanito, Havana-Madrid, NYC.
Savitt, Jan, Lincoln H., NYC.
Schutt, Arthur, O'Leary's Barn, NYC.
Shanks, Charles, Bismarck H., Chi.
Shaw, Artie, Palomar B., L. A.
Sherman, Billy, Bill Green's Casino, Pitts.
Shelley, Lee, Gibson H., Cincy.
Shields, Roy, NBC, Chi.
Shribman, Charles, H. NYC.
Smith, Stuff, La Salle H., Chi.
South, Eddie, State's Gardens, Milwaukee.
Spitalny, Phil, Buffalo T., Buffalo, N. Y.
Squires, Four, Town House, H'wood.
Starr, Freddy, Park Lane H., NYC.
Stabile, Dick, Statler H., Cleve.
Stoeffer, Wally, c/o FB.
Streeter, Ted, Monte Carlo, NYC.
Straight, Charlie, White City B., Chi.
Strong, Benny, Brown H., Louisville.
Stuart, Hiron, Trocadero N., Milwaukee.
Swanson, Billy, c/o CRA.

T

Teagarden, Jack, Roseland B., NYC.
Teetor, Jack, Club Terrie, Milwaukee.
Thal, Pierson, Milwaukee A.C., Milw.
Travis, Henry, c/o R-O-K.
Thompson, Lang, Brown-Palace H., Denver.
Tomlin, Pinky, U. S. Grant H., San Diego, Calif.
Trace, Al, Sherman H., Chi.
Tracy, Jack, Broadmoor CC., Denver.
Traver, Ted, Blue Meadow CC., Lexington, Ky.
Travers, Vincent, Paradise R., NYC.
Turk, Al, Royale Frolics N., Chi.

V

Van Gelder, Leon, Melody Club, Union City, N. J.
Varsos, Eddie, 885 Club, Chi.
Vinci, Bud, Carlton Club, Milwaukee.

W

Waples, Bud, Marquette H., St. Louis.
Watkins, Sammy, Hotel Hollenden, Cleve.
Webber, Harry, Clover Club, Milwaukee.
Weber, Henry, WGN, Chi.
Weber, Marek, NBC, Chi.
Webster, Ralph, Lantz's Merry-Go-Round, Dayton, O.
Weeks, Anson, Muehlebach H., K.C., Mo.
Weeks, Ranny, Club Mayfair, Boston.
Wesman, Ted, Drake H., Chi.
Weiz, Lawrence, St. Paul H., St. P.
Whiteman, Paul, Paramount T., Springfield, Mass.
Whitley, Jimmy, Sagamore H., Rochester, N. Y.
Wilds, Ranny, Hotel Bras, San Diego, Calif.
Winston, Jack, Athens Athletic Club, Oakland, Calif.
Winton, Barry, Rainbow Grill, NYC.
Wittich, Dorian, Tay R., Chi.
Woode, Howard, Village Barn, NYC.

Y

Yates, Billy, El Tivoli Supper Club, Dallas.
Young Sterling, Bill Green's Casino, Pitts.

Z

Zipp, Eddie, Old Heidelberg N., Milwaukee.
Zwerling, Ruby, State T., NYC.

Jack Scholl and **M. R. Jerome** are clefting an untitled song for 'The Old Maid' at Warners.

Thanks to All My Friends for Past Co-operation

ELMORE WHITE

Now Professional Manager of ABC Publications

I PROMISE YOU

HOW WARM IT IS THE WEATHER

HAVE A HEART

YOU HAD IT COMIN' TO Y'

ABC PUBLICATIONS 799 7th AVE., N. Y. C.

15 Best Sheet Music Sellers

(Week ending April 15, 1939)

Little Sir Echo	BVC
Deep Purple	Robbins
Penny Serenade	Shapiro
Heaven Can Wait	Remick
Masquerade Is Over	Crawford
I Get Along Without You Very Well	Famous
God Bless America	Berlin
Umbrella Man	Harms
Hold Tight	Exclusive
Our Love	Chappell
And the Angels Sing	BVC
Little Skipper	Feist
Beer Barrel Polka	Shapiro
I Promise You	ABC
*Sing a Song of Sunbeams	Santly

* *Indicates filmusical song.*

Network Plugs, 8 A.M. to 1 A.M.

*Following is a totalization of the combined plugs of current tunes on NBC's WEAF and WJZ, and CBS (WABC) compiled for the week from Monday through Sunday (April 10-16). Total represents accumulated performances on the two major networks from 8 a.m. to 1 a.m. Symbol * denotes film song, † legit, all others are pop.*

TITLE.	PUBLISHER.	GRAND TOTAL.
Heaven Can Wait	Remick	43
Little Skipper	Feist	38
Our Love	Chappell	38
It's Never Too Late	Berlin	37
Little Sir Echo	Robbins	35
Deep Purple	Robbins	34
I Cried for You	Miller	27
Moon Is a Silver Dollar	Robbins	27
This Is It...*Stars in Your Eyes	Chappell	27
Gotta Get Some Shuteye	Berlin	26
Penny Serenade	Shapiro	24
I Want My Share of Love	Harms	23
I'm Building a Sailboat of Dreams	Shapiro	23
Don't Worry 'Bout Me...†Cotton Club Revue	Mills	22
East Side of Heaven...*East Side of Heaven	Santly	22
And the Angels Sing	BVC	21
Honolulu...*Honolulu	BVC	21
I Get Along Without You Very Well	Famous	21
Masquerade Is Over	Crawford	19
We've Come a Long Way Together	Feist	19
Begin the Beguine	Harms	18
Could Be	Santly	18
Funny Old Hills...*Paris Honeymoon	Paramount	18
I Promise You	ABC	18
Sing Song of Sunbeams...*East Side of Heaven	Santly	18
Step Up and Shake My Hand	Famous	17
Romance Runs in the Family	Ager	17
Hold Tight	Exclusive	16
If I Had My Way	Paull-Pioneer	16
Cuckoo in the Clock	Berlin	15
It's Slumbertime Along the Swanee	Words and Music	15
How Strange...*Idiot's Delight	Feist	14
Tears from My Inkwell	Marks	14
This Night...*Honolulu	BVC	14
At a Little Hot Dog Stand	Spier	13
Patty Cake	Fox	13
It's All Yours...†Stars in Your Eyes	Chappell	12
Ain't What You Do	Leeds	12
Sweet Little Headache...*Paris Honeymoon	Paramount	12
That Sly Old Gentleman...*East Side of Heaven	Santly	12
I Have Eyes...*Paris Honeymoon	Paramount	11
I Long to Belong to You	Red Star	11
Wishing...*Love Affair	Crawford	11
Hooray for Spinach...*Naughty but Nice	Remick	10

The Craze Of Paris!

Biggest EUROPEAN Song Hit Since VALENCIA!

BOOM

by CHAS. TRENET · Lyric by E. RAY GOETZ

IRVING BERLIN, INC · 799 SEVENTH AVENUE · NEW YORK · JOE SANTLY, Prof. Mgr.

Inside Stuff—Music

Famous Music Corp. has taken another tack in its litigation with Shapiro, Bernstein & Co. over the renewal rights to 'Come, Josephine, In My Flying Machine.' In an answer and countersuit filed Monday (17) Famous in N. Y. federal court assailed Shapiro's renewal claims as invalid and asked that the latter be restrained from further publication of the song. Also asked court to designate Famous, which obtained the renewal assignment from Alfred Bryan and Fred Fisher, as the sole copyright owner.

Shapiro recently scored an important point in the case when the court held that the assignment of 'Josephine's' copyright to S-B by the late Maurice Shapiro was a valid one. S-B is claiming that the number was written 28 years ago, while Bryan and Fisher were employees for hire, and Famous had asked that Shapiro-Bernstein's complaint be dismissed on the ground that a copyright taken out under circumstances was not transferrable.

Irving Berlin, Inc., received $5,000 from 20th Century-Fox for the synchronization rights to 'Mammy' in 'The Rose of Washington Square,' which filmusical is now in the cutting room. The last time that Al Jolson used the song in a picture Berlin got $4,000. While the price on 'Mammy' rates as a high figure for a single pop standard, the record on synchronization rights is still held by Old World Music Co., which collected $50,000 for the ballet use of 'Rhapsody in Blue' in 'King of Jazz' from Universal Pictures in 1930.

Publisher and professional-men factions in the music industry are getting closer to an agreement on a code of ethics. Board of directors of the Music Publishers Protective Association has asked the Professional Music Men, Inc., to specify in the proposed pact just what acts are to be taboo'ed and to put teeth into the penalties. Committees representing the two groups are slated to meet this week for a review of the code's language. Walter S. Douglas, Louis Bernstein and Buddy Morris compose the pub delegation, while Rocco Vocco, Joe Santley and Harry Link are talking for the professional men.

U. S. Senator Thomas of Utah has introduced a resolution authorizing the President to proclaim this country a member of the international copyright union with the understanding that the United States would have a year in which to amend its copyright law so that it will meet the requirement of the international pact. Bill in 1936 which sought to enter the U. S. in the union was put in cold storage by the house after it had passed the senate.

Inside Stuff—Bands

In collaboration with Irving Kolodin, music critic of the N. Y. Sun, Benny Goodman has authored 'The Kingdom of Swing' (Stackpole Sons; $2), a chatty autobiography which, through the medium of the maestro's personal career, traces the evolution of swing from the New Orleans and Chicago style up to date. Book is in the first person and sounds as if Goodman did more than merely cross the t's and dot the i's. Kolodin has effected an engaging style of interpolating a chapter every so often, 100% written by himself, wherein he gives a somewhat academic interpretation of the American jazz idiom. However, it's by no means too erudite. Book was planned almost like a manual, the final chapters being helpful hints to the swingophile aspirants.

Al Donahue is tagging his band differently in order to advertise to the one-night kid trade that his is not a 'polite' outfit despite his long stays at the Rainbow Room, N.Y. He'll tag his style 'Low Down Rhythm with a Top Hat.'

Donahue goes back into the Rainbow Room May 10 for his sixth trip. Previous five aggregated about 25 months.

Joe Higgins of American Records did a bit of fast shuttling between New York and Chicago last week when he hopped a plane for Chicago Thursday afternoon for the Eddy Duchin opening at the Palmer House, recorded the band Friday, and was back in New York Friday night for the Kay Kyser opening at the Penn hotel.

OLD SONG SUGGESTIONS
JIMMY McHUGH'S
"THANK YOU FOR A LOVELY EVENING"

L. Wolfe Gilbert is publishing 'That's What We Do Over Here,' ditty by Johnny Lange, Lew Porter and Hy Heath.

Lud Glaskin signed as musical director for Edward Small's 'The Man in the Iron Mask.'

ANNOUNCING THE APPOINTMENT OF
FRANK HENNIGS
as General Professional Manager
Mr. Hennigs and His Staff Will Continue to Work on
NIGHT MUST FALL
AND
TWO NICKELS FOR A DIME
Announcements About Other Great Songs Will Soon Be Forthcoming
EDWARD B. MARKS MUSIC CORPORATION
RCA Building, Radio City, New York
CHICAGO Irwin Berke 189 No. State St.
PHILADELPHIA Al Manfro 7616 Temple Road
CINCINNATI Larry Norrett Gibson Hotel
HOLLYWOOD Ed Marmer 1843 No. Cherokee
BOSTON Mack Paul 15 Boylston St.
DETROIT Francis Maguire Hotel Tuller

HALF A DOZEN REASONS

Why WNEW Will Not Imitate Four Hawaiians

There will be no 1939 repeat of last spring's WNEW, N. Y., outdoor band concert at Randall's Island, N. Y. Although the first affair last May was supposed to be the initialer of an annual string in behalf of the hospital fund of Local 802 of the AFM, station claims preparations, etc., are too involved and exhausting.

Added to those reasons are worries about bands showing up. Not to mention unpredictable weather which naturally figures importantly at the b.o. of an outdoor affair.

MERGED TUNES IN COPYRIGHT TANGLE

Point of copyright law is involved in the application that Miller Music, Inc., has made to the N. Y. supreme court for a declaratory judgment against the Jerry Vogel Music Co. The action centers around the question as to whether the inclusion of part of another composition makes the second number's copyright totally dependant on the term of copyright of the original number, or whether the second composition can lead a renewal life of its own.

The two tunes so linked are 'Visions of Sleep' and 'Sleep.' Adam Geibel wrote 'Visions' in 1912 and had it published by Theodore Presser. Eleven years later Earl Burtnett and Geibel wrote 'Sleep' and placed it with Sherman, Clay & Co. It later developed that 'Sleep' had incorporated part of the 'Visions of Sleep' melody and there was a satisfactory agreement worked out between S-C and Presser for the continued inclusion of the bars in question.

Vogel last year obtained from Geibel's estate an assignment of the renewal of copyright on 'Visions' and so registered it with the copyright office in Washington. He then advised Miller, which had a few months ago taken over the agency of the Sherman-Clay catalog, and also the jobbing trade, that by virtue of his assignment he also controlled the copyright of 'Sleep,' and that Miller has no right to publish or license it.

Miller, acting through Julian T. Abeles, now wants the court to order Vogel to stop making such representations, to bold that he is not the owner of 'Sleep' and that the latter number has a copyright identity all its own and can be renewed exclusive of 'Vision's' standing in the copyright office.

Hennigs Joins Marks; Elmore White Heads ABC

Frank Hennigs has joined the E. B. Marks Music Co. as general professional manager. Hennigs, who entered the publishing business from the phonograph record field four years ago, has been professional head of Exclusive Publications and ABC Music Corp.

Hennigs' last connection with Marks was before the war when both were with the recording department of the old Emerson Phonograph Co.

Elmore White has become general manager of the ABC Music Corp., a subsid of Irving Berlin, Inc., succeeding Hennigs. He comes from the professional staff of Leo Feist, Inc. White formerly headed Paramount Music.

Rockwell Band Crashes MCA's Ritz-Carlton, Hub

Woody Herman orchestra goes into the Ritz-Carlton hotel, Boston, for an indefinite run June 1. Booked by Rockwell General Amusement, this is a rare booking as the Ritz has been practically a Music Corporation of America exclusive. Last RCA deal there was Bob Crosby more than two years ago.

Herman bowed out of the Famous Door, N. Y., Sunday (16) night and opens at the Meadowbrook, Cedar Grove, N. J., Friday (21).

Cops Often Nab Orchestra Busses

That's Why Musicians Change at State Lines—Newark Firm Has Legal Tactic on Plates

ASCAP Writers' Divvy

Royalty distribution by classes among the writers in ASCAP for the first quarter of 1939 were as follows:

Class	Amount
AA	$3,955.00
A	2,966.25
BB	1,977.50
B	1,406.62
CC	937.75
C	706.80
C1	400.00
DD	285.50
D	222.50
1	127.50
2	100.00
3	30.00
4	10.00

Amounts allocated to those in Class C1 to Class 1, inclusive, are set and do not vary with the total distribution for each quarter. There are also non-participating and honorary classes.

JAM SESSIONS AT CAFE SOCIETY GO CBS

Informal jam sessions which take place every Monday night at Cafe Society, Greenwich Village, N. Y., will be aired by CBS starting May 1. CBS will run three wires a week into the spot for the summer when it lengthens its signoff time to 2 a.m.

Sessions frequently draw the biggest band leaders, and outstanding musicians. Boogie-woogie piano team, which has created quite a bit of comment, will go on the air also. Frankie Newton's band and Billie Holliday, songstress once with Artie Shaw, are current at the club.

Usual headaches of touring bands that use busses to hop from date to date is almost entirely eliminated with a neat gag used by the American Orchestra Corp. of Newark, N. J. Latter is not what its name implies, but rather is a bus company.

Procedure of travelling from state to state sometimes produces petty and oftentimes costly annoyances. Applies to licensing of the jalopies and sundry gags that state cops dream up to collar a few simoleons in fines, etc., from bus owners and band leaders. Greyhound Co. gets around most of the rules by shifting busses at state lines.

American Orchestra simply makes each band-leader who hires one of its busses a member of the corporation through some legal method so that when he takes his crate onto the road he is legally its owner. When cops grab him for touring—say Pennsylvania, with New Jersey plates, he breaks out his ownership card. That puts the vehicle in the class of a private car as far as licensing is concerned and makes it needless to buy a separate set of plates.

Most of the larger bands, however, use Greyhounds when travelling. Some cost as high as 40c per mile while others are hired under a sliding scale according to the mileage guaranteed each week. Gray Gordon left on a road tour last week with a Greyhound at 28c a mile, insuring 1,200 miles a week.

BOB ZURKE WITH VICTOR

Bob Zurke, pianist with Bob Crosby, has been signed to a one-year recording contract for the Victor label with the new band he will begin to form within a month. Zurke's under contract as a leader to the Wm. Morris Agency.

He will leave Crosby in about three weeks.

Feist-First!
LITTLE SKIPPER
By Nick Kenny and Charles Kenny
WE'VE COME A LONG WAY TOGETHER
By Ted Koehler and Sam H. Stept
Featured in the M-G-M Picture "Idiot's Delight"
HOW STRANGE
By Gus Kahn, Herbert Stothart and Earl Brent
Based on "KAK STRANNO" by B. A. Prozorovsky
Sung by Virginia Bruce
In the M-G-M Picture "Society Lawyer"
(I'M IN LOVE WITH)
THE HONORABLE Mr. SO and SO
By Sam Coslow
Sung by Jeanette MacDonald
In the M-G-M Picture "Broadway Serenade"
FOR EV'RY LONELY HEART ONE LOOK AT YOU
Leo Feist Inc.
1629 BROADWAY, N. Y. HARRY LINK, Gen. Prof. Mgr.

Van-Load of Louis Bernstein Records Back to 1915 Required by Court

Louis Bernstein, head of Shapiro, Bernstein & Co., must appear this Friday (20) before Justice Philip J. McCook in the N. Y. supreme court for examination before trial in the $250,000 suit which his sister, Mrs. Fanny Bernstein Shapiro, has brought against him. The order was issued at her request and requires that Bernstein bring along all books and papers that will help in refreshing his memory. Mrs. Shapiro is, however, not permitted under the order to examine these records herself.

The action was filed by Mrs. Shapiro after her brother had sought to have the same court order her to turn over to him (Bernstein) a letter of agreement that he had signatured in 1915. This letter promised that he would make a codicil to his will returning to Mrs. Shapiro a share of stock in the S-B corporation, giving her equal ownership of the company with his estate.

Justice McCook's order allows for Bernstein's examination as to the following items:

1. Reduction of the number of authorized directors of Shapiro, Bernstein & Co. from four to three, whereby Mrs. Shapiro, whose late husband, Maurice, co-founded the firm, came to have but one director, while Bernstein retained two.

2. Failure and refusal of Bernstein from Dec. 23, 1915, to date to abide by the December, 1933, agreement which assured Mrs. Shapiro of an equal number of directors.

3. Accounting of the moneys, advances, payments, compensation, bonuses, salaries, extra salaries, expenses, profits and dividends received by Bernstein and Mrs. Shapiro directly or indirectly from Dec. 23, 1915, to date.

Records that Bernstein must bring along with him to the examination include all account books, bankbooks, checkbooks, files, documents, income tax returns, insurance policies, automobile registrations and licenses relating to all moneys expended by the Shapiro-Bernstein firm to the account of himself or the members of his family from Dec. 23, 1915, to date.

PADULA SUES MCA IN NEWARK

Arthur H. Padula, who operated the Arcadia restaurant, swanky Philadelphia spot now in process of receivership, has taken his long-pending financial differences with the Music Corp. of America to the courts. Through an assignee Padula last week filed a suit for $5,412 damages against MCA in the Essex County Circuit Court, Newark, N. J., and at the same time made an attachment on Abe Lyman's salary at the Newark theatre. Latter move was to get MCA's commission on the Lyman week's stand, which ended last Thursday (13).

Alfred L. Padula, lawyer-brother of the Philly restaurant operator, who practices in Newark, contended that the litigation involved an indebtedness which extended over a period of years. It is understood that the claim covers percentages of income that Arthur Padula was to derive from certain bands after they had played his spot.

Padula brought his action in New Jersey, where MCA is not licensed to do business, so that the attachment angle could be effected.

ROGERS CHANGES BAND

MCA Orders Shift to Sweet Style—New Bunch Organized

Buddy Rogers replaces his swing band with a sweet styled outfit on the Coast this week. Latter crew has been in rehearsal for past three or four weeks under Murray Olsen of Music Corporation of America, which books Rogers. Band which Rogers let go was originally Frank Dailey's, and was taken over by Rogers in 1937. Elizabeth Tilton, sister of Martha Tilton, Benny Goodman vocalist, sang with Rogers and was let go also.

Change of style is said to be on order from MCA when Rogers demanded certain hotel dates on the Coast be given him.

Swing Defined

'Danger—Men Blasting' is the tag of a record Harry James' new band will cut.

His setup has four trumpets including himself.

NEW YORK EXPO NO BONANZA FOR BANDS

Despite the many reports of bands being signed for concessions at the New York World's Fair, there are contracts as yet on file with the local musicians union for dates there. Fair opening is less than two weeks away. Situation looks to be a repeat of the Chicago World's Fair of several years ago, which held off till the last minute on the band question.

Music Corporation of America has no name bands even being considered. Only thing contemplated and for which contracts will be filed this week are for a small number of cocktail units of five and six pieces.

William Morris Agency has nothing definitely set but is negotiating for several of its bands. At least three are mentioned: Don Bestor, Ina Ray Hutton and Vincent Travers.

Neither Rockwell nor Consolidated Radio Artists have any plans concerning the Fair and bands under their banners. These four offices control the bookings of the biggest percentage of the available name bands. Chick Webb's band is set for the Savoy Ballroom concession. It is owned by his manager, Moe Gale, and others.

Eastwood Gardens Opens May 26 with Name Lineup

Detroit, April 18.

Although Eastwood Park will open its doors this Friday (21), Eastwood Gardens outdoor dance spot will not relight until May 26 for the summer. Until then dancing will be held in park's World's Fair ballroom, with George Kavanagh's band providing music every night except Tuesday and Wednesday.

Ballroom will shutter when Gardens reopen. Already booked for latter spot are Russ Morgan, Gene Krupa, Henry Busse, Benny Goodman, Buddy Rogers, Bob Crosby, Hal Kemp, Eddy Duchin and Jan Garber. Jitterbug contest will be conducted each Sunday evening when Gardens relights, with winners selected in late August getting trip to N. Y. fair.

BOOKED UNHEARD

Will Hudson's College Dates Set on Rep—Gathers Men

Out of the band business since splitting with Eddie DeLange until later retiring for a rest, Will Hudson is currently forming a new band which is already booked. accepted by Music Corporation of America. Deal is unusual in that the MCA gave Hudson a contract and is already lining up a series of college dates to start next month, without the leader having corralled his men.

Hudson will have five brass, four sax, four rhythm and a girl vocalist, included in which will be some of the men from his old band. He retained the Hudson-Delange outfit after the split with Delange built a new one. Hudson spent the last six months arranging tunes in preparation for his return.

Bob Sanders to Glaser

Bob Sanders, ex-head of Consolidated Radio Artists' Dallas office, last week joined the band booking office of Joe Glaser. He'll handle one-night and location bookings for the band outfits which lists Louis Armstrong, Andy Kirk, Don Redman, et al.

Sanders resigned from CRA after the latter closed its Dallas branch last month. Prior to CRA he had been with Mills Artists and for a short time with Rockwell General Amusement.

Band Bookings

Claude Hopkins, April 22, Wesleyan U., Middletown, Conn.; May 5, Apollo, N. Y.

Joe Venuti, April 21, Moose Hall, Lancaster, Pa.; April 29, Castle Farm, Cinn.; April 30, Grand, Evansville; May 6, Playmore, K. C.

Jimmy Dorsey, May 19, Rutgers U.

Larry Clinton, Fox theatre, Detroit, date optional.

Frank Dailey, May 9, four weeks, Hotel St. Paul, St. Paul, Minn.

Al Donahue, April 21, Circle theatre, Ind.; April 29, Lawrence College, Oshkosh, Wis.

Walled Lake, Mich., weekends, Tiny Hill, April 21; Little Joe Hart, April 28; Jimmy Livingston, May 5; Lang Thompson, May 12.

Tiny Hill, April 23 weekend, Euclid Beach Park, Cleve.

Ben Cutler, May 6, Nicollet Hotel, Minn., four weeks. Closes current Cadillac Hotel, Det., booking May 3.

Jack Marshard, Hotel Plaza, N. Y., April 27, indefinite.

Jimmy Lunceford, April 21-22, Clemson, C., Clemson, S. C.; 24, Tobacco Warehouse, Asheville, N. C.; 25, Auditorium, Wilson, N. C.; 26, Palais Royal, Norfolk, Va.; week April 28, Earle theatre, Wash.; May 6, Dartmouth College; 7, Hartford, Conn.; 10, Holyoke, Mass.; 11, Worcester, Mass.; 12, Amherst, C., Amherst, Mass.; 13, Rockland Palace, N. Y. C.; 14, Bridgeport, Conn.; 15, recording date; 16, Syracuse; 18, Toledo; week 19, Fox theatre, Det.; week May 27, Hi-Ho Casino, N. Y.; week June 4, same.

NEW CONEY ISLAND SUMMER DANCE SPOT

New outlet for name bands on the style of the Palomar in Los Angeles and the Southland, Boston, will open in Coney Island, N. Y., May 27. Spot is the Hi-Ho Casino, which last operated as a night club. It hasn't been open since the fold of the 1936 season. Jimmy Lunceford is the first band set with Charlie Barnet, Chick Webb, Erskine Hawkins, Bunny Berigan, Cab Calloway, Fletcher Henderson, Red Norvo and others to follow.

It will operate on a straight admission charge with self-service food and beer—no hard liquor—available. Capacity is 2,500 to 3,000. There are two dance floors. Bands on tap will have the benefit of NBC wires. With name bands it will provide opposition for Manhattan Beach's seasonal band policy.

EDGAR BITNER DIES

Was With Leo Feist for 37 Years—In Retirement Since December

Edgar F. Bitner, 62, who was associated with the late Leo Feist's publishing operations for 37 years, died last Wednesday (12) of a heart ailment in his New York apartment. Bitner retired from the publishing business in 1935 when Metro acquired Leo Feist, Inc., and in the following year he took charge of the Music Periodicals Corp., publishers of the Musical Courier and Metronome. During many of his years in the music industry Bitner was active as a director of the American Society of Composers, Authors and Publishers.

Bitner came to New York from Pennsylvania as a boy and got into the corset manufacturing business. Leo Feist was a salesman in a corset house where Bitner had become a bookkeeper. Feist took to writing songs and when he couldn't get anybody to publish them he organized his own publishing firm, Feist & Frankenthaler. After he had completed the day's work in the corset company, Bitner would give Feist a hand with his own (Feist's) book and when the latter's business became large enough he hired Bitner at full time. This was in 1898.

Bitner progressed to the post of general manager of this was the title that he retained even when the Feist estate put him in charge of the firm's operations.

Bitner last December transferred his interest in Music Periodicals to his son, Edgar F. Bitner, Jr., and told friends that he proposed to devote the rest of his days to perfecting his golf. On the morning of the day he died Bitner told his counsel, Francis Gilbert, that he was arranging to spend the month of May playing golf in Canada.

Another son, John A. Bitner, and a daughter, Mrs. Charles A. Hodgeman, also survive.

L. A. Cocoanut Grove Puts Chill on Unions; Now Ice Skating Arena

Los Angeles, April 18.

Ambassador hotel's famed Cocoanut Grove passes out of the nitery picture to be transformed into an ice skating rink. Synthetic foliage is being removed and the entire surface will be chemically treated for the frapped sport. Transcribed music will accompany the gliders.

Grove has been closed for several weeks due to union trouble and Benny Goodman's booking into the spot was cancelled. Conversion of the room into an ice arena will cost the hotel around $25,000.

Nat'l Music Council Formed; Includes Many Societies

National Music Council, composed of organizations concerned with music as a cultural, professional, business or any other interest, was formed last week with Harold Spivacke, of the music division of the Library of Congress, as the temporary chairman. The idea of the council, it was explained, is to make it possible for music to speak with a single voice when it came to educational and legislative matters. The constitution and bylaws are yet to be drawn up.

Among those that have already affiliated themselves with the project are the American Federation of Women's Clubs, the American Federation of Musicians, ASCAP, Songwriters Protective Association, Music Publishers Protective Association, National Association of Performing Artists, Associated Actors and Artistes of America, NBC, CBS and various associations of instrument manufacturers.

TRUCKOWNER LOSES

Tied Up Benny Goodman when Latter Sidestepped Union Taboo

Utica, N. Y., April 18.

Suit which a truckowner had filed against Benny Goodman several months ago was dismissed yesterday (Monday) by a local justice of the peace. The truck owner, Joseph Copeland, asked for judgment of $140 because Goodman refused to go through with a hauling assignment after he had found that Copeland was taboo with the local truckmen's union. The stagehands at the Stanley theatre, where Goodman was booked, advised the bandman that they wouldn't work the act unless a union truckman was engaged.

During Goodman's local engagement Copeland got an attachment against the leader's clarinet, but the instrument was released after the stagehands took up a collection and posted a bond of $200.

On the Upbeat

Henry King's orchestra booked into Fairmont hotel, San Francisco, May 23.

Sterling Young opens summer season at Stanton Beach, Ore., May 6.

Phil Harris planning theatre tour with his band during hot months.

Warren Tucker follows Orin Tucker into Mark Hopkins hotel, San Francisco, May 5.

Jim Walsh moves to Salt Air Beach, Salt Lake City, for the summer season, opening May 27.

Kay Kyser opens Catalina season late next month.

Bobby Parks band has been signed to a five-year termer by Rockwell General Amusements. Formerly with MCA. Parks has been in the Stork Club and Plaza Hotel, N. Y.

Glen Island Casino, N. Y., undergoes a refurbishing before admitting Glenn Miller's band for the summer

(Continued on page 62)

ZUCKER, DORSO LEAVE CRA; GO MORRIS

Two Consolidated Radio Artists branches lose their head men effective May 1 one definitely committed to go over to the Wm. Morris Agency and the other mentioned but not confirmed as slated for a similar journey. Stan Zucker turned in his resignation as head of CRA's Chicago office last week and Dick Dorso resigned from the San Francisco office.

Zucker will be replaced in Chicago by Russ Lyons from the CRA New York end. Nothing has been said about replacing Dorso. Latter will join the William Morris Agency in Los Angeles as head of that branch band dept. According to reports, Zucker will head the Morris band dept. in Chicago. Morris offices in both cities have not had band depts. up till now, everything being handled from the N. Y. end.

Willard Alexander who quit a MCA vice presidency, to come over to Morris, picked up his duties in New York Monday (17). He returned from a Florida vacation Sunday.

ELLINGTON BD. WHAMS PARIS

By HUGO SPECK

Paris, April 10.

Duke Ellington and his orchestra wowed the Parisians on opening here at the 2,800-seat National Theatre de Chaillot, where two concerts were given to full houses. Gross was 20% higher than Ellington's previous date five years ago.

As ticket demand could not be satisfied, the orchestra will repeat a week's appearance here early in May at the end of its tour in one of the larger theatres or cinemas, if right kind of deal can be fixed. Gaumont, which runs the Rex and the Gaumont-Palace, is presently in on the dickering.

Entertainment offered consisted of 18 numbers, beginning with 'East St. Louis Toodle-oo' and ending with 'In a Sentimental Mood.' Ivie Anderson vocaling got over for good returns.

With a varying treatment, Ellington dished out those from the 'sweet' side like 'Mood Indigo.' (Even the French have learned to know American sweet 'hot'.). Arrangement of Rachmaninoff's Prelude in C sharp minor caught plenty of comment, as did 'Rockin' in Rhythm,' 'Sentimental Melody,' 'Harlem' and 'Riding a Blue Note.' First trumpeter, Rex Stewart, aroused applause on his own account with 'Keep's Blues' and Trumpet in Spain,' as did Barney Bigard with some clarinet hot spots, and the Duke taking plenty for himself at the piano.

Concerts were a revelation to French operators, none of whom would have dared take such a risk for the price. Lennart Reuterskiöld of Reuter's Restaurant in Stockholm is paying for the band. Concerts here were under the administration of A. & M. Blandet in collaboration with Jim Witterlied and Reuterskiöld with the works under an arrangement with Irving Mills. Mills, Reuterskiöld and Witterlied will accompany the orchestra for the duration of the tour.

Playing dates are booked tight until the end of the month. Leaving here the orchestra jumped to Antwerp and from there will work north into Holland, Denmark, Sweden and Norway. If deal can be set, it will return here after May 1 for a week's stand before returning to the United States.

Neither of the Paris concerts were broadcast, as no local or English commercial sponsor could be found who was willing to pony up.

EDDIE SOUTH TO L. A.

Milwaukee, April 18.

Eddie South's band engagement at the Blatz Palm Garden has been extended until April 27. South originally went into the night spot for two weeks, but will have been there 30.

The first week in May South helps Joe Glaser unshutter the Trocadero, Hollywood. South is booked for three months.

Mystery Over a Lease Is Behind The Sudden Calling Off of Vaude At the Profitable Rivera, B'klyn

Vaude policy at the Rivera, Brooklyn, which is operated by Sam Cocalis, was discontinued suddenly Monday (17), although the split-week stage show idea at the house was said to be profitable. Al Rogers and Bill Miller, who were booking the shows on a percentage arrangement, were given notice to stop spotting shows into the spot last Friday (14).

According to Rogers and Miller, considerable mystery is attached to the sudden calling off of the vaudfilm policy. They understood that their deal called for a term of years, as long as Cocalis' lease, which, they claim still has nearly five years to go. They also state that their contract called for a forfeiture of $5,000 if less than 30 days' notice was given.

Thus far, according to Rogers and Miller, a clear story hasn't been given 'em on exactly who called off the vaudfilm idea. Cocalis is the sub-lessor of the Rivera, but blame for the order for discontinuance of vaude is being shifted around.

Lawyers for Rogers and Miller are looking into the matter. Meanwhile, the other Rogers and Miller operation, Shubert, Brooklyn, Monday (17) shifted to a cheaper stage show policy, plus duals. Instead of using names, house is now playing a split-week policy of moderately budgeted vaude, plus dual pictures at 35c top. Biz is said to have improved since the institution of the new policy, the operators going into the red plenty on the first two 'name' shows.

This leaves the field clear for the Brandt Bros.' Flatbush, Brooklyn, and its name shows. This house, rather than retrenching, appears to be going in more heavily than ever for names. Starting Friday (21), house will headline Harry Richman, Don Bestor's orch and Sheila Barrett, plus two other acts. Week following, Happy Felton's orch, Henny Youngman and Wini Shaw are booked. Lou Holtz will head the May 5 show, while George Hall's orch, Dolly Dawn and Benny Rubin go in May 12. Arthur Fisher is booking this spot.

Charged with Selling Liquor to Minors; Pa. May Revoke License

Pittsburgh, April 18.

Bill Green, owner and operator of town's most prosperous roadhouse, is in hot water again with the Pennsylvania Liquor Control Board and faces loss of his booze license for the second time in three years. Latest charge against him is selling to minors, result of raid last week while a big fraternity dance was in progress.

In 1937 Green pleaded guilty to slot machine charges, but the court refused the district attorney's plea to take away his license. Understood that was because the cafe owner turned state's evidence and helped in the conviction of the alleged czar of local slot machine rackets.

Raid on Green's was the latest move in liquor board's recent clampdown under direct orders from Governor James. Only few weeks ago Green's and other outlying places were ordered to close every Saturday at midnight and to eliminate Sunday dancing entirely, which had been unmolested for years in the county.

Liquor board's ruling states minors can't enter a place serving booze unless accompanied by parents or adult chaperone, giving restaurants and hotels plenty of additional worries. They're pointing out that if strict letter of law is carried out it will mean that no eating place at all that has a liquor license can serve even food to any one under 21 unaccompanied.

MARTIN'S BUFF DATE

Tony Martin has been booked by Paramount for the Buffalo, Buffalo, as another stop on his personal tour.

He'll open there May 5, coupled with Xavier Cugat's orchestra.

F. P. GRAVATT BACK

Steel Pier Head, Scouting European Talent, Saw Much Unrest

Atlantic City, April 18.

The people of Europe are marked with a tensity that bespeaks the inevitability of war, was the observation of Frank P. Gravatt, head of the Steel Pier Co., upon his return Thursday (13) from a five-week European tour in search of talent for the Pier's forthcoming summer.

In Germany, prior to the Nazi march into Czechoslovakia, Gravatt said he was delayed for more than an hour to permit the passage of 20,000 soldiers. Such movements were surrounded with secrecy so that German citizens had little knowledge of what was going on.

LOEW'S BACK TO VAUDE IN CLEVE.

Cleveland, Aug. 18.

After being without fresh for nearly three years, Loew's State is going back to stage shows Friday (21), with Judy Garland as the break-in. Eleanor Powell heads the second bill the following week. Business done by the house with the first two shows will determine future bookings.

Next-door RKO Palace to date has had the monopoly on local vaude.

It has been giving Loew's more competish lately through a deal with Warners that netted it 'A' pictures, thought to be the main reason for the return to vaude of Loew's.

BERLE TOPS REOPENER AT N. Y. INT'L CASINO

Milton Berle will top the first show when the International Casino, on Broadway, reopens. Rejuvenated cabaret, under Alex Finn's management, is scheduled to reopen May 16.

Berle's deal calls for four weeks and options. Georgie Hale is staging the show, with the girls already in rehearsal.

Musicians Await NLRB Action on Nitery Waiters

Philadelphia, April 18.

Musicians local here has decided to leave the band in the Little Rathskeller here, which had asked for an injunction to prevent the American Federation of Musicians from pulling out its members, until the National Labor Relations Board acts on organizational activities among the waiters at the spot.

Kalmer Bros., operators of the nitery, in their request for an injunction, claimed they have a contract with Victor Hugo's band. Tooters' union maintains the contract was only conditionally accepted.

Frank Luuzi, pres of the local, got a statement from the Kalmers that they would employ only AFL help, which he claims the Kalmers later renounced, it's reported. Statement has been sent to the Labor Board for action. Kalmers claim their waiters are perfectly satisfied and don't want to join the union.

SIMPLE EQUATION

Lancaster Cafes Hike Beer Prices to Make Up for Bingo Revenue

Lancaster, Pa., April 18.

Ban here on bingo last week sent the price of beer in many of the town's niteries up from a nickel to a dime.

Profits from the game, operators said, had been enough to cover the nut on floor shows. Now, with that source of revenue gone, cost has to be added to the drinks.

Blandi Takes Over Pitt Night Club for Summer

Pittsburgh, April 18.

Sam Blandi, who operated Blandi's Inn here last summer, and has been running the Harlem Casino downtown this winter, has taken over the Willows, for long time Pittsburgh's No. 1 roadhouse, for June, July and August. Spot was operated by a syndicate last season but group broke up few months ago and Blandi nabbed it from the bank-owners.

Blandi's planning an entirely new policy. He's going to charge 45c admission and run the big-capacity place cafeteria style, with customers buying their drinks and sandwiches at bar and taking it back to their own tables. In past, the Willows has been strictly a class operation.

DETROIT CAFES ON THE UPBEAT

Detroit, April 18.

Local niteries, particularly the better class, have taken an upswing. Present biz is best in some time.

Upturn has been noticed during past couple of weeks despite Lent. Most of pickup is attributed to good weather and spurt in auto biz. Furthermore, surviving spots are profiting from shuttering of several top-notch niteries since first of the year.

Some spots, including the Statler Terrace Room and Book Cadillac Casino, had planned on closing as early as May 1, month earlier than usual, but now may prolong shuttering.

Mae West's Big $17,500 At Atlanta Par; House Books Vaude, As and If

Atlanta, April 18.

Mae West, coupled with 'Risky Business,' did a terrific $17,500 in five days at Lucas & Jenkins' Paramount. Engagement here was lopped to five days because of Good Friday, and the long ride between here and Houston, for which point she left after finishing here Wednesday (12). Unit did five shows daily.

Paramount this week is reverting to straight films until Saturday (22) when Dave Apollon's Revue will be on boards. Count Berni Vici's unit booked later and further stage entertainment is planned, when and if available, according to manager Billy Pratt.

Default Verdicts of $900 Hit Winstead Minstrels

Spartansburg, S. C., April 18.

Default verdicts totaling $900 were returned against Winstead Minstrels and Helen Grice in three civil actions here. Suits followed collapse of section of seats here last fall.

Based on alleged personal injuries.

Johnny Perkins Bids $52,000 Annual Rental for St. L. House; Maps Vaude

St. Louis, April 18.

An offer of $52,000 a year on the 4,000-seater St. Louis, the largest house in the St. Louis Amus. Co.'s string, nixed nine months ago, is still good and Johnny Perkins, rotund comedian and m.c., hopes that execs will lease the house to him. Perkins believes that the proper kind of vaude will pay in this burg and that is the plan he has in mind if and when he obtains possession of the house.

Perkins said he laid his proposition before Harry C. Arthur, Jr., head man of Fanchon & Marco which has a management and operating contract with the amusement company. According to Perkins Arthur took the matter up with Clarence Turley, but after it had been mulled over for some time it was finally thumbed down. Perkins who m.c.'d stage shows at the St. Louis several seasons ago, makes this metropolis his home and during the past few years has been working in the middle west. Returning last week from a visit to Florida where he spent most of his time with the Cardinals at their St. Petersburg training camp, Perkins said he is convinced from his experience in working with stage shows in Chicago that the natives here will support the right concoction of a combo policy in a house like the St. Louis.

Vaude has had but indifferent success here and later when pit band shows were tried at F&M's 5,000-seat Fox the biz was not consistently good. The latest attempt at flesh shows at the Fox was several weeks ago when Al Pearce and his gang played a one-week stand after an absence of a year. While on the previous visit Pearce hung up a b.o. record for the house his latest p.a. was just so-so. F&M hasn't determined whether further attempts will be made to dole out stage shows here.

Currently the only stage show in town is at the American (legit), the Garrick, this burg's sole burlesk house having shuttered early last winter because of anemic biz.

N. Y. Par Mulls Non-Name Orchs Plus Name Specialties in Effort To Duck Mounting Band Costs

BACK IN HARNESS

Indpls. Union Exec, Retired Maestro, Fills in During Pinch

Indianapolis, April 18.

Abe Hammerschlag, business agent of local musicians' union, dug his baton out of the bottom of his trunk Friday (14) to conduct the pit orchestra at the Circle for that theatre's spot vaude booking. Hammerschlag has not maestroed since leaving the stand at the vaudfilm Lyric here five years ago to become business agent of the union.

Ed Resener, who replaced him at the Lyric, is the only other experienced conductor in this city, and he was not available to the Circle because of his duties at the Lyric. Hammerschlag came to the rescue when no other experienced leader could be obtained.

RKO AMPLIFIES CHEAP UNITS IN N. Y.

RKO is amplifying its nickle-and-dime New York stage show time to include the 23rd Street Manhattan, Grand Opera and Kenmore theatres Brooklyn. All three will play only one day weekly, the 23rd Street opening April 28, the Kenmore, Friday (21), and the Orpheum, May 1.

Already playing this type of show are the Madison, Brooklyn; Coliseum, Manhattan, and the Flushing, in Flushing, Queens. Latter plays shows two days a week, the others only one. Billy Jackson is booking 'em all.

Average cost of the shows is around $100 daily, with $150 being tops, but rarely reaches that amount. Deals are set by the RKO district managers, rather than the theatre-operating department, Jackson being unaffiliated with the circuit otherwise.

Kelly Keeps AFA Post

Philadelphia, April 11.

Thomas E. Kelly has been re-elected rep (business agent) of the American Federation of Actors local here. William Jones was also returned as secretary and Paul Mohr as treasurer. Roy Scott was named recording secretary. He succeeds Joseph McFadden. New board of directors also elected.

This was organization's first annual election since its founding last fall.

Cued by economic conditions, indications point to the Paramount, New York, veering from its name pit-band policy in the next few months. In direct contrast, the house will probably start bringing in non-name swing orchestras fronted by name personalities from stage, screen and radio.

Though not officially stated, the move is reported also due to the mounting salary demands of the top-flight orchestras. Salaries in the $10,000 bracket are no longer rarities for bands, and these figures, plus the cost of necessary specialties to round out a show, are deemed too expensive to be borne by a theatre's average business.

Par's move is seen as having been hypoed by the success of the recent show headlining Dorothy Lamour and Mischa Auer, backgrounded by Charlie Barnet's orchestra. Barnet, off New York's swingo 52nd street, was virtually unknown to the general public, but the grosses reached high proportions due to the Lamour-Auer draught. It's figured that sufficient personalities of this b.o. calibre can be booked to round out an annual 26-short schedule, the Par averaging two weeks for each stage-film engagement.

A few months ago, sensing a possible switch from swing bands, plus the competition from Warner Bros. Strand up the street, the Paramount started going in for name acts to bolster the pit. This resulted in a switch to a near vaudfilm policy, making it easy for the Paramount to also unostentatiously drop the name-band idea for a name-act policy.

The show opening next Wednesday (26) reflects the name personality idea. Backgrounded by Henry Busse's orchestra, the pit will feature Lanny Ross, Shirley Ross, Hal LeRoy and Billy Gilbert.

One of the first non-name orchestras to come into the house will be Harry James' crew, which has been booked for a date some time in June.

Simon Agency Quits, With Charles Yates To Consolidated Job

Last vestige of what was once one of vaudeville's most powerful sales offices, the Simon Agency, disappears on or before May 1, when Charles Yates, its current head, moves over to Consolidated Radio Artists to head a new subsidiary, yet to be incorporated, to deal in talent agenting. Moving over with Yates are his brother, Irving, and associate Phil Cocin.

The Simon Agency, until the death of Ferd Simon in 1936, was one of the top talent sales outfits, principally concerned on the RKO booking floor. The three Simon brothers originally came out of Chicago and quickly established themselves in New York.

First brother to die was John B., who passed away in 1934. Ferd succumbed two years later, while Irving Simon passed on last year. Irving came out of virtual retirement after Ferd's death to take over the agency. Suffering from ill health, he made a semi-partnership deal with Yates to run the office, both for himself and Ferd's widow. Following Irving's death, Yates also bought Mrs. Ferd Simon's share to become the agency's sole owner.

Yates has a deal with CRA to handle its bands for theatre bookings. His moveover to the Consolidated offices on a profit-sharing basis also marks the CRA's first attempt to enter the stage talent field, in direct competition on this end with the Music Corp. of America and the William Morris Agency. MCA recently acquired Miles Ingalls to bolster its stage talent department.

Creator of 'Buck Rogers' Shows 'Em How It's Done

Chicago, April 18.

Dick Calkins, artist for the 'Buck Rogers' cartoon strip, is personaling in Balaban & Katz nabe houses.

Act consists of chalk talk.

Night Club Reviews

TOPSYS, L. A.

Los Angeles, April 14.
Mary Lou Cook, Tanya, Buddy Roger's orch (12).

Off to the east end of town, in a burg called Southgate, is Topsys, envy of many a night club operator. Set down in the midst of this sector's industrial area, there's bulging year-around payrolls on all sides. On a Saturday night, if you're not in by 9 o'clock there isn't a chance to crack the portals. By reducing the dance floor to postage stamp size there's room for 1,200 customers. Mob that frequents the spot aren't the best spenders around, but they spend. It all adds up to nice Monday morning bank deposits by Jimmy Contrata, one of the town's leading citizens and no slouch as a showman.

When Contrata unpeeled the roll a couple of years ago an put up the present spot he went for name bands, a novelty to the clientery. It clicked from the start and now he has Buddy Rogers' crew for four weeks. If the hubby of Mary Pickford figures he's got a soft touch here he needs wising up. The Southgaters have jigged and stomped to such maestro's as Ted Lewis, Jan Garber, Jimmy Grier and a few others of that caliber.

The Rogers outfit is all new, and opened after two weeks' rehearsal. It's probably the corniest outfit booked into the grotto. Their antics and capers are strictly small-time, with most of the bandmen doubling in the floor show. It doesn't shape up as a healthy run. Rogers is said to have ditched his old crew's so to put up a sweet front. Apparently they haven't made up their minds for on the night caught they rocked 'Hold Tight' twice within an hour. The sweet stuff was there, too, but not impressive and lacking luster. Maybe they'll improve with time, although it doesn't look too promising.

Naturally, Rogers is all over the place playing this instrument and that. He does okay on this phase, but his efforts at being funny with the rest of the crew are puerile. His sidekick on the dicker, a Tony Galento-sized bass fiddler, has no talent for comedy.

Mary Lou Cook, who has kicked around in radio, handles most of the vocals and also has to act funny, which is more of a strain on the customers than her. Only straight act is Tanya, a shapely bubble dancer, but no threat to Sally Rand. Girl trio and some of the males in the band take a crack at tha vocals. Not too hot, but a welcome relief from the comedy turns.

Best bet in the spot is tha table service, Contrata springing a new one in this department. Waiters are sepians off the railroad dining cars, laying over between runs. Their training gives the spot a noticeable lift and courses change painlessly and without constant prodding. Tariff runs to $1.50 every night except Saturday when it ups to $2, to be guzzled or masticated. *Helm.*

TROCADERO, LONDON
('NIGHT LIGHTS')

London, April 8.
Hedli Andersen, Gerald Nodin, Knox-Crichton, Cleveres (5), McKay & Lavelle, Mixed Ensemble.

When Charles Cochran ascended the steps leading to the stage of his new show at the Trocadero last night the response to insistent applause, he laid more than the usual emphasis on the thanks ha desired to extend to all those who had assisted him in his one-hour presentation of 'Night Lights.' Effort put in this production is deserving of commendation. There have been bigger shows in bigger stages, few more completely satisfying on a relatively small platform in a restaurant.

The conception and execution of this singularly artistic offering is a marvel of co-ordination. To mention one name for individual praise than the heads of the respective departments responsible for the show would be an insult to the others, down to the girls, would be unfair. In its modest little way, this cabaret is as fine a conglomeration of entertainment as any of the numerous stupendous productions C. B. has produced in his many years of amusement purveying. It far surpasses the 17 previous shows he has put on at the Trocadero.

On the site of the Trocadero restaurant, which was opened in 1896, stood the famous Argyll Rooms, which in 1889 became the Trocadero Music Hall. The first scene is a reproduction of the Argyll Rooms as they existed from 1850 to 1878. Hedli Andersen appears as an advanced woman of those days, and at once captures the audience with her opening song. She is an English girl who specializes in the singing of old fashioned songs. At present she is doing research work in the compilation of American ditties of the past generation, with a view to appearing in New York with some U. S. numbers of vintage contemporaneous to the English ones selected for her here.

The second scene is the Trocadero Music Hall, where Miss Andersen, after first appearing in bicycle bloomers singing 'Ta Ra Ra Boom De Ay,' a satirical number, changes to straight costume of the period and offers with meticulous seriousness, 'My Mother Was a Lady.' In this scene Gerald Nodin renders 'Daddy's On the Engine,' and shortly thereafter, five of the girls simultaneously vocalize 'Daddy Wouldn't Buy Me a Bow-Wow.' Other numbers in this set are 'A Little Bit Off the Top,' 'He Calls Me His Own Grace Darling,' 'Don't Send the Children Out for Beer,' and an ensemble number of airs from the 'Florodora' composer, Leslie Stuart, featuring Nodin and chorus. The concluding turn in this part is Knox-Crichton as an old-fashioned clumsy conjurer, with a lady assistant in misfits who manages effectually to ruin his simple tricks.

The third scene is the Trocadero grill-room of today, for a girl number with excellent costuming. They are followed by the Five Cleveres, Australian acrobats, three girls and two men, who do some excellent hand-to-hand tossing, and some unique formations. Fast act, spiendidly received. The next is a French fountain scene of one of the Louis periods, in which a lady attired in a pannier dress is stripped by her maid in preparation for bathing in the fountain, but they are interrupted by a gentleman and scamper off. Immediately following are the boys and girls of the chorus, attired for tennis, golf, skating, fencing and cricket, in an effective routine.

Next scene is taken up by McKay and Lavelle as a couple of dressed-suited drunks in a brief, but effective comedy acrobatic turn. Closing number is the New York World's Fair, in which the entire company participate with vocalizing and stepping. There are the English visitors, gum-chewing, rubber-neck girls, a family from the West, American sailors, a side show with Little Egypt wriggling her midriff, members of the Russian Ballet, and so on.

The scenery, costuming, lighting effects, dancing routines, etc., make for one hour of fast-moving cabaret entertainment of the highest order. Show will run one year. *Jolo.*

BENNY THE BUM'S
(PHILADELPHIA)

Philadelphia, April 13.
The Rimacs, Charley Boy, Rimac, Charley Boy, Chiquita, Conchita, Hernandez.

Aside from supplying the tunes for terping, the Rimac troupe (14) provides the entire show at the backdoor of Benny the Bum this gesh. It lasts only 30 minutes, but it is so fast and frenetic that it's just about the limit that any audience can take in one dose. Entire presentation is highly amusing and entertaining and a real unique night club fare. There's plenty of singing, plenty of dancing, plenty of wild and wooly comedy. Something's happening every second and the troupe doesn't wait for an m.c. to announce it; it's just bang-bang-bang.

Cuban crew consists of a band of 10 members Charley Boy, son of the maestro, who sings, dances and at various times plays various instruments; Conchita, a niece of the troupe's head man, who was recently added and provides an eye-filling bit of allure; Chiquita, another terper and warbler; and Ciro Rimac, the leader, who's m.c., warbler and terper. In addition, there's Hernandez, who steps out of the bandstand to chirp.

Band, of course, specializes in the Latin-American type of tunes, doing mostly rhumbas, sambas, tangos and the like. They play pop American tunes satisfactorily, although nothing like tha native stuff, at which it excels. It consists of piano, bull fiddle, drums, two trumpets, sax, two clarinets, guitar and various South American rhythm instruments. There's a good bit of doubling on instruments and all the men at times play the maracas, guiros, etc. The two femmes, when the show isn't on, sit in front of the band pounding on small double drum-like instruments. Most unusual thing in the band is rhythm produced by the jawbone of an ass, played by Charley Boy.

Ciro's introductions and explanations are so thick with accent they are hardly understandable, but it makes little difference. Small, dark and personable, he opens the proceedings with a medley of Cuban, Mexican and Brazilian numbers. They've really scarcely gotten underway when the two femmes appear in scant and attractive costumes for a rhumba. One chirps while the other terps. Next is a conga dance, then Charley comes out of the bandstand to do a speedy turn with one of the femmes, and by time they are finished, the first gal is out in a change of costume to demonstrate 'Le Samba' dance. Here, it's like that all the way through, with one or both of the girls out all the time, and Charley and Ciro keep things moving every moment.

Both gals exhib plenty of flesh and s.a. in their costumes, the girls work. Also okay in their more legit terping of the Latin American steps. Charley, in addition to his boofing, which is good, is the clown. His mimicry of a femme warbler with a swing band, done in double talk while falling arms in tops. Ciro's yodeling in his peculiar Latin style is amusing. Hernandez, the regular warbler, has a fair voice.

Crew winds up with a Conga led by the two gals, Ciro and Charley. Brilliant costuming of both the band and specialists is standout. *Herb.*

Burlesk Review

CASINO, PITT

Pittsburgh, April 13.
'Whirl of Girls' unit with Manny King, Hillary Lane, Leonie Thurston, Isobel Brown, Beryl Martin, Hillery, Marjorie Roye, Wade & Wade, Line (16).

Tag end of the peel season usually brings some big flock of shows like 'Whirl of Girls.' It's strictly an in-betweener, spotty and short on good talent. Manny King shoulders the comedy burden, and while one of the wheel's ace comics, he's on only twice in numbers but once.

That's in his next-to-closing appearance, in a skit that takes off in burlesque lingo and action the Broadway hit of several seasons ago, 'She Loves Me Not.' It's been standard with King for couple of years now. His effeminate Princeton boy is good, low-comedy, and he's smarting assisted by Marjorie Roye, a promising comedienne, who's a big help throughout the show. King's first skit, however, one in a doctor's office, where he's supposed to be converted into an infant, is not up to his talents.

Disrobing department is headed by Marie Cord, who wears her hair exactly like Gypsy Rose Lee's, and is a dead ringer for the former No. 1 stripper. Okay on looks, but conventional in action. Other teaser is Leonie Thurston and she shows possibilities, though she's pretty much under wraps.

Comedy, aside from King, is third-rate. Cress Hillery tries a couple of sketches, but they get nowhere. Production average, ditto chorus work, with only worthy ensemble number being one that spotlights little Isabel Brown in an acrobatic control fan dance. It's a showy interlude, and gal knocks down nice plaudits with some tumbling that's made doubly difficult by those feathery accompaniments.

Vaude specialists are Wade and Wade, mixed sepia dance team, and lively tappers. Good-looking couple, too, and with proper routining and costuming might develop into big-time. Singing, though, could be nixed. Berlyn Martin does a whiny 'Hold Tight,' exiting with a tired strip, and Irving Karo nasaling 'That's Why Darkies Were Born' in what passes for another production layout.

King might have helped by another appearance or two, but he's content with two spots, and that's not enough to carry a weakie. *Cohen.*

'Live Audience'

(Continued from page 1)

to talk to a couple of hundred people, most of whom sit on their hands. We of the stage who must have the feel of an audience to do our best just can't get the same effect out of microphones. Those mechanical gadgets are no good for an artist. So, you see, you can't blame us for wanting to get out among people and do a little performing. Call it the ham in us, or what you will, but I get a great kick out of it and so do the others. That pent-up emotion won't even stir in front of a mike. You gotta have a live audience that warms to you and then that old happy feeling comes over you.'

'Yep, the Boys Are Right'

There are at least three nitery operators who'll agree with the boys right down to the last period. And for good cause. Any Saturday or Sunday night drop into Grace Hayes' Lodge in the valley just off Hollywood. The show that goes on there about midnight couldn't be bought for less than $10,000 on the hoof. Not just actors, but top talent. Same goes on Sabbath eve at the Victor Hugo in Beverlily. Sunday night cafe biz being what it is, Earl Carroll has gone in for 'impromptu' entertainment and first out lured a radio name from his table party that would have cost him easily two grand for the hour-long routine. Being the good thing that it is, everyone is going for a helping, and where it will all end no one can predict. You can't figure out a crowd.

Benefits have been few and far between since Theatre Authority cracked down; that is, performances for charity. Whether or not the nitery owner needs a benefit is debatable. Fact remains, however, he's getting one, at least twice a week. All that the talent gets out of it is a free feed and maybe a bottle of California vintage. And how they work their heads off. Sure there's a picture gang out front. But that line about all the important and excellent looking on is no extenuation for the top names of radio and pictures. That's strictly sales comeon for the breakers-in. The Neon boys stick to their line about 'feel of an audience.'

Just Won't Say No

It's a great racket for cafe owners, that of getting that quality talent free on Saturday and Sunday nights. Funny thing that no one has been able to figure out is that there's been no few turndowns by big names who get their personal appearances at around $5,000 weekly. Mebbe they don't want to be bothered with putting the coin on their income tax returns.

THE WASHINGTON POST, SATURDAY, APRIL 15, 1939

Nelson B. Bell About the Showshops

Dave Apollon's 'Varieties' Revue 'Steals The Show' at Loew's Capitol

Every Act a Hit

In view of Sonja Henie's priority in the field of comedy-romance on ice, it must be said that DAVE APOLLON'S "Varieties of 1939" revue, on the stage, constitutes a more potent item of entertainment at Loew's Capitol Theatre this week than Metro-Goldwyn-Mayer's screen production of "The Ice Follies of 1939."

It is quite a show that MR. APOLLON has brought to Washington for the current week on F street. His revue is packed tight with talent—his own being by no means the least—and there is a band on the stage that will practically knock your ears off! This impressive group of instrumentalists represents a neat welding of the Capitol's regular pit orchestra and Apollon's Chez Paris Orchestra into an imposing unit that has been skillfully balanced in the matter of instrumentation. For once, there are enough strings to counterbalance the brasses and the effect is what anyone might reasonably expect from some 40 or more top musicians working at their best. It more or less brought back the days when the Capitol boasted a 50-piece orchestra of its own, under the gold-plated aegis of Meyer Davis.

Many Topline Acts

But the band was only the background of a revue that presented many highly gifted performers. The Six Honeys, three men and three girls, ostensibly brothers and sisters, open the proceedings with acrobatic dancing and gymnastic feats that are tops in their class. APOLLON, of course, acts as master of ceremonies for the show and introduces some of his distinguished mandolining and Russian dancing—the fellow can whirl more without getting dizzy than anyone who comes to mind—and during the course of his activities introduces Tommy Trent, with his Punch and Judy show; Mildred Law, a tap dancer of the first rank; Henry Morton, "Dave's brother, Ivan," an inimitable comedian; Melissa Mason, the amazingly clever eccentric dancer; the Three Oxford Boys, whose orchestral impressions are in a class by themselves—especially since it is all vocal, save for one guitar—and Ruth Petty, broad shouldered, young, miniature Mae West, who could raise the roof with her voice if she cared to, but is content merely to raise the customers right out of their chairs!"

THIS WEEK—CAPITOL, WASHINGTON
NEXT WEEK—PARAMOUNT, ATLANTA
Direction BERNARD BURKE, 22 West 48th Street, New York

Best Coffee in England
QUALITY INN
Leicester Square
LONDON, WEST-END

Earl and Eddie Franklyn
Dressed by
SIDNEY FISHER
75/77 Shaftesbury Avenue
PICCADILLY, LONDON, ENG.

WANTED
Smart Woman Representative
MISCH
Theatrical Cleaners and Dyers
225 West 47th Street, New York
Circle 6-0616
Good Work—Quick Service

"Heart of the Loop"
BREVOORT HOTEL
Madison, east of LaSalle, Chicago
Special Theatrical Rates

CARL SIMPSON FAITH
Originators Performing Marionettes Full View of Audience
APRIL 24TH, HIPPODROME, BRISTOL, ENGLAND
Direction M-G-A
Europe: CHAS. TUCKER

PA. OPENS NEW CAFE DRIVE IN PHILLY

Philadelphia, April 18.

Regular semi-annual drive of the Pennsylvania Liquor Control Board to clean up the night club situation is under way here. Nitery owners have become as accustomed to the drives as they are to the seasons and have been in the habit of yawning and saying, 'Oh, that again?,' when they hear of what's going to be done.

This time, however, the situation is said to be different and the ennui is tinged with fear, for a new state administration has already given every anti-rum indication. Start of the new drive last week resulted in the issuance of 40 warrants for alleged violators.

Agents of the Control Board are now rounding up those for whom they hold warrants, but are having little success. Most of them, it is reported, have fled the jurisdiction while they arrange bail and counsel service.

Hildegarde Opens at N.Y. Pierre Hotel on June 16

Currently at the Savoy-Plaza hotel, New York, Hildegarde, the songstress, opens at the Pierre hotel, N. Y., June 16, for four weeks. On July 27 she returns to the Savoy for three months. The Hartmans also set for the Pierre, plus Enric Madriguera band.

Singer is on the air currently for U. S. Rubber.

Pickens Plays Atlanta

Jane Pickens, the singer, is set for the week of May 4 at the Roxy, Atlanta.

The Georgia capital is her hometown.

Von Grona Broke

Eugene Von Grona, dance director and professional dancer, at present unemployed, filed a voluntary petition of bankruptcy in N.Y. federal court Friday (14). He lists liabilities of $1,676 and no assets.

Owes Ann R. Silver, p.a., $324; American Federation of Musicians Local 802, $388, etc.

HARRY RICHMAN *Sez:*
'LORD & STEWART,
19, Albemarle Street,
LONDON, W. 1.
Are England's Best Tailors.'

ALWAYS WORKING
'WHITEY' ROBERTS
Opening at the 'PALOMAR,'
Los Angeles, April 19
As Master of Ceremonies with
Artie Shaw
Booked in England with
Will Mahoney Show in Sept.

Unit Review

MIKADO IN SWING

(ORPHEUM, MPLS.)

Minneapolis, April 14.

This is one of the biggest unit productions ever to play this theatre—from the standpoint of personnel. There are nine principals, a mixed chorus of 44, 12 dancing girls, eight feminine jitterbug steppers and six male hoofers. In addition, there are 16 musicians in the pit, including the four and the conductor carried by the company. As far as size and performance quality are concerned, the show can't rate far behind the original full-length WPA creation. With a feature photoplay and the usual shorts tossed in, Harry Rogers' 65-minute condensation of the 'Swing Mikado' is considerable show for 55c.—in many respects an entertainment bargain.

On the credit side, too, the proceedings provide a jolly lark for Gilbert & Sullivan devotees and others. It's a lot of fun, also, for those who get a kick out of the enthusiastic stage capers of Negro singers, dancers and comedians. Much of the entertainment is spirited and lively. It's colorful, too, with its gaudy and strange assortment of costumes and its picturesque scenic background. The singing is fairish and the dancing good. Judged by accepted vaudfilm standards, the comedy may seem lame, but the mirth is engendered by the audacity of the thing and by the earnest, noisy efforts of the dusky performers. No need to rave about the Gilbert & Sullivan score. However, the story and the dialog, as worked out here, detract from the entertainment—they could be foregone entirely.

The unit, of course, represents an effort to cash in on the publicity attendant upon the success of the WPA show in Chicago and New York, and Michael Todd's 'Hot Mikado' production in the latter city. But from the financial standpoint, judging by the audience response at the initial performance here, the offering may prove a misguided venture, paradoxical as this may sound. On the one hand, it must involve plenty cost; on the other, it apparently doesn't offer a highly acceptable enough type of entertainment to provoke the word-of-mouth raves needed to spell super-grosses in vaudfilm houses.

Show's main trouble from a vaudfilm boxoffice standpoint is that it's too much twixt and between—neither fish nor fowl. Most of the Gilbert & Sullivan satirical humor goes over the vaudfilm customers' heads; the delightful melodies, even when they're swung, seem unappreciated. The novelty or freak angle doesn't have much bearing because the hot dancing is accepted as such on its face value rather than as a saucy intrusion into the classical G. & S. realm. The show in its entirety sizes up for too many auditors as lacking in variety. Even for some of the most confirmed jep cats, there's a superabundance of jitterbuggery. And along with this is a plethora of singing; the comedy bogs down and reaps only a mild laugh response, while story and dialog mean next to nothing.

As for the so-called better class of theatregoers and the G. & S. fans, there aren't enough of them to count for much at the boxoffi Moreover, their reactions may not be entirely favorable. The swinging of the revered melodies and the general jazz treatment may grate on some. Also, while the singing may prove moderately acceptable to the dissenters, they're likely to regard the acting as amateurish and to find fault with the fact that the brilliant lyrics are warbled in such a fashion as to make them undistinguishable.

All of the 'Mikado's' outstanding musical numbers are included in the condensation. Big ensemble numbers are made out of 'Let the Punishment Fit the Crime,' 'Three Little Maids,' 'Flowers That Bloom in the Spring' and 'Tit Willow,' with the entire large company, which crowds even the huge Orpheum stage, going through all sorts of snappy dance gyrations.

Billy Mitchell, as Ko-Ko, is entrusted with most of the comedy and proves a hard and efficient worker, getting a great deal out of his material. LeRoy 'Sparkplug' George carries off the title role adequately, and Geraldine Overstreet is a sufficiently petite Yum Yum. Lonny Jackson, as Nanki Poo, sings well, but his acting leaves much to be desired. Other principals are Jackson Smith, John Rouzette, Nodella Trotter, Hazel Williams and Mabel Lewis. Jimmy Stanton, who staged the show, rates a bow.

'Oklahoma Kid' Cagney western, seems a poor choice of feature to go with this stage show and undoubtedly is holding down matinee attendance. Little more than half-a-house when caught Friday afternoon (14), opening day and first show.

Rees.

Jitterbug Joints

(Continued from page 1)

to keep things moving in the lulls. They get paid off in as much as they can eat for free. All the other alliators are merely regular customers, while the large majority of patrons of the joint just hol' their seats and watch the others, which they consider plenty entertainment.

Topper collects two-bits from each customer at the door. Tabs worth 20c. in food or drinks are given for the other quarter, nickel being held out for the coin phonograph. The other and even more successful joint of this type here, The Click, makes a straight two-bit cover charge.

Topper is located in the old 31 Club. Original nitery seated about 450, but the present spot, with large tables and greatly increased dancing space, holds only 200 or 250 when pushed. Crowd changes, however, much more rapidly than in the alcoholic niteries, three distinct groups usually being in before closing at 3 a.m. Average tab is 30c. per person. Prices are not hypoed, and standard soda fountain rates obtain. Net profits on the food an drink are better than 75% and the rent is paid wholly by the owner's take on the coin phonograph mach Result is a small-size gold mine for the owner, Bernie Lavin, who turned to this when an injury to his hand pushed him out of his job in a paper mill.

Jitterbug spots have large quantities of advantages over standard likker-serving niteries First and foremost is that they have no heavy license fee ($750 a year is the local tap in Pennsy), and consequently have no worry about the state's strict booze laws. Also there's no show or band nut.

Paul Whiteman orchestra opens a five-day stay at the Paramount, Springfield, Mass., tomorrow (20). Week of the 28th at the Paramount, Newark. Springfield date is the first flesh for that house in several years.

Hudson Auto to Set 160 Acts, 20 Orchs At $20,000 for 20-City Sales Parleys

Detroit, April 18.

The Hudson Motor Car Co. has contracted for about 160 acts and 20 bands to be used May 2-4, at a $20,000 cost, at spring sales drive meetings in 20 key cities.

Contract was obtained by Abe Schiller, local booker, who must line up eight acts and 10-piece band for each of 20 cities and towns.

First day calls for shows at meetings of Hudson dealers, distributors and salesmen from surrounding territories in New York, Detroit, Pittsburgh, Rochester, N. Y.; Boston, Columbus and Washington. Second day shows will be held in Chicago, Minneapolis, Des Moines, Kansas City, St. Louis, Oklahoma City, Atlanta and Dallas. Los Angeles, San Francisco, Seattle, Portland, Ore., and Denver will be played the third day.

•15 YEARS AGO•

(From VARIETY)

Vincent Lopez ordered to quit broadcasting by the Keith circuit. Lopez' vaude, for which Keith had him under contract, was drawing fewer people, Keith's said, because they could hear him over the radio.

Lawrence, Mass., censors forbid 'The Temple of Venus' film, to 'protect the innocent girls of the city.' The 'innocent' girls were insulted.

Shakespeare was being jazzed up. Los Angeles was to see 'Julio and Romyette.'

'Strike talk'—Equity and the managers—was hitting Broadway production.

London was preparing for a harvest during British Exposition. Prices all over were way up.

William A. Brady was seriously considering a Keith offer to play a condensed version of 'King Lear' in vaudeville.

Los Angeles screenwriters were complaining they had to sue every company with which they did business due to breaches of contract.

Screen companies were going in for new talent contests. Film aspirants had to pay $20 for screen tests.

George Bernard Shaw's 'Saint Joan' opened in London. Limited stay predicted. Sybil Thorndike was the star.

Ben Bard and Jack Pearl did 15 zippy minutes of comedy at the Palace, New York. Ten-year-old Miriam Battista and Charles Eaton, 13, held down the No. 4 spot in 'Romeo and Juliet,' also at the Palace.

See L. A. Cafe Fold

Los Angeles, April 18.

Unless biz takes a spurt in the next two weeks, Beverly Wilshire hotel's Florentine Room will go dark until fall.

Dick Barrle's orchestra is on notice.

Teagarden Cuts for ABC

New Jackson Teagarden orchestra was signed to a one-year recording contract by American Records last week. Band starts it off tomorrow (Thursday), cutting four sides at World Broadcasting studios.

Teagarden's outfit goes into the Blackhawk Cafe in Chicago May 5. It's currently at the New York Rose-

Saranac Lake

By Happy Benway

Chris Hagedorn has had another setback.

Edward Scarfece, late of 20th-Fox, in comeback at Trudeau sanatorium.

Emmett Allen, who came up here a long time ago, is now the driver of the Higgins local bus line.

The colony thanks Lynn Meade, Putch Morley, Ken Walls, Mel Nelils, Cliff Japhet and Bill Clark, known as the Musical Busters, who have contributed musical entertainment to the actors' colony.

Thomas Brady, formerly with the old NVA sanatorium, is now auditing in Plattsburg, N. Y.

Helen Arlund, recently at Warners, is a newcomer at the hilltop lodge for a checkup.

Harold (Will Rogers Fund) Rodner in and out after quick looksee at the Rogers.

Cliff Heather, former trombone player with Mark Warnow's orchestra, has hit the Rogers for a short routine. Just a little run down.

Out of bed and back to work goes Walter Hoban, of New York, who did the trick in less than a year.

Chick Demmer and Jean Wolf into the general hospital for treatment. Frank Howard and Anne Comerford successfully weathered operations.

Write to those who are ill.

JOE TERMINI
with JEAN HAMILTON
and BOB DU HART
WOODGREEN, EMPIRE
LONDON
APRIL 24

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

Next best to an ocean voyage for a true taste o' Scotland is a sip o' gude auld Johnnie Walker. Try it and see!
RED LABEL, *8 years old*
BLACK LABEL, *12 years old*
Both 86.8 proof

BORN 1820... *still going strong*
IT'S SENSIBLE TO STICK WITH
JOHNNIE WALKER
BLENDED SCOTCH WHISKY
CANADA DRY GINGER ALE INC. NEW YORK N. Y. SOLE DISTRIBUTOR

STATE N. Y.

Judy Garland, Joe Venuti's orch, with Don D'Arcy, Doris Dupont; Gaudsmith Bros., Stafford & Louise with Florence Spencer, Ruby Zwerling's pit orch; 'Huckleberry Finn' (M-G).

The booker who put together this four-act bill either let his pencil slip, or pleasingly, yielded to the jinxish sense of humor.

It being vacation week for the schools, Judy Garland, like the other first-runners in the Loew circuit, brings in 'Huckleberry Finn.' Judy Garland is tagged as the headliner, and the booker, obviously still aware of the occasion's amenities, precedes the juvenile screen star with the Gaudsmith Bros' always-mirthsome pooch act and assigns the closing spot to the Joe Venuti unit, which goes in more for good-natured clowning than for high-powered dance music.

Then comes the curious faux pas. In doing an eeny-meeny-miny-mo for an opening act, the booker hit upon Stafford and Louise, whose sex-infused closing number last week pose tour anything but academic reactions.

For Judy Garland it's her second date at the stand within a year. The interim has helped polish this little trouper in a big way. She's equipped with special material almost all the way and it fits snugly. Her second number, 'Sweet Sue,' is a cute salute of grandma girlhood. This is sandwiched by a ditty about being glad to be back in Manhattan and a special set of lyrics on the theme of 'F. D. R. Jones.' She encores with 'Deep Purple,' whose impression of voice, phrasing style and personality is all in her favor. There's even good taste in her clothing, a plain blue dress. The response heightens in intensity and volume as her routine proceeds. Judy is the best bet boffing, plus a refreshing performer.

Joe Venuti's violin remains the center of attention and entertainment, regardless of what he puts around him. Venuti has a band of 12, a crooner, Don D'Arcy, and a pretty little tap dancer, Doris Dupont, but it runs to Venuti's fiddle wide when once Venuti lays down his fiddle. D'Arcy's baritone has rich possibilities and Miss Dupont has dowed with a pair of rhythmic tootsies that are on the way to taking her places. The band's bid of radio clowning is moderately funny.

Gaudsmith Bros' routine of katzenjammers with their French poodle pulls the laughs in steady fashion from both young and old. Stafford and Louise precede their sticky tango with a mimetic sample of ballroom waltzing and, in between, there's a mixed exhibit of can-can and muscle-control by Florence Spencer. The act scores nicely. *Odec.*

FOX, PHILLY

Philadelphia, April 14.
Chick Webb's orch, Ella Fitzgerald, Chuck & Chuckles, Peggley Bates, Adolph Kornspan's house band; 'Society Lawyer' (M-G).

Fox this sesh goes sepia all the way and scores another click with a well-rounded and highly entertaining bill. Its weakness, if anything, is that it's not quite kept in hand enough by the m.c., front man for the Chick Webb crew. At final show (the fourth) on opening day, it was still running a little overboard on time and being slowed down by an overwhelming call of the audience to accede too easily to the demand for repeated encores.

Band is strong from the get-away right through to the finale and is given plenty to do. Swell Congo set provided the house with its hot reception at the tee-off. Opener is 'Royal Garden Blues' and then Webb's own 'In the Groove at the Grove.' They serve nicely to introduce the various soloists and choirs, and also to bring out Webb's artistry on the traps. Neat harmony arrangement of 'Stompin' at the Savoy' follows, with the bass fiddle, drums, piano, clarinet and flute providing a quintet. Sweet flute work is highly unusual and outstanding in a band of this type.

Band itself, with its 14 pieces, seems to have toned down somewhat from previous appearances here. There is still plenty of the racy jive for which the outfit is famed, but there's also plenty of the sweeter side of swing and less pounding of raw brass. Webb, of course, as usual, holds his place behind the traps, while the stick-swishing and m.c.ing is handled by a personage who, it holds his place behind the traps, while the stick-swishing and m.c.ing is handled by a personage who, it seems, is the boss of the joint.

Chuck and Chuckles, comedy pair, are in next. One lad's in a dudish suit and derby hat and the other in slacker right off, while the other works on the layabones order of Stepin Fetchit. Latter combines the molasses-like locomotion with rubber legs to good effect for laughs. Also gets in some tarping with his partner after the boys warble 'We Were Born to Swing'. Pair encore with one working on a xylophone while the other dances. A fairly good turn now, it could be improved by holding it down in length and providing something stronger for the bows.

Following Webb's rendition of 'Ragging the Scale,' Pegleg Bates puts in his appearance. One-legged peger does his stuff with a pattered bit of introduction before going into his dance. Combines straight tapping with a bit of acro stuff and finishes in terping, all strong for audience appeal. Works well, too, with the m.c. and gets in a nice stint of balancing his artificial pin. Bates weakens his turn, however, with a continual and rather loose line of chatter. It's too much of a drain and sometimes gets too lengthy and annoying.

Ella Fitzgerald is more vivacious than ever, if that's possible, and is coutouriered better than usual. Takes off with 'Hold Tight,' then 'Heart Belongs to Daddy,' 'Ain't What You Do' and 'Undecided,' all naturals for her type of pipes. Her fluidity of style and bell-like pronunciation are swell.

Crew closes with a tremendous pot pourri that includes 'Sweet Sue,' Louis Blues' and 'Tutti Frutti,' Ella warbling. It provides a fine flash for the curtain. *Herb.*

ROXY, ATLANTA

Atlanta, April 13.
Gae Foster Roxyettes (16), Don Rice, Paul Kirkland & Co. (2), McDonald & Rose, Phil Regan, Mike Segal's house band (14); 'Mr. Doodle Kicks Off' (RKO).

Phil Regan, tenor, lives up to his billing promise and pleases with a group of pop tunes, including 'I'm Sorry for You,' 'Masquerade Is Over,' 'Lady Make Believe' and 'Wild Irish Rose.' Lad has a pleasing way of getting small house at this catching. He's given a nice buildup by group of entertainers. Don Rice, comic, gets right down to work, his voice registering well.

Only 50 minutes is clocked in 56 minutes, starts with brief overture by standby orch, Roxyettes following with a snappy military routine. Femmes bring on Rice, who does a bit of clowning, aided by femme stooge in audience. Paul Kirkland follows with bit of juggling, scoring best with his 12-foot ladder dance. Kirkland's stuff is good by a long shot and, but act bogged down when they broke leg of chair they were planning to use in their finishing trick.

Roxyettes click in next spot with terping to 'Deep Purple,' and then bring on Tommy McDonald and Christine Ross, who zip through a rhythmic routine. Pair do offtake voice provides vocals. Pair do a swift double stair dance, and finish with novel tap routine.

Rice does his own act at this point, mixing singing, hokum and mimicry. Impersonations of statesmen get over nicely. Regan follows.

Finale is a bolero by line that's well enough, Roxyettes dressed as jungle rhythms on native drums in between steps. Lighting used for this routine rates as a very fine job.

Biz at this viewing, second of four shows opening day Thursday (13), was good. Roxy's shows, Roxyettes have tendency to open weak, but build strong. *Luce.*

LYRIC, INDPLS.

Indianapolis, April 14.
Jay Mills' orch, with Jeane McGee, Dean Hudson's orch, with Frances Colwell, Stroud Twins, Armida, 'Women in the Wind' (WB).

Using the 'battle of music' idea, house has booked in two bands with no local name value, adding two acts, to comprise 65 minutes of varied stage fare. Special set was built by house, with contrasting colorful drapes behind each band stand, and nice lighting effects used. Dean Mills' orch is dressed in tails, while Dean Hudson's orch wears white coats. Hudson has the better band, being inclined to swing, and all members are young, promising a bright future if more experience can be gleaned. Mills band is the sweet-swing type, building arrangements on reeds and fiddle, with only a three-piece rhythm section.

The 'battle' idea is lost, for there is not enough contrast in the bands to make it a contest of individual performance or style. Standout in the show are the Stroud Twins, who appear next-to-closing and score heavily in the chuckle department with 13 minutes of gags, finishing with an acrobatic trick.

Armida is okay without being a standout when she warbles songs and dances. Her best is 'Rancho Grande' in which audience joins.

Bands alternate with their musical numbers and specialties, with Hudson turning in 'You Know Who' and 'Sweet Sue,' Mills' 'I Belong to Daddy' and special lyrics on 'I Must See Daddy Tonight' both sung by Frances Colwell, 'Some of These Days,' using mixed trio, medley of 'I Cried for You,' 'Our Love,' and 'Penny Serenade.' In which Hudson joins trio as vocalists, 'Goin' Home,' sung by a capella choir; 'China Boy,' and 'Indiana.'

Jay Mills does 'Deep Purple' and 'Vienna Dreams,' featuring six fiddles in each, with latter sung by Jeane McGee; 'Ol' Man River,' with Glee Club; 'Liza,' and 'Purdue University' song. Mills also does a soft shoe dance acceptably.

Both orchestras are joined by pit band on 'Notre Dame Victory March' to make it a rousing finish. Biz fair at least show Friday (14). *Riley.*

ABC, PARIS

Paris, April 8.
Jacques Grello, Lynda Myren, Jacques Chesnais, Jane Stick, Marion and Irma, Jean Tranchant, Marion Daniels, Georges de la Fouchardiere, Jeanne Marken, Simone Max, Jean Deias, Lilo, Pierre Dac, Luz Gauty, Calgary Bros., Manolo Bel Orch.

Stronger than the opener in a swing back to variety, this offering shows some good balance with a wider diversity, which, if continued, will keep them coming. In his choice this trip, Mitty Goldin, while not avoiding a couple of weak spots, grabs higher class talent with corresponding better showing. Short comical sketch in second bracket adds spice to the whole. Two American-born Marion Daniels, who was spotted badly at show caught at opener of the first half, but clicked anyhow, and Calgary Brothers, seen many times before in Paris and always well liked.

Opener is Jacques Grello who is one of weakest acts in the show. He has to work much more hard with some gags and songs on political and current events. Lynda Myren, following, shows good voice and good showmanship in putting it over. She's from radio and pics, and should make better stage stab with more experience, for her voice is okay in ballads offered. Some good maniacing of pop tunes, including 'I'm Sorry for You,' 'Masquerade Is Over,' 'Lady Make Believe' and 'Wild Irish Rose.' Lad has good voice and is effective for small house at this catching. He's given a nice buildup by group of entertainers. Don Rice, comic, gets right down to work, his voice registering well.

Only 50 minutes is clocked in 56 minutes, starts with brief overture by standby orch, Roxyettes following with a snappy military routine. Femmes bring on Rice, who does a bit of clowning, aided by femme stooge in audience. Paul Kirkland follows with bit of juggling, scoring best with his 12-foot ladder dance. Kirkland's stuff is good by a long shot and, but act bogged down when they broke leg of chair they were planning to use in their finishing trick.

Roxyettes click in next spot with terping to 'Deep Purple,' and then bring on Tommy McDonald and Christine Ross, who zip through a rhythmic routine. Pair do offtake voice provides vocals. Pair do a swift double stair dance, and finish with novel tap routine.

Rice does his own act at this point, mixing singing, hokum and mimicry. Impersonations of statesmen get over nicely. Regan follows.

Finale is a bolero by line that's well enough, Roxyettes dressed as jungle rhythms on native drums in between steps. Lighting used for this routine rates as a very fine job.

Biz at this viewing, second of four shows opening day Thursday (13), was good. Roxy's shows, Roxyettes have tendency to open weak, but build strong. *Luce.*

ORIENTAL, CHI

Chicago, April 15.
Three Youman Bros., George Flash, Bud Harris & Co., Bankoff Cousins, Rita Rio, Dorn Bros. & Sweethearts; 'Lady and Mob' (Col) and 'Family Next Door' (U), dual.

With double features gobbling up the clock, the acts here have a soft time. Have to do only one shows on weekdays and four on holidays. Slow turn-over also helps to keep the talent fresh, anxious for a better audience reaction to the performance.

Acts on the first evening show Saturday (15) went over well enough, though several of them did not rate such attention from a metropolitan audience. Sentiment put over at least one of the turns.

Three Youman Bros. open the show with a fiddle, accordion and clarinet, with which they proceed to do a medley of tunes of various orchestras. Trio manages to convince the audience that when they play, they play. Kay Kyser does song, it is an impersonation of the Kyser band. It's strictly for the easiest of houses. Turned up with a little jam session on their own, and boys evidently need for experience and polish.

George Flash juggling follows. His wind-up stunt of balancing on a globe and bouncing some balls on a drum rolls to register as anything outstanding and certainly not worthy of the closing trick spot. This date is a quick repeat in town for Bud Harris' colored comedy foursome. They worked rather sloppily when caught and could tighten up much of the act and brighten up a number of spots. It's about time they dropped that 'Object of My Affection' gag. It has lost all its punch.

From the previous week's amateur show comes Rita Yorke to sing some songs. The Oriental is at fault for failing to dress her properly for a professional stand. Her voice is all right, but she has no conception of delivery or salesmanship. Verne Buck, house m. c., very smartly does some clowning around on the stage between acts to distract the audience somewhat and permit the gal to get away without too much attention.

Good comedy dance clowning from Bankoff and Cannon follows. Standard swing dance this team has a solid routine, but could dress more brightly. Bankoff has gone strictly into burlesque knockabout and has unfortunately given up any legitimate dancing on his own. Closing are the two Dorn Bros. and Mary, a neat looking brown and musical trio. Turn is playable at nearly every vaude house. Has good appearance and smart delivery. Do occasional impersonations of such people as Stepin Fetchit and Uncle Ezra which audience went with easily. Turn is the most part, they depend on listenable swingopated arrangements of several standard tunes. Plenty okay. Biz good. *Gold.*

PARAMOUNT, L. A.

Los Angeles, April 15.
Andrini Bros., Darby & Co., Earle, Fortune & Dixie, Eddie Stanley, Miss Penny, Fanchonettes; 'The Eagle and the Hawk' (Par).

Unusually good talent show currently is an adjunct to Para reissue of 'Eagle and the Hawk.' Four acts and two very good numbers by the Fanchonettes fill out the stage bill and provide satisfaction. Standouts of the Fanchonettes' routines (closing the show) is a holdover from last week, but merits full commendation.

Eddie Stanley m.c.s the show and closes the talent section assisted by his wife, billed as Miss Penny. Stanley's offering is mostly hokum, but goes big for laughs.

Opening has line girls doing a Zouave gun drill, garbed in red and carrying 10-pound muskets, for colorful routine. Darby, sleight-of-hand artist, aided by unprogrammed femme, does some dexterous legerdemain and registers solidly.

Andrini Brothers are part of musical manipulators, who two weeks ago inject quite a little trick stuff and score expertly. Earle, Fortune and Dixie, one of two female numbers, are excellent exponents of terpsichore. One of the gals does some exception-ally fine tap dancing, while the other is a proficient toe dancer. Male shows class and dexterity all the way through.

Stanley and aide offers a few harmless gags, then go into a song and dance routine. Latter shows no sense to it, but is amusing. Stanley is inclined to run close to the border on clean material. Lad's pretty well concealed, so pay customers do not take offense.

Closing spectacle by Fanchonettes is repeat of the Easter drill, with gals garbed in white, carrying electric wands and executing routines to tune of Gounod's 'Ave Maria.' A very classy bit of work. *Edwa.*

CAPITOL, ATLANTA

Atlanta, April 14.
Myles Bell, Mising Bros. (2), Sonia & Romero, Jimmy Rae, Paul Sisters (2), Bob Milo, Kurtis Marionettes (2), Emmett Capitolians, house band (12) and Bob Hess, organist; 'Comet Over Broadway' (WB).

This show has a nice balance between standard stuff and novelty, but lacks punch. Running 85 minutes, it has okay pace and costuming is neat and fresh.

Pace is broken by Capitolians is followed by appearance of Myles Bell, who this week becomes Cap's permanent m.c. Bell has matured quite a few times, has nice personality and good voice. Velda and Mickey Romero, better-than-average novelty terp team, tap out an okay routine to 'Trees' in slow tempo and close with a fast dance version of Bach's 'Orpheus in Hades.' They score. Dancers are followed by Jimmy Rae, who sings 'Deep in a Dream,' and then does combo soft shoe hoofing and acro routine, including comedy falls. He also does an imitation of Kate Hepburn and some more tumbling, but, despite good work didn't get over at this viewing.

Paul Sisters, billed as formerly with Paul Whiteman's band, are a singing click. Femmes are good, sweet over p.a. system. Bob Milo, in terp setup, gets laughs with his bird, rendition of musical imitations, winding up with straight whistling.

Kurtis Brothers, pair of hand-balancers who have been on Cap's stage a number of times, come out of the audience with a novel display of their stuff. Bell's delivery of 'Penny Serenade' and 'Tattooed Lady' following. Kurtis Brothers and Kurtis Walgeen are manipulators of strings in Kurtis Marionettes, with Walgeen also doing the voices of puppets, which range from a banjo player to a French doll who sings and strips. Dolls are worked on small stage, manipulators being blacked out.

Show caught was second of four on new opening day, Thursday (14), and biz was good. *Lucc.*

APOLLO, N. Y.

Lucky Millinder's orch (17), with Trevor Bacon; Avis Andrews, Harlem Highlanders, Martinez & Martin, Bill Bailey, Sy Devereaux, Norman Astwood, Jackie Mabley, Sammy Theard, Harpettes (16); 'Hombre Burro' (Col).

Apollo fare clicks all around this week. From the excellent Lucky Millinder band through the entire bill to the house line it's a worthy stage show. Band is a top-notch spot following the near-record breaking stanza of Count Basie's band last week, and this layout has no slumps and everything needed for good biz. Latter was a bit off when caught (Friday).

Avis Andrews and Bill Bailey share honors with Millinder. Miss Andrews stands over with two tunes and had to encore another pair when caught. She's a fave at this house. Best of her list is 'Begin the Beguine' with excellent backing from the band. Costuming is okay, but a softer opening act her would be improvement.

Bill Bailey is next-to-closing. Trooper has been labeled a second Bill Robinson and it's an apt description. Appearance even conforms. His leg work is outstanding and clear, and apparently effortless, maintaining a pace through numerous routines. He's a standout. Only weakness, possibly leaning sway from mugging a la Robinson intentionally.

Harlem Highlanders (New Acts) are in after an opening skit by the house comedians and hoppers. Six femmes and one male, backed by two guitars, bass fiddle and drums, start slowly, but go off hot and handily. Best of the lot by bass fiddle is neatly done. It brings in Martinez and Martin for an okay Russian routine. Nothing outstanding, but satisfying. Setting is a railroad depot with line of girls, supposedly on a train, waiting for a ticket seller. Fades into a Russian dancery with Norman Astwood making 'Russian Rhapsody' a fine bit. Dancing of the girls do a miniature stair tap routine. Sy Devereaux opens the concert, with an orchestra vocal and later does 'Penny Serenade' in a Spanish setting.

Millinder now gets a chance by itself after its switch from pit to stage. Crew is rounding into an outfit that is outstanding, with among colored bands. It's one of the loudest when the six evenly split brass, five sax and rhythm get off together, but curiously enough it's not as offensive as it could easily be with this instrumentation. Sinks into wrapped-brass tempoes neatly, too. Millinder includes his usual Rachmaninoff-like prelude in C Sharp Minor in the instance serving it better via excellent lighting for a concert band impression.

Leader's batoning is more dynamic than ever, and he probably this most active leader in the biz when it comes to physically leading a band, and it's fine showmanship. Trevor Bacon is the band's vocalist. He does okay with 'Masquerade Is Over' and 'Night and Day,' but appeared to have a cold when caught.

Comedy of Jackie Mabley and Sammy Theard, with latter, Theard does a bit early in one that's laughable and gives promise. He should develop a distinctive style more. Gags seem original. Pair combine later for a skit that starts out as comedy and winds up as a strong plea for equal rights and and anti-lynching bill. *Lucc.*

SHUBERT, B'KLYN

Milt Britton's band (13), Lorraine De Woode, Southern Sisters (2); 'The Last Warning' (U).

In order to get by, this residential nabe house, which ushered in vaude week, has to offer something more than mere crew than currently. Other weaknesses lie in poor stage presentation and the lack of outstanding talent. Outside of Milt Britton's zany band, the headliner, there are only two other turns.

Though there's little display of musicianship, the crew clicks, but there's little room to do too much here because of the small bill, taxing the aud's endurance.

Leader of the Britton crew's tactics may be a little too rough for kids, particularly that 'eternal triangle' bit, in which Britton, Lorraine De Woode and the rest of the boys join. However, it's an adult laugh-getter. Crew has a fine jive Ace, backer who sings pleasantly, and the Southern Sisters (2), high-kickers, round out the bill. Latter need considerably more pacing.

House turns to moderately-budgeted vaudeville this week (17), plus duals, being unable to keep space with the poor biz. Six acts, two features and three duals, and tight lowering of week-end prices from 40c to 35c and week-days from 35c to 30c are the new policy.

The house, too, seemingly still suffers from the legit ghost. Formerly an active house on the subway circuit, it's constructed in such a manner that some types of acts—particularly the aerial type—aren't visible from the last 10 rows or so in the orchestra, because of an unfortunate balcony. Far as films are concerned, only little more than half the screen is visible from that section. *Lucc.*

KEITH'S, BOSTON

Boston, April 13.

Buster Shaver and Olive & George, Harry Savoy & Anita Page, O'Connor Bros. & St. Clair (3) Val Setz, The Vespers (4), Eddie Rosenvald's house orch; 'Can't Cheat Honest Man' (U) and 'North of Shanghai' (Col).

A lot of action in this five-act bill provides a lively vaude session to accompany a well-balanced screen program. Buster Shaver, who always has fun, featuring Oliva and Georga Brasno, is the high spot in the line-up. As is customary, he always intriguing ballroom dance of Shaver and Olive stops everything. New notes to record are that Olive and George have two new routines together since their last visit; and that George's dancing has improved so that the tiny couple looks even smarter now in their double turns. A special nod goes to Shaver for his suave cueing of the orch at the opening show. There are many changes in tempo, difficult to gauge in one brief rehearsal, and Shaver at the piano guides his act through its paces without making a fuss about it.

Harry Savoy socks in the comedy department with his swift-running belabs from the blue. Strictly burley stuff, he pleased the a. m. mob who brought him back for extra bows. Anita Page is a good foil in the case and an adequate singer of 'Cried For You.' A daffy vocal with a succession of irrevelant lyrics is Savoy's best offering.

The O'Connor Brothers and St. Clair open the layout with precision taps and instrumental novelties. Boys are okay on dancing, though Miss St. Clair has not arrived. O'Connors make a fair showing on hand imitations, and a precision hoofing while toting saxophones.

Val Setz, juggler, is the deuce, is a new face in this house. Good performer in his line, with a wide variety of tricks. Works hard and efficiently, but misses on the clinker end. Enters on a unicycle, juggles clubs, balls, hat-cane-cigar and a ring on an umbrella. Best bets are his handling of the balls, a trick of shedding his coat while juggling a top hat and cane, and his novel turnabouts while tossing three clubs.

Fox.

STANLEY, PITT

Pittsburgh, April 14.

Fred Waring's Pennsylvanians (30), with Poley McClintock, Scotty Bates, Ray Sax, Gordon Goodman, Stuart Churchill, Two Chaps and A Honey, Donna Dae, Les Paul 3, Patsy Garrett, Jane Wilson; 'Sergeant Madden' (M-G).

The entire music map has changed since Fred Waring was a pup, but the Pennsylvanians' formula wears well and now, as before, it's one firmly grounded in entertainment plus essentials and an argument for standing pat so long as the goods are there. Not that Waring has made a few concessions to the modern idiom, but basically the outlines what it always been. Best bet on fit that started at Penn State College back in 1920 remains the cream of the novelty crop. Waring has stuck to his guns all through shifting sands of pretentation favor, continues to produce and stays in a class by himself.

There's a bare chance perhaps that the current layout just a trifle less surefire than past Waring units have been, but it's such a socko show anyway, that comparisons with both his own predecessors and the countless imitations are downright silly.

It's a versatile show, a talented one and an entertainment of engaging informality. Waring himself paces the latter with his easy-going manner and a running gag about never getting a chance to sing, and he's managed to come up particularly after season with new people who fit glove-like into the pattern. The old hands, free-yodeled Poley McClintock with his constant heckling at the drums and sleepy Scotty Bates with his drunk routine close enough to be are standard. A Waring show without them would be virtually unthinkable. So would a Waring show without that inevitable finale, the dance of the electrically-lighted tambourines and dominoes.

But the noblest Pennsylvanian of them all hasn't been rocked to sleep by his established traditions. He has made concessions and changes, too, sweeps a low bow to the jitterbugs with his Les Paul 3, a combo within the combo, and the Jive 5, in a hot jam session, and keeps the parade youthful and sparkling.

Among the new turns with him are Two Bees and A Honey (New Acts), a slick harmony trio, and Ray Sax. Latter has been around for years as a single and now sits regularly in Waring's sax section.

Ferne is still coming on for her violin solo, and sitting in with the boys and other femmes are Donna Dae, Jane Wilson and Patsy Garrett. Dae gal has a neat song and dance specialty and then Honey (2 Bees and) joins all three at them for 'Begin the Beguine' in front of Waring's glee club. Male choristers also have an inning on 'The Night Is Young.'

At first show Friday afternoon, Stuart Churchill was introduced, but didn't open up with the usual 'I'm' count of a throat ailment. That confined the male soloing to Gordon Goodman, who put over 'Lazy Bee Echo' with comic interruptions by Poley McClintock. The Poley-Warring 'feud' is elaborated on all through the show.

What's amazing is that Waring has been able to keep up the standard, what with raids on his personnel. In last couple of years, he's lost Johnny (Scat) Davis, Lucy Sisters and Mac Farland Twins at least, and that's a chunk out of anybody's outfit.

Biz at yesterday was practically a jammed house, despite cold, drizzle outside. *Cohen.*

CIRCLE, INDPLS.

Indianapolis, April 14.

Joan Davis & Si Wills, Roma Vincent, Jack Powell, Helen Reynolds Skaters (8), Six Grays; 'Saint Strikes Back' (RKO).

After sticking strictly to band shows since going in for flesh, house is taking first fling at vaude this week with five shows revolving around one an entertaining 59 minutes in current show.

Six Grays open nicely with tap routines, five girls and one man mixing it to form duo, threesomes, and sextets in two-step routines. Latter Group also split into a femme trio, and Maizie Gray does well with vocal interpolation of 'Loch Lomond' in swing fashion. They comprise a good-looking turn.

Jack Powell, who drums on everything on the stage, including parts of the building, follows. Has scored heavily with his caughs. Vincent acts as part-time m.c. and also holds down comedy-singing spot of his own, with songs that accentuate lyrics built around his corpulence and are good for laughs. Does best with his rendition of Charles Laughton as Captain Bligh, resembling the English actor both in speech and appearance.

Joan Davis and Si Wills headline the show, selling well in comedy and songs. Miss Davis does her eccentric dance and chin-socking, familiar to film patrons, and sings a medley of songs which she introduced in pictures, working hard at show biz to overcome a bad cold. Wills doesn't trade on the rep of his wife, but does all right for himself with a Bowery crystal reading bit and as feeder for Miss Davis.

Helen Reynolds Skaters finish. Eight girls attired in white outfits, do acrobatic turns and formations on the rollers, providing fine finish to action. Good for opening or closing any vaude bill.

Biz was fairly good at third show Friday (14). *Kiley.*

FLATBUSH, B'KLYN

Vincent Lopez, Betty Hutton, Patricia Ellis, Abbott & Costello, Johnny Morris, Sonny Drayson, Sonny Schuyler, Nick Pisani, 'Mystery Plane' (Mono).

This same show, headed by Vincent Lopez's band and above average as entertainment for neighborhood trade at a moderate scale, has been playing, as it stands, in numerous other houses. Lopez's show, opening at the Par, N. Y., and here, finds a considerable difference in price, since Flatbush relies only on 55c top against 65c for the large Broadway first-run.

There is, however, another difference in the two policies, due to film product. While the Par, N. Y., plays its own (Par) pictures first crack in the Greater N. Y. area, this Brand Bros. theatre is unable to get choice film. Currently the house has 'Mystery Plane, a 'B' attraction. Failure to get the best in film product, but ability to book in strong stage shows as currently, places the Flatbush house, a large seater, in a position where it can give enough for the price to suggest success with the policy.

Lopez's show enjoys far better lighting and stage backgrounding than the Brands were furnishing for a few weeks ago, with result the stage now reflects big-time atmosphere. In lighting especially, the improvement is notable.

Lopez's band, together with his spontaneous patter, includes (including Patricia Ellis and Abbott and Costello, not under contract to him, but coaching him as they do their right along, forms the nucleus of right smart entertainment. Running time is tight and there is a certain class to the whole unit. If and when the Brandts extend the Flatbush policy to other houses, the Lopez outfit should come up for instant booking consideration.

Business here Friday night (14) was strong. *Char.*

STATE, HARTFORD

Hartford, April 16.

Yo Yo, Rosita Royce, Bob Hall, Ben Dova, Bobbie Rollins, Norma Gallo, Carr & Rollo, Hughes Rockets, Sam Kaplan's house orch.; 'Streets of New York' (Mono).

Current show is one of different flavor than has been the policy of the house in recent months. Instead of the usual name bands, the management has slapped together seven acts and a line of girls into a fairly entertaining divertissement. Presents it as the 'World's Fair Preview.'

Only semblance to the Fair in the entire show is Rosita Royce, strip dancer, who opens in the Crystal Room of the Fair April 30 with her Dance of the Doves. Line, Bobbie Rollins (16), dressed as World's Fairest Girls for this date, are split into four spots.

Show is too bulky and cumbersome, wearing out the stub-holders. This is the fault of the management, which demands a long show, and the acts pad. Lopping off at least 30 minutes of the running time, which varies from 85 to 100 minutes each show, would be of great advantage.

Ice-breaker is an overture by the pit band, following which the Rockettes come on for an n. g. radium ball number in a blackout. Timing of the top is improved. Yo Yo holds attention with his top spinning, tightrope walking and slide for life backwards on a single rope. Act is standard and registers

Ben Dova garners laughs with his comedy dance number. After taking several falls, he indulges in comedy acro stuff while clinging to the top of a lamppost that has a flexible base. Line takes over again in a colorful fan number that serves as a setup for Rosita Royce. Show works with seven white doves on her hands, shoulders and head. Appears in filmy white, she eventually strips.

Carr and Rollo, mixed comedy team, are spotted next. They begin a funny turn built up of crossfire, hoks and dancing.

Bob Hall, with a medley of songs. His gags are n. s. h.

Rockets are next back in an underwater act, with Norma Gallo doing an interpretative acro number as a mermaid. Scene, done behind a screen, is effective. Bob Hall's extemperaneous poem and song rhyming is way too long and should be boiled down considerably.

Closing number marks the return of the line, each of whom plays a miniature red parasol. They knock out 'Umbrella Man' and tap briefly on piano tops.

Biz pretty good. *Eck.*

PALACE, CLEVE.

Cleveland, April 14.

Twelve Aristocrats, Don Hooton, Milton Douglas & Co., Dixie Dunbar & Jimmy Byrnes, Ralph Herbert; 'Alexander Graham Bell' (20th).

This house doesn't need very strong flesh currently, since 'Bell' is the chief works getting the play, but low-budgeted bill built around Hugh Herbert is a good warmer-upper for the pic, if not a puller on its own merits.

Herbert was admittedly handicapped first two days by a bad cold—ditto his wife—which not only hurt his voice, but also his timing. The audience reacted by going into a Saturday night show. Ice was slightly broken after the comic, in his two-reeces sell, went into a skit with his wife, acting as telegraph-bureau girl.

Their patter about a telegram that never gets sent is an old routine, but still reliable for some laughs. While Herbert puffs up several wheezes with his hand-fluttering, falsetto-voiced screwball gags, he never hits the intellectual, spontaneous tempo of his flicker work. Going down to the front mike informally, he sells a couple punchier lines to better effect. Edge is dulled by teamy bow-off, which goes Hollywoodish and almost duplicates Dixie Dunbar's thank-you palaver in the preceding act.

Although a cute little eyeful, the Dunbar girl also has trouble in starting off on the right leg. Wear-ing something short and white that would nearly fit Shirley Temple, pic player makes her greatest error in trying to sing 'I Dream Of You,' being completely off-key and ahead of her orchestra. Later quite eccentric tapping and personality blown brighter after she jumps into her dancing. Jimmy Byrnes joins her in a nifty bit of close, quick-time taps to 'Tea for Two.' Two hit it off brilliantly in a pantomimic, with Miss Dunbar looking smarter after she changes to a black net costume.

Milton Douglas, who adds a bit of so-so clowning to the Dunbar act, is okay as show's m.c. In his own act he unloads a flock of puns with a fuzzy-haired gal stooge. Another goofy stooge climes in on the half-way mark to add more double-talk, which goes well.

Don Hooton fills the dance-specialty marks from attention. It's a sock arrangement of 'Hold Tight,' first choice a la the hoksta tradition, then as it would be done by three opera singers and finally with interpolations by Hitler, President Roosevelt and an uncertain diva. It's a fresh slant, and 2 Bees and a Honey have enough on the ball to make the number a standout in a strong show.

Although gal isn't the comedienne the boys' former partner was, she has a first-rate set of pipes, looks good and gets by nicely. Act went over big here and tied up the proceedings for all of a couple of minutes. *Cohen.*

HARLEM HIGHLANDERS (6)
Songs, Rhythm
10 Mins.; Two
Apollo, N. Y.

Pleasing sextet of colored boys outfitted in kilts. It's a harmonizing turn with two of the four singers strumming guitars, and a bass fiddle and drums on the side. Vocal arrangements leave something to be desired, most of the audience, when caught, getting its good impression from the work of the boys on the strums. Three things a lift with his trick stuff.

Act gets off slowly, boys warm-up as they go along, tossing in impromptu tergs and sundry biz for laughs. Audience demanded an encore when caught (Friday), holding up the show until it came through. Boys made a mistake not bringing the drums back as their impromptu tance was apparent. They tried 'Hold Tight' per request, which was n.s.g.

Combo has been in niteries, where their act has been liked; suited, as relief combo or on their own in an intime room.

LORRAINE DE WOODE
Songs
6 Mins.; Full
Shubert, Brooklyn

Lorraine De Woode is a dark-haired looker traveling as a single. She pipes well, mixes 'em up nicely and has the easy stage manner. Opening with 'Hold Tight' follows with the slower 'Penny Serenade' and wheams home with a swing finale.

Gowned in a simple white outfit of excellent choice. Would be an asset to some name band, as soloist, and okay for niteries on her own.

NEW ACTS

BETTY KANE
Dancing
5 Mins.
Stanley, Pittsburgh

With most femme tappers, their hoofing's a dead serious thing. It's refreshing to run across one like Betty Kane. She's a naive satirist who kids both herself and her dancing. Still in pantomime, of course, but extremely effective as she tut-tuts the audience when scattered applause breaks out at a difficult step, rumbs her nose (figuratively) at the one-finger-in-air hotcha style of today, and looks at her watch and then breaks off abruptly in the middle of a routine to exist, saying in effect, 'Time's up and I've done my bit.'

Audio attitude is lower a liability, still it's not everything, either. But Miss Kane has what else it takes, plus 5-Star-class terpology, a slick tapper all the way, who can also toss in a bit of the eccentric just for a change of pace. Gal's showy and suave, spins across the stage in lightning whirls without losing a tap, and finishes off strongly with a routine strictly socko. Occasionally suggests she's bored with the whole thing, and that's the sense of her kidding. Primarily a classy hoofer, the addendo is gravy.

Over big here, but she should tell the m.c. to forget that introduction. 'A dancer with a sense of humor.' It spoils the fun, and, anyway, audiences will find that out for themselves. Okay for niteries, etc.

Cohen.

2 BEES AND A HONEY
Songs
8 Mins.
Stanley, Pittsburgh

Two boys in this act—Murray Kana and Hal Kantor—were formerly teamed with another gal, Daisy Hanna, under the label of the Three Manhattanites. She left trio to go into 'Sing Out the News,' legit musical; Kana took on another femme and have made the grade with Fred Waring. It's a corking vocal novelty turn, with nicely matched voices, a lot of showmanship and just enough of the antic to get them through the harmony threesome groove.

While they work all through the Waring show unreeling and effectively—Kantor even serves as one of Waring's two pianists—their own specialty marks them for attention. It's a sock arrangement of 'Hold Tight,' first choice a la the hoksta tradition, then as it would be done by three opera singers and finally with interpolations by Hitler, President Roosevelt and an uncertain diva. It's a fresh slant, and 2 Bees and a Honey have enough on the ball to make the number a standout in a strong show.

Although gal isn't the comedienne the boys' former partner was, she has a first-rate set of pipes, looks good and gets by nicely. Act went over big here and tied up the proceedings for all of a couple of minutes. *Cohen.*

EMBASSY, N. Y.

(NEWSREELS)

The European situation, now closer than ever to the boiling-over point, continues to be the chief feature of the newsreels, or at least the most exciting part of them. Actually there's very little new in the celluloid, but library shots of the British, French and Italian fleets nicely portray the currently acute crisis in the Mediterranean.

Visit of Poland's Beck to England, the signing of a new trade treaty between France and Rumania, English tourists to pre-do both, the takeover of Madrid, and library shots of Albania round out the foreign matter. Exception of Beck's visit (Par), Fox contributes all of these. The fleet footage is Metro's.

An interesting feature is the pictorial story of armament and preparedness in the U. S. itself. Fox films artillery practice at Ft. Lewis, also ROTC students in Texas; Pathe shot U. S. Navy aviators taking off from an aircraft carrier; Universal films the Army Day parades in Washington and New York, while Pathe puts at the disposal of the film that U. S. Army recruiting has been steamed up, with reserves being recalled. It's interesting, if not particularly of a charm with which the Government views the swiftly moving events on the Continent.

Paramount's footage on colored Marian Anderson's concert at the Lincoln memorial in Washington is one of the most interesting of the domestic clips this week. She's picked-up Negro vocal 'Ave Maria' before 75,000 in an especially striking setting. This same reel also graphically portrays the plight of shipwrecked seamen in the Frisco harbor.

The New York World's Fair is given a comprehensive coverage (U) in the portrayal of a $35,000 miniature built by a Newark, N. J., department store designer; the other (Par) is something of a preview of the actual Fair grounds, notably its lighting system.

Rest of the film is not important from either a news or pictorial standpoint. New Lehr gets two spots this week, Todd two, Pathe not many laughs. *Scho.*

Spot Campaigns

(Continued from page 38)

on The Oklahoma Network, six programs per week, 215 mins. each. KFRU, KGKO, KTOK, KOME, KBIX, KCRC are stations.

WGAR, Cleveland, new business: *Visco Chemical Products* (furniture polish), three announcements weekly for thirteen weeks, through Key Advertising, Cincinnati.

Samuel Stores, clothing, 25 one-minute shots weekly for 13-week term, through Frank Sawdon, New York.

B. F. Goodrich Co., renewed for five 15-minute programs weekly, through Ruthrauff & Ryan.

Radio Electronic Television, one five-minute show weekly for 13 times, through Richard Mulberger & Hicks, Detroit.

Kroger Groceries, five quarter-hours at 6:45 six times weekly for thirteen weeks, by Carl George. Through Ralph H. Jones Co., Cincinnati.

Practical Diesel Training School, one five-minute announcement weekly for 13 weeks, through Stanley Kaye Agency, Cleveland.

WBAL, Baltimore, recent orders: *Montgomery Ward & Co.*, 100 75-word announcements, to May 12.

Scott Paper Co. (towels), participation in the Woman's Hour, Monday, Wednesday and Thursday (10 weeks) from Feb. 8, 1939, and Sept. 18, 1939, to Dec. 14, 1939. Agency: J. Walter Thompson.

Lutheran—Laymen's—League—will use additional program on Sunday, April 23, 1:00 to 1:30 p.m. Agency: Kelly, Stuhlman & Zahrndt, Inc., St. Louis, Mo.

H. B. Davis, 26 100-word announcements beginning to May 28, 1939. Agency: Van Sant, Dugdale & Co., Baltimore, Md.

Seven-Up Bottling Co., renewed contract for 78 additional programs of 'The Lone Ranger.' Agency: Phillip Klein, Philadelphia, Pa.

Variety Bills

NEXT WEEK (April 21)
THIS WEEK (April 14)

Numerals in connection with bills below indicate opening day of show, whether full or split week

Loew

NEW YORK CITY
State (20)
8 Elgins
Carroll & Howe
Berle Vivian
George Olvot
Eddie De Lange Or

NORFOLK
State (21)
Rhythmettes
Collins & Peterson
Sara Ann McCabe

Lathrop Brce
Norman Gallo
RICHMOND
Loew (21)
Beryl Vici Rev
WASHINGTON
Capitol (21)
Arthur Godfrey
Stapleton
Mary Rossell
Catherine Westfield
Paul Remos Co
Amos & Arno

CLAPHAM
Granada
Drury & Raymond
Rodney Hudson Gls
B & J Gibb
Reggie Redcliffe
EASTON
Granada
Hughie Green Co
FEARNE
Lovelle
4 Stairs
Terry Co
GREENWICH
Granada
Hughie Green Co
HAMMERSMITH
Gaumont
Western Brce
Gracie Schenk Co
Jese Morano Co
ISLINGTON
Blue Hall
We 3 Fellows

Michaelson
LEWISHAM
Gaumont
Taylor Twins Co
Gingalee Co
7 Illiotts
3 Aces Gls
SHEPHERDS BUSH
Pavilion
Western Brce
Gracie & Schenk Co
Jese Morano Co
STRATFORD
Broadway
Lovelle
4 Stairs
Terry Co
TOOTING
Granada
Drury & Remond
Rodney Hudson Gls
B & J Shaw
Reggie Redcliffe

Paramount

NEW YORK CITY
Paramount (15)
Tommy Dorsey Orc
Frank Gahy
Del Rios
Barr & Estes
ATLANTA
Paramount (21)
Dave Apollon Co
CHICAGO
Chicago (21)
Arthur Treacher

Cass Daley
Briants
Jack Denpsey
State Lake (21)
Jack La Vier
MINNEAPOLIS
Orpheum (21)
Wayne King Orc
Don Donnie
Dean Murphy

Provincial

Week of April 17

DUNDEE
Palace
Harry Gordon
Jack Holden
Clayton Sis
Heiser & Clare
Allex Lennox
Fairweather & L
Steffan Gls
EDINBURGH
Royal
Jack Anthony

Hilda Meadhem
St John Sis
Bond Revell
P & J Desmond
Lenetta Gls
Brie Palmer
Jay Morelle
Fayre 4
Ada & Lamb
Prentit & Evans
GLASGOW
Pavilion
Renara

TOMMY TRENT
MELISSA MASON
HENRY MORTON
NOW WITH
DAVE APOLLON
Via: MARK LEDDY

RKO

NEW YORK CITY
Music Hall (19)
Jan Pearce
Harry Leesh & B
Evelyn Dueslor
Rockettes
Corps de Ballet
Brice Rases Symp
BOSTON
Keith (3-6)
Olympic 3
Lowe & Jr.
Dandridge Sis
Johnny Woods
Bryant Rains & Y
Lewis & Jan
CHICAGO
Palace (21)
Roxettes

Frank Parie
Gene Austin
Peggy Taylor Co
Brown & Alvin
CLEVELAND
Palace (21)
Jimmy Dorsey Orc
Bubbs Barnes
F & G Hubert
Don Rico
(14)
12 Aristocrats
Don Rosetos
Milt Douglas Co
Dixie Dunbar & B
Hugh Herbert
COLUMBUS
Proctor's (21)
Joan Davis Co

Warner

NEW YORK CITY
Strand (21)
Guy Lombardo Orc
Gene Sheldon Co
Doris Rhodes
PHILADELPHIA
Fox (21)
Gas Pretzel Gls
Virginia Verrill
Ben Bernie
Lambertons
Bob Ripa
(14)
Chick Webb Orc
Peg Leg Bates
Chuck & Chuckles
Bilo Fitzgerald
PITTSBURGH
Stanley (21)
Fred Waring Orc

WASHINGTON
Earle (21)
Vincent Lopez Orc
Patricia Ellis
Betty Hutten
Abbott & Costello
Danny Drayson
(14)
Gas Pretzer Gls
Tryen Sis
Kathleen Harris
Johnny Johnson
Ann Lorraine
Emily Abbott
5 Ryans
George Bell
Fred Waring Orc

Independent

NEW YORK CITY
Roxy (21)
Paul Remos Co
Art Jarrett
Dorothy Crocker
Paul Ash Orc
(14)
Van Dyke & L
ROXY (20)
Milt Britton Orc
Eleanor Sharon
BALTIMORE
Hippodrome (21)
5 Jossleys
Joe Jacobson
(One to fill)
Shirley Ross
Milton Berle
Fay Ray (22-24)
Paul Nolan
Rose & Rose
Spio & Span Rev
(One to fill)
Rose Bros
(One to fill)
David Rev

HARTFORD
State (21)
Lorraine & Rognon
Nancy Healey
Mildred Fanten
Guy Rennison
Tito Co
Anna May Wong
Buster Shaver & G
LANCASTER
Colonial (22 only)
Frank & Alma
Milburn Chatsopher
Allen & Irving
F & Wilma Ray
MILWAUKEE
Riverside (14)
John Boles
Croell & Allen
Larry Collins
Rays Sis
Dolinoffs
Dimbell Oldfield Co
4 Kim Loo Sis

NEWARK
Paramount (21)
Glen Miller Orc
Bob Hall
Ben Dova
Bolio & Carr
Fay Ray & L
PATERSON
Majestic (22-24)
(One to fill)
Shaver & Williams
Ryon & McNally
Murray King & R
4 Veenays
PHILADELPHIA
Carman (24-27)
Rose Bros
Milburn Christopher
Leavitt & Lockw'd
(One to fill)
(21-22)
Dion & Dawn
(Three to fill)
Fay's (20)
Titan 3
Marion Wilkins
Valerie Forke
Trixie Dara
Mack, Milky & D
Harry Holman Co
Lonergan Gls
STYMAN
Broadway (22 only)
Paul Nolan
Rose & Rose
Shaver & Lockw'd
Spio & Span Rev
SPRINGFIELD
Paramount (20)
Paul Whiteman Orc
4 Modernaires
Jean Edwards
WILLOW GROVE
Willow Grove
(21 only)
Titan 3
Allen & Irving
Mack, Milky & D
Leavitt & Lockw'd
F & Wilma Ray

Emma Francis
Lulu Batas
Willie Bader
Harry Armstrong
Elizabeth Murray
BIRMINGHAM
Hippodrome
Ella Fitzgerald
Sid Hawkins
Vaughn Comfort
Gonzlez & Christine
John Rockwood
Gene Ward
ELM HAT CLUB
Ray Dorant Orc
Dorothy Salter
Desiree Brown
Lorenzo Robertson
Teddy Hale
Bernie Mitchell
Edith King
Fleck & Dash
Connie Harris
Rotcha Orc
Stay Cooper
Hotel Marquise
Bill Palermo Orc
Gloria Whitney
Harold Jackson
Frances Connolly
Dion Nelson
Larue
Eddie Davis Orc
Joseph Gallo Orc
Le Coq Rouge
Gee Sterney Orc
Anne Phillips
Tiadale 3
Le Mirage
Nina Alion
Byrnes & Swanson
Earl Co. & Dell
Le Rubin Bleu
Herbert Baceby
Hope Ahrensen

Gloria Grayson
Ruth Pelzer
Jack Osterman
Meyer's Cellar
(Brooklyn)
Howard Bistue
Rosalina Lewis
Martha Kovacs
Gypsy Lopez
Barbara Eyton
Lydia Ehrenberg
Frank Gaby
Charlie Murray Orc
Mary Colman
Jimmy Rogers
Monte Carlo
Ted Straeter Orc
Bob Knight Orc
Vicki Sinclair
Elaine Bassett
Peggy Healey
Anito Colby
Evelyn Kelly
Rosanne Murray
Nick's
Mike Riley Orc
Sherkey Bananas Or
Larry & Esther
Guys Club
John Kirby Orc
Lee Wiley
Paradise
Vincent Travere Or
Peggy Healey
Joe D'Andrea Orc
Bob Matzi Orc

Frank Sebastian's
Casino
Eduardo Chenes
Joe Harris Orc
Grace Hayes Lodge
Jackie Coglan
Grace Hayes
Lind Hayes
Jack Pierce
Charlie Fox
Joe Jones Orc
Hawaiian Paradise
Loretta Walker
Princess Luana
Joe Sullivan Orc
Indigo Cafe
Sid Brown
Jimmy Ellard
Jack Frost
Val Harris
It Cafe
Cabonesos
Don Rudolf Orc
Jerry's Mandalay
Marguerite Padula
Geo Burgrozant Jr
Ruth Mitchell
Nonie Mitchell
Hal Chandler Orc
Jimmy Kerr & Boys
Lou Conga
Den Jeri
Spike Featherstone
Evelyn Steele
Jerry Gallan
Lou Conga Rh'mba Bd
Little Club
Jane Jones
Paul Kendall
Walter Dyson
Little Hungary
Valasco's Gypsies
Marcel's
Leonard Keller Orc
Marcel Daly
Kay Gregory
Joe Lyons
Oman's Dome
Lillian Gibson
Charlie Harris
Hal Brown
Tod Wells Orc
Palomar
Imogene Coca

Tanner Sis
Dolinoffs
Mimo Orc
Kirk Allen
Massey & Miller
Jerry Mumman
Jimmy Grimsby
Georgia Olsen
Paris Inn
Dominic
Blane & Elaine
Ginger Wilson
Katherine Bleadmore
Lillian Gilbert
Eric Maestro
Henry Monett
Margarite & M
Ken Henrrson
Chuck Hanson Orc
Seven Seas
Danny Kavanna
Kay Silver
Jillian Gibson
Al Malntyre
Eddie Bush 4
Sleepy Hollow
Sleepy Maxie
Jake Wallron
Joe Plotkel
Andy Sorrelli
Virginia Mathews
Moore & Lewis
Tommy Reilly Orc
Somerset House
Harry Ringland
Art Tatum
Jack Owens
Stage 'Ef' Cafe
Wally Vernon
Billy Young
Henry Galanti
Shemp Howard
4 Squires
Swanee Inn
Eddie Beel
Gladys Bentley
Topsy's
Elmer
Arlett Jon
Grace & Maetore
Nichole & Lucas
The Mercer Orc
Dorothy Brandon
Chuck Cooper Orc
Victor Hugo
Joaquin Garay
Johnny Eunie Orc
Carmine

CHICAGO

Ambassador Hotel
(Panley Room)
H McCreery Orc
Betty Bennett
Ball Hall
Ralph Cook
Kay Arvin
Jerry Dolfich
Sally Osman
Jimmie Green Orc
Bismarck Hotel
(Walnut Room)
Bob Sherwood Orc
Nanno Van Houton
Pianos
Marya & Marlyn
Phil Levant Orc
Betty Grey
Dorothy O'Day
Blackhawk
Bob Crosby Orc
Roy Saudoz
Bobby Millner
Merlen Mann
Dorothy Claire
Gil Redin
Jean Sablon Orc
Orrin & Betty
Blackstone Hotel
(Balloon Room)
Pilnar & Earl Orc
Blue Goose
Evelyn Ward
Al Lane
Jerry King
Buck Hunt
2 Ellis & Miss
Brevoort Hotel
(Crystal Room)
Florence Sabinson
Charlene Baldwin
Grace Hunt
Norma Ballard
Broadmoor
Herb Rudolph Orc
Sandro
Harry Wood
Georgie La Rena
Lynnie Hall
Sylvia Tucker
Jerry Lewis
4 Londoncers
Chez Paree Buckley
Dick Buckley
Olga Anten
Sam Ash
Ilo Niles
Ralph Lundgren Or
Chez Paree
Crese & Dunn
Adelaide Scott
Mary Raya & N
Kay Vaughn
Weire Bros
Jerry Lewis Orc
Don Orlando Orc
Wren & Gerahne
Club Alabam
Jack Stenger
Paula Tyner
Anelle
Dorothy DeHaghon
Evelyn Nesbit
Harry Kevins
Sodia Meers
Jack Cole
Poulette LaPierre
Alex Lane
Effie Burton
Bernie Adler
Dorothy Dola
Dave Dudla Orc
Chalk Robinson Orc
Eddie Mac Orc
Club Espana
Harry Hynda
Bob Trevitor
Dick Hauss
Joe Mayer
Boe Jones
Russ Lanzer Orc
Colony Club
Yacht Club Boys
Jean Sablon
Tondalaya & Lopez
Ted Smith
Gladys Maddon
Dot Adams
Marie Bryant
Dusty Fletcher
Leonard Reed Gls
F Henderson Orc
Cravemore Hotel
(Glass Room Rm)
Tommy Pell Orc
Carl Rock
Tevo & Dore

Maxino Kirk
Lorraine Vom
Harry's N Y Cab'ret
Jerry Bergren
Violet Love
Maxine Kirk
Emma Calder
Galento & Lecuardo
Hanna Gale
Chas Engels Orc
Art Buckley
Al Wagner
Billie Myers
Lil Merling
Hickory Inn
Kay Dale
Jean & Eddie
Tom Garvey
Condoliers Orc
Hi Hat
Lita Gray Chaplin
Lou Holtz
Zita & Annis
Kaelene Gil
Bid Lang Orc
Ivanhoe
Helen Irwin
Rica Munson
Ruth Andrews
Keith Beechar Orc
L'Aiglon
Mary W Kilpatrick
Eusebio Concialdi
Spyros Stamos
Don Quixote Orc
Bruno Bulgarini Or
Hotel La Salle
(Blue Room)
Vibra
Muff Smith Ore
Gladys Madden
Jonah Jones
Liberty Inn
Dick Huges
Helen Barfree
June West
Billy Hill
Fritz Ray
Barbara Bew
Hilda Lang
Jimmie O'Neil
Earl Hoyt Orc
Limehouse
Bob Tinn Orc
Little Club
Tanua Tamara
Richard Denaker
Roland & Francine
Joe Kimball Orc
McGraws
Al Copeland
Bennett Sheppar
Homer Roberts
Chuck Andrews
George West
Colletta
Carmen
Sol Lake Orc
Tripoli 3
Sky Rocket
Marjorie Whitney
Dictators
Shaw & Shaw
4 Kings
Stevens Hotel
(Continental Room)
Rhythm Boys Orc
Kirkwood & G
Byteu Gis
Stratosphere Club
Princess Red Rock
Frank Barbor
Shawnee
Minnet Club
Ginger Dix
Opal Adair
Connie Rogers
Zona & Lani
Eddie Blanford
Frances Thomas
Edith Lorrene
Dolores Mae
Lucy Ann
Henry Sax Orc
Sul-Q
Gloria Green
Saxon Gis
Cheri
Julee Scott
Sam Bert
Verne Wilson Orc
Thompson's 16 Club
Ruth Andrews
Althea Allen
Dale Rhodes
Patsy Thomas
Crystal Cook
Dot Keith Gis
Helen Dwyer
Helen DuWayne
Marsh McCurdy
Harry Ellis Orc

Three Deuces
Baby Dodds
Bruce McPhida
Lill Armstrong
Jeanette Jones
(Of Rest Room)
Anita O'Day
Wingy Manone
Tramp Bar
Lennie Betordell
Jimmy Dunham
Tower Inn
Mollie Mannor
Mae Sims
Inez Gonzn
Betty Sisters
Lee Gis
Frances Lane
Frank Davis Orc
Town Club
Chet Roscovich
Moe Di Fil
Renata Carson
Millicent De Witt
Wayne Gis
Enid Phillips
4 Chicagoons
Frank Carroll Ore
Hal Barber
Villa Moderne
Tony Cahot Ore
Wisconsin Gardens
Gigi Rene
Lee Harmon
Fred Ward
Nita La Tour
Virginia Gilbert
Lucille Johnson
Frank Vale Ore
Nita La Tour
Marcel Grant
Frank Snyder Orc

JUST BOOKED
6 JORDANS
Providence, Philadelphia, Baltimore—More to follow.
EDDIE SMITH
22 West 46th Street, New York

Marie Eve
Elsie Houston
Gracinda Farrar
Leon & Eddie's
Lou Martin Orc
Eddie Davis
Iris Adrion
Ting Fin Son
Royal Whirlwinds
Jimmy Sis
3 High Spots
Gwen Christine
Jerri Withes
James Keane
Ann Brenia
Wally Wenger 6
Jack Gutenman's Little Club
Roger Steele Orc
Rita Renaud
Esther Curtis
Rita White
Betty Fitzgerald
Jeanne Hauser

Gertrude Briefer
Kay Blair
Jerrie Smith
Versailles
M Bergera Orc
Mitzi Mitzi
Panchito Orc
D'Avalos Dancers
Jimmy Rogers
Howard Woods Orc
Gwen Williams
Freda Sullivan
Jake Ellner
Polly Sandra Co
Noll & Nolan
Lou Wright
Walter Donahue
Whirlwind Club
Geo Morris Orc
Palmona
Irene Stanley
Patricia Marsh
Russell Drachen

LOS ANGELES

Beverly Wilshire
Broy Sis
Howard Gerrard
Harry Owens Orc
Cafe Caliente
Fanny Cole
Diana Castillo
Lucille Gervasin
Lee Lou Dasquez
Eddie Lane Orc
Cafe La Mae
Park Ava. Boys
Martha Mears
Marty Malnack Or
Club Ball
George Tound
Brur Fletcher
Club Versailles
Jerry Lester

(Sert Room)
Emil Coleman Orc
Angel Reyes
Georges & Jalos
Dahina Wright Jr
Hotel White
Lou Lang Orc.
Charlie Macy
Peggy Brown
Dell O'Neal
Jimmy Kelly's
Joe Capelle Orc
Ings Sis
Gladys Faye
Princess Alisa
Mary Lane
Tanya
Lee Leslie
Carter & Schaub
Terry Shannon
Cesar Ortiz Orc
Montmorite Boys
Jerry Fitzgerald
Sid Hawkins
Vaughn Comfort
Gonzlez & Christine
John Rockwood
Gene Ward
Elk Hat Club
Ray Dorant Orc
Dorothy Salter
Desiree Brown
Lorenzo Robertson
Teddy Hale
Bernie Mitchell
Edith King
Fleck & Dash
Connie Harris
Rotcha Orc
Stay Cooper
Hotel Marquise
Bill Palermo Orc
Gloria Whitney
Harold Jackson
Frances Connolly
Dion Nelson
Larue
Eddie Davis Orc
Joseph Gallo Orc
Le Coq Rouge
Gee Sterney Orc
Anne Phillips
Tiadale 3
Le Mirage
Nina Alion
Byrnes & Swanson
Earl Co. & Dell
Le Rubin Bleu
Herbert Baceby
Hope Ahrensen

Gloria King
Theodore
Chico Orc
Earl Carroll
Paul Gerrits
Arcos & Broderick
A Robins
Igor & Tanya
Vivian Fay
Susan Miller
Beryl Wallace
2 Sophisticated Gls
Dorothy Gerson
Reginald Craig
Archie Bleyer Orc
Ed Durant Orc
Florentine Garden
Maurice Kosloff Co
Emil Casso Orc

Gladys Palmer
Glenda Hope
Sol Wagner Orc
Royal Frolics
Dolly Kay
Eddie White
Wilson Bros
Anthony A & M
Al Trunk Orc
Mark Fisher Orc
Jack Hilliard
Frolics Rus
Sherman Hotel
(Celtic Cafe)
Gene Kerwin Orc.
(Dome)
James Hamilton
Jim Bield
Jerry Gordon
Keller Sis
Del Obrien
(Panther Room)
Gene Krupa Orc
Irene Daye
3 Jitterbugs
Hollywood
Larry Forbes
Don Downey
Edna Dunham
Jean Saylor
Joey Conrad Orc

Silver Cloud
Bert Nolan
Stylette Stamos
Paul & D Gilbert
Blaine & Marr
Ted Langley
Lou Gutterman
Vi Gore
Hazel Zaine
Nord Richardson
Johnny McFall Ore

Silver Frolics
Harry Harris
Elaine Rabey
Tony & Gene
Fay Wallace
Art Freeman

606 Club
Billy Carr
Buzzy Carter
Connie Faessaw
Jean Ellen
Frances McAvoy
Dorothy Cecilia
Dolores Del Rea
Jean Ellen Fay
Joel & Annette
Dialricks
Jess Scott
Aleha
Jessie Rosella
Dagmar
Dolly Sterling
Patricia, Perry
Colletta
Carmen
Sol Lake Ore
Tripoli 3

Sky Rocket
Marjorie Whitney
Dictators
Shaw & Shaw
4 Kings

Stevens Hotel
(Continental Room)
Rhythm Boys Ore
Kirkwood & G
Byteu Gis

Stratosphere Club
Princess Red Rock
Frank Barbor

Shawnee

Minnet Club
Del Estes
Willie Stanton
Al Mulvaney
Verna Lamont
Art Fisher Ore

Montmorency Hotel
(Boston Cyster Bar)
Manfred Gotthelf

Nameless Cafe
Vito Ore
Ona Mayo
Vera Paul
Pinky Tracey
Margie Strong
Every Rose
Ed Leon

Nelson Gardens
Genevieve Jayna
Helen Lynn
Tommy Jones
Tiny German
Yoon La Vera
Kay Meera
Honey Lee
Jack & Whartan
Sally Shannon Ore

Sol Stocco Ore

Old Mexico
Old Heidelberg Co
Octet
Robert Kessler
Winn Strasbe
Jack Vale & W
Hechie Ore

Paradise Club
Inez O'Donnell
Margie Strong
Jerry Sullivan
Fie Polus
Charlie Mayo
Jay Hill
Les Sarnella Ore

Palmer House
(Empire Room)
Eddie Dunda Ore
Rufe Davis
Bob Ennis Ore
Anderson & Alice
Dunsen Carter
Millicent De Witt
Wayne Gis
Enid Phillips
4 Chicagoons
Frank Carroll Ore
Hal Barber

Villa Moderne
Tony Cahot Ore

Wisconsin Gardens
Gigi Rene
Lee Harmon
Fred Ward
Nita La Tour
Virginia Gilbert
Lucille Johnson
Frank Vale Ore
Nita La Tour
Marcel Grant
Frank Snyder Ore

PHILADELPHIA

Anchorage
Harry Hansell Ore
Dorothy Lee
Dot Lasky
Renata & Dolores
Edna Thompson

Bellevue-Stratford
(Main Dining Rm)
Meyer Davis Ore

(Burgundy Room)
Frank Dale Ore
Ben Franklin Hotel
(Garden Terrace)
Red Norvo
Terry Allen
Benny the Bum's
Larry Vincent
Rimacs

Chiquita
Conchita
Carmen

Browning Lane Inn
(Bellmawr, N. J.)
Jerry Lopez
Lucille Nolan
Vince Norman Ore

Cadillac Tavern
Jerry Masella
Parento 3
Helen Doyle
Henrione & Adrien
Chas Arthur
Dean Edwards
Jillian Stewart
Mary Clark
Dorothy Lakro
Marcella Marchand

Week of April 17

Theodore Hoff
Elisabeth Welch
Normau Evans
Kent Harvey
Paddy Drew
Adam & Tyco Ore
Astoria
Fred Sylvester Co

Dominion
Nat Gonella Co
CAMDEN TOWN
Gaumont
Arrigan Co
Fred Sylvester Co
Addison & Sylvia

London

Cabaret Bills

NEW YORK CITY

Armando's
Buddy Clerke Ore
Marie Spaulding
Ann Kelly

Barney Gallant's
Angela Velez
Frank McFarland
Nellie Foley
Berwick & Breckery

Bill Bertoletti's
Angelo's Rh'mba Bd
Elaine Spencer
Lady Gondola
Annette Gourlaine
Maya Gibbs

Bill's Gay 90's
Emily Stevenson
Bill Phillips
Florence Herbert
Billy Lorraine
John Panter
Sylvia Lind
Spike Hordison
Judy Madison
Bill Quentmeyer
Steven Innes
Bernie Graner
George Tyler
Harry Donnelly
Arthur Behan
Harold Wilard
Don Carter

Cafe Savini
Melvin Pahl
Haywood & Allen

Casa Manana
Ozzie Nelson Orc
Earl Co. & Howard
Jamon Barton
Dean Barnett
Charles King
Lil Dahl
Harry Steckwell
Jack Cole Co
Debenaire
Allen & Kent
Cole Tinker's Seals
Joyce Johnson
Jewels
Betepi Tr
Adrian Rollini 3
Kay Parsons
Harry Carlsclan
Art Lafleur

Chateau Moderne
Paul Dam Ore
Jill Roy
Mabel Dell
Lynn Russell
Marie Farrar
George Rixon

Club 18
Jack White
Pat Harrington
Jerry Finger
Judy Rudin
Frankie Myers
Leila Gaynes
Sheila St Boyre
G Andreva Ore

Club Gaucho
Chas Macuio Ore
Panchita Vilio
Tarrant & Dacita
Trini Plaza
Bindo
La Morita
Ruth Ortiz
Felicia Florese
Maria Del Carmen
3 Gauchos

Cotton Club
Cab Calloway Ore
Bill Robinson
Ethel Thurse
Tanya
Katherine Perry
Beachcomber
Gwen & Jenkins
Ruby Hill
Sue Sosa
Myra Johnson
Valery Chair

Diamond Horseshoe
Noble Sissle Ore
Don McGowan Ore
Fritzi Scharff
Buddy Doyle
Margot Brander
Frank Libuse
Tom Patricola
Joe Howard
Clyde Hager
Mangean Tr
Delta Lind

Dixie Inn
Ann Gaylord
Ruth Pelzer
Jack Osterman

Meyer's Cellar
(Brooklyn)
Howard Bistue
Rosalina Lewis
Martha Kovacs
Gypsy Lopez
Barbara Eyton
Lydia Ehrenberg
Frank Gaby
Charlie Murray Orc
Mary Colman
Jimmy Rogers

Monte Carlo
Ted Straeter Orc
Bob Knight Orc
Vicki Sinclair
Elaine Bassett
Peggy Healey
Anito Colby
Evelyn Kelly
Rosanne Murray

Nick's
Mike Riley Orc
Sherkey Bananas Or
Larry & Esther

Guys Club
John Kirby Orc
Lee Wiley

Paradise
Vincent Travere Or
Peggy Healey
Joe D'Andrea Orc
Bob Matzi Orc

Frank Sebastian's
Casino
Eduardo Chenes
Joe Harris Orc
Grace Hayes Lodge
Jackie Coglan
Grace Hayes
Lind Hayes
Jack Pierce
Charlie Fox
Joe Jones Orc

Hawaiian Paradise
Loretta Walker
Princess Luana
Joe Sullivan Orc

Indigo Cafe
Sid Brown
Jimmy Ellard
Jack Frost
Val Harris

It Cafe
Cabonesos
Don Rudolf Orc

Jerry's Mandalay
Marguerite Padula
Geo Burgrozant Jr
Ruth Mitchell
Nonie Mitchell
Hal Chandler Orc
Jimmy Kerr & Boys

Lou Conga
Den Jeri
Spike Featherstone
Evelyn Steele
Jerry Gallan
Lou Conga Rh'mba Bd

Little Club
Jane Jones
Paul Kendall
Walter Dyson

Little Hungary
Valasco's Gypsies

Marcel's
Leonard Keller Orc

Marcel Daly
Kay Gregory
Joe Lyons

Oman's Dome
Lillian Gibson
Charlie Harris
Hal Brown
Tod Wells Orc

Palomar
Imogene Coca

Tanner Sis
Dolinoffs
Mimo Orc
Kirk Allen
Massey & Miller
Jerry Mumman
Jimmy Grimsby
Georgia Olsen

Paris Inn
Dominic
Blane & Elaine
Ginger Wilson
Katherine Bleadmore
Lillian Gilbert
Eric Maestro
Henry Monett
Margarite & M
Ken Henrrson
Chuck Hanson Orc

Seven Seas
Danny Kavanna
Kay Silver
Jillian Gibson
Al Malntyre
Eddie Bush 4

Sleepy Hollow
Sleepy Maxie
Jake Wallron
Joe Plotkel
Andy Sorrelli
Virginia Mathews
Moore & Lewis
Tommy Reilly Orc

Somerset House
Harry Ringland
Art Tatum
Jack Owens

Stage 'Ef' Cafe
Wally Vernon
Billy Young
Henry Galanti
Shemp Howard
4 Squires

Swanee Inn
Eddie Beel
Gladys Bentley

Topsy's
Elmer
Arlett Jon
Grace & Maetore
Nichole & Lucas
The Mercer Orc
Dorothy Brandon
Chuck Cooper Orc

Victor Hugo
Joaquin Garay
Johnny Eunie Orc
Carmine

CHICAGO

Lorraine Brown
Bennett Sheppar
Albert Seere
Chuck Andrews
George West
Colletta
Carmen
Sol Lake Ore
Tripoli 3

Sky Rocket
Marjorie Whitney
Dictators
Shaw & Shaw
4 Kings

Stevens Hotel
(Continental Room)
Rhythm Boys Ore
Kirkwood & G
Byteu Gis

Stratosphere Club
Princess Red Rock
Frank Barbor

Shawnee

Minnet Club
Del Estes
Willie Stanton
Al Mulvaney
Verna Lamont
Art Fisher Ore

Montmorency Hotel
(Boston Cyster Bar)
Manfred Gotthelf

Nameless Cafe
Vito Ore
Ona Mayo
Vera Paul
Pinky Tracey
Margie Strong
Every Rose
Ed Leon

Nelson Gardens
Genevieve Jayna
Helen Lynn
Tommy Jones
Tiny German
Yoon La Vera
Kay Meera
Honey Lee
Jack & Whartan
Sally Shannon Ore

Sol Stocco Ore

Old Mexico
Old Heidelberg Co
Octet
Robert Kessler
Winn Strasbe
Jack Vale & W
Hechie Ore

Paradise Club
Inez O'Donnell
Margie Strong
Jerry Sullivan
Fie Polus
Charlie Mayo
Jay Hill
Les Sarnella Ore

Palmer House
(Empire Room)
Eddie Dunda Ore
Rufe Davis
Bob Ennis Ore
Anderson & Alice
Dunsen Carter
Millicent De Witt
Wayne Gis
Enid Phillips
4 Chicagoons
Frank Carroll Ore
Hal Barber

Villa Moderne
Tony Cahot Ore

Wisconsin Gardens
Gigi Rene
Lee Harmon
Fred Ward
Nita La Tour
Virginia Gilbert
Lucille Johnson
Frank Vale Ore
Nita La Tour
Marcel Grant
Frank Snyder Ore

PHILADELPHIA

Anchorage
Harry Hansell Ore
Dorothy Lee
Dot Lasky
Renata & Dolores
Edna Thompson

Bellevue-Stratford
(Main Dining Rm)
Meyer Davis Ore

(Burgundy Room)
Frank Dale Ore
Ben Franklin Hotel
(Garden Terrace)
Red Norvo
Terry Allen
Benny the Bum's
Larry Vincent
Rimacs

Chiquita
Conchita
Carmen

Browning Lane Inn
(Bellmawr, N. J.)
Jerry Lopez
Lucille Nolan
Vince Norman Ore

Cadillac Tavern
Jerry Masella
Parento 3
Helen Doyle
Henrione & Adrien
Chas Arthur
Dean Edwards
Jillian Stewart
Mary Clark
Dorothy Lakro
Marcella Marchand

Dorlesa Jones
Eddie Thomas
Jack Newton
Sunny Ray
H Reynolds Ore

Club 18

Dick Thomas
Johnny Young Ore
Beverly Fisher
Bee Lorry
Ruth Lee
Princess Helen

Cafe Morocco

Scacy Davis
Al Cubbins
Joe Familant Ore

Club Morocco

Phil Kaye
Montez & Marie
Jack Pathie
Jewell Hilo
Mike Jaffree
Allan Shaw
Charlie Collins Ore

Club Parakeet

George McCall Ore
Emma Shelton

Down Beat

Harry Roberts
Henry Patrick

Dathie's Rathskeller

Frank Pontil
Watson Sis
Billie Lee
Beth Calvert
Dotty Winters
Margie Drummond
Cisco Valentina
Irving Brasson Ore

El Chico

Kay Laverly
Margaret Marshall
Virginia Howard
Jean Sutherland
Sharry Lee
Arlett Withers
Ivan Tashman Ore

Embassy

Junia Chamberlain
Vera Kane
Dorotha Monteria
Dolores O'Neill
Al Morales Ore
Fedro Blanco Ore
Georgia Clifford

Evergreen Casino

Tommy Monroe
Andrews Sis
Rae Saxon
Ann Falow
Mills & Madine
Lorraine Brass
Al Eldrich
Jo Milan Ore

1933 Club

Swing King Ore
Lois Jewel
3 Stylists
Betty Parker
June Davis
Dorothy Tanner
Betty McKee
Francis Lenox
Milai Lane
Frankie Palumbo's
Bonnie Stewart
Jan Perry
De Mayos
Lorentzo (4)
Bobby Morrow Ore
Rhoda
Daisy the Horse

Harris Tavern

Alabama Corinne
Bobby Lyons
Pete La Mar
Betty Thomas

Hildebrand's

Charlie Neid
Carlions
Buddy Roberts
Norman Lewis
Frankie Milton
Richard Bach
Bobby Lee Ore
Dee Doren

Jack Lynch's

Charles Smith
Vincent Rizzo Ore
Bernard Seaman
Chaney & Fox
Joe St. Louis
Helen Morgan
Helen Gilbert
Betty Brodel
Marjorie Mills
Herb Dubrow
Jimmy Sisks
3 Lynch Girls (12)
Joe Prestito Ore
Sylvia Carmine

Little Rathskeller

Tatara
Ruth Wayne

MILWAUKEE

Athletic Club

Hal Munro Ore

Bert Phillips'

Pep Sabbatini Ore
Ethel Seidel

Blatz Palm Garden

Eddie Sonin Ore

Bon Moon

D Davidson Ore
Virginia Rosen
Jay Jayson
Gale Parker

Cardinal Club

Red Nichol Ore

Chateau Club

Stan Jacobson Ore
Johnny Dale
Bert Gilbert
Martin Bennett
Patsy Marr
Ann & Romano
Jackson & Nedra
Marion Vinay

Clover Club

Harry Weber Ore
Ruth Phillips
Eva Thornton
Marge Deutsch
Eleanor Gail
Jan Stanley
Pat Ryan
Don Kranich
Lenzi

Club Forest

Virginia Grey
Berdine Dickson
Helen Kaya
Vera Welsh

Club Madrid

Jimmy Rolas Ore
Patricia Del Rio
Marguerite Claudet
Paul Burkette
Don & Betty Lynne
Hazel Kennedy

Club Sahara

Geo Cerwin Ore

Club Terrie

Gordon Genachero
Mona Henderson
Blue Warren
Phil Keatis
Kathleen Kaye
Al Schenk
Cleo Barr
Dick Hall
Victor Hugo Ore
Johnny & George

Maggie's

Helen Maxwell
Mae Wallace
Lana Arlete
Bucky Shores
Young Sis
Walt Walford Ore
Vann & Vidal
Dr Hudspeth & Dog
Mme Iris
Marlinelle

Manos Inn

Leonard Cook
Billie Richmond
Judy Lane
Elaine & James
Cortez & Peggy
Bradshaw & Fenton
Billy Gates Ore

Purple Derby

Buck Calhoun
Betty Weston
Margie Healey
Jean Lamar
Dotty Moore
Jean O'Neile
Andy Russell
LaRue Sis
Joe Burns
Ray Allen Ore

Rendezvous

Straub & Lee
Lane, Edwards & A
Eadie Lang
Charles & Barbara
Bob Lucas Ore

Stamp's Cafe

Bert Lewis Ore
Jack Hutchinson
Johnny Welch
Tremont Sis
Bubbles Stewart
Ann Ore
Frances Carroll
Vic Barton

Silver Lake Inn (Cleveland)

Mickey Familant Or
Alice Lucey
Florodora Sextet
Jane Patterson
Lillian Russo
Marie Holz
George Reed
Russo & Duval
Barbara Ann

1300 Cafe

Elsie Jones
Princess Zelda
Nan Roberts
Camille Roberts
Esther Leeds
Ann Phelps
Bill Miller
Jimmy Brown
Margie Frame

Venice Grille

Jack Rich
Fay Ray
Joy Hayes Ore
Ginger Dunn
Lee Vaughn

Village Cafe

Billie Callahan
Joe Kaintz
Jerry Delmar Ore
Lee Sisters
Joe Smythe
Walt & Jean
Helen Brooks
Bobby Jones

Village Barn

Bobby Evans
Jackie Miles
Charles Fredericks
Muriel Parker
Alex Green Ore
Bob Finch
Brownstone

Wagon Wheel

Lois
Roy Harkins
Joe O'Shea
Al Wilson
Al Bastian Ore

Weber's Hof Brau (Camden)

Ilse Hart
Rudy Bruder
Jules Piacco Ore
Helen Worthington
2 Jacks
Paul Rich
O'Connor 3
Fischbach and Sal'ndra
Pat Conford
Bill Evans
Sid Golden
Sigrid Carmine
J & T Shallenb'mer
Interstatelia
Ebersoldiers
Ruth Ruland
Claudia Ferris
Dale & Dale

Conge Club

Pearl Maitre
Fannie Dale
Melba Jackson
Alice White
Ruth Ore
Leonard Gay Ore

Corniles Ship

Bill Davenport Ore
Ben Box Ore
Ralph Ellis
Bailey & Lamarr

Devines Eagles

Tweet Hogan Ore
Steve Freedman Ore
Mabel Drake
Dorothy Dale
Red Roberts Ore
Gloria Gale
Jimmy De Palma
Howard Geiger

Mamie's Grotto

Gus Briley Ore
Clyde Thomas

Hotel Schroeder (Empire Room)

Emery Deutsch Ore

Karl Ratsch's

Sepple Bosch Ore
Helene Jacobs
Walter Merhoff

Larsen's

Ray Meadows Ore

Last Round Up

Jimmy Rays Ore
Ken Kock

Lindy's

Dick & Snyder
Victor
Edith Rae

Log Cabin

Carl Bergman Ore

Miami Club

Ann Saber
Maxine & Clayton
Helen Hilton
Peggy Geary
Gene Buserski
Harriet Cross
Johnny Davis Ore

Oasis

Marty Gray Ore
Snooks Hartman

Old Middlebush

Eddie Zipp Ore
Donna LoPaul
Allen Dunn
Alma Williams
Claudia Ferris
Babe Collins
Susana

Open Door

Tinney Living'd Or
Larry Powell

Paris

Joe Gumin Ore

Plantation Club

Bert Bailey Ore
Mary Webb
Plantation 4
Brown & Lyons
Myrtle Freeman
Hunky Brown

Plankinton House (Red Room)

Walter Libacca

Residence

Bob Matheson Ore
Jimmy Blaney
Marion Walter
Marcella Paige
Joan De Lee
Lia Marra

Ritz Stevens

Dotty Norman
Lucille Brown
Mary Douglas
Rendezvous 13

Reno

Jean Allen
Pat Marvin
Helen Allen
Dumona Brownwell
Rose Ving
Vivdicia Sis
Jean Hamilton
Harvey Lee Ore

Scale's

Tony Bauer Ore
Marie Jordan
Jessie & Viola
Dorothy Hamilton
Bing Burdick
Roma Cosmo Trio

Schwartz

Joe Sanders Ore
Irene Griggs
Tony Salerno
Claude Bowmaster

Six Paint Club

Casper Reda Ore

CLEVELAND

Alpine Village

Otto Tharn Ore
Blaine Hall & P
Barbarina's Poina
Margaret Ann Lee
Herman Pirchner

Bavaria Hall

Hy Barron Ore
Charlie Gordon
Renie Sperling
Thelma Stona

Alwray Club

Troy Singer Ore
Judy Black

Cedar Gardens

Duke Melvin Ore
Trixa
Richard Montgomery
Mary Dixon
Howard Carita
Helen Wiles

Chinese

Pete Gerasi Ore
Leon LeVerda
Al Wei
3 Femmes 1 Fellow

College Inn

Norman Brill Ore
Robbie Collins
Jack Werner

Freddie's Cafe

Tony Emma Ore
Mirth & Mack
Lynn Martin
Yvonne Alva
Eddie Barnes
Jack Sherry

Golden Glow

Paul Simonetti Ore
Sherry Dale
Dal Grey

Gourmet Club

Louis Cina Ore
Gloria Glenmore
Marjorie Black

Hatton's Club

Lenny Colyar
Bob Armstrong
Rose-Marie

Mason Grill

Joanna Gordon

PITTSBURGH

Anchorage

Hughie Morton Ore
Gaynor Florence

Arlington Lodge

Art Vorkous Ore

Balconades

Joe Tailer Ore

Bill Green's

Sterling Young Ore
Bobby Smith
Jack Law
Sally Marvel
Johnny Duffy

Club Petite

Piccolo Joe Ore
Betty Greenwood
Carol Dale
Crews & Summers

Cork and Bottle

Jack Davis

Eddie Peyton's

Phil Cressio Ore
Joyce Palmer
Charlotte Carr

Harlem Casino

Sherdina Walker Ore
George Gould
Pete Nugent
Monette Moore
Johnson & Grider
Otto Lacson
Harlemettes (8)
Lavay Steele
Ozzie Dial

Harry Mendows

M Contreras Ore
Conchita
Hotel Roosevelt
Buddy Russell 3

Hotel Schenley

Howard Baum Ore
Buzz Aston
Jack Rogers

Hotel William Penn

Charlie Barnes Ore
Bernie Cummins Or
Connie Barlean
Walter Cummins
(Continental Bar)
Versatiliana

Italian Gardens

Etel Covato Ore
Bernie Perella

State Gardens

Earl Rigg Ore
Irene Schrank
Flo Smith
Peggy Hall
Verna & Evelyn
Eleanor Ray

Sunset Club

Eddie Jones
Tic Tap Tap

Joey Feldstein Ore
Natalie & Howard
Eleanor Leonard
Al Gale
Betty Louis
Virginia Grey
Rosco Ails
Al Sandalis

Town and Country Club

Dick Rogers
Knight & Dee
Roberton
Jaciene
Virginia Davis
Madeline Gardiner
Betty Harger
Allen Lane
Zastro & Wells
Marty Hoff
Cameo Gis
Debutantes
Joan Delange

Toy's

Case Lanette Ore
26th & Narth Club
Kay Crandell Ore

Trocadero

Miron, Jean Ore
Jane Rubey
Shirley Kent
Dolly O'Dea
Weekend Sis
Bobbie Stuart

Witch's Futuristic

Bill Scanlon Ore
Jack Fazer
Willie Lee Ore
Maureen Rosey
Roman & Hanin

Wisconsin Roof

Griff Williams. Ore
M Merrylees Ore
Nie Harper Ore
Tom Sheridan
Capps Sis
Joan Demaris
Arnold Ross

Zanker Gardens

Lyle Stann Ore

Hotel Statler

Marty Lake Ore
Clyde Gaylord
James & Feltz

Hotel Hollenden

Sammy Watkins Or
Gus Van
Crawford & Casker
Romany 3

Hotel Statler

C Hoagland Ore
Jeanne Stewart
Glover & LaMan

Jack & Eddie's

Chick Williams
Alice Ann Ore
Vic Corpora

Lindsey Sky-Club

Folsen Gardner
Harold Johnson

Monaco's Cafe

Rose Pierce Ore
Marlyn Kingsley

Moonde Club

Orville Rand Ore

Nixon Cafe

Freddie Carlone Or
Mickey Katz
Andy Cole Debs
Jackson, Stone & R
Bisset & Lee
2 Albins
Pal-Mar Gis

Southern Tavern

Paul Brown Ore
Don Kaye
Nick Montemps

Ubangi Club

Tommy Barnes Ore
Hertel Collins
Ethel Avery
Rose Morgan
Sonny Carr

Kids Book 'Em

Allentown, Pa., April 18.

Kids at the Franklin theatre here each Saturday afternoon pick the films they want to see the following Saturday.

George Reinert, the manager, gets on the stage and describes to the audience the possible choices for the next week. The kids then vote by a show of hands.

Hoodlum

(Continued from page 1)

are glorified and they are tough characters. I think they have a very harmful influence.'

Anent current ether fare, Hizzoner expounded: 'Radio programs of the type criticized ('Gangbusters') hold crime before a child week after week. Some children, especially those who get into court, are not particularly bright. And they are the most optimistic people in the world. They pick up ideas from such dramas and, even though the wrong-doers are caught and punished, children are likely to think that they could be luckier.'

John Donahue, assistant Boy Scout exec who for eight years was a county probation officer, decided 'I once had a boy in my charge who learned to crack a safe from a movie.'

'Crime Does Not Pay'

Thomas Dunning Rishworth, KSTP's educational director, came to the rescue of current air fodder with: 'Programs like 'Gangbusters' do not have a bad effect on young people. Those programs emphasize that 'crime does not pay.' Neurotic children may find these programs too sensational for them, but that is a problem for parents to consider.'

With the battle raging and comments flying thick and fast, showman Lou Golden stepped neatly into the picture and artfully took a shot at 'the real responsibility'—proper home environment, parental guidance and companionship. Golden rolled with the punches that had other showmen running for cover, and countered with his own haymaker: 'Because some children are found smoking must we blame Mark Twain who wrote Tom Sawyer and Huckleberry Finn? Or should we blame Mickey Rooney for vividly portraying such an authentic characterization?'

With the tempest breaking in dailies all through the past week, the storm reached such a crescendo momentum that Sunday (16) saw a torrent unleashed from various pulpits throughout the city.

Some three years ago, Parent-Teacher organizations in both cities rallied with the avowed purpose of getting 'blood-and-thunder' radio programs toned down for the good of the moppets. The drive culminated with a huge indignation meeting in Minneapolis. Boycott of sponsors' products was threatened, but the move fizzled when it was finally revealed that several of the prime instigators had radio programs of their own to peddle. They had hoped to crowd the then current stuff off the ether and substitute their own brain-children.

Raps Radio Gunplay

Toronto, April 18.

Censorship of sensational radio series aimed at child-listeners is recommended by General D. C. Draper, Chief of Police here, in his annual report to the city fathers. Claim is that the 'low-brow, sensational, gun-shooting type of series on the air' is contributing to juvenile delinquency.

Said the Chief of Police, 'Sponsors of such programs are, knowingly or otherwise, doing a dis-service to the country and a censorship that would rule these programs off the air is long overdue.'

He admitted, however, that some juvenile programs are highly instructive but advises that sponsors 'would be well-advised to do some house-cleaning' and substitute something educational for current 'thrill and horror' series.

Rap 'Tracy' and 'Annie'

Bridgeport, April 18.

Parent-teacher associations in vicinity are taking radio's child-riders shows and are moving to do something about serials detrimental to 'youngsters' nervous system.'

Fairfield and Westport units have thumbed down 'Dick Tracy, 'Sheriff Bob' and 'Little Orphan Annie' and okayed NBC's Irene Wicker and CBS's 'Let's Pretend' and 'March of Games.'

ASCAP Wins First Round

(Continued from Page 45)

state legislation. Since the issue of constitutionality has not been presented yet, he scrupulously avoided touching on this matter beyond remarking the Florida judges thought laws is 'grave doubt' whether the state law is valid.

The highest court remanded the Washington case with instructions to permit ASCAP to offer evidence tending to establish Federal jurisdiction. In the Florida tiff, the decision was merely a go-ahead sign for the taking of testimony concerning the question of constitutionality.

Black's View

Outspoken criticism of ASCAP characterized Justice Black's refusal to team up with his colleagues on the Florida case. He spoke repeatedly of the copyright group as a 'price-fixing monopoly,' asserting the injunction should be dissolved and round-about attempts to test constitutionality of regulatory acts are liable to upset the entire operations of government.

In his friendly comments, Justice Black held that the right of state legislatures to outlaw organizations which use their control over a product to dictate terms on which it may be used. In his eyes, ASCAP is a violator of a statute about which there is no doubt as to validity.

Instead of bringing an injunction suit to test administration of the law, ASCAP should have waited until it was injured by enforcement, Black maintained. Noted the Florida tribunal: 'Federal and state law enforcing officers disclaimed any thought of attacking the copyright pool until it seeks to fix monopolistic prices.' Remedy, he said, is the sole question of the constitutionality of the law only after it is applied, he said:

'If the issue is not narrowed to this single point, approval is given to the policing officials from action which they have no duty to perform and have solemnly disclaimed both here and in the District Court. The people have not exercised their exclusive authority, by Constitutional amendment, to strip the states of their power over price-fixing combinations and thus raise monopoly above the traditional power of legislative bodies.'

Strong Dissent

Under the Florida statute, ASCAP can issue licenses any way it wishes and operate without restriction 'provided only that they abandon monopolistic practices,' dissenter said. In blasting ASCAP, he declared:

'Both the very bill upon which the injunction now approved was granted and the entire mass of record seek to hide beyond dispute appellees' flagrant violation of the Florida law by combining to fix prices. This combination, apparently includes practically all (probably 95%) American and foreign copyright owners controlling rendition of copyrighted music for profit in the United States. Over the business of musical rendition is so great that it can refuse to sell rights to single compositions and can and does require purchasers to take at a monopolistically fixed annual fee the entire repertory of all numbers controlled by the combination.

'And these fees are not the same for like purchasers even in the same locality. Evidence shows that competing radio stations in the same city, operating on the same power and serving the same audience, are charged widely variant fees for identical performance rights, not because of competition, but by the exercise of monopoly power.

'Since it appears that music is an essential part of public entertainment for profit, radio stations or other businesses arbitrarily compelled to pay discriminatory fees faced with price-fixing practices that could destroy them, because the Society has a monopoly of practically all the copyrighted music, the instrument of public communication — a newspaper—the ultimate possibility of control of the channels of public communication and information are apparent.

'We have here a price-fixing combination that actually wields the power of life and death over every business in Florida, and elsewhere, dependent upon copyrighted musical compositions for existence. Such a monopolistic combination's power to fix prices is the power to destroy. Should a Court of Equity grant this combination the privilege of violating a state anti-monopoly law? Does a state law prohibiting such a combination present 'grave constitutional questions?'

Concerning the question of jurisdiction in the controversy, Black disagreed violently with his colleagues on the highest bench. He disagreed with the lower court's findings that over $3,000 is involved, with the remark that 'all that members of the Society have in common is their alleged right to violate with impunity the Florida statute against price-fixing.' Lumping several plaintiffs 'as a matter of convenience and economy' does not have the effect of allowing the Federal courts to entertain a petition which is improperly presented, he held.

'A common desire to disregard a state law cannot serve as a common and undivided interest for purposes of Federal jurisdiction,' the dissenter said, adding that there was no showing ASCAP ever made or is likely to make 'any profit from its Florida activities. The record does show the Society had $60,000 worth of contracts in 1936, he admitted, but does not indicate what each of the 45,000 members might receive. He remarked the return might be as low as $1.50 apiece per year and said the cost of collecting royalties would not offer any excuse for Federal intervention.

Criticizing the lower court and his colleagues as well as the copyright-holders, he said: 'Plaintiffs ASCAP should be compelled to obey the law until it has been ruled invalid. Big bond ought to have been required before the injunction issued 'while the law is suspended, these now-resident appellees can carry on a monopolistic business in Florida contrary to its provisions. The people of Florida who must pay monopoly prices are granted no protection.'

The majority in the Florida case was satisfied with the showing that $3,000 was involved, as well as with issuance of the temporary restraining order. Referred to the allegation that three publishers value their copyrights in excess of $1,000,000, that 1936 revenues were $59,306, that it would cost each individual over $1000 to collect the collection agency and to prevent infringement, that the publishers get more than $50,000 from the pool. While similar contentions were made in Washington now, the district court held there was no proof that more than $3,000 was involved. The Supreme Court ruled that it is entitled to present evidence backing up the affidavits which were discarded.

Reed's View

Motion to dismiss ASCAP's plea for permanent injunction was properly denied in Florida, Justice Reed said. As long as the bill of complaint 'makes an attack upon the constitutionality of a state statute, supported by factual allegations sufficiently strong, as here, to raise 'grave doubts of the constitutionality of the act' the court in the mind of the trial court.' The way in which the law violates or harmonizes with the Federal Constitution—the right to enjoy property protection, due process of law, and equal protection—will be clearer when the proceedings has been finished, he noted.

Possibility of severe damage to the copyright-owners was mentioned by Justice Reed in the Florida decision. He remarked on the 'irreparable injury' in the event the law in constitutional and said the prospect of loss while the issues are being settled warrant a temporary injunction.

Pennsy Model Was Florida

Philadelphia, April 18.

Anti-ASCAP bill which is pending before the legislature in Pennsy now is modeled after the Florida statute that was outlawed by the Supreme Court yesterday.

The measure here had little influential backing, and Rep. Charles Melchiorre, who introduced it, has had difficulty in attempts to get it out of committee. It'll probably be allowed to die there now.

Lundis Incorporate Music Firm

Albany, N. Y., April 18.

Artists Music Corp. has been chartered to conduct a business in printing and publishing music books, etc. Capital stock is 2,200 shares, no par value. Directors are: Karl B. Lundt, Daniel B. Lundt and John M. Lundt, N. Y. C.

Karl Lundt filed the incorporation papers.

NEW LEGISLATIVE PROPOSALS MAY DOOM FEDERAL THEATRE PROJECT

Congressional Committee Approves One Bill Putting 'White Collar' Projects Under Local Sponsorship —F.D.R. Would Prevent Relief Disruption

Washington, April 18.

The final curtain for Government-subsidized drama is in the offing this week, with Congress about to make radical changes in the Federal relief system. With general disapproval of Federal theatre Project productions giving an added stimulus, legislators are preparing to adopt measures which would mean inevitable curtailment, if not complete abolition, of the attempts to provide temporary jobs for out-of-work actors, stagehands, musicians and other groups. President Roosevelt is seeking to prevent disruption of the 'white collar relief' ventures, but with only scant hope of success.

The veritable death knell for FTP was sounded last week by a special Senate Unemployment Relief Committee. It recommended passage of a bill sponsored by Senator James Byrnes, Democrat, of South Carolina, under which the art, theatre, music and writer projects would be continued only if sponsored by local agencies.

Purpose of the Byrnes plan is to shift part of the expense of relief on the cities, counties and states, besides providing decentralized control and cutting the administrative costs now met by the Federal Government. His formula requires local agencies to put up one-third of the total outlay with the National Treasury paying other two-thirds of the cost of relief activities. In the case of the white-collar projects, the sponsorship obligation would be shifted to the local authorities, who in the past have shown slight concern about the plight of theatre and music people.

FTP Looks Doomed

Despite Administration insistence that relief for the white collar classes must continue, there appears little likelihood Congress will perpetuate the FTP. For in addition to the threat in the Byrnes bill, there is an even more hostile move underway. The House Appropriations committee, which currently is investigating the ways the Works Progress Administration has been run, seems likely to approve a bill offered by Representative Clifton A. Woodrum, Democrat, of Virginia, which would bring more radical revision of the relief system. His scheme proposes direct Federal allotments to the states for aid of the jobless and almost complete scrapping of the made-work theory. During recent months Woodrum has grown sternly critical of FTP, recently condemning importation of the 'Swing Mikado' production to New York and reflecting belief the relief drama has a reddish tinge.

By the end of June, it is generally conceded, Congress will have framed the new relief scheme; and there is little President Roosevelt can do to stop the sweeping alterations in the system which has been in effect since July, 1935. Sentiment of a majority of lawmakers in both chambers is hostile toward the WPA as such, with the FTP particularly unpopular and having only a half-dozen defenders.

'Lost Colony' Starting Third Season July 1

Charlotte, N. C., April 18.

The third summer season of Paul Green's 'Lost Colony' will begin a 12-week run at the outdoor Waterside theatre, Manteo, July 1. Plan was produced originally as part of the 350th anniversary celebration of the founding of the first English colonies and the birth of Virginia Dare, the first English child born on American soil. More than 175,000 persons saw it during its past two seasons.

The cast of 150 performers will include most of the original players. Of this number, the majority of the actors are native islanders and fishermen with have never seen a theatrical production in their lives. Entire production is a non-profit venture sponsored by various state historical societies and groups devoted to popularizing the history and lore of North Carolina.

Bermuda Stock Off

Stock venture planned by Al Wagstaff for Bermuda this spring and fall has been set aside until next year. Postponement was necessitated by the failure of the little theatre group in Hamilton to go through with its plan to build a new playhouse.

Wagstaff figured on taking down a company of young Broadway professionals to play a spring and autumn season, returning to New York for replacements during the summer. Pending completion of a town hall in Hamilton, Wagstaff will conduct a strawhat season at Ridgefield, Conn., this summer, in association with Philip Carr and Alfred W. Leaman. Charles Atkin will direct.

PROMOTING PRO-AM STOCK CO. IN PHILLY

Philadelphia, April 18.

Plans are being made for a stock company, part professional and part little theatre, to take over the Walnut Street theatre here next season. Leslie Spiller, of New York, will produce and stage. Equity members will be imported as the nucleus for the group. Remainder of the casts will be made up from auditions of little theatre members.

Idea was hatched and is now being pushed by Mrs. Mildred Byram Fishburn, onetime monologist and now mother of several sons in show biz. She is attempting to line up a flock of socialite and business names to act as an advisory board and put up $100 each to get the thing under way. She is seeking as principal sponsor Mrs. Edward Bok, to whose late husband the theatre will be dedicated. Bok, editor of the Ladies' Home Journal, suggested a similar schema many years ago.

Plans are for a 10-week season of five plays running two weeks each. Two weeks of each month the group will be in the house and the other two weeks it will be in New York rehearsing. Scale will be $1 top. Subscriptions for two persons for the five plays will be $10.

Confab of the expected sponsors will be held at the theatre on Sunday (23).

Current Road Shows

(Week of April 17)

'Brown Danube' (Fay Wray)—Nixon, Pittsburgh.

D'Oyly Carte Opera—Colonial, Boston.

'French Without Tears' (Elissa Landi)—Plymouth, Boston.

'Hamlet'—Henry IV' (Maurice Evans)—Shubert, Boston.

'I Married An Angel' (Dennis King, Vera Zorina)—Grand, Chicago.

'Kiss the Boys Goodbye'—American, St. Louis.

'Kiss the Boys Goodbye'—Melba, Dallas (17-18); Shrine Auditorium, Oklahoma City (19); Convention Hall, Tulsa (20); Arcadia, Wichita (21-22).

'Knickerbocker Holiday' (Walter Huston)—Hartman, Columbus (17-19); Cox, Cincinnati (20-22).

Lunt-Fontanne Repertory — English, Indianapolis (17-19); Hartman, Columbus (20-22).

'Leather Neck' (Nazimova)—National, Washington.

'Mrs. Moonlight'—Montclair, Montclair, N. J.

'My Dear Children' (John Barrymore)—Bijou, Knoxville (17); Bijou, Chattanooga (18); Erlanger, Atlanta (19); Temple, Birmingham (20); Ryman Auditorium, Nashville (21); Auditorium, Memphis (22).

'Our Town' (Frank Craven)—Biltmore, Los Angeles.

'Our Town' (Eddie Dowling)—Bushnell Auditorium, Hartford (19); Shubert, New Haven (20-22).

'Skylark' (Gertrude Lawrence)—Ford's, Baltimore.

'Star Spangled'—Parkway Madison, Wis. (17-18); Fond du Lac, Wis. (20); Gateway, Kenosha, Wis. (21); Mars, Lafayette, Wis. (22).

'Torchbearers' (Alison Skipworth)—Maplewood, Maplewood, N. J.

'What a Life'—Erlanger, Chicago.

'Whiteoaks' (Ethel Barrymore) Auditorium, Tacoma (17); Royal Victoria, Victoria, B. C. (19); Strand, Vancouver (20-22).

'Women'—Opere House, Boston.

Burleigh Re-Signs

Pittsburgh, April 18.

Pittsburgh Playhouse, local community theatre, has signatured Frederick Burleigh as director again for 1939-40, marking his third year in that post.

Season closes here May 6 with end of 'Meet My Sister's' run, and will show an increase of almost 70% in gross take over '37-38, Burleigh's first year here.

Equity's Retrenchment Begins With 3 Letouts; Means 8G Annual Saving

Equity is paring down expenses, particularly in its New York headquarters. At least three members of the staff will retire at the order of the council. Those to go are Robert T. Haines, Harry Lane and James O'Neill. Understood the latter two are to receive small pensions because of their long service, while Haines' tenure is comparatively recent. They will not be replaced. Saving to the association is estimated at around $8,000 annually.

Action followed the recommendations of a committee on economy and efficiency. For the past two years Equity has been pondering on ways and means of reducing the operation not after spending coin on an efficiency expert's opinion. No decision was made, however, but the necessity of economy was crystalized this season, when it was announced that the Screen Actors Guild would discontinue the annual per capita tax to Equity in order to keep its own association out of an operation deficit.

It was known that Equity had a sizable profit during the past year, but more than half came from SAG. Fearing that the surplus would be too thin without that revenue, the association deemed it time to forestall possible depletion of the assets, most important being the 47th street building where it is quartered. Latter will be sold. It's recognized that Equity's membership will not increase and that it has declined, what with radio and other divisions having their own unions.

$12,500 Saving on Gillmore

When Frank Gillmore withdrew as president, Equity saved a salary of $12,500. Arthur Byron accepted the post without pay and, inasmuch as he is not called on to devote all his time to the association, an assistant was appointed. Haines getting the assignment. He has really been aide to Paul Dulzell, executive secretary and treasurer, who is actively handling the affairs of Equity. Haines was long in vaudeville and legit, has acted on the executive committee and devoted considerable time to the WPA end of the membership.

His duties, along with those of Lane's and O'Neill's, will be divided among Dulzell, William Mohr and Charles Mantia. O'Neill has been with Equity for 20 years, Lane's connection being almost as long. Latter has handled the alien and summer stock divisions, along with other departments, and both, too, were actors. Suddenness with which their jobs were taken away was something of a surprise. It was expected they would remain with Equity as long as they desired, through being familiar with the association's regulations and acquaintance with the membership.

The committee which recommended the letouts consisted of Walter Greaza, Mary Morris, Edward Fielding, Maida Reade, Franklyn Fox, George Heller and Ben Lackland.

'MARRIED AN ANGEL' PLAGIARISM CLAIM

Leo Sarkadi has filed suit in N. Y. federal court against Dwight Deere Wiman, claiming the plagiarism of his original drama, 'The Angel,' in 'I Married an Angel,' now at the Shubert theatre, N. Y. Plaintiff claims that the show is based on a play by John Vaszary, but that it has a substantial portion of the plot of his play. He seeks the usual injunction, accounting of profits, and damages.

Metro owns the picture rights, having purchased them from Vaszary, but is not named in this action.

'Mikados' Swing Into Open Fight For B.O. Laurels

The battle of the two colored 'Mikados' on Broadway now will be heightened, WPA's 'Swing' version having been taken over from the Government by Bernhardt Ulrich, of Chicago. He will move it May 1 from the New Yorker (formerly the Gallo) to the 44th Street, virtually across the street from Michael Todd's 'Hot' version, which opened at the Broadhurst after the relief show was brought in from the Loop.

Todd, who is also from Chicago, has his show, which cost considerably more to produce, at $3.30 top, while the 'Swing' outfit, under commercial management, is reported having decided on $2.20 top. As a WPA show the top was $1.10.

Frank Fay's vaudeville show at the 44th Street is mentioned moving to the St. James. Though it has been operating in the red, the Fay outfit plans sticking until the World's Fair opens, at which time show business expects a prosperous spring period to develop.

Two other bidders for the 'Swing' show included Todd, who proposed to send it on tour end thereby eliminate it as competish to his 'Hot' version. Harry Minturn, who put on the WPA-er, handled the deal for the Federal end. From Washington it was stated the actors selected the manager they preferred, although it is known that the company had no alternative of staying on the relief payroll. Rules stipulate they must accept private employment if the pay is higher than WPA's, or else.

Washington end also absolved Minturn from favoring Ulrich over Todd, an administrator being quoted saying: 'He has been loyal and fair and never forgotten that he was a WPA official in his actions.' Minturn queried Equity in regards to salary guarantee and a bond was filed with the association's Chicago representative. Stated there that Minturn would be associated with the presentation at the 44th Street, but denied that he was 'on the payroll' of Ulrich and Melvin B. Ericson, who are partners.

'RIGHT'S' ROYALTIES STYMIE HOLMES

Taylor Holmes has virtually abandoned the idea of doing 'I'd Rather Be Right' on the Coast. Understood the reason is that Rodgers and Hart are asking 13% authorship royalties, which the potential backers consider too steep.

Holmes succeeded George M. Cohan in the lead role of the musical during the recent tour, but the show closed a couple of weeks thereafter.

Fleischer on Mend

Sidney B. Fleischer, attorney and film sales negotiator for the Dramatists Guild, is recuperating satisfactorily from an appendectomy he underwent Sunday (18). He has been active for some months in drafting a plan for picture sales under the minimum basic agreement, but his absence is expected to delay the matter only a few days.

Fleischer only about a week ago recovered from a severe attack of flu.

French-America Reciprocity Plan Put to Guild

Henri Bernstein, Paris playwright currently in New York, will attend the Dramatists Guild council meeting today (Wednesday) as representative of the French Dramatists' Society. He is also a Guild member. It's expected that he will submit a plan for a reciprocal membership agreement between the two organizations. Groups are already friendly, but have no formal working agreement.

Not known just what form the Bernstein plan will take, but it is assumed it will be somewhat along the lines of the agreement now in operation between Actors Equity and British Equity, by which any member of either group must join the other if working in that field. English playwrights, a more or less inactive and non-inclusive group, have no such arrangement with the Dramatists Guild.

Another matter which Bernstein may bring to the council's attention concerns copyright. French playwright is believed to favor quick ratification of the Berne copyright convention by the U. S. and hopes to persuade the Guild to back such action by the present Congress. Ratification has been blocked in the past by various author, publisher, radio and film interests on the ground that it would abolish group protection in the U. S. to foreign writers than to American ones.

Various interests involved in U. S. copyright law have been endeavoring for about a year to work out a domestic copyright law, with the idea that ratification of the Berne convention would follow. Long series of conferences has been held by the International Committee for Intellectual Cooperation, sponsored by Columbia U. with the backing of the Rockefeller Foundation.

Bernstein, who is also a representative of the French government for the opening of the New York World's Fair, plans to sail May 3 for Paris.

FIVE FTP SUPERVISORS WALK PLANK ON COAST

Los Angeles, April 18.

Five Federal Theatre Project supervisors were lopped off the payroll by Alexander Leftwich, new director for Southern California, in keeping with his policy of retrenchment.

Dismissed were Mary Virginia Fiske, Max Pollack, Louis Reper, Chalmers Day and S. E. Gay. All had been with the Project three years.

'Stream,' 'Days' Stop

'The Flashing Stream,' imported from London, opened to mild press at the Biltmore, N. Y. Business after the debut was only a slim chance and the drama went off Saturday (15) after playing one week.

THE FLASHING STREAM

Opened April 10, '39. London import was generally panned. Mantle (News) called it 'a bit of a disappointment.' Lockridge (Sun) wrote that it was a 'sensitive and intense drama, buried under words.' Anderson (Journal) described it as 'fabricated and empty of emotion.' Variety (Ibee) predicted, 'Limited engagement probable.'

'The Happiest Days' was even a faster flop, although touted favorably. Opened at the Vanderbilt and drew doubtful notices. Stopped Saturday (15) after seven performances, which grossed less than $3,000.

THE HAPPIEST DAYS

Opened April 11, '39. Tragic drama was greeted sympathetically, but wasn't regarded as likely entertainment. Atkinson (Times) said it 'deserves the attention of playgoers who do not distinguish the theatre from life.' Brown (Post) cracked that it was a 'drab chronicle, drably told.' Watts (Herald Tribune) considered it a 'touching and poignant little play of genuine simplicity and feeling.'

PICCOLO ON TO ESS BARNS

Unions, League Appear to Be Aiming for 7-Day Legit W'k; Equity Can Speed Sun. Vote

While the Sunday performance issue for legits hangs fire, there is an indicated trend towards the goal of a seven-day week, the idea for which was suggested by the stagehands and other unions during a meeting with the League of New York Theatres. That would be possible on Broadway should the state law be amended to eliminate the provision requiring one day's rest if Sundays are played, although not applicable to other amusements or sports.

Some managers are not sanguine over Sunday business possibilities, but the possibility of it- League getting consideration from the legislature for such an amendment is being discussed. It's stated that stage unions, whose members work Sundays, are on a five and six-day basis, but that is principally for relief by providing part time jobs for others not regularly employed.

Sundays continue to be the most important problem for managers generally and disappointment is expressed over delays that are preventing a disposition of the issue one way or another, after it was expected such performances would at least be given a trial during the World's Fair. Executive committee of the stagehands (Local No. 1) again failed to act on the proposal at Friday's (14) session. Deckhands' committee had been urged to act by the League, answer being that Sundays would come up before the membership at a general meeting Sunday (23).

Equity Agreeable

Equity, which was charged with virtually ruling out Sundays by exacting double pay, but whose council recently expressed itself as favoring a trial, amplified its position on the issue. Leaders say the association is prepared to send out a referendum accompanied by a strong recommendation to vote 'Yes,' should

(Continued on page 60)

LEGIT COOPERATING IN N. Y. CHARITY DRIVE

The Greater New York Fund, consolidated charity movement started last year, has again asked managers and others to aid in the solicitation of funds. League of New York Theatres has complied and a committee has been named, each member having a definite assignment. Marcus Heiman will seek contributions from showmen; James F. Reilly will handle attractions and legit theatres; William McBride will contact ticket brokers, and James Stroock has the accessory end.

General plan is to seek funds from the various sources as units, not as individuals. Each show and house would constitute a unit, players being asked to contribute modest sums from $2 upward, same going for the stage crew. House managers will attend to the front of the house, but the whole will be credited to show and theatre as one. Same goes for the ticket field, costumers and other accessory businesses.

Last year the legit field was credited with raising $4,000, but a goodly contribution from Madison Square Garden was included. Noted, too, that two foreign actors decided they should give more than others, and each gave $100.

Conn. Tax Defeated

Bridgeport, April 18.

Famous commuters from New York to Connecticut breathed easier last week as state income tax bills were rejected in Hartford legislature.

Representatives of Fairfield county, where celeb dwellers are most populous, and Litchfield county, rural address of many fictioneers and artists, strongly opposed tax measures.

Drills Start for Shubert's 'Follies' at Frisco Fair

Los Angeles, April 18.

Rehearsals begin Friday (24) for J. J. Shubert's production of 'Ziegfeld Follies,' due to open at the Frisco Expo May 16. Show will use 35 principals, 50 chorines and an orchestra of 30.

Contract calls for three or four shows daily for 10-week minimum.

New York recruits for 'Follies' at the Frisco Expo pull in Saturday (22). They include Everett Marshall, Ruby Mercer, Al Trahan, Sybil Bowan, Olivette and Dimitri, Maxine De Shon, Ragg Ragland, Charles Trent, Lillian Carmen and Abbott and Bostock.

ONLY 300 FAIR JOBS FOR LEGITERS

Equityites are disappointed over the outlook for engagements at the New York World's Fair. It had been anticipated that as many as 1,000 members would be berthed there during the summer, taking care of jobless members including WPA letouts. Present outlook is that 300 tops will be engaged at the expo, majority of that total being in one spectacle.

Insistance of the council in establishing what are regarded as prohibitive working conditions and minimums is believed to have discouraged prospective concessionaires. One of the principal handicaps imposed is the six-day week, council being adamant on that point despite the warning that such limitations should not be applied to an exposition, because such ventures depend on operating every day in the week.

Pointed out, too, that weather may be a vital factor, regardless of the shows being in the open, or indoors. Should a stretch of rainy weather, like last summer's, which forced off open air operattas, re-occur, the chances are that a flock of concessionaires would be forced to suspend.

That contention was made in opposition to the demand by some councillors for an exceptionally high minimum. Proponents of the latter idea protested that legit actors should not be required to do four shows daily unless given more pay than on Broadway, for, even though the performance would hardly exceed one hour, they would have to remain on the grounds.

Others on the council saw it differently, however. They pointed out that actors were forced to devote most of the day and evening in rural summer show shops, for which they received a pittance compared to the Fair minimum, also that living conditions in the sticks, including questionable board, unsanitary sleeping and dressing room quarters, made employment at the Fair comparatively much more favorable.

As result of recommendations by the summer stock committee, the council yesterday (Tuesday) passed two regulations governing strawhats. One requires managers to study the association's summer stock rules and post an additional $50 guarantee (besides the regular bond) that it will observe them. Any such guarantees that are forfeited must immediately be replaced. Managers are also required to submit weekly signed statements of the current and subsequent week's bills,

WILL PAVE WAY FOR NEW PLAYS

H'wood's Re-entry in Legit Production Indicates More Tryouts in Strawhats This Summer—Expect Same Number of Crossroad Theatres as '38

GUEST STARS

Although rather early for predictions, indictions are that the coming strawhat season will see an increased number of new play tryouts. However, this view is based more upon the factors underlying future legit production than upon actual plans announced so far. The major factor will be freer Hollywood coin.

According to preliminary survey, there should be about the same number of strawhats lighted as last summer. Actual reports to date indicate that virtually all the regular stands will again be active. But until the rush of announcements are forthcoming during May and June, no accurate comparison is possible.

Chief new aspect in the expected bumper crop of new play tryouts is the anticipated reentry of Hollywood financing into the legit production field. With the Dramatists Guild and the picture studios generally believed on the verge of agreeing to the so-called Wharton-Wilk plan for picture buys of Broadway plays, the major companies are readying to jump into legit producing activity.

It is expected that such a reentry would bring about a sudden spurt in preparations for fall production on Broadway, with a consequent boom in preparatory tryouts in the strawhats. It would be the plays of lesser dramatists that would be involved in the first rush of picture financing —and they are the ones for which summer stock testing would be desired. Plays by major authors rarely require strawhat tryouts, and are usually produced without the need of Hollywood coin.

Notwithstanding the anticipated increase in tryouts, indications are that the revivals will comprise by far the bulk of the summer schedules. 'Our Town,' because of its appealing theme, simplicity of staging and the fact that it is a Pulitzer Prize winner, is expected to be the top item of the strawhat circuit. Other popular

(Continued on page 60)

ONLY RODGERS-HART 'WEDDING' LOOKS SET

Although Rodgers and Hart are tentatively committed for three musicals for next season, only one appears a certainty. This is 'The Wedding Day,' for which Clare Boothe is doing the book. Max Gordon is to produce it, probably early in the fall. Miss Boothe first wrote it as a straight comedy, but undertook to adapt it for music when Rodgers read the script and expressed interest in doing a score for it.

Other two shows contemplated would be for George Abbott, with whom they collaborated and who produced 'The Boys From Syracuse,' and Dwight Deere Wiman, who presented 'I Married an Angel.' Meanwhile Rodgers is busy composing the score for a ballet for the Ballet Russe de Monte Carlo.

with the names of the Equity deputy and the nucleus of Equity cast.

Association's council also granted minor concessions yesterday to the operators of the 'Railroads on Parade' pageant at the World's Fair. The waivers will permit added performances on three special Mondays on payment of one and one-half the regular scale and will slightly relax the 44-hour minimum.

Factionalism Creates Intense Competish for TMAT Offices; P.As Seek 'Favorable' Leaders

Intense factionalism within the Theatrical Managers, Agents and Treasurers union, which has cropped up from time to time, again developed Thursday (13), when a general meeting, principally called for the nomination of officers, was held at the Capital hotel, N. Y. The session was interrupted frequently and at least two motions to reopen nominations were accepted. Most active in the goings-on were the Broadway press agents, one of the several groups in TMAT.

The p.a.s were said to have been motivated by the belief that a move might develop which would deprive them of multiple jobs, that of representing more than one attraction provided they engage assistants. Intimated, however, that any such development would only come from producers who engage such publicists. When the meeting was concluded, it was apparent that the election would be contested because of the number of candidates, all offices having two or more nominees.

P.a. group, minus the support of the outside agents, which out-number the New York group, is known to have made a move to place a new president in office. First candidate selected, however, was found ineligible, not having paid dues each month regularly for the past year, as required. Saul Abraham, who temporarily replaced Lodevick Vroom and was then elected this winter for a short term, was nominated, however, along with Charles Stewart. Not certain that the latter will remain on the ticket, however. Abraham is general manager for Eddie Dowling, Stewart having a similar post with Victor Payne-Jennings, also representing Roland Stebbins.

Dan Melnick, present v.p., was nominated for that job again, but will be opposed by George Ashby and William Fields, one of the most active of the N. Y. p.a.'s. James Murphy was renamed as secretary-

(Continued on page 60)

Carroll Coming Over For 'Kindred' Preem

Paul Vincent Carroll is due in the U. S. during August, when his 'Kindred' will be put into production by Edward Choate. Author is already working on another new one at his home in Scotland.

Meanwhile the London productions of 'Shadow and Substance' and 'The White Steed' are being held up by Sir Cedric Hardwicke's extended stay on the Coast. Actor, who has signed to do another picture, is to repeat his role in 'Shadow' in England. Contracts call for it to precede 'Steed.'

TWO MUSICALS CUTTING TO $3.30 TOP

Whether musical shows on Broadway will attempt to maintain ticket tops of $4.40 during the World's Fair is not yet decided, but at least two out of the four currently having that scale will drop to $3.30. This may influence the producers of the several musicals aimed for early summer display to establish the same boxoffice price. That some straight show managements are considering dropping the top under $3.30 is also reported.

First $4.40 musical definitely to slice prices is 'Stars in Your Eyes,' at the Majestic, which will price all lower floor tickets at $3.30. Because of the stadium-like construction, and the theatre's large capacity, it was thought the show never should have charged more for the rear portion, which has been occasionally curtained off when attendance was light. 'Stars' will drop the matinee top to $2.20, and the balcony scale will be revised downward for night and afternoon performances. New scales will be effective May 1.

'The Boys from Syracuse' is preparing to follow suit at the Alvin. Business for the musical crop has been under expectations since Washington's Birthday and the scale reduction has been mulled. Understood 'Leave It To Me,' Imperial, and 'Set to Music,' Music Box, will hold to the $4.40 top, however. 'Hellzapoppin,' at the Winter Garden, started as a $3.30 show and will continue at that scale.

Incoming musicals which are in doubt as to ticket prices are 'Streets of Paris,' 'Scandals' and 'Yokel Boy.' Nor is it certain where these attractions will be spotted. Indications are that business drawn by the earlier hit musicals during the next month will clarify the situation. All are expected to be contenders for World's Fair visitors' patronage, but the decline in attendance recently leaves some doubt as to whether they will weather the late spring going.

'Yokel Boy' is a book musical due about the middle of June. A booking at the Martin Beck was sought, but a new light opera venture, called the American Lyric Theatre, has the first call on the house and may be a summer stayer. It is due to open May 22 with 'The Devil and Daniel Webster,' with two other attractions to follow. The 46th Street is mentioned as a possibility for 'Paris,' but lights this week with 'Mexicana' a Mexican revue. No booking for 'Scandals' is reported to date.

Charge 2 Brokers With Code Violations; 1 Says It Cut Agcy.'s Biz 50%

Two ticket brokers were interrogated last week by the enforcement committee of the League of N. Y. Theatres on charges of breaching the ticket code, both admitting evasions. What action is to be taken will be decided by the board, and suspension from the accredited list of agencies is likely. Both brokers are signatory to the code, but the filing of bonds to guarantee compliance was never enforced by the League. It was the original intention of providing a means thereby of fining ticket men detected evading the rules.

Those called to account were Louis Ringlehelmer, of the Louis Cohn office, and Phil Furst, who has his own agency. Former was charged with selling tickets at more t' - the 75-cent premium limit set by the code. In admitting such transactions, he averred that the agency's business had declined 50% since the code was adopted and that he could not operate out of the red under the rules.

Furst is claimed to have interchanged tickets with the Acme Agency, which is denied the right to do business with legit theatres or accredited brokers. Understood that tickets secured in the Acme office were found to have been originally alloted to Furst. Acme sought to restrain the League and Equity, co-sponsors of the code, from enforcing it on the grounds that it was in restraint of trade. Report of the referee who heard the contentions is expected to be handed to the court soon.

Plays on Broadway

No Time for Comedy

Comedy in three acts by S. N. Behrman; presented by Katharine Cornell in association with Jay Fleyrheim. Cast: Kathryn Miss Cornell, Laurence Olivier, Margalo Gillmore, Gladys Hurlbut, Catherine Willing, Jo Mielziner; costumes, Valentina; at the Shubert Barrymore, N. Y., April 17, '39; $3.30 top.

Clementine.....Joe Lee James
Linda Scatterbrook.....Katharine Cornell
Phila Smith.....Gladys Hurlbut
Gaylord Easterbrook.....Laurence Olivier
Amanda Smith.....Margalo Gillmore
Robert.....Peter Robinson
Makepeace Lovell.....Robert Flemyng

There was some doubt whether this new play was up to standard, but when the sock third act ended the impression was that it would do very well. By then the earlier, and perhaps average going was dissipated.

With the arrival of 'No Time for Comedy,' Broadway can be said to be doing very well for the World's Fair visitors. It brings back the ever-alluring Katharine Cornell, so that three top-ranking actresses are now on the boards, with Katharine Hepburn in 'The Philadelphia Story' and Tallulah Bankhead in 'The Little Foxes.' 'Comedy' is the fourth and final contribution this season of the Playwrights Co.

As Linda Paige, actress-wife of Gaylord Easterbrook, a successful playwright, Miss Cornell triumphs in her first lighter role. She loves Gay, although he's a lush, but she understands him. Of course, there's another woman, in complication, at least. Amanda Smith is the coldish second wife of a banker. The two women talk it over frankly. Linda describes Gay as being illusive as a lover and as a husband, practically non-existent.

Play starts amusingly enough when Clementine, the colored maid, telephones to a book of the hotel to attempt to locate the wandering author. Instead of Gay making the rounds, he's actually in Amanda's apartment, making himself believe he loves her. Main trouble with him is that ideas for a new play have escaped him, and instead of comedy, with which he is most successful, Amanda urges him to write drama.

Linda isn't clairvoyant, as he thinks, when she visits Amanda's place with an old suitor, having been tipped off about the affair by Amanda's disillusioned husband, Philo. There's a scene between the two wives, Gay goes into a tantrum and declares he will marry Amanda. Another reason for Gay's desire to divorce Linda is because being so attached to her he can't be intrtve. Although he stays out all night, he sends the incompleted script to Linda, then comes home for the anticipated verification that she didn't do.

Then they finish talking it over she suggests that he write a play about herself and Amanda, the tearer-downer and the builder-upper. When he decides that to do so, meanwhile suggestion, it's a cinch they will remain together.

Behrman has been prone to inject too much of the political in his plays. Some appears in the new work, but so brilliantly has he written the third act, during which there's reference to world conditions, that such speeches don't mar the story. It's in the third act that Guthrie McClintic's excellent staging stands out.

In bringing back Miss Cornell, 'Comedy' also recaptures Laurence Olivier from Hollywood and London. His Gay, too, is an excellent performance, coming on top of acting in the filmed 'Wuthering Heights.' One of the best scenes in their discussion of the subject matter of the rejected script, she arguing that death, about which we know nothing, except its inevitability, is not as attractive a subject for playwrighting as life. (Olivier is probably portraying Charles MacArthur.)

The short, but fine, cast has Margalo Gillmore, a good choice as the other woman, also Robert Flemyng, John Williams is the banker, whose outburst in the last act brings rewards. Robert Flemyng, from London, has his innings in a smaller part, while Gee Gee Smith, as the kid, seems something of a gift. She has done radio work, sung with colored bands and now handles virtually all the laugh lines. Ibee.

THE HAPPIEST DAYS

Drama in two acts (eight scenes), by Charlotte Armstrong; staged by Mary Comingore; presented by P. Dwight Sullivan, in association by Courtney Burr, at Vanderbilt, N. Y., April 11, '39; $1.50 top ($4.40 opening).

Norman.....Jimmy Lydon
Alfred Chapin.....William Harrigan
Dorothy Chapin.....Kathryn Givney
Jeff.....John Craven
Edith.....Ella Wiggins
Miles Donovan.....Ethel Wilson
Brian Donovan.....Russell Collins
Kathy.....Kathryn Grant

Tragic little drama of young love rates as an 'honorable failure.' Unlikely to struggle out of the red, for its sombre story lacks popular appeal and its imperfect writing stubbornly fails to ignite the emotions. But it has a compassionate theme, sincerity of feeling and is poignantly played.

Based on an actual case in Jackson Heights, New York, last year, the play deals with the love affair of two high school students with acute sense of beauty and a determination not to let their ecstasy subside into humdrum, as their elders have done. Unable to tell their uncomprehending parents that the girl is pregnant, they agree to end their lives together. But at the end the girl persuades the boy to live, so he may remain to tell others of the concept of beauty they have discovered.

Authoress Charlotte Armstrong has taken only a few essential liberties with the actual facts in the case, but has pointed the theme to some extent. She shows genuine sympathy for the plight of the youngsters and their parents, whose remote point of view inevitably prevents their understanding the youngsters. But her penetrtnsmship is not equal to the difficult task of creating suspense in a story that is still too fresh, in the spectator's mind. Also, she is unable to clarify the mystical theme entirely. However, her tolerance, her simplicity of emotion and reticent writing, Miss Armstrong may yet contribute a fine play to the stage.

Marc Connelly, who replaced Robert Steiner as director, has staged the drama with affectionate skill. Although he has been unable to bring it to life, he has given it flowing movement and has imbued at least a few of its scenes with radiance. As the girl, Uta Hagen gives an irresistibly eloquent performance. Her tender, sensitive, varied and vibrant —much finer than her much-praised performance last season in 'The Sea Gull.'

In such the most difficult part in the play, John Craven also tops his last appearance in 'Our Town.' He is the bewildered, sensitive boy, he is quietly sincere and enormously persuasive. William Harrigan and Kathryn Givney bring sympathetic conviction to the boy's parents, while Ethel Wilson is plausibly gentle as the girl's pitiable mother.

Russell Collins is disconcertingly constricted and muscular as the girl's martinetish father, but Jimmy Lydon is satisfactory as the boy's kid brother, and Dorothea Eller, a newcomer to Broadway, revealed a deft comedy touch in a snap bit part.

P. Dodd Ackerman's sets admirably convey the proper atmosphere of modest suburban respectability. Because of its censorable angles, and the fact that it mirrors an actual case, the play is a doubtful picture prospect. Hobe.

(Write drawn Saturday (15) after seven performances; printed for the record.)

My Heart's in Highlands

Pantomy in one act by William Saroyan; presented by the Group Theatre; staged by Robert Lewis; acting and costumes, Harry Bergman; music, Paul Bowles; at the Guild, N. Y., April 15, '39, for five performances; $2.20 top.

Boy.....Jackie Ayers
Ron Alexander.....Frederick Cherry
Johnny.....Sidney Lumet
Jerry Bergman.....Jack Ayers
Mr. Kosak.....William Hansen
Johnny's Father.....Hans Conried
Rufe Adcy.....Jomos O'Rear
Philip Carmichael.....Lewis Gaze
Henry.....Phil Brown
Mr. Wilson.....Frederick Asbury
Real Estate Agent.....Nicholas Conte
The Blacksmith.....John O'Malley
And Wife.....Catherine Willard
Mr. Adcy.....Moe Grimes
Two Guards.....Charles Shelton, Charles Shelton
Good Friends and Neighbors.....Lois Lake, Eileen Dwyer, Dorothy Fortest, Charles Henderson, Mary Lilas.

The Group Theatre offers what is billed as an experimental presentation, slated for five performances, which should have sufficed despite sharp divergence of opinion. Especially, it does not seem to have a chance, but will continue longer than intended.

'My Heart's in the Highlands' is something of a curio. Some first-nighters seemed to know what it was all about but the majority was in a haze over the author's intent.

It's merely a short play, acted without intermission for one hour and 20 minutes. Originally it was intended for a 40-minutes playlet, and was published as such. In present form 'Highland' is repetitious.

William Saroyan, the author, has written many short stories that are unusual enough to have attracted the attention of the literati. He is of Armenian extraction, which accounts for a woman character in the play who speaks that language, mostly to herself.

The Group Theatre has corraled Philip Loeb for the lead, and also Sidney Lumet, a kid actor of promise. The locale is Fresno, California, just a stopover for the shiftless characters.

The fertile land of the Coast means nothing to Ben Alexander and his young son, Johnny. Ben is a poet, but not so good, but the author brings in some a poet that would win fame after they have died. Ben would rather owe the grocer than till the soil.

Onto the scene comes one, Jasper MacGregor, runaway from an old man's home. He tells the kid that his heart is really in the highlands of Scotland. For the first quarter hour the dialog is amusing, aided by a few common oaths. But when Jasper sounds off on his trumpet, which has an offstage musical effect with the aid of an automatic organ, with other musical effects from the same source, the proceedings assumed more of the unreal.

The Scotsman's music attracts the neighbors and they then bring fruit and other edibles. The trumpeter is summoned back to the asylum and again enters in the poet's domicile become desperate, especially when his verses are returned by the Atlantic Monthly. MacGregor then returns tired and spent. He dies sitting in a chair, about the time when a real estate agent accompanies new tenants to the poet's hovel.

Loeb's conception of an eccentric is perhaps unusual but whether it can register with the average playgoer is questionable. Different, too, is Loeb's affection for the old man. Young Lumet was also in 'The Eternal Road.' His part was reported to be the lead, but Loeb actually takes care of that assignment. Art Smith is the trumpeter. Most of the other parts are small, with some Groupers having no lines. Lighting and direction attractive. Ibee.

Plays Abroad

Heaven and Charing Cross

London, April 8.

Drama in three acts by Aubrey Danvers-Walker; presented by Bernard Miller; staged by Richard Bird. At St. Martin's London.

Wilfred.....Jean Shepeck
Alfred Norman.....George Carney
Mrs. Norman.....Barbara Babington
Mr. Gerrard.....Percy Marmont
Miss Knaggs.....Gwendoline Hill
Thanks.....Frederick Cheer
Bella Wilson.....Pea Moon
Charlie Peck.....Derek Gillies
Victor Peck.....Alan Blakelock
Bella Norman.....Doris Gilmore
Fanny Norman.....Meg Jenkins
Detective-Sergeant Rogers.....Hugh Moxon
Detective-Constable Pember.....Guy Verney

A good play of its kind and well acted. But it's questionable if either the play, by the London author, or the players, who have slwsys been identified with supporting roles, have sufficient draw, except possibly through cut rates.

Single scene is located in the living room back of the Norman's periodical shop in North London. Family consists of husband, wife, several married children, a daughter, a married daughter, who looks after the shop, and a son who's unemployed. Actually, all the usual earmarks of being genuine, and the chrsacters are well drawn.

Aforementioned youth, highly strung, loves the dsughter of a neighboring shopkeeper. When he learns that she has gone to the picture house with another man, he waylays and throttles her, throwing her body into the river. His mother and crippled sister learn of the murder and seek to protect him. Meanwhile, another man is held, and subsequent events see the son killed by a motorbus in attempting to flee and the freedom of the innocent man.

All very sordid and drab, but excellently performed. Main fault is in the amount of tim consumed in getting down to essentials.

Author's performance stands out two through the strength of the roles and one for the artistry of the player. Leads are Mary Clare and Frederick Peisley, as mother and son: the third is George Carney, as the father, who is nothing of apparent consequence to do or say, but assumes importance from the manner in which he does them. Jolo.

THE FAMILY REUNION

London, April 8.

Drama in two acts by T. S. Eliot; presented by Laurence Mast Theatre company; directed by E. Martin Browne; at the Westminster.

Amy.....Helen Haye
Agatha.....Catherine Lacey
Violet.....Gemma Bagnall
Charles Piper.....Marjorie Gabain
Harry.....Michael Marvin Rowan
Gerald Piper.....Colin Keith-Johnston
Mary.....Ruth Lodge
Harry.....Ichael Rodgers
Denman.....Pamela Kelly
Downing.....Robert Horvis
C. Wimburton.....George Woodbridge
Servant Winchell.....Charles Victor
The Eumenides.....Audrey Jon, Helen Latham, Diana Nicholl.

This is the kind of play an author would be justified in boasting of having written, and one in which its backer would regret having invested. Dialog possesses literary qualities, but doesn't make for theatre.

Lord Harry Monchensey, after eight years' absence, returns to the family estate in the north of England after his wife drowns at sea. His return is to celebrate the 70th birthday of his widowed mother, who wishes to turn over to him the management of the property.

Harry then informs the family he had pushed his wife overboard. One of his mother's sisters then explains that Harry's wife was not the man, there's mistress when Harry was within three months of coming into the world, during which period his father had several times attempted to murder his mother. This, then, was an evil legacy, a family curse. Harry then goes forth into the world, to rid the family of the curse.

The lines are splendidly spoken by several of the principals, notably Michael Redgrave, albeit he's a trifle too healthy looking for a man afflicted with a conscience. Catherine Lacy is also excellent. Jolo.

Inside Stuff—Legit

First four in the series of historical playlets for royalty-free performance in schools are being released this week by the Dramatists' Play Service. They include 'Seeing the Elephant,' by Dan Totheroh; 'We'd Never Be Happy Otherwise,' by E. P. Conkle; 'Ship Forever Sailing,' by Stanley Young, and 'Haven of the Spirit,' by Merrill Denison. Copies sell for 30c to cover publication costs. Additional playlets by Paul Green, Ridgely Torrence, Carl Carmer, Lynn Riggs, Melvin Levy, Elizabeth McFadden, John Farrar and Du Bose Heyward will be published later.

All the playlets deal with significant incidents in American history. Project is sponsored jointly by the Roosevelt Memorial Assn. and the Dramatists' Play Service. Authors are paid a flat $200 fee for each script.

Alfred Lunt and Lynn Fontanne will complete their high-grossing tour April 29 in Pittsburgh and then retreat to their farm at Genesee Depot, Wis. Star duo's plans to return to Broadway in repertory this spring were cancelled on account of Lunt's indisposition, diagnosed as a kidney disorder. He expects to be in form by fall, when they are due to repeat in New York with 'Amphitryon,' 'Idiot's Delight' and 'The Sea Gull,' the appearances to be well within the World's Fair period.

In addition the Lunts have two new plays under consideration, and at least one of these is slated for showing along with the revivals.

'The Flashing Stream,' which closed Saturday (15) at the Biltmore, N. Y., after a single week's engagement, will be taken back to England for a tour of the provinces. Run here was to have been limited, with the British tour to follow. Godfrey Tearle, who played the male lead, sailed for London yesterday (Tuesday), while the rest of the cast are following in a few days.

Because the show flopped over here several observers ventured the opinion that Tearle's remarkable resemblance to President Roosevelt was a factor. They reasoned that spectators could not forget the likeness and were unable to accept the play's illusion. Author of the play is Charles Morgan, critic of the London Times and author of a weekly drama letter to the N. Y. Times.

William Saroyan, whose short play, 'My Heart's in the Highlands,' was presented at the Guild last Thursday (13) by the Group Theatre, has authored a flock of short stories. The one which drew him most attention is 'The Man on the Flying Trapeze.' Saroyan appears to have a following among the radically-minded literati. Something of that nature was detected in 'Highlands' by those who saw it Thursday night.

Philip Loeb and 12-year-old Sidney Lumet are the play's leads. Kid actor scored in 'The Eternal Road' and his parents visioned Hollywood for their prodigy, but sought too much coin. Lad, however, should make a career on the stage. He was in Harold Orlob's indie-made film, 'One-Third of a Nation,' Paramount release.

'Mexicana,' which was brought from Mexico, with the opening postponed from Wednesday (20), at the 46th Street, N. Y., has been in preparation for eight months. While not announced as a relief show, it was done under the auspices of Mexico's Ministry of Education, under the supervision of the Department of Fine Arts.

Length of time consumed in getting the revue ready is comparable to WPA's 'Sing for Your Supper,' stated to have spanned 13 months of revisions, rehearsing and recasting. 'Supper' is now slated to open next week at the Adelphi.

'Chautauqua Caravan' (D. Appleton-Century; $3), by Marian Scott, reviews the history of this now-extinct American form of show business, which, starting under ecclesiastical auspices, brought canvas-topped entertainment to 12,000 local communities in the U. S. and Canada, embracing an audience of 5,000,000. Chautauqua circuits in Canada, and even one in Australia, flourished during the heyday of this branch of amusement. Of the tents Scott literally was a veteran of Chautauqua (named after the upstate New York lake) and knows her subject intimately. Her memoirs are human and meaty.

When Jimmy Durante reported at the studio of the N.Y. News for a color photo shot for Sunday rotogravure, he was informed that for the Sunday edition recently, he had the cutaway duds required, but was wearing brown shoes. It was necessary to doctor the plate, which showed the comic with patent leathers. Couple are co-starred in 'Stars in Your Eyes.' Durante borrowed the outfit from the Brooks Costume Co.

After the picture was taken, he entertained publisher Joseph M. Patterson with a number of ditties, there being a convenient piano.

Fourth annual ball of the Ziegfeld Club will be held Saturday (22) at the Starlight Roof, Waldorf-Astoria. Proceeds go to a benefit in aid of the club's fund used to succor former 'Follies' girls who are in need.

Officers of the club are Gladys Feldman Braham, president; Neva Lynne Baldwin, Barbara Hamilton Sarnoff and Mildred Ivory, vice-presidents; Beryl Haley; Fritzie Kuhnemann, secretary; Helen Gates, recording secretary; Katherine Dix, treasurer; Anita Rice Yorks, cashier.

Deploring that the theatre is bottled up in New York instead of being evenly distributed throughout the nation,' Paul Green, U. of North Carolina playwright, urged young dramatists to 'do your bit in your own little niche.' He addressed a session of the 10th annual N. C. drama festival and tournament, which was in progress at the state university last week.

Showmen have watched with some puzzlement the audience reaction at performances of 'The Little Foxes,' National, N.Y. Play is a real bit, yet usually there is a paucity of applause.

Explanation appears to be that onlookers are shocked over the cold-blooded machinations of the heroine, enacted by Tallulah Bankhead.

Az Angol Bank Nem Fizet

('Bank of England Does Not Pay')

Comedy in three acts (9 scenes), with prologue, by Bekeffi and Andor Szabó; Stella; staged by Tibor Hajdus; music, Kornel Abrahám; at Pest Belshaz, Budapest. Richard, the Lionheartedl

Chief Judge.....Gyula Kovary
Stella.....Ilona Szabó
Mary.....Ido Turay
Ruth.....Julia Gyarmathy
Knox.....Denes Gyorgy
Lady.....Lajos Gyarmathy
Manager.....Kopeczi-Boocz

This starts out as a very clever and charming satire, but peters out in boredom. The idea on which it is based is rich, and if cleverly handled, might make a first-rate picture somewhat a la 'Mr. Deeds Goes to Town.' Prolog takes us back to the days of the Crusades, into the tent of King Richard the Lion-Hearted, who is indulging in a game of chess with one of his faithful liegeles between two battles. He loses his stake of one pound sterling, but instead of paying cash, gives his lieutenant an I.O.U. Seven and a half centuries later the lieutenant's descendant, a poor young mechanic, who lives and loves in a sleepy English village, tries to collect Richard's debt from the Bank of England, with compound interest, which runs into untold billions. He sues the Bank for the amount. How gold-diggers, male and female, run after him, how the world goes out of his feet when it looks as if he might win his case and become the richest man in the world, how he loses it, how the girl he cares for can shine more than really happy. In the end he wins the lawsuit, but not the money, which had been swallowed up in the course of centuries by rates, taxes and expenses.

Neither the authors nor the performances do justice to the story, excepting Imre Rudey, who plays the lead excellently. Jacobi

Based on an actual case in Jack-

B'WAY LEGIT B.O. GOES BLAH

THEATRES BRODIE IN EASTER WEEK

The Ticket Brokers Ask for Return of Holy Week—Another Wag Blames Slump on Opening of Trout Season, but It Isn't Funny to Mgrs. — War Scare Hurts—And the Fair

NO RELIEF TILL MAY

Sharp decline in business of a number of Broadway shows last week proved a shock to showmen, most of whom anticipated an upturn with the arrival of Easter and accompanying school holidays. Attractions which inserted an added matinee found the gross unimproved on the week and, in some instances, the count was actually less than the final week of Lent.

In ticket circles there was some gagging about drooping attendance with brokers creaking: 'We'll exchange Holy Week for this.' Usually that period finds the lowest takings of the winter and spring. Another observer more or less humorously remarked that maybe show business was affected by the opening of the trout season, answer being that the agency people might just as well go fishing.

It was no joke to managers, however, and after getting a line on advanced sales for the balance of the month, the indications are that grosses will drop lower this week and next. Reason is the absence of visitors and, as stated recently, New York's hotels are deposited, out-of-towners waiting until the World's Fair opens before coming to the metropolis. Managers report strong mail order trade, but the tickets are for May and thereafter.

Slump Alibis

Last week's slump, however, can also be blamed on other factors, particularly the New York state income tax, deadline for which was Saturday (15). Such payments and the filing of returns appear to have effected trade more than ever before. Another supposed deterrent is the war scare, while the vacillations of the stock markets are not doing show business any good, either.

Only six or seven attractions among 29 held to form. High money went to the leaders as usual, the spectacular drama, 'The American Way,' grossing $41,000 in nine times and 'Hellzapoppin' nearly as much, getting close to $40,000 in 12 performances (daily matinees). Other major musicals could not gain and some declined. Straight show winners were 'The Philadelphia Story,' around $23,000 in eight times; 'Abe Lincoln,' $20,500; 'The Little Foxes,' $21,000, both the latter giving an extra performance.

Current week started with a likely new strong grosser in 'No Time for Comedy' (Barrymore), but last week's presentations included two disappointments. 'The Flashing Stream,' from London, faded from the Biltmore after a single week, while 'The Happiest Days' was yanked from the Vanderbilt after seven performances. Less than $200 nightly after the premieres furnished the reason.

'My Heart's in the Highlands' also arrived, being announced for five showings at the Guild, as an experimental production. Some notices were excellent, but the press was d'stinctly divided. Extra space ads indicate the show will continue.

'Highlands' is at the Guild, which is slated to get 'The Brown Danube' next week, and may move. Also due are 'The Mother,' Lyceum; 'Wuthering Heights,' Longacre ('I Must Love Someone' moving to the Vanderbilt); 'Sing for Your Supper,' promised by WPA at the Adelphi.

Estimates for Last Week

'Abe Lincoln in Illinois,' Plymouth (27th week) (D-1,036; $3.30). Among the attractions which benefited Easter Week; nine performances grossed $20,500.

'Boys From Syracuse,' Alvin (22d week) (M-1,325; $4.40). Slightly up because of added matinee during holiday week; quoted at $21,000.

'Family Portrait,' Morosco (7th week) (D-961; $3.30). Indications now are for religious drama to make grade, although it operated in red for some weeks; over $8,000.

'Gentle People,' Belasco (16th week) (C-1,107; $3.30). Picked up well last week when the takings approximated $10,500; should complete season but not slated for the summer.

'Hellzapoppin,' Winter Garden (31st week) (R-1,671; $3.30). Played matinees daily and in 12 performances got close to $40,000; claimed sellouts except Easter Monday night.

'Hot Mikado,' Broadhurst (5th week) (M-1,116; $3.30). Improved to about $24,500 without playing an extra performance; profitable for colored novelty.

'I Must Love Someone,' Longacre (11th week) (C-1,109; $3.30). Will move to the Vanderbilt after this week; and around $4,000, but management still confident. 'Wuthering Heights' here next week.

'Kiss Boys Goodbye,' Miller (30th week) (C-944; $3.30). Got limited holiday business, and in nine performances again around $9,500, profitable.

'Leave It to Me,' Imperial (24th week) (M-1,468; $4.40). Three matinees, but attendance dropped and gross went to $24,000; engagement's low to date.

'Mamba's Daughters,' Empire (16th week) (D-1,088; $3.30). Slightly better in gross but played nine times for $11,500; looks okay for balance of season.

'My Heart's in the Highlands,' Guild (2d week) (D-914; $2.20). Short play drawing sharply divided notices, with some strongly favorable; opened Thursday (13); was slated for 11th performance, but announced for longer stay, although 'The Brown Danube' slated in.

'No Time for Comedy,' Barrymore (1st week) (CD-1,096; $3.30). Presented by Katharine Cornell and Playwrights Co.; written by S. N. Behrman; opened Monday night (17).

'On the Money,' Hudson (11th week) (R-708; $3.85). Steadily picking up; last week over $13,000, while not big coin, it's satisfactory; tickets on sale until early June.

'Oscar Wilde,' Fulton (28th week) (C-913; $3.30). No extra performance with business around $7,500; doubtful summer stayer.

'Set to Music,' Music Box (14th week) (R-1,000; $4.40). Held to eight showings; around $14,000.

'Skin in Your Eyes,' Majestic (11th week) (M-1,717; $4.40). Another musical affected adversely by Easter and by Easter; around $21,000; ticket prices will be reduced.

'The American Way,' Center (13th week) (D-3,433; $3.30). Although gross did not reach its peak, the list's leader garnered nearly $41,000 in nine performances.

'The Flashing Stream,' Biltmore. Withdrawn Saturday (15); played one week.

'The Happiest Days,' Vanderbilt. Taken off Saturday (15); no gross reported but not promising; played seven performances.

'The Little Foxes,' National (10th week) (D-1,164; $3.30). Gave nine performances and stowed away another excellent gross, around $21,000.

'The Philadelphia Story,' Shubert (4th week) (C-1,387; $3.30). Strongest call in agencies, which have fair percentage of tickets during subscription period; new comedy leader again around $23,000.

'The Primrose Path,' Cort (16th week) (CD-1,059; $3.30). Played the usual eight times and grossed around $7,500; had moved from Biltmore; pace in new spot satisfactory.

'The White Steed,' Golden (15th week) (D-1,230; $3.30). Tickets on sale three weeks in advance, but summer stay doubtful; around $6,000.

'Tobacco Road,' Forrest (280th week) (D-1,107; $1.65). Long Stayer looking forward to World's Fair; performance than $4,000 to slight profit.

'What a Life,' Mansfield (53d week) (C-1,050; $3.30). Gave matinees daily last week and grossed $7,300; said to have made okay profit.

REVIVALS

'Awake and Sing,' Windsor (2d week) (D-1,069; $2.20). Rather disappointing at $5,000.

'Outward Bound,' Playhouse (18th week) (D-873; $3.30). Didn't get as much as expected but, with matinees daily, grossed satisfactory $10,000.

ADDED

'Mexicana,' 46th Street (1st week) (R-1,375; $3.30). Native show imported from Mexico City; last week was called 'Upa y Apa'; opening postponed from Wednesday (20).

'The Quiet City,' Belasco. One of the Group Theatre's experimental plays; opened Sunday (16) without press attendance.

'Pins and Needles,' Labor Stage (73d week). Six numbers added to labor union's intimate revue and the press has been asked to attend changed lineup; around $4,500. claimed okay.

'Frank Fay's Show,' 44th St. Far-

'Women' Nets $9,000 In Return to Toronto

Toronto, April 18.

'The Women,' at $1 top, grossed slightly under $9,000 here last week at the Royal Alexandra. Opening two days were off due to a storm but latter part of the week was practically sold out.

Last September, 'The Women,' at $2.50 top, grossed slightly under $16,000 here.

CORNELL GETS $23,500, BALTO

Baltimore, April 18.

Brief season of legit here is winding up well, with strong favorable reaction to Katharine Cornell's 'No Time for Comedy' at the Maryland last week and steady response to current bookings of Gertrude Lawrence, in 'Skylark,' at Ford's, and three-day date of Cornelia Otis Skinner, in 'Candida,' at the Maryland.

Estimate for Last Week

'No Time for Comedy,' Maryland (1,575; $3.33). Practically s.r.o. right through for this new one by S. N. Behrman, produced by the Playwrights Co. and Katharine Cornell, with latter in the lead. Big mail order helped to great $23,500.

HUSTON-'KNICK'BOCKER' SWELL $20,000, DETROIT

Detroit, April 18.

With near sell-outs the rule throughout the week, Walter Huston's 'Knickerbocker Holiday' Casgeed down a nifty $20,000 at the Cass here last week. Second musical to hit town this season, play got rave notices and plenty of word of mouth.

House dark currently, but reopens Sunday (23) with 'I Married an Angel,' coming in for a week.

Estimate for Last Week

'Knickerbocker Holiday,' Cass (1,500; $2.75). Walter Huston opus got swell $20,000 in nine performances.

Lawrence-'Skylark' Soar to $16,000 in D. C.

Washington, April 18.

Town's interest in Gertrude Lawrence, especially since her last stay here with Noel Coward in 'Tonight at 8:30,' started 'Skylark' off well here last week, while good notices helped, too.

Current is Nazimova in 'The Mother,' with Maurice Evans 'Hamlet' next, and 'I Married an Angel' due week following.

Estimate for Last Week

'Skylark,' National (1,898; $2.75 top). Built to approximately $16,000. The week.

'Angel' Up to $23,000 in 6th Chi Wk., 'Life' OK $8,500; Ian Keith Big for FTP

John Barrymore Play Clicks for 8G in Buffalo

Buffalo, April 18.

'My Dear Children' showed to nearly $8,000, excellent, in four performances here at $2.50 top last week.

Show got enthusiastic audience reception.

Jacob Ben Ami and Samuel Goldenberg, in a Yiddish stock production of 'Awake and Sing,' grossed over $800 for one performance here Sunday night.

'TOWN' WEAK $8,500, 'MICE' GOOD 11G, L. A.

Los Angeles, April 18.

Jed Harris' coast production of 'Our Town,' despite prestige of winning a Pulitzer prize, was no prizewinner in first of two weeks at the Biltmore here. Opus drew good Hollywood opening but after that sagged. Bulk of original New York cast was employed.

Wallace Ford production of John Steinbeck's 'Of Mice and Men,' in association with Sam H. Harris, winds up two and a half weeks at El Capitan, Hollywood, Saturday (22). Ford, well liked here, and most of original New York cast, are featured.

Estimates for Last Week

'Our Town,' Biltmore (1st week) (1,654; $2.75). Failed to arouse expected enthusiasm but snared $8,500 anyway.

'Of Mice and Men,' El Capitan, Hollywood (2d week) (1,560; $2.50). Hit good pace, passed $11,000.

WPA

'Run, Li'l Chillun,' Mayan, 10th month.

'Two-a-Day,' Hollywood Playhouse, 25th week.

'High Tor,' Belasco.

'Road' Passes $12,000 In 2 Cities; 3 M'w'kee Visits

Milwaukee, April 18.

In for five days, 'Tobacco Road' started slowly last week but then sold out two eves and a mat. The third time 'Road' was here.

The Davidson relights Saturday (22) for a mat and an eve of the University of Wisconsin 41st annual Harestoot Club production, titled 'Annex Me Another.' 'Kiss Boys Goodbye' come in for four days beginning May 3.

Estimate for Last Week

'Tobacco Road,' Davidson (1,500; $1.65 top). Critics were gracious. Little advance sale. Over $7,000 in six shows. Sunday (9) to Thursday (13), then to Peoria, where it was jacked up to better than $12,000 on the week.

3 Shows in Hub; Evans Rep Builds To $15,000, 'Candida' 10G, 'Lady' 7G

Boston, April 18.

Maurice Evans came in last week with 'Hamlet' and 'Henry IV'; opened moderately, but gradually built to good proportions. Cornelia Otis Skinner did fair in a week of 'Candida' and Elissa Landi took third money with 'Lady Has a Heart,' at $1.10 top.

'Lady' is the first of a series of $1.10 shows produced here by Wee and McCoy, and is holding for a second frame. Next in this series is 'Our Town,' starring Eddie Dowling, opening April 24.

Another $1.10 offering, 'The Women,' opened yesterday (Monday) at the Opera House, a return engagement. The D'Oyly Carte Co. opened a month's engagement at the Colonial (yesterday) Monday with the biggest advance sale ever amassed for Gilbert & Sullivan repertoire in this city. Mail order intake alone was about $40,000.

The Federal Theatre has announced a preem of 'Lucy Stone,' by Maud Wood Park, on May 3, based on Alice Stone Blackwell's biography of her famed suffragette mother. The FTP 'Pinocchio,' terminating April 29, is getting a good play from school kids.

Estimates for Last Week

'Hamlet' and 'Henry IV,' Shubert (1st week) (1,590; $2.75). Full-length 'Hamlet' and 'Henry IV' both accorded raves by the press. Opening of three shows April 10 split business all over town, but the Evans offering held up better than downtown, and topheavy houses all the way. Took around $15,000, or more week.

'Candida,' Colonial (1,643; $2.75). Miss Skinner has a loyal following here, but the carriage trade let her down somewhat, except for matinees. Fairly hefty balcony b. all the way, adding up to satisfactory $10,000 for the single stanza.

'Lady Has a Heart,' Plymouth (1st week) (1,480; $1.10). Tepid response from press and public, but garnered about $7,000. One more frame.

Chicago, April 18.

This coming weekend will see some changes in the loop legit picture, with one show exiting and two arriving. 'I Married an Angel' quits the Grand after seven weeks of good business, and will be replaced by 'Knickerbocker Holiday' on Sunday (23). Harris relights Monday (24) with 'Skylark,' which will bring Gertrude Lawrence to town for her second appearance here this season.

'What a Life' is nearing the end of its stay at the Erlanger, its life having been prolonged beyond early expectations since the spread of party trade for the high school farce.

Federal Theatre Project looks to have a winner with Ian Keith in the Shakespearean rep series, starting with the current 'Othello' at the Blackstone. Keither garnered plenty of newspaper comment and approval. FTP will replace 'Big Blow' at the Great Northern, with 'Awake and Sing,' in Yiddish, starting April 23.

Nothing else in immediate prospect, though several shows are being rumored, particularly Maurice Evans in 'Hamlet.'

Estimates for Last Week

'I Married an Angel,' Grand (6th week) (1,300; $3.30). Upped to $23,000 on closing notice, ended here Saturday (22).

'What a Life,' Erlanger (6th week) (1,400; $1.65). Weekends excellent. Got $8,500, fine.

WPA

'Big Blow,' Great Northern. Two more weeks.

'Othello,' Blackstone. Opened last week and got splendid reaction.

'KISS BOYS' BIG $14,500 IN ST. L., 1ST OF 2 WKS.

St. Louis, April 18.

With the end of the legit season two weeks away, 'Kiss Boys Goodbye' is the first play this season to be booked here for two weeks.

Show came in last week from Chicago and did big all the way.

Estimate for Last Week

'Kiss Boys Goodbye,' American (1st week) (1,707; $2.50). Collected nifty $14,500. Nice advance for current week.

Lunts $18,000 in Cincy; Huston Show Comes In

Cincinnati, April 18.

Local legit season ends Saturday (22) with close of three-day engagement by Walter Huston in 'Knickerbocker Holiday' at the Cox, which is dark during first half of this week. Top is $3.30. Good advance sale.

Estimate for Last Week

Lunt-Fontanne Repertory, Taft (2,500; $2.83). Swell reviews and around $18,000, very good in this stand.

Future Plays

'The Upward Trend,' a satirical modern comedy by John Ward Bayly, is recent acquisition of Lee Shubert, who, as yet, has not set a definite date for the unveiling. Deal was arranged by Dr. Edmond Pauker.

'The Great Adventure of Woodrow Wilson' has been bought by Lewis Gensler, through Dr. Edmond Pauker. Production is scheduled for next season.

'Saturday Night,' first play by Vicki Baum, novelist who wrote 'Grand Hotel,' has also been acquired by Gensler for production next season.

STEWART SABIN OUT

Rochester, April 18.

Stewart B. Sabin, who has combined the jobs of p.a. for the Eastman School of Music and music editor of the Rochester Democrat and Chronicle since the school was established 15 years ago, has retired from the newspaper job and plans to leave the school in June.

Norman Nairn, former managing editor of the Rochester Times-Union and the Plainfield, N. J., News, takes over the music editor spot.

ing weekly, around $6,000; 'Swing Mikado' moving in from New Yorker under commercial sponsorship; Fay may switch to the St. James.

WPA

'Swing Mikado,' New Yorker.

'Pinocchio,' Ritz.

Plays Out of Town

THE MOTHER

Richmond, Va., April 14.

Drama in three acts by Karel Capek; English version by Paul Selver and Miles Malleson; presented by Victor Payne-Jennings in association with Kathleen Boling-ton; stars Alla Nazimova; directed by Malleson; staging, Lester Polakov; at the Lyric, Richmond, April 14, '39; $2.20 top.

The Mother	Alla Nazimova
The Father	Reginald Bach
Andrew	Stephen Ker Appleby
George	Carl Norval
Man's Loudspeaker	Morvin Wells
Woman's Loudspeaker	Anne Young
Christopher	Alan Brixey
Peter	Tom Palmer
Tony	Montgomery Clift
The Old Man	Edward Broadley

Nazimova's new vehicle, the last play by the late Karel Capek, is among her best. Timely, beautifully staged and well cast, it presents a conflict between mother-love and hero worship, with troubled modern Europe in the background. Without taking sides, the drama offers bitter propaganda against political violence of all kinds. It is, in effect, a modernized 'We are Brides,' with which Nazimova scored one of her most resounding successes years ago.

The mother, Nazimova, has seen her husband, a heroic soldier, sacrificed in a colonial campaign and her oldest son die of fever in the pursuit of science. With her four remaining sons, whom she has educated at great sacrifice, she finds her home surrounded by the forces that now agitate central Europe. One by one the five sons, worshipping the memories of their dumb, duty-bound father, give up their lives until the mother is left with only her youngest, a sensitive boy whom she has trained to despise masculine heroics.

Desperately, with the memories of her dead at her elbow constantly arguing the righteousness of the cause for which they sacrificed themselves, she struggles on, only to surrender when a foreign army invades the revolutionary land and her last boy is needed to fight an enemy that is machine-gunning school children from the air.

Nazimova gives a restrained, tingling performance. She has the only femme role. In support, Reginald Bach, as the father, and Carl Norval, Alan Brixey, Tom Palmer and Montgomery Clift narticularly distinguish themselves. The production has none of the rough edges common to Broadway tryouts, and on opening night it shook staid, complacent Richmond for 11 curtain calls. With Louise Hampton in the title role, 'The Mother' is currently playing in London.

THE BROWN DANUBE

Pittsburgh, April 17.

Melodrama in three acts (six scenes) by Burnet Hershey; presented by Bonfils & Somnes; Yes-mas Jay and Dan Jagger; directed by George Somnes; settings, John Root; at the Nixon, Pittsburgh, week of April 17, '39; $2.75 top.

Elsa	Frederica Going
Ludwig	Edward Fielding
Heinrich	Damian O'Flynn
Zita	Gladys Henson
Erika	Foy Wray
Hedwig	Jessie Denton
Anton	Albert Bergh
Stefan	Reginald Bach
Trooper	William Shea
Prince Otto	Ernest Lawford
Franz	Robert Vivian
Mr. Mueller	Henry Hull
Lieut. Schultz	Edward Franz
Waldemann	Norman Feusier
Ernst Hammaka	Dean Jagger
Cardinal von Urban	John Sickes
Johann	Paul Politano
Lieut. Grunzel	Francis Cleveland
Reinsch	Robert Lindsay
Dehlmann	Frank Richards
1st Trooper	Alfred Wood
2nd Inspector	William Shea

Playwrights invariably run into something bigger than they can handle when tackling World War subject. Burnet Hershey, who has been a distinguished foreign correspondent for 20 years, meets the same fate as all others in 'The Brown Danube.' It tries hard but misses the same way.

It begins to look like any real contribution to the stage on the Hitler theme will have to wait until the distant future when the atmosphere clears and the scenes are balanced. At the moment, the daily headlines are so much more exciting than anything mere dramatists can put on paper or mere actors can play.

'Brown Danube' has some flashes of good writing but generally it's a pretty static drama which covers a flock of well-known facts without much sound embroidery or inventiveness. Furthermore, the play in its present form is too long, with heavy first act running almost an hour. Acting for most part and direction are sluggish.

The play, which occasionally resembles the Sinclair Lewis-John Moffitt, 'It Can't Happen Here,' is laid in Vienna one week after the 'Anschluss,' and concerns an 'Aryan' family of royal birth that comes under the unwanted Nazi influence. High party official in that district turns out to be the son of a former tenant farmer on the estate, and he's always had his eye on the Princess Erika but regarded her as untouchable. However, now he sees his chance, and to further personal and political ambitions offers her marriage in exchange for her brother's freedom. He's been imprisoned in a concentration camp for technical treason in a bank transaction.

Gal agrees but takes back her acceptance when she thinks the Nazi has gone back on his word and killed her sweetheart, who's also in the army, but doesn't support the policies. The Nazi then decides to arrest the entire clan but changes his mind when a kind and church pulls out the family-tenant records and shows the Nazi he was born a Jew. At that, latter leaves, the whole flock departs for other parts unmolested and in the end it turns out that Uncle Otto was only a rabbit out of his hat at just the psychological moment.

For the leading role, Bonfils & Somnes have brought on from Hollywood Fay Wray, whose only legit experience was with a couple of strawhat theatres last summer. Impossible to get much of a line on her last night (Monday) since Miss Wray was too nervous and her performance, as a result, was uneven all the way. However, she looks like a million, which can carry her over plenty of rough spots. Dean Jagger, who was previously in 'Missouri Legend' and 'Everywhere I Go,' in this season, clicks for the third time in a row as the Nazi, and snares the top acting honors of 'Brown Danube' without a struggle. Ernest Lawford scores as Prince Otto and John Sickes is good as the Cardinal. Others are just so-so.

Production looks rather costly and John Root has designed some excellent sets. Costumes are likewise stunning, with Miss Wray exhibiting a particularly fetching wardrobe. Chances, though, look slim. Cohen.

CLEVE. SYMPH MEMBERS UP FOR STREET PLAYING

Cleveland, April 18.

Fifteen musicians in the Cleveland Symphony, as well as Rudolph Ringwall, assistant conductor, were arrested earlier this week for playing on the main stem here without a permit and blocking weekend traffic. When Ringwall explained that there wasn't enough money to support them or the civic orchestra this summer, forcing them to toot on the streets, the judge ordered them to give a sample of music.

After hearing a court concert and testimony of several of town's tycoons in their defense, Judge W. C. Keough threw out the case.

Gabagan for 'Fiddle' In L. A. Opera Festival

Los Angeles, April 18.

Helen Gahagan will do the featured role in 'Cat and the Fiddle' for the week of May 29 in the second annual Los Angeles civic light opera festival at Philharmonic auditorium.

Previously signed for the festival were John Charles Thomas, Francia White and Alan Jones, former Metro player, who is slated to open the series with 'Desert Song' the week of May 15.

Rifle Theatre's B.O.

Ft. Wayne, April 18.

The box-office of the Shrine theatre was rifled two nights before Jeanette MacDonald was scheduled to make her first concert appearance here Friday night (14), and robbed of $800, $200 of which was in cash, the rest in money orders.

Miss MacDonald's concert was sold out weeks in advance.

Chi Signs Ballet

Philadelphia, April 18.

Catherine Littlefield ballet company has been re-engaged for the Chicago opera season next year.

Group will be the official ballet for the company during its eight-week season, starting in October.

"STARS IN YOUR EYES"
Mgt.: LOU CLAYTON

Unions—League

(Continued from page 57)

the other unions first agree to also work Sundays at the regular pay scale.

It was felt, however, that Equity should not be called on to go to the expense of the referendum, with a chance that the others might nix the actors' stipulation. Cost of such a ballot to the membership is about $700, and, at this time, Equity is taking measures to reduce expenses. Usually members are allowed 30 days in which to send back referendum ballots, but it is thought the process can be speeded, so that shows can get the full benefit of Sundays from Fair visitors if these performances are to eventuate.

Around Equity it is realized that Sundays will have to be tried eventually, if not at present. This is in line with various suggestions on ways and means of bettering the welfare of the theatre. Present plan calls for Sunday per'ormances for approximately six months, it then to be decided whether the Sabbath rule should become permanent.

If Sundays do go on the schedule permanently, expectation is that Equity will adopt the same rule as applied in Chicago, when an extra eighth applies if performances are given more than eight times weekly. Nearly all legits there play Sunday, but not all give a ninth performance, either dropping Monday nights or a matinee. Nine-performance schedule on Broadway appears dependent on amending the Sunday law.

TMAT Competish

(Continued from page 57)

treasurer, the only office not in competition. For business agents, the present incumbents, Hal Olver and Morris Seamon, were nominated along with Clarence Jacobson and Joseph Grossman.

Pa.'s Outnumbered

Grossman is of the Yiddish group, which is lined up with the p.a.s, but combined they are not numerically equal to the treasurers group, which is said to favor the present officers. 'Deals' were reported in the making prior to the meeting, but electioneering tactics were resorted to.

Figured in the activities is a limited number of members working with the WPA theatre project. It was expected that they would be exempted from the one per cent levy on working members, which is additional to the dues. Matter, however, was not reached, but the intention is that the assessment will be made on the basis of members not earning $50, or more, a week. Latter figure is the salary paid assistant treasurers.

Martin Lacey, head of the teamsters union, appeared and spoke about fair competition. He asked company managers not to change transfer men who have been used by producers in the past. Lacey explained there were comparatively few men in the union and a loss of haulins may mean idleness. Transfer unionists was given the floor because of his friendly action for TMAT last season, when he is said to have threatened not to move certain shows unless the young union was recognized. Lacey's action was to order his men not to cross a picket line, and TMAT was then picketing several theatres. Believed that such action hastened the managers to sign a basic agreement with TMAT.

TMAT was slated to appear before the New York city council to protest against the failure of the World's Fair to recognize the union, which hoped to place a flock of ticket sellers in berths there. Union will also huddle with the League of New York Theatres, with the idea of agreeing on changes to the basic contract.

Ray Goetz Gets English Rights to French Click

Paris, April 10.

E. Ray Goetz has acquired the American production rights of one of this season's current stage successes, 'Les Jours Heureaux' ('Happy Days'), by Claude-Andre Puget.

Irvin Marks, who was the go-between here, states Goetz first intended to produce on the Coast but now will do it in New York where he now is.

Pic Coin to Dress Barns

(Continued from page 57)

pieces, however, will probably include 'The Women,' 'You Can't Take It With You,' 'Brother Rat,' 'On Borrowed Time,' 'Shadow and Substance,' 'Bachelor Born,' 'Room Service,' 'The White Steed,' 'Susan and God,' 'Outward Bound,' 'Missouri Legend,' 'American Landscape,' 'What a Life,' as well as the traditional favorites of recent seasons.

More Guest Stars

Guest stars, particularly film names, which have been a trend of recent strawhat seasons, are expected to be even more numerous the coming summer. Number of Hollywood stars and ex-stars are being offered and several guest-star tours are already tentatively set.

There have been a few management changes at the more important stands. Warren Munsell, Jr., and John Haggard will operate the Country Playhouse, Westport, Conn., which is owned by the Lawrence Langners and was operated by them in association with Gilbert White and Richard Skinner's Westchester Playhouse, Mt. Kisco, N. Y., last year. Leonard Sillman, with Bruce Powell and Herbert Bayard Swope, Jr., will have the Chapel Playhouse, Great Neck, L. I., which Elissa Landi and Albert Tarbell ran last summer. Louise and Jean Platt, in association with Olive Warren, and with Nate Beers as general manager, will operate the Guilford, Conn., stand.

Morgan Farley, currently in 'Outward Bound,' at the Playhouse, N. Y., will head the Nantucket Players on Nantucket Island, while the Vanguard Theatre, which had its playhouse at Matunuck, R. I., washed away in last fall's hurricane, has taken over the Red Barn, Locust Valley, L. I., presumably beyond the reach of tropical storms. St. John Terrell has assumed charge of the Bucks County Playhouse, New Hope, Pa., and Philip Carr, Alfred Wagstaff and Alfred Leaman have acquired the Ridgefield, Conn., theatre. Such regulars as Ann Arbor, Mich.; Barter theatre, Abingdon, Va.; Elitch's Gardens, Denver; Ivoryton, Conn.; Mohawk Drama Festival, Schenectady, N. Y.; Newport Casino; Ogunquit, Me.; St. Louis Muny; Sterling, N. Y.; Stockbridge, Mass.; Suffern, N. Y.; Mt. Kisco, N. Y.; Dennis, Mass., and Skowhegan, Me., will be under the same managements.

This Summer's Strawhats

Following is a tentative list of strawhat spots listed alphabetically by towns, rather than theatres, since the trade best identifies them thus. Name of management and scheduled date of opening is included where known. Additions later.

Ann Arbor, Mich. Helen Arthur. May 15.
Barter theatre, Abingdon, Va. Robert Porterfield.
Bennington, Vt.
Bridgehampton, L. I. Edgar Mason.
Bucks County Playhouse, New Hope, Pa. St. John Terrell.
Capitol Players, Foot Guard Hall, Hartford, Conn. Alan Moore. June 15.
Chautauqua, N. Y. Frederic McConnell and K. Elmo Lowe.
Clinton, Conn. Jackson Halliday.
Cohasset, Mass. Alexander Dean.
Community Playhouse, Spring Lake, N. J. Tom Bate-Watson Barrat.
Cooperstown, N. Y. Washington Square Players.
Cornell Summer theatre, Ithaca, N. Y.
Cragsmoor, N. Y. Hugh Neville.
Deer Lake theatre, Hamburg, Pa. William Lovejoy.
Dennis, Mass. Raymond Moore and Richard Aldrich.
Dutchess County Players, Poughkeepsie, N. Y. Janet Lamb.
East Hampton, L. I. Leighton Rollins. June 1.
Elitch's Gardens, Denver, Col. Al Gertler.
Essex-on-Lake-Champlain, N. Y. Harrison Lewis.
Farragut Players, Rye Beach, N. H. July 3.
Fitchburg, Mass. Guy Palmerton.
Forty-Niners, Whitefield, N. H.
Gloucester, Mass. Florence Evans and Florence Cunningham.
Great Neck, L. I. Leonard Sillman, Bruce Powell and Herbert Bayard Swope, Jr.
Green Lake Players, Orchard Park, N. Y.
Greenwich, Conn. Walter Tupper Jones. July 5.
Guilford, Conn. Louise and Jean Platt, with Olive Warren.
Hedgerow theatre, Moylan-Rose Valley, Pa. Jasper Deeter.
Ivoryton, Conn. Milton Stiefel.
Keene, N. H. John Ferguson and Freeman Hammond.
Kennebunkport, Me. Robert Currier.
Lake Pleasant, N. Y. Malcolm Atterbury.
Litchfield, Conn. Charles O. Carey. May 30.
Locust Valley, L. I. Vanguard theatre. June 26.
Marblehead, Mass. Jock Munro.
Maverick theatre, Woodstock, N. Y. Vincent Hall.
Memphis, Tenn. Reginald Hammerstein. July 7.
Milford, Conn. Richard Merwin.
Mohawk Drama Festival, Schenectady, N. Y. Charles Coburn.
Montclair, N. J. J. H. Kirkham. Already operating.
Mt. Kisco, N. Y. Richard Skinner and Day Tuttle. June 19.
Nantucket Players, Nantucket Island, Mass. Morgan Farley and Barham Yarborough.
New London, Conn. Carlisle Smith.
New London, N. H. July 5.
Newport, R. I. Helen Arthur.
Nuangola, Pa. Royal Stout.
Ogunquit, Me. Walter Hartwig. June 27.
Olney, Md. Steve Cochran.
Paint Shop theatre, Somerset, Pa. Bruce Hewitt.
Pawling, N. Y. Maryverne Jones. May 29.
Petersborough, N. H. Edith Bond Stearns.
Pinebrook theatre, Nichols, Conn. Joseph Daniels.
Reginald Goode Players, Clinton Hollow, N. Y.
Ridgefield, Conn. Philip Carr and Alfred Wagstaff. June 26.
Ridgeway theatre, White Plains, N. Y. Felix Jacoves. June 19.
Roanoke Island, N. C. Howard Bailey. July 1.
St. Louis Muny. Richard Berger. June 2.
St. Louis Civic theatre. Gordon Carter. June 30.
Saybrook, Conn. Milton Stiefel.
Skaneateles theatre, Syracuse, N. Y. Virginia Franke.
Skowhegan, Me. Meiville Burke.
Stockbridge, Mass. William Miles. June 26.
Stony Creek, Conn.
Suffern, N. Y. Robert Cutler.
Surry Players, Surry, Me. Sam Rosen.
Tamworth, N. H.
Teaneck, N. J. Anthony Jochim. July 6.
Theatre-in-the-Woods, Norwalk, Conn. Henriette Wakefield.
Theatre-of-the-Four-Seasons, Roslyn, L. I. (WPA).
Vineyard Players, Oak Bluffs, Mass. Phidelah Rice-Chas. E. Cook.
Washington Irving theatre, North Tarrytown, N. Y. Ann Seranne.
Westboro, Mass.
Westford, Mass. Don Westmore and Joseph Lawren.
Westport, Conn. Warren Munsell, Jr., and John Haggard.
Wharf theatre, Provincetown, Mass. N. McKay Skinner.
Williams Bay, Wis. Hez Dietenthaler and Eli Popa. June 21.
Woodstock Playhouse, Woodstock, N. Y. Robert Elwyn.

Broadway

Harry Gold to Miami to join Jack Schlaifer.

William Brandt to Bermuda Monday (19) to recuperate.

Mrs. Gradwell L. Sears underwent an operation Thursday (13).

Jay Fassett, legit actor, has bought a home in Sun Valley, Idaho.

Bob Weitman, bedded for a week with tonsilitis, back on his feet.

Juliet Forbes set for the Stony Creek (Conn.) stawhat this summer.

Jerry Wertheimer, 20th-Fox exec, in town in advance of Joe Schenck's visit.

Dick Raymond, son of Al Raymond (and Caverly) now a Hotel Astor maestro.

Tom Kane, manager of southern 'Kiss the Boys Goodbye,' recovered from influenza.

Lou Clayton (Jackson and Durante) just out of the hospital after a nose-bobbing.

First trip back to Broadway for George D. Lottman since headquartering in Miami.

Max Cohen, president of N. Y. State Allied, calls himself N.C.C. (no comment Cohen).

Steuben Tavern at 42nd and Broadway, now closed, reopens as the Crossroads cafe.

Scores of show people tried their luck at the opening of the races at Jamaica Saturday (15).

John Murray, co-author of 'Room Service,' has bought a farm in Dutchess county, N. Y.

Ben Simkhovitch has nearly completed the play he's doing on his Rockefeller fellowship.

Margaret Perry on her Arizona ranch writing short stories with an Elizabethan background.

Louis Lifton, Monogram publicist, had his Jackson Heights apartment ransacked by a burglar.

Harvey Day, ex-VARIETY, has joined the Warner staff to sell film short of the Cincinnati exchange.

Nine Old Men and Bob Ripley's softball team in game at Madison Square Garden May 9 for charities.

Joseph Ziegler, former vaudevillian and owner of Zig's cafes in Jersey, wed to Ann Warner, publicist.

Lillian Hellman intends remaining in New York indefinitely. She has no immediate stage or picture writing plans.

Beth Brown scripting 'The Girl from New Orleans' for Republic, via the mails. Doesn't have to go to the Coast.

Police coverage of the Broadway sector for the World's Fair has been increased to eight squads of eight men each.

After 10 years' life-of-the-partying at Totem Lodge, borscht circuit spot, Henry Tobias will ditto at Grossinger's this season.

Al Steffes returned to Minneapolis Friday (14), saying he's going to start a Communist theatre and hopes somebody collects him.

Mrs. Julius Colby, wife of the critic of the New York Journal of Commerce, and Julius Colby, in Lenox Hill hospital for checkup.

Lester Thompson (Hays office) has left the hospital, but will be confined to his office for a week or 10 days. Underwent a mastoid operation.

Joe Laurie, Jr., is back on Broadway by easy stages, leaving Hollywood and the Joison radio program via Mexico City and a month of cross-country jaunt.

Testimonial dinner was given to A. H. Morehouse, RKO trustee, at the Hotel Astor Thursday night (13), by RKO. Morehouse goes to Hollywood as a producer.

Dick Himber's band into the Paradise, April 20, at the Broadway Paramount, May 20, and into a legit, 'Yokel Boy Makes Good,' end of June. Beside radio.

Charlie Einfeld returns to the Coast after the $2 preem of 'Juarez' at the Hollywood, N. Y., next Tuesday (25) and opening of 'Nazi Spy' at the Strand Friday (28).

Free lancers reducing put Cornelius Vanderbilt, Jr., into the hosp, but that didn't interrupt his regular evenings, plus a sentry box at Liberty mag which he had to finish up.

Phyllis Welch, film actress, back from the Coast. Will be married M-y 24 in New York to a San Francisco non-pro. Intends living in Frisco and continuing in pictures.

Bill (Papacan) Halligan has quit selling Pabst beer for Majestic Radio & Television in Chi. That's what you get for talking innocently to a banker,' writes VARIETY's cub reporter.

Bill Powers, Skouras executive, now permanently in New York, shudders over what may have happened to him if he'd have to stick in California longer than he did—two years.

Sixth Avenue pedestrians discovered only in the last 10 days how the marquee of the Music Hall really looked, now that the 'L' trestle in front of Radio City has been torn down.

Harry Horner will design the settings for Sidney Kingsley's 'The Outward Bound,' which the Theatre Guild will produce next season. Designer plans a Coast vacation early in the summer.

N. Bernard Freeman, managing director for Metro in Australia and New Zealand, who came in from the Coast last week, plans to remain in New York for homeoffice huddles for at least a month.

W. Buchanan-Taylor, publicity manager for the Cumberland hotel and Lyons eatery chain, London, back to England after two months bolidaying in Hollywood with the Winnie Sheehans, et al.

Hotels are in a quandary masterminding the new sked of rates after May 1. Will boost for the Fair, of course, but are leery of reaction from the natives. Squawks already in plenty, in anticipation.

Grace Moore, after her western concert tour which began Monday (17) at the Civic Opera House, Chi, and to include Vancouver, Seattle, Portland, Frisco, L. A., and Pasadena, returns to New York to sing at the World's Fair May 21.

Paul Nathanson, son of N. L. Nathanson, Canadian film tycoon, and A. W. Perry, will be on hand for a sales steamup in Canada the end of May for the Empire Universal exchange system. Both were in N. Y. for the Republic Eastern-Canadian convention.

Slated for the memory of Oscar Hammerstein will be dedicated at the Manhattan (nee Hammerstein's) Opera House early next month, with Daniel Frohman on the committee in charge. Ted Hammerstein is chairman. Statue is the gift of Abe Ellis, the coatroom concessionaire and present owner of the opera house.

Paris

By Hugo Speck

Maurice Schwartz in town.

Charpini and Broncato to Nice.

Robert Florey in from America.

Georgius heading new Bobino revue.

Bennett Bros. into new Alcazar revue.

Mlle. Bocchini elected 'Madelon de France 1939.'

Charles Trenet planning American visit in July.

Max Ophuls to make film based on the Rothburgs.

Royal Cinema new Rue Royal cinema showcase.

Rasimoff recited at Chalet Iot Palace April 25.

Merle Oberon in on Normandie and Côte d'Azur.

The Adolph Zukors in for few days before sailing home.

Theatre de Montparnasse troupe off for Balkan tour.

Nadia Dauty to Toulouse to star in 'Tois Valse' production.

Jim Witterled to Antwerp with Duke Ellington orchestra.

Mary Rossi in from Berlin, where he played the Scala for a month.

Leo Joannon commenced 'L'Enigmatique,' starring Edwige Feuillere.

Louis Bromfield and Ben Miggins named chevaliers of Legion of Honor.

Le Gabin learning sailor's duties for his next, 'Remorques,' which Jean Gremillon will direct.

Harold Lloyd working overtime trying to get the Cinema bill difficulties for Yanks ironed out.

Jaime Davenport to make film version of 'French Without Tears,' with Anthony Asquith, film in London.

Prefect of Department of Seine and Oise condemning a number of cinemas on 'public safety' grounds.

Betty Stockfeld signed for femme lead of 'President Haudecoeur,' which Jean Dreville is to direct.

Henri Varna has engaged Sarah Carlth, who'll present lion-taming act in nude in new Alcazar revue.

Alsie Cohen, over from London, bought English rights of 'Derriere la Facade,' 'Entente Cordiale' and 'Fin de Siecle.'

'Serenade,' tracing parts of Schubert's life, also included in film. Harvey. Claude Dauphin to have role of the composer.

Henri Decoin, Andre Harvez and Paul Misraki writing operetta in which Micheline Cheirel is scheduled to star in fall.

Sandra Rambau robbed of nearly $10,000 in jewels and money in her apartment after being bound and gagged by two armed bandits.

Otto Indig, Hungarian scribbler, writing scenaric temporarily called 'Grand Rendez-Vous,' which Raymond Bernard will make with Jan Kiepura and Marta Eggerth this summer.

Minneapolis

By Les Rees

Ray O'Brien, RKO h.o. representative, in town.

Wayne King orchestra scheduled for Orpheum April 28.

Charles Stoebel, M-G salesman, new daddy of a daughter.

Arnold Hirsch back with swing band unit at Orpheum.

Universal reports two best consecutive weeks of business in more than a year.

Sportsmen's show at Auditorium, featuring Lotte Mayer's diving girls, drew record crowds.

Another traveling attraction, 'Kiss the Boys Goodbye,' penciled into Lyceum April 28-29.

Willis Kent, Hollywood indie producer, here conferring with Reno Bros. on distribution of 'Mad Youth.'

Morrie Abrams, M-G exploiteer, in Rochester and Mankato, Minn., working on 'Pygmalion' and 'Huckleberry Finn.'

Twin City Variety club members who will attend national convention in Detroit this month include Chief Barker W. A. Steffes, Bennie Berger, W. H. Workman, Eddie Ruben, Sydney Volk, Ben Friedman, Ben Blotcky, Abe Kaplan, George Granstrom and Bill Elson.

London

Season of Ballet Tambert due in West End May 1.

Warner's Teddington Studios reopened last week.

Jeanette Macdonald being offered here for summer concert tour.

Barre Lyndon has written new play on English night club life.

Louise Brown's cancelling trip to Africa with Leslie Henson show to wed in England.

Film version of 'Pilbean' signed by Michael Balcon for 'Cheer, Boys, Cheer,' directed by Walter Forde.

Billy Costello now a father by his second marriage. Baby was born during his tour in Africa.

Peter Dawson to concert-tour for Greater Union Theatres, Australia, for 10 weeks. Sails April 22.

'Number Six,' Edgar Wallace thriller, starring Gordon Harker, closed April 15 after four months.

Bud Flanagan has leased large house in Finchley, where he's housing 12 refugee children, aided by his friends.

Bo Brummells offered television date, but had to turn it down, as it interfered with their vaudeville bookings.

Bone Colleano and wife, Rubye, in marital split, but will continue stage partnership in the Maurice Colleano act.

Clarice Hardwicke, Australian comedienne, married Kenneth Hall, son of New South Wales Attorney General, recently.

Hungarian State Theatre Ballet, due to play season at the Adelphi early in May, goes to Paris from here, then America.

Sadler's Morgan Dancers returned to Palladium 'Crazy' show after six weeks' layoff, necessitated by accident. Lita D'Oray, one of their members.

Larry Puck cabled Diamond Bros. to take over Sam Leslie's 'World's Fair,' but they turned down offer, being committed to play their own vaudeville unit for General Theatres Corp. till June.

With termination of 'The Mother,' at the Garrick, Jack Hennings and Killick are giving up their lease of the house, which they operated as a week-for-Sam Leslie theatre reverts to A. E. Abrahams, the owner.

Rumored the Whitehall theatre may become a permanent house for magic shows, operated by Nevil Maskelyn, whose father was the founder of Maskelyn & Devant's St. George's Hall, which staged similar shows for years.

Pittsburgh

By Hal Cohen

Andy Sheridans have tagged their first arrival Thomas Andy.

Duquesne U drama school doing nine performances of 'Twelfth Night.'

Maskeroni transfer for New York to bombard the legit casting offices.

Hans Wagner is going to be in that baseball picture Warners is making.

Charles Kirtzman watching that waistline with semi-weekly workouts.

Gene Kelly, of 'One for the Money,' home for a quick weekend to see the folks.

'Y' Playhouse will close its season next month with Hecht-MacArthur's '20 Million.'

Irving Berlin begged off with bulpressers at County Airport on way east by plane.

Both New Penn and Nut House have been redecorated for spring and summer seasons.

Columnist Florence Fisher Parry's lad, David, is town on an exploitation stint for U.

Herman Schlesinger bedded for month in Montefiore hospital with an arm infection.

Theatrical p.a. Helen Donnelly added to Community Fund's permanent relief committee.

Al Kaveln has waxed two numbers from Gertrude Litt Gap and Gown show, 'At Your Service.'

George Batcha last-minute sub for James Muir in Playhouse's 'Meet My Sister' on account of illness.

Philadelphia

By Herb Golden

Dave Barrist back from a southern cruise.

Universal crew off to the sales convention.

Polly Morse recuping okay from an appendix separation.

Morrie Silverman bad his wallet lifted right in the heart of Rimrow.

Dorothy Gilmore and George Preffer have cleffed a new tune, 'Go On and Dream.'

Joe Conway, manager of the Egyptian, celebrated his birthday last week with his annual free show for the neighborhood kids.

Embassy club has finally gotten itself another socialite canary. She's Junia Culbertson, dotter of the former U. S. minister to Chile.

Harry Biben's son, Joseph, will be confirmed April 29. Belle Baker and Chaney and Fox will entertain at the reception at the Majestic the following day.

Auditions for the Philadelphia Opera Co. are now being held here. Organization, which just completed its first season with two opera presentations, has six slated for next year.

Tom Kelly re-elected chief of American Federation of Actors local here. Other officers likewise returned, except Joseph McFadden, recording secretary, who was replaced by Hot Cross Bun.

Large delegation of former co-workers of Hermann Whitman, manager of the Earle theatre at the time of his death a year ago, will make a pilgrimage to his grave Sunday (23) for the unveiling of a monument.

Joe E. Lewis' termer at the Walton Roof extended another two weeks, holding him until May 3. Harry Carroll, just back from three weeks in California, brought original Baby Peggy back with him for the floor show at this spot.

Cleveland

By Glenn C. Fullen

Gus Van at Vogue Room.

Jerry Nels back at Avalon Club as house manager.

George Stevens opening Drive-in Theatre's second season Thursday (20).

Misha and Lucy Gehrman doing Yiddish repertory at Manhattan, but biz 'way off.

Leon LeVerdie and Art West home said to be at Hudson, where Stanley Jabin is new front-man.

'Whitey' Lewis, of WGAR, lured from southern vacation by fake civic-luncheon wire, and burning.

Playhouse's revival of 'Stop Thief' and 'Mice and Men' are only evidences of legit theatre here this month.

Bert Block disbanded his orch to become personal manager for Dick Stabile, who left Statler hotel Sunday (16).

St. Louis

By Sam X. Hurst

Joe Arena headlining current show at Club Continental, Hotel Jefferson.

Frank Buck made a gratuitous p.a. at opening of annual Police Circus at Hotel Statler.

Paul Muni addressed participants of Jewish Welfare Fund campaign at Hotel Statler.

Charles Galloway will sing in St. Louis Grand Opera Assn's production of 'Otello' Friday (21).

Charlie Crouse, who pens the 'Kid Regan' columns in the Star-Times, back at stint after layoff due to illness.

Johnny Perkins, having completed his spring training with the Cards in Florida, is playing northern Illinois towns.

First local showing of 'Our Town' will start at Little Theatre Wednesday (26) through May 6. Harold Bassage will direct.

Art Schmidt, from Loew's New York advertising office, in town now fabbing with Chick Evens, mgr., and Jimmy Harris, p. a., at Loew's.

Willard Holcomb, director of the Little Theatre, has been inked for the 1939-40 season. It will be his third. Gordon Carter, scenic designer, will return for his eighth season.

With a $25,000 advance sale, Municipal Theatre Assn., sponsor of al-fresco entertainment in Forest Park, has hung up new record. Season opens June 2. Theodore Adolphus and Al White, Jr., dance directors, have been inked for another season.

Quints' Anglais

(Continued from page 1)

Canadian Educational Society in Toronto a year ago. Parliament here protesting any change in the quins' upbringing, as far as language-teaching is concerned.

With film commercial constituting a considerable portion of the five tots' revenue, commitment still calls for another picture to be made between now and the end of next year. Special meeting of the guardians will be held latter part of the week when Dr. Dafoe returns here from New York.

With the children living in a French-Canadian community, they are now being taught only French, according to Judge Valin, chairman of the guardians. Until about a year ago, when the Department of Education assumed the responsibility of their scholastic upbringing, it was the stated intention of the guardians that the Dionnes be brought up in both languages.

However, during the past year, the teachers and nurses of the quins had been speaking French only to their charges. Current claim of guardians, which is opposed by the French-Canadian Educational Society, is that Dr. Dafoe will make the decision as far as the demand of 20th-Fox is concerned.

Hollywood

K. R. Asmot here from Norway.

Nat Pendleton nursing injured leg.

Feg Murray east on a motor vacation.

Walt Disney back from Philadelphia.

William Seiters adopted two-year-old girl.

Arch Bowles in from Frisco for huddles.

William Wyler returned from eastern tour.

May Robson celebrated her 75th birthday.

Joseph M. Schenck postponed his trip east.

Claude Thomas celebrated 18th birthday.

Dick Curtis recovering from operation.

John Joseph in from two weeks in Manhattan.

Leon Schlesinger bought Richard Arlen's yacht.

Cecil B. DeMille caught a prowler on his estate.

Howard Benedict recovering from molar infection.

Charles Feldman recovering from nasal operation.

Bert Armstrong sues Gladys Dubois for divorce.

Charles Darnton broke his hip in a fall in his home.

Fanny Hatton home from hospital after heart attack.

Velline Fitter back to work after eastern vacash.

Rosemary and Priscilla Lane thefted of $3,000 in jewelry.

Margaret Roach on four-week personal appearance tour.

Reis Reis underwent his 20th operation since World War.

Jean Chatburn won a divorce from Frank Orsatti, agent, in Reno.

Joseph Santley scouting locations by plane in northern California.

Ann Hunter here from Australia for buddies with Paramount execs.

Robert Wilcox and Florence Rice returned from Honolulu honeymoon.

Kenneth Morgan checked in as assistant casting director at Republic.

Dave Gould will direct dances for Nils T. Granlund's N. Y. World's Fair show.

John Hoffman checked out at Metro after six years as montage director.

Southern California film rovers and exhibs toased dinner to welcome Charles P. Skouras back from Europe.

Sydney

By Eric Gerrick

Will Mahoney will do a repeat vaude stint over Tivoli in Melbourne.

Percy Curtis, exploitation director for Universal here, has quit after 11 years.

Australian-New Zealand Theatres premiered 'Casino Revue' in Adelaide prior to Melbourne run. Ernest C. Rolls produced.

Effies Fellows, male impersonator, has returned to vaude for Bert Lennon's Melbourne bill.

Harry Muller, former U. S. vaude rep of the old Tivoli chain, is now operating a picture house in Bendigo, Victoria.

Marshall Palmer has been appointed secretary of the Queensland Exhibs' Assn. Was a vaudev before breaking into picture game.

Frank Fox, former legit producer for Williamson-Talt and the Fullers, came out of retirement to produce a picture at the opening of the Lux Radio theatre. Ward is now in real estate.

Harry Walker, Hollywood femme, to appear in a picture for Cinesound under the direction of Ken G. Hall. Pop vaude stuff gradually coming back around the nabes and stix. Home talent is being used mostly.

Tony Sheridan, Royal Easter Fair Sydney, mostly imported from U. S.

Hoyts will spot some major acts over the chain during the winter in association with pictures.

Lucille Page and Buster West head new show booked into the Tivoli, Sydney, by Frank Neil. Others include Ruth Craven, Ted Leary, Ben Beri, Jack Major, Three Nonchalants and Billy Blake.

Chicago

Michael Todd in for a couple of days.

Connie Boswell a hold-over at the Color Club.

Nate Platt back from his sojourn on the Coast.

John Darrow, N. Y. agent, in town to peddle some of his acts.

Hugh Wedlock back to Coast after trip east for father's funeral.

Sandra Karyl to New York on couple of stage possibilities for next season.

Tin Pan Alley Ball, first annual shindig by Professional Music Men, clicked.

Hack Wilson, former Cub slugger, back in town, but as an entertainer at the Gay 90's cafe.

Sam Levy on merry-go-round handling entire Olympia circus for Barnes-Carruthers at the Stadium.

Newspaper Guild strikers and Hearst papers battling it out in the loop with motorized public address systems.

OBITUARIES

DOROTHY MORTON

Dorothy Morton, 69, well known as a light opera diva at the turn of the century, died in her sleep at her home, Geisha Villa, near Bound Brook, N. J., April 15. The singer had been in poor health for several years.

Word of Benjamin Briggs, wealthy New York tee merchant, who sponsored her voice study abroad, she debuted during the mauve decade. Among the more prominent productions in which she played were Reginald De Koven's comic opera, 'The Wedding Trip,' 'Cevalieria Rusticana,' 'Geisha' and 'The Widow Jones.' She also sang in Max Freeman's production of 'The World's Free Bread Fund,' which bowed at the old Star theatre, New York, in 1893.

She once turned impresario and formed her own company, which fared poorly and was subsequently withdrawn in Atlanta. Although retiring shortly before the World War, she returned to the stage to entertain for the AEF.

Miss Morton, who privately was Mrs. Libbie McCarthy Conger, widow of the New Jersey art patron, left no immediate survivors.

OLIVER PERCY BERNARD

Oliver Percy Bernard, 58, stage designer, architect and writer, once chief scenic artist for Klaw & Erlanger, technical director of the Boston Opera Co. and who in later years confined his interests to architecture, died in London Saturday (15).

As a youth he pursued a seafaring life as a cabin boy. This interrupted his theatrical career, which began at 16 when he performed on the stage, mostly in Shakespearean parts. A devout student of the theatre, he later became assistant artist at Covent Garden Opera house, whence he later came to America.

By a quirk of fate he averted death while aboard the Lusitania when that vessel was torpedoed off the coast of Ireland in 1915. He had passed the winter in New York and was en route home when at the last minute he switched cabins. Observers said that if he had retained his original berth escape would have been impossible. He held a commission in the British Royal Engineers, served in France, was wounded and later decorated with the Military Cross. Upon termination of the war he returned to Covent Garden as technical director. He served as a consultant to the British government when it was preparing a display at the Paris Exposition and designed many buildings in London.

He leaves his widow, Mrs. Edith Hodges Bernard; three sons and a daughter.

S. S. VAN DINE (W. H. Wright)

Willard Huntington Wright, 51, better known as S. S. Van Dine, perhaps foremost of ell whodunit scribblers, died last week in New York. After gaining a limited reputation as a writer on philosophy, painting and literature, Wright turned to whodunits as e means of relaxation after a nervous breakdown. With that he became Van Dine, and earned a fortune.

He had served as literary editor et various times on the Los Angeles Times and New York Evening Mail; music, critic and art editor of the San Francisco Bulletin and art critic for Hearst's International Magazine.

His Philo Vance character became well known when his books were adapted for a series of films.

Widow and daughter survive.

ROLLA S. BROADWELL

Rolla Sherman Broadwell, 69, composer of song hits in minstrel days, died April 10 of a heart ailment at his home in Cleveland.

Broadwell wrote most of his tunes for Primrose and West and Lew Dockstader at the height of their popularity 20-odd years ago. His best known songs were 'All Alone, or Would You Love Me Just the Same' and 'I Long to Hear the Darkies Sing Old Black Joe.'

Survived by widow, a son, daughter and five sisters.

MRS. ROBERT B. MANTELL

Mrs. Robert B. Mantell, 83, first wife of the late Shakespearean actor, died April 13 in a Bronx hospital.

An actress herself, Mrs. Mantell received her early training on the British stage and came to America in 1883. As Marie Sheldon, she won distinction for her Mme. de Tournay in Sardou's first American production of 'Fedora,' in 1884. Her husband also appeared in the play and was featured in support of Fanny Davenport, the star. A year later she again played with her husband in the 'Veiled Picture,' produced et the old Lyceum, New York.

Her marriage to Mantell was terminated by divorce in 1893 and she never remarried. Mantell married three times thereafter.

PETER D. CONLEY

Peter D. Conley, 45, business manager of the San Francisco Opera Co. and Symph, died suddenly from a heart attack at his home in San Francisco April 12.

Conley was also business manager of the San Francisco Art Commission's concert attractions, secretary of the Musical Coordinating committee of the Golden Gate Exposition, and San Francisco rep for the National Broadcasting Co.'s artist service and the Columbia Broadcasting Co.'s concert association. In addition, he privately operated a Frisco managerial agency.

Survived by widow, a brother and a sister.

LUIGI BORRELLI

Luigi Borrelli, 82, who 40 years ago established the first Italian theatre, the Salome Margherita, in Philadelphia, died at his home in that city on Saturday (15). Theatre was sold, after 10 years, to the Lubin interests, which converted it into a nickelodeon.

Survived by widow, daughter and two sons, Ralph, announcer and director of Italian programs at WPEN, Philadelphia, and Charles, operator of a local radio time sales agency in Philadelphia.

USELMA CLARKE SMITH

Uselma Clarke Smith, 60, organist, composer and author of books on music, died at his home in Philadelphia, April 10. Former dean of the Pennsylvania Chapter of the American Guild of Organists, Smith taught summer courses at Wellesley College and was widely known as e teacher of organ, piano, voice and composition.

Surviving are his widow, a son, two brothers, a sister and a grandson.

MRS. ANTONIO DAGUANNO

Mrs. Antonio Daguanno, 27, of Brooklyn, N. Y., a dancer, was killed in an automobile collision near Grinnell, Ia., April 14, while enroute to a San Francisco World's Fair engagement.

One other died and her husband, Antonio, 37, her dancing partner, was seriously injured in the same crash.

CHARLES A. SMITH

Charles A. Smith, 57, of Gloversville, N. Y., circus aerialist for over 35 years, died in a hospital there April 12. He was for years with Ringling Bros. Circus and continued with it even after the merger with Barnum and Bailey.

Survivors are his widow and one daughter.

SAM BLEYER

Sam Bleyer, 60, veteran Pittsburgh theatre manager, died in the Smoky City last week following a stroke a fortnight ago. Bleyer for e number of years managed the Leona, Homestead, Pa., but lately had been inactive. Body was taken to Philadelphia for burial.

Widow survives.

ROBERT HALL

Robert Hall, 74, musician, died April 2 in an Oconto Falls, Wis., hospital. He had appeared for years in the Midwest as a concert violinist and orchestra leader.

Survived by widow, three daughters, two sons, a brother and two sisters.

JOHN A. GOETZ

John A. Goetz, 90, violinist, died March 31 in Milwaukee. He appeared on the stage during his younger years and also played in the Alhambra theatre, Milwaukee, orchestra.

Survived by a son.

EDGAR F. BITNER

Edgar F. Bitner, 62, former president of Leo Feist, Inc., who resigned his post in 1936 to head the Music Periodicals Corp., publisher of music mags, died of a heart attack at his New York home April 12.

Details in the music section.

ALBERT SMITH

Albert J. Smith, 45, character player, died April 12 in Hollywood. He had appeared in westerns for 25 years.

Surviving are two daughters.

ALICE DENVER RYAN

Mrs. Alice Denver Ryan, 53, formerly in vaude in Los Angeles, died April 14 after a long illness.

Leaves son and two sisters.

George Dipson, brother of Nikitas D. Dipson, president of Genesee Theatre Enterprises, Batavia, N. Y., died last week in Athens, Greece. He was attorney and director of National Bank of Greece.

Louis Brand, 75, father of Herry Brand, publicity director of 20th-Fox, and Superior Court Judge Howard R. Brand, died April 14 in Hollywood.

Father, 71, of Eugene Murphy, with Loew Theatres advertising dept., died in Chicago April 15. Funeral services held yesterday (Tuesday).

Lulu Burns Jenks, 69, former character actress, died April 15 in Los Angeles.

N. Y. Fair Preem

(Continued from page 1)

stretch. Unusual amount of rainfall this month has slowed construction schedules. Even though the midway (Play Zone as it is now officially designated) appears badly behind the remainder of the exposition, last minute scramble is counted on to put about 75-90% of its entertainment operation the opening week.

Fountain lagoon, skirting one side of the midway, now is being set for fireworks-water displays to be a nightly feature. Loudspeaker system, to carry recorded music for this display, was tested finally last week. This free night show will be staged from small barges in the lagoon. On opposite shore, construction was nearing completion on Camp Washington, where some 800 soldiers, sailors and marines will be stationed during the Fair.

Beginning this week, numerous industrial firms with exhibits at the Fair will dedicate or preview their pavilions or shows. General Motors and Radio Corp. of America head the list, former staging its press preview yesterday (Tuesday).

Doping the B.O.

Showmen with experience at other expositions believe that New York theatre and nitery biz will not start perking up until some time in June, because the first real influx of out-of-towners is not counted on until then. Because the New York Fair will draw largely from native population the first month, show biz boxoffice may drop sharply the initial weeks the expo is open. After that, they predict the theatres and night spots will grab bulk trade.

That was the history of the Chicago Expo the first two months, when the natives flocked out and theatre business suffered, but when the tourists came in it boosted everything. The same thing is happening in Frisco right now, as detailed in the film gross story on Page 3 and in the S.F. Expo yarn on Page 63.

The key to steady exposition attendance lies in the 'special events' lineup, veterans claim. The N. Y. show will have a special event on virtually every one of the 180 days set for the first year. There already are 121 special events on as many different days scheduled, each expected to draw not less than 100,000 in addition to the usual daily attendance. Besides special days for each of the 48 states, opening month will witness a number of New York 'boroughs days.'

New Mermaid show, 'Twenty Thousand Legs Under the Sea,' backed by Salvadore Dali, known as a surrealist, was pacted for the amusement zone last week. Kong Features also has set up a 'House of Popeye,' a walk-through.

Nils T. Granlund returned from the Coast with 12 lookers for his 'Congress of Beauties' revue and Aztec Sun-Worshippers, another girl show. Not all are from Hollywood. Betty Compson, silent screen star, will do the Texas Guinan role in the revue. Besides Faith Bacon and Della Carroll, N. T. G. also has Tulah and Mity, Egyptian harem dancers; Jean Vickers, e Polynesian dancer, and several others. His two shows are located between the Sun Valley winter sports village and the Cuban Village.

Chick Webb's band is set for the Savoy Harlem show, which is under Moe Gale's management.

Billy Rose's Aquacade and Revue, which will be in the N. Y. State Building Amphitheatre facing the lagoon, was being set last week against bad weather. Stadium seats will be covered by an elaborate canvas errangement, in case of rain.

Billy Rose offered some 25 concessions he has for his show to one concessionaire for $50,000 cash. Unable to secure proper backing for this, he now has obtained 25 different concession people who each have agreed to put up $2,000 in cash. One man will supervise the whole group.

NTS's H'wood Roundup

Hollywood, April 18.

Nils T. Granlund is en route to New York with 10 Hollywood recruits for his Garden of Girls at the World's Fair.

Jean Carmen heads the troupe as Queen of the Garden. Others are Petricie West, Eleanor and Ruth Troy, Axis Dunlap, Helen Johnson, Marjorie Waley, Flower Perry, Inez Cooper and Lois Whitney.

War Scares

(Continued from page 1)

until some indication of peace is visible across the Atlantic.

The British Idea

London, April 18.

If a war breaks out in Europe, the British film industry will come to an almost complete standstill. Producers will be requested to make only propagande films, and most of the important studios, it is understood, have been requisitioned by the government as storehouses for planes and supplies.

British producers and picture stars have been requested also to tour England and make patriotic speeches. This campaign is already in full progress. Producers and distributors have agreed to sell pictures to the British navy at nominal prices at the request of the government through the Duke of Kent, according to report.

MARRIAGES

Irma Warner to Albert Rogell in Las Vegas, Nev., April 13. She's former wife of Jack L. Warner; he's the film director.

Helen Pautsch to Lloyd Taylor, in Des Moines, April 8. He's with Central States Theatres Corp.

Margy Bain to Clifford Thompson, in Rockford, Ill., April 9. He's e circus giant; she's of normal size and a circus dancer.

Alice Margaret Knepper to Gene Morgan, in Hagerstown, April 10. He's WMCA, N. Y., announcer.

Elizabeth Shannon Phillips to Frank Heller in New York, April 12. Bride is a sculptress, he's an actor and assistant stage manager of 'The American Way.'

Elizabeth Fredericks, non-pro, to Dave Driscoll, April 12 in New York. Groom is special eventsman for WOR, New York.

Movita to Jack Doyle, at Ensenade, Mexico, April 15. Bride is a film player; he's the boxer.

BIRTHS

Mr. and Mrs. Raymond Brown, daughter, in Milwaukee, April 9. Father is pit orchestra leader at the Davidson, Milwaukee legit house.

Mr. and Mrs. Wayne Varnum, daughter, in Des Moines, April 7. Father is time salesman for KSO-KRNT, Des Moines; mother, former Gladys Cox, was assistant radio editor of Des Moines Register and Tribune.

Mr. and Mrs. William Hoffman, twin daughters, in New York, April 12. Father is bass fiddler with Al Donahue's orchestra.

Mr. and Mrs. William Woodside, son, in Pittsburgh, April 11. Father's business manager of Pittsburgh Playhouse.

Mr. and Mrs. H. A. McDonell, daughter, in Hollywood, April 14. Father is comptroller at Columbia.

Mr. and Mrs. William Tilenius, daughter, April 14, in Rockville Center, L. I. Father is on NBC sales staff, N. Y.

Mr. and Mrs. Sidney Flamm, daughter, in New York, April 13. Father is assistant to brother Donald Flamm, WMCA, N. Y., president.

On the Upbeat

(Continued from page 48)

May 17. Spot adding to its capacity. Now seats 1,200.

Ben Marden's Riviera, Fort Lee, N. J., will be deferred from May 4 to May 11 because of the signing of 'Red Puerto.' Band doesn't finish a current coast date until end of April.

Johnny Ringer repleces Sleepy Hall at the Show Bar, Forest Hills, L. I., tomorrow night (19).

Al Shelleday, saxophonist, and Patti Morgan, vocalist, joined Al Kavelin in St. Louis et the Chase Hotel.

Chuck Foster's band on northwest tour, playing college and ballroom one-nighters.

Ran Wilde renewed for a stay at the Hofbrau in San Diego.

Four Squires holding over for another month at the Town House, Los Angeles.

Al Fremont at Show Boat, Pittsburgh, has had option picked up for four additional weeks. Outfit has just signed with CRA through Joe Hiller.

Louis Amen, trick pianist, back in Pittsburgh after doing cafe work in New York for three years. He is now organizing his own 10-piece dance band.

Paul Burton booked for one-nighter at Bryn Mawr ballroom, Pittsburgh, Tuesday (25). Spot has been leased by Al Bonach, Smoky City promoter, for series of Tuesday nite dances with semi-names.

Lawrence Welk plays Willows, Pittsburgh, May 22 on a one-night stand.

Ted Fio Rito's orchestra booked into Ben Marden's Riviera, New Jersey, May 15.

Larry Kent, currently at Biltmore Bowl, L. A., goes into the Utah hotel in Salt Lake City May 27.

Muzzy Marcellino's newly formed band opens May 13 et Natatorium Park, Spokane.

Jack McLean takes his orchestra into Bill Green's Casino, Pittsburgh, May 29.

Jimmy Rotas' orchestra replaced Stan Jacobsen's band at Sam Pick's Club, Madrid, Milwaukee, last week, the latter shifting to the Chateau Club there.

Seger Ellis and His Choir of Brass opened e 22-day engagement at the Netherland Plaza's Pavilion Caprice, Cincy. His wife, Irene Taylor, formerly with Paul Whiteman's orch, is singing. Ellis crew moves May 3 to the Van Cleve, Dayton, O., for a month and then into the Nicolet Hotel, Minneapolis, for a run.

Ted Lewis and his band opened a return engagement at Beverly Hills, Cincy, Friday (14).

Billy Snider and his Kentucky Colonels, local Cincy orch, are at the Lookout House, nearby Kentucky night spot, for an indef stay.

June Richmond, vocalist, formerly with Jimmy Dorsey and recently with Cab Calloway, joined the Andy Kirk orchestra in Bowling Green, Ky., Monday (17).

Anna Sosenko, manager of the singer Hildegarde, has taken over management of the Rudolph Friml, Jr., orchestra.

Gray Gordon orchestra is booked almost solid until well into 1940. Band opens at the Sir Francis Drake Hotel, S. F., New Year's eve.

Trianon Room of the Ambassador Hotel, N. Y., closes for the summer May 2. Dick Gasparre and Vincent Bragale's band exit.

Claire Tapper, warbler and pianist at 500-Club, New Orleans French Quarter nitery, signed by Shep Fields. Annabella Graham, now singing with band, trains out to Chicago to become housewife.

WHAT THEY THINK

Television Enthusiast
New Brunswick, N. J.

Editor, VARIETY:

VARIETY is due for a loss in public esteem and confidence unless it mends its ways and stops trying to force down the throats of its readers obviously biased and incongruous stories on the status of television in the U. S. During the past year more than two dozen stories on television have appeared in your publication, all of which have been injected with (a) ridicule; (b) scorn; (c) unwarranted skepticism; (d) obvious attempt to debunk.

One would gather from the foregoing that VARIETY is grinding someone's axe—and it positively is not in the interest of the general public.

Furthermore, VARIETY is not only 'painting' its television stories to obscure the definitely roseate future of this infant industry, but goes out of its way to enlarge far out of proportion of their true worth statements by the 'lunatic fringe' of the radio industry which tend to put television in a bad light.

VARIETY struck its peak in devilish reporting with its 'Televish's Touch Off' story in the April 12 issue. It was characteristic of the type of biased articles on the subject which are thoroughly unfair. 'Nobody is kidding anybody into believing television has arrived,' the story merely asserts. Well, five years ago that statement would have held water. Today it is as silly to say television hasn't arrived as it is to say the silent screen is due for a comeback. Television is here and its commercial possibilities are endless.

The fact that it is still classed 'experimental' is no fault of the television industry. The Government could just as easily change that term to 'commercial' today—in the interest of all concerned.

One could go on endlessly. Take, for instance, the statement that 'only one hour of television twice a week' is in prospect. What about the five hours of film to be televised every afternoon (five days a week) so that dealers may exhibit their sets? What about the outside telecasts of sports and general news events which NBC plans to send out during the summer months?

Four years of news reporting on the subject have given me a clear insight on what is being done. It is therefore, a source of annoyance to me VARIETY go to all extremes to give the new industry an unwarranted black eye, and at the same time give showmen a false picture of what television really means as an industry.

While I detest being placed in the 'letter-to-the-editor' class, in the interest of the general public, I feel this admonition should be published.

Will Baltin.
(Radio-Theatre Editor).

(So good an authority as T.A.M. Craven, member of the FCC, just last week said again that television is still far away. VARIETY *has heard from the above writer on this theme before. Although he accuses this paper of bias against television, no information available to* VARIETY'S *world-wide newspaperdom, it suggests an occasion for enthusiasm. More television news on Page 6.)*

Sez Sally Rand
San Francisco.

Editor, VARIETY:

In re your story of April 12, many statements contained in same are totally inaccurate and substantial proof of inaccuracies can be produced if desired. Proof of Golden Gate International Exposition's financial health is that their income more than covers overhead. More than sufficient staff and personnel in all departments is maintained. The only cuts that have been made were those that were indicated when the construction period of the Exposition ended and the operating period began, at which time personnel and staff engaged in construction projects were no longer needed.

The gardening and upkeep of same far exceed in efficiency and beauty any other World's Fair at which I have been present. On kid days and weekends it is impossible to keep all roadways and midways completely clear, which has been the experience of every other exposition.

I am a member of Concessionaires' Association, also on Board of Directors and speaker of the Executive Committee of the Board. Concessionaires at this Exposition each and every one know that their money is held in escrow and that not one penny of it is used. The Exposition has not been slow in paying up. As a matter of fact, many concessionaires have been advanced money ahead of settling-up time, because no profit accrued, and at the concessionaires' meeting has there been any complaint whatsoever in connection with settling up. I personally have received my money at any time or upon any day that I went to get it, and the accounts were straight and even up right to the date.

I respectfully request that the statement, 'Sally Rand's Nude Ranch is lagging and is said to have gone in the red one week recently,' be denied. The Nude Ranch is doing an average of 15% of the total Exposition gate and, on many days, it has been as high as 24%. The average attendance is brought down by the 'kids days,' as the Nude Ranch permits no minors. The Nude Ranch paid for its entire investment the first three weeks of operation and has paid its nut, its Fair percentage, and has made a very fine profit every week including Holy Week and the last week.

I personally feel that such an article does damage to show business in general, which I know is not the purpose or aim of VARIETY, which has always been in the position of stimulating show business.

Sally Rand.

Little Theatre's Talent
Chicago.

Editor, VARIETY:

In view of the dearth of dramatic talent many people might wonder where the next generation of good actors is to come from. Outside of New York there are too few houses to enable an actor to make a living permanently in one place.

Anyone who has seen the work of the innumerable amateurs all over the country can say that it would be possible to fairly well cast a show from the non-pros of any fairly big city. On the whole the presentation of amateur plays, even under rather good direction, may not be the best, but the point is that there are always a few players in the cast who show genuine acting talent. If they were to be transferred to a professional stage they would not be out of place. In view of these potential stars, any fairly serious amateur troupe is worthy of interest and attention whenever they really feel they 'have something.'

Carl Peterson.

Jimmy Duffy's Mother's P.S.
New York.

Editor, VARIETY:

I want to extend my sincere gratitude for your prompt response to the correction, in reference to Jimmy Duffy's passing, and may I also take advantage of your graciousness again to thank the hundreds of people for letters that have come to me since you published my address. I am not physically able to answer all the letters received, and the beautiful tributes from all over the country. Proving he had a host of friends and admirers.

Many have asked about his age, as they had known him since a child. They could not make it 50, as it appeared March 15, so set them right, please—say he was 47 the 1st of January.

Margaret Sawtelle Duffy.

Big Apple Eater
Chicago.

Editor, VARIETY:

Will you please publish that I am fast recovering from an operation and illness. You published an article some weeks ago about Stan Kavanaugh stating Bobby May told him Carson was the originator of the apple-eating trick. I wish to state my friend, Bobby May, told him the truth.

When William Morris featured Counsel the Great, I was eating apples for Col. W. S. Butterfield; when Fred Sa Herra was doing a mind-reading act; when J. Aldridge Libby was appearing at Buffalo Bill; when General Ed La Vine was 'The Man who has Soldiered all his Life'; when Gus Williams told me to join the White Rats; when Terry Keaton was throwing Buster over tables; when E. Frederick Hawley's 'The Bandit' was 'Held for Ransom,' and Mr. and Mrs. Sidney Drew were 'The Counsel for the Defense,' and many others.

Henry Chesterfield called up Jesse Kaye about five years ago to stop a juggler using my trick who was being submitted to him. They talked about my trick. I also called on Mr. Kaye and he told me he would protect me on that. I have given one juggler permission to do a trick with a plate, napkin and eating one apple. This is the way I used to do the trick at the supper show when I could save my teeth and two apples. The original trick is with three apples.

I will be back with you shortly eating one, two or three apples as please, as it is my profession and I will thank you to publish this.

Charles R. Carson.

European-Olympia Circus

(STADIUM, CHICAGO)

Chicago, April 15.

Victoria & Lorenz, Four Krantons, Willie & Darnby, Smiley & Smiley, The Yanters, The Great Rayno, The Great Alvarez, The Great Costica, Powers' Elephants, Wong, Wen Hai-Shang Hai Troupes, Paroff Trio, Harold Voyse Co, Brengks, Cedora, Naida & Perez, The Arleys, The Antelaks, Edna Curtis Trio, Christiansen, Petroff's Bears, The Great Fussner, Blanoffs, Gauchos, Cressonians, Pee Jay, Monroe & Grant, Rudynoff's Horses, Peerless Potters, Weber Bros. & Chatita, Crouch Trio, Ray Goody, Jo Jerauski 'Pi' Troupe, Wallendas, The Hellkvists, Zacchini.

The Stadium made a 'eal with the Barnes-Carruthers fair booking system to build a circus for this 14,000-seat arena and the result is a 16-day run, running 10 shows weekly with matinees Wednesday, Saturday and Sunday.

This circus runs long and slowly. Several of the acts are standard in vaudeville, and with the typical opening acrobatic teams of Victoria and Lorenzo, Four Krantons, Willie and Darnby, Smiley and Smiley and the Yanters. Small-time hand-to-hand work and balancing. The Great Alvarez and the Great Alvarez walk up an inclined tight wire and slide down for mild results. One of the good bets in the show is the Great Costica, who does a fine iron-jaw swing from the roof of the Stadium.

Powers' Elephants are old-timey in routining. There are Sam Chinese acts, the Wong, Wen Hai and the Shang Hai troupes. The latter is the most polished of the three. They all do hand-to-hand work, juggling and the usual contortion bits. Paroff Trio comes through with a good turn, working on a high perch and with unsupported ladders. Blanoffs are rather repetitious, but the height on the stunt puts it across. Harold Voyse Co. works on aerial bars not too effectively. Brengks' gold gals do some posing.

Cedora runs a motorcycle inside a metal globe for a short flash that is okay. Trouble here is that there's too much stalling before the act gets up and between the stunts. Stuff like this might be okay for a flash on fair grounds, but it doesn't help a show that must have pace.

Pole perch turns are Naida and Perez, the Antelaks and the Arleys, all known in vaude. They do better on a stage. Same goes for James Evans, who has a fool juggling; the juggling Robeys and the globe-rolling Littlejohns. Three men and three women make up an act known as the Aerial Ballet. Work published ladders near the roof of the Stadium, and manage some acrobatic formations for a good-looking flash.

With the dogs and ponies there are Edna Curtis and Christiansen, both woefully dated and stilted. Same goes for Petroff's Bears.

Peerless Potters work a clean-cut and polished and delivered by the Blanoffs, Gauchos and Cressonians. Gauchos closed out as best. Pee Jay jumps a bicycle about 75 feet from an elevated incline into a tank of water, and they get a flash. Monroe and Grant with their trampoline act, but really sell it with a little bit more, especially or from production, and it falters correspondingly.

Rudy Rudynoff's liberty horses are trained neatly, but haven't enough style. Peerless Potters are a flying act using net perches, good work here. On the tight wires are Weber Bros. and Chatita, Crouch Trio and the latter's sister, Ray Goody. Side acts all right, but Goody fails to impress.

Probably the best bet on the show is the Loyal-Repenski bareback troupe. Real stuff. Flash and clever showmanship make this outstanding. Can play anywhere.

Also good are the Wallendas, from vaude, with their high-wire act, especially with the bicycle balancing. The Hellkvists would also do better on the fair grounds. They put themselves on fire and dive into a tank. Zacchini, who is propelled from a cannon, also belongs at the fairs.

Top priced seats at $2.20 are going slowly, while the cheap seats are doing well. *Gold.*

Frisco Expo Needs Less War News and More Warm Weather; Looks for Midsummer Pickup

San Francisco, April 18.

What the Frisco Fair seems to need is less war news and more warm weather.

Phil Patchin, major domo of the Standard Oil of California, one of the Fair's godfathers, in a recent statement declared that by midsummer the Golden Gate International Exposition should be out of the dumps.

Statement was made by Patchin when he was queried about the oil company coming through with more cash in an effort to help the expo over the hurdles at this time. He admitted that the Fair had thrown open its gates with considerable less money than was pledged by subscribers. Expo had hoped to raise $7,500,000 but, instead, got only $6,490,000. Most of this money came from local business firms, individual donors, and from advance ticket sales.

Shaving of personnel at expo, following the letdown which set in after the first weeks, has saved over approximately $100,000 a month. Last week $1,500 a month was lopped off the radio personnel when several thousand bucks annually went to Earl Dewey, who supervised the installation of radio equipment on the Island, an announcer and a producer were let out.

Patchin denied the report that the Expo was seeking a loan. He declared that new money is being sought through new sources and donations. Rumor that expo company was operating on concessionaires' money was also scotched by Patchin, who said the concessions are getting their cash promptly and in full.

Patchin had no statement to make when questioned as to whether or not there would be a drastic change in the expo management.

In an effort to sell Edwin Franko Goldman's band to San Franciscans, plans are being made to have the band give a gala Sunday concert in the city's Golden Gate Park bandstand. In exchange the Park band will be brought to the Sun Tower. Arrangements also have been completed for NBC to broadcast a series of concerts by Goldman over a nationwide network. Crowds at the Goldman band are still pretty thin.

The new Miss America show on the Gayway is now open. Fronting the show are barkers dudded up in white suits and maroon shirts.

Buck Jones is the only film name on the Island. He is appearing in the new Kiddyland concession and also at Greenwich Village. Jones is said to be set for the remainder of the Fair.

Metro's Reissue Irks S. F.

Some local kicks were registered with Metro on the release at this time of 'San Francisco,' the third biggest money maker this studio has turned out. Picture has exaggerated quite a bit around the San Francisco earthquake. 'San Francisco' was withdrawn from circulation in 1937 and held for reissue during the current Exposition year. Its first showing here caused considerable of a controversy stirred up by the city fathers. Premiere of the reissue was staged on Treasure Island last week.

J. J. Shubert's 'Ziegfeld Follies of 1939' will follow the successful 'Follies Bergere' into the California Auditorium on Treasure Island in about two weeks, but the 'Follies' management, Clifford C. Fischer, is dickering to open on land. Shubert's show will be produced by Natalia Kamarova, who produced the present 'Follies Bergere' and then had a quite an argument with Fischer. Upon checking out the end of the month, 'Follies Bergere' heads south, where it may open at the El Rancho, Hollywood, on a three-day basis with picture house appearances scheduled after that.

It's reported that 'Follies Bergere' has played to 376,000 people or better than 26% of the total Fair attendance since the show opened. 'Follies' has grossed better than $30,000 weekly. Impresario Fischer is trying to buy off Shubert's contract to open the 'Ziegfeld Follies' at the California Auditorium following the 'Follies' 11-week run. Otherwise the 'Follies' may be moved to Festival Hall, if not going to Hollywood.

'Cavalcade of the Golden West,' the 23-scene spectacle at the expo, is forging ahead as a coin getter.

'Heedless Girl' show is now being ballyhooed via a 100-foot sky streamer. Headed by Walter Sibley, show is one of the best 10c draws on the Gayway. The 'Monte Carlo Secrets' spot near the 'Headless Girl' illusion is reported to have been sold to an outfit who will install a Sportland. Closing of 'Monte Carlo Secrets' is still surrounded with mystery. Roy Sheridan, Post Office robber, has been forced out of the Greenwich Village by G-men who didn't like his prison-life exhibit.

Concessionaires, including shows, rides and caterers, took in $1,300,000 in the first six weeks. Nearly all the shows have made their nut, according to the Expo's concession department.

Despite objections by Japanese officials that it 'conveys an exceedingly erroneous idea,' the Treasure Island exhibit of the State Division of Narcotic Enforcement, picturing Japan as the center of the narcotic traffic between the Orient and the Pacific Coast, has not been changed. State officials insist that the map and illustrations in the exhibit were 'based on facts' submitted to the League of Nations. Japanese are doing everything possible to give the best impression of their country possible. Chap in charge of public relations is said to have an expense account of $600 a month to entertain the 'right people.' A Japanese troupe of dancing girls is also here under the aegis of the propagands division of Tokyo.

The Chinese Village has reverted its admission charge to 25c, which ended an experimental period of 'special days' during which the admission had been reduced to 10c. Attendance at the lower price was somewhat larger, but revenue did not increase. Free exhibits and performances now given in the Village justify the reversal to the former gate. This concession, along with the art exhibit, is in on a combo souvenir ticket deal whereby a 50c purchase entitles you to admission to the Island and to either one of these exhibits.

Probe Nudity, Gambling At Missouri State Fair

St. Louis, April 18.

The manner in which the Missouri State Fair, in Sedalia, was conducted last fall is under one. Last week Circuit Judge Dimmitt Hoffman instructed the grand jury in Sedalia to investigate reports of nudity, vulgarity and rank gambling.

In charging the jury, Judge Hoffman said he had been advised also that visitors were fleeced in gambling and that lots of a high alcoholic content was dispensed in violation of regulations.

LINCOLN COMPETISH TOUGH

Would Like to Regulate Seasons Between Various Ballrooms

Lincoln, April 18.

With the first weekend in May, Turnpike Casino, century here, goes off a regular weekend terp basis (three nights) and will only take name bands when available through the summer. Has been on at least three nights weekly basis for more than nine months.

Dicker is on between the dance jade here to regulate seasons competish into less deadly lines. Hope is that Harry King's ballroom, which is located in the Capitol Beach amusement park, will take the 17-week summer months, then give the rest of the year to Pla-Mor and the Turnpike, instead of all three going all year around.

Aerialist Hurt in Fall

Buffalo, April 18.

Ludwig Berosini, clown of the Berosini high-wire aerialists, sustained a fractured ankle and other injuries when he fell 20 feet from the wire to a wooden platform during a performance for the Shrine Circus at the Broadway Auditorium here this week.

The Berosinis are Czechs, making their first appearance in this country. They were admitted by the immigration authorities only last week.

All attendance records at the STRAND *New York*

ECLIPSED

93,576

(THE FIRST WEEK)

...and still going strong!

"...IT'S NO ACCIDENT"
Says VARIETY

VARIETY
Wednesday, April 12, 1939

smooth, soothing Lombardos on-stage are a happy coupling this and for the next two weeks. The combo seems to augur strong b.o. It's a good blending of contrast, and from the name band contrast, and from doubtedly a welcome perspective compared to the run of recent jive experiments.

In Lombardo, too, there lies a showmanship object lesson anent the salon or longhair music, despite some of deprecation from the 52d street disciples of murder music. Guy Lombardo and his smooth team of 12, which numbers three other Lombardos, freses among 'em, Carmen Lebert and Victor—have been, right up on top of the kilocycles, hotels, nitteries and theatres for more than a decade, and still well out in front. That speaks for itself than anything else, more for itself than anything else.

Excepting that it's patent that it's not being done with mirrors; that unadulterated dansapation isn't something that has proved lasting just by accident. The Lombardos, for one thing, know that the melody is the thing for the masses, whether in the radio abstract or even for more vivid dance purposes. There can be rhythm without cacaphony and, coupled with a basic knowledge and how to mix 'em up, it's as effective as any of the solid-selling and out-of-this-world 'tude-sending and outed a tin pan alley showmanship of not being straid to tackle new, worthwhile tunes. When they click, the band takes pride in having been the first to introduce this or that new ditty. In introduce this or that new men vocal between, of course, Carlisle up vocally. They're not 100% ballady, going in for novelties such as that new 'fish' song

RE-OPENING
MAY 5TH
HOTEL ROOSEVELT
NEW YORK
•
WALDORF ASTORIA
STARLIGHT ROOF
JULY 13TH
FOR THE 4TH
SEASON

Guy LOMBARDO

AND HIS ROYAL CANADIANS

AN ACKNOWLEDGMENT

to HARRY GOURFAIN for his splendid production

to DORIS RHODES and GENE SHELDON for their artistic co-operation

to ZEB EPSTIN and his staff for their efficient handling of the crowds

Broadcasting for
LADY ESTHER
SERENADE
NBC WEAF Friday, 10 P. M. E.S.T.
CBS WABC Monday, 10 P. M. E.S.T.

Exclusive
DECCA RECORDING
Artists

Exclusive Management
MUSIC CORPORATION OF AMERICA
MCA ARTISTS, LTD.

LONDON • NEW YORK • CHICAGO • SAN FRANCISCO • BEVERLY HILLS • CLEVELAND • DALLAS • ATLANTA

EIGHT OFFICES TO SERVE YOU, EACH OFFICE A COMPLETE UNIT IN ITSELF

APR 26 1939

RADIO SCREEN STAGE

VARIETY

PRICE 25¢

Published Weekly at 154 West 46th Street, New York, N. Y., by Variety, Inc. Annual subscription, $10. Single copies, 25 cents. Entered as second-class matter December 22, 1905, at the Post Office at New York, N. Y., under the act of March 3, 1879.
COPYRIGHT, 1939, BY VARIETY, INC. ALL RIGHTS RESERVED.
Vol. 134 No. 7 NEW YORK, WEDNESDAY, APRIL 26, 1939 48 PAGES

TWICE-TOLD FILMS FLIV

Preview of N. Y. Fair Proves It's Easily America's Biggest Show

By MIKE WEAR

America's biggest show, the New York World's Fair, opens the end of this week, on Sunday (30). Up to going to press last night, a preview survey indicates that the Play Zone (midway) is the most behind. It will probably be only 60% ready, even with all the yeoman, last-minute rush that's going on. Day and night labor all this week is rushing everything toward completion.

The Main Exhibit zone is approximately 90% complete, hence will be practically shipshape for this premiere day. The Foreign Nations area, now about 80% complete, will lack a couple of buildings and some final touches for the preem.

New York's greatest show represents an investment of close to $160,000,000. Expenditure of $100,000,000 is anticipated at the Fair, and the total amount that will be spent in Greater New York the first year is placed at $1,100,000,000. The N. Y. show tops the former record-holder, Chicago's

(Continued on page 46)

Fear Eng. Will Crimp Chaplin's Burlesque On Paper-Hanger Dictator

Charles Chaplin's forthcoming 'The Dictator' comedy will be based in part on a venerable English music hall favorite sketch, 'The Paper Hanger.' Its analogy to the humble start of Hitler's career, plus the satirical title, is said to be a bit of a trade worry for United Artists.

Company concern isn't so much over the film's unlikely release in the dictator countries, but the supplementary difficulties it would probably encounter in other European lands, notably England, still playing political checkers with the Rome-Berlin axis, and not wanting to offend.

D.A.R. Commends Warner Brothers' Americanism

Washington, April 25.

Taking issue with Mrs. Franklin D. Roosevelt, members of the Daughters of the American Revolution, meeting here this week, endorsed the playing of the 'Star-Spangled Banner' and the display of the U. S. flag at openings of motion picture programs. Letter of appreciation to Warner Bros., in whose theatres the practice has been adopted ('commending them for their Americanism'), was suggested by Mrs. LeRoy Montgomery, chairman of DAR Motion Picture Committee, who described the patriotic gesture as 'a splendid thing.'

Idea was recently criticized by Mrs. Roosevelt because of the belief it would cause the loss of reverence for the national anthem and the flag.

Opposite Viewpoint

Philadelphia, April 25.

The pop tune, 'Heaven Can Wait,' is meeting with opposish from local clergymen.

They're asking parishioners not to sing or play it.

MIAMI AIDED BY NEW YORK SQUEEZE

Miami, April 25.

The Miami and Miami Beach hotels, numbering 160, will see 70 of them remaining open all summer. The reason? The New York World's Fair, as remote as that may seem.

The sporting bunch which usually migrates back to Broadway when the winter breezes cease blowing north have found themselves faced with stiffer rentals—instead of a summer cut-rate, as in the past—so they'd rather stay around here and place their horse bets, etc.

Normally only 30 hotels remain open the year around here. With more than twice that number now open, many a bistro is planning to make it a year-round proposition this this year.

'BROWN DANUBE' PLAY ANGERS PTSBG. NAZIS

Pittsburgh, April 25.

First instance of Nazi fury at anything theatrical indicting Hitlerism took place here last week when early Saturday morning (22) somebody hurled a brick through the Nixon theatre lobby door and then painted 'Jude' in a crude scrawl across the front of the building. Theatre at the time housed 'Brown Danube,' anti-Nazi play by Burnet Hershey, which was trying out in Pittsburgh.

Theatre management preferred to forget the whole incident and mentioned nothing about it to newspapers until word leaked out the day after the troupe left town.

'Nazi Spy' Film Caution

Management of the Strand, N. Y., is understood taking precautions to prevent violence, when 'Confessions of a Nazi Spy' (WB) opens at that house Friday (28).

'Brown Danube' play is currently in the first of two weeks at the Forrest, Philadelphia. It is tentatively slated to come to Broadway during the week of May 8, but a final decision on that will probably not be reached by the producers, Bonfils & Somnes, until some time this week. There has been little talk of Nazi agitation against the play in N. Y.

FANS RESENTING STORY REMAKES

Antipathy to Carbon-Copy Films Interpreted in Poor B. O.—Slight Switches in Scripts or Characters Not Enough of a Change

FALSE ECONOMY

An unusual increase in picture remakes during the past year, some under titles formerly carried but to a greater extent under new titles, is causing considerable complaint among fans, according to exhibitor reports. Being drawn to the theatre by an enticing title only to discover that the picture is one that was made before, very often not long ago, customers are beginning to figure it's about time they weren't fooled that way.

In other cases they forget titles of certain pictures they have seen before, when there is no switch for the marquee, and raise the point that the producers are not playing fair by turning out so many carbons of former features. The exhibitor gets the full brunt of the beef and in many instances is attacked because he doesn't advertise that the film is a remake.

A very representative number of pictures, some with slight switches in the stories, have been delivered on the current (1938-39) season as remakes. The majority of them, regardless of new twists or reversing former femme and male leads, etc., have not done so well at the box-office. Some stories have been remade as many as five times, a notable example being 'The Hottentot.' A couple years ago it was redone as

(Continued on page 45)

FCC Lukewarm To Televish, But Can't Halt Sales

Washington, April 25.

Doubt that the Federal Communications Commission will standardize television requirements in the immediate future was voiced last week following the return of five members from inspection tour of eastern laboratories and experimental stations. Resume of the visit, in the nature of a progress report, was on the bearish side.

Commercialization will not be even considered at the present stage of development, while the Commish

(Continued on page 22)

Franchot Tone Won't Take Role First Offered to Burgess Meredith

Photographing Royalty

Lens departments of all the major news agencies which expect to have photogs covering the King and Queen of England next month were notified last week that their men will have to wear special uniforms while working. Garb will be blue with white armbands and no hats.

Shutter-snappers, official instructions say, must not address the King or Queen and can speak only when spoken to—under penalty of having all privileges revoked. That's a reminder of the time Izzy Caplan, of the N. Y. Mirror, was covering Queen Marie of Rumania and addressed her as, 'Hey, Queenie.'

Lensers during the English royal visit will travel in the 'pilot train,' ahead of the official party.

PATRIOTISM MARKS RADIO OFFERINGS

Jittery European condition has produced its reaction in the program agenting field. Advertising agencies are being offered a wide variety of patriotic programs. The theme in practically all instances is historical, some dramatizing the deeds of prominent patriots, while others offer either a review of the fight for civil liberties or a cavalcade of outstanding American crises.

Most of the presentations are accompanied by letters of approval from prominent personages of the Washington administration.

Franchot Tone and Burgess Meredith refuse to let a contract for a commercial program series blight their personal friendship. While the two actors are engaged in a Gaston-Alphonse routine, their respective agents are standing by impatiently and wondering what will happen to the contract for the summer run in the Pepsodent spot (NBC).

Lyons & Lyons office had submitted for the 13-week groove a serial, 'Prosecuting Attorney,' with Burgess Meredith to head the cast, while the William Morris office, in cooperation with NBC, offered a dramatic series by Elaine Sterne Carrington with Tone playing a medical role. Pepsodent, and its agency, Lord & Thomas, like the Lyons script but prefer to have Tone instead of Meredith in the star part.

The merger seems to be okay with the agents but Tone won't have it that way. Meredith, he says, is a pal of his and he won't step into something for which his pal had originally been suggested. Meredith retorts that if the client prefers his pal it's double okay with him and wants Tone to take the assignment.

Since it looks as though Tone won't budge from his stand, the agency has started to scout around for another Hollywood name. It has already contacted the head of one studio for permission to let one of the producer's up-and-coming names take the series.

Gus Sun's 50th Anni

Springfield, O., April 25.

All local houses are participating in the current Golden Jubilee Week in honor of Gus Sun's 50th anniversary in show business.

Phil Chakeres, head of Chakeres-Warner Theatres, is handling the arrangements. A banquet at the Springfield Country Club April 29, to be aired over WHIO, Dayton, tops off the week's hoopla.

35 GIRLS and ONE MAN
The Hour of Charm
Phil Spitalny
And His All Girl Orchestra
concluding the third year
of broadcasting for
General Electric

Distribs Want to Set Up Machinery To Administer Trade Practice Code

Early meetings are likely to be arranged by the distributors for the purpose of discussing the type of machinery that will be set up to govern arbitration under the trade practices code. The urgency of arriving at the details of arbitration is important in the minds of distribs because of the fact that the sales season is here and contracts are being written to include the provisions of the code.

Because of the complexities and the various angles that figure in setting up arbitration machinery that will work and be fair to both sides, the distribs are desirous of starting discussions as early as possible and, meantime, welcome any suggestions from the exhibitor side of the fence. Latter may make recommendations with respect to arbitration pending final action on the trade practices pact itself so that when all the answers from the exhib groups are in, there will have been some progress toward a means of arbitrating disputes.

The hope is for arbitration that will stand the test of any court action, yet be binding enough on both sides when contracts are written to prove effective when disposed of. Desire for a complete draft of the machinery to govern is predicted to a large extent on the fact that many of the provisions of the trade concordat bear on arbitration. Without a suitable method of arbitration at an early date, the provisions themselves will have only partial meaning and numerous controversies would have to be tabled until a system of arbitrating troubles is set up.

During the past week, the Motion Picture Theatre Owners of America indicated that it was 'particularly anxious that the arbitration clause be completed and put into the proposals so much will depend on arbitration'. Ed Kuykendall, president, indicated that the majority of the MPTOA board members had accepted the code substantially although some provisions have been left out that it was hoped would be included. Kuykendall did not enumerate these.

'Copies of the draft were sent to all the board members of the MPTOA, but a meeting of the directors will not be called until all have had an opportunity to study the code closely. Until the board session is held, the MPTOA will not give the distribs its final answer. However, Kuykendall stated:

'I personally feel that the theatre owners of this country regardless of affiliation should welcome these proposals and give them a fair trial.

'MPTOA has fought consistently over a period of years for fair trade practices within this industry and will continue to fight for such things that are fair and right for the theatre owners as exemplified in our proposals. Known to the trade as the 'Ten Point Program; and the MPTOA will continue to oppose governmental interference and regulation in the motion picture industry.'

St. Louis Zone Exhibs Desire Clarification

St. Louis, April 25.

The new trade practices draft as proposed by major producers and distributors was discussed by local exhibitors last week and while the consensus of opinion was that it may possibly be a way toward better conditions there are some angles that need clarification and smoothing out for the protection of the small exhibitors.

The principal objection is that the exhibitor must exercise his exclusion privilege within 14 days after the first run exhibition in this community has come to a close. It was pointed out that many of the smaller exhibitors do not sign film contracts until after the pics have been shown first run, and that so far as they are concerned the new 20% exclusion clause is meaningless. Some of those who discussed the situation took the position that relative to designated or preferred play dates, the exhibitor would be forced to do exactly what the distributor wants when he books films.

Fred Wehrenberg, owner of a local chain of nabes and prez of MPTOA of Eastern Missouri and Southern Illinois, said that something must be done to protect the exclusion rights of the smaller exhibitors in the larger cities. He offered a suggestion that the exhibitor should have the right to exercise the exclusion privileges up to 20% of his film commitments provdied he does so within 14 days after the pics become available for showing in his house. Some of the local exhibitors feel that in view of the restrictions placed on their exclusion privileges they are not much better off than they were with the 10% clause in effect. They also would appreciate a stronger clause in regard to designated play dates.

Wisc. Noncommital

Milwaukee, April 25.

Local exhibitors, for the most part, are withholding comment on the new trade practice draft approved by the major companies until they have had an opportunity to make a more extensive study of it.

The Independent Theatre Protective Association of Wisconsin will be guided in its action on the new draft by Allied's recommendations in the matter, according to Ray J. Tesch, business manager. Directors of the ITPA are expected to hold a meeting on the matter next week.

Set Clocks Ahead

Sunday next (30) sees daylight saving time officially in effect.

Clocks should be set ahead an hour.

Hollywood Ready For Visio; Pic Technique Okay for Telecasts

Hollywood, April 25.

Film industry is not going to be caught napping by television, in the opinion of Dr. A. M. Goldsmith, chairman of television committee of Society of Motion Picture Engineers, after a week of sessioning here.

Chief object of the committee, composed of prominent members of both industries, is to avoid conflicting standards or practices. First aim, Dr. Goldsmith declared, is to collect all existing information; second, is to guard against misunderstanding; third is to act as a mutual guiding agency in the technical activities common to both industries.

'The technique of television,' Dr. Goldsmith asserted, 'is still in a state of flux, but it appears that present motion picture standards are acceptable to television, and that television will try to work toward those standards.'

Dr. Damrosch's Par Debut Starts May 15

Hollywood, April 25.

Dr. Walter Damrosch is due here May 15 to make his debut as a film actor in 'The Star Maker' at Paramount.

Maestro's picture work will take about three weeks, during which he will conduct his regular NBC air program from Hollywood.

Metro Renews Taylor

Hollywood, April 25.

Metro has extended Robert Taylor's contract.

His first pact was signed five years ago.

ARRIVALS

(At the Port of New York)

Gerald Cock, Busch Quartet, Gladys Cooper, Adolph Zukor, Victor Saville, Bela Lugosi.

CORRIGAN, CANTOR PIX OFF RKO PROD. SLATE

Hollywood, April 25.

Douglas Corrigan is no longer an actor as far as RKO is concerned. Studio allowed the wrong-way flier's option for a second picture to lapse.

Eddie Cantor's one-picture deal was also cancelled and 'The Flying Yorkshireman' shelved.

DRAMATISTS TO MULL H'WOOD FINANCING

Dramatists' Guild council will meet again next Monday (1) to continue consideration of the so-called Wharton-Wilk plan which would provide for the reentry of Hollywood financing into Broadway legit production. Council began consideration of the plan last Wednesday after a final draft had been prepared. Robert E. Sherwood, Guild president, submitted the document to the council before sailing for London. Decision in the matter will probably not await his return in July.

No indications were forthcoming at last week's meeting as to what the attitude of council members would be toward the plan. However, the fact that Sherwood presented it and that it is receiving continued study tends to show it is considered seriously. However, no final decision will be reached until Sidney Fleischer, Guild attorney and film sale negotiator, recovers from his recent operation and explains the legal aspects. If approved by the council the plan would then go to the Guild membership and if still okayed would be up to the Broadway managers and the studios for acceptance.

Although the film companies are hurriedly studying scripts and otherwise readying plans to reenter legit producing, no actual deals are known to have been set. Warners would like to finance George Abbott productions and have tentatively approached Mr. Abbott with that idea, but nothing is set. Several other studios have also expressed an interest in backing the same producer. Warners formerly backed Abbott shows but since the withdrawal of the picture companies from legit activities, the manager has used only his own money for producing.

SAILINGS

May 17 (London to Rio de Janeiro) W. J. Hutchinson (Cap Arcona).

May 13 (New York to London) John Byram (Georgic).

May 6 (New York to Havana) Bill Danziger (Oriente).

May 3 (London to New York) Erich Pommer, Leslie MacDonnell (Queen Mary).

April 29 (New York to Santiago) Arthur Rusicka (Queriqna).

April 28 (Sydney to San Francisco) C. E. Munro (Monterey).

April 26 (London to New York) Teddy Carr, Clifford C. Fischer, Phil Reisman (Normandie).

April 24 (Los Angeles to Sydney) Charlotte Greenwood, Romaine Callender (Mariposa).

April 21 (New York to London) Gilbert Seldes, Mr. and Mrs. Spencer Tracy, Mr. and Mrs. George Arliss, Irene Jeritza, Mr. and Mrs. Truman Talley, Mr. and Mrs. Robert E. Sherwood, Omar Kiam, Phyllis Brooks (Queen Mary).

April 21 (New York to Plymouth) Mr. and Mrs. Herbert Jannsen, Arthur Rubenstein, Wesley Ruggles, Margaret Sullavan, Leland Hayward (Ile de France).

April 20 (Los Angeles to Honolulu) Sylvia Tornroth (Matsonia).

Other News of Interest to Films

Luise Rainer and Claire Luce's London plays.....Page 11
'The Women' clicks in London.....Page 11
Tough Nova Scotia tax.....Page 11
U. S. film industry sees Latin-American market overemphasized.....Page 11
'Big Town'-Dick Powell layoffs.....Page 16
'Good News' continues.....Page 19
RCA's television demonstration.....Page 22
Radio reviews: Jimmy Walker, 'Hot Mikado', Irene Castle, Lux's Aussie duplicate.....Page 26
Group Theatre offered to radio.....Page 27
Herman Starr vice Buddy Morris.....Page 30
Rodgers and Hart's legal knot in song royalty contract.....Page 31
Erin O'Brien Moore leaves hospital.....Page 38
N. Y. Fair sidelights.....P. 46-47

Neely Proponents Peeved at Press

Washington, April 25.

Supporters of the Neely bill are raging at the daily press in a way that compliments the Hays crowd. Complaints that arguments in favor of the block booking ban were snooted by the scribes, besides building good will for the majors, indicate the producer-distributor contingent avoided prior mistakes.

In contrast to previous performances before legislative committees, the MPPDA used showmanship in its fight. With Bob Montgomery drawing a capacity crowd at the opening day, the majors had the breaks throughout, due chiefly to the friendships between Capitol press galleries, and Ed Clark, press boss at the Hays organization's New York office. In constant attendance Clark, who used to head Universal Service Bureau here, kept former associates supplied with mimeographed copies of the principal testimony by industry spokesmen. Press services were unable to keep men steadily on the scene, due to the number of other simultaneous goings-on at the Capitol and the fact that the subcommittee several times met while the senate was in session. Legmen naturally wrote their stories from the handouts.

As the hearings drew to a close some of the women's groups began applying heat to publishers, demanding stories giving their side of the tiff. Bureau serving one chain of dailies had to put a 'must' yarn on the wires to appease the Neelyites. Scribes' attitude toward the block booking abolishionists was not improved when one of the women leading the fight for the bill registered personal complaints with not-too-subtle hints that the press gallery crowd was biased.

Par Buys 150-Acre Site in West L. A. For $12,000,000 Plant; Move in Year

Hollywood, April 25.

Paramount closed a deal for 150 acres as the site of its new $12,000,000 studio, planned as the most modern film plant, with 26 stages and the latest equipment, including a television communication system and glassed-in galleries for spectators on the sets. Site of the new layout is a tract once known as Rancho La Lomita, half mile west of the 20th-Fox studio in Westwood. It is bounded by Pico boulevard on the north, Overland avenue on the east, National boulevard on the south and Kelton avenue on the west.

Plans call for an administration building and main entrance at Pico and Overland, with the stages spread fan-wise, all air-conditioned and soundproofed, particularly on the roofs to prevent interruptions by passing airplanes. Tank stage, covering a four-acre reservoir, will be equipped with a gym, swimming pool and tennis courts for employees.

Ground will be broken Sept. 1. On suggestion of Stanton L. Griffis, exterior motif will follow that of N. Y. World's Fair buildings to get away from factory atmosphere.

Studio will be a town in itself, with its own postoffice and a railroad depot on the Pacific Electric, which bisects the lot. The whole project, according to Barney Balaban, Par prez, will be built without new financing.

Construction is designed by units, with the permanent sets the first to be erected. To keep the production schedule moving, it will take a year or more to move completely from the present quarters. Disposition of the old studio is still a problem. RKO is said to be angling for it, but Par execs deny there is any deal pending.

Should Mean Realty Profit

Disposal of its Marathon street lot in Hollywood should show a substantial profit for Paramount. Sale may not only cover the cost of building a new Par plant, at an announced $12,000,000, but also leave profit to spare. There is a $2,500,000 bond issue on the present studio.

The lot on Marathon street, near the RKO plant, covers 26 acres and is in the heart of Hollywood. Aside from the fact that this land is considered too valuable to be used for studio purposes, Par's decision to move farther out is based to a large extent on a desire to have more room, so that various permanent sets can be built.

The so-called Lasky lot, at Vine and Argyle, near to the present Par studio, was sold to Columbia Broadcasting Co. and associates at less than $1,000,000, regarded as an extremely low price in view of the location.

Boris Morros East On N. Y. Fair's Music Hall Presentations

Deal whereby he would handle certain musical and stage presentations in the Music Hall at the New York World's Fair may be worked out by Boris Morros when he arrives today (Wednesday) from the Coast. Morros is flying in from Hollywood to go over a contract drawn up by attorney Louis Nizer.

Project that Morros has in mind for the Hall is stage shows involving Latin-American governments. If deal goes through it will be about the fourth different type of entertainment planned for the 2,500-seater auditorium, located strategically near the entrance to the midway at the exposition.

Originally built for music festivals (which were turned down subsequently because of outlay), a plan for staging condensed legitimate shows was abandoned because of acoustics and precarious financial possibilities, and then a proposition of name band appearances was lined up. This was near consummation when the Fair officials turned back to the music festival plan.

Just what will be done with the original music festival plan if Morros goes in remains a question. Report in Fair circles, however, is that the name music policy may be given up as too costly.

Hollywood, April 25.

Jules Verne's old novel, 'Around the World in 80 Days,' is slated as Boris Morros' second production. It was filmed years ago as a silent by a small French company.

Shooting starts in early fall, following completion of Morros' first picture, 'The Aviators,' starring Stan Laurel and Oliver Hardy. Morros is negotiating for a release.

L. A. to N. Y.

Pete Barnum.
Constance Bennett.
Joan Bennett.
Sam Briskin.
Michael Brooke.
Phyllis Brooks.
Charles H. Buckley.
Douglas Fairbanks.
Corey Ford.
Billy Gilbert.
Phil Goldstone.
Jack Haley.
Harry Hunter.
Sam Kerner.
Michael Kraike.
Dr. Herman Lissauer.
Harry Lang.
Cecil F. Mason.
Una Merkel.
Boris Morros.
J. J. O'Connor.
Jonah O'Hara.
Lew Pollack.
Eleanor Powell.
Claude Rains.
Al Rosen.
Lillian Roth.
Jerry Sackheim.
Penny Singleton.
Jack Skirball.
Stephen Slesinger.
Sam Taylor.
Maurice Woolf.
Nat Wolfe.

N. Y. to L. A.

Irving Berlin.
Pat Casey.
Mr. and Mrs. S. Charles Einfeld.
James R. Grainger.
Monroe Greenthal.
Hal Horne.
Bela Lugosi.
Al Margolies.
A. H. McCausland.
Lilly Messinger.
Bill Miller.
Irving Rubine.
Herbert J. Yates.

'LET LIVE' SELLING FOR '40

Bill of Particulars in U. S. Trust Suit Due to Be Filed Today (Wed.)

The long-awaited bill of particulars by the U. S. Government will be filed in the N. Y. Federal court today (Wednesday), according to authoritative sources. The Government will shoot the works in the bill, listing every alleged violation it has on hand, instead of only a few, with the rest to follow before trial.

The bill will be filed either by Seymour Krieger or Robert L. Wright, special assistant U. S. attorneys, who are conducting the examination of United Artists officials in N. Y.

Examination of United Artists officials before trial by the Government continued all last week, in N. Y. federal court with Charles Stern, New York district sales manager, on the stand. Among questions asked were: who services what exchange, negotiations with circuits for disposition of product, and, specifically, if the Century Circuit of N. Y. had not asked last year for an earlier clearance. This was denied by the witness.

Stern also stated that it makes no difference in giving first runs or better prices, if a man has one theatre or a circuit.

Edward C. Raftery, attorney for UA, refused to allow the witness to answer questions relating to negotiations for contracts, only as to the contracts themselves. Raftery also stated that United Artists reserves the right to select its own customers, and not to say why they choose to do business with certain people.

The hearing continued Friday (21) with Stern on the stand. On Thursday, Robert L. Wright, prosecuting attorney for the Government, spent the day at the offices of O'Brien, Driscoll & Raftery, examining UA contracts.

Seymour Krieger, special assistant attorney general, took up the questioning of UA officials on Friday (21), continuing as a witness, Stern plus Edward Mullin, office manager. The main subject dwelt on by Krieger was the establishment of clearance in different cities, and how it is done.

First runs and why certain persons secure preference was another line of attack. Questions about former anti-trust actions took up part of the time. Specifically, questions about why Paramount received a first run in Middletown (there was no opposition) and the reasons the Loew Circuit was favored over the Century's Patio in Brooklyn.

A postponement was taken to Wednesday (26) at which time Harry Gold will return from Miami to be questioned.

Butler, Conselman's U Home-Office Huddles

David Butler and William Conselman, director and scripter respectively on Bing Crosby's starrer, 'East Side of Heaven,' in from the Coast for a home-office huddle on the next Edgar Bergen-Charlie McCarthy' feature.

Also will discuss plans for the new Bing Crosby feature, which is scheduled to go into production as soon as the Bergen picture is completed.

Einfeld Back West

Following launching of several Warner pictures in New York, Charlie Einfeld, accompanied by Irving Rubine from the studio, leaves Friday (28) for the Coast. Mrs. Einfeld also accompanies.

Coming east following the Dodge City, Kan., stunt, Einfeld has supervised the campaigns on 'Dodge City'; 'Dark Victory,' now at the Music Hall; 'Juarez,' which opened last night (Tuesday) at $2 at the Hollywood and 'Nazi Spy,' starting Friday (28) morning at the Strand, N. Y. Rubine was on from the Burbank plant to aid him.

WALT DISNEY IS NOW A COLLECTOR'S ITEM

Philadelphia, April 25.

Art connoisseurs have suddenly discovered Walt Disney and are scrambling for the originals that go into the making of cartoons for the screen, according to J. Leonard Sessler, Philly dealer and authority.

Sessler said that almost 600 of the drawings have been sold here recently at prices ranging from $5 to $75 each.

FINE ARTS-GN PATCH THEIR DIFFERENCES

Fine Arts has resumed production of pictures for Grand National as result of two weeks' conferences in New York between E. W. Hammons, Franklyn Warner and Jeffrey Bernerd-Maurice J. Wilson, latter duo of Grand National Pictures, Ltd., English distributor. Franklyn Warner's 'Panama Patrol' (FA) goes to Grand National for immediate release.

Warner left for the Coast on Saturday (22) to complete casting two of the next five features to be produced in a total series of 12. 'Dead Man's Cipher,' a sequel to 'Panama Patrol,' and 'Full Speed Ahead,' an actioner. Other pictures lined up by Warner are 'Trouble in the Pacific' and 'Wonder World,' both specials budgeted at over $200,000 each, and 'At Your Age.'

Aside from solution of GN's immediate problems, two other factors were reflected in the final agreement worked out. One is that new financing has been secured by Hammons to ensure functioning of the GN sales organization, and the other is that Fine Arts has undertaken to guarantee that Grand National Pictures, Ltd., of England will get 12 Fine Arts productions to distribute in the British Isles.

Bernerd sailed back to London Friday (22), satisfied that future delivery of pictures to his distributing company is assured. His English company holds a five-year franchise for GN product. Bernerd took a print of 'Panama Patrol' back with him. Wilson is now on the Coast conferring with the Grand National studio executives and other independent producers.

Warner is returning to New York by the end of the week to attend to financial details and new capital.

Norman Nicholson of GN represented Hammons when new contracts were signed last week; Cravath, de Gersdorff, Swaine & Wood represented Fine Arts, and attorney H. W. Fitelson acted for the British GN organization.

Fine Arts Teeing Up 2

Hollywood, April 25.

'Dead Man's Cipher' rolls at Grand National as soon as Charles Lamont, producer-director, completes his Universal commitment, and 'Trouble in the Pacific' goes into work a few days later, Elmer Clifton directing.

Sam Berkowitz is Franklyn Warner's executive manager here.

Mayo on 'Bay' Leave

Hollywood, April 25.

Walter Wanger borrowed Archie Mayo from Samuel Goldwyn to direct 'The House Across the Bay,' next Wanger production of the new season.

Joan Bennett plays the lead.

DISTRIBS' TERMS NOT SO SEVERE

Live-and-Let-Live Idea—It's a Switch on Last Season's Sales Approach at This Time of the Year

GOOD-WILL IDEA

In view of the fact that severe exhibitor resistance last year badly derailed the selling season, running up the cost of peddling the film, and that since then a maze of legal troubles is making the distributor less the aggressor than he has been in the past, less haggling over deals for the 1939-40 product is looked for. The approach is more like that of a lamb than a lion, exhibitors report. At the same time distributor inference to be drawn is that a policy of live and let live is to prevail, with more give than take by the seller appearing to suggest the trend.

In selling the '39-'40 film, those companies which are already negotiating contracts are not making the demands as severe as the average buyer had expected, with the probability that while the best possible rentals will be sought the distrib will be more willing to compromise deals this year than in others. Any obvious attitude of extreme fairness under which the distrib might be conceded as bending backward a little, in order to get together with buyers, not only is likely to speed up negotiations but could have another reaction, it is pointed out.

This is realization that the distribs are trying to meet the exhibs more than half way without unyielding insistence on certain conditions under contracts. Result is that exhibitors would have less to complain about on the '39-'40 buys, thus removing the sting somewhat of the attacks of the U. S. anti-trust and other suits, plus legislation.

Some exhibitors will always want more than they ever will get, never feeling satisfied until they get their film gratis, but if the distribs like season's end find the best to set up deals that are equitable to both themselves and the buyer, the good will value, it is stressed, will become an important asset.

Some distributors evince no surprise that they are out selling film this year without the usual pronouncements that much higher rentals must be obtained, more percentage deals made, and that there will be no more 'B's. Their attitude, on the contrary, is that 'we don't want to put anyone out of business and will accept any deals that are at all reasonable.' The decision not to force shorts or newsreels is believed to be an honest one, although some salesmen may still attempt to drive bargains with the buying of the shorts as a consideration.

Home Offices Cautious

Home offices, which approve all contracts written, are going to scan them with the greatest care, it is understood, to see that no undue advantages are taken by the salesmen and with a view to interpreting whether a contract, as written for one exhib, imposes an unfair condition on another. The supervision is expected to be the strictest in history and may have plenty of salesmen cussing when contracts come back for rewriting.

The Metro sliding percentage deal, putting it strictly up to the picture to learn what the contract calls for, is typical of the general trend. Warner deal, in view of the percentages and the manner in which the pictures are bracketed, is also regarded as indicative of the 'generosity policy,' especially in view of the fact that WB has delivered a higher quota of hits on the 1938-39 season to date than any other company. On the basis of its deliveries, Warners could make heavy demands but the company isn't doing so and as a result, in all probability, will show a larger number of accounts on its books for '39-'40 than last year.

The trade practice code, permitting certain concessions, is another factor which makes the distributor a more desirable guy to deal with. Break there is strictly for the exhib.

UA Sets Up Own So. African Distrib System; Tieup with 20th on Sales; Capetown's Stance on New Bldg.

Arthur W. Kelly, in charge of United Artists foreign sales, is establishing UA's own distributing system of exchanges in South Africa, to be called the U. A. South African (Pty) Ltd. Al A. Lowe, formerly with UA in the Far East will be in charge of headquarters in Johannesburg and sails from New York in May.

UA's decision to establish its own sales organization is an outgrowth of a plan started a year ago, which was discussed and worked out by UA and 20th-Fox in a joint community of interests. Plan contemplated the setting up of an independent chain of theatres in principal cities of South Africa, locally financed, but lending sufficient encouragement to these interests, principally by franchising them for sufficient film product. General idea behind the scheme is to oppose the Schlesinger monopoly in S. A.

Twentieth-Fox will maintain its own distributing organization under Otto W. Bolle, but will work in close harmony with UA in franchising independent theatre operators for product on a five and 10-year basis.

First franchise has been sold to Cinema Theatre Investments, Ltd., which is constructing a first-run house in Johannesburg, in conjunction with 20th-Fox, called the 20th Century, as well as theatres in other cities. UA franchise prior to this used to go to the Schlesinger houses.

Kelly estimates that, between the 20th-Fox and UA, plus other outside pictures available, a maximum of 104 pictures a year can be counted on to compete with the Schlesinger chain which, on the average, uses 150 pictures annually.

So. Africa Sees Big Battle

Capetown, April 15.

Big fight between 20th-Fox and African Consolidated Theatres (Schlesinger interests) for cinema patronage in South Africa seems certain. Big question is whether there is enough room in the field for both

(Continued on page 11)

VICTOR SAVILLE'S COAST M-G HUDDLE

Hollywood, April 25.

Victor Saville is at the Metro studio to discuss with Ben Goetz and other execs the pictures he will produce in London. He is returning to England late in May with Goetz.

Metro is expected to make four or five at Denham for the new program.

FEB. B.O. UP, U.S. TAX TAKE FOR MARCH OK

Washington, April 25.

Improvement in film trade during February carried the Treasury's March admissions tax collections closer to the general 1938 level. Though still running behind, the Government enjoyed a $103,869 rise over the prior month, with the total haul touching $1,606,996, the best since December when theatres turned in a stunning $2,290,027 due to whopping November business.

Compared with March, 1938, the yield was off for the 12th time in 15 months. Down $166,079 under the same stanza of 1937 but well ahead of every prior year. Despite sharp month-to-month drops in Treasury's January and February grabs, the total Government take for the first three months is only $110,000 behind the first quarter of 1938 and is more than $150,000 better than same portion of 1937. Aggregate so far is $4,674,257.

Since the props were knocked out early in 1938, the Government revenue from amusements has dipped under $1,500,000 six times. The improvement of $103,869 is the largest jump over a prior month since November and is better than any February-March change since the depression pit.

Sol Lesser Finales RKO Deal in Aug., Thence UA

Hollywood, April 25.

Sol Lesser winds up his RKO releasing deal in August with the delivery of three features, two Bobby Breens' and one Irene Dare.

With the completion of the trio, Lesser plans to devote all his time to his new United Artists deal.

Doug, Jr.'s One-a-Yr.

Hollywood, April 25.

Douglas Fairbanks, Jr., signed to make one picture annually for Harry Edington's Famous Productions for three years.

Deal is in addition to Fairbanks' one-picture pact as male lead in 'Atlantic Cable,' Edington's first production at Universal.

WONG'S ANZAC DATES

Anna May Wong left last night (Tuesday) on the first leg of her vaudeville tour of Australia.

Tivoli Theatres, Ltd., is handling her engagement set to open in Melbourne early in June.

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

SUBSCRIPTION
Annual..... $10 Foreign..... $11
Single Copies..... 25 Cents

Vol. 134 No. 7

INDEX

Bills 36-37
Chatter 45
Dance Bands 30-32
15 Years Ago 34
Film Booking Chart 14
Film Reviews 12
Film Showmanship 8
House Reviews 35-38
Inside—Bands 32
Inside—Legit 40
Inside—Music 30
International News 11
Legitimate 39-43
Literati 44
Music 30-32
New Acts 34
Night Clubs 33-34
Obituary 44
Outdoors 46-47
Pictures 2-17
Radio 18-29
Radio Reviews 28
Vaudeville 33-34

Zukor's Foreign Findings After Four Months of General Survey

Keenly attuned to the problems of the picture business today, Adolph Zukor, now 66 but very alert, has many important points and observations of industry importance to stress following his return Thursday (20) from a four months' survey abroad. The chairman of the board of Paramount, whose experience in the business goes back farther than anyone else active in it, can be quoted on the following:

1. Financing of production in England is becoming easier to obtain.

2. Paramount will make at least six pictures in London for the 1939-40 season and possibly more if good stories come along.

3. There will be no expansion in theatres abroad, under present plans.

4. No new plans are in mind for the Spanish market, which it is hoped will be an open market.

5. Television will never become dangerous opposition to film theatres.

6. Foreign public takes its films far. more seriously than Americans and are better posted on them.

7. Picture audiences are growing abroad, making it more incumbent on Hollywood producers to turn out film of greater universal appeal.

8. Any evils of the picture business should be cured by those in the industry, not by those outside of it.

9. Legislation against block booking will help no one, importance being that this problem be worked out by the distributors and exhibitors.

10. Exhibitors should make greater effort for their own good to encourage the producer rather than discourage him with probable resultant poor product.

11. If there is complaint that the verbiage of the trade practices code is not clear, then it should be made clear.

12. Hollywood should turn out pictures that are primarily entertainment and avoid anything that is political, propagandic or controversial in the first analysis.

While abroad Zukor covered the British Isles and the Continent except for the totalitarian states. Latter were left to John W. Hicks, Jr., head of the foreign department, including Germany in which Paramount continues to do business.

He conferred with all of Par's forces in the countries he covered, held various meetings at which persons outside of films were invited, studied audience reactions, the market situation, future outlook, etc. Zukor is reporting on his findings, making suggestions and recommendations, while in New York during a month's stopover pending a tour of Australia with Hicks. He will stop off at the Par studio in Hollywood on the way down under and also on the return trip. After looking in on the home office again, he and Hicks will tour South America.

Theatres Not So Badly Off

Zukor indicated that while theatre grosses are affected by the war scare, due to the economic fact that this usually is a large sector of the present depression in all lines of business, theatres are doing proportionately better than other industries and there is less of a jittery reaction among the people than over here where American newspapers are playing up the war hysteria. Zukor assumed Par would continue to sell film in Germany as long as it could. Two others, 20th-Fox and Metro, are still in that market.

Par has around 20 theatres in Great Britain now as show-windows but does not propose acquiring any more. There is no industry need for more theatres in England, Zukor added, because there are no conditions to necessitate it in order to get first runs for pictures. Par formerly had a house in Barcelona, Spain, but has no plans reentering that country as an exhibitor at the present time.

Par's interest in England is more deeply rooted in producing worthwhile product on that side for world consumption. If valuable stories are obtained, indicating good possibilities for filming, the company will make more than six features there this season. No budget has been set on the six scheduled, the amount to be spent being entirely dependent on the stories as acquired, casts obtainable, etc.

Pegs England's Limitations

Paramount's chairman stressed that the number of pictures made in England should never total more than 50 for all producers, because more than that is beyond the country's present manpower. Between 25 and 30 is a better figure on a basis of efforts to make bigger pictures, but if smaller ones are also to be turned out, the number could range from 35 to 50.

Foremost among Zukor's impressions abroad were the public interest in pictures and the amazing number of fans outside of England who understand English. Foreign tastes do not differ from our own, adds Zukor, except that while a lot of dialog goes on this side, over there audiences are mostly interested in action. Although he suggested that this may be due to dubbing in non-English countries where, however, majority of fans understand English, in Great Britain, also, they prefer more action and less dialog.

This, the Par founder believes, should serve as a guide in the production of pictures not only on the other side but here as well. Zukor noted that fans abroad, keeping up closely with pictures and well informed about them, do not pan seeing film shows haphazardly, on 10 minutes' notice, but do so with the same advance seriousness as people here plan going to the opera or legit.

Bullish on production in England, Zukor pointed out that a few years ago there was a lot of financing available and that too many pictures were made without regard to budget quality and market appeal, result being that the purse-strings were badly tightened. Now that greater care is being taken in production, financing is starting to loosen up.

Zukor said he saw some television while in England but it was the same essentially as he saw a year and a half ago, although there is some improvement in mechanical ways. He doesn't believe that, although if television carves its own niche, it will ever interfere with films. 'I can't visualize a television now in a darkened room ever taking the place of theatre entertainment as now established,' Zukor added.

Dwelling on unsettled conditions here and abroad, Zukor urges that every encouragement be given the producer so that budgets are not cut when things are bad, bringing an inferior product to the markets of the world. In this connection, he cited that in other business the retailer always makes every effort to get the wholesaler to turn out even better merchandise so that he can find buyers for it.

In pictures, Zukor pointed out, it is the opposite and exhibitors encourage legislation and other discouraging factors. 'Why the exhibitor places hardships upon the producer is beyond my comprehension.'

In connection with efforts toward self-regulation under a trade practices code, about which Zukor kept informed through the trade papers, he heartily endorsed these moves but blasted at such legislation as the Neely bill.

Believing that pictures should veer away from controversial, political, propagandic and other issues, with a view to considering the entertainment angle first, he added that if such subjects are tackled in a way as to be entirely entertaining, then it was permissable.

Zukor stated he enjoyed his trip abroad very much. 'I had a lot of fun,' he added.

Laurel-Hardy's 'Chump'

Hollywood, April 25.

'A Chump at Oxford' is the first Stan Laurel-Oliver Hardy four-reeler to be produced by Hal Roach for United Artists.

Shooting starts May 15, with Laurel as probable director.

Disney Pub. Shakeup

Hal Horne, eastern rep for Walt Disney; Dick Condon, eastern publicist, and Joe Heppner, cameraman, leave for the Coast, Friday (28) on business. Reported that visit may be connected with proposal to switch publicity headquarters to New York.

Gregory Dickson, Coast publicity man for Disney, has resigned, indicating that some sort of realignment is in the offing.

Studio Contracts

Hollywood, April 25.

Metro contracted Richard Collins, scripter.

William Drake signed to writing pact by 20th-Fox.

Jane Webb inked Paramount player ticket.

Metro renewed Dr. Arthur Guttman's deal as arranger-composer.

Warners pacted Tom Reed, writer.

Major Nathan Levinson renewed as studio sound chief at Warners.

Samuel Goldwyn signed Jan Fortune, scripter.

Alan Baldwin handed player deal by Samuel Goldwyn.

Warners picked up Margot Stevenson's player option.

Metro renewed Sam Messenheimer's pact as composer-arranger.

Alan Curtis drew a new actor ticket at Metro.

Selznick-International signed Harry Stradling, cameraman.

Columbia signed Gene Tierney, 18-year-old New York deb.

Douglas McPhail inked a new Metro pact as a singing actor.

Warners renewed Aeneas MacKenzie's writing deal.

Paramount picked up Gordon Jones' player option.

Co-lights Hal Inked an actor pact at Warners.

Universal signed Robert Cummings to a player ticket.

GORDON-GOETZ'S 3-YEAR RKO SETUP

Hollywood, April 25.

Max Gordon and Harry M. Goetz are pacted to produce one or two high-budget pictures annually over a three-year period for RKO under the deal negotiated with George J. Schaefer in New York.

'The American Way' and 'Abraham Lincoln' are on the 1939-40 schedule, and additional pictures will follow as outstanding plays or stories come along. Gordon plans to devote his time to film production. Ben Boyer, his general manager in New York, will handle the legit enterprises for the Gordon-Goetz partnership.

U WINDING UP '38-'39 PROGRAM; 3 SET FOR '40

Hollywood, April 25.

With only two top-budget features remaining on the old production schedule, Universal is readying three to start next month for the 1939-40 program. Docketed for May are 'The Under Pup,' 'I Stole a Million' and 'Flying Cadets.'

Two still to be made for the current year are 'Modern Cinderella' and 'After School Days.'

Glamour Team's Encore

Hollywood, April 25.

Hedy Lamarr and Robert Taylor continue as a co-starring duo in Metro's 'Guns and Fiddles,' to be produced when pair finishes 'Lady of the Tropics,' currently in production.

Co-starrers will be supported by Robert Young and Milija Korjus.

Lynn's Patriotic

Hollywood, April 25.

Jeffrey Lynn gets the title role in the American Revolutionary picture, 'Nathan Hale,' at Warners. Assignment is in line with the studio policy to use name players in patriotic shorts.

Alan Hale and Lya Lys are toppers in WB's 'Boycott,' based on German activities in America. Picture hits the cameras early next month.

CARTOON PATENT SUIT

Los Angeles, April 25.

Ned Mann Co. filed suit in Federal Court against Walt Disney Productions and RKO Radio Pictures charging infringement of an animated cartoon patent.

Suit asks a permanent injunction and an accounting to determine damages.

Three Radio Series Set for Films; 'Hornet,' 'Hometown,' 'Info Please'

Chicago, April 25.

'Green Hornet,' radio program on Mutual system, has been purchased by Universal. Will make it a feature instead of a serial, as Republic did with 'Lone Ranger' radio idea. If initial picture clicks, 'Hornet' may become a flicker series.

'Hornet,' like 'Ranger,' is owned by the King-Trendle broadcasting outfit of Detroit, which also operates station WXYZ.

Lulu Belle and Skyland Scotty have been signatured for two Republic flickers by Earl Kurtze, chief of the WLS artists bureau. The WLS performers will appear in a series of pictures based on the WLS radio serial, 'Hometown,' which has been on a 30-minute schedule every Friday evening.

Republic also negotiating for other WLS performers for the flicker, including Pat Buttram, Christina, George Goebel and Sammy Sommers.

Pathe's 'Information'

Contracts have been signed by RKO Pathe to film the radio program, 'Information Please.' A series of 13 one-reelers, each with a different guest star, is planned.

Clifton Fadiman, m.c. of the radio feature, will play the same role in the shorts and others who will appear are John Kieran, N. Y. Times sports editor; Franklin P. Adams, N. Y. Post columnist, and Oscar Levant, orchestral director and composer.

UA LOT ACTIVE, ALL 8 STAGES WORKING

Hollywood, April 25.

With all eight stages occupied, United Artists lot is busier this week than at any time in four years. Biggest production is Samuel Goldwyn's 'The Real Glory,' which rolled yesterday (Mon.) with Gary Cooper starring.

Other companies at work are Walter Wanger's 'Winter Carnival' troupe and three units of Goldwyn's 'Music School,' with Jascha Heifetz in the top spot.

'VITAL' SUBJECT FILMS BY NEW PIX GROUP

Hollywood, April 25.

Production of films on 'vital' subjects is the purpose of Motion Picture Guild, Inc., new company formed by a group of serious film-ites. List of directors includes Floyd D. Crosby, John Garfield, Irving Reis, Tess Slesinger, Basil Wrangell, Irene Lee, Michael Alexander, Howard Cahn, Arthur Ornitz, S. J. Perelman, Tatiana Tuttle, John Wexley, Harry Kurnitz, Adrian Scott, Robert Rossen and James Gow.

First picture on the list is 'School for Barbarians,' by Erika Mann, daughter of Dr. Thomas Mann. Shooting starts in Hollywood as soon as financial arrangements are completed.

PAR STOCKHOLDERS' SUIT

$20,000,000 Action Against Corp.—Charges Waste

A $20,000,000 stockholder action was filed against Paramount Pictures, Inc., 31 officers and directors, and Paramount Theatres Service Corp. in the N. Y. supreme court Friday (21) by Rae Nasoff, holder of 300 shares of common. She charges waste and mismanagement since 1935, asserts among other things that the total arrived at was due to the abandonment of started pictures, ineideness of stars and directors, inefficient directing, inexperienced and inefficient officers, inefficiency in preparing scripts, purchase of stories, of stars, and in shooting pictures.

An accounting of profits made by the directors and damages are sought. She is represented by Saul E. Rogers.

Among specific charges are that all of William LeBaron's pictures lost money as did all Cecil B. DeMilles'. The writeoff of $1,250,000 on 'Hotel Imperial' (Dietrich) which has not been released is attacked. Further charges, similar to the Lowe's stockholder action, concerning the $1,000,000 writeoff on a $2,500,000 story inventory, and the appointment of John E. Otterson as president are included among the attacks.

Belief that a proxy fight on these charges will be forthcoming in June is probable. This suit and the one brought by two plaintiffs, acting through attorney Joseph Nemerov, may be consolidated.

Selwyn's 'Dancing Co-ed'

Hollywood, April 25.

Edgar Selwyn gets the producer assignment on Metro's 'Dancing Co-Ed,' based on a novelette by Albert Treynor.

S. Sylvan Simon will direct from script by Albert Mannheimer.

GOLDWYN'S FLOOD

Hollywood, April 25.

Sam Goldwyn engineered a 1,500,000-gallon flood to fill his colossal pond in the United Artists back lot for use in 'The Real Glory.'

Pond represents a lagoon in the Philippines.

Canadians Want Film To Indicate A. Graham Bell's Dominion Birth

Toronto, April 25.

Amid a barrage of local squawks, release of 'Alexander Graham Bell' (20th) has been held up following threats to the Board of Censors here that protests will be carried to the Legislature if the film is exhibited without specified revisions.

Claim of the flag-waivers is that the film gives no hint of the fact that the inventor of the telephone was a Canadian and carried out most of his experimental work at his home in Brantford, Ontario. In addition to formal protests from patriotic groups, etc., H. L. Hagey, member of Parliament for Brantford, has been elected spokesman and has asked the Board of Censors that the picture be not passed.

Chairman O. J. Silverthorne of the Board of Censors has not reached his decision, but believes it possible that some compromise may be effected whereby a screen announcement, outlining Dr. Bell's Canadian background, might soothe the ruffled feelings of the patriots.

Slapsy Maxie to Punch Out Shorts Series for WB

Hollywood, April 25.

Maxie Rosenbloom and Johnny Davis are slated to share top spots in a series of pugilistic shorts at Warners under supervision of Gordon Hollingshead. Production starts June 15.

Studio also is readying a prize fight feature, 'Kid Caruso,' with Dennis Morgan and Marie Wilson in the leads.

Montgomery's 2 Abroad

Hollywood, April 25.

Robert Montgomery leaves for England next month to make two pictures for Metro at Denham.

Films are 'The Earl of Chicago' and 'Busman's Holiday.'

'Chips' Into B'way Astor

With the Astor, N. Y., still doing profitable business with 'Pygmalion' and Metro's 'Goodbye Mr. Chips' set to follow at this house, there is little likelihood of Universal's 'The Mikado' (British-made) going into the Astor.

Tentative booking calls for a deadline of May 2, after which time Universal has the right to book it elsewhere for a Broadway first-run.

U.S. NOW PROBES PX LABOR

Nick, Weston, Browne Blasted From Control of St. Loo IATSE Local 143

St. Louis, April 25.

John P. Nick and Clyde A. Weston were blasted from control of IATSE, Local No. 143, and George E. Browne, international pres of IATSE was enjoined from further interference with the St. Louis organization in a sweeping decision handed down Friday (21) by Circuit Judge Ernest P. Oakley, who also appointed a receiver to temporarily take charge of the affairs of the local. However, it required the services of a flock of local gendarmes and deputy sheriffs before the receiver could be installed in the Local's offices where he will conduct his work. Two gendarmes have been stationed at the place to remain until the court's order is fulfilled.

When Judge Oakley handed down his decision he personally phoned the 'Telegraphers' National Bank cautioning against removal of any of the local's funds in the depository. When James A. McKeown, prez of the John O'Brien Boiler Works, appointed as receiver, went to the Local's quarters to begin straightening out its affairs, Miss Loretta Markle, sec to Nick, was the only person present. She refused to accept service on Judge Oakley's decree and fled to an inner office in which she locked herself.

After the Sheriff's attorney advised McKeown that the decree did not give him power to break down the door, McKeown appealed to Chief of Police John Glassco, who dispatched the gendarmes. When they arrived Miss Markle opened the door and accepted service. Nick is reported out of the city and Weston was not present. In the meantime, McKeown, et al., met C. R. Newlin, sec of the Stagehands' local, and Arthur Lyday, international IATSE representative, Indianapolis, who was sent here by Browne to make an investigation of the affairs of Local No. 143. Neither would accept service so Deputy Sheriff Green stuffed copies in their pockets and McKeown proceeded with the work of gathering up records, etc., for study.

Judge Oakley's order, effective immediately, instructed McKeown, who posted a $100,000 bond, to appoint a committee of three union members, whose membership antedates June 1, 1935, to canvas the entire membership of Local No. 143 as soon as possible. The committee is to prepare sworn lists of members inducted into the organization in accordance with the rules of the international and local union constitution and of members who obtained union cards otherwise.

McKeown in Control

A meeting of those found by the court to be bona fide members then will be called to elect a set of officers, who shall have direct charge of the union's affairs, under the receiver's supervision. McKeown is to receive, through these officers, all dues, assessments, and other funds and is to approve all expenditures, sign or countersign all checks and have access to the safe deposit boxes.

Nick, Weston or their agents are enjoined from interfering in any way with the management of the union, from removing from the State, hiding or tampering with books and other property. The injunction order is directed against Browne, who was named a defendant in the ouster suit brought by 66 members of the local, but upon whom service was never obtained.

Nick and State Representative Edward M. Brady are awaiting trial on a joint extortion indictment growing out of an alleged payoff of $10,000 by theatre owners to forestall a wage increase demand in 1936 and Nick and Weston are jointly charged in another extortion indictment for an alleged $7,500 payoff, under similar circumstances, in 1937.

Paul Dillon, attorney for Nick and Weston, announced he would seek a rehearing of the case.

Sympathy

Hollywood, April 25.

Cutting short his quips at the Masquers' salute to radio last Thursday (20), Jack Benny trailed off into a semi-serious reference to his recent tiff with the Government.

'While at Palm Springs,' he said, 'I took a stroll out on the desert and accidently stepped on a rattlesnake. The viper curled up as if to strike, but after taking one look at me recoiled, as if to say, 'Buddy, you've had enough trouble.'

20TH OUTBIDS DISNEY FOR 'BLUEBIRD'

Paris, April 18.

Twentieth-Fox has won the film rights to Maurice Maeterlinck's 'Bluebird' from Walt Disney, who had been negotiating for it for some time. Disney wanted the story for 'Snow White,' but now the role she would have played will be given to a living character—Shirley Temple.

Although the price 20th paid for the story was not revealed, it is understood that Disney had bid up to $25,000 and was just about ready to jump to $30,000 when the deal was closed with 20th. The latter is said to have clinched the deal with a take-it-or-leave-it bid in the neighborhood of $35,000.

F. P. First Did It

Maeterlinck's play was first produced as a silent by Artcraft for Famous Players (Paramount) in 1918. It was a Maurice Tourneur-Marguerite Clark production. Winthrop Ames first produced the stage version at the New theatre, N. Y., in 1912.

Silent rights were acquired by 20th-Fox from Paramount three weeks ago.

TEDDY CARR EN ROUTE TO U. S.; NEW UA PACT?

Teddy Carr, co-managing director of United Artists' distribution organization in England, is sailing for the U. S. today (Wednesday). While his visit is for the purpose of attending the UA convention on the Coast in May, he may also discuss his status and terms of a new contract with Arthur W. Kelly and Murray Silverstone.

Recent reports from London that Carr was planning to join another distributor in England were denied by the UA general manager at the time.

6 on Move at Col.

Hollywood, April 25.

Columbia rolled 'Parents on Trial' yesterday (Mon.), the first of six features to be launched within 30 days.

'Coast Guard' goes into work Thursday (27), to be followed by 'A Woman Is the Judge,' 'Prison Surgeon,' 'Five Little Peppers and How They Grow' and the third of the Blondie series.

Skolsky Goes Par

Hollywood, April 25.

Sidney Skolsky has been put under contract as a writer at Paramount.

He will pass up columning while screen scrivening. He had a syndicating deal on.

BROADENS ITS ANTI-TRUST O.O.

Hollywood Studio Labor Muddle Brings in Justice Dept. Actively—No Mere 'Taking Under Advisement' Gesture

REVENUE DEPT., TOO

Hollywood, April 25.

Kenneth Thomson, executive secretary of the Screen Actors Guild, will shortly be summoned to appear before investigators of the U. S. Department of Labor, it is reliably reported. Labor Department wants to examine SAG methods of operation in connection with employment of screen extras.

Action of the SAG recently in suspending some of its members for various violations of the Guild constitution will come under direct scrutiny of the Government, following filing of a complaint with the conciliator of the Labor Department, by E. B. Bookesta, a suspended SAG member.

Washington, April 25.

Possible broadening of the Federal Government's film anti-trust case, via a new proceeding on the West Coast, was suspected last week in the wake of appeals for Justice Department to intervene in the industry labor troubles.

Active investigation of the Hollywood muddle was launched upon receipt of a plea from Local No. 37 of the IATSE for investigation of alleged conspiracy between the International officers and the major producer-distributors. Request received April 15 got prompt attention in a manner which indicated the D. J. feels the situation is serious from a public viewpoint.

While the gag was in place, it was learned the wire from the West Coast was not merely 'taken under advisement.' It bolstered an earlier appeal from New York, leading the anti-trust division to order an inquiry into the row between the Hollywood local and the IA bosses, and also the asserted 'collusion between monopoly interests and racketeering officials of the International.'

The Government has been looking into film labor ramifications for many months, keeping a close watch on disclosures in California, where a legislative investigating committee delved into graft charges a few months ago. Internal Revenue Bureau and the National Labor Relations Board have been rumored checking an assortment of tips with view to seeing whether the majors and the unions have violated either the tax laws or the Wagner act. The Justice Department, as far as has been disclosed, remained aloof from this phase of the industry's troubles, concentrating on the matter of competition in the exhibition end.

No Criminal Angle

How the labor row may fit into the New York anti-trust suit was unexplained. Unofficially there were suggestions the Hollywood fuss may lead to revelations that would tend to bear out suspicion the unions have played with the affiliated exhibitors in keeping out competitive indie theatres. It was significant, at any rate, that the plea for intervention did not go to the criminal division, the natural unit to look into charges which might be punishable by penal sentences.

While the Hollywood local enlisted sympathy of the Justice Department the entrenched IA high command was receiving help from Capitol Hill. Dies committee investigators are vigorously checking accusations that No. 37 has Communist agitators within the fold and that trouble-makers from the Congress of Industrial Organizations are behind the West Coast rumpus.

Page-one copy has been promised when the Dies crew reaches the public hearing stage, not expected until late summer. Buildup for the open proceedings includes alleged feedbox tips that much sensational info has been collected by the leg-men now in California and that definite link between the local and the Reds will be proved.

Entry of the Justice Department into the case was laughed off Monday (24) by Representative Fred Schulte, Indiana Democrat, who holds an IA card and was a charter member of the organization. Predicting the G-men will return empty-handed as far as the conspiracy charge is concerned, Schulte observed, 'We've been probed so often, the page numbers are worn off the books at headquarters.' In past few years, the D. J. sleuths have maintained a steady watch without turning up anything that will not stand public disclosure, he said.

'Open Shop' Return Held Possible Through IATSE Plan That Wouldn't Force Technicians to Join Union

We've Met Before

Hollywood, April 25.

Lionel Barrymore and his first wife, Doris Rankin, are working in Metro's 'On Borrowed Time,' their first joint appearance since they played in 'The Copperhead' on the Broadway stage 20 years ago.

This is their first meeting on the screen.

LYNCH, JO HURT IN RACETRACK PROBE

S. A. Lynch, who operates Paramount's theatres in Miami and vicinity, together with Joel Hurt, Jr., long his associate, are among 10 individuals facing an investigation of the Gulfstream race track venture by the Florida senate. Gulfstream, new track near Miami, opened during the past winter but closed down after only three days.

The racing strip was built on land owned by Lynch, who is in control of much real estate in southern Florida. Hurt, who was with Paramount at the home office during the bankruptcy reorganization, having been brought up by Lynch when latter was retained in an advisory capacity by the trustees, is v.p. of the Gulfstream track. John C. Horning, steel man, is president.

Since the Par reorg, Hurt had been associated with Lynch is realty and hotel management matters. Not known whether Lynch has any interest in Gulfstream other than as owner of the ground.

PAR PRODUCT PARLEYS END, EXECS SHIFT EAST

Hollywood, April 25.

Paramount studio parleys ended last weekend with the return east of Barney Balaban, Stanton Griffis and Russell Holman. Premiere of 'Union Pacific' will take Balaban and Nell Agnew to Omaha via air Friday (28).

Special train of ancient and modern engines and coaches steamed out yesterday (Monday) for the Nebraska metropolis. On board were C. B. DeMille, his production staff and 20 players to glamorize the big event. Barbara Stanwyck and Joel McCrea pulled out today (Tuesday).

Hollywood, April 25.

Drafting of notice by the IATSE that technical workers need not belong to IA to secure employment in studios is seen as a possible return to 'open shop' conditions in industry. Notice, approved by John Gatelee, Frank Stickling and Harold Smith, IA reps, is being submitted to producers for approval.

Move is being interpreted as a counter-thrust against autonomy leaders and the deposed officers of Technicians Local 37. Action is expected to bring chaos in studio labor ranks and result in a demand that IA go to bat for workers or issue new charters to those who want to play along with George E. Browne. Sans IA support, workers would be without protection for wage scales and working conditions negotiated for them by Browne.

Pat Casey, producer labor contact, is speeding here from the east to parley with IA leaders. Trial of differences between the International and Local 37 was called today (Tuesday) of all studio labor heads, representing 15,000 workers. They will hold meetings for a five-day week and guarantee 40 weeks yearly, upon Casey's return here. Salary asked is the same as now for six days, with a six-hour minimum call. Draft of plans provides regular employment list to be established at all studios, with others called through a union hiring hall at wage of 10% over the regular scale. All men on regular salary list for two years would draw two weeks' vacation with pay.

Also disclosed by union leaders a move is afoot to organize a motion picture trades council after the pattern of the Building Trades Council, with delegates to be elected from each studio craft.

A peace pact tentatively approved by both groups was quickly tossed out when Jeff Kibre, autonomy leader in Technicians Local 37, refused to withdraw charges against the IATSE pending before the National Labor Relations Board. Until autonomy was restored to Local 37 and its officers reinstated. His petition accuses producers of acting in collusion with IATSE leaders to keep workers from having a voice in operation of their unions.

$100,000 in Dues Stalled

At the same time it was disclosed that officers of Local 37 have launched a dues strike against the International. If successful this would shut off approximately $100,000 that is scheduled to flow into the coffers of the International on May 1. In instructing members to withhold payment of dues, Local 37 pointed out that the International no longer maintains checkers on the studio lots to see that all workers have paid-up cards.

Department of Justice and Dies Congressional Committee have investigators here checking details of fight between Local 37 and the International. Officers of Local 37 have also announced that they will press for immediate hearings on actions against the IATSE before the Grand Jury, NLRB and in Superior Court. Officers have been holding daily conferences with tops in the Committee of Industrial Organization, who plan to move into the film industry if '37' officers will apply for a CIO charter.

Orders to nix demands of Local 37 for immediate restoration of autonomy are said to have been issued by George E. Browne, prexy of IATSE. Tops indicated that Browne was willing to make concessions in an effort to settle fight here, but feared to restore autonomy with hundreds of other IA locals throughout the country watching developments and reported ready to make similar demands. It was pointed out that if prexy made a bad move he could easily lose control of the organization.

Simultaneously Browne issued orders for international representatives

(Continued on page 16)

Philly's 3-Hour Shows (But No Duals) Eating Up Flock of Shorts

Philadelphia, April 25.

New scheme to hypo grosses by running three-hour shows — which, incidentally, is working out rather successfully in every spot which has tried it so far—is causing a severe scarcity of shorts here. Warner Bros., as a result, is being forced to run the same short in several midtown houses simultaneously, first time this has ever been done. One single-reeler was playing three first-runs at the same time last week, a checkup revealed.

Warners have been avoiding duals in this territory by turning to the marathon-length show policy. How this causes a scarcity of short product is evident by the fact that the Palace, first-runner, is making up six shorts with each feature.

Duplication of the shorts in several houses at one time, many exhibs feel, is going to lead to ill-will from the public. They point out that while features are advertised and can be chosen, average patron doesn't know what shorts he'll see until they pop up in front of him. He is going to squawk, it is feared, if he too often has to sit through the same single-reeler twice or more.

Three-hour show policy is being tried out now in various WB nabes one day a week. In some of them it is so successful that the theatres are shifting from their regular three-a-day to continuous operation, which, under the long schedule, means four shows daily.

Indie nabes, as a result of the new Warner overtime scheme, are increasingly turning to duals, which are often cheaper as well as simpler to book, advertise and play. This may mean the beginning of a switch-over for Philly from a two-feature single-feature territory to another, home for twins.

Current record for a long-distance show is held by the Boyd legit theatre here, which recently played three features and two serials on a single bill. Nixon's Grand, which reopened a couple weeks ago, is offering duals plus a flock of shorts for a dime admish at all times.

Turnstile-Wise Spitalny's Hunch Pays Off Well

Toledo, O., April 25.

While playing a three-day stand at the Rivoli, Phil Spitalny showed the management how the gross can be boosted if a sharp eye is kept on the rate the customers pour in through the turnstile during the day. The fact that the bandman was ready to speculate on underwriting the extra house expenses that an added show would entail resulted in the splitting of en additional $600 profit between Spitalny and the house.

The band act was slated to do four shows Sunday. Late in the day that Friday some bookers brought this to five but the management demurred on the ground that it would cost an extra $60 for the crew, operators, lights, etc. Spitalny high-pressured the management into going through with his proposal by offering to absorb the expense. The added performance garnered $650, making it a total of $3,700 on the day. For four shows Friday the band drew $2,980 and for a like number the next day the take was $3,100.

Juggle 8 WB Films

Hollywood, April 25.

Warners shifted starting dates on eight productions rolling in May and June. Rechristie begins with 'Dead or Alive,' slated for May 1 under the new alignment.

Other starting dates are: 'The Knight and the Lady' May 8; 'Conrad Mann' and untitled Secret Service feature, May 15; 'On Your Toes,' June 5; 'Invisible Stripes' and 'Dead End Kids at Valley Forge,' June 12, and 'Episode,' June 26.

Warners changed the lineup for 'The Spirit of Knute Rockne' and set John Payne, Jane Bryan, Ronald Reagan and Rosemary Lane for the top roles.

Notre Dame University has okayed the script.

Orlob's Indie Filmusical

Harold Orlob, who produced 'One Third of a Nation,' will screen 'One legit musical, 'Plain Jane' by Tom Johnstone, Phil Cook and McElbert Moore as his second indie picture to be made at Eastern Service Studio, Astoria, L. I. Distribution has not been set, but Paramount will probably release, according to Orlob who has tentative agreement to deliver three pictures.

Dick Morenus and Ernest Culbertson are doing the script for 'Plain Jane' which will feature Jane Kean and Billy Livingston, latter the socialite escort of Brenda Frazier. Release title will be 'Dancing Debs.'

INDIES' B'WAY SHOWCASE LOST?

Independent distributors and also majors with a big supply of so-called B product claim that the independent showcase on Broadway is virtually closed now, with the Criterion, under Loew's State management, and the Globe leasing towards Warner Bros. and United Artists features recently.

What particularly irks is the inability to get into the Globe, long the indies' best showcase. Brandt circuit apparently is trying to make the Central a first-run house of better draw, but most of the indies can't see it just now.

FOX, DETROIT, GOES TO NAT'L FOR 15 YRS.

The Fox, Detroit, which was reported going to the George E. Trendle-Par interest, will be a National Theatres (20th-Fox) operation for a total of 15 years, under a lease with the reorganized company controlling the theatre to Fox-Michigan Corp., all the stock of which is owned by National.

House is under a guarantee and percentage rental. A minimum rental of $125,000 is guaranteed against 12½% of the gross as rent when intake totals $1,560,000 and the stage show portion of shows is moderate; rent, while it will be 15% of gross income reaching $1,560,000 if the film part of the show dominates the vaudeville. Theatre would have to gross $30,000 a week to reach the figure of $1,560,000.

Aside from mortgages and other obligations, the ground rent on the Fox, Detroit, is $16,666.66, taxes $55,400 and interest $9,000, to which is added $15,000 a year for amortization and $2,400 a year as interest on notes. Net capitalization includes $150,000 of first mortgage bonds.

Fox-Michigan Corp. recently received an 8% distribution, with more expected, on its $2,532,780 claim against Fox Theatres.

Delay Rep Sales Meet

San Francisco, April 25.

Republic's regional sales convention here has been postponed from April 27-28 to May 7-8. Company officials, busy exploiting 'Man of Conquest,' decided later date is more convenient.

Rep Nudging Rogers

Hollywood, April 25.

Roy Rogers and Rep are talking a new contract although the western singing star still has two pictures to make on his old ticket. Next Rogers feature is 'The Road to El Dorado,' to be followed by a month of personal appearances before shooting the final picture on the present pact.

U Sets 'Info' Leads

Hollywood, April 25.

June Lang and Dick Foran team up as a romantic duo in Universal's forthcoming picture, 'Inside Information,' with Harry Carey in the main supporting spot.

Martin Mooney and Burnet Hershey wrote the story, screenplayed by Robertson White.

A Man's Load

Hollywood, April 25.

Strong man of Hollywood for 1939-40 is Bert Gilroy at RKO, who carries a production sked of eight George O'Brien western, 24 shorts and two outside features.

Outside of that he has nothing to do but scout his own hoss opera locations.

CHINESE GOES FLESH FOR 'FOLIES'

Hollywood, April 25.

Grauman's Chinese goes to a straight stage policy May 12 with the booking of Clifford C. Fisher's 'Folies Bergere,' girl show now at Frisco Fair. Newsreels and other shorts will supplement the 90-minute flesher.

Theatre is putting 17 men in pit. Will do three shows daily during the week and four on Sunday.

Day-date picture policy with Loew's State shifts to the Egyptian. Fox-West Coast is hopeful of two-month run to test the popularity stage shows after several years of straight pictures. Tariff may be jumped to $1 nights, 75c matinees, during 'Bergere' run.

Unit carries 65 people, mostly girls. Deal was set by the Morris office.

Tobis Must Submit To Examination in Its Suit Vs. Chaplin-UA

Federal Judge Alfred C. Coxe in N. Y. on Saturday (22) ordered Films Sonores Tobis to submit to an examination before trial through its president, Andre Lourau, on June 9. This is in connection with a suit brought by Tobis against Charles Chaplin and United Artists, claiming plagiarism of their picture, 'A Nous La Liberte,' in 'Modern Times.'

Among questions that the plaintiff must answer and exhibits that must be submitted are the contracts between Rene Clair and Tobis in 1935, with regard to their picture, the press and publicity books of their film, copies of the original negative and positive films, and all contracts relating to the sale of the picture, either in the United States or abroad.

'Drums' Suit

James Boyd, author, has started a N. Y. supreme court action against Alexander Korda, London Films and United Artists seeking an injunction, accounting and damages arising from their film, 'Drums.'

Boyd claims that the picture plagiarizes the title of his book.

Joe Cooper, Philipson In Territorial Survey

J. H. Cooper, Paramount partner in the midwest and southwest, accompanied by Joe Philipson, who is in charge of his interests at the Par home office, left yesterday (Tues.) for a tour of the territory, following which it is expected the long-pending deal for a permanent Par-Cooper partnership will be signed.

At present in Pennsylvania on Par realty matters, E. Paul Phillips will follow Cooper and Philipson west to look over properties and consider other matters.

Both Cooper and Philipson will attend the 'Union Pacific' premiere at Omaha Friday (28). On their return east, Bert Turgen, booker at Oklahoma City, may be brought to New York for consolidation of all buying from the Par h.o.

Splitting the Rule

Hollywood, April 25.

'Ruler of the Seas' went into work in two sections, one on the Paramount lot under Frank Lloyd's direction, and the other on the high seas near San Miguel Island, piloted by Jim Havens.

Doug Fairbanks, Jr., Will Fyffe and Margaret Lockwood head the cast.

Considerable Face-Lifting On; Theatre Acquisitions and Changes

Regina, Sask., April 25.

Face lifting costing $50,000 to Capitol's seating under way with F. Kershaw, western superintendent Famous Players-Canadian, in town to confer with contractor. House will close May 27 and reopen June 8-9. Also calling for tender for $8,000 changes to front marquee and interior of Grand, second-run house. Kershaw says no other expenditures on Saskatchewan houses this year.

$40,000 Face-Lift

Springfield, O., April 25.

The Chakeres companies will spend $40,000 this spring for new signs, air conditioning, etc., says Phil Chakeres, prez. Approximately half of the improvement appropriation will be spent on the five Springfield theatres controlled by the corporation.

Robert E. Armstrong named head of the advertising and publicity department of Regent-State Corp., partnership of Warners and Phil Chakeres, operating several local houses. Armstrong formerly in charge of advertising and publicity for Jensen-Von Herberg circuit in Seattle.

Dipson-Basil Add Three

Buffalo, April 25.

Transfer of operation of the Century, Bailey and Riviera, effective Aug. 1, from Shea Amus. Co. to Nikatas D. Dipson of Batavia and Basil Bros. of Buffalo announced here. The Century, formerly Loew's and for many years last operated by Shea downtown first run at popular prices, and the Riviera, North Tonawanda nabe house, were leased by Dipson Basil from the company corporation headed by Max Yellen. The Bailey, East Side nabe, was purchased outright, the deal including theatre, stores and offices. Century seats 3,000, Bailey 1,900 and Riviera 1,400.

Century lease has been on the market for some time when Shea refused to renew at an increase in rental. Present deal is the first in which the Dipson-Basil partnership has been openly revealed. Outfit is now stated to be operating 18 theatres in this territory.

The Liberty, east side nabe, formerly operated by Al Francis, taken over by Basil Bros., making 10th local house in Basil string.

Ferrize Adds 2

Oconto, Wis., April 25.

Charles Ferrizo purchased the two theatres formerly operated here by Irving Vincent. They are the Oconto and Gem.

A. F. E. Miller now operating the Viking, Loyal, Wis., Fred Christiansen former operator.

Rex Evansville, Wis., now being conducted by Evansville Theatre, Inc. William Nordquist its former operator.

Hellman Adds Another

Troy, N. Y., April 25.

Harry Hellman, owner of the Royal and Paramount, Albany nabes, taking over the Fifth Avenue, Troy, May 1. He will close it for about two weeks to make minor repairs. The Fifth Avenue, owned for some time by the late Jacob Rosenthal, pioneer Troy exhibitor, is a two-floor house. Since Rosenthal's death last year it has been run by the estate, through a son, Attorney Leonard I. Rosenthal. The Rosenthals still will operate the State, another local spot.

RKO Columbus Shifts

Columbus, April 25.

Four changes in local RKO setup announced by C. Harry Schreiber, city manager. Lawrence D. Gaplana was made assistant manager of Palace, replacing Lyle C. Gann. Caplana had been assistant at the Grand, and Gann joined Fox Midwest in Kansas City. Palace treasurer Noel Baker given a boost in the Grand's assistant job. John R. Fry moved to treasurer's job from the Majestic; his position was taken by Walter Shott, Jr.

Koenigsreiter's House

Milwaukee, April 25.

Erwin Koenigsreiter leased the Greendale theatre, which opens April 29. Koenigsreiter now manager of the Strand, main stem house, and he formerly operated the Oakland and Ogden as co-owner and manager. He had been manager of the Palace, second of three Fox main stem houses.

Fred Sauer transferred to the Rice Lake (Wis.) home office of the Miner Amus. Co., with Alfred L. Barker succeeding him as manager of the Falls and Rivoli theatres, Chippewa Falls, Wis.

Mondovi Operating Corp. has purchased the building and equipment of the Grand, Mondovi, Wis., from stockholders and will take possession July 1, following failure of Frank Woskie, Parkway theatre, Minneapolis, and William Woskie, Colby theatre, Colby (Wis.), to exercise their option on the house.

Meanwhile, Frank McDonald, who has held the lease of the Grand for several years, has started construction of a 400-seat house here. The new Grand owners plan to spend $20,000 on remodeling and new equipment.

Okla. City Bldg.

Oklahoma City, April 25.

C. B. Warr, real estate promoter of a new subdivision to Oklahoma City, Warr Acres, has drawn plans for construction of a theatre therein.

Julius Kirsch now manager of the Victoria here while Martin Cooper-Smith is east on vacation.

Owen D. Roberts has been named new assistant manager of the Midwest theatre; held the same post at Tower Plaza. Forrest Swiger new manager of the Plaza.

Fred S. Gantz, Mary L. Gantz and J. Roy Tilley have been given a charter for the Star Theatre, Inc., of Sand Springs, Okla.

Lew Chatham, city manager for the Griffith Amus. Co., at Norman, Okla., has resigned to take an executive position with Griffith-Dickenson Theatres, Inc., in Kansas City. Succeeded at Norman by Fred Jackson, city manager for Griffith in Seminole.

Kenneth Blackledge, city manager at Frederick, Okla., named city manager of the recently acquired Griffith Mesa theatre at Hobart, Okla. Other promotions as announced by Griffith include Earle Settle, city manager at Anadarko, succeeding Blackledge's former position; Foster Lyman, city manager of Griffith-Pickens theatres at Uvalde, Texas, to Jackson's former post.

New managerial appointments by Griffith, Dickenson to new circuit follow: Louis Littlefair named city manager at Nashville, Ark., coming from Rosenfield, N. M., where he was with Griffith; R. C. Lloyd named city manager at Broken Bow, Okla., coming from Roswell, N. M., and L. E. Petty named manager at Dierks, Ark., coming from Clarksville, Texas.

J. A. Bethune opened new Negro theatre in McAlester, Okla.

Boyd Scott, formerly at New Braunfels, Texas, named city manager for Griffith-Pickens Theatres at Uvalde, Texas.

David Dallas, formerly city manager for Griffith Amus. Co. at Holdenville, Okla., now city manager for Griffith-Dickenson Theatres, Inc., at Parsons, Kan.

Jacksons' Deals

Lebanon, Pa., April 25.

Three separate transactions were involved in the sale by Mrs. Mabel Jackson and the John Jackson estate of the Jackson interests to Comerford, it was revealed here this week. First was a deal selling the Colonial property. Second was the sale of the leases of the Capitol and Jackson.

These were followed by a third deal, the purchase of the Capitol. Lease purchased by Comerford on the property continues until July 14, 1948, when the title is transferred. Down payment assures this transfer. Amount involved is reported to be $60,000.

L.A. Theatre Shiftings

Los Angeles, April 25.

Carthay Circle theatre has switched from one day to a continuous 35c run, taking over policy of the Mess, which has been converted into a 15c grind. Carthay reopened the Rivoli as a 15-center.

State, Long Beach, reopens today (Wed.) after shuttered week, caused by a shortage of product. Closing due to three-week run of 'Castles' at Pantages and RKO.

Center theatre, under construction by Albert A. Galston and Jay M. Sutton at a cost of $85,000, slated to open May 1.

Local Fox-West Coast theatres will observe Mother's Day, May 19, by offering free all mothers 60 years or over.

KEITH NET, $218,364; KAO'S 13 WKS., 327G

Net profit after all charges showed a gain of about $22,000 in the first quarter this year for B. F. Keith Corp., while net of Keith-Albee-Orpheum showed a loss in the comparable quarter in 1938. Net profit of Keith Corp. totaled $218,364 as against $196,646 in first 13 weeks, ended April 2, last year.

KAO net was $327,186 for the first 13 weeks ended April 1 as compared with $336,594 in first quarter of 1938. Per share earnings on the preferred dipped 14c. to $5.09 as compared with the initial quarter last year.

Herbert-'Hours' Tick Off $15,000, Fine, as All Chi B.O.s Perk Up; 'Bell'-Treacher Ringing $31,000

Chicago, April 25.

Business generally indicates a perk-up in the midwest and the loop is no exception. After being cooped up through weeks of sloppy weather, the residents are coming out of their hibernation looking for entertainment other than what they have been getting over the loudspeaker. Downtown shops, restaurants, etc., all report the same stepping up of the business pace.

While there is no outstanding gross in the downtown houses at present, the general tone is strong and more encouraging than it has been all season.

Disappointment around the Balaban & Katz offices was the failure of the foreign flicker 'Grand Illusion' to hold up beyond a two-week stay in the Apollo. Much had been expected of it, and now exhibs figure film may show better results in the nabes.

Chicago is again on the winning side of the ledger. Currently 'Alias, under Graham Bell,' while no bell-ringer, is nevertheless coming through with a satisfying take. Holdovers in town are Castles, which goes into third-final week in the Palace, and 'Dodge City,' which moved to the Roosevelt for its third loop session.

Estimates for This Week

Apollo (B&K) (1,200; 35-55-65-75) —'Baskerviller' (20th). Looks for $6,000 on the week, fair enough take that will mean profit. Last week, 'Illusion' (World), completed 3-day stint to all right $6,000.

Chicago (B&K) (4,000; 35-55-75)—'Bell' (20th) and stage show. Arthur Treacher on the stage accounting for some additional b.o. weight; $31,000 representing satisfactory take. Last week, 'Dodge City' (WB), finished second session to strong $38,000.

Garrick (B&K) (900; 35-55-65)—'Love Affair' (RKO). In here after previous stay at the Palace and garnering solid $6,500. Last week, 'Prison Bars' (UA), so-so $4,200.

Oriental (Jones) (2,200; 25-40)—'Crowded Hours' (RKO) and vaude. Hugh Herbert on the stage is a genuine boxoffice name here. Sending gross up to $15,000, finest in a long time. Last week, 'Lady and Mob' (Col) and 'Family Next Door' (U), okay $13,100.

Palace (RKO) (2,500; 35-55-65-75) —'Castles' (RKO) and vaude (3d final wk). Getting solid $13,000 currently after taking excellent $17,100 last week (2d).

Roosevelt (B&K) (1,500; 35-55-65-75)—'Dodge City' (WB). Moved here from the Chicago and will gar-ner good $10,000. Last week, 'Maiden' (M-G), meek $6,400.

State-Lake (B&K) (2,700; 25-40)—'Mutineers' (20th) and vaude: Perking up to $14,000, okay, currently. Last week 'St. Louis Blues' (Par), mild $12,500.

United Artists (B&K-UA) (1,700; 35-55-65-75)—'Wuthering' (UA) (2d wk). Good $12,000 expected, after turning in nifty $17,200 last week. 'Broadway Serenade' (M-G) next.

'U. P.' Preem Campaign Nicking Omaha Takes; 'Heights' Fair $6,200

Omaha, April 25.

Big surplus for world premiere of 'Union Pacific' which opens here at motion tomorrow (Wednesday), is keeping natives parading outside in 1898 costumes, with warm weather amplifier bump to the back. The top pictures are being offered, and all would have done better away from the premiere blow.

'Dark Victory' is punching through the prevailing haze at the Brandeis for $7,500 and will be up against 'Union Pacific.' Three Smart Girls Grow Up' is waging a strong scrap at the Orpheum for $10,300. 'Wuthering Heights' is having trouble at the Omaha. The film opened with 'Sudden Money' as the second feature, but 'Eagle and the Hawk' was rushed in after two days to hypo matters.

Estimates for This Week

Avenue - Military - Dundee (Goldberg) (950-810-650; 10-25)—'Conquest' (M-G) and 'Each Other' (UA), dual, split with 'Submarine Patrol' (20th), 'Blondie Boss' (Col) and 'Last Live' (Col), tripler. Good $2,300. Last week, 'Gunga Din' (RKO) and 'Made Men Criminal' (Par), dual, with 'Off Record' (WB), 'Arizona Wildcat' (20th) and 'Thanks Everything' (20th), tripler, $2,200, good.

Brandeis (Singer) (850; 10-25-35-40)—'Dark Victory' (WB), Smash $7,500. Last week (2d) 'Castles' (RKO), $4,200, good.

Omaha (Blank) (2,000; 10-25-40)—'Wuthering Heights' and 'Eagle and Hawk' (Par) (revival), dual. Fair $6,200. Last week, 'Stagecoach' (UA) and 'Pardon Nerve' (20th), dual, smash $6,300.

Orpheum (Blank) (3,000; 10-25-40) —'Three Smart Girls' (U) and 'Bulldog Drummond' (Par). Very good $10,200. Last week, 'Wife, Husband' (20th) and 'Topper' (UA), very good $10,000.

Town (Goldberg) (1,250; 10-20-25) —'Night Riders' (Rep), 'Strange Borders' (GB), first-runs, and 'Blondie Boss' (Col), tripler, split with 'Made Me Criminal' (WB) and 'Each Other' (UA). Fair $1,800. Last week, 'Rough Riders' (Rep), 'Crime of London' (GB), both first-runs, and 'Thanks Everything' (20th), tripler, split with 'Honor Way' (Par), 'Pirates Skies' (U), both first-runs and 'Gunga Din' (RKO), good $2,000.

'Conquest' Nifty $7,500 in L'ville; Outdoors Hurting

Louisville, April 25.

Holdovers 'Three Smart Girls,' in third downtown week at the Brown, and 'Dodge City,' likewise in third stanza at the Mary Anderson, are both notable in the lineup this week. 'Man of Conquest' at Rialto, rated well with the critics as an historical piece of film production, and is pulling okay biz.

Nice weekend weather for the first time in about three weeks lured locaites outdoors and American Association baseball pulled bumper attendance. Downtown picture houses are beginning to feel the outdoor opposish somewhat, but grosses still maintaining a healthy complexion.

Estimates for This Week

Brown (Loew's-Fourth Avenue) (1,500; 15-30-40)—'Three Smart Girls' (U) and 'Risky Business' (U) (3d wk). Results still good at $1,700. Last week, with help of visiting teachers, managed rosy $2,300.

Kentucky (Switow) (900; 15-25)—'Mr. Deeds' (Col) and 'Happened One Night' (Col) (revivals) split with 'Man Votes' (RKO) and 'Newsboys Home' (U). Getting usual consistent good biz and current stanza looks good for ofc $1,700. Last week, 'Gunga Din' (RKO) and 'Tailspin' (20th), satisfactory $1,600.

Loew's State (Loew's) (3,100; 15-30-40)—'Ice Follies' (M-G) 'Prison Bars' (UA). Pulling fair $6,500. Last week, 'Wuthering Heights' (UA) and 'Kid Texas' (M-G), good $8,000.

Mary Anderson (Libson) (1,000; 15-30-40)—'Dodge City' (W-B) (3d wk). Still chalking up nice returns at $2,700, after last week's sample $3,500.

Rialto (Settos) (900; 15)—'Here Comes Cookie' (Par) and 'Gang Bullets' (Mono), split with 'Trip to Paris' (20th) and 'Boy Girl' (WB). Ailing at fair $1,000. Last week, 'Desert Gold' (Par) and 'Clitterhouse' (WB) split with 'Miss Broadway' (20th) and 'Always Goodbye' (20th), okay $1,100.

Strand (Fourth Avenue) (3,000; 15-30-40)—'Man Conquest' (Rep) and 'Woman Doctor' (Rep). Given good rating by newspapers, looks sure to top the $7,500. Last week, 'Frontier Missouri (Par) and 'Moto' (20th), good $7,000.

Strand (Fourth Avenue) (1,400; 15-30-40)—'Never Die' (Par) and 'Bulldog Drummond' (Par). Just average dollars. Figures on $3,100, mild. Last week, 'Fisherman's Wharf' (RKO) and 'Beauty Asking' (RKO), $3,000.

BERLE-ROSS-'STREETS' BIG $15,500 IN BALTO

Baltimore April 25.

Fairly steady pace all around here, with combo Hipp cashing in heavily on vaude headed by Milton Berle and Shirley Ross, who are sending 'Streets of New York' into town's lead. Good response to 'Midnight,' which starts a second stanza at Keith's tomorrow (Wednesday), but only mild action for 'Zenobia' at the New.

Estimates for This Week

Century (Loew's-UA) (3,000; 15-25-40)—'Madden' (M-G). Not much action, with possible $6,000 the top count. Last week, 'Wuthering Heights' (UA), lone new entry in town, of h.o.'s, maintained steady pace to solid $9,200.

Hippodrome (Rappaport) (2,205; 15-25-35-40-55-65) — 'Streets New York' (Mono) and vaude. Leaning heavily on flesh portion headed by Milton Berle and Shirley Ross. Big $15,500. Last week, second of 'Gunga Din' (RKO) (2d wk), added mildish $9,400 to strong opening session at $15,200.

Keith's (Schanberger) (2,406; 15-25-35-40)—'Midnight' (Par). Starts second round tomorrow (Wed.) after very healthy getaway at $10,500.

New (Mechanic) (1,558; 15-25-35-55)—'Zenobia' (UA). Getting some mild action through healthy exploitation hypo by Ed Gallmer. Only $4,500 indicated. Last week, second of 'Barkleys of Broadway' (M-G), added fair-ish $4,300 to opening $8,800.

Stanely (WB) (3,280; 15-25-35-40-55)—'Dark Victory' (WB). Opens at special performance tomorrow (Wed.) night, after three solid sessions of 'Dodge City' (WB) to bellringing total of $31,700.

ROONEY, $16,000, NICE IN BUFF.

Buffalo, April 25.

Though takings slipped sharply last week the slump seems to have gone with the wind. Business is now largely dependent upon the weather and local showmen expect a general easing off from now on, coupled with April-April saving coming in next Sunday (30).

'Hardys' okay at the Buffalo, as is 'Broadway Serenade' at the Lafayette. 'East Side of Heaven,' which was rushed into the Lafayette ahead of schedule, is also strong.

Estimates for This Week

Buffalo (Shea) (3,500; 30-35-55)—'Hardys' (M-G). Doing around $16,000, nice. Last week, 'Midnight' (Par), dropped off to fair $12,000.

Century (Shea) (3,000; 25-35)—'Baskerville' (20th) and 'Winner Ain't' (20th). Strong dual should get around $7,500, good. Last week 'Blackwell' (WB) and 'Mr. Moto' (20th), Okay $7,200.

Great Lakes (Shea) (3,000; 30-50) —'Serenade' (M-G) and 'Kid Texas' (M-G). Slightly under preceding week's pace, but all right at around $9,000. Last week 'Castles' (RKO) and 'Crowded Hours' (RKO), failed to get top bracket takings when figure reached $10,000.

Hipp (Shea) (3,100; 25-40)—'Castles' (RKO) (2d wk) and 'Saint Strikes Back' (RKO). Not too strong for this at around mild $6,500 last week. 'Dodge City' (WB) (2d run) and 'Sudden Money' (Par) (2d run), fair $7,500.

Lafayette (Ind.) (3,300; 25-35)—'Three Smart Girls' (U) (3d wk) and 'Risky Business' (U) (3 days). 'Girls' checked out when first three days of third week got only $2,000. 'East Side of Heaven' (U) rushed in, and looks like excellent $9,000 for first five days. Last week 'Girls' (U) (2d wk) and 'Homicide Bureau' (Col), very nice at over $2,000.

First Runs on Broadway

(Subject to Change)

Week of April 27

Astor—'Pygmalion' (M-G) (21st wk.).

Capitol—'Man of Conquest' (Rep).

(Reviewed in Variety, April 12)

Criterion—'Blondie Meets the Boss' (Col) (26).

(Reviewed in Variety, March 8)

Globe—'Streets of New York (Mono) (29).

(Reviewed in Variety, April 19)

Hollywood—'Juarez' (WB).

(Reviewed in Current Issue)

Music Hall—'Dark Victory' (WB) (2d wk.).

Paramount—'Lady's from Kentucky' (Par) (26).

(Reviewed in Variety, April 12)

Rialto—'Santa Fe Stampede' (Rep) (26).

(Reviewed in Variety, December 7)

Rivoli—'Wuthering Heights' (UA) (3d wk.).

Roxy—'Return of the Cisco Kid' (20th) (28).

(Reviewed in Current Issue)

Strand—'Confessions of a Nazi Spy' (WB) (28).

Week of May 4

Astor—'Pygmalion' (M-G) (22d wk.).

Capitol—'Calling Dr. Kildare' (M-G).

Globe—'The Challenge (Film Alliance) (5).

Hollywood—'Juarez' (WB) (2d wk.).

Paramount—'Lady's from Kentucky' (Par) (2d wk.).

Rivoli — 'Wuthering Heights' (UA) (4th wk.).

Roxy—'Rose of Washington Square' (20th) (5).

Strand—'Confessions of a Nazi Spy' (WB) (2d wk.).

'Victory Bright $100,000 on B'way; Many Holdovers, 'Heights' 40G, 2d, 'Stagecoach'-Vaude Stout $26,000

'Dark Victory,' a bright conquest as the Music Hall, is shoulders above the pack this week, but some of the holdovers, of which there is an unprecedented number, are far from being snubbed. 'Victory' and one lesser first run, 'Back Door to Heaven,' were the only new pictures to come in. All the rest, totaling seven, are holdies.

Steady support for 'Victory' will get it a likely $100,000, big. The picture got excellent notices and is receiving slowly word-of-mouth, which result on the holdover starting tomorrow (Thurs.) it should continue a sturdy grip. Night business is particularly powerful.

Warners last night (Tues.) opened another picture also starring Bette Davis, at the Hollywood on a twice-daily basis at $2 top. This is 'Juarez,' which has Paul Muni opposite Miss Davis. Heavily advertised, with advance and first week running $21,000, 'Juarez' is the first roadshower for WB since 'Zola' two years ago. Advance sale on 'Juarez,' nearly $5,000 is more than twice what it was on 'Zola' in 1937. As scaled, from 55c to $2.20, the Hollywood can do $25,000 on the week.

Numerous other new shows, replacing holdovers, are due. They include 'Kentucky' (Par) (26th) is for just one week starting Friday (28), with 'Rose of Washington Sq.' (20th) to follow May 5.

Stale (3,450; 35-55-75) — 'Stagecoach' (UA) (2d run) and vaude topped by Rudy Vallee (UA) and Eddie DeLange orchestra. A very agreeable week of $38,000 is in store here. Vallee is a big draw. Buck Rogers and Judy Garland ran the ticket machines to a smash $37,000.

Rivoli (2,092; 25-40-55-75-85-99)—'Dodge City' (WB) and Guy Lombardo (3d-final week). Continued pull means a probable $30,000 for week (3d) after a smart $45,000 last week (2d) and a very big $50,000 on the first seven days, plenty of coin on the right side of the ledger. 'Nazi Spy' (WB), not to be previewed tomorrow night (Thurs.) as usual here, opens Friday morning (28) instead.

CINCY PERKING; 'HEAVEN' FINE $11,500

Cincinnati, April 25.

Biz in the main for downtown houses is on the upbeat. Weekend b.o. was tilted by first spell of seasonable weather for some time.

Three major stanzas have fresh releases that are registering winners. Biggest pull is 'Dark Victory' at Albee. Next best is 'East Side of Heaven,' at Palace. Keith's loudest pull is 'Hound of Baskervilles,' coming from 'Hound of Baskervilles.'

Of the holdovers, 'Castles' is in second and final week at the Shubert with so-so returns. 'Midnight' and 'Stagecoach' are second-weeking, 'Dodge City' is finishing a three-week stay.

Estimates for This Week

Albee (RKO) (3,300; 35-42)—'Dark Victory' (WB). Excellent $15,000. Last week, 'Midnight' (Par), good $13,000.

Capitol (RKO) (2,000; 35-42)—'Midnight' (Par). Moveover from Palace for second week. Big $4,500. Last week, 'Dodge City' (WB) (2d run), socko $6,500.

Keith's (RKO) (1,000; 20-30)—'Pardon Nerve' (20th) and 'Prison Train' (Ind), split with 'King Chinatown' (Par) and 'Mystery White Room' (U). Average $2,200. Same last week on 'Criminal' (Col) and 'Convict Broadway' (WB), split with 'Wong' (Mono) and 'Fisherman's Wharf' (RKO).

Grand (RKO) (1,200; 25-40)—'Dodge City' (WB). Transferred from Capitol for third run. Big $3,500. Last week, 'Three Smart Girls' (U), third-run and fourth week, mild $2,400.

Palace (RKO) (1,500; 35-42)—'Baskervilles' (20th), eight days. Sweet $6,500. Last week, 'Society Lawyer' (M-G), six days, brutal $2,500.

Lyric (RKO) (1,400; 35-42)—'Hound' (UA). Moveover from Palace for second week. N.s.h. $3,500. Last week, 'Crowded Hours' (Par) and 'Wife, Husband' (U), 'Eagle and Hawk' (Par) (reissue), six days, sad $2,500.

Palace (RKO) (2,600; 35-42)—'East Side Heaven' (U). Nice $11,500. Last week, 'Stagecoach' (UA), fair $10,000.

Shubert (RKO) (2,150; 35-42)—'Castles' (RKO) (3d wk). So-so $5,500. Last week, okay $5,500.

FILM SHOWMANSHIP

By John C. Flinn

'Juarez' Scaled to Do $25,897; Premiere Is Shortwaved to S. A.

Advance and first week's advertising to cover 'Juarez,' which opened last night (Tues.) at the Hollywood (N. Y.) on a twice-daily run, amounts to $21,000. House is scaled from 55c to $2.20 and with every seat sold each performance, on a week can do $25,897.

The advance seat sale, with tickets being available eight weeks ahead, is nearly $5,000, more than double the advance on 'Zola,' which had a similar $2 engagement here. Ben Cohen, from the Warner home office, has been assigned to handle the 'Juarez' run.

In addition to broadcasting the opening over WMCA last night (Tues.), it went out over a special short-wave hookup to Mexico and South America through arrangements with CBS.

MAYBE THE MAILMAN DOESN'T LIKE THIS IDEA

Los Angeles, April 25.

Tom Sciarro, manager of the United Artist Downtown theatre, has hit upon an idea of using Uncle Sam's mail boxes and post office to advertise his current attractions.

Each week the mails out hundreds of window cards, size 14x22, which is a regular stock card that all film exchanges use, to people in all parts of Los Angeles. These window cards are suspended in front of the mail boxes after the last pickup, the night prior to the opening of the picture, so they are in full view until the morning pickup to pedestrians and all those using the mail boxes.

Each one of the cards have elastic loops where they can be suspended from all mail boxes, and will not interfere with anyone who desires to use the slots in the boxes to mail their letters.

Wally Beery Now a Cop On Racine, Wisc., Force

Racine, Wis., April 25.

Harvey Kny went to town in plugging the film 'Sergeant Madden' when it appeared at Warner's Rialto theatre here. In addition to having Wallace Beery made an honorary sergeant on the police force, he promoted a most popular school essay contest with the winner receiving an all-expense tour of the New York World's Fair, plus $50 in cash.

Judges connected in this, which aroused a great deal of interest, included Jack Keegan, Warner Bros. district manager; Sam Shurman, Metro exchange manager; Louis W. Orlove, Metro exploiteer, all from Milwaukee; Harold Schneller, advertising department, Racine Journal-Times, and house manager Kny.

Kny also invited the 175 Racine Journal-Times carrier boys to see the film at the Rialto. All in all, the city was fully informed that 'Sergeant Madden' was playing the Rialto.

Turrou Space Grabber For 'Nazi Spy' Premiere

Albany, April 25.

Leon G. Turrou's appearance, in advance of 'Confessions of a Nazi Spy,' was staged by Warners midst a setting that stimulated publicity, without making the pic ballyhoo too obvious. Former ace FBI investigator was guest speaker at a luncheon in the De Witt Clinton Hotel of the Albany Advertising Club, with the Chamber of Commerce cooperating. Mayor John Boyd Thacher introduced Turrou to a gathering of 350 leading Albanians.

Turrou talked on espionage, especially Nazi. Hearst's Times Union gave his remarks a particularly heavy play, black-typing them under big headlines. That paper also splurged on art. Gannett's Knickerbocker News also weighed in before and after. Its picture critic, C. R. Rosenberry, devoted his double column editorial page feature, 'The Melting Pot,' to comment on Turrou.

Cycle of hinterland film premieres is in full swing and there is no telling where the exploitation boys will be forced to go eventually in order to find suitable geographical setting for the teeoff of some super-super.

Warners took up showmanship on the run several years ago when a discouraged and depressed nation, doing its best to save nickels and dimes during the business lows of 1933, looked up from the morning newspaper, filled with distress and affliction, to discover that a trainload of Hollywood film folk was making a trans-continental tour advertising a film called '42nd Street.'

The very audacity of the stunt, rather than the stunt itself, is what brought to it rich boxoffice rewards. On the surface it appeared to be a profligate piece of wasteful spending. With every business index at its lowest mark, with banks still dizzy from the spring 'holiday,' the nerve of the thing was what made the coast-to-coast tour a smashing piece of press-agentry.

It turned out to be a helpful shot in the arm at the moment when the boxoffice patient was breathing heavily in short gasps. It roused theatre showmen throughout the country and shook them from the prevailing lethargy which was founded on the theory that the only direction the boxoffice could take was down. It brought exhibitors to their feet and set them to talking after business. S. Charles Einfeld and the Warner promotion staff, east and west, simply proved again the oldest adage in show business that there is definite ratio of profit between smart spending for advertising and boxoffice income.

PROVING ADVERTISEMENT AN INVESTMENT

One of the fallacies of show business is to regard advertising outlay as an expense, whereas it is strictly an investment and must be considered as such. The idea which prevails in some misguided quarters is that advertising is an item subject to radical trimming or elimination when current business is discouraging. Such left-handed reasoning is like closing the barn door after the hired man has stolen the horse. There are 100 to one that business is bad because the attractions have been weak and their advertising even weaker. Good business results from good shows, well exploited. Both have to hit at the same time. Neither one is any good without the other.

What the showman must bear in mind is that when he lets up on his plugging and ballyhoo, the public, his customers, take him at his word and quit cold, to show that isn't good enough to holler about isn't good enough to make the family squeeze into last year's Ford and drive into town to see.

What is happening currently in film showmanship is the revival of ballyhoo on the grand scale. Credit for the renaissance once again must be passed along to the Warners' cheering section for the very commendable job of turning 100,000,000 pairs of eyes toward Dodge City, Kas., two weeks ago. The occasion was the opening performance of the film starring Errol Flynn.

ALL OVER THE MAP

Paramount steps up to the plate this week with festivities and ceremonies incidental to the world premiere of 'Union Pacific,' in Omaha, Neb. With an itinerary of 10,000 miles already routed, a special train bearing publicity men and film players will make a coast-to-coast run. Tour is timed with openings of the picture in 60 first run cities.

In Houston, Texas, Republic recently launched 'Man of Conquest,' a film based on early Texan history. The premiere attracted wide attention and gave the film a sendoff in the south which would have been impossible to obtain through routine handling.

Decoration Day has been selected for the initial performance of 'Young Mr. Lincoln' (20th-Fox) which will take place at Springfield, Ill.

These out of town premieres have some of the newspaper boys who cover film happenings considerably worried. The one or two-day jaunt isn't so bad, they say. What they are afraid of is the first showing of Clifford Odets' 'Rocket to the Moon.' Or the special opening performance arranged for the new version of Jules Verne's '80,000 Leagues Under the Sea.' No invitations have been yet issued for 'All This and Heaven Too.'

DOPING 'NAZI SPY' AUDIENCE REACTIONS

Just what is going to happen when 'Confessions of a Nazi Spy' (WB) moves into general release on May 6 is the subject of much conjecture among film men in the Broadway sector. There seems to be some misgivings that the film may stir up a rumpus at its New York premiere at the Strand (28). Such things have happened infrequently in past years when a provocative subject is made the basis for entertainment.

Film which prompted the most disorder was 'Birth of a Nation,' which for years was barred from exhibition in some southern and border cities, so great was the feeling against it.

It has been some years since a legitimate play was interrupted by audience disapproval. A memorable occasion was the opening performance of the Irish Players from the Abbey theatre, Dublin. They brought Dr Maxine Elliott's 'Rain' to the then recently written 'The Playboy of the Western World,' by J. M. Synge, to which violent exception was taken by certain Irish groups.

Opening performance had scarcely started when catcalls and Bronx-cheering drowned the voices of the players. Then folded newspapers and vegetables started to fall on the stage. Down came the curtain and the performance was over. Before the betwitling, Police went to the gallery finally and cleared the building. Since then the play has been performed in New York many times without creating so much as a ripple of excitement.

More recently in the metropolitan area there were disturbances in the film theatres following the showing of newsreels of the Bund meeting in Madison Square Garden. Film companies quickly eliminated the scenes from the release.

'Nazi Spy' is based on the factual data which was gathered by Leon C. Tourou, formerly an FBI agent, which was the basis for indictments and convictions in the Federal courts. It may prove a torrid boxoffice attraction at this time, provided the excitement it is bound to create is held within reasonable grounds. Any violence may be a business boomerang.

Showmen will be wise to soft-peddle the emotional aspects of the advance advertising.

SHAVIAN HUMOR IN THE ADS

Thumbnail caricatures of George Bernard Shaw which have been used consistently in the newspaper advertising of 'Pygmalion' (MG) during the New York engagement at the Astor will be sadly missed when the film ends its run soon. No matter how cold the spring weather, how bad the stock market or how tough the day's going, these tiny cartoons of the eminent Britisher are unfailing in jiggling the snicker.

Shaw has been captured in the gayest imaginable moods. At the start of the 10th week of the run he was shown turning handsprings. Last Sunday (23) he was a standout in all the amusement sections where he announced, 'Today I am a man,' signifying the start of the 21st week of the engagement. It was that Tony Galento chest on Shaw that made the sketch one of the best of an excellent series.

Triple Press Book For 'Union Pacific'

Paramount is issuing a triple-sized press book for the exploiting, advertising and publicizing of 'Union Pacific.'

In the promotional division local tieups are explained for a score of nationally advertised products, among them Lipton's Tea, Pennzoil, Sunkist oranges, Montgomery Ward, Lux, Model Craftsman and other products.

Advertising layouts are suitable for nearly every possible type of small town and country newspaper layout. In the publicity section are a number of feature stories about the principals and the early days of railroad building.

This Is the Week of The Variety Clubs' Big Meet

Detroit, April 25.

George Jessel, George Raft, Ethel Shutta and Lloyd Nolan will headline the floor show at the annual banquet (29) of the Variety Clubs' national powwow here April 27-30. Will Hays, MPPDA prez, also will attend conclave, along with several governors, mayors and vaude folk.

Session will open this Thursday (27) with meeting of national officers. Friday and Saturday will be devoted to general convention sessions, followed by elections and banquet in evening. Sunday will be devoted to sightseeing tour of Detroit auto plants, Greenfield Village, et al.

THEATRE HOLDUPS

$1,200 Assault Stickup in Montreal—$3,000 in Another House

Montreal, April 25.

Howard Knevels, manager of the Imperial, second run house in the heart of the city, was struck semi-conscious and theatre receipts of $1,200 for the day stolen Sunday night (23) when two young men entered the manager's office at 9:40 p.m. and scooped up the cash and got away without anyone aware of the hold-up.

Assistant manager came in later and found Knevels collapsed at his desk, bleeding profusely. No arrests so far.

$3,000 Theatre Stickup

Wautoma, Wis., April 25.

The Park theatre here was robbed last week of four nights' receipts totaling $3,000.

Spartanburg, S. C., April 25.

Melvin Godfrey and Bedford Collins were arrested in a $200 robbery of J. E. Holland, operator of Lyman and Tucapau theatres. Holland and his wife were robbed at their home about midnight several weeks ago.

$25,000 Theatre Fire

Waynesboro, Ga., April 25.

Smoking debris of the Grand hardly had a chance to cool before A. L. Lennard, owner, announced that house, destroyed in mystery blaze Thursday (20), would be rebuilt at once. Loss, estimated at $25,000, was partially covered by insurance.

Theatre was saved at time of conflagration

Quebec Censors Hypo 'Wuthering's' Mont'l B.O.

Montreal, April 25.

The Quebec Board of Censors gave 'Wuthering Heights' current at the Orpheum, one of the best ballyhoos in the history of films here when they took back their ban on the UA pic and released it almost without cuts for a gala opening Thursday (20) night and turnaway weekend biz. Offer to submit the film to representative body of men and women of all creeds and stations and abide by a majority decision, if unfavorable, plus generally adverse editorial criticism of censors' verdict, induced re-consideration by Quebec Board with the result that such scissoring as was done, is virtually not noticeable.

While most pix, currently and recently playing, have suffered no more than is usual from the censors, 'Darling Daughter' took a terrible slaughtering and emerged punch-drunk with fans wondering what it was all about. It will be a new pic to them when they see it in Ontario or over the border.

Kincey 'B' House Mgrs. Convene on Biz Matters

Charlotte, N. C., April 25.

A meeting of managers of theatres operated by the North Carolina Theatres, Inc., of which H. F. Kincey, of Charlotte, is g.m., was held last week at High Point. Roy Smart, of Charlotte, district manager, presided.

Managers of Class B picture houses in the Carolinas huddled on business matters.

News Men Shuffle Off to Omaha Preem Under Waller's Wing

Getting all of the nine large news and photo services to assign a representative, Paramount on Sunday (23) took nine men out to Denver and Omaha on its 'Union Pacific' premiere stunt. They are there with Tom Waller, of the Par h.o., who is in charge of syndicate publicity and exploitation.

Syndicate men are being flown to Denver to join the Cecil B. de Mille special train there for the ride east to Omaha.

This is claimed the largest syndicate coverage any film company has ever obtained on any stunt more than 1,000 miles removed from New York home offices.

GIRL MODELS PARADE, BOOST FOR 'ZENOBIA'

United Artists exploitation department tied in with Mayor La Guardia's 'Keep City Clean Parade' last Friday (21) for an effective campaign on their Hal Roach release, 'Zenobia.' Parade of floats started in Manhattan and wound up at the N.Y. World's Fair.

First float leading the parade was decorated with banners reading 'These are the most beautiful girls in the world,' but wait until you see 'Zenobia.' Attached to the truck was a trailer, in which rode 15 young women who model for John Powers, artist. Girls wore sashes which read, 'Yes, she's beautiful, but wait until you see Zenobia.'

Stunt will be duplicated in other key cities and some part of UA's national exploitation campaign on the picture. Monroe Greenthal for UA paid the beauts $15 each for their stint.

Imagine! Being Paid To Kiss a Girl in Pitt

Pittsburgh, April 25.

Warners has rented half of big downtown parking lot for a week to stage a free tent-show exhibit in connection with 'Stagecoach.' Joe Feldman and Jimmy Tobman scoured the town for relics of that era, gathered in a lot of stuff from Carnegie Institute, dressed up a flock of hired hands as midwestern pioneers and tossed them altogether under the big top.

They've also nabbed a barker to bring the crowds in off the street and make sure the drop-ins realize there's no admission charge. Parking lot is just a few doors away from Stanley theatre, where picture opens Friday (28).

At same time, Charlie Kurtzman cooked up a couple of cute stunts for 'Love Affair' at Penn. Hired flock of college kids and paired them off on park benches around the town. Every so often they'd go into a clinch and come up with a sign saying, 'This is a swell love affair and the Penn has one, too.' In front of the theatre, Kurtzman had a bus stationed 'Gratis' to treat young couples coming away from 'Love Affair' to a free ride to the marriage license bureau.

Fashions Then and Now Make Good 'Castle' Tieup

Seattle, April 25.

Checkup on Bon March dept. store tieup with Fifth avenue theatre for 'Vernon and Irene Castle' (RKO) shows the finest, most elaborate co-op of this type ever known in this locale. It shows how far a big store can go.

Every show window on Pine street, including the two huge corner spots, was devoted to the pix, with modern merchandise displays, along with big oldtime sheet music blowups of 'Take Me Back to N. Y. Town,' 'Where Did You Get That Hat,' 'Hello, Frisco, Hello,' etc.

Neat cards told about showing of pix at theatre. Fashions of then and now the theme. On third floor the Bon also had merchandise displays to tie-in. Beatty Stevens, promotional, and Harold McLean handled the tieup.

Mpls. Builds; Wayne King-Burns, 16G, Tops 'Em All; 'Heights' Bright $8,000

Minneapolis, April 25.

Theatres have what it takes to bring 'em in this week. Boxoffice attractions are in command of the situation all along the line. Accordingly, grosses are pointing toward respectable heights, although still falling under the totals that such strong offerings normally would attain—due, of course, to the generally depressed conditions here.

Wayne King's orch, at the Orpheum, tops the list of newcomers, but 'Wuthering Heights,' State film, is running the stage show a good second. Two holdovers, 'Three Smart Girls Grow Up' and 'Ecstasy,' at the Century and Time, respectively, continue to hold up their end. 'Pygmalion' finally ended its sensational seven-week run at the World, giving way to 'Amphitryon,' which isn't kicking up much boxoffice dust.

Another roadshow, 'Kiss the Boys Goodbye,' comes into the Lyceum April 28-29.

Estimates for the Week

Aster (Par-Singer) (900; 15-25)—'Crowded Hours' (RKO) and 'Sudden Money' (Par), dual first-runs, split with 'Bulldog Drummond' (Par) and 'Almost Gentlemen' (RKO), also first-runs. Looks like fairly good $1,700. Last week, 'King Chimpanzee' (Par) and 'Wuthering' (RKO), dual first-runs, split with 'Secret Service Air' (WB) and 'Trouble Sundown' (RKO), also first-runs, $1,400, light.

Century (Par-Singer) (1,600; 25-35-40)—'Three Smart Girls' (U) (2d wk). Still going along at profitable pace and may remain third canto, or move to another loop spot for an extension of its run. Good $5,000 indicated. Last week, $8,000, fine.

Gopher (Par-Singer) (1,000; 25-35)—'Let Live' (Col). An improvement over recent offerings here and perking up trade. Heading toward $2,000 on six days, light. Last week, 'Never Die' (Par), $2,200, light.

Orpheum (Par-Singer) (2,800; 35-40-55)—'From Miss.ure' (Par) and Wayne King's orch on stage. King mainly responsible for the drive. Raves for his show and it should build. Big $16,000 indicated. Last week, 'Oklahoma Kid' (WB) and 'Mikado in Swing' unit on stage, $12,000, fair.

State (Par-Singer) (,300; 25-35-40)—'Wuthering Heights' (UA). Advance acclaim and critics are customers' praises putting it across over. Traveling at brisk $8,000 pace. Last week, 'Broadway Serenade' (M-G), yanked after six poor days, $4,000.

Time (Gillman) (290; 25)—'Ecstasy' (Foreign) (2d run) (2d wk). Big boxoffice stuff and certain to hold for at least one more week. En route to big $1,500. Last week, $2,500, tremendous.

Uptown (Par) (1,200; 25-35)—'Trade Winds' (UA). First nabe showing. Looks like light $2,000. Last week, 'Ice Follies' (M-G), split with 'Cheer Society' (Par), $2,500, fairly good.

World (Steffes) (350; 25-35-40-55)—'Amphitryon' (Foreign). French film, following closely on heels of stage show here, has critics singing its praises, but isn't drawing the boxoffice and probably will not finish out week. Poor $600 in prospect. Last week, 'Pygmalion' (M-G) (7th wk), $1,100, sensational coming run's length.

Key City Grosses

Estimated Total Gross

This Week $1,600,100
(Based on 26 cities, 172 theatres, chiefly first runs, including N. Y.)

Total Gross Same Week

Last Year $1,523,600
(Based on 23 cities, 160 theatres)

'VICTORY' PULLS K. C. FEMS, BIG $8,000

Kansas City, April 25.

Theatre row is seeing some nice figures run up at Tower and Orpheum, and smooth sailing in other spots. Orrin Tucker's band is reason for big take at the Tower. Making appearance here within six months, band is beating its former take, though top price remains at 40c. against 55c. high last fall.

'Dark Victory,' at Orpheum, is the standout of the new films. Bing Crosby's newest, day and date at the Esquire and Uptown is riding well after a sneak preview at the Plaza earlier in the week.

Weather man has let up on the moisture.

Estimates for This Week

Esquire and Uptown (Fox Midwest) (820; 1,200; 10-25-40)—'East Side Heaven' (U). Pleasing $6,500. Last week (2d), 'Three Smart Girls' (U), got nice $5,000.

Midland (Loew's) (3,575; 10-25-40)—'Freedom Ring' (M-G) and 'Prison Bars' (UA). Eddy the major draw here and slightly bettering average at $10,000. Last week, 'Wuthering Heights' (UA) and 'Kid from Texas' (M-G), fair $9,000.

Newman (Paramount) (1,900; 10-25-40)—'Dodge City' (WB) (3d wk). Looks for 20-day run, equalling that of 'Wells Fargo' last fall. Good $4,500 after nice $6,500 last week.

Orpheum (RKO) (1,800; 10-25-40)—'Dark Victory' (WB). Playing to strong trade, with femmes dominating. Very good $8,000. Last week (2d), 'Castles' (RKO), nice $5,000.

Tower (Fox Midwest) (2,050; 10-25-40)—'Winner All' (20th) with Orrin Tucker's band on stage. House forsaking straight films temporarily. Solid $12,500, biggest seen here in many months and bettering Tucker's take last fall in same spot. Last week (2d), 'Alexander Bell' (20th), fair $5,000.

'DODGE,' $13,500, TOP DRAW IN DENVER

Denver, April 25.

With daily standouts, 'Dodge City,' at the Denver, is easily grabbing top money this week, while across the street the Paramount, with 'Hound of Baskerville,' is playing to similar holdouts.

'Little Princess,' at Rialto in third week of first-runs, is also running strong.

Estimates for This Week

Broadway (Fox) (1,100; 25-40)—'Castles' (RKO), after two weeks at the Orpheum, and 'Fisherman's Wharf' (RKO), after one week at the Orpheum. Good $3,000. Last week this house was a subsequent run.

Denham (Cockrill) (1,750; 25-40)—'Never Die' (Par). Fair $5,000. Last week, 'Missouri' (Par), did a nice $7,000 in second week.

Denver (Fox) (2,525; 25-35-40)—'Dodge City' (WB). Big $13,500. Last week, 'Culver' (U) and Clyde Doerr's band, nice $11,500.

Orpheum (RKO) (2,600; 25-35-40)—'Broadway Serenade' (M-G) and 'Society Lawyer' (M-G). Nice $8,700. 'Castles' (RKO), second week, and 'Fisherman's Wharf' (RKO), neat $7,500.

Paramount (Fox) (2,200; 25-40)—'Baskervilles' (20th) and 'Women in Wind' (WB). Strong $5,000. Last week, 'Blackmail' (FN) and 'Boy Trouble' (Par), good $4,500.

Rialto (Fox) (676; 25-40)—'Princess' (20th), after a week at each the Denver and Aladdin, and 'Mr. Moto' (20th). Good $2,500. Last week, 'Honest Man' (U), after a week at the Denver and Aladdin, and 'First Offenders' (Col), fair $2,000.

'Dodge,' $14,500, 'Castles,' $13,300, Big in Toronto

Toronto, April 25.

B.o. shows heliday revival, with 'Dodge City' and The Story of Vernon and Irene Castle' packing them in here.

Shea's new pic-vaude policy has Monday openings. Last week, Ina Ray Hutton and her girls lured the customers in for very nice $11,500.

Estimates for This Week

Imperial (Gt-West) (3,373; 25-35-50) —'Dodge City' (WB). Tops at $14,500. Last week, 'Three Smart Girls' (U), good enough $7,600 on second stanza, after first topped the town with $15,200.

Loew's (Loew) (2,611; 25-35-50)—'Honolulu' (M-G). Mediocre $6,800. Last week, 'Each Other' (UA) and 'Within Law' (M-G), just fair $7,100.

Shea's (FP-Can) (2,663; 25-40) — 'I'm From Missouri' (Par), plus vaude. Opened yesterday (Monday). Last week, 'On Trial' (WB) plus Ina Ray Hutton band, good $11,500.

Tivoli (FP-Can) (1,433; 25-40) — 'Gunga Din' (RKO) and 'Society Smugglers' (U). Good enough $5,400. Last week, 'Women Men' (U) and 'Let Live' (Col), fair $3,800.

Uptown (FP-Can) (3,761; 25-35-50) —'Castles' (RKO). Excellent $13,300. Last week, 'Love Affair' (RKO) opened very well and then slumped to $8,900.

'VICTORY' OKAY $14,000 IN DET.

Detroit, April 25.

Good product generally is keeping things out of doldrums.

'Alexander Bell,' plus vaude at the Fox, and 'Wuthering Heights' at From Texas,' at the Michigan, will fight it out for top coin, with 'Hardy's Ride High,' at UA, a close third.

Estimates for This Week

Adams (Balaban & Katz) (1,700; 30-40)—'Love Affair' (RKO) (2d run) plus 'Boy Slaves' (RKO). Dunne-Boyer combo moved here after nice seats at Fox; should cop good $7,500. Last week, 'Three Smart Girls' (U) (2d run) (3d week), coupled with 'Crowded Hours' (Par), okay $3,800, following grosses of $8,000 and $6,000 previous stanzas of Durbin film, each with different support.

Fox (Fox-Michigan) (5,000; 30-40-65)—'Alexander Bell' (20th) plus stage show. Paced for around $20,000, good in face of strong opposish. Last week, nice $26,500 for 'Love Affair' (RKO) and Eddy Peabody on stage, flicker building strong near end.

Michigan (United Detroit) (4,000; 30-40-65)—'Dark Victory' (WB) plus 'Kid Texas' (Par), dual. Will likely reach $14,000. Last week, good swell $26,500 for 'Dodge City' (WB) plus 'Society Lawyer' (M-G).

Palace (United Detroit) (3,000; 30-40-50)—'Dodge City' (WB) (2d run) and 'Sudden Money' (Par). Fairish $4,000. Left here after big week at Michigan; figures for around $9,500, nice. Last week, 'Midnight' (Par) (2d run) and 'Streets Ne Y.' (Mono), good $7,500.

United (United Detroit) (2,000; 30-40-65)—'Hardys' (M-G). Hardy series big draw here, anyway, and with Detroit as home, it adds up to good $12,000 and easy holdover. Detroit angle bullyed strongly. Is almost sure-shot. 'Broadway Serenade' (M-G), fairish $6,600.

Garland-'Midnight,' $31,000, Smash Teeoff for Cleveland Vaude Revival

Cleveland, April 25.

Neither opening of baseball season here, sportsmen's show at civic auditorium, nor Arena's rodeo seem to hurt theatres' take, all three scoring extra-base hits this stanza.

First home-runner is being registered by Judy Garland in personal at Loew's State, restoring vaude to house after nearly flat flesh-show stint, seems. Metro's juve singer made terrific getaway despite Indians' initial topping of opens on same day, collecting $11,000 in first two days. With 'Midnight' for strong support, her show is likely to clock for $31,000, treading on the heels of Jack Benny's record figure.

'Hounds of Baskervilles' is boosting Jimmy Dorsey's orch at next door Palace, another strong-hitting bill, topped by Jane and Vernon castle' at Hipp. Biggest surprise was 'Alex Graham Bell.' Moved from Palace, where it had backed up Beth, its opening at Allen was such a brody that it was yanked after one day and replaced with 'Dodge City,' which did two sock weeks at Hipp.

Estimates for This Week

Allen (Nixon) (1,200; 10-20-35)—'Climbing High' (GB) and 'Mr. Wong' (Mono). Fine $3,000 for five days. Last week, 'Culver' (U), okay $2,100.

Allen (RKO) (3,000; 30-35-42-55)—'Dodge City' (WB). Still well liked. $4,000 after two weeks at Hipp. 'Alex Graham Bell' (20th) less than $400 in one day before being yanked. Last week, 'Let Live' (Col), average $3,000.

Hipp (Warner) (3,700; 30-35-42-55) —'Castles' (RKO). Title has no pull here for natives, but Astaire-Rogers hallyho makes it pay worthwhile $15,000. Last week (2d), 'Dodge City' (WB), excellent $10,000.

Palace (Loew's) (2,000; 30-35-42-55) —'Baskervilles' (20th) with Jimmy Dorsey's orch on stage. Latter catching the litterbugs in large quantities, adding up to $16,000. Last week, 'Graham Bell' (20th) and Hugh Herbert on stage, $9,000, okay, but not as much as expected.

State (Loew's) (3,450; 30-35-42-55) —'Wuthering Heights' (UA). Garland and Eddie Peabody topping vaude. First stage bill at this stand in several seasons immediate click, with lobby jammed to doors all over weekend. Shooting for smash $31,000. Last week, 'Each Other' (UA), $13,000, satisfactory.

Stillman (Loew's) (1,972; 30-35-42-55)—'King Kong' (UA). Not hefty enough in face of competish to get better than ordinary $5,000. 'Freedom Ring' (M-G) last week faded after first three days to $3,200, fair.

'Heights' Day-Date High $22,000 In L. A.; 'Lady's from Ky.' $14,000; 'Castles' $11,500 3d Week, H.O.s Dip

Broadway Grosses

Estimated Total Gross

This Week $290,300
(Based on 12 theatres)

Total Gross Same Week

Last Year $274,300
(Based on 11 theatres)

WASH. TEMP. UP; 'HEIGHTS' OK $14,500

Washington, April 25.

It's not warm, it's downright hot. Over-all gross isn't really bad, but it took a distinct nose dive past two weeks and boys are using 'summer slump' in every other sentence. 'Let Freedom Ring' and Arthur Godfrey Revue are putting Capitol in lead by good margin. 'Wuthering Heights' at Palace is second, but far from expectations, and 'I'm from Missouri,' plus Vincent Lopez orch and Patricia Ellis, is fair third at Earle.

Latter's potential take is considerably cut through stunt house focused on Arthur Godfrey and (WB) 'Missouri' and stage bill will wind up tomorrow (Wed.) night and house will open 'Dark Victory' on Thursday (27) without vaude, bringing in accompanying stage show as skedded on Friday (28).

Estimates for This Week

Capitol (Loew) (3,434; 25-35-40-66) —'Freedom Ring' (M-G) and vaude. Nelson Eddy and Arthur Godfrey and his revue getting the femmes to lead town with oke $16,000. Last week, 'Ice Follies' (M-G) and Dave Apollon Revue, light $16,000.

Columbia (Loew) (1,234; 25-40)—'Prison Bars' (U). Sold boxoffice along 'women-without-men' angle and Corrine Luchaire ballied as new French sensation. Comes will get usual second-run spot good $5,000. Last week 'Madden' (M-G) (2d run), light $3,500.

Earle (WB) (2,216; 25-35-40-66)—'Missouri' (WB) and vaude. Vincent Lopez and Patricia Ellis p.a. holding it up to fair $13,500 for six days. Last week, 'Dodge City' (WB) and vaude (2d wk.), swell $16,000.

Keith's (RKO) (1,630; 35-55)—'Three Smart Girls' (U) (2d wk). Stepped up attraction to good $7,500. Last week socked with $17,000.

Met (WB) (1,600; 25-40)—'Black Wedding' (WB) (2d run) and 'The Crisis' (Mayer & Burstyn). Five days for oke $3,200. Last week, 'Women Wild' (WB), good $1,900 in five days.

Palace (Loew) (2,242; 35-55)—'Wuthering Heights' (UA). Okay $14,500. Last week, 'Midnight' (Par) (2d wk.), oke $7,500 in five days.

Pantages (Hamrick-Wyo) (2,024; 30-40-55-75) 'Bell' (20th) and 'Kid from Texas' (MG) dual. New lease on life currently with big $4,500 in sight. Last week, 'Broadway Serenade' (MG) and 'Everybody's Baby' (20th), throughout at $3,500.

Downtown (WB) (1,800; 30-40-55-65)—'Wuthering Heights' (UA) and 'Torchy Runs Mayor' (WB) dual. One of town's pace-setters, but will fall slightly behind its day-dater, Hollywood leader with neat $10,500. Last week, 'Dodge City' (WB) second stanza, very good $11,000.

Hollywood (F-WC-Tol) (900; 40-55) 'Prison Without Bars' (UA) (3rd week). Final stanza limited to four days with $900 for that period. Second full week brought unprofitable $2,200.

Paramount (WB) (2,756; 30-40-55-65)—'Heights' (UA) and 'Torchy Mayor' (WB) dual. Hollywood boulevard leader with neat $10,500. Last week, holdover of 'Dodge City' (WB), profitable $8,200.

Rainbow (Fan) (1,612; 30-40-55)—'Castles' (RKO) (3rd week) and 'Exposed' (U) dual. Previews used Friday and Saturday nights to bolster and third week bringing okay $5,500. Second stanza finished with about $7,000, good.

Paramount (Par) (3,595; 30-40-55) —'Lady's from Kentucky' (Par) and 'Gamblers' (Par). Looks like profitable $4,000 on final week after healthy $7,200 previous seven days. Friday-Saturday-Sunday helped current week's take.

State (Loew-Fox) (2,414; 30-40-55-75)—'Bell' (20th) and 'Kid Texas' (MG) dual. Best house has shown in several months with $15,000 probable answer. Last week, 'Broadway Serenade' (MG) and 'Everybody's Baby' (20th), headache at $10,000.

Orpheum (Orpheum Circ) (2,192; 30-40-55)—'Serenade' (MG) and 'Everybody's Baby' (20th) dual. Very weak on movement for about $2,000. Last week, 'Black Fire' (MG) and 'O'Connor' (MG), another bust, $2,500.

Wilshire (F-WC) (2,296; 30-40-55-65)—'Serenade' (MG) and 'Everybody's Baby' (20th) dual. No profit on movement at $3,000. Last week 'Black Fire' (MG) and 'O'Connor' (MG) dipped to $3,200, very bad.

'Victory' Sweet $3,700 In Lincoln; 'Pyg' Okay

Lincoln, April 25.

'Dark Victory' broke best at the barrier this week, with 'Pygmalion' given a fancy publicity sendoff including several breaks in the usually tough dailies.

Estimates for This Week

Colonial (NTI-Noble-Monroe) (750; 10-15)—'Crashing Hollywood' (RKO) and 'Night Riders' (Rep), split with 'Fit for Tiger' (RKO) and 'North of Yukon' (Col). So-so $800. Last week, 'Gun Law' (RKO) and 'Penwoof' (WB), split with 'Beloved Brat' (WB) and 'Mexicali Rose' (Rep), fair $800.

Liberty (NTI-Noble) (1,000; 10-15-25)—'Fauntleroy' (UA) and 'Blane Chinatown' (WB). Fairish $1,200. Last week, 'Woman Condemned' (Mono) and 'Pride Navy' (Rep), slim $1,100.

Lincoln (LTC-Cooper) (1,800; 10-15-25)—'Sweepstakes' (20th), Single and pretty fair $1,500. Last week, 'Professor Beware' (Par) and 'Perfect Alibi' (Par), split with 'Say French' (Par) and 'Fugitives' (RKO), slow $1,300.

Nebraska (LTC-Cooner) (1,236; 10-25-40)—'Pygmalion' (M-G). Good prospect about $3,700, allright. Last week, 'Trouble Sundown' (U), very neat $4,500.

Stuart (LTC-Cooper) (1,800; 10-25-35)—'Bell' (20th). Pretty fair, $3,500. Last week, 'Missouri' (Par), slow $2,500.

Varsity (NTI-Noble) (1,100; 10-25-35)—'Dark Victory' (WB). Very good $3,700 in sight. Will hold another week. Last week, 'Gangster's Boy' (Mono), $1,000, poor.

'Castles,' $14,000, Topples in Philly; 'Hardys' Big 16G, 'Ky.'-Vaude N.G.

Philadelphia, April 25.

First stretch of sunshine and balmy breezes hit the film houses over the weekend, but things won't be quite so bad, however, as the box office may, coming through nasty this week with $13,000 after big $15,700 in the opening stanza at this small house. Disappointing is 'The Story of Vernon and Irene Castle' at the Stanley. Despite cheers from the critx, it's getting only poor $14,000.

Estimates for This Week

Aldine (WB) (1,303; 32-42-57)—'Wuthering Heights' (UA) (2d wk.). Zipping merrily along despite its sombreness to a powerful $13,000 and certain of another h.o. Initial session nitty $15,700.

Boyd (WB) (2,350; 32-42-57)—'Hardy's' (M-G). Score another for this family series with a cockle $16,000 and a sure ticket for another inning here. Last week, 'Mad' (WB), was badly cracked with something of a record low at $11,600 for such a widely balloted flick.

Earle (WB) (2,758; 26-32-42)—'Love Affair' (RKO) (3d-run). Continuing to show the rather nice strength it revealed in previous efforts; $6,600, fair. Last week, 'Honeymoon' (U) (3d run), mediocre $6,000.

Fox (WB) (2,423; 32-37-42-57-68)—'Lady's Kentucky' (Par) (2d wk). Ben Blue and Virginia Verrill on stage. B.o. reflecting the absence of a strong name band, pointing to a low for vaudfilm policy at $18,500. Last week, 'Society Lawyer' (M-G) with Chick Webb and Ella Fitzgerald, hardly better at $19,000.

Karlton (WB) (1,066; 32-42-57)—'Midnight' (Par) (2d run) (2d wk). Highly unusual procedure at this house has a second run doing an h.o. because of the hot biz in the opening sesh. Pacing nice $4,000 this turn after socko $5,600 last week.

Keith's (WB) (1,876; 32-42-57)—'East Side Heaven' (U) (2d run). A lot weaker than the first run, supported by vaude at the Earle indicated. Only $3,500, n.sh. Last week, 'Broadway Serenade' (M-G) (2d run), likewise poor $3,800.

Palace (WB) (1,100; 26-42)—'Away with Murder' (WB). Supported by a tick of skits to make up the three-hour bill and doing fair $5,000. Last week, 'Within Law' (M-G), with The Crosbys complaining of recent newsreel clips, okay $5,100.

Stanley (WB) (2,916; 32-42-57)—'Castles' (RKO). Despite handsome applause from the critx, Astaire-Rogers starrer is badly missing at the b.o. with poor $14,000. Last week, 'Dodge City' (WB) (2nd wk), did well on the renewal ticket at $12,800.

Stanton (WB) (1,637; 26-32-42)—'Dodge City' (WB) (2d run). A first-run house, Stanton has been pressed into second-run this week because Karlton held over 'Midnight.' A natural for this action-loving spot, 'Dodge City' is hanging out great $7,000. Last week, 'Women in Wind' (WB), meagre $4,000 on first run.

'Victory' Dual Socko $8,000, Topping Seattle

Seattle, April 25.

Spurred on by the success of a single bill policy which started a few weeks ago at Hamrick-Evergreen's Music Box with 'Prisoner' (UA), a similar policy started this week at Sterling's (John Dana) Uptown theatre, showing 'Victory' and 'Lives.' It's experimental, but looks okay.

'Dark Victory' is very big currently at Fifth, Orpheum and Music Box, respectively.

Estimates for This Week

Blue Mouse (Hamrick-Evergreen) (850; 32-37-42)—'Castles' (RKO) and 'Saint Strikes Back' (RKO). Moved from Fifth and indicate good $2,900 here. Last week, 'Wuthering Heights' (U) and 'Society Smugglers' (Par) 12 days, third week, good $2,200.

Celiseum (Hamrick-Evergreen) (1,800; 21-32) 'Twilight' (20th) and 'Honolulu' (M-G). Expect good $3,000. Last week, 'Topper' (UA) and 'St. Louis' (Par), $2,500, fair.

Fifth Avenue (Hamrick-Evergreen) (2,349; 32-37-42)—'Dark Victory' (WB) and 'Society Lawyer' (M-G). Look like very big $8,000. Will h.o. Last week, 'Castles' (RKO) and 'Saint Strikes Back' (RKO), $6,600, good.

Music Box (Hamrick-Evergreen) (850; 32-37-42)—'Daughter' (PN) (3d wk.). Indicates only mild $1,400. Last week (2d), same film, okay $3,000.

Orpheum (Hamrick-Evergreen) (2,600; 32-37-42)—'Dodge City' (WB) and 'Winner All' (20th) (3d wk.). Still good at $3,900. Last week, same films, socko $6,400.

Palomar (Sterling) (1,350; 16-27-37-42)—'Mexicali Rose' (Rep) and Wong (Mono), plus vaude. Anticipate good $4,000. Last week, 'Last Warning' (U) and 'Crooked Mile' (Par), and vaude, $3,800, fair.

Paramount (Hamrick-Evergreen) (3,039; 32-37-42)—'Bell' (20th) and 'Sudden Money' (Par). Reaching for good $5,500. Last week, 'Madden' (M-G) and 'Everybody's Baby' (20th), poor $3,700.

Roosevelt (Sterling) (800; 21-32)—'Gunga Din' (RKO) and 'Tom Sawyer' (Par). Indicate big $2,500. Last week, 'Wings Navy' (WB) and 'King Underworld' (WB), okay $2,100.

Uptown (Sterling) (800; 27-42)—'Lady Vanishes' (GB) solo. Marks reopening of house under new policy and looks oke for two-week run, garnering big $2,000. Last week, dark.

BETTE, $31,000, TOPS BOSTON

Boston, April 25.

'Dark Victory,' on dual bill at the Metropolitan, is surging ahead for top boxoffice honors. Bette Davis with 'Castles' taking second money, and 'Made for Each Other' aiming at third place.

Good openings all around, but weather rather slowed the pace later in the week.

Estimates for This Week

Boston (RKO) (3,200; 25-30-40)—'Let Live' (Col) (2d run) and 'Peck's Boy' (RKO) (1st run), dual, plus vaudeville. Fair $8,000. Last week, 'Criminal' (Col) and 'Tailspin' (20th) (3d run), double, for three days. Tailying around $10,000, fair. Last week, 'Honest Man' (U) (2d run) and 'North of Shanghai' (Col) (1st run), double, with vaude for six days, $9,500, fair.

Fenway (M&P) (1,332; 25-35-40-55)—'Lady's Kentucky' (Par) and 'Eagle and Hawk' (Par) reissue). Pallid, around $5,000. Last week, 'Buckaroos' (20th) and 'Secret Service Air' (WB), dual, good $8,200.

Keith Memorial (RKO) (2,907; 25-35-40-55) — 'Castles' (RKO) and Walt Disney Revue. Opened to smash business, tapered off slightly later in week, but heading toward big $26,500. Will be held at least one more frame. Last week 'Smart Girls' (U) (2d wk) and 'Almost Gentleman' (RKO)...(1st wk), dual, okay $14,400, six days.

Metropolitan (M&P) (4,367; 25-35-40-55)—'Dark Victory' (WB) and 'Sudden Money' (Par). Heading grosser, flirting with $31,000. Looks like surefire holdover. Last week (2d), 'Dodge City' (WB) and 'Jane Arden' (WB), dual, $17,000, good.

Orpheum (Loew) (2,900; 25-35-40-55)—'Beyond Other' (UA) and 'Within Law' (M-G). Good, but not sensational, around $17,000 indicated. Last week 'Huck Finn' (M-G) and 'Blondie Boss' Col) (2d), fair $13,500.

Paramount (M&P) (1,797; 25-35-40-55)—'Lady's Kentucky' (Par) and 'Eagle and Hawk' (Par) (reissue). Getting tepid response, about $7,000. Last week 'Baskerville' (20th) and 'Secret Service Air' (WB) very good $11,500.

Scollay (M&P) (2,538; 25-35-40-50) —'Daughter' (WB) and 'Baskervilles' (Par) (both 2d run). Okay for about $7,500. Last week 'Midnight' (Par) and 'King Chinatown' (Par) (both 2d run), $5,000, so-so.

State (Loew) (2,600; 25-35-40-55)—'Each Other' (UA) and 'Within Law' (M-G). Good $11,500. Last week 'Huck Finn' (M-G) and 'Blondie Boss' (Col) (2d wk), $9,000, good.

DURBIN SMART $6,300 IN OKLAHOMA CITY

Oklahoma City, April 25.

Three films are due for good grosses this week. 'Three Smart Girls,' 'Hound of Baskervilles' and 'Twelve Crowded Hours,' on dual with 'Girl Downstairs,' will all get nice returns.

Estimates for This Week

Criterion (Stan) (1,500; 25-35-40) 'Three Smart Girls' (U). Good $6,300, or better, if weather holds. Last week, 'Dodge City' (WB), smash $7,500.

Liberty (Stan) (1,200; 20-25)—'Crowded Hours' (RKO) and 'Girl Downstairs' (M-G). Due for over average $2,000 on four days, and possible $2,600 if held seven days. Last week, 'Persons Hiding' (Par) and 'Trouble Sundown' (RKO), split with 'Nancy Drew' (WB) and 'Third Notion' (Par), nice $2,600, with emphasis on first four days.

Midwest (Stan) (1,500; 25-35-40)—'Madden' (M-G). So-so press and tinny average at $2,200. Last week, 'Ice Follies' (M-G), poor $3,500.

Plaza (Stan) (750; 25-35-40)—'Dodge City' (WB). Moves over from Criterion, looks like $2,200, over average. Last week, 'Princess' (20th), poor, $1,800.

State (Noble) (1,100; 20-25)—'Spy Ring' (Col) and 'Little Adventuress' (Col), under average at $2,300. Last week, 'Home Prairie' (Rep) and 'Barefoot Boy' (Mono), $2,100, poor.

Tower (Stan) (1,000; 25-35-40)—'Baskervilles' (20th). Very good $3,000. Last week, 'Midnight' (Par), moveover from Criterion, nice $2,700.

Indpls. Vaude B.O. Okay, but 'Follies' Dual N. G. $4,500

Indianapolis, April 25.

Vaude houses are garnering all the loose change in downtown section this week, with straight film bills lagging. Opening day was thin due to heavy rains, but good weather over the weekend should help either, natives spending coin for petrol to bask in vitamin D, instead of trooping to the theatres. Final week of Roller Derby hurt also, with management bringing back favorite skaters of previous sessions in order to boost gate.

Lyric and Circle are going neck and neck at the boxoffice, playing Abe Lyman and Al Donahue orchestras respectively, with the former at the black figures with 'East Side of Heaven' on dual. Loew's is suffering with 'Ice Follies,' while Apollo is taking worst licking in a long time with 'Stop Your Worrying' and 'Irene Castle,' stayed back after doing a flopo two weeks ago at the Indiana.

Estimates for This Week

Apollo (Katz-Dolle) (1,100; 25-30-40)—'Castles' (RKO). Back after a week's lapse since playing larger Indiana, very mediocre. Last week, 'Dodge City' (WB), very nice $3,500 in second week after moving over from Circle.

Circle (Katz-Dolle) (2,600; 25-30-40)—'Lady's Kentucky' (Par) and Al Donahue orch on stage. Okay $9,500. Last week, 'Saint Strikes Back' (RKO) and vaude, building Joan Davis, felt the general lassitude with fair $9,000.

Indiana (Katz-Dolle) (3,100; 25-30-40)—'East Side Heaven' (U), dualled with 'Mystery White Room' (U). Former is getting nice boxoffice $4,800. Last week, 'Missouri' (Par) and 'Back Door Heaven' (U), in the red at $3,800.

Loew's (Loew's) (2,400; 25-30-40)—'Ice Follies' (M-G) and 'Prison Bars' (WA). Not so good at $4,500. Last week, 'Wuthering Heights' (UA) and 'Blondie Boss' (Col), built slightly towards end of week, wiggling in with okay $7,200, which includes special premiere night before regular opening.

Lyric (Olson) (1,900; 25-30-40)—'Stop Your Worrying' (U) and Abe Lyman's orch on stage. Helped by presence of localite, Frankie Parrish as vocalist with orch, good for satisfactory $9,800. Last week, 'Women Wind' (WB) and vaude, with two bands on stage, sour $7,800.

DURBIN, $7,000, NO PANIC IN SLOW PROV.

Providence, April 25.

Biz is comparatively slow, but Albee and State are holding their own with 'Castles' and 'Freedom Ring,' respectively.

'Three Smart Girls' is doing little better than fair at Majestic.

Estimates for This Week

Albee (RKO) (2,000; 25-35-50) — 'Castles' (RKO) and 'Saint Strikes Back' (RKO). Traced for neat $8,800. Last week, 'Love Affair' (RKO) (2d wk.), nice $4,800.

Carlton (Fay-Loew) (1,400; 25-35-50)—'Dodge City' (WB) and 'Chasing Danger' (20th) (2d run). Good $5,000, spotted. Last week, 'Princess' (20th) and 'Winner All' (20th), (2d run), hefty $6,000.

Fay's (Indie) (2,000; 25-35-40) 'Women Wind' (WB) and vaude. Slow going for so-so $8,500. Last week, 'Pirates Sky' (U) and vaude, bright $8,000.

Majestic (Fay) (2,200; 25-35-50)—'Three Smart Girls' (U) and 'Inspector Hornleigh' (20th). Proving question mark, with only fair $7,000 in offing. Last week, 'Dodge City' (WB) and 'Chasing Danger' (20th), swell $7,500.

State (Loew) (3,200; 25-35-50) — 'Freedom Ring' (M-G) and 'Within Law' (M-G). Paced for nice $11,000. Last week, 'Wuthering Heights' (UA) and 'Kid Texas' (M-G), okay $12,000.

Strand (Indie) (2,200; 25-35-50)—'Streets New York' (Mono) and 'Wife's Relatives' (Rep). Slated for so-so $5,000 in five-day run. Last week, 'Sudden Money' (Par) and 'Forged Passport' (Rep), anemic $3,500.

Davis, $18,000, Rooney, $17,000, Both Forte in Frisco; 'Die' Sickly $6,000

Port. Big Despite Heat; 'Midnight' Dual OK $6,700

Portland, Ore., April 25.

In spite of hot weather, most downtown spots are doing bangup biz this week. 'Midnight,' at Paramount, and 'Broadway Serenade' at Parker's UA, are the best biz-getters, with both in line to hold two weeks.

Estimates for This Week

Broadway (Parker) (2,000; 30-35-40)—'Madden' (M-G) and 'Family Next Door' (U). Average biz-getter at $4,000. Last week, 'Wuthering Heights' (UA) and 'King Turf' (UA), heavy winner at $5,700, and moved to Mayfair.

Mayfair (Parker-Evergreen) (1,500; 30-35-40)—'Wuthering Heights' (UA) and 'King Turf' (UA). Good $3,000. Last week, 'East Side Heaven' (U) and 'Culver City,' okay $2,500.

Orpheum (Hamrick - Evergreen) (1,800; 30-35-40)—'Castles' (RKO) and 'Secret Service Air' (WB) (2d wk). Continue to mop up; around $3,900. First week heavy $5,800.

Paramount (Hamrick-Evergreen) (3,000; 30-35-40)—'Midnight' (Par) and 'King Chinatown' (Par). Clicking for big $6,700. Last week 'Dodge City' (WB) and 'Flying Irishman' (RKO) closed second week to $4,300, good.

Rivoli (Indie) (1,100; 20-25)—'Kentucky' (Par) and 'Dark Rapture' (U) (revivals). Good $2,000. Last week 'Dodge City' (WB) and 'Thanks Everything' (Par), average $1,500.

United Artists (Parker) (1,000; 30-35-40)—'Broadway Serenade' (M-G) and 'Within Law' (M-G). Answering to big bally campaign for good $3,900. Last week 'Three Smart Girls' (U) and 'Risky Business' (U), second week good $3,600. First week $5,800, big.

'HEIGHTS' TOPS PLACID PITT, $17,500

Pittsburgh, April 25.

Flock of big pix hitting the Golden Triangle simultaneously are dividing biz pretty evenly, with only one real standout, 'Wuthering Heights,' at Penn. Behind smart campaign and set of the most ecstatic raves in years, also attracting big doing smartly and may develop into h.o.

Elsewhere trade is brisk without being outstanding, attributed in part to unseasonal summer weather and coal strike, which has increased jobless rolls heavily. Stanley has 'Castles,' first picture house has played without a stage show in more than five years, and it's doing a modest gate play, while 'Alexander Graham Bell,' at the Alvin, isn't coming even close to expectations. At least two weeks were expected of this one, but will be lucky to squeeze through a few weeks.

Estimates for This Week

Alvin (Harris) (1,850; 25-35-50)—'Alexander Graham Bell' (20th). This one isn't approaching expectations at all. Heading for around $8,500, and management is hoping to get it through for few extra days preceding 'Man of Conquest' (Rep). Last week, second of Three Smart Girls' (U), fine at $7,100 on top of $12,500 getaway.

Fulton (Shea-Hyde) (1,750; 25-40) —'East Side Heaven' (U) (3d wk). Getting four days in third week and should better $3,000, fine. 'King Turf' (UA) goes in tomorrow (Tues.). Last week, second, was over $3,000, great at this spot.

Penn (Loew's-UA) (3,300; 25-35-50)—'Wuthering Heights' (UA). Solid well, with rave notices and word-of-mouth doing the rest. Headed for excellent $17,500 and has better than even chance of topping that. If it does, flicker will move over to Warner for second week. Last week 'Dodge City' (WB), built nicely down the stretch and finished at $13,000.

Senator (Harris) (1,800; 25-35-50) —'Three Smart Girls' (U). Moved here after fortnight at the Alvin. Looks for around $2,800, not big at this spot. Last week, reissue of 'Magnificent Obsession' (U) and 'Motor Maniac' $2,100.

Stanley (WB) (3,600; 25-35-50)—'Castles' (RKO). House minus flesh for first time since March, 1937, and will stick to straight films for at least month to wash up flock of big pix and restore order to release schedules. Astaire-Rogers doing well, but not getting what ever-body here agrees picture's entitled to. May hit $14,500, good but not breathtaking. Last week Waring's Pennsylvanians got red-hot at finish San Francisco, April 25.

'Dark Victory' is a winner at the Fox this week, with 'Hardys Ride High' running a close second at the Paramount. Both Bette Davis and Mickey Rooney have strong followings here.

'Never Say Die' suffered from the strong competish offered by 'Victory' and the 'Hardy Family' picture and was pulled before its week was out at the Warfield to make way for 'The Return of the Cisco Kid.' Holdovers are 'Wuthering Heights,' at United Artists; 'Castles,' at Golden Gate; 'Dodge City,' at St. Francis, and 'Three Smart Girls Grow Up,' at Orpheum.

Estimates for This Week

Fox (F-WC) (5,000; 35-55-75)—'Dark Victory' (WB) and 'Kid Texas' (M-G). Noticed topa. Marquee strength of Bette Davis, George Brent and Humphrey Bogart a great help. Although $20,000 wouldn't be big biz here a year ago for an important picture like 'Dark Victory,' this figure is hefty these days. Last week (2d), 'Dodge City' (WB) and 'Sudden Money' (Par), fine $12,000.

Golden Gate (RKO) (2,850; 35-55) —'Castles' (RKO) and vaude (3d wk). Still doing good biz and aiming at okay $9,000. Last week (2d) topped big $12,500.

Orpheum (F&M) (2,440; 35-55)—'Three Smart Girls' (U) (4th wk). Picture doubtless slipped back from second week and then came back fine in third. Fourth and final stanza here on good week at $6,500. Last week good $6,800.

Paramount (F-WC) (2,740; 35-55-75)—'Hardy's' (M-G) and 'Society Lawyer' (M-G). Intake topping expectations this week at $17,000. Last week (2d), 'Dodge City' (WB) and 'Chasing Danger' (20th), good $9,600.

St. Francis (F-WC) (1,470; 35-55-75)—'Dodge City' (WB) and 'Sudden Money' (Par) (3d wk). Looks to do around $6,000, which is fine, this house has been in the doldrums for several weeks. Errol Flynn horse opry moved into St. Francis after two good weeks at big Fox. Last week (2d), 'Broadway Serenade' (M-G), $3,500, poor.

United Artists (Blumenfeld) (1,200; 35-55-65)—'Wuthering Heights' (UA) (3d wk). Latest effort from Goldwyn's big hit is fine biz, fine shape. Headed for good $7,000. Last week, fine $9,000.

Warfield (F-WC) (2,680; 35-55-75) —'Never Die' (Par) and 'Within Law' (M-G). Biz painfully poor at $6,000. Bill pulled yesterday (Monday), after six days. Last week, 'Blackwell's (WB) and 'Woman Doctor' (Rep), sorry $9,000.

OKLA'S BUYING POOL PRIMED

Oklahoma City, April 25.

The meeting of independent exhibitors who are expected to organize a film and equipment buying pool has been set for May 9, at that time the pre-organization plans will be discussed. A Department of Justice official will address the assembly, and plans will be announced for the buying pool.

At present various groups over different sections of the state are consolidating their own districts and consider all independent exhibitors therein in order to bring them to the meeting.

Pre-convention plans call for district setup to nominate executive headquarters here in charge of the pool; and a general manager who will supervise operations and carry out the policies established by the steering committee.

He will also have complete charge of negotiation of contracts for membership in the pool. However each member will buy his own product and distributor salesmen will have to sell him on their product lineup. Whether the member of the pool has decided which product he desires, the manager will then be notified and negotiation of the actual contract will be in his hands.

and, with 'Sergeant Mad'en' (M-G), blazed through to $25,000, fine.

Warner (WB) (2,400; 25-35-50)—'Dodge City' (WB). Continues to be 1939's No. 1 mop-up so far. In third week, super-western is showing little let-up and cracking out neat $6,000, almost twice what average week does here. Last week, great $10,000 on top of $21,500 week before that at Penn.

U. S. Distribs May Quit Nova Scotia If New Arbitrary Law Is Enforced

Rather than put up with the severe regulations of a Nova Scotia law which would tax exchanges and place control of distribution in governmental agency hands, opinion in New York sales circles is that film companies would pull out of that territory. Pending such e drastic step, however, every effort will be made to convince Canadian authorities that the bill is grossly unfair and impractical. Having received Royal assent following passage by the Nova Scotian legislature, the bill remains to be proclaimed by the Governor-in-council.

Distributor executives in N. Y. are planning to send a special committee to N. S. to outline the unfairness of the law and urge that it be vetoed. The committee at the same time is expected to indicate to authorities that if the bill is signed and placed into effect, the American film companies will be forced to withdraw from the territory served by exchanges at St. John, which embraces Nova Scotia, New Brunswick, Newfoundland and Prince Edward Island.

Meantime, home office sales executives declare that service will continue uninterrupted. There is no intention of shifting the N. S. territory to the Montreal exchanges as yet. Due to lack of cooperation between the Canadian provinces, it is doubted in some circles if Montreal could serve this territory in the event the Nova Scotia law went into effect. Should all American majors withdraw from St. John, N. B., as e sales base and still not sell the territory from Montreal, the exhibs in that territory would be in a questionable position concerning supply of film.

The domain served by the St. John exchanges is comparatively small. Not all American companies maintain their own exchanges there, though all distribute from that center. Paramount, Warner Bros, United Artists and 20th-Fox maintain their own branches et St. John. Metro and Columbia distribute through the Regal Exchanges, while Universal and Republic sell and physically distribute through the Universal-Empire exchange system, latter controlled by the N. L. Nathanson interests.

Distributor spokesmen who have read the Nova Scotian regulations bill, placing broad powers in the hands of the Censor Board and licensing exchanges $250 a year, say that it is couched in such language as to be possible of interpretation in various ways. Among other things it is pointed out the bill can be interpreted as meaning that each picture delivered from the St. John exchanges could be taxed $250.

Boost Mexican-Mades

Mexico City, April 25.

First national cinematographic week currently was arranged by Mexican producers and the Government.

Object is to stimulate interest in Mexican-made pictures.

Mexican producers and unionists have organized a commish of three reps from each. Plan is to avert labor difficulties by conciliation.

Matador to Producer

Mexico City, April 25.

Lorenzo Garza, one of Mexico's leading metadors who has played in pictures, is hanging up his cape and sword to turn picture producer.

Garza is organizing e company which is to be backed mostly by his profits as a bull fighter.

OYSHER S. AFRICA CLICK

Johannesburg, April 10.

The Jewish Opera Co., headed by Moishe Oysher, is a big hit with the Jewish fraternity et the Standard Theatre (African Cons. Theatres) here.

Oysher recently came here from the U. S.

MEK. PROD. UP

Mexico City, April 25.

Nut of $800,000 is currently soaked in Mexican film production.

This is the heaviest film investment in Mexico during any one season of the industry's 10-year history.

S. African Name Dates

Cape Town, April 10.

A. E. Harmel, general manager for African Consolidated Theatres, returned here last week from overseas with a bunch of contracts for names to tour South Africa during 1939 and 1940. Artur Rubenstein, the concert pianist, is set for next month. Richard Tauber returns for another tour in September. In May, 1939, Yehudi Menuhin is due, while in September, 1940, Grace Moore comes here. Towards the end of this year Maurice Chevalier and a vaudeville unit comes over.

N. S. W. EXHIBS FIGHT DISTRIB CONTROL

Sydney, April 8.

Independent exhibitors in Australia seek to eliminate distributor-controlled theatres in key cities of the Commonwealth. Latest complaint has been directed at Metro for operating seven cinemas. Formerly the big cry was directed against Hoyts' and 20th-Fox.

Squawks against 20th-Fox have diminished since Dan Michalove, company exec., visited here and a statement was made that National Theatres, and not 20th-Fox, held a financial interest in Hoyts. (Twentieth-Fox holds about 42% interest in National Theatres.)

Best directed slap at Hoyts was taken by Greater Union Theatres in its petition to the government over product shortage when it was hinted that Hoyts had U. S. distributor backing. Present distributor restrictions in New South Wales is said to have been installed by the government as an outcome of this dispute between Hoyts and GUT.

UA's Own System

(Continued from page 3)

groups. Theatre men here are inclined to believe that contemplated cinema house construction and improvements soon will reach the saturation point. And after that, one or the other group will trim their theatre holdings.

South African industry is inclined to favor African Consolidated Theatres because they are firmly established in this country, not only with houses but product, plus diversified control in other businesses. Native theatre owners claim that a big slice of South Africa's population has never seen the inside of a cinema, while others live in districts far from any community. Hence, they believe the enormous population here is apt to fool theatre builders.

African Consolidated (Schlesinger) is spending $1,250,000 for luxury theatres here, in Capetown suburbs, and elsewhere where business justifies improvements. This has forced Cinema Theatre Investments, Ltd., recently registered Johannesburg firm, into action. No definite information on how 20th-Fox is concerned with this company, but the 20th Century, a big deluxer, is going up in central Johannesburg. Cinema Theatre Corp. is building the house, directors being A. V. Lindbergh, Norman Laurie, W. S. K. L. Sumner, S. R. Potter (last two being on Cinema Theatre directorate) and Otto W. Bolle, South African manager for 20th-Fox.

It also has been announced that the same combination is back of projected or building theatres in Johannesburg suburbs and outlying districts of Pretoria, Bloemfontein, Durban, Port Elizabeth, Woodstock and Wynberg.

Metro has three theatres in South Africa (Johannesburg, Durban, Capetown), but hasn't the extensive operations that originally were forecast. Company sells to Schlesinger-operated or owned theatres.

AUSTRALIAN SHOWMEN HONOR DAN CARROLL

Sydney, April 25.

Dan Carroll's 30 years in the picture business will be honored by the industry tomorrow night at an elaborate banquet for the Australian veteran. Carroll leaves April 28 for the U. S.

Carroll owns the Prince Edward theatre here, which is the Paramount first-run showcase in Sydney. He is also head of Birch-Carroll-Coyle circuit.

Associated Theatres Quitting London Show Biz; Sells 5 of 8 Spots

London, April 17.

Associated Theatre Properties, wealthiest theatre operator in the West End, is gradually pulling out of show business.

Less than a year ago, this $5,000,000 company, which, besides owning theatres, has a subsidiary company financing shows, owned eight of the most important spots in London. Recently, ATP gave up the Shaftesbury to Joseph Benson, then sold its interest in the Gaiety to a commercial corporation. Now negotiations are pending for the sale of its Adelphi, in the Strand, to Marks & Spencer, the chain store company. It's understood the theatre will be demolished, to be replaced by a large store. Sale price is reported to be over $1,000,000.

Company is also giving up His Majesty's when lease expires, in about a year, to the Benson interests, as well as its interests in the Lyric, which it has on lease for another two years. This will leave ATP only three houses, the Cambridge, St. Jame's and Apollo.

London Palladium Switches Plans; Acts To Tour as Units

London, April 25.

After arranging a number of tentative American bookings practically covering the entire vaudeville season for the Palladium, which was scheduled to open early in June, the management suddenly called it all off.

Instead, management is arranging a composite of touring revues including the Band Wagon show, Revnell and West and Syd Walker Revues, with Jack Hylton's band.

Current London Plays

(With Dates When Opened)

'Me and My Girl,' Victoria Palace —Dec. 16, '37.

'Room for Two,' Comedy—Sept. 6, '38.

'Dear Octopus,' Queens—Sept. 14, '38.

'The Corn Is Green,' Duchess — Sept. 29, '38.

'Goodness, How Sad,' Vaudeville—Oct. 19, '38.

'General St. James—Nov. 22, '38.

'Under Your Hat,' Palace—Nov. 24, '38.

'They Walk Alone,' Shaftesbury—Jan. 19, '39.

'Design for Living,' Haymarket—Jan. 25, '39.

'Tony Draws a Horse,' Strand — Jan. 26, '39.

'Gas Light,' Apollo—Jan. 31, '39.

'French Without Tears,' Piccadilly —Feb. 1, '39.

'Little Ladyship,' Aldwych—Feb. 7, '39.

'The Mother,' Garrick—March 3, '39.

'Robert's Wife,' Savoy—March 6, '39.

'Black and Blue,' Hippodrome — March 8, '39.

'Cafe Colonel,' Ambassadors — March 9, '39.

'Sugar Plum,' Criterion — March 15, '39.

'Mrs. Van Kleek,' Playhouse — March 17, '39.

'Johnson Over Jordan,' Saville—March 21, '39.

'The Man in Half Moon Street,' New—March 23, '39.

'Dancing Years,' Drury Lane — March 23, '39.

'We Are Married,' Prince's—March 27, '39.

'The Doctor's Dilemma,' Whitehall—March 28, '39.

'Heaven and Charing Cross,' St. Martin's—March 29, '39.

'A Woman's Privilege,' Kingsway —April 13, '39.

'The Little Revue,' Little—April 21, '39.

U. S. Pic Industry Sees Exploitation Of Latin American Market as Out Of Proportion with Its Potential Value

The American picture industry is coming to look on the exploitation of the South American market every time there's a slight slump in the foreign revenue as a bad policy for several reasons.

One is that it stresses too much the Latin-American field, purportedly all out of line with its potentialities. Another is that it develops the belief in Latin-American countries that U. S. distributors must lean so heavily on South and Central American outlets for revenue that concessions should be granted exhibitors there.

One serious development is that it has brought increasing requests for native-made product from Latin-American exhibitors. This has spread in some countries to such a degree that there now is a Latin-American move to urge U. S. companies to start production in South America. Production in Latin America is not justified by the market, U. S. film officials aver.

Exhibitor requests for all-Spanish films, with Spanish casts, directors, etc., has resulted in a number of American companies buying up a lot of inexpensive Spanish makes to augment their original product programs. Aside from the cost, veteran foreign chiefs claim that it actually brings these films into competition with U. S. product in Latin America. A consequence of this practice is that certain Latin-American exhibitors have squawked about the absence of production value in their Spanish-languagers.

The urge to salve certain South American accounts is given as the reason for taking on Latin-made films. Numerous majors, however, have refused to fall for Spanish-language product. Their contention is that if they're unable to market their regular line of features, it is better to shelve what is left over than to establish a competitive line.

MAKIN' IT HARDER

Labor Ministry's Edict for Foreign Acts

London, April 25.

Latest edict issued by the Ministry of Labor is that it won't grant permits to foreign acts holding contracts here unless managements give written assurance to the ministry that the acts will play for the duration of the contracts.

In other words, contracts are not binding until managements have notified the ministry of its intention to carry out the pacts.

D. C. EXPECTS TO RATIFY MEX ACCORD

Washington, April 25.

Removal of the last serious obstacle in the way of international reshuffling of Western Hemisphere facilities is expected soon in official circles, following word from the U. S. Embassy at Mexico City that Mexico at last is ready to sign an administrative agreement putting the Havana pact into operation.

Details remain unsettled but American authorities are hopeful the Mexican senate, currently in special session, will ratify the treaty before adjourning so the four signatories can fix an early date for redistributing and reclassifying their stations in accordance with the formula adopted 18 months ago.

The word that Mexico, after months of stalling, is ready at last to go along with the U.S., Canada and Cuba reached the State Department April 13, approximately two months after the first semi-official assurance was transmitted to Washington. During the intervening week or more, there has been no elaboration of the fact that a promise has been given, and diplomats here are unable to hazard guesses when the formalities will be finished.

Before the reshuffling can occur, considerable work must be done. All of the signatories must agree on a mutually acceptable time for the shifts, while the U.S. has to allow licensees who would be forced to move to another frequency a chance to register their objections or to seek other facilities. These bits of red tape probably will take several months despite the anxiety to finish the adjustment at the earliest possible moment.

Despite the Press Raps, The Women' Looks Like A Big Hit in London

London, April 25.

The London press generally gave Clare Boothe's 'The Women' an overhauling when the all-women play opened at the Lyric Thursday night (20). Gilbert Miller is the nominal producer but it's understood that Mark Ostrer, Jack Buchanan and O'Bryen, Linnit & Dunfee are also financially interested. Karen Peterson (Mrs. Ostrer), who hasn't appeared on the stage in about a dozen years, has the leading role.

The play, dealing with a clique of gossiping women, and the malefactions caused thereby, originally had considerable difficulty getting by the censor. Only after a number of deletions was it permitted to go on. Max Gordon produced the play in New York, where it ran over a year and a half with Ilka Chase, Margalo Gilmore and Betty Lawford in the lead roles.

Despite the unfavorable criticism of the play as e subject, the play has some excellent dialog, caustically pointed.

Play has an excellent advance sale and looks set for a run.

Spotting Claire Luce And Luise Rainer's New Plays in London

London, April 25.

Although negotiations for 'Of Mice and Men' to shift from the Gate to the Shaftesbury are well advanced, it now looks as if the John Steinbeck play will now go into the Apollo. Claire Luce, the only original member of the cast that played 'Mice' in New York, will continue in the cast despite American commitments.

Henry Sherek is also negotiating for the Apollo in which to present Luise Rainer in 'Behold the Bride,' an adaptation by Geoffrey Kerr of a play by Jacques Deval. 'Bride' was presented in San Diego, Cal., several weeks ago as 'Broom for the Bride,' starring Irene Rich, and last summer in e Massachusetts summer theatre as 'Scandalous.'

The Rainer show is due in the West End about the middle of May after e three-week provincial tryout.

'The Little Revue,' Herbert Farjeon's latest, with Cyril Richard, Hermione Baddeley and Joyce Grenfell, clicked in its debut at the Little Friday night (21). It's due for a stay.

Mexico Bans Nazi Pic

Mexico City, April 25.

'Sergeant Barry,' German-made, by Tobis Films, has been banned throughout Mexico by the Confederation of Mexican Workers, which states the film is Nazi propaganda and mocks at Mexico's policies.

Confed is still banning 'Scipio Africanus,' Italian-made, because it's figured to be fascist and imperialist propaganda.

No. Africa's Expo Exhibit

Cape Town, April 10.

Government of Kenya (Northern Africa) is shooting a special picture for the colonial exhibit at the New York World's Fair.

Story will deal with native progress during the past 50 years.

JUAREZ

Warner Bros. production and release; executive producer, Hal Wallis; associate producer, Henry Blanke. Stars Paul Muni and Bette Davis. Directed by William Dieterle. Screenplay by John Huston, Wolfgang Reinhardt and Aeneas MacKenzie, based on play by Franz Werfel and novel, The Phantom Crown," by Bertita Harding; art director, Carl Sullivan; camera, Tony Gaudio; music, Erich Wolfgang Korngold; orchestrations, Hugo Friedhofer and Milan Roder; musical director, Leo F. Forbstein. Previewed in Projection Room (N.Y.) April 24, '39; premiere, Hollywood theatre, April 27. '39. 42 tsp. Running time, 125 MINS.

Benita Juarez	Paul Muni
Maximilian	Brian Aherne
Maximilian as a boy	Claude Rains
Napoleon III	John Garfield
Porfirio Diaz	Gilbert Roland
Marechal Bazaine	Donald Crisp
Alejandro Uradi	Joseph Calleia
Empress Eugenie	Gale Sondergaard
Col. Miguel Lopez	Gilbert Roland
Miguel Miramon	Henry Travers
Alva Pelaez	Pedro de Cordoba
Jose de Montares	Montague Shaw
Dr. Samuel Mackenzie	Harry Davenport
Achille Fould	Walter Fenner
Duvoyn de Lhuys	Albert Dekker
Lady in Waiting	Georgia Caine
Major DuPont	Warwick Ashton
Senor de Leon	Gennaro Curci
Tomas Mejia	Bill Wilkerson
Mariano Escobedo	John Mylong
Juan Bigeyou	Fritzi Ridgeway
Senor Salas	Fred Malatesta
Tailor	Carlos Villarias
Carlotta	Irving Pichel
Cuchinos	Frank Puglia
Senator de Valle	Walter O. Stahl
Duke de Loray	Ralph Morgan
Marshall Bondon	Holmes Herbert
Prince Metternich	Walter Kingsford
Baron von Lago	Egon Brecher
Lerdo de Tejada	Monte Blue
Le Marie	Lucien Prival
Pepe	Manuel Diaz
Augustin Iturbide	Nicky Kochin
Josefa Iturbide	Lillian Nicholson
Regular	Frank Puglia
Negroni	Martin Garralaga
Chalchi	Charles Stevens
Mr. Hartman	Douglas Wood
Mrs. Harris	Gertrude Mitchell
Mr. Roberts	Charles Halton
Italian Minister	William Edmunds
An Ambassador	Gilbert Emery

To the list of distinguished characters who have been created for films, Paul Muni now adds a portrait of Beneta Pablo Juarez, Mexican patriot and liberator. With the aid of Bette Davis, co-starring in the tragic role of Carlota, of Brian Aherne giving an excellent performance as the ill-fated Maximilian, and a story that points up the parallels of conflicting political thought of today and three-quarters of a century ago, Muni again commands attention from the critic and public in a documentary picture. It's among the best that has been produced by Warners. With such potent box-office values as 'Juarez' contains, its successful career at theatres seems assured.

It is a 'big' picture in the sense that every possible resource of the Warner organization was concentrated in the effort to give the film histrionic weight and production excellence. The player list is long and contains Claude Rains, John Garfield, Donald Crisp, Joseph Calleia, Gale Sonergaard, Gilbert Roland, Henry Travers, Pedro de Cordoba, Montagu Love and many others. Production was under Hal B. Wallis' supervision, with Henry Blanke as associate, and William Dieterle as director.

Because the background of 'Juarez' is so far-reaching in time, the scenes of 'Pasteur' and 'Zola,' encompassing historical events taking place simultaneously in Europe and Mexico, Muni does not dominate in this film as he did in his previous pictures. In the unfolding of the narrative emphasis constantly is on the figure of Maximilian, the young Austrian prince who was persuaded by Napoleon 3d of France to proclaim himself and his wife, Carlota, rulers of the Mexican people.

Juarez, native Indian, was the elected head of the republic when the Hapsburg prince, the younger brother of Franz Joseph, took over under sponsorship of French troops. Defeated by foreign interests and native in his own country and among his tribesmen, Juarez carried on guerilla warfare for several years, popping up at widely separated spots and constantly menacing the rule of Maximilian.

With the ending of the American civil war, the Union government gave aid and assistance to Juarez at the moment when Napoleon ordered his French troops to evacuate the country. Carlota returned to France to plead for a lost empire. In her absence, Maximilian was captured by Juarez and executed. Her grief was so great that she lost her mind. Carlota lived until the past decade, a tragic figure of forgotten royalty.

So much for the record itself which is told clearly and concisely as possible in the film. Necessarily there is good deal of intrigue around, with sequences laid in Paris, Mexico City and the Juarez revolutionary headquarters, in Northern Mexican villages. The events of history and the screenplay never bring together principals in a single dramatic scene. Intermediaries pass between them bearing messages. In such a way John Garfield as the young Porfirio Diaz, who later succeeded Juarez as President, plays an important part.

In the absence of personal conflict between the leading characters the screen writers have sustained audience interest by introducing historical data that contains current timeliness. There, is frequent mention of the Monroe Doctrine, of one man rule over the lives and destinies of millions, and of the rights of one man to possess land and work out his own salvation. It is all rather obvious, but it is effective.

Considering the rather secondary part which Carlota played in the events, Miss Davis excites deep sympathy for the unhappy queen. In her earlier appearances she registers an intuitive feeling of approaching tragedy. In her least dramatic, but romantic, scenes with Aherne she conveys the ideas of future disaster and uncertainty. Therefore, when at last she appeals directly to Napoleon for support, she is deeply and impressive. Upon learning that Maximilian has been abandoned in a strange land, at the mercy of an aroused people, her reason becomes impaired. In this series of episodes she is both constrained and convincing.

Aherne seldom has appeared to such advantage as in this picture. His desire for fair play, his hopeless plea for Mexican unity and the manner in which he accepts death at court martial provide ample reasons for sympathy.

Dieterle's direction is spirited and replete with interesting incident. The scenes of battle and armed conflict are realistic, chiefly because they are shown briefly. In the handling of large crowds, as in the scenes when Muni, undaunted by the threats of a disloyal follower, walks fearlessly through the lines of frightened soldiers, Dieterle seems to have the mood of the multitude. In all supplementary departments the film keeps the standard of excellent expert workmanship. Tony Gaudio's photography is outstanding, and the music is accompanying. Hugo Friedhofer and Milan Roder is good.

As presented at the Hollywood theatre (N.Y.) last night, the picture is unreeled without an intermission. Running time is two hours and five minutes. Usual policy in films, reserved seat presentation, is to show the film in two parts. *Flin.*

THE FOUR FEATHERS

(IN COLOR)

Hollywood, April 18.

United Artists release of Alexander Korda production. Features John Clements, Ralph Richardson, Aubrey Smith, June Duprez. Directed by Zoltan Korda. Screenplay by Lajos Biro, from novel by A. E. W. Mason; additional dialog, Lajos Biro, Arthur Wimperis; camera, Georges Perinal, Osmond Borradaile, Jack Cardiff. Previewed in Projection room, April 18, '39. Running time, 99 MINS.

Harry Faversham	John Clements
Captain John Durrance	Ralph Richardson
General Faversham	Allan Jeayes
Ethne Burroughs	June Duprez
Osman Faversham	Clive Brook
Lieutenant Willoughby	Jack Allen
Peter Burroughs	Donald Gray
Dr. Sutton	Frederick Culley
Captain Faversham	Frederick Leister
Colonel	Archibald Baxter
Lieutenant Parker	Derek Farr
Dr. Harrar	Henry Oscar
Abou Fatma	John Laurie
Karaga Pasha	Amid Taftazani

Few pictures of such magnitude have ever been produced in this country with the result that 'The Four Feathers' emerges as international success. But before its general release it requires at least a year's deletion.

'Feathers' has been filmed before, with the book from which it was adapted having enjoyed big world sales; recently with the Barrymores. A young British officer, who comes of a military family resigns from his regiment the night before it leaves for duty in an Egyptian campaign. Three of his pals and his fiancee send him, by cable, white feathers, of cowardice. The next day he disappears. Alone and unaided in the desert, he goes through tortuous ordeals to gain his reinstatement in the corps, being directly responsible for Kitchener's capture of Omdurman.

June Duprez, the fiancee, is the only woman in the cast. She acts, relates prettily and attractively, with little else to do. Rest of the cast is superb. The leading players are John Clements, Ralph Richardson and C. Aubrey Smith, the latter as a veteran, blind soldier. Clive Brook, Clements, the hero, is excellent. The tortures he undergoes to carry out his self-imposed mission are frightful and dwelt upon lengthily. Some of the details here might be omitted. 'Topical' in performance is Ralph Richardson, the girl's other suitor.

Photography is excellent along with the direction by Zoltan Korda. *Jolo.*

Return of the Cisco Kid

Hollywood, April 18.

20th-Fox release of Kenneth Macgowan production. Stars Cesar Romero. Directed by Herbert I. Leeds. Screenplay by Sterling Sporting. Based on story 'Cisco Kid' created by O. Henry. Camera, Charles Clarke; editor, James B. Clark. Previewed at Alexander, Glendale, April 17, '39. Running time, 70 MINS.

Cisco Kid	Warner Baxter
Ann Carver	Lynn Bari
Lopez	Cesar Romero
Colonel Jonathan Hixby	Henry Hull
Alan Hixby	Kane Richmond
Mexican Captain	C. Henry Gordon
Pancho Villa	Ivan Simpson
Gordito	Chris-Pin Martin
Deputy Sheriffs	Adrian Morris
Mama Soledad	Soledad Jimenez
Pedro	Harry Strang
Stage Coach Driver	Arthur Aylesworth
Hotel Clerk	Paul Burns
Bartender	Victor Killian
Guard	Eddie Waller
Blanda	Ruth Gillette
Tonita	Lucille Ward

The Cisco Kid is back for another gallop through adventures along the Mexican border. Rather light in setup, it's a fast-paced western which will hit moderate biz in the keys, but catch better grosses elsewhere, covers in the subsequents for better than average take.

Cesar Romero again handles the title role as the Robin Hood of the border, whose gay banditry and romance is displayed with tongue-in-cheek attitude. Deficiencies in story setup are overcome by some 'peppy' gunplay.

Baxter escapes a Mexican firing squad into Arizona with his henchmen, Cesar Romero and Chris-Pin Martin. Meets Lynn Bari and latter's elbow-bending grandfather, Henry Hull, who comes out from the east to purchase a ranch. Pair are swindled out of their money by villainous Robert Barrat, who has a romantic designs on the girl, discovers the situation and sets out to retrieve the money and the girl. Outwitting Barrat and his gang with ease throughout, Baxter finally achieves his purpose, and the story swings back across the border for further adventures.

Romero is a compact interweave of comedy and rather lusty excitement. It's the Bad Man formul con. Baxter's voice and story thread which suffices for the purpose.

Baxter gives standard characterization of the Cisco Kid, with Romero and Martin his amiable pals and partners in crime. Love interest is supplied by Miss Bari and Kane Richmond in satisfactory vein. Barrat is sufficiently villainous to provide contrast with Baxter's lightness and verve.

Production background is lifted by Cinco Chico. Rock echo stuff for the climax is a slick utilization of a sound effect as a dramatic intensifier. This is a ruse by which Baxter outwits Barrat's gang through the reverberating echo of Martin's whistle to his gang among rocks. To impress that Baxter has a large army of henchmen behind him, instead of the one follower.

Street of Missing Men

Republic release (at Sidney Salkow) production. Directed by Sidney Salkow. Screenplay by Robert Tasker and Dwight Franklin, from original idea by Eleanor Griffin and Wanda Tuchock. Camera, Reggie Lanning; editor, Ernest Nims; music, Cy Feuer. Previewed in Projection room, N.Y., April 21, '39. Running time, 66 MINS.

Cash	Charles Bickford
Blackford	Harry Carey
Tommy	Tommy Ryan
Big Boy	Guinn Williams
T-Bone	Guinn Williams
Mrs. Putnam	Nana Bryant
Reardon	Ralph Graves
Lynella	Lynne Roberts
Parker	Regis Toomey

Republic has bundled a flock of stock situations, endowed it with a good cast and direction and the result is 'The Street of Missing Men.' It'll suffice on the dualers. Charles Bickford and Harry Carey top the players, and alongside little Tommy Ryan and Guinn 'Big Boy' Williams, in one of his usual numbskull roles, help the film exceed the limitations of time-worn situations.

It's all about an ex-con, played by Bickford, and the decision to 'get' the newspaper editor who was responsible, through his crusade against the underworld, for Bickford's five-year sentence. Carey is the editor, a far cry from the lariat-tossing star of yesteryear, but nevertheless creditable in his present role.

Yarn lacks conviction. For an obscure reason Bickford cancels his vengeance plan against Carey just when he has the latter at pistol-point, and decides to destroy the boy and along with that, he hopes, would actually be hitting Carey hardest.

Bickford ties up with other yeggs headed by comebacker Ralph Graves, who too have been the butt of Carey's editorial ire. Bickford, however, ultimately reverts from type, at the cost of his life, in capitulating to Carey's willingness to give him another chance.

Graves, considerably heavier than during his starring days, is miscast. Former player of sympathetic roles is not altogether believable as a similar film figure. Regis Toomey has a bit part that offers him little chance.

BIG TOWN CZAR

Hollywood, April 19.

Universal release of Ken Goldsmith production. Directed by Arthur Lubin. Screenplay, Edward Ivory, Hartmann, Eric Taylor; original by Ed Sullivan; camera, Elwood Bredell; asst. director, Vaughn Paul; editor, Philip Cahn. Previewed April 18, '39. Running time, 61 MINS.

Phil Daley	Barton MacLane
Danny Dorsey	Tom Brown
Susan Warren	Eve Arden
Mike Warren	Jed Prouty
Sid Travis	Frank Jenks
Paul Burgess	Walter Wood Kinn
Fa Daley	Oscar O'Shea
Ma Daley	Ethel Wales
Punchy	Horace MacMahon
Ed Sullivan	Ed Sullivan

Columnist Ed Sullivan's original story is of familiar pattern to regulariterate that crime does not pay. With big city racketeering as a premise, nothing new is presented. Strictly a filler for the neighborhood dualis, for which its moderate budget originally intended it.

Story has many weak moments and slow spots. Over-emphasis in dialog on the Oxford English expressions of the ten-twent-thirt era grooves the picture for lower grade action houses where patrons like their melodrama spread rather thick.

Barton MacLane battles his way to lead a racketeering mob from the tenements. His kid brother, Tom Brown, goes to college to pick up a gang against MacLane's wishes. After familiar routine of double-cross and rivalry Brown gets rub off and MacLane winds up on a murder charge after blasting his way out of jail.

Picture is played with over-theatric tempo, giving cast little chance to develop any strong characterizations through their chores in melier fashion. Author-actor- Sullivan opens with a narrative prolog, and closes with an epilog, in addition to appearing briefly in the cast. Production identifies okay for a moderate budgeter.

OUTLAW'S PARADISE

Victory release of Sam Katzman production. Directed by Arthur Dreifuss. Screenplay by Newfield. Original story and adaptation by Marcel Piquet-Wicks. Camera, Ira Morgan; editor, Holbrook Todd. At Arena, N. Y., April 19, '39. Running time, 63 MINS.

Dagger Mallory	Tim McCoy
William Carson	Kenny Baker
Maggie	Sally Canteel
Jessie	Joan Barclay
Jim Adams	Charles Adams
Eddie	Forrest Taylor
Sheriff	Bob Terry
Mart	Don Gallaher
Mickey	Dick Cramer
Warden	Jack Mulhall

This western will have to rest on the reputation of Tim McCoy for any business as a filler on the double bills. He's in a dual role, as a Department of Justice investigator and a tough, hard-boiled gunslinger, who robbed the U. S. mails of negotiable bonds and as leader of the bad men.

Plot has whiskers. The G-man looks like the bandit leader, who has been sent to a stretch in jail, but is about to be released. However, 'Trigger' Mallory is kept in jail and Captain Carson, impersonated by McCoy, sided by Benny Corbett, also a G-man, gets away with the impersonation for a while, even to fooling Mallory's sweetheart. Mallory, however, breaks jail and rejoins his gang. Finally they are scenes a trap and he and his pal capture the gang.

Direction and camera are standard.

BLIND ALLEY

Hollywood, April 21.

Columbia release of Fred Kohlmar production. Directed by Charles Vidor. Screenplay, Dorothy Parker, Ralph Bellamy, Ann Dvorak. Directed by Charles Vidor. Previewed April 21, '39. Running time, 67 MINS.

Michael Blankfort, Albert Duffy; from play by Lester Cohen. Camera, Henry Freulich; asst. director, Clifford Broughton; editor, Otto Ludwig. Previewed April 21, '39. Running time, 68 MINS.	
Dr. Wilson	Chester Morris
Dr. Sullivan	Ralph Bellamy
Gloy	Ann Dvorak
Gordon Curtis	Paul Kelly
George Curtis	Melville Cooper
Mrs. Sheldon	Minna Gombell
Gerard Holbrook	John Eldridge
Agnes	Ann Doran
Mrs. Curtis	Mary Lawrence
Fred Landis	Stanley Ridges
Nicky	Scotty Beckett
Mitzi	Mitzi Green
Harriet	Marie Blake

In attempting to delve into the psychopathic reasons why a criminal carries a killer complex, 'Blind Alley' holds moderate interest for general audiences. With an improbable story foundation, and light on big names, picture will fill acceptably the lower dualets as supporter for a light offering.

Chester Morris gives a virulent portrayal of the criminal, while Ralph Bellamy contrasts with a quiet and self-assured role of the professor of psychology, who in the cast provides adequate support, and direction, by Charles Vidor, although slow in sensing the underlying motive.

Morris is aided in prison break by group of former associates, and gang leader takes temporary home of Bellamy to make prisoners of the family and guests. Setup all-vs mental conflict between the criminal and psychologist to generate through dramatic phases while Bellamy proceeds to uncover the subconscious basis for Morris' killing mania.

Psycho-analysis of a criminal provides a new twist to what would otherwise become another crime picture of general trend. It's a satisfactory effort, especially for a moderate budgeter. *Jolo.*

J'ACCUSE

('I Accuse')

(FRENCH-MADE)

Paris, April 15.

Forrester-Parant release of Abel Gance production. Stars Victor Francen. Directed by Gance. Scenario, Gance; dialog, Steve Passeur; music, Henry Rodo; camera, Roger Hubert. Reviewed in Projection Room. Running time, 93 MINS.

Jean Diaz	Victor Francen
Francoise	Jaqueline Delubac
Francoia - Laurin	Delaitre
Helene	Renee Devillers
Edith	Marie Lou
Pic	Marie Lou

'J'Accuse' ranks with the best of anti-war films. Despite lags in places, it furnishes some of the best propaganda against war ever seen. A much longer version, before some expert scissoring snipped nearly an hour from the film to its present length, caught excellent returns in this country. The new version should go well any place where democracy is the by-word. Present European tension should serve as added reason for its success.

Simplicity adds force to the dramatic in the life of a war-crazed veterian, played excellently by Victor Francen, who spends his time perfecting an invention which he believes will prevent all wars. When he discovers it has been exploited unscrupulously as means of defense in a forthcoming conflict, in his deformed mind he calls on the war dead to rise from their graves and prevent a short-memoried humanity from destroying itself. By an almost unbelievable miracle, the war-torn bodies abandon their resting places to invade mobilizing countries. The sight, horror of their appearances, they terrify all the belligerents so that they abandon war.

The film's conviction is mostly due to Victor Francen.

Showing of war veterans with the most deformed faces gives the finale a convincing finish. Is still stirring, forceful and that will make the most hardened of humanity think twice before perpetrating another war.

The film has been banned in Germany. *Hugo.*

ASK A POLICEMAN

(BRITISH-MADE)

London, April 15.

Metro release of Gainsborough production. Stars Will Hay. Directed by Leslie Varnel. Screenplay, Marriott Edgar and Val Guest, adapted by Sidney Gilliat; camera, Derick Williams. At Cambridge, London. Running time: 83 MINS.

Sergeant Dodd	Will Hay
Albert	Graham Moffatt
Nutchetti	Frank Pettingell
Emily	Glennie Melvin
Mr. Constable	Ben Bewshire
Squire	Charles Oliver
Constable	Gordon Harker

Considerable that has been tried and succeeded before has been introduced into this Will Hay farce, a good laugh-getter and safe second feature on any program. Bits of George Arliss' 'Dr. Syn' and 'The Ghost Train' are blended happily with amusing dialog and situations usually associated with the comedian and the two stooges, the fat boy and the old man.

A village police station becomes the scene of interest when it is disclosed there's been no crime there for over 10 years. The sergeant in charge is a lazy-minded martinet, fearing they're likely to be transferred or fired because of lack of 'business' plans to frame one or two cases.

Planting a keg of brandy on the bench, he plays a practical joke, they discover another, but real, contraband keg. From then on it's a mad chase between three British bobbies and a band headed by the local squire, which is carrying on a lucrative hash, landing liquor right into the cellar of the police station itself.

If the trio has not this bot regarding their stereotyped mannerisms and comedy, they should be a box office draw in England. However, it could be shortened to advantage. *Clem.*

SPIES OF THE AIR

(BRITISH-MADE)

London, April 15.

Associated British release of British National production. Features Barry Lupino. Directed by Harold Davis. Directed by David Macdonald. Adapted by A. R. Rawlinson, Bridget Boland, based on play, 'Official Secret,' by Jeffery Dell; camera, Bryan Langley. At Gaumont, London. Running time: 72 MINS.

Barton	Barry K. Barnes
Haughton	Roger Livesey
Lorraine	Jean Merion
Madison	Basil Radford
Sir Ernest Ashby	Aylmer
Sir A. Hamilton	John Turnbull
Parker	Harry Hack

If the demand for aviation spy stories has not been exhausted, this one's surefire here and absorbingly interesting for the U. S. It has suspense and a love story that generates sympathy for the villain, who's tempted to sell the plans of a new airplane to a foreign power.

Featured are Harry K. Barnes and Roger Livesey, both of whom are thoroughly effective. Barnes has heretofore been identified mostly with 'pretty boy' leads; at the start it looked as if he had another. At the very end only is he revealed as the menace, with Rolland Yard ultimately frustrating his plans. The finish is wholly exciting and reveals Barnes as a splendid character actor. Livesey has a less showy

(Continued on page 47)

Last Night

WITH ALL ITS MIGHT!

THE TOPMOST OF ALL WARNER BROS. TRIUMPHS BEGAN ITS $2-TOP ROADSHOW RUN AT THE HOLLYWOOD THEATRE, N.Y.

PAUL BETTE

MUNI·DAVIS

JUAREZ

(WAR-EZZ)

A production so momentous that it required six Academy Award winners and a cast of 1186 supporting players, headed by

BRIAN AHERNE

CLAUDE RAINS • JOHN GARFIELD • DONALD CRISP

JOSEPH CALLEIA • GALE SONDERGAARD • GILBERT ROLAND • HENRY O'NEILL

Directed by WILLIAM DIETERLE
Screen Play by John Huston, Aeneas MacKenzie and Wolfgang Reinhardt • Based on a Play by Franz Werfel and the Novel, "The Phantom Crown," by Bertita Harding • Music by Erich Wolfgang Korngold

JACK L. WARNER
In Charge of Production

HAL B. WALLIS • HENRY W. BLANKE
Executive Producer *Associate Producer*

L. A. GETS SIX MORE HOUSES

Los Angeles, April 25.

While Southern California exhibs are complaining about a surplus of film houses, six more are going up in this district before the end of the year.

Eastland Theatres, Inc., indie chain company, is building three, the first to be opened May 1. Southwest Theatres, Cabart affiliate, has started construction on a 900-seater and is planning a deluxe house for fall opening. Cinema Enterprises, Inc., is rushing another to completion for July 1.

Two New Houses

Sun Prairie, Wis., April 25.

Articles of incorporation were filed last week by the Sun Prairie theatre here and the Marcus-Svirnoff Theatres at Reedsburg, Wis. Incorporators of the former firm are Egon Peck, M. Towle and A. C. Heller; of the latter, Ben Marcus, C. K. Marcus and I. E. Svirnoff.

More Texas Bldg.

Dallas, April 25.

New theatre buildings are slated for 1,300 seater at Tyler, Tex.; 700 seater at Bryan, Tex.; 1,100 seater at Houston; 1,000 seater at San Antonio, and 1,100 seater in that city.

List also calls for $40,000 Tower at Little Rock, Ark., and completely remodeled Hilland, $25,000, in that city; also, $30,000 Ritz at Waxahachie, Tex.

Raze Old Gladmer

Lansing, Mich., April 25.

W. S. Butterfield Theatres, Inc., is demolishing the old Gladmer here for erection of a new house to be ready during August.

Gladmer, for 67 years Lansing's legit theatre, is one show place in Michigan, virtually every theatrical great having played the spot in its long history. In recent years it's been used for straight pix.

Rock Island's New One

Des Moines, April 21.

A modern theatre and store building, to cost between $80,000 and $100,000, will be built on the northwest corner of Third avenue and 19th street, Rock Island, Ill. The 760-seater will be operated by Tri-States, which will continue to operate the Fort and Spencer theatres in Rock Island in addition to the new one. The Fort will remain top-ranking house, but the new house, as yet unnamed, will show only first-run pictures.

Drive-Ins Reopening

Detroit, April 25.

Drive-in theatre here, which in its initial season last summer ran into several legal snags over its sound system, is installing 400 individual speakers at cost of $10,000 preparatory to opening next week.

Speakers will be placed three feet above ground, operating expressly for each auto in the theatre. With elimination of high amplification system, located near screen, dialog and music will be confined to theatre's grounds and thereby avoid objections from residents in nearby Gross Pointe, management believes.

Akron Spot Reopens

Akron, O., April 25.

Drive-In theatre, largest of the open-air type, north of here, reopened for the summer season. Admission 35c, children free.

Rep.'s Next Biggie

Hollywood, April 25.

Budgeted at $750,000, 'Doctor's Don't Tell' is next on Republic's list of anniversary specials, to be produced by Sol Siegel, now on his way back from New York to cast the leads.

Picture, based on a Liberty mag serial, rolls late in May. Siegel continues in charge of all Republic's high budget films as a result of his work as associate producer on 'Man of Conquest.'

STORY BUYS

Hollywood, April 25.

Republic purchased 'Dead Ends of the Rockies,' novel by Edwin V. Westrate and William Ross Collier.

Harry Hamilton sold his yarn, 'Abraham Lincoln Boggs,' to Republic.

20th-Fox bought John Steinbeck's new novel, 'Grapes of Wrath'; price reported at $75,000.

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 reviews as given in VARIETY and the running time of prints are included.)

COPYRIGHT, 1939, BY VARIETY, INC. ALL RIGHTS RESERVED

Rev. in Var.—Reviewed in Variety. Key to Type Abbreviations: M—Melodrama; C—Comedy; CD—Comedy-Drama; W—Western; D—Drama; Mu—Musical. R. T. Min.—Running Time in Minutes

WEEK OF RELEASE	Rev. in Var.	TITLE	TYPE	Co.	TALENT	R. T. Min.
2/10/39		TEXAS STAMPEDE	W	Col	C. Starrett-I. Meredith	57
	3/8	NORTH OF SHANGHAI	D	Col	B. Furness-J. Craig	59
	2/15	HUCKLEBERRY FINN	CM	M-G	M. Rooney-W. Connelly	88
	3/22	NAVY SECRETS	D	Mono	G. Withers-F. Wray-D. Robinson	62
	1/25	PERSONS IN HIDING	M	Par	L. Overman-J. C. Nalsh	69
	1/18	BOY SLAVES	D	RKO	A. Shirley-A. Daniel	70
	2/15	WOMAN DOCTOR	D	Rep	F. Inescort-H. Wilcoxon	65
	3/22	HOME ON THE PRAIRIE	W	Rep	G. Autry-S. Burnette	58
	2/1	TAIL SPIN	D	20th	A. Faye-C. Kennedy-C. Farrell	83
	2/1	MADE FOR EACH OTHER	RC	UA	C. Lombard-J. Stewart	90
	1/18	WINGS OF THE NAVY	D	WB	G. Brent-O. de Haviland	68
2/17/39	2/15	FAST AND LOOSE	CD	M-G	R. Montgomery-R. Russell	78
		LITTLE FOLKS	D	Mono	M. Rooney-E. Bellamy	66
	4/5	BOY TROUBLE	C	Par	C. Ruggles-M. Roland	70
	1/25	GUNGA DIN	D	RKO	C. Grant-D. Fairbanks, Jr.	120
	2/8	THE THREE MUSKETEERS	Mu	20th	A. Lassoe-Rik Bras.-B. Barnes	71
	2/15	KING OF THE TURF	D	UA	A. Menjou-D. Costello	88
	2/22	CAN't CHEAT HONEST MAN	C	U	W. C. Fields-Edgar Bergen	79
	3/1	NANCY DREW, REPORTER	M	WB	R. Granville-J. Litel	67
2/24/39	2/22	LET US LIVE	D	Col	H. Fonda-M. O'Sullivan	69
	2/22	LET FREEDOM RING	Mu	M-G	Nelson Eddy-V. Bruce	87
	4/12	STAY RESPONTER	D	Mono	W. Hull-M. Hunt	62
	2/15	ONE THIRD OF NATION	D	Par	S. Sidney-L. Erickson	90
	10/26/38	SUNSET TRAIL	W	Par	W. Boyd-C. Synters	67
	2/22	FORGED PASSPORT	M	Rep	P. Kelly-J. Lang	61
	2/15	BEAUTY FOR ASKING	RC	RKO	L. Ball-A. Lane	64
	2/8	PARDON OUR NERVE	CM	20th	L. Bari-J. Gale-G. Williams	67
	4/5	SOCIETY SMUGGLERS	D	U	F. Foster-I. Revey	70
	2/8	YEL DARLING DAUGHTER	C	WB	F. Lane-J. Lynn	85
3/3/39	9/7	PYGMALION	C	M-G	L. Howard-W. Hiller	96
	4/12	MYSTERY OF MR. WONG	M	Mono	B. Karloff-D. Trevor	62
	2/8	CAPE COD NIGHTS	D	Par	M. Carroll-J. McCrarry	86
	3/8	I WAS A CONVICT	M	Rep	B. McLane-B. Roberts	62
	3/1	TWELVE CROWDED HOURS	M	RKO	R. Dix-L. Ball-J. Aldridge	67
	2/15	WIFE, HUSBAND, FRIEND	D	20th	I. Young-W. Bendix	79
	2/8	STAGECOACH	D	UA	C. Trevor-J. Wayne	95
	3/29	RISKY BUSINESS	M	U	G. Murphy-D. Kent	66
	3/8	SECRET SERVICE AIR	M	WB	R. Regan-J. Litel	61
3/10/39	3/8	BLONDIE MEETS BOSS	C	Col	F. Singleton-A. Lake	75
	3/8	ICE FOLLIES OF 1939	D	M-G	J. Crawford-J. Stewart	81
	3/29	MYSTERY PLANE	A	Mono	J. Trent-P. A. Young	66
	9/30	THE BEACHCOMBER	D	Par	C. Laughton-E. Launchester	66
	4/12	ROUGH RIDERS ROUND-UP	A	Rep	R. Rogers-M. Hart-E. Hatton	55
	3/1	SAINT PARADES BACK	D	RKO	G. Sanders-N. Hamilton	64
	4/19	INSIDE STORY	D	20th	M. Oberon-J. Rogers	68
	10/5/38	PRISON WITHOUT BARS	M	UA	C. Luchaire-E. Best	69
	3/1	SPIRIT OF CULVER	D	U	J. Cooper-F. Bartholomew	69
	3/15	THE OKLAHOMA KID	M	WB	J. Cagney-E. Lane	80
3/17/39	3/22	LONE STAR PIONEER	W	Col	Bill Elliott	56
	4/12	WITHIN THE LAW	M	M-G	R. Russel-J. King-P. Kelly	65
	3/22	KING OF CHINATOWN	M	Par	A. M. Wong-A. Tamiroff	93
	2/22	LITTLE PRINCESS	D	20th	S. Temple-C. Devine	94
	3/29	MYSTERY WHITE BOOM	M	U	R. Cabot-H. Mack	58
	4/5	ADV. OF JANE ARDEN	M	WB	R. Towne-W. Gargan	58
3/24/39	3/1	WHISPERING ENEMIES	D	Col	J. Hotle-B. Costello	62
	3/22	SERGEANT MADDEN	D	M-G	W. Beery-A. Curtis-T. Brown	76
	4/5	THREAT SMITH	W	Mono	Jack Randall	61
	3/15	MIDNIGHT	M	Par	C. Boyer-L. Ameche	92
	3/8	MY WIFE'S RELATIVES	C	Rep	J. L. and R. Gleason	63
	3/8	THE FIGHTING IRISHMAN	D	RKO	D. Corrigan-A. Appleby	60
	3/8	TROUBLE IN SUNDOWN	W	RKO	G. O'Brien-L. Keith	61
	11/30	EVERYBODY'S BABY	C	20th	J. Prouty-R. Gleason	61
	2/15	THREE LITTLE GIRLS	Mu	U	D. Durbin-C. Winninger	71
	3/8	BLACKWELL'S ISLAND	D	WB	J. Garfield-E. Lane	71
3/31/39	3/8	LADY AND THE MOB	C	Col	F. Bainter-I. Lupino	65
	4/19	ROMANCE OF REDWOODS	D	Col	C. Bickford-J. Parker	48
	4/5	SOCIETY LAWYER	D	M-G	W. Pidgeon-T. Bruce-Carrillo	77
	3/22	SUDDEN MONEY	C	Par	C. Ruggles-M. Raubeau	70
		SILVER ON SAGE	W	Par	W. Boyd-E. Rogers	66
	3/22	ALMOST A GENTLEMAN	D	RKO	J. Ellison-H. West	64
		MEXICALI ROSE	RM	Rep	G. Autry-S. Burnette	
	3/29	HOUND OF BASKERVILLES	D	20th	E. Green-W. Barrie	78
	4/12	FAMILY NEXT DOOR	C	U	H. Herbert-J. Hedges	70
	3/29	ON TRIAL	M	WB	M. Lindsay-J. Litel	62
4/7/39	4/5	BROADWAY SERENADE	Mu	M-G	J. MacDonald-L. Ayres	111
	4/19	UNDISCOVERED EGGS	M	Mono	S. Dean-E. Gleason	65
	3/22	I'M FROM MISSOURI	C	Par	Bob Burns-J. George	77
	3/15	LOVE AFFAIR	D	RKO	I. Dunne-C. Boyer	87
	2/22	MR. MOTO'S DANGER ISLAND	M	20th	P. Lorre-J. Hersholt	70
	4/12	EAST SIDE OF HEAVEN	Mu	U	D. Crosby-J. Blondell	90
	3/29	WUTHERING HEIGHTS	D	UA	M. Oberon-L. Oliver	103
	4/12	DODGE CITY	W	WB	E. Flynn-O. de Haviland	100
4/14/39		FIRST OFFENDERS	M	Col	W. Abel-E. Roberts	
	4/5	THE KID FROM TEXAS	W	M-G	D. Morgan-J. Rice-R. Johnson	70
	4/19	STREETS OF N. Y.	M	Mono	Jackie Cooper	73
	4/5	DRUMMOND'S SECT POLICE	M	Par	J. Howard-Heather Angel	58
	3/8	NEVER SAY DIE	C	Par	C. Bickford-S. Repper-S. Cornell	80
	4/5	THEY MADE HER SPY	D	RKO	E. Ellers-A. Lane	67
	4/5	THE NIGHT EL JERS	W	Rep	J. Wayne-E. Rogers	62
	4/5	ALEXANDER GRAHAM BELL	D	20th	D. Ameche-Loretta Young	
	4/12	WOMEN IN THE WIND	M	WB	E. Francis-W. Gargan	
4/21/39	4/19	THE MAN'S RING HIGH	C	M-G	M. Rooney-I. Stone-F. Holden	80
		DANGEROUS FINGERS	M	Mono	J. Stevenson-B. Lyons	
	4/12	BACK TO HEAVEN	D	Par	W. Ford-A. MacMahon	81
		FIXER DODGE	W	RKO	L. Tracy-F. Shannon	
	4/12	FRONTIER PONY EXPRESS	W	Rep	R. Rogers-M. Hart-E. Hatton	58
	4/5	WINNER TAKES ALL	C	20th	T. Martin-G. Stone	61
		INSPECTOR HORNLEIGH	D	20th	G. Harker-A. Sim-H. Williams	
	3/15	ZENOBIA	C	UA	O. Harry-M. Langdon-B. Burke	71
	4/26	BIG TOWN CZAR	D	U	B. MacLane-E. Sullivan	61
	3/15	DARK VICTORY	D	WB	B. Davis-G. Brent	105
4/28/39		OKLAHOMA TRAIL	W	Col	C. Starrett-I. Meredith	
		CALLING DR. KILDARE	D	M-G	L. Ayres-L. Barrymore	
		BOYS' REFORMATORY	D	Mono	Frankie Darro	
		MAN FROM TEXAS	W	Mono	Tex Ritter	
	4/12	LADY'S FROM KENTUCKY	D	Par	G. Raft-B. Drew-H. Herbert	75
		BLUE MOUNTAINS SKIES	W	Rep	G. Autry-S. Burnette	
	4/5	VERNON AND IRENE CASTLE	D	RKO	F. Astaire-G. Rogers	90
		THE BOOKIE COP	M	RKO	K. Hell-J. Shaw-V. Weidler	
	4/26	RETURN OF CISCO KID	D	20th	W. Baxter-L. Bari	70
		FOR LOVE OR MONEY	D	U	J. Lang-R. Kent	
		SWEEPSTAKES WINNER	C	WB	M. Wilson-J. Davis	
	1/25	CAN'T GET AWAY WITH M'DER	M	WB	H. Bogart-G. Patge-B. Halop	75
5/5/39		OUTSIDE THESE WALLS	M	Col	D. Costello-M. Whalen	
		LUCKY NIGHT	CD	M-G	L. Ayres-E. Taylor-J. Aller	
		UNION PACIFIC	D	Par	B. Stanwyck-J. McCrea	
		RACKETEERS OF RANGE	W	RKO	G. O'Brien-M. Reynolds	
		CHASING DANGER	CD	20th	F. Foster-L. Bari-W. Vernon	
		CAPTAIN FURY	D	UA	B. Aherne-V. McLaglen	
	4/19	CODE OF THE STREETS	D	U	H. Carey-F. Thomas	72
		CONFESSIONS OF NAZI SPY	D	WB	E. G. Robinson-F. Lederer	
5/12/39	4/26	BLIND ALLEY	D	Col	C. Morris-Bellamy-Dvorak	68
		TELL NO TALES	D	M-G	M. Douglas-L. Platt	
		DOWN WYOMING TRAIL	W	Mono	Tex Ritter	
		SOME LIKE IT HOT	C	Par	B. Hope-S. Rozz-G. Krupa	
		SORORITY HOUSE	C	RKO	A. Shirley-J. Ellison	60
		ROSE OF WASHINGTON SQ.	D	20th	T. Power-A. Faye-A. Jobson	
		TORCHY RUNS FOR MAYOR	C	WB	G. Farrell-B. MacLane	

325 PIX BILLS STILL PENDING

Some 325 bills affecting the picture business directly or indirectly are pending in 21 states still in session this spring. Actually, 571 bills pertaining to the industry in one form or the other have been introduced, but few passed thus far.

Thus far no bills on censorship, theatre divorcement, reel or admission tax have been passed although, since Jan. 1, 46 states have held regular legislative sessions. Besides the 25 states which have wound up their legislative sessions, Colorado, Michigan, Oklahoma and Ohio are expected to adjourn by May 10. Alabama already has held a special session but will go into regular confab in July.

Special sessions also are contemplated in Georgia and Idaho.

The following measures affecting the film business have been passed by the first of this week:

Arkansas—legalize Sunday pictures.

Delaware—Sunday opening after 2 p. m. for cities of more than 25,000.

Kansas—eliminating sales tokens; rated favorable to exhibitors.

Maine—allowing Sunday picture shows between 3 and 11 p. m.

Maryland—allowing Sunday picture shows in Montgomery county.

Nebraska—anti-marathon bill.

North Carolina—repealing Sunday closing laws in three counties; amusement tax of $5 (annually) for any all entertainment having admissions of 25c or more; pari-mutuel betting on dog racing in two counties.

North Dakota—licensing authority to pass on building of new theatres in towns where one or more shows are already operating.

Tennessee—allowing a majority of citizens of municipalities to vote on Sunday opening instead of four-fifths.

Vermont—allowing Sunday pictures after 6 p. m.

True-Names Bill Keyed

Hollywood, April 25.

With a parliamentary heave-ho, the House of Representatives of Massachusetts tossed into the legislative wastebasket last week a bill to compel the use of true names by film, stage and radio performers.

Representative Francis X. Coyne introduced the bill, which was practically identical with one he brought in last year. Along with the 'true-name' bill aimed at performers, Coyne introduced a measure that would require all those engaged in any business to have their true names displayed in signs over their places of business. This was also given the legislative raus.

Looks Tough in Colo.

Denver, April 25.

Drastic tax bill on all amusements has been introduced in the legislature here. A 10% toll would be taken on all admissions to picture theatres, dance halls, amusement parks and on all outdoor sports. Purported object of the proposed law is to hypo the state's old age pension fund. Colorado allows $45 a month for old age pension but diminishing funds caused this to be cut to $40.

Admissions tax measure is said to have been introduced by members of the legislature in retaliation against picture theatre owners in the state who raised a cry against Gov. Ralph L. Carr signing a 'jack rabbit coursing' law which was passed. This law covering mass hunting of jack rabbits, but theatre interests thought it fell into the 'dog racing tracks' category, which exhibitors have constantly fought in various parts of the country.

Reports in the capital here are that the gov. is in a 'bill-passing mood' and it looks bad for the theatre owners.

'Carnival' Rolls

Hollywood, April 25.

Walter Wanger rolled his high-budget picture of college life, 'Winter Carnival,' with Ann Sheridan and Richard Carlson in the top rolls.

Shooting schedule calls for six weeks, in addition to the two weeks of outdoor filming at Hanover, N. H., last winter.

TITLE CHANGES

Hollywood, April 25.

'The Man Who Dared' is releasing on 'I Am Not Afraid' at Warners.

New earmark on Paramount's 'Second Chance' is 'The Amazing Marriage.'

The greatest date in modern history!

APRIL 28th

WORLD PREMIERE

Paramount's

"UNION PACIFIC"

OMAHA, NEBRASKA

Omaha Theatre, Orpheum Theatre & Paramount Theatre

Open Shop Possible

(Continued from page 5)

here to cut down on expenses in connection with seizure of Local 37 under an emergency declaration. Officials estimated that approximately $30,000 has already been passed out by the boys, with attorneys demanding fresh money before continuing their various court fights against Local 37. Funds of local organization totaling $100,000 have been tied up by court actions of Local 37 and cannot be tapped by the International.

It was reported this week that tops in the IATSE were considering a plan to split Local 37 membership by issuing charters to the various crafts in that organization. The first move would be a separate charter for studio projectionists. A new charter also would be issued to grips and laborers, with the better laborers being given the rating of grips and the others turned back to Studio Utility Employees Local 724.

Boeth Strike Remote

Threatened strike of projectionists became remote when Victor H. Clark, assistant to Pat Casey, notified business beads of four IATSE studio locals by wire that negotiations with them would be started as soon as Casey returns to the Coast. Producer labor contact is scheduled to arrive first of this week.

Following receipt of Clark's wire, the IATSE business representatives dispatched the following message to Prexy Browne:

'We have been assured by the producers labor contact office through Victor Clark that as soon as Pat Casey returns from the east in the next two weeks that negotiations for recognition and a new agreement covering wages, hours and other conditions of employment will be consummated. In view of the fact that the producers have indicated their willingness and are negotiating with the various locals we respectfully request you to temporarily withhold in abeyance any further action contemplated pending outcome of negotiations. We wish to assure you of our great appreciation for your excellent co-operation in throwing the power and strength of the International Alliance behind recognition and the contract demands made by the West Coast studio locals.'

By-laws of Screen Directors Guild will be changed to conform with details of new agreement with the producers. Provisions will provide for 80% Guild shop, require that all members agree to abide by contract and that all directors and assistants must be in good standing with the SDG in order to accept studio contracts or calls.

By-law revisions will be submitted to the membership at a meeting to be called soon to ratify basic agreement contract with major studios. Several phraseology changes are now being made in the pact.

Ballot For SDG Board

Screen Directors Guild has mailed out nomination ballots for annual election of members of the board of directors on May 21. Each director will be allowed to select 15 nominees. These will be checked and the 30 receiving the highest vote will be placed on the ballot as candidates. From this number, 15 will be elected.

The new members of the board will then meet to select a president, first and second v.p., secretary and treasurer. Many members have urged Frank Capra to stand for re-election, but prexy is said to have taken the position that post should go to some other member.

Assistant directors or Junior Screen Directors Guild will elect its new board of directors June 18. The same procedure will be followed as the directors, except that 10 Class A nominees will be named and 10 Class B nominees.

Unit managers will not take part in the elections, since provisions of the agreement with producers provides that unit managers must withdraw from the SDG and set up their own organization.

WASHROOM NECESSITIES
Scott
Scott
A.P.W.
Oniwon Towels and Tissue

FINE THEATRE CAP. 1,500
UPSTATE, NEW YORK
Legitimate and Pictures
Heart of City (250,000)
Will Consider Independent Picture Lease
Box 149, Variety, New York

COCALIS CHAIN'S FUTURE

Monroe Stein and J. J. Thompson Probable Operators

Question of whether the Cocalis circuit will continue under operation of the heirs of Sam D. Cocalis, who died Saturday (22), or transfer to new owners, is not known at present, but reported A. W. Smith, Jr., for years a distribution executive, was recently interested in buying out Cocalis. The general sales manager of United Artists until about six months ago, Smith resigned and has been inactive in pictures since then, though he has outside business interests.

Cocalis, president of Cocalis Enterprises, Inc., had been in complete and active control of his circuit of between 30 and 35 houses in New York and Northern New Jersey. In ailing health recently, he was operated on for cancer at Mt. Sinai hospital, N. Y., and failed to rally from the surgery.

Monroe Stein and J. J. Thompson, chief operating aides to Cocalis, are in control of the circuit's activities pending further decisions. Thompson, longest with Cocalis, is a strong probability as operator of the chain in the event the heirs, including seven Cocalis sons, do not wish to dispose of the theatres.

Cocalis, who died at 52, was one of the shrewdest and toughest film buyers in the business. Reputedly very wealthy, his circuit includes neighborhood houses in Brooklyn, Yonkers, Manhattan and Jersey that are assessed high. Jack Springer, his former partner, died about five years ago.

An immigrant who came to this country penniless, Cocalis was ever proud of what he had achieved. He had a habit of passing out a cigar after any interview in his office.

A supporter of the Empire operator union, Cocalis was always a thorn in the side of Local 306 executives in connection with attempts to negotiate a merger of the two booth-mens' unions. Whether or not Cocalis' death may clear the path for such a merger is not known.

In poor health for some time, Cocalis' condition was said to have been aggravated by labor troubles in connection with his theatres. A month ago he went to Florida to recuperate.

He opened his first motion picture theatre in Elizabeth, N. J., and made his home there. An operating agreement was entered into about 1930 with the theatres of the late Jack W. Springer which lasted until three years ago when the latter passed away.

Theatre Mgr. Charges 'Persecution' Following Banko Search Warrants

La Crosse, Wis., April 25.

Armed with search warrants issued by County Judge Roy V. Ahlstrom on complaints signed by Circuit Judge Robert S. Cowie, deputy sheriffs raided the Hollywood theatre Friday (21) and seized bank night paraphernalia shortly before a scheduled drawing for $1,800.

Saturday afternoon a similar raid was made on the Rivoli where banko equipment was also seized prior to a Saturday night drawing. Immediately after the raid at the Rivoli a loudspeaker was set up in front of the theatre advertising 'Bank night tonight as usual.' It was revealed that the house had a duplicate set of registration cards.

Managers of both theatres issued statements Saturday protesting what they called 'persecution.'

'It is silly to argue our case in the newspapers,' said Frank L. Koppelberger, operator of the Rivoli. 'Judge Cowie started a lawsuit to restrain us from operating bank night after convictions in criminal cases had failed. Everyone is operating bank night, so far as we know, in the states of Wisconsin, Minnesota and Iowa. We are going to operate bank night until the supreme court passes upon the question.

'Our right to do business is at stake and our board of directors has decided to resist the judge's attack to the limit. We are law abiding, like business as other theatres do business, seeking to do only the things that other people do. We expect to have the case determined in the courts.'

Ted Bolnick, manager of the Hollywood, reviewed the history of bank night here and said: 'We cannot see the justice nor the necessity for this unwarranted action (the raid). It smacks of persecution or a desire to satisfy one's personal whim.'

Signing the complaints as 'circuit judge of La Crosse county and a resident of the city of La Crosse,' Judge Cowie alleged in his complaints that the houses were 'promoting a lottery for money.'

Judge Cowie stirred up a tempest last November when he charged that open gambling here was giving the city a reputation as 'one of the most wide-open cities in the state.' He started his crusade as a private citizen to drive out bank nights two months ago when he filed complaints against operators of seven theatres here, charging that they were violating the gambling statutes by operating bank night.

The theatres filed demurrers and asked that the cases be dismissed. Circuit Judge A. C. Hoppmann of Dane County, who heard the arguments, ruled that the cases should go to trial. Theatres then appealed Judge Hoppmann's decision to the supreme court.

Judge Cowie has declared that he 'will fight gambling, including bank night,' to a finish here.

Banko Jail Sentences

Milwaukee, April 25.

Jail sentences were meted out in Janesville (Wis.) municipal court Thursday (20) to the three Wilwaukeeans who had a scheme to make a theatre bank night pay them $500. Howard Johnson, assistant manager of the Jeffris theatre, Janesville, was given 45 days in the Rock county jail for obtaining money under false pretenses.

Johnson's accomplices, Theodore Lasky and Agnes Gerek, Lasky's fiancee, who previously pleaded guilty to the same charge, were sentenced to five days each. Light sentences were given when the defendants promised to make restitution.

Miss Gerek, with the knowledge of the other two, palmed Lasky's ticket into a drum when she drew out the 'lucky number' at bank night drawing.

A. & S. LYONS, Inc.

ANNOUNCE

The removal of their
New York Offices to
515 Madison Avenue
PLaza 3-5181

Authors and Composers Representatives
RICHARD J. MADDEN
PETE GROSS

HOLLYWOOD LONDON

New York Theatres

THERE'S A BETTER SHOW AT THE
RKO THEATRES

Loew's State Times Sq
Today Only
Walter Wanger's "Stagecoach"
In Person Eddie DE LANGE & Orch
Thursday
Kenny POWELL In Person
"THE FOLLIES OF 1939"

FLYNN DODGE CITY
GUY KOMMANDO
Continuous of a NAZI SPY
STRAND Broadway & 47th St

The Story of SAM HOUSTON
Capitol Broadway 51st Street
"MAN OF CONQUEST"
with RICHARD DIX - GAIL PATRICK - JOAN FONTAINE EDWARD ELLIS

7th Av. & 50th St.
ROXY
ALL SEATS 25c TO 1 P.M.
'Return of the Cisco Kid'
On the Stage—New Stage Show

Astor Broadway & 45th St.
Continuous Performances, Popular Prices
LESLIE HOWARD in Bernard Shaw's
PYGMALION
21st Big Week! An M-G-M Hit

"WUTHERING HEIGHTS"
UNITED ARTISTS RIVOLI Broadway at 49th St.
Doors Open 9:30 A.M. MIDNITE SHOWS

RADIO CITY MUSIC HALL
HELD OVER
BETTE DAVIS
IN
"DARK VICTORY"
Spectacular Stage Productions

PARAMOUNT TIMES SQUARE
GEORGE RAFT ELLEN DREW
"THE LADY'S FROM KENTUCKY"
In Person
HENRY BUSSE and LANNY ROSS
Billy Gilbert — Hal Le Roy
Extra! SHIRLEY ROSS

HARDYS RIDE HIGH WIDE AND HANDSOME!

it's Grade "A"!

Hold Extra time for the Season's Sensation! Look at the first S.R.O. results!

HOUSTON NEW HIGH! Biggest grosser this season; leads "Test Pilot","Boys Town", the New Year's week of "Sweethearts".

PHILLY PHENOMENAL! Second day beat first day; far ahead of all Hardy Family releases.

DETROIT DANDY! Opens ahead of such pictures as "Idiot's Delight","Rosalie","Captains Courageous" and "The Great Ziegfeld".

FRISCO FABULOUS! Sensational! Tops "Maytime", "Rosalie", "Good Earth","Captains Courageous" and other hits!

BEAUTIFUL BUFFALO! Nearly double the Christmas holiday opening of "Out West With The Hardys"; tops everything this season except "Too Hot To Handle" and the New Year's business of "Sweethearts".

MILWAUKEE MAGNIFICENT! Excellent! Only three better openings since this entire season started.

ATTABOY ATLANTA! Equals Thanksgiving business of "Out West With The Hardys"; even with "Too Hot To Handle"; substantially ahead of "Boys Town".

FLASH! Houston and Atlanta Hold-over 2nd Week—Watch for more!

Hardy good wishes for your engagement too!

World Deal Called Cold, But Revival Wouldn't Surprise Biz; CBS's Sudden Shift a Mystery

Speculation was the immediate result of the official announcement late Monday afternoon from Columbia Broadcasting System that its deal to purchase the transcription company, World Broadcasting, had been called off. This came suddenly after the whole thing looked set late last week. It followed, too, testimony in Washington by a CBS official only a few days ago and, a week before that, the tactic of protecting from publicity the nature of the CBS-World deal on the grounds it would be prejudicial to its consummation. FCC probe committee gave this protection.

Belief persists in the trade that even though CBS has announced that the purchase of the World has been dropped there is a chance of the deal being revived in the near future. Officials of Electrical Research Products, Inc., admitted yesterday (Tuesday) that CBS had on Friday (21) notified them that it couldn't accept the terms and conditions asked by ERPI in regard to its sound recording licenses, but what mystified these ERPI officials was the suddenness of Columbia's decision, since it was fully aware of such terms and conditions for five months.

One ERPI official advanced the opinion that there was something far removed from the licensing angle that had prompted the network to call off the deal. ERPI holds a minority interest in World, but it was prepared to turn this stock back to CBS as part of the money deal agreed on between Percy L. Deutsch, World prez, and the network.

Competitive companies in the transcription field are convinced that even if the acquisition of World by CBS doesn't eventuate the network will become an important factor in transcription making. Columbia is determined to develop an organization that can meet the sales activities of NBC's transcription division.

On Monday (24) CBS issued a statement and on Tuesday World followed suit. Both statements are brief and, to outsiders, ambiguous. Both spoke of ERPI licensing and cross-licensing difficulties, but threw no real light on the subject. Mystery developed in that a high official of CBS, as recently as Friday (21), had told business acquaintances the deal was all set.

It was too soon to be known if World's position with radio stations had been affected by the odd predicament in which it finds itself. On the one hand, World's corporate value was dramatized and, with that, by implication, the criticism of the CBS action was flattering to World, namely, that it was the most important independent program source outside the networks in the radio industry.

World has been in pretty good shape for some time, although once badly in hock to ERPI. Organization had launched its so-called Gold Group with prospects of success. This is to be revitalized under the resumption of independent status. Although never clarified, and perhaps not fully considered, the presumption of the radio trade had been that under CBS domination the Gold Group idea would have lapsed.

Meanwhile Murphy Was On Stand in Washington

Washington, April 25.

Acquisition of World Broadcasting System by CBS will not remove competition and may lead to more intensive rivalry between disc makers, FCC chain-monopoly probers heard last week as the lengthy hearings reached a finish.

With details of the transaction still shrouded in secrecy, Commish learned Columbia's reason for buying World was to acquire studio facilities and equipment for American Record Corp. and to provide better service to clients who confront special advertising problems. This was the explanation given by Adrian Murphy, director of developmental projects for the network.

American Record Corp. was purchased outright, with $700,000 paid for 100% of the capital stock, giving CBS control also of Brunswick and Columbia phonograph firms.

'It was felt that the home record business was a natural and possibly profitable extension of Columbia Broadcasting System's activities in a field that was related in several ways,' Murphy explained, terming the American Record deal a 'stepping stone' on the way to active participation in the transcription business.

Without revealing exact terms, Murphy conceded the price paid for World is substantially in excess of the amount that would be required to provide studios and equipment for American Record. While the latter figure is only 40% of the sum involved in the WBS deal, he noted the desirability of taking over a going business instead of beginning at the bottom.

Policies have not been worked out beyond general outlines, the CBS exec testified, but it is planned to run World as a separate outfit, except for the tie-up to help network advertisers needing transcriptions. He admitted that World 'in a sense' had been competitive with Columbia, but did not anticipate any curb on competition. Network doesn't plan to bar other companies from making off-line recordings or from running wires into its studios, although there may be a service fee for the privilege, he said.

Questioning brought out that CBS made first move to get into the transcription business 18 months ago. Agreement with Independent Research Corp., negotiated Oct. 5, 1937, allows Columbia right to use their recording process, but the non-exclusive license has been used only experimentally, Murphy said.

RAPEE-PEERCE-FROMAN SUBMITTED TO GULF

Erno Rapee, Jan Peerce and Jane Froman have been submitted to Gulf Refining by Young & Rubicam as the cast for the summer show in the account's Sunday evening spot on Columbia.

Whomsoever would take the place of the Screen Guild show, which is set to fold in three weeks.

CBS Loses 'Groucher'

Hollywood, April 25.

Split network deal by General Mills for 'Grouch Club' terminates April 30 and sponsor concentrates coverage on NBC red web. Both KFI and KFWB carry the program locally. Warners indie station originates the half-hour comedy.

Columbia has been taking care of the coverage east to Denver.

A RIPLEY

Cant Buy Royal Crown Cola in New York—But It's Advertised

Even though the beverage producer has distribution in the New York area, Royal Crown Cola has added WABC to the list of outlets for the Bob Ripley-B. A. Rolfe show. The addition became effective last Friday (21).

When the series, which originates from New York, started two weeks before Columbia's No. 1 day was omitted on the theory that the product might suffer an unfavorable reaction if it were plugged in the metropolitan area without being made immediately available. Under the present arrangement a local announcer is inserted into the broadcast over WABC to explain that while Crown Cola is not sold in New York at present, the company expects to have distribution in this territory eventually.

A Columbia account that still does not include WABC in its hookup, despite the program's New York origination, is Pet Milk. The canned lacteal likewise has no distribution in this territory.

Gordon Thompson Dies With Script in Hand; Grueling Pace Blamed

Hollywood, April 25.

Gordon Thompson, 35, producer of the Rudy Vallee-Standard Brands program, died of a heart attack last Wednesday (19). He was poring over the script of the next day's program when he slumped back in his chair in the J. Walter Thompson office. Death was almost instant. His death shocked agency men into grim comment on the pace that kills.

As pioneer pilot of the Vallee show Thompson was credited with being among the first to engage stage and screen stars for radio. He came with Thompson in 1928 and the following year he helped launch the Vallee series. Thompson several years later was assigned to organize the agency's London radio department. Last year he suffered a severe heart attack and when he returned to the job he continued for a while in the company's new business department. He returned to the production of the Vallee show last December when Tony Sanford was assigned to Kellogg's 'Circle.'

Before joining the Thompson agency Thompson was on the Philadelphia Ledger and the N. Y. Sun. His father, Harry Arthur Thompson, was a former editor of the Country Gentleman and former associate editor of the Saturday Evening Post.

Producer leaves his widow and 10-month-old child, his mother and a brother. Body was sent to Greenwich, Conn., for burial.

Franklin Delano, ass't mgr. Hollywood office of Young & Rubicam, goes into double harness this summer with Rosalie Leistikow.

COLUMBIA BROADCASTING SYSTEM, INC. AND SUBSIDIARY COMPANIES

CONSOLIDATED INCOME STATEMENT

	Three Months ended April 2, 1938 (13 weeks)		April 1, 1939 (13 weeks)	
Gross income from sale of facilities, talent and wires		$9,984,344.99		$9,705,793.15
Less: Time discount and agency commissions		2,985,571.48		2,998,226.15
		$6,998,773.51		$6,707,567.00
Deduct:				
Operating expenses	$3,670,677.32		$3,690,419.80	
Selling, general and administrative expenses	1,377,754.68		1,479,748.12	
		5,048,632.00		5,170,167.92
Net income for the period before interdepreciation, Federal income taxes and miscellaneous income		$1,950,141.51		$1,537,399.08
Less:				
Interest	$ 11,938.45		$ 12,753.01	
Depreciation	139,367.86		137,624.15	
Fed. income taxes	324,524.76		265,180.00	
		475,831.07		415,557.16
		$1,474,310.44		$1,121,841.92
Add:				
Miscellaneous income (net) including interest, discount, dividends, profit and loss on sale of securities		20,669.65		29,684.74
Net profit for the period		$1,494,980.09		$1,151,526.66
Earnings per share		$ .87		$ .67

(Calculated upon the 1,708,723 shares of $2.50 par value stock either outstanding at April 1, 1939, or to be outstanding upon completion of exchange of old $5.00 par value stock.)

Frank K. White, treasurer.

The 1939 results are subject to audit at the end of the year by Certified Public Accountants.

GORDON TO N. W. AYER

Waite Hoyt Pre-Baseball Away From Young & Rubicam

Gordon Baking Co. has switched its business from Young & Rubicam to N. W. Ayer and is doing some spot campaigning for the spring and summer.

First contract involves Waite Hoyt in a series of 10-minute baseball comments six days a week preceding the play-by-play broadcasts on WABC, N. Y.

WBNO's Sales Chief

New Orleans, April 25.

Walter Williams is now general sales manager of station WBNO, Hubert Grant given up engineering to become station's program director.

Frederick Lemieux from WJBO, Baton Rouge, has joined staff as spieler.

Federal Law Proposed To Curb Unauthorized Air Use of Recordings

Washington, April 25.

Legislative ban on unauthorized music canning was proposed last week in attempt to curb air piracy and misuse of phonograph records. Bill similar to measure pending in the New York State legislature was offered Congress by Rep. Fred Schulte of Indiana.

Inspired by the American Federation of Musicians, Schulte proposed amendment to the 1934 Communications act which would restrict recording or other mechanical reproduction of any type of program material. Measure makes it a penal offense 'to offer for sale, sell, lease, or license' or to possess any unauthorized platter or other type of recording. Fine of $10,000 and imprisonment up to two years for serious offenses.

Although the move appeared to fit in with the plan of A.F.M. leaders to make a new drive on radio, the legislation was aimed primarily at small radio stations which have been accused of stealing broadcasts by networks and rivals. The tunesters claims stringent punishment is necessary to stamp out the practice, which they hold is partly responsible for unemployment in the ranks.

The bill carries out the idea of the performing artists group headed by Fred Waring to the extent that it indirectly recognizes the property rights in renditions beyond the copyright. As Waring has attempted through court action, Schulte would outlaw use of records or rebroadcasting 'for profit or gain' without the express consent of the performers.

Rapp, $1,500 Week Radio Scribe, Sued by His Agent

Los Angeles, April 25.

Breach of contract suit for $23,600 was filed here by H. N. Swanson, Inc., against Philip Rapp, radio writer, who is charged with walking out on a seven-year managerial deal.

Rapp makes $1,500 a week, according to the agency, which asks 10% of the $236,000 he is expected to earn during the balance of the time covered by the pact.

Jack Haley heading east to talk over a radio deal for the summer.

WMCA Gets Hummert Serials In Big Night-time Deal For Local Station

BIG TOWN, POWELL DUE FOR LAYOFFS

Hollywood, April 25.

Ruthrauff & Ryan have ordered siestas for their two Lever Bros. shows. Edward G. Robinson's 'Big Town' and Dick Powell's 'Tuesday Night Party.' Respite for both will be for six or eight weeks, subject to Columbia's hiatus policy, starting in mid July.

There will be no replacements.

Warnow's 26 for Luckies

Mark Warnow orchestra has been renewed for another 13 weeks on the Lucky Strike Hit Parade Saturday nights on CBS. New stretch is effective May 6.

Makes a full 26 stanzas on the Parade for the Warnow outfit. No other band has ever had even 13 straight since the program started.

Allen Gordon and Herman Wolf produced the gala show Sunday for the Greater New York Fund drive WJZ, WABC, WMCA and WQXR carried it.

Blackett - Sample - Hummert has taken a block of two hours five nights a week over WMCA, New York, to give a waxed evening ride to eight of its 15-minute daytime network serial shows. Policy will begin May 8 and continue indefinitely. Idea originated in the agency, but the sale was made by Bob Goldstein, formerly with the B-S-H-affiliated Air Features, Inc., and now sales mgr. for the station. Runoff to be between 8 and 10 p.m.

Shows involved in the deal are 'Stella Dallas,' 'Lorenzo Jones' and 'Young Widder Brown' (Phillips Chemical), 'John's Other Wife' (American Home Products), 'Just Plain Bill' (Anacin), all on NBC, and 'Romance of Helen Trent' (Affiliated Products) and 'Our Gal Sunday' (Anacin) on CBS.

Agency's idea is to see if a night-time audience can be built up in the metropolitan New York sales area for the daytime shows. Policy has previously been tried in spotty instances, but this is believed to be the first time it has been attempted on a large scale. Plan is to extend it to other concentrated population centers if it clicks in New York. WMCA's contract with B-S-H is for 52 weeks, with the agency holding an option for two additional years.

SEEK COMMON SENSE ON AIR-PRESS ISSUE

Start of an attempted commonsense solution to the difficulties between newspapers and radio will be made at a luncheon at the Waldorf-Astoria, N. Y., tomorrow (Thursday). Committee of the National Association of Broadcasters will meet with a similar group from the American Newspaper Publishers' Association to take stock of the situation and pave the way for cooperation and permanent peace.

Serving on the NAB committee will be Neville Miller, prez; Ed Kirby, public relations director; Frank E. Mason, v.-p. of NBC, and Clair McCollough, g.m. of the Mason-Dixon Radio Group, Pennsylvania.

Vallee's 500th Airing

Hollywood, April 25.

May 18 broadcast of Rudy Vallee will be his 500th for Standard Brands in the same Thursday night spot on NBC.

Lionel Barrymore will be in one of the guest spots.

4A'S 2% FOR CASH IDEA

PERFORMER COURTESY

In this week's VARIETY appears a news story of how Franchot Tone declined to step into a program originally offered to Pepsodent with Burgess Meredith as the stellar personality. Without going into the specific case at issue, Tone's gracious action may perhaps appropriately serve as a springboard for a few remarks on the subject of professional courtesy, an obscure subject at its best in show business and well-nigh unknown in broadcasting.

The talent booking end of radio, the professional courtesy end, long ago became hopelessly entangled in agency-sponsor vagaries. Additional discouragement was contributed by the hard-boiled entrepreneurs and merchandizers of radio generally who seldom hear of professional courtesy, usually don't understand what is meant by the phrase and, if they do, think it's a lot of effete nonsense. Ethics, to them, is the old gag about the customer's over-payment: 'Shall I tell my partner?'

Broad generalizations to govern hypothetical behavior are, of course, impossible. Desperation to get a break on the radio when coupled with disheartening conditions in show business has understandably encouraged talent to string along in a catch-as-catch-can philosophy which makes it refreshing to occasionally encounter an individual who is not ready, without qualm or hesitation, to push everybody aside to grab a contract.

Professional courtesy involves, of necessity, respect for fellow artistes. It means refusing to consciously appropriate other person's creative developments. It means thinking at least twice before directly or indirectly giving the freeze to a contemporary who has been identified with the promotional phases of a project. There is a good deal of cynicism on these matters. 'We gotta eat' is the general defense for nearly anything that's done. Add to that, 'If we don't, somebody else will.'

Some part of vaudeville's crack-up may be attributed to the decision of the old Keith booking office to encourage and sanction cheap 'copy acts' of well-known but high-priced headliners. Official collusion in piracy suggested rotten fibre and foreshadowed the disintegration of a business that might have survived on a plane of honesty but could not survive when even ordinary professional courtesy began to get the horse laugh.

What has passed for professional courtesy in radio all too often has simply been a back-scratching exchange of meaningless compliments. This kind of stuff is written in by the authors. It's hokum for public consumption. The McCoy kind of professional courtesy is not publicized as a rule. It springs from the kind of comraderie that used to exist when George M. Cohan was a dancing juvenile. It is neglected, unappreciated and seldom discussed in radio. Worst of all the very subject is incomprehensible to many of the men who have, from all sorts of beginnings, drifted into radio.

Nowadays they joke about stealing the other fellow's routine. But everybody doesn't laugh.

SOME ADMEN FEAR CUE TO DAILIES

Networks Have Been Asked to Raise Rates 2% in Order to Rebate That Much for the Principle of the Thing

OPTICAL ILLUSION

Number of the agency members of the American Association of Advertising Agencies are puzzled by the reasoning which lies behind the Four A's proposal that they try to prevail upon the networks to raise their rates by 2% so that the clients can get a 2% discount for prompt payment of bills. These puzzled agencies regard the proposition as pretty much a mathematical optical illusion and figure that the only thing to be gained from it is an added batch of bookkeeping.

As the advocates of the idea see it, there should be some special inducement for accounts that take care of their bills quickly. The laggard, they say, shouldn't be given the same consideration as the speedy remitter. In the newspaper the custom has always been to allow the 2% reward for payment within 10 days, and the argument now advanced is that unless radio is brought into line there's a chance of the other medium rebelling against the practice.

Contrary to Practice

The networks' rate cards specifically note that not only are no cash discounts allowed but that bills are due and payable when rendered. The webs contend that as it is they're allowing a total of 40% in discounts, namely 15% to agencies, up to 15% on weekly gross billings and 10% on facilities used through 52 weeks. In the case of CBS this all-the-year-round rebate has recently been tilted to 12%, making a total of 42% in available discounts.

Raising of network rates by 2% was suggested by some of the Four A's sites as a way around this dilemma. Letters subsequently went out from the association urging its membership to write the networks that the idea ought to be put into effect.

The contrary element in the Four A's hold that while they would like to see their clients get all that's coming to them there are circumstances with regard to network users that ought to be taken into account. The 2% inducement is okay for newspapers since they have to deal with hundreds of small advertisers all over the country, whereas the vast majority of time on the networks is consumed by such huge advertisers, as General Foods, Standards Brands, Procter & Gamble, General Mills, Campbell Soup, Lever Bros., and the tobacco combines.

JOHN ROYAL DUCKS OHIO

John Royal, program v. p. of NBC, is not going to conduct a round table at the Ohio State University radio conference May 3 after all. Royal has withdrawn, giving as his reason press of network engagements not allowing him adequate time.

Royal was scheduled to handle the subject 'How to Handle Issues.' His withdrawal prompted reports that the round table bicdle was one controversial issue he preferred not to handle.

Fred Willis, of CBS, had a red neck last spring when he handled the same subject in the same environment.

Seymour Seigel, program director of non-commercial city - owned WNYC, New York, will sub for Royal.

Drys Gaining Ground

Senate Subcommittee Favorable to Blow at Beer Advertising Over Radio

Washington, April 25.

Strike at the radio industry's $1,000,000 revenue from brewers and retailers of malt liquor was taken last week by a Senate Subcommittee. Favorable report urged on the bill of Senator Edwin C. Johnson, Colorado Democrat, stiffening portion of the Communications Act.

The bill was backpatted by a subcommittee of the Senate Interstate Commerce Committee after two hearings, during which lobbyists for the printing trade obtained deletion of references to printed media despite protests that such action amounts to class discrimination and assurances radio is putting the stopper in the bottle.

Enactment of the measure would set a vicious precedent, spokesmen for the radio business argued ineffectively. They protested such legislation is unnecessary, since the networks and the major independent plants have their own bans on drink propaganda. Solons were not impressed, however, with references to the sharp decline in booze blurbs, the resignation of the National Association of Broadcasters, or the attempt to frame a national code of program ethics.

Industry defenders noted that almost no hard liquor advertising goes over the air and the amount of time sold to beer makers and dispensers has been going down. Revenue from distillers was only $1,943, with but nine stations making facilities available, during the first two months of 1939, NAB observed, and in all of 1938 only 14 stations carried firewater programs, getting but $23,202. Beer brought 317 stations $1,268,638 last year.

Jenkins—My Axe

Phil Spitalny, who is sponsored by the Mazda division of General Electric, recently read in a Bob Ripley cartoon of a hen that laid an egg that looked like an electric bulb. He promptly ran it down and bought the hen.

Now, day by day, the hen lays, but up to date Spitalny has no bulb.

B.B.D.&O. LIST LOCAL SHOWS IN 40 TOWNS

B. B. D. & O. is getting together data on available news programs in some 40 towns with the view of developing a spot presentation for one of its accounts.

Agency at one time rated as a strong proponent of the news and sports type of programs, but for the past season or two it has had little activity in that direction.

Hot Tunes for Sharpies Prove Poor Commercial Bait; WFBM Goes Wifey

Indianapolis, April 25.

WFBM finds that it can't capitalize on aiming hot dance tunes to high-school kids in the late afternoon and so it's going to devote the same period, starting May 1, to wooing the interest of their mothers with a femme commentator, Gwen Short, and transcribed light classical and show tunes.

The juve-geared stanza ran 45 minutes and the lack of appeal was reflected by the dwindling of participating accounts, which included theatre, dance promoters and sporting events.

'BILLY AND BETTY' IN VICE 'JACK ARMSTRONG'

Five-a-week dramatic serial, 'Billy and Betty,' formerly on NBC red for Sheffield Farms and (on the Coast) for Safeway Stores, returns to the network Monday (1) for General Mills, plugging Kix breakfast food. C. D. Morris agency is producing for Blackett-Sample-Hummert. Stanza replaces the Jack Armstrong show in the 5:30 slot over the eastern hookup for the summer.

Leonardo Bercovici will write it, with Robert Sloane directing. Latter is slated to take over the writing stint after a few weeks. Cast will include Ted Reid, Audrey Egan and Selena Royle. Show has a tieup with a comic strip and the children's section of True Story mag.

UNION'S WAR CLAUSE

If Called to Colors Jab Must Be Open on Return

Philadelphia, April 25.

Discussions are now taking place for inclusion of a 'war clause' in a contract about to be signed between Ben Gimbel, Jr., prez of WIP, and the American Communications Association, representing a majority of the station's employes.

Clause, which will probably be accepted by Gimbel, provides that if any employe of WIP is called to the service of the United States in event of war or preparation for war, he shall be reinstated to his job upon his return.

NOW LOOKS AS IF 'GOOD NEWS' CONTINUES

Maxwell House Coffee's 'Good News' stanza is reported set to continue on NBC through the summer. This would make a second extension of the termination date of the production and talent hookup on the show between the account and M-G-M. Film producer's original severance date was March 30. Later this was extended to June 29.

When last February the highers-up in Metro announced that the studio was withdrawing its connection with the program, the agency on the account, Benton & Bowles, declared that it proposed to retain the title, pattern and most of the regular principals of the Thursday night series.

PEDLAR & RYAN TO OPEN A CHI OFFICE

Chicago, April 25.

Indications are that Pedlar & Ryan agency will open a local office within a few weeks. Now being talked over.

Follows the acquisition of the Lady Esther account by the P.&R. firm. Agency is understood readying a few changes in the general radio set-up of the account.

Hub Robinson to L. A.

Hubbell Robinson, Jr., chief of program production for Young & Rubicam, leaves today (Wednesday) for Hollywood.

He will spend several weeks on the Coast looking over the Y&R shows that are set to remain on for the summer and also study production angles for the fall.

COLLIER'S IN BAN ON STAFF AIRINGS

Collier's magazine has imposed a no-radio rule on its staff writers and editors. WOR, Newark, felt the bar last week when it sought to get Quentin Reynolds to become a fixture of its 'Author, Author' program.

Reynolds explained that his bosses are opposed to the appearance of any Collier's man on the air and that the powers-that-be in the Crowell organization were miffed because he did a guest date recently. Collier's at one time figured as an important user of radio time. Back in the early 30s it had a Sunday series headed by John B. Kennedy.

Brice Disque Writing Phillips Lord's Scripts

Brice Disque, Jr., formerly writer-producer with King Features, now is chief script writer with Phillips Lord. He is doing Gang Busters and District Attorney presently.

Disque also is writing 'Romance of Oil' for Cities Service, which is agented by Lord & Thomas.

Ian Keith, Arch Oboler Probable 'Award' Starters

Chicago, April 25.

New show for Teel, which starts on a local three-week opener on April 30 and then goes coast-to-coast on Columbia on May 21 has been labelled Knickerbocker Playhouse.

Bob Jennings, chief of the Kastor radio department, has also named the weekly awards on the show as the 'Knickerbocker Award.' Initial greeter is figured to be Ian Keith, currently headlining locally in 'Othello.' Second program has Arch Oboler slated to come here from New York to get his 'award.'

HILLBILLY IN CLOVER

Grossing Around $300 Weekly — Which Ain't Hay in Guitar Bis

St. Louis, April 25.

Roy Schaffer, hillbilly at WEW who uses the tag of 'Lone Star Cowboy,' is probably copping more coin per week than any other exponent of mountain music in these parts. Gets $100 from Carson Furniture Co. for 30 mins. daily program and outside engagements average up weekly take to more than $300.

Schaffer, who strums a guitar and yodels, was originally at WWL, New Orleans. When Al S. Foster left WEW he subsequently followed.

FCC PROBE ENDS ON DRAMATIC NOTE AS MUTUAL CALLS MONOPOLY ALL TOO REAL

Caldwell Resolution Asking That NBC and CBS Not Pre-Nullify Hearings by New Deals Is Called 'Gall' by John J. Burns

Washington, April 25.

Immediate ban on continuance of existing network-affiliate contracts, pending decision on suggested government control over chain operations, was proposed to the FCC monopoly probers last week in a bomb-shell finish to the prolonged investigation. Explorations launched last November were concluded with Mutual seeking Federal aid in combatting rival nets.

Underlying bitterness flared Wednesday (17) when Louis G. Caldwell, counsel for Mutual, topped repeated complaints with a formal motion akin to a temporary injunction plea which would prevent NBC and CBS from perpetuating their competitive positions. Resistance from the other chains did not stop the Commish panel from taking the proposal under advisement. No immediate action is anticipated, since the committee has authority merely to relay recommendations to the full Commish with its comments and suggestions.

Following re-appearance of Fred Weber, general manager of Mutual, and presentation of statistical evidence about network operations, Caldwell startled participants by warning the Commish that prospective long-term extensions of present pacts will turn the entire inquiry 'into a complete waste of effort and a farce.' Conceded there is some doubt whether the FCC can legislate existing agreements but suggested there is a remedy in the form of a temporary regulation. Exact proposal was a rule as follows:

'No licensee of a standard broadcast station shall enter into a contract, agreement, or other arrangement with any network organization covering or dealing with the affiliation of such licensee's station with the network organization or into any renewal or extension of such existing contract, agreement, or other arrangement for a period extending beyond Dec. 31, 1940.'

Action of this sort is 'occasioned, indeed necessitated,' the MBS attorney argued, 'by a state of affairs which has been disclosed by evidence recently heard by the Committee and which, so far as I know, is undisputed.' Reference to Weber's protests about exclusivity clauses, long-term pacts, option-time, option time, and inability of the newcomer to break into various important markets.

Status Quo to 1946

If the rival chains are allowed to extend their pacts with affiliates for another five years, present conditions will be maintained until 1946, Caldwell noted, and the situation may be shorn of 'all power and jurisdiction to achieve any results from this long and expensive investigation or to remedy any evils that may have been developed by the evidence.'

Loud outburst from John J. Burns, special CBS counsel, with Philip J. Hennessey, representing NBC, backing his objections. Besides challenging the 'hearsay evidence' by Mutual and protesting against 'prejudgment' of the case, Burns declared the proposal is entirely improper in such a proceeding. Hearing was a legislative inquiry, not a fight between adversaries seeking some privilege, he said.

'I would like to express amazement at the gall of counsel for Mutual in an investigation, which was ordered by the Commission, to state in effect that his conclusions must be the conclusions of the committee and to ask for an order before a committee who has under the terms of the order only the power to investigate,' CBS barrister asserted, terming the monopoly accusations false and warning that millions are at stake.

Joining in the objection against Caldwell's maneuver, Hennessey said NBC had attempted to carry out obligation to make full disclosure about chain operations and maintained his company has not sought to gain competitive advantage from the prolonged inquiry.

Caldwell's action was sequel to return of Weber and Elliott Roosevelt to the stand and was immediately preceded by presentation of statistics—challenged by CBS and NBC—compiled by Commish figure-jugglers.

Weber Cries 'Unfair'

Relating the obstacles encountered in building up Mutual, Weber said the only way his combo can get into some markets is with transcriptions and delayed airings, due to rivals' strangle-hold on all of the best outlets in major spots. Cited the arrangements made to carry the 'Lone Ranger,' 'Wheatena,' and other programs.

Combined discounts offered by NBC to sponsors using both Red and Blue skeins constitute a serious handicap for competitors, Weber complained. NBC, in a position to grant slices running up to 40%, has snared business which might have gone to MBS. With the two hookups, NBC also has freedom to carry special events without upsetting commercials, through jockeying of stations, which gives it a special advantage, he moaned.

Extension of NBC pacts would keep MBS out of numerous markets for a long period, Weber declared. Noting 88 affiliation agreements run out in 1941, he said Mutual realizes that the effort which has already been made to require stations who have present affiliations to extend their present agreement for a period of approximately five years would prevent growth.

Prior complaints about excessive network options on local station facilities were repeated by Weber and echoed by Elliott Roosevelt. Though they disagreed about some details of the remedy, both told the Commish that local outlets are handicapped in performing public service and other chains are cramped in reaching markets by the practice of earmarking unused time. Weber listed Providence, Des Moines, Bridgeport, Philadelphia, Baltimore, Syracuse, Denver, Omaha, Cleveland, and Twin Cities among areas which MBS could not reach satisfactorily because available outlets are tied up.

'We can state very definitely that the experience with regard to restrictions both on time and as to opportunity to affiliate with another network has prevented any development beyond the present development of the Mutual network,' Weber summarized.

With only three facilities available in many cities, the exclusive and restrictive pacts must be eliminated if the industry is to have the maximum degree of competition, MBS exec pointed out. Stations on other webs which play with Mutual are in danger of being blacklisted and boycotted, he charged.

Roosevelt on Blue

Time requirements of NBC Blue pacts are excessive, Roosevelt agreed, and the option system results in veritable transfer of control over outlets from the licensees to the webs. He termed exclusivity unnecessary, warning if the practice continues the time will come when stations will boost rates and gouge advertisers because demands for time will exceed the supply.

In advocating cures, the President's son renewed his idea of revokable certificates of public interest, running for indefinite periods, and advocated licensing of webs. Weber's recommendations were for short agreements—one or two years —along with stringent limitation on the amount of time optioned and a rule preventing a company from operating more than one chain. Roosevelt doubted, however, the wisdom of a rigid rule on time, as thought expressed in the idea the FCC should take steps to prevent restraint of competition through the options.

As a groundwork for Caldwell's motion, DeQuincy V. Sutton, Commish accountant, submitted a series of special computations from the statistics collected for last June's allocation hearings. Calculations made at the MBS attorney's request.

Analysis of figures showed that of $32,000,000 received for time sales in 1937, network stations got $13,583,000 and that of the $38,647,751 taken in by networks only $5,871,240 was from key transmitters. Of the industry's net profit, $18,863,000, in 1937, the webs, including their key stations, snared $8,117,000. Special breakdown showed web revenues from time sales by station groups as follows: Clear-channel, $10,621,075; regionals, $1,275,251, and locals, $1,441,542.

The accuracy of these and other computations was attacked by CBS and NBC barristers, who maintained the figures collected last spring should be allowed to speak for themselves and who objected to some of Sutton's interpretations. Despite objections, the special analyses were received in evidence for the purpose of throwing more light on the economic condition of the networks.

He'll Find Out

Station reps figure that J. Davis Danforth, head of the new business department in B.B.D. & O., has let himself in for some discomforting enlightenment, if those to whom he recently addressed a circular letter answer with candor. Danforth wants to know what station reps think about the operating methods of advertising agencies so that he can use the data so collected in a talk that he is to make before the American Association of Advertising Agencies, which convenes at the Waldorf-Astoria hotel, N.Y., May 11. His topic will be, 'Broadcasting-Agency Relations.'

In his query to reps Danforth sought to find out what the former's reactions have been to the business treatment they have received from time buyers. He inquired whether the agencies (1) demanded lengthy presentations overnight, (2) whether they default in verbal commitments, (3) whether they ask for the impossible and (4) whether the reps thought the agencies didn't present station solicitations in their best light to clients.

WWL's Audience Studio Only One in New Orleans

New Orleans, April 25.

New studios for WWL will be finished June 1. Includes an audience studio for 250.

Only station in city with provisions for audiences during broadcasts.

LAST WEEK'S ISSUE

By ROD REED

Miami, April 23.

A.P. may go commercial now that A & P isn't.

Moscow's planning a Radio City; no doubt for the Red Network.

Kate Smith beginning ninth year on ether. Outlasted all the Moon-Over-Mountain gags.

Irene Rich and her Welch Juice sponsor are not getting along. Grapes of Wrath!

St. Paul preachers, parents claim 'Gang Busters' just raising more material for the program.

New dam will submerge Missouri theatre. Management has out SRO signs—Swimming Room Only.

Philly jitterbugs spree on ice cream sodas. Old timers long for Prohibition era when kids were men.

Song was phoned to London and sold. At last a right number.

Ascarbion concert at Carnegie Hall. Stomach Paderewski.

Phi Beta Kappa going on radio. Forgive the thought! No infringement on already established Drum Beta Krupa.

BLUE 175% UP ON 1938

In analyzing the business booked for the first four months of this year the NBC sales promotion department yesterday (Tuesday) discovered that the blue (WJZ) link's portion is 175% more than it was for the like four months of 1938.

With new and renewed business included the time bookings on the blue since this Jan. 1 totals $3,537,602, as compared to $1,285,707 for the similar period of the year before.

WWJ SHOWS ON WXYZ AND BOTH PLEASED

Detroit, April 25.

WXYZ, which this season is feeding Detroit Tiger baseball games to plays only to its state network, has arranged to carry six of daily shows ordinarily broadcast by NBC's Red outlet here, WWJ. Latter station is carrying Tiger games as in former years; therefore misses NBC Red afternoon shows.

Arrangement not only saves WWJ plenty of dough, which it had to pay NBC to drop commercial programs when WXYZ also carried Tiger broadcasts as it did last year, but likewise affords WXYZ the chance it's been waiting for to serve different audience during baseball season.

Shows, which WXYZ has been able to work into its own and NBC Blue's sked, are 'Betty and Bob,' 'Arnold Grimm's Daughter,' 'Valiant Lady,' 'Hymn of All Churches,' 'Girl Alone' and 'Dick Tracy.' All are in the 2-5 p.m. bracket.

Treville Lawrence new radio ed of Atlanta Georgian and Sunday American, vice Keeler McCartney, who's been shifted to sheet's editorial side.

JACK BERTELL WITH CBS ACT DEPT.

Columbia Broadcasting System is planning to revitalize its talent end again for which purpose Jack Bertell has been brought in to handle the CBS talents personal bookings. The former indie agent will still retain the Hartmans and Hildegarde, but otherwise will concentrate on spot-placing the Columbia names.

When Ralph Wonders left CBS, Herb Rosenthal, along with Paul Ross (audio), Albert Schneider (dramatic) and Mack Davis (program) handled the talent. Rosenthal eventually got into the radio program and time selling, so that department drifted.

As part of CBS' plan to also create new faces, a special hour, in a choice groove, will be set aside to showcase new talents dug up by Bertell, et al., these in turn to be sold later.

KIRK'S PANACEAS CITED BY FED. TRADE

Washington, April 25.

Listless and headachy knob-twiddlers received warning Monday (24) from the Federal Trade Commission that products of the Kirk Medicine Co.—advertised via the radio—are not the proper cure for their condition. In a complaint issued against Lou Sterling and Walter Fehr Gardner, distributors of the Hollywood products, Commish charged that representations of the respondents are 'gross exaggerations which are misleading and untrue and constitute false advertisements.'

Worth of 'Kirk's Tablets,' 'Kirk's Pancreatin Compound Tablets' and 'Kirk's Tablets Pancreatin Compound' as an alkaline neutralizer offering 'instant relief' for stomach upsets, 'worn out feeling' back aches, listlessness, etc., was challenged by the FTC in a statement declaring that the tablets 'contain no alkaline substance and would not be a cure or remedy for the ailments named.'

Representations of the company that thousands of letters had been received from users of the remedies, attesting to 'almost instant relief' from their use, are untrue, Commish declared. Company was given 20 days in which to answer the charges.

Templeton Subs Fibber, Molly for Nine Weeks

Hollywood, April 25.

Alec Templeton, blind pianist, Billy Mills orchestra and Edna Odell, Chicago warbler, pinch hit for Jim and Marian Jordan (Fibber McGee and Molly) for the nine weeks' summer layoff of comedy team. Likely that an emcee will be added.

Cecil Underwood continues as producer and emcee for a brief respite in late summer. Substitute program takes over July 4.

Philly the Farm Town

Philadelphia, April 25.

WFIL this week is embarking on an attempt to grab off part of the rural audience in farm counties surrounding Philly, which WCAU discovered about two years ago and KYW began aiming at last year. WFIL is setting up a farm bureau, with Bill Gallagher, who does a couple kid shows on the outlet, in charge. Daily farm news program tabbed 'RFD' is being started.

Crop and market reports will be aired three times daily, specials are being arranged for 4-H clubs and cooperative time-space swap deals are being set with county-seat newspapers.

Baseball Vs. Education

San Francisco, April 25.

Educational and religious shows cancelled because of conflict with the Goodrich and General Mills-sponsored baseball broadcasts over KGO here are being recorded off the NBC network lines and aired later the same day.

'Our American Schools' and 'Message of Israel' are among programs which have been getting the platter treatment.

Starting to Yawn Early: Economy Reviving 'Piano-fill' Days at NBC

Every indication suggests that the summer of 1939 will be a barren plateau in the history of NBC sustaining programs. With another economy purge ordered, the summer star is Miss Budget. Talent has already started inquiring about getting jobs in the Borscht Circuit hotels, or on the summer cruise boats. It's going to be a gala return to the good old piano-fill days of 1930, according to the dope.

Certainly no pretentious series of Shakespearian programs, or anything of that nature, is expected. Curtailment of allotments for musical arrangements, accompaniment and the usual run of program economies are expected. Nobody at NBC will confirm or deny the fate of the Doc Rockwell Brain Trust program series, although attracting much favorable attention, has not yet been sold to a sponsor. It has another month to go and is a costly sustainer. Unless and until it is sold, the so-called 'blue plate specials' designed to follow and supplement the brain trust in a campaign to make something out of the weak NBC blue program schedules will probably be forgotten. Odds are against any and all NBC projects requiring coin.

Dull series of debates, oratory, remote pickups from places nobody cares about has already elicited tart comment from the blue affiliates. While NBC is believed set against wholesale letouts of the kind made a couple of years ago, and murder-to-the-organizational morale, the campaign to make the 'net congenial to the gross' will presumably smack hardest in programs.

Recent testimony in Washington of spokesman for the semi-quiescent but ominous Independent Radio Network Affiliates has re-focused attention on the intermittent question of the blue. While recent attacks have been concentrating on the sharing terms of station compensation, the 'quality' angle on programs has been brought up before.

NEW A.F.M. DEMANDS DUE

Post Script: Open House

Scattered reports from around the country indicate that last week's 'National Radio Open House' as carried through by N. A. B. and R. M. A. made a fair impression on the public. Results were in accordance with community characteristics and the amount of preparation and push behind move.

Majority of stations did very little, confined themselves to spot announcements. But some towns and some stations expended time and thought. Showmanly activity was exception rather than the rule.

Actual turnout of visitors was fairly large. Philadelphia particularly reported mobs. No fewer than 100,000 showed up, 60,000 at WCAU alone. Threatened to clog the works. There was some fair here, as in other cities, that the inevitable manhandling of mobs might make for ill will rather than good will toward radio. But crowds remained good natured.

AFRA SEEKS PACIFIC PACT

American Association of Advertising Agencies has been invited to participate with the networks in negotiations with the American Federation of Radio Actors for a contract covering regional hookups on the west coast emanating from Los Angeles and San Francisco. The present contract with AFRA applies solely to transcontinental hookups.

Matter of designating a committee to sit in on these negotiations were discussed at a meeting of the Four A's radio committee last Friday (21).

St. Louis, April 25.

Mrs. Emily Holt of AFRA is here. Will negotiate for KMOX, KSD and WEW.

KWK won a recent victory over AFRA but bearing in view of AFRA's own subsequent victory makes this uncertain.

WAVE, Louisville, Carries Baseball for First Time

Louisville, April 25.

WAVE, Louisville, airing for the first time American Association games played by Louisville Colonels. For the past seven years, WHAS has carried the local games. General Mills, in behalf of Wheaties, and Mobiloil are co-sponsors, and airings are handled by Don Hill, formerly with WCBS, Springfield, Ill.

All local games are handled by Hill from Parkway Field, and out-of-town games are aired via wire reports, with exception of those games played on Sundays, which are not broadcast.

Hill Late in Hartford

Hartford, April 25.

Due to a conflict in schedules, Edwin C. Hill's 'Human Side of the News,' will be transcribed by WDRC and presented by that station at 6:30 p.m. instead of the scheduled 6:05 p.m. network schedule.

Commitments with Esso for U. P. news at that time is reason. The five minutes following the period will be devoted to baseball scores.

CUT IN FEDERAL AID SOURS MOVE

Union Also Basing Argument on FCC Policy Committee Data That Less Than 2,500 Musicians Are Employed by Broadcasting Industry

WEBER RAPS DISCS

Washington, April 25.

Following the appearance last week before the FCC monopoly probe of Joseph N. Weber, president of the American Federation of Musicians, a further demand for the radio industry, notably large network affiliates, to employ more musicians is foreshadowed. Contributing to this situation are two factors:

(1) Prospective curtailment of Federal relief rolls throwing the spectre of unemployment among AFM members into sharpe focus.

(2) Recent publicity to FCC figures, which radio spokesmen declare are antiquated, which suggest that only 2,500 full-time musicians are employed by the broadcasting industry.

Demands that musicians get still a bigger slice of the industry's revenues than is assured by the quotas fixed in 1937 are being readied on the strength of tables in the FCC's policy committee report showing less than 2,500 full-time musicians were regularly employed during the sam-

(Continued on page 28)

Union Fears Facsimile Kills Jobs

Printing Trades Urges Congress Prohibit New Blow to Employment of Members

Washington, April 25.

Ban on commercial operation of facsimile transmitters is being urged on Congress by the Allied Printing Trades. Alarmed that airwaved advertising in visual form will be the worst blow to newspapers and magazines, along with direct-mail, billboards, and other media in which the union has an interest.

Minutes of the meeting of the governing board sent lawmakers recently note the 'large volume of radio advertising compared with the number of people employed in that field and its detrimental effect on the job opportunities of the workers in the printing trades.' Discussion resulted in adoption of motion by C. M. Baker, president of International Typographical Union, recommending enactment of statute keeping facsimile stations on an experimental basis and prohibiting airwaving of 'any paid advertisements of any nature whatever.'

Besides seeking to hobble facsimile, the Printing Trades bosses decided to take a fling at limiting the amount of vocal radio advertising, via an amendment to the Communications Act fixing the number of day and night hours that may be used for commercial purposes and prohibiting absentee landlordism.

Wise Generation

Philadelphia, April 25.

Among sidelights of 'Open House Week' here was a nine-year-old kid who dutifully started to fill out a questionnaire given each visitor by KYW. When he came to 'What is your favorite program?' he asked the attendant:

'Don't I have to put down a KYW program?'

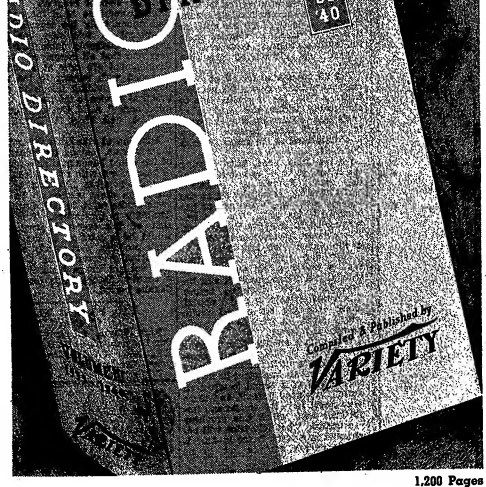
CHICAGO SEES AFRA AN AID

Chicago, April 25.

With American Federation of Radio Artists now actively engaged in organizing radio performers in the smaller key cities throughout the country, Chicago believes itself due to originate programs which formerly originated in such cities as Cincinnati, Detroit, Minneapolis, St. Louis, Kansas City, etc.

Sponsors had been originating their programs in these outlying cities in order to make the most of the lower wage scales current in those localities. But AFRA is now stepping into the picture and setting up the wage scales on a par with the scale in Chi, N. Y. and L. A.

On the contrary, it would be a saving to move the programs to Chicago where production facilities are within walking distance of the agency offices, instead of being at the end of an over-night train jump.



1,200 Pages
2/3 Actual Size

NEW YORK
154 W. 46th St.

CHICAGO
54 W. Randolph

HOLLYWOOD
1708 No. Vine St.

LONDON
8 St. Martin's Pl.
Trafalgar Square

The 1939-40 VARIETY RADIO DIRECTORY, now in editorial and advertising preparation, is an ideal advertising medium for stations and talent.

Consider the value of this PAID CIRCULATION:

AGENCIES buying 96.5% of all national radio time, both network and spot, each purchased from one to ten copies of the Radio Directory.

SPONSORS whose budgets total well over $65,000,000 annually, not including spot radio, each purchased from one to three copies of the Radio Directory.

ADVERTISING RATES

Full page	$175.00
Half page	90.00
Quarter page	50.00
Bleed, per page, extra	25.00
Color, per page, extra	25.00

(These rates are net)

N.Y. EXPO TEEOFF OF RCA TELEVISION; BUT NO IMMEDIATE SHOW BIZ THREAT

Television Sets Ready for Buyers at $200 to $600—Booking Talent at $100 Top—Eyestrain Lessened—Two-Hour Weekly Schedule

By ABEL GREEN

Television, that moot question, added another epochal chapter last week when David Sarnoff of RCA, figuratively cut the ribbon that officially opened the RCA concession at the New York World's Fair. Ceremonies came the eight miles from Flushing Meadows, Long Island, into the usual battery of visio receivers in the Rockefeller Center tower. There the goings-on were seen by a mob of 100 newspapermen and other invitees.

This time the publicity emphasis is upon RCA sets, which are presently to be marketed. A year ago the RCA-NBC television program schedule was abruptly interrupted when non-RCA sets began to mushroom in Manhattan department stores. Now the RCA sets are in sync with the RCA transmission and the green light is laced down.

Pro-television enthusiasts are pointing out that early Atwater Kent radio sets cost around $350, hence the present RCA television-set price range of $199.50 up to $600 isn't so much out of proportion. Skeptics will continue to point to present-day quality in radio programs and radio reception on $10 sets. Either way, hot or lukewarm, close or far off, RCA has something.

The rear garden of the RCA Bldg. at the Fairgrounds was the setting for announcer George Hicks after NBC prez Lenox R. Lohr introduced RCA prez David Sarnoff for their respective speeches. Both officials impressively emphasized this engineering miracle which may one day bring the entire world into the American homes. Right now the scanning range is 50 miles, as telecast by RCA's radio 'eye' atop the Empire State Bldg. in Manhattan—the world's tallest structure.

RCA, with the official inaugural of the N. Y. World's Fair next Sunday (30) places its television receiving sets on the market. The lowest is an attachment to the present RCA Victor radio sets, whose 1938-39 models were equipped with proper outlets in anticipation of the April 30, 1939 date. This attachment (Model TT-5) costs $199.50, and utilizes the chassis loudspeaker of the RCA Victor radio. The other three individual television sets range in price from $257 to $450 to $600. The $199.50 set permits for an image 3¾ by 4¾ inches. The $600 console tele-receiver is 36 tubes in size and presents a picture 7⅝ by 9¾ inches. (The British visio demonstrations viewed in London last summer, under British Broadcasting Corp.—Baird system—auspices permits a screen-size of eight by 10 inches.)

Much Showmanship Evident Throughout

Setting aside the ceremonials the primary impression in this demonstration was the greater showmanship manifested in every aspect. Switching back several times from the Fairgrounds, eight miles away, to the RCA-NBC television studios in Radio City, the alternation of announcements by George Hicks out on Long Island and Graham McNamee and Bill Stern in Radio City proper, impressed the beholder with the facility of switch-over almost (at least under these controlled conditions) comparable with present-day remote pickups. Of course, the real proof will be in homes under normal conditions.

But the demonstration does stir the imagination. There was a boxing match, for example, between Jack Pembridge, Golden Gloves champ, and Pat Dunne, Police Athletic League star, both 118-pounders, the curtailed three-round bout being staged in an NBC studio for television. Max Baer refereed and Bill Stern announced.

Said the latter, 'Obviously now, ladies and gentlemen, I must alter my broadcast descriptions to conform with the new art. I can no longer describe the blows—you'll see them seconds before I could even formulate the proper phraseology. My annunciorial duties now must veer to a new technique, perhaps that of interpreting the boxing styles of each contender. One boxer, you will see, fights upright and upstanding, in what might be called the Jack Dempsey technique; the other crouches, much as does Henry Armstrong,' etc.

That was significant. Significant also was the fact that big, broad-shouldered Baer, intend upon his refereeing duties, periodically got into the television 'eye's' range, and thus eclipsed some of the blows. With the scanning limitations what they are, long-range televising seems impossible, yet with closeup focus it's inevitable that a referee would get into the way of the scene. It's easy to imagine what—in a championship match—could result, should some crucial blows be struck just as the ring official obstructs full vision.

Also telecast, was a newsreel showing a television studio in operation. This is part of the 'educational' program to telecast informative motion pictures into the home, along with live talent pickup.

Paying for Television Acts; About $100 a Crack

Television proponents can now point to the fact that visio talent is being booked and paid for. True, the money is by no means sparkling—$100 a guester is fancy pay right now—but just the same it's more than in the pioneer days of radio when a violinist and a pianist were considered important 'live' talent, and broadcasting of phonograph records from Aeolian Hall was quite the thing.

Max Gordon, since coming into the RCA family as television coordinator, has been telephoning his stuff over, more or less, what with his present RKO film contract (see the film section), plus his regular play interests. After the introductory periods, when John Royal placed him in charge, Gordon put in Eddie Sobol as a liaison under Tom Hutchinson, visio expert of NBC.

Sobol has bought a few acts like the Franee Sisters, Jane Froman, Moore and Revel, Mitzi Green, Clyde Hager, et al. for catch-as-catch-can telecasts this and next week, during the preliminary dealers' and press demonstrations. When the RCA television machines go on the market, the idea is for two one-hour visio shows per week. Right now it's all experimental, hence intermittent.

But Gordon and Sobol have the ultimate idea to paraphrase the old two-a-day vaudeville into the television medium. Many of the old Lewis & Gordon sketches are being dusted off for telecasting, along with the variety talent, chiefly glamour-girl songstresses, or broad comedy acts such as Clyde Hager's sidewalk pitchman routine.

Definition Is Still Something to Improve

At the RCA demonstration, 15 visio receivers were lined up, side by each, across the huge expanse of wall, so that nobody need look at the screen from an unfavorable angle. The best effect of course is a full-on view.

Some of the screens were in greenish and amber light; most of them white. The amber hue seemed to be a shade better as to clarity. But a desirable definition of physiog is still lacking. This was particularly noticeable when announcer Hicks was introducing the distinguished visitors at the Fairgrounds ceremonies—Major-General James G. Harbord, RCA board chairman; Dr. Vladimir K. Zworykin, inventor of the iconoscope or radio 'eye,' which is the very essence of television; Neville Miller, prez of the National Assn. of Broadcasters; Edwin S. Friendly, biz mgr. of the N. Y. Sun; E. J. Nally, first prez of RCA; Major Gladstone Murray, the Canadian broadcast czar. Dr. Zworykin, who salvoed by the invited guests, in recognition of his vivid contribution to the miracle of television, and the engineers, inventor and engineer hinted of even greater laboratory progress being made right now in the visio field.

From a financial viewpoint, the RCA stock has been active in Wall Street on the strength of its potentialities. Actually, RCA has millions tied up in research. Coaxial cable linking is extremely expensive.

That's the picture of television today.

But it's something for all of show business to think about. It's nothing to fear. The idea of glueing two to six people within the confines of one's home, more or less anchored to a small area, because of the diminutiveness of the screen, speaks for itself.

On the other hand, visio viewing is not now as tiring as heretofore on the eyes. There's no awkward optical feeling, after peering at the tele-screen for 20 or 30 minutes, as has obtained in the past. That's an improvement in the scanning system. The answer, however, may also lie in the almost pitch-dark interior.

Television and its potentialities with a major sports event, horse-race, tennis match, baseball and the like, have been discussed before. That's undoubtedly its major appeal, along with the educational factor where sight, as well as the audio element is a factor.

'It is with a feeling of humbleness that I come to this moment of announcing the birth in this country of a new art so important in its implications that is bound to affect all society,' preluded Sarnoff, and there is no doubt as to the weight and importance with which this prophesy is pregnant. That 'television will become an important factor in American economic life' is not to be doubted.

How soon is something else again. It's still very much in the future, in any wise comparable with the standing that radio enjoys today—or, let's say, with radio of 10 years ago.

Jimmie Fidler taking three weeks off in August and will sub program of his own choosing.

Facsimile Baseball

Cincinnati, April 25.

Crosley's ultra-high frequency station, W8XUJ, broadcast a facsimile play-by-play account of the Reds-Pirates opening game here April 17. Action was phoned from the Crosley Field press box to the studio, where a news rewrite man prepared the material for facsimile transmission.

Pictures of players also were transmitted. Claimed to be the first such facsimile broadcast.

Looks-Minded Again

An idea of acute television-mindedness that obtains today in radio circles is the greatly increased talk being heard of late concerning 'good looking talent.'

Heretofore, the mike being an abstract medium, that was the element least considered.

A. & S. LYONS, Inc.

ANNOUNCE

The removal of their
New York Offices to
515 Madison Avenue
Plaza 3-5181

Radio Division
BILL STUHLER DON STAUFFER

HOLLYWOOD LONDON

Philco Says Programs Lag Set Reception; Unveils Line May 15

Philadelphia, April 25.

It's not reception but transmission that's holding up television, Sayre M. Ramsdell, v.p. of Philco, told VARIETY here yesterday. Problems of broadcasting visio have been much slower in solution, he said, than those of receiving it, with the result that there must be a wait until the broadcasters catch up.

Ramsdell revealed that Philco will introduce a new line of visio receivers at its national convention in French Lick Springs, Ind., May 15. He said they'll be difference in performance, appearance and developments from anything now on the market. They'll be sold through radio dealers.

Philco, Ramsdell said, although it is interested solely in receivers and not transmitters, is aiding in solution of broadcasting problems to speed up sale of sets.

FCC Lukewarm

(Continued from page 1)

is sticking to its fingers-crossed attitude as far as the public is concerned.

Without authority to prevent the marketing of receivers, the FCC position is that consumers can buy sets at their own risk, just as manufactures can invest in production whenever they please. But the stamp of approval will not be given any method being used at the present time except to the extent that experimental licenses issued indicates the regulators feel there is a chance of advancing the art.

Public hearings on proposed standards of the Radio Manufacturers Association seemed probable in view of the indecision whether the art has reached a point where any performance yardstick can be adopted. Three-man committee wrestling with the problem said 'it may be necessary' to get views at an open session before making any final report.

Although unwilling to talk for quotation, the majority of oglers appeared sympathetic to the wishes of researchers and experimenters wanting to begin enjoying some return from their effort and expense, yet simultaneously feared endorsement of any technique will be premature at this stage. Both the public and the art may suffer, members seemed to feel, if decision is reached before developments now under way are carried further.

Lots of Progress

'The committee is of the opinion that undoubtedly the technical development of television has progressed remarkably during the past year and that all concerned in its development are now at a fork in the road with respect to the next phase of providing television as a practical service to the public,' Commissioners T. A. M. Craven, Norman S. Case, and Thad H. Brown announced.

Adoption of standards for part of the spectrum, leaving the remainder of the visual bands available for use of researchers with novel ideas, was thought possible. Feeling of the inspection crew seemed to be that some guides must be laid down, but flexibility is imperative. This division of the reserved frequencies would be a solution to the immediate problem, particularly since it is virtually certain that Commish will not put image transmitters on a regular license basis for an indefinite period.

King Whyte at WLW

Cincinnati, April 25.

King Whyte, formerly with the Don Lee network at KGB, San Diego, Cal., and WALR, Zanesville, O., joined Crosley's WLW staff.

Will announce.

IN BALTIMORE IT'S WFBR
NATIONAL REPRESENTATIVES
EDWARD PETRY & CO.
ON THE NBC RED NETWORK

Spot Campaigns

(New, Renewed or Pending)

Maryland Co. on 220 Stations

Two new-to-radio accounts shortly will be on the air through Austin & Spector Co. One is Maryland Baking Co., Baltimore, which is employing a test campaign using spot announcements three to six times weekly on about 220 stations. They are to be spotted before or after juvenile programs, since the company is trying to sell ice cream and wants to hit the children's market. Test is to go through May, and time may be doubled and run until September if found satisfactory.

Other account is Gum, Inc., Philadelphia penny gum concern. Firm never has tried radio advertising before. After a three-week test in three distinct markets starting May 1, programs may go on about 200 stations on a year-round basis.

Discs for both campaigns have been cut.

Anderson-Pritchard Oil Co., Oklahoma City, sponsoring 'Swingbillies' five days per week on WKY, Oklahoma City.

Elk City Hatchery co-sponsoring with Bell Clothing Company, Oklahoma City, sponsorship of 'Bell Boys' daily on WKY, Oklahoma City.

KWK, St. Louis, landed a sponsor for its baseball broadcast. Independent Packing Co. is the bankroller of the play-by-play program which will be handled by Johnny O'Hara, assisted by Ray Schmidt.

Hyde Park Breweries Assn., St. Louis, 15 minutes, sports commentary (6 weekly) of major St. Louis athletic events. KXOK, St. Louis, through Ruthrauff & Ryan.

International Harvester, six 15-minute noontime newscasts weekly. KFRU, Columbia, Mo. Through Aubrey, Moore & Wallace, Chicago.

WLW, Cincinnati, has 'This Changing World' thrice-weekly 15-minute program for Industrial Training Corp., Chicago, to June 24. Through James R. Lunke & Associates, Chicago.

Also sponsorship of its 'Top o' the Morning' quarter-hour stint, thrice weekly, by the Gardner Nursery Co., Osage, Iowa, for an indef run. Through Northwest Radio Advg. Co., Seattle, Wash.

WCKY, Cincinnati, carrying spot announcements for 13 weeks for the Cincinnati Food Council, blurbing Wednesday 1 p.m. closings by retail grocers. Same station is using 10 time signal spots daily for the Gruen Watch Co.

Socony-Vacuum Oil (N.Y.C.), 30-word announcements, ending May 6. Through J. Stirling Getchell (N.Y.C.). WNAC, Boston.

Gillette Safety Razor, renewal of 39 participations in Yankee Network News Service, ending June 30, thrice weekly. WNAC, WSPR, WTHT, WATR, WEAN, WICC, WNLC, WCSH, WLBZ, WFEA, WSAR, WNBH, WLLH, WLNH, WRDO, WCOU and WHAI. Through Maxon, Inc. (N.Y.C.).

New accounts on WFIL, Philadelphia, recently:

Joseph Lowe Corp., New York (Popsicles), 'Buck Rogers' three times per week for 13 weeks, starting May 1, through Blow agency.

American Credit Co., Philadelphia, three spots a week for 13 weeks. Langsdale agency, Baltimore.

Philip Morris, New York (Dunhill cigarettes), MBS's 'Name Three,' 30 minutes a week for 52 weeks, through Blow agency.

Colgate-Palmolive-Peet, Jersey City (Concentrated Super Suds), 10 spot announcements a week for 13 weeks. Placed by Benton & Bowles.

Goodyear Tire & Rubber, Akron, 10 spots a week for four weeks. Arthur Kudner, Inc., agency.

Kemp & Lane, LeRoy, N. Y. (Kemp's Balsam), six spot announcements a week for two weeks. Placed by Hughes, Wolff & Co., Rochester, N. Y.

WGAR, Cleveland, new and renewed accounts:

Rosenblum Clothing, eight s.a. weekly, 26-week renewal, through Lustig Advertising, Cleveland.

Oldsmobile Motors, six announcements per week, through D. P. Brother & Co., Detroit.

Lever Bros., five three-minute shbts weekly for Rinso, through Ruthrauff & Ryan, New York.

Insurance Budget Service, 26 announcements, through Lang, Fisher & Kirk, Cleveland.

Hire's Root Beer, six spot announcements weekly, through O'Dea, Sheldon & Canaday, New York.

General Motors, nine announcements weekly for thirteen weeks, through Lord & Thomas, Chicago.

I. J. Fox, furriers, 55 short announcements weekly, through Stanley Kaye Agency, Cleveland.

National Biscuit, 15 one-minute talks per week, through McCann-Erickson, New York.

Fanny Farmer Candy, three s.a. each week for thirteen weeks, placed direct.

Land O'Lakes Creameries, four two-minute shots weekly, through Campbell-Mithun, Minneapolis.

Potter Drug & Chemical Co. ('Cuticura'), Malden, Mass. Renewal of 60 30-word announcements, starting April 24, ending May 27, 1939, 12 times weekly, a.m. and p.m. Through Atherton & Currier, Inc., N.Y.C., WNAC, Boston.

Radio Daffodils

Cairo, Egypt.—Visitors to the austere Cairo Museum were startled recently at the sound of trumpets being blown. They were the actual silver trumpets used by King Tutankhamen 3,000 years ago. Horns were being warmed up for a coming broadcast.

Gainesville, Florida.—A member of the Dupont family who recently died is responsible for the University of Florida radio station, WRUF, being all paid up on back bills to program services in New York. A court decided that the deceased Dupont was a Floridian legally and the corresponding probate taxes paid off the state mortgage and made the radio station flush.

Today I Am a —

New Orleans, April 25.

Charles McMillian has worked in all but four departments of WWL here in a week's time. A former salesman, and a personal friend of Vincent F. Callahan, WWL general manager, McMillian is working one day in each department in an attempt to learn all phases of the radio business.

To date he prefers the announcing shift to any he has tried.

JACK CARNEY NEW TOM ROCKWELL AIDE

Jack Carney, who was formerly in charge of radio sales for the Music Corp. of America, has joined the Rockwell General Amusement Corp. as assistant to the president, Thomas G. Rockwell. While with MCA Carney also serviced several hotel accounts.

Results COUNT MOST

WTIC

50,000 WATTS

WEED & COMPANY

RADIO STATION REPRESENTATIVES
NEW YORK • CHICAGO
DETROIT • SAN FRANCISCO

TO THE RADIO INDUSTRY:

During the week of March 22nd through the 28th, 1939, after 21 days' operation at 50 kilowatts, Ross Federal Research Corporation made 140,803 telephone calls, of which 93,470 were completed in these thirteen cities: Cincinnati, O.; Charleston, W. Va.; Columbus, O.; Dayton, O.; Fort Wayne, Ind.; Indianapolis, Ind.; Lexington, Ky.; Lima, O.; Louisville, Ky.; Muncie, Ind.; Kokomo, Ind.; Newark, O., and Springfield, O. To the best of our knowledge this represents the most comprehensive study over the widest territory ever undertaken by a radio station. We believe that the industry generally will be vitally interested in the results of a study of this magnitude. Within the city limits of these thirteen cities alone live 2,056,719 people and in the general territory encompassed within the geographical limits of this arbitrarily defined area (representing only the heart of WLW-land) live some 5,680,095 people. The facts are so startling in themselves that to attempt to dramatize them would invite incredulity. WLW so dominates this territory that day in and day out during the entire week studied 48.3% of all radio homes were tuned to WLW. The leading local station in each of these thirteen markets was able to attract only an average of 22.8%. It is true that this study, of necessity, does not reflect factual data with reference to the great rural audiences in this part of the country . . . the rural audience being the subject of a new study already under way. We believe, however, that we are safe in assuming—and that the industry will readily grant—that our degree of domination of the rural audience is certainly not less favorable than Ross Federal have factually demonstrated it to be in the above cities. Complete breakdowns and analyses of this study are now available and are being distributed.

If you wish specific information immediately, please advise our Sales Department or Transamerican Broadcasting & Television Corporation.

THE NATION'S STATION

CINCINNATI

THE PUBLIC ANSWERS

Samuel Goldwyn's Standards of Showmanship... Hold-overs for **"WUTHERING HEIGHTS"** in City after City...Ed Sullivan reports the news in the NEW YORK DAILY NEWS with its 3 million readers...in the CHICAGO TRIBUNE with its million...in his syndicated column *everywhere*.

HOLLYWOOD

By ED SULLIVAN.

Essay On Picking a Winner

Hollywood, Cal., April 22.—Tremendous success of Samuel Goldwyn's "Wuthering Heights," and the roar of critical praise from every city and town in which it has been exhibited, not only are feathers in his cap, but also serve to define the boundaries beyond which a critic in Hollywood wanders at his own risk . . . There was no critic in this movie colony who did not believe that Director William Wyler's «Wuthering Heights" was a beautiful and moving transcription of the strange story by Emily Bronte . . . Had all of us recorded that fact, we would have been excellent reporters, but most of us went beyond guessing as to whether or not the picture was what the trade calls "box office" . . . Our best guess was that it would not be box office, that it was scaled over the public's head, and so we damned it with faint praise.

Laurence Olivier

Stars in a great picture.

On our belief that the picture was scaled over the public head . . . We forgot completely that you never have to condescend to public taste or intelligence, and that the public is generally a few strides ahead to the crimination . . . What actually happened was that "Wuthering Heights" was scaled above the Hollywood and Vine . . . Throughout the country praise is aroused at Hollywood head, if you are to judge by the faint the critics and the public not only raved over it but testified to their enthusiasm by establishing new box office figures for a film that we did not believe you'd like.

* * *

To this reviewer, "Wuthering Heights" is a sharp lesson . . . It seems to me now that it is the function of a critic to make a critical report only of what occurs on the screen, and not to wander beyond that deadline and guess about the box office appeal . . . If a picture is brilliantly produced, directed and acted, report on those facts . . . Yet I'll confess that heretofore, in an effort to be a conscientious chronicler, I've weighed other factors, in an effort to judge by the faint preview, en route to Marcel's. For a nightcap, I weighed the fact that Laurence Olivier was a comparative unknown, added "Dark Angel," where the strange passions of the story, and this deduced that it would be an artistic triumph but a commercial failure.

* * *

The real reason, of course (it is quite clear now), that the Hollywood critics did not identify the Goldwyn picture immediately for what it was—a significant contribution to the literacy of the screen—was that "Wuthering Heights" was not a formula picture . . . Although all of us have berated movie producers for continuing to make formula pictures, when Goldwyn track, we were away from formula and gave us one, off, the beaten track, we were confused rather than appreciative . . . When he grambled $1,180,000 on a picture that had no equivalent in formula, instead of throwing our hats in the air we failed to measure up to the crisis . . . We threw our hats but compromised by holding onto them.

* * *

Not that the critics of Hollywood alone were faulty in judgment . . . The entire colony guessed wrong . . . There was one man, close to Goldwyn, who protested furiously that the name of the picture must be changed . . . There were other who ridiculed his selection of Olivier as Heathcote, begged him to substitute Bette Davis for Merle Oberon, argued that Niven's roping for the wrong mate . . . Curiously and that audiences would be charm would overpower Olivier's menace, and that only Joe Schenck was sane enough and sufficiently self-detached to appraise the picture at its real worth . . . "It is the greatest picture you ever made, Sam," Schenck told him. "It will do terrific business. People will be glad to get away from all the triteness and sameness of the movies."

* * *

Goldwyn gambled $1,180,000 in the belief that the public would appreciate something different in screen fare . . . He thought that it was high time that some producer step-out and take a chance . . . He took the formula of boy-meets-girl, the formula of a happy ending, and by demonstrating that those who estimate the average mental age of movie audiences at 14 have a mental age of 10.

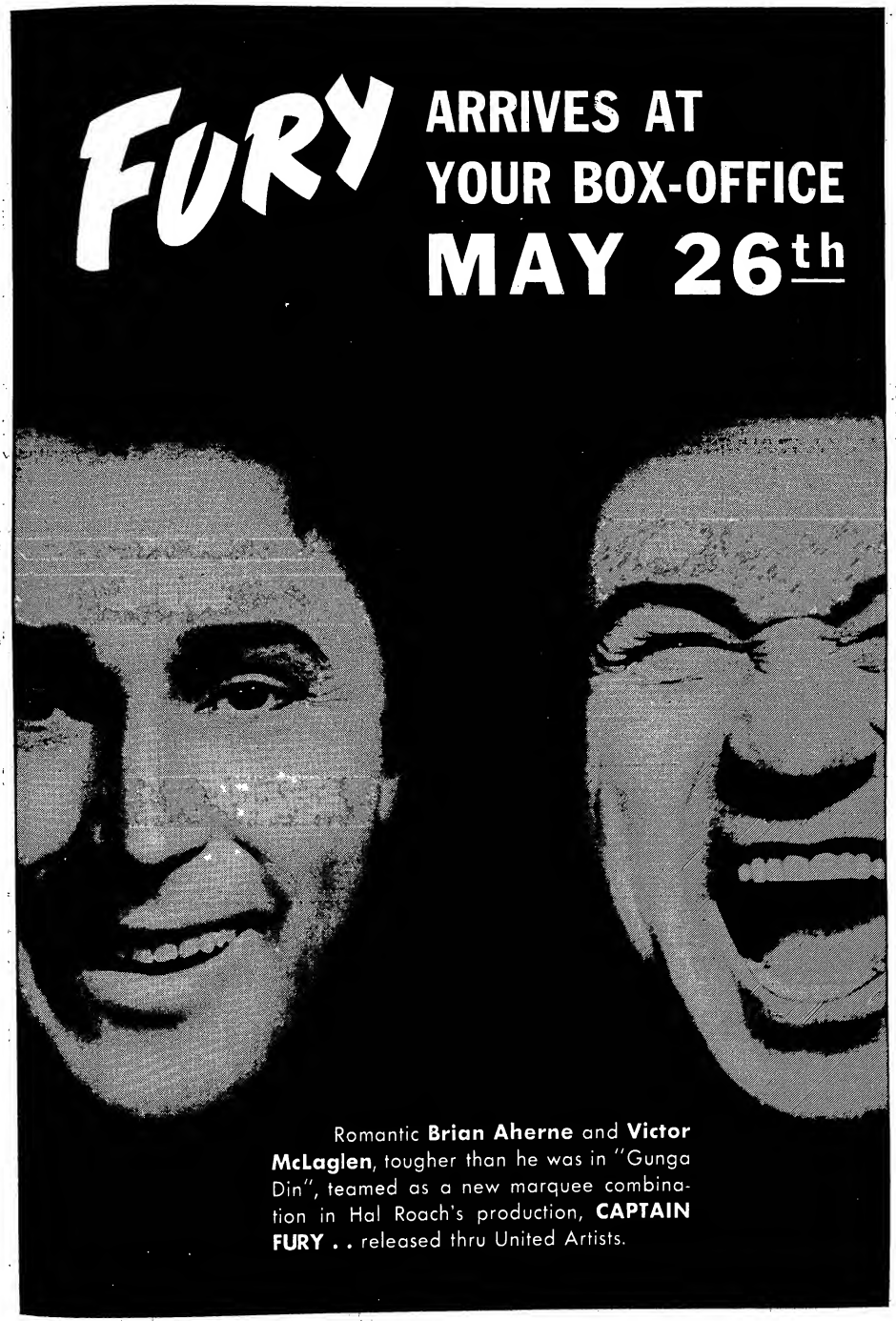
* * *

As a result, every producer in this town who wants to probe distant fields of writing, has been heartened and encouraged . . . Goldwyn's "Wuthering Heights," has been struck off chains and fetters—and artistry has boomed forward, its lungs filled with new air . . . Goldwyn has proved that "trends" in pictures, a cycle of screwball comedies, a cycle of Westerns, a cycle of drawing room adventures, are as unnecessary as they are boring.

* * *

The cause of writing for the screen has been advanced ten years, because the basic strength of the picture was the screen play fashioned by Ben Hecht and MacArthur, the most brilliant piece of work they ever have accomplished . . . The cause of direction has been advanced, because Willam Wyler proved that imagination and subtlety are commercial assets, a fact which always has been disputed by the comschool . . . In every way, "Wuthering Heights" is a magnificent thing for the industry, a fitting another to those who have complained that the screen had prostituted its enormous possibilities . . . And it has served to define the function of criticism as it never has been defined before . . . As the bloke said who was about to chin himself on the gallows: "Gee, this has taught me a lesson I will never forget."

RELEASED THRU UNITED ARTISTS


FURY
ARRIVES AT
YOUR BOX-OFFICE
MAY 26th
Romantic Brian Aherne and Victor McLaglen, tougher than he was in "Gunga Din", teamed as a new marquee combination in Hal Roach's production, CAPTAIN FURY . . released thru United Artists.

Lux Theatre Duplicated in Australia; All the Trimmings as in United States

By ERIC GORRICK
Sydney, March 27.

Lever Brothers' Lux brand soap has launched a pretentious hour's entertainment here over the MacQuarrie network (program reviewed on 2 GB, Sydney) which follows, as closely as Australian conditions permit, the original Monday night hour on the Columbia network in the states. For the inaugural broadcast (Sundays, 8-9 p.m.) a transoceanic telephone greeting came over the equator from Cecil B. DeMille, the curtain raiser of the Yank program. In his remarks he staggered Australian imaginations by stating the Lux Theatre out of Hollywood plays to an audience of 15,000,000 listeners.

Premiere also was marked by cabled greetings from Errol Flynn and Merle Oberon, both with Australian ties. Hugh J. Ward, dean emeritus of the Australian legitimate stage, was a guest, suggesting that the hour will include, besides the narrative portion, personalities and lobby talk similar to the American formula. Included, too, is the 'Douglas Garrick' character as the director. (Not known at time of writing who he really is.)

Irene Purcell, from America, played the lead in 'Interference' as the first on the Lux series. She is here with 'The Women' and is available through the MacQuarrie countship with the dramatic stage over here, without which link the Lux shows could scarcely be cast in a manner befitting the pretentiousness of the whole project.

It is generally felt here that Lux has established new highs for Australian radio and the program can't fail to click.

New producer for MacQuarrie did a zippy job with such an old-time dramatic show as 'Interference,' and polished the whole thing to a brilliant lustre. Waste wordage was thrown out, and the tempo was maintained at a pace entirely unknown on the air before.

Miss Purcell fitted the role of Lady Marley ideally, eliciting without difficulty in her first air performance in Australia. Harvey Adams, a legit trouper of many Williamson-Tait past stage successes, was well cast as Sir John Marley. Thelma Scott and Peter Finch also turned in bright performances. The musical interludes and effects were expertly timed, and the commercial plugs were cut and executed crisply by the studio announcer between acts.

'Interference' is to be followed with 'Hands Across the Table,' with Mary Dees and 'The Bishop Misbehaves,' with Lou Vernon.

JIMMY WALKER
Commentator
15 Mins.-Local
CRAWFORD CLOTHES
M-W-F; 8:15 p.m.
WJZ, New York
(At Paul Lefton)

The ex-mayor of New York is doing a thrice-weekly commentary which gives him appropriate scope. Just now, as he discusses international affairs and with the latter on the double-quick marche militaire, Walker may be at a disadvantage if contrasted with such commentators as Hans von Kaltenborn or Raymond Gram Swing. As regards the public these men have a distinct head start and greater familiarity with the subject.

But perhaps as and whe.. and if t.. European tempo slows down the advantage of Walker's wider range and light touch will emerge as an asset. There is reason to believe that in the fullness of time radio listeners are going to tire of too great solmenity or dramatics. Such psychic technical displays as those put on by some disciples of the scenery-chewing school are particularly due for a point of saturation according to all omens.

Walker's ability as a speaker, his sense of humor, his personality should build an audience. As a newsy commentator he is on solid ground and is not limited to the foreign situation or nation's politics.

Wisely there is no reference to his former political eminence. He's James J. Walker and listeners are invited to suggest themes for discussion by addressing him thus, or, 'if you prefer, Jimmy Walker.'

He recently concluded a once-weekly charity program series over WMCA.

Short shots: Composer Arthur Schwartz guested on the Major Bowes-Capitol Family CBS hour Sunday and, of course, got in a plug for his current 'Stars in Your Eyes.' When it came to quipping about Jimmy Durante's schnozzle, Bowes refused to lead with his own proboscis, smartly kidding that situation. Tunesmith Schwartz medleyed past tunes and a current excerpt from the 'Stars' score . . . .

Tourists will spend extra millions in SALT LAKE CITY this summer.
Have YOU something to sell in this market?
NBC
KDYL
SALT LAKE CITY

FOLLOW-UP COMMENT

Bowens Cook and Ralph Bowman, who got a set of screen roles out of Wrigley's 'Gateway to Hollywood' stunt, were offered into last Wednesday's (19) installment of the Texaco program for a romantic tet-a-tete based on the Abe Lincoln-Ann Rutledge saga. While the writing strained hard on the listener's credulity the two youngsters imparted a keen sense of romantic and dramatic nuances to their lines. Bowman showed a tendency to drop his drawl in moments of tension but this didn't detract any from the skill of his performance. Ann Lusky, impressario of the 'Gateway' series, came on later for a bow and to say how proud he was of the job that they had done.

Rer of the program reflected, as usual, a condition of being top heavy with comics but feather-light in sparkling comedy. It's strictly from the flies and away back to the Gus Sun circuit. Billy Gilbert's dialect contributed much to the fanfare but hardly any solution to the underlying problem of this department.

RCA Magic Key is putting new emphasis on RCA's television, along with radio communications, now that David Sarnoff has officially heralded the company's visio plans. This past Sunday (23) the program highlighted excerpts from the 'Hot Mikado' (reviewed in detail elsewhere), plus Sheila Barrett and Irena Castagna. Latter, Metopera contralto, is a new Victor artist and her vocal stint, significantly hereabouts, her voice.

Miss Barrett's 'Without Honor' monolog was up to her usual high standard. It dealt with a Hollywood-returned satellite who meets grave disappointment in the manner in which her former friends fail to come her back to the fold. Impressionistic monolog was fertile with sound and shrewd values, yet broad enough for general appeal.

Dr. Frank Black was impressively preluded by announcer Ben Grauer's introductories, and the maestro sustained his usually high batting average with classical and a symphonized arrangement of 'Star Dust,' which elevated that pop almost into the classical circle.

Another good institutional buildup for the NBC commercial facilities was announcer Grauer's emphasis on the fact that all advertisers, sponsors and ad agencies are prescrutinized before their products are ballyhooed over the NBC air, thus further insuring the high quality, ethical standards and integrity of the merchandise so advertised. Because RCA values your confidence and good will,' it is interested in favor of the articles exploited on the air, was the essence of the spiel. Then followed another top-off plug for RCA television, which, of course, is in line with the company's new visio sets just going on the market.

Local-boy-makes-good highlighted an unusually good Home & Hearth children's hour Sunday (23) morning, under Paul Douglas' usually capable m.c.'ing, when Ezra Stone, alumnus of the Automat show, did an excerpt from 'What a Life.' His 'Henry Aldrich' is, of course, now a radio standard, as well as a stage classic, and Douglas took occasion to mention that, among the talented young Stone's many achievements, will be the summer groove to succeed Jack Benny during the hot weather layoff.

With Mort Howard a facile and versatile pianologist—he undoubtedly is responsible for much of the painstaking rehearsing, as well as the musical accomp—announcer Douglas pages his juvenile charges wisely and well. As a kid show there's much adult shrewdness evidenced throughout. Each week, the show takes a new pack, so that it's not a haphazard affair—instead it becomes possessed of a central 'theme' with each successive Sunday. This past Sabbath it was baseball. Week before it was the World's Fair, etc. There are excellent mainstays to punctuate the proceedings, such as Percy Twerp, the Fred Allen-Portland Hoffa team, a Baby Snooks taker-offer, Al Richking, a dialectic comedian, plus a basic stock company of adolescent harmonic vocalists, accordion soilst, trap-drum specialist, etc.

Oklahoma radio stations competed last week in observance of the 50th anniversary of the land rush of 1889, the natal day of the state. Most of the stations put together one or more special events, some studio-produced, others remotes of civic whoopdedo. Among the programs covered were these:

KOCY, Oklahoma City—a half hour dramatic effort that got a lot of talk because this small unaffiliated unit was not counted upon for much. Wayne Davenport prepared the script and Marvin Krause carried the lead. With a bunch of amateurs the stanza hit the ozone after only two rehearsals and pulled a surprising audience response.

KTOK, Oklahoma City—Parade and celebration at Guthrie, Okla., 30 miles north of Oklahoma City, was pumped to Mutual as a 30-minute package. It also went to the Oklahoma web. Raymond Ramsey handled the microphone, grabbing interviews with marching biggies and managing to confine the politico spiels to one-minute capsules. Dick Johnson stayed in the vantage booth. Besides the gab, there was plenty of on-the-scene atmosphere and color.

KOMA, Oklahoma City—KTUL, Tulsa—Complete coverage of the festivities was cooked up by KOMA, which fed it to its sister station, KTUL. Most of the events were covered in the hour and a half program, plus 30 minutes description of the parade at nearby Guthrie. Only better knowledge of cowpoke stuff might have improved the announcing.

WKY, Oklahoma City—This NBC outlet ethered a 30-minute program from the municipal auditorium, where the parent, the Oklahoma Publishing Co., staged a two-hour show. Admish of 75c. top was charged. Script written several years ago by Paul Kennedy for a similar presentation was adapted, with Allen Ross' orchestra supplying the background and Earl Hults handling sound. Ralph Abadaher producer.

Irene Castle was Eddie Cantor's guest Monday (24) for Camels. It was brief and vague, not clearly bringing out the human interest story of the dancer, and not giving her much to say that every other guest star isn't handed. She was given a tip reference or two about Cantor's comedy. There was an uncapped reference to his yen to be a dancer. She handled herself well and voice comes across the air nicely. It all seemed to take too much for granted, the recent experience of the film indicating the modern generation needs telling as to who was Irene Castle and the fabled Vernon were.

Rest of the performance had a good spattering of giggles.

THE HOT MIKADO'
With Hazzard Short, Bob Parrish, Eddie Green, Rose Brown, Bill Robinson, William Parson
10 Mins.
RCA
Sunday, 2-3 p.m., EST
WEZ-NBC, New York

RCA liked swingopated Gilbert and Sullivan so much that it did an encore this past Sunday (23) with Michael Todd's 'The Hot Mikado,' following by several weeks its previous broadcast of the WPA production, 'Swing Mikado.' Possessed of more name value in the presence of stager Hassard Short, who also did the commentation skillfully and well, plus Bill Robinson and others, the Todd excerpt was a bright interlude.

Bob Parrish as Nanki-Poo introed, followed by Rose Brown's 'I Living I,' Eddie Green as Ko-Ko, and Bojangles Robinson in the title role. The G&S words and music were faithful in the main, save for the syncopated renditions, but Robinson's 'Make the Punishment Fit the Crime' was more topical with phraseology about numbers, sweepstakes, Father Divine, Joe Louis, etc.

Short's intro was bright and he salvoed Nat Karson's riot of color in the decor. The NBC announcer mentioned that the cops around the Broadhurst, on Broadway, fell traffic to 'live on down,' and withal it was a good trailer for the legit production.

Abel.

'DOGGY DAN' GOES ON

It's Harold Betts Alias 'The Romantic Bachelor'

Chicago, April 25.

Harold Betts and his 'Doggy Dan' show has been renewed for an additional 13-week stretch by the Henri, Hurst & McDonald agency for Red Heart dog food.

New period on NBC here rides from May 8 to Aug. 5. Betts has also established himself on the ether under the other alias of 'The Romantic Bachelor.'

Leadership

A January, 1939, listener interest survey revealed that WWJ led the other three network stations in Detroit by

65% (187%) 207%

Such leadership merits the most careful consideration of advertisers in the Detroit market.

WWJ
Owned and Operated by The Detroit News
Represented Nationally by
Geo. P. Hollingbery Co.
New York Chicago Detroit
Kansas City San Francisco Atlanta

WHY GAMBLE---USE AN ESTABLISHED PROGRAM WITH TESTED SELLING POWER

THE WSAI WONDER KITCHEN

CINCINNATI'S ONLY LIVE AUDIENCE COOKING SCHOOL OF THE AIR

CONDUCTED BY PERSONABLE MARSHA WHEELER, FAMED HOME ECONOMIST AND CULINARY EXPERT

* Attendance averaging over 150 housewives daily, augmented by heavy mail response.
* Guest appearances include nationally-known chefs, food specialists, decorators and celebrities in other fields.
* Scheduled visits and consultations with all women's clubs and social groups.

PRODUCTS FEATURED

WEAREVER ALUMINUM
KNOX GELATIN
OLD ENGLISH WAX
KELLOGG'S CEREALS
DIXIE CRYSTAL SUGAR
IDEAL MEAT PRODUCTS
And Many Others

Call or Write WSAI or Any International Radio Sales Office

—CINCINNATI'S OWN STATION—

Sense of Philly N.A.B. Meeting Seems To Be: 'Get Long-Term Renewal Of Present Deal with Concessions'

Philadelphia, April 25.

Copyright and the impending contract to be negotiated with ASCAP took up the major portion of the semi-annual meeting of the National Association of Broadcasters' third district here last Friday (21). Almost 100% turnout of reps of the 50 stations in the territory were addressed by Neville Miller, NAB prez; Ed Spence, secretary; Paul Peter, research director, and Joe Miller, labor relations director. Ed Kirby, p.a., who completes the NAB's active exec body, was unable to be present.

President Miller, treading carefully to keep from divulging any opinions of his own, outlined the three possible plans that may be employed in the new ASCAP contract—per piece payments, per program payments or a flat sum, as is now used. Miller said he was anxious to get the opinion of the membership and allowed a discussion of the merits and defects of the several plans to rage for several hours.

Majority opinion seemed finally to crystalize into a feeling that a renewal of the present contract, with certain modifications, for a period of five or 10 years might be best. Principal thought was that broadcasters have plenty else to think about and whatever agreement is reached with ASCAP should be for a fairly long period so that they know how much they must figure on paying the performing rights society each year and can stop worrying about it. Major change demanded in the present contract is a clause by which stations wouldn't have to pay ASCAP on programs on which there is no music. New pact would combine per program and flat payment plans. Even if they have to pay ASCAP just as much as now, broadcasters gave the impression they'd feel better if they weren't paying for non-musical programs.

Miller also spoke on the new code to govern broadcasters. He said it will absolutely not be railroaded through at the Atlantic City convention, but that each member will receive a copy for study before that time.

Peter revealed that he and Spence recently met with reps of the National Retail Dry Goods Association, of which practically every department store in the country is a member, to answer the group's question: 'Of what use can radio advertising

(Continued on page 32)

3 IN ST. LOUIS ASKING 630 KC.

St. Louis, April 25.

What started several weeks ago as a solo application for 630 kc. by KXOK, owned by Star-Times Publishing Co., and then grew into a duo when KSD, owned by the Post-Dispatch, did likewise, was further extended last week when KWK filed an application for the same wave length. And the end is not in sight. There are reports in local radio circles that WEW, a daytime station operated by the St. Louis University, and WIL may also ask FCC to grant them further concessions.

KFUO, owned by Lutheran Synod of Missouri, Ohio and other states, also is in the limelight, as it is protesting, in the United States Court of Appeal in Washington, against a ruling of FCC that denied it full time. Only KMOX, local CBS outlet, and WTMV, the East St. Louis low-watter station, are out of the turmoil which promises to be one of the toughest FCC has had to deal with in many moons.

Clair McCollough Heads Pennsy N.A.B.; Strengthen Code, Assess Members

Philadelphia, April 25.

Clair McCollough, of the Mason-Dixon radio group, was elected prez of the Pennsylvania Broadcasters Association at annual elections held following the NAB regional meeting held here last Friday (21). McCollough, former secretary of the organization, switched posts with C. G. Moss, of WKBO, Harrisburg, former prexy. Clifford Chafey, WEEU, Reading, was named v.p., and Dr. Leon Levy, WCAU, Philly, treasurer.

With 34 of the 38 stations in the state belonging to the association, it was decided to consolidate and strengthen it. Two moves to carry out this aim were effected. First was the adoption of a permanent charter to replace the loose document under which the PBA had been functioning. Second was the levying for the first time of dues. All stations, regardless of size, will pay $25 a year.

Along the same lines of making the association more active in the welfare of the members, a legislative committee was named. It will be headed by McCollough, who'll be aided by Isaac D. Levy, WCAU; Sam Rosenbaum, WFIL; Chafey and Moss.

In the only other business transacted, the meeting passed a resolution introduced by Rosenbaum expressing confidence in the work of the NAB copyright committee.

Schilling, Goldenberg, WHB, All Celebrate 17th

Kansas City, April 25.

Station WHB last week celebrated the 17th anniversary of its founding. Event inspired an interview-type program dramatizing the services of John T. Schilling, general manager, and Henry E. Goldenberg, chief engineer, to the station.

Both have been with the station since its origination in 1922.

Sayle Taylor On Coast

Los Angeles, April 25.

Voice of Experience (M. Sayle Taylor) will broadcast his Lydia Pinkham program from KHJ during May and June.

Supreme Court Ducks Question Of Re-hearings; Issue Raised In Political Black River Case

Washington, April 25.

Question of how many hearings the FCC may hold before making up its mind remained unanswered this week after the U. S. Supreme Court refused to scrutinize the hoary Black River case. Final attempt to block another testimony session failed with the rejection of a petition for review of the D. C. Court of Appeals' turn-down of an injunction which would have prevented the Commish from covering the same ground for a second time in three years.

While no comment explained the motives of the top judges, the curt denial gave the FCC reason to hope there may be relief from the admonitory attitude of the intermediate tribunal, which has slapped the regulators frequently in the past few months. The Supreme Court agreed that an injunction cannot prevent the regulators from ordering a new hearing on their own initiative and from failing to either grant or deny the reopening plea of a disappointed applicant.

Unelaborated 'certiorari denied' closed the book—except for the formality of asking a reconsideration—on the legal sparring which has grown out of the political worries about who should have a station in Watertown, N. Y. First radio case in several years to be laid on the Supreme Court threshold.

Husing Relays to WMCA

WMCA, N. Y., will pick up the first overflow of sports activities originally scheduled for WABC-CBS Friday (28). Station will air the Penn Relays from Franklin Field, Philadelphia, with Ted Husing describing. Games spill over to Saturday.

Saturday afternoon the indie will air races from Jamaica horse track, N. Y. Bryan Field does the commentary on the latter.

Fred Allen's Life

Cincinnati, April 25.

Answering a request for permission to dramatize his life on Josef Cherniavsky's 'My Lucky Break' program, Fred Allen last week wired Eldon Parle, NBC's Cincy rep: 'My life will probably make a good station break.'

The Allen episode will be aired April 30 by WLW and the Mutual network.

GROUP THEATRE UP FOR RADIO

Radio deal for the Group Theatre is being sought by the William Morris office. Agency yesterday (Tuesday) obtained authorization to handle the legit acting outfit and will try to line up a summer network sponsor somewhat along the lines of the Mercury Theatre's Campbell's soup setup.

Details are still vague, but a number of outside radio writers have been queried for ideas for scripts. Another tentative proposal is to do adaptations of past Group stage successes, such as 'Men in White,' 'Gentle People,' 'Awake and Sing,' and 'Golden Boy'. Group board of directors is anxious to work out a deal for a summer spot to cover the outfit during its annual out-of-town work period. In that case the broadcasts might originate at the organization's hideaway or the company might come into town for each program. Idea is that a single half-hour or hour weekly spot would be used, rather than a daily or semi-weekly airing.

Announcing the appointment of

ROBERT F. LATHAM

as Assistant to the Commercial Manager

IN CHARGE OF SALES PROMOTION

WCAU

PHILADELPHIA

Politicians in Fund-Needy Pennsylvania Yum-Yum Idea of Taxing Sets

Philadelphia, April 25.

Proposal to tax radio sets has been made in the state legislature by Senator George Woodward of Philly. He estimated it would raise untold millions for relief and other purposes without, he guesses, causing too much of a squawk from set owners. Other officeholders not unsympathetic.

With commonwealth's finances in extremely bad shape and getting worse daily, by the time the legislature meets in a skedded special session to go over finances next January, it'll be ready to jump at anything figured to bring in coin.

Hustler WJBL, Decatur

Decatur, Ill, April 25.

As one of its special Radio's Open House Week programs, WJBL last Friday night (21) broadcast parts of 23 local shows within a single hour. They included 12 with studio talent, six remote control pickups and five transcribed shows.

Of the other four special broadcasts one had to do with television, while another was a staff program before the Kiwanis club, including two shorts selling the local angle of the American plan of broadcasting. Remaining two consisted of a show tagged, 'Meet the Staff,' and 'I Am the American Listener.'

TO COVER GREAT BRITAIN YOU MUST USE
RADIO NORMANDY
Full Particulars of Air Time & Talent from
INTERNATIONAL BROADCASTING COMPANY, LTD.
32, PORTLAND PLACE, LONDON, W.1.

Dear NBC:
"WILL YOU LOVE ME IN DECEMBER AS YOU DO IN MAY?"
"DON'T FORGET"
ALLEN PRESCOTT
Fridays, 8:30-9 P.M., WJZ

'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 44/100% 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
IN . . COAST TO COAST
Dir. COMPTON ADVERTISING AGENCY
MGT. ED WOLF—RKO BLDG., NEW YORK CITY

F. C. C.'s WASHINGTON DOCKET

MAJOR DECISIONS

Washington, April 24.

New Jersey: Tentative 'no' on plea of Pillar of Fire organization at Zarepath for an international broadcast station to be used to broadcast to England the same programs and religious material now aired by applicant's local transmitter, WAWZ. In a proposed finding, Commish reviewed the possibility of 'world-wide interference with other local and foreign stations' operating on the frequencies requested in the application, and also pointed to the fact that applicant has formulated no definite program of experimentation. Also doubted that applicant's desire to give religious programs to one country in Europe coincided with need required for granting of international facilities.

Originally organized as the 'Pentecostal Union' at the start of the century, Pillar of Fire is an inter-sectarian group engaged in the teaching of the gospel through the establishment of churches, schools and colleges. Owns two U. S. transmitters, WAWZ and KOPF, Denver, Colo., and exhibited large assets.

Although only about 20, out of 400 or 500 active members of the organization, are located in England, outfit desired to enlarge the scope of its influence and maintain contact with its English workers. Unable to air its programs over BBC, because British stations are 'so controlled that there is not the opportunity there that there is in the United States.'

Numerous engineering reasons for a denial of the application were put forward by Commish. Requested frequencies of 6080, 11820 and 17780 kc are used by U. S. and foreign transmitters and several applications are already pending. Pillar of Fire was represented by John M. Littlepage and T. F. Littlepage, Jr.

Ohio: Final okay for increased operation for WTOL, Toledo, delivered last week in an order by the Commish. Station which has been operating daily only, under special operation, using 100 watts on 1200 kc all times. Proposed finding, recommending a grant, was entered last month.

Texas: Frequency change and additional time granted for KPAC, Port Arthur College, Port Arthur, okayed, after Commish heard oral argument requested by WBAP, Fort Worth, Kans., and the Beaumont (Tex.) Broadcasting Association. Exceptions taken by WREN failed to raise any questions which otherwise full considered by the Commission in arriving at its conclusions,' decision stated. Contention of Beaumont Broadcasting outfit, licensee of KRIC, Beaumont, that applicant would be a serious competitor for commercial support and radio audiences in the area, were not supported in the record.

College station, a non-profit organization governed by a 21-man board of trustees, is now being operated at a net profit of approximately $10,000 per year, evidence revealed. Will increase operating expenses from $2,400 a month to approximately $2,965 following new construction estimated at $16,700. KPAC will provide an interference-free signal to the .5 millivolt per meter contour daytimes, but will be limited to its approximate .5 millivolt per meter contour nights, by WREN-KFRL, Lawrence, Kans., and the 2.5 mv/m by WDAE, Tampa, Fla.

Will furnish considerable additional service to listeners in the area if frequency is changed from 1260 to 1220 kc and night power added at the present daytime assignment of 500 watts, Commish decided.

Frank D. Scott appeared on behalf of applicant.

MINOR DECISIONS

Connecticut: WTIC, Hartford, granted installation of directional antenna system for night operation to be used on special experimental authorization on 1040 kc with 50 kw, operating simultaneously with KRLD, Dallas, Tex.

Ohio: WOSU, Ohio State University, Columbus, granted night power boost from 100 watts to 1 kw.

Texas: KVWC, Northwestern Broadcasting Co., Vernon, granted day power increase from 100 to 150 watts.

SET FOR HEARING

Alabama: WCOV, John S. Allen and G. W. Covington, Jr., Montgomery, increase time of operation from daytime to unlimited with 100 watts (Commissioner Thompson not participating).

Indiana: Samuel M. Emison, Vincennes, new station to be operated on 1420 kc with 100 watts.

North Carolina: WBIG, North Carolina Broadcasting Co., Inc., Greensboro, jump day power from 1 to 5 kw and install new equipment and vertical radiator; WMFR, Radio Station WMFR, High Point, N. C., increase day power from 100 to 250 watts; Catawba Valley Broadcasting Corp., Hickory, new station to be operated on 1370 kc with 100 watts nights, 250 watts days.

New Jersey: Neptune Broadcasting Corp., Atlantic City, new station to be operated on 1420 kc with 100 watts nights, 250 watts days.

Texas: KNEL, G. L. Burns, Brady, increase power and time of operation from 250 watts days only to 100 watts nights, 250 watts days.

NEW APPLICATIONS

Minnesota: Lakeland Broadcasting Co., Willmar, new station to be operated on 680 kc with 250 watts.

Missouri: Change frequency from 1350 to 630 kc, change antenna, directional antenna for night use, requests facilities of KFRU, Columbia, and WIBW, Topeka, Kans.

Nebraska: Nebraska Broadcasting Co., Hastings, new station to be operated on 1100 kc with 100 watts night, 250 watts days.

North Carolina: Radio Station WMFR, Inc., High Point, new relay broadcast station to be operated on 1622, 2058, 2150 and 2790 kc with 50 watts power, A3 emission.

Pennsylvania: WBAX, John R. Stegner, Jr., Wilkes-Barre, involuntary assignment of license to Stegner Broadcasting Corp.; Union Broadcasting Co., Scranton, new station to be operated on 1370 kc with 100 watts nights 250 watts days.

Rhode Island: WRIC, Cherry & Webb Broadcasting Co., East Providence, install new transmitter, make changes in directional antenna (using directional antenna nights only) boost power from 500 watts nights, 1 kw days, to 1 kw nights, 5 kw days, move transmitter locally.

Utah: KEUB, Eastern Utah Broadcasting Co., Price, authority to transfer control of corporation from Sam G. Weiss, to A. W. McKinnon and Jack Richards, 2,542 shares common stock.

New A.F.M. Demands Due

(Continued on page 21)

ple week of 1938 (March 6). Unionites plan to make belated use of the fact that less than half of all music—which made up 52.45% of all program hours during the typical week—is rendered by live performers.

Weber Raps Wax

Intention of moving in on broadcasters again became known after Weber appeared before the FCC chain-monopoly probers Tuesday (18) to fight efforts of the transcription makers to have the 'stigma' removed from canned programs. Weber insisted indignantly that transcriptions cannot touch the performances of live talent and backed up his general opposition with a private ultimatum to RCA.

Dropping of approximately 9,000 musicians now on the government rolls is threatened by the attempts to economize and change the entire Works Progress Deal relief program. The broadcasting business would take on a substantial portion of those who will be fired if, the union heads contend, particularly since the industry as a whole is making a satisfactory profit, according to FCC statistics.

Testimony of music canners before the FCC probers ired Weber who buddled with chiefs of the American Federation of Labor, parent body, about the threatened WPA lay-offs. To supplement his declarations at the chain-monopoly hearing, the union leader privately conveyed the threat to transcription people that his members will be ordered to cease playing for recordings unless the drive for present changes in the phonograph rule is called off. The musicians are not anxious to have engagements of this kind, he advised an RCA executive, and unemployment among their ranks is so great that drastic measures will be necessary unless all branches of the radio business help provide more work for card-holding tunesters.

A. F. of L. Disturbed

Imminent danger of a shut-down of the WPA white-collar projects, affecting the A.F.M. more seriously than any other member of the union family, brought help from William Green, president of the parent organization. On behalf of the tunesters, he served notice on Democratic leaders in Congress that union strength will be thrown against the pending Byrnes bill which, in present form, would result in sharp curtailment if not complete cessation of the music and theatre projects.

Even though the proportion of live-talent at work may have mounted in the past year, the AFM has seized upon the FCC's statistical studies as valuable ammunition for a war with broadcasters. But in expectation the industry will contend the picture is much more favorable to the unions as of 1938, Weber is calling on heads of locals to report the extent to which stations are making greater use of union members.

147 Exceptions

With 739 locals, the AFM can supply tunesters in every city with a radio station except 147, Weber declared. All members are competent to perform before mikes, in his judgment. He noted the number of conservatory musicians in the U. S. is not exceeded in any other nation and pointed to the unequaled American symphonies.

'Musical talent can always be found if the broadcasters are willing to pay for the services of such talent,' Weber said, adding the Federation is ready to supply every plant in this country and Canada.

The number of musicians employed on a regular basis by transcription companies is insignificant compared with the use made of platters, Weber complained. No specific figures were given.

Tom Ronald, senior producer at Radio Normandy, back in circulation after two months down with a leg injury.

Al Warner to CBS As Baukage Joins NBC; Gallery Rights Won

Washington, April 25.

Radio news fraternity acquired a distinguished new member last week immediately after the House of Representatives removed the professional stigma from collecting stories for microphone delivery.

Regular commentator was taken on by CBS, which hired Al Warner, for several years the head of the New York Herald Tribune bureau and former Albany legman. Warner quit the H-T a month ago after a fuss over editorial policies. Program details still to be ironed out, but it is probable he will do a daily interpretive job on both national and international developments, a la Kaltenborn.

With Warner hitching to CBS, shift in similar spieling occurred at NBC. After several weeks of experimenting, NBC substituted H. R. Baukage on the Friday night Blue spot for Theodore R. Huntley. Since the death of George R. Holmes, chief of the local INS bureau, two months ago, Huntley has been plugging the gap, while Baukage has been doing a Sunday night stint. Huntley used to work for the local Hearst rag, while Baukage is an ex-staffer on the U. S. Daily.

The House quickly rubber-stamped the Dempsey resolution providing for a separate aerie for radio newsgatherers. Construction was finished this week, with the mikemen having their own lounge, toilet, phone booths, and section of the chamber balcony. While linked to the press gallery, the radio quarters will be administered entirely by sleuths for the broadcasting business.

When physical problems have been overcome, another perch will be provided at the Senate end of the Capitol.

Don Robbins, former San Francisco sales manager for the McClatchy network in California and recently at KYA, now San Francisco manager for Walter Biddick, station rep.

ANNOUNCER WANTED
For New York City
Start $80.00 a Month
Immediate Employment
Write Full Details
BOX 25
Variety, New York

WBAL
means business in Baltimore

Thanks Springfield!
PAUL WHITEMAN
AND HIS ALL-AMERICAN BAND
ARTISTS MANAGEMENT, INC.
17 E. 45th ST., N. Y. C.
Paul Whiteman attraction terrific. Street lines block long. Broke house stage show records despite ordinary picture. Regards,
HARRY STORIN, MGR.
PARAMOUNT THEATRE
SPRINGFIELD, MASS.
Booked EXCLUSIVELY By
ARTISTS MANAGEMENT, Inc.
17 EAST 45th STREET NEW YORK
Telephone—MUrray Hill 2-1880

Tune In
CHESTERFIELD PROGRAM
CBS, Coast-to-Coast
Wed. 8:30 P.M. EST

LOW-DOWN RHYTHM IN A TOP HAT
AL DONAHUE and his Orchestra
Opening RAINBOW ROOM, New York, May 10th
VOCALION RECORDS . . . NBC
Direction: ROCKWELL-GENERAL AMUSEMENT CORP.

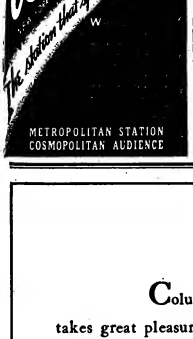
FCC ANGRILY RAPS COURT

Theatre Authority Forces New York Fund to Share With Theatrical Unions

As a result of pressure by the Theatre Authority, the various theatrical charities this year will share in the disbursements of the Greater New York Fund. Agreement to that effect permitted a host of show business names to participate in two Fund benefit radio shows. Fund officials in former years had refused to cut theatrical charities into the distribution of coin.

But with the American Federation of Radio Artists now co-operating, the TA was able to ban any gratis air appearances of radio, stage or screen stars unless the theatrical charities participate in the Fund proceeds. Actual amount to be obtained from the Fund is uncertain, but will be decided in subsequent confabs. Fund execs have orally agreed to cut the actors in for a share, however.

TA will distribute about $15,000 to various participating groups tomorrow. Various unions, including AFRA, Equity, Screen Actors Guild, American Guild of Musical Artists and American Federation of Actors, Dramatists Guild will get 78%, while the charities such as Actors Fund, Stage Relief Fund, Authors League Fund, etc., will come in for 22% direct, plus whatever the unions pass on to them. TA has disbursed about $90,000 since its formation four years ago.



SHY OFF BLASTS AT FATHER COUGHLIN

Detroit, April 25.

Stations WJBK and WMBC have refused to contract with so-called League for Peace and Democracy a series of anti-Coughlin talks. These are already on CKLW here.

Talks are going after Coughlin with about the same punchiness that the cleric goes after his enemies. Radio stations didn't fancy the prospect of embroilment in a cat and dog fight.

Gal Singer Newscasting

Cincinnati, April 25.

A new femme 15-minute program, 'One Woman Speaks,' with Elizabeth Arnold, starts on WLW May 1. Will be aired Monday through Friday at 3:45 p.m.

Miss Arnold has been on the Crosley staff since 1933 as a singer and actress. News spieling is new stuff for her.

WHAS Staff Revampings

Louisville, April 25.

Foster Brooks from WHAS to WGRC as spieler. Dolly Sullivan, publicity and promotion, and Helen I. Mitchell, assistant program director, have left WHAS.

Miss Sullivan's duties are being handled by John Hoagland, Courier-Journal and Times promotion department, and Miss Mitchell's program chores are now carried by Herbie Koch, station staff organist, and Ed Barrett, librarian.

Columbia Artists, Inc.

takes great pleasure in announcing the appointment of **Mr. Jack Bertell** as director of its newly created personal appearance department. This division will specialize in television, cafes, night clubs and private parties. Mr. Bertell, who has had his own agency for many years, will offer his knowledge and experience to those under management to Columbia Artists, Inc.

COLUMBIA ARTISTS, INC.
485 Madison Avenue • New York

D. C. SLAP-DOWNS ON APPEAL IRK

Brief Says Judges Are Telling FCC How to Run Its Business—Pottsville Case Drew Double Reprimand, Second for FCC Allegedly Trying to Squirm Out of First Decision

EYEBROWS UP

Washington, April 25.

Fighting between the FCC and the judiciary took a new turn last week, with U. S. Supreme Court review to be sought later, when the regulators charged the District of Columbia Court of Appeals is usurping its functions and trying to administer the Communications Act. Brief supporting a plea for rehearing of the recent decision in the Pottsville case contained accusation judges are telling the Commish how to run its affairs and going far beyond their legal precincts.

Strongly-worded documents—amazing more cautious barristers who felt the language came close to being contemptuous—were filed by General Counsel William J. Dempsey in attempt to gain a free hand for a new ventilation of the applications of Pottsville Broadcasting Co. and Schuylkill Broadcasting Co. for stations in the same Pennsylvania community. Commish originally turned down the Pottsville Broadcasting Co., but the D. C. court held the decision was capricious; three weeks ago judges practically commanded the FCC to issue a permit, chiding the regulators for attempting to wiggle out of the first adverse ruling.

Chain of unfavorable decisions by the appellate body obviously has infuriated the FCC. Indignation has reached the boiling point, with Commish attorneys determined to attempt to have the Supreme Court referee the tiff in the event the intermediary court does not back down. But the Pottsville Broadcasting group is equally determined to exhaust every resource and will ask the Supreme Court to review the whole fuss, if they lose the latest round.

In remanding the case for reconsideration, the court laid down such restrictions that there is no loop-hole through which the Commish can crawl. The rebuff was made more distasteful by the judges' announcement that a mandate, directing the issuance of the construction permit, will be granted if the FCC does not act within 20 days, which are up next week.

The court held that the two applications cannot be linked, since the Pottsville Broadcasting Co. was the first comer. Decision remedying the legal deficiencies in the first action must be based on the original evidence, not on new testimony tending to show which of two contenders is the best fitted for the assignment, judges said.

FCC's Philosophy

In asking another chance, Dempsey said the Commish does not believe the court gave due weight in its recent decision to the FCC's responsibility of executing the statute in the public interest. If perpetuated, the view taken by the appellate judges will necessarily cause subordination of public interests to the interests of particular applicants, he declared.

When the local court decides a case on appeal from the FCC, Dempsey maintained, the proceedings is terminated. Although the regulators are required to respect the court's judgment, the Commish still has the same duties to perform as it had before the appeal was taken, he said. The General Counsel pointed out that the judiciary cannot exercise administrative power. In surprisingly direct fashion, he reminded the judges that they are not a commission of a super regulatory agency. The powers of the judiciary are carefully limited, he observed.

Logical inference from the recent Pottsville decision, Dempsey said, is that the FCC may be controlled by the court at all times to the same extent that an appellate body can direct the performances of a lower court. Route taken by the Commish in determining a case is not subject to court control, either before or after an appeal, he maintained.

With the Commish seeking to upset the ruling which bars reopening of the case to hear both applications jointly, the Pottsville Broadcasting Co. is preparing to ask for the writ of mandamus compelling the FCC to grant the construction permit as soon as the waiting period is over.

Henry Dupre Patched Up

New Orleans, April 25.

Henry Dupre, WWL Special Events Director, reported back to work Friday (21), after being out several days as a result of auto accident. Doctors took six stitches in one knee, three in arm and treated lacerations of face and arms.

Car crashed a telephone pole.

Night Watchmen's Poll

New Orleans, April 25.

Station WBNO counted 17,903 piece of mail within one week to the two-hour dance program heard from 12 p.m. to 2 a.m. each morning.

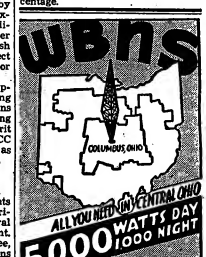
Response was in answer to program's search for city's 'most popular night watchman.' Program is sponsored by Jackson Brewing Co. in behalf of Jax Beer. WBNO is the only 24-hour station in Louisiana.

MAIN STREET BARN DANCES

Des Moines, April 25.

WHO has gone into the side-line of producing home-town talent productions. WHO Community Service is the new branch of station's talent subsidiary and will offer itself to organizations seeking to raise funds.

Arthur MacMurray, former professor of public speaking, heads the division, with Miss Pat Griffith as assistant. WHO will send in directors, provide scripts and take a percentage.



GRAB THIS!

Ten-minute, audience-packed Transradio news spots before WOR-Dodgers games now open. Available 3-6 times per week. Priced low. Also, time between end of game and next quarter-hour in package of six. Call, write, wire NOW on these unique buys.

WOR 1440 B'way, N.Y.C. PE 6-8383

BRANCH OFFICES—CHICAGO, Tribune Tower; SAN FRANCISCO, Russ Building; BOSTON, 80 Federal St.

American Record Owes for Songs Wrongly Listed as in Public Domain

Audit by the Music Publishers Protective Association of the books and records of the American Record Co. has disclosed that under the previous regime many copyrighted numbers were listed as being in the public domain, with the result that the company has been remiss in paying off thousands of dollars in royalties. The errors, the MPPA believes, were due entirely to clerical laxity. The pube will be paid about $75,000 that the previous ARC owners left for miscellaneous claims with CBS when the purchase deal was closed.

One copyrighted number in particular which was discovered to have been rated as in the public domain is 'The Love Bug Will Get You (If You Don't Watch Out)' (Santly-Joy-Select). Under a single label on the ARC list the recorded version of this tune had a sale of 9,000 copies.

26 Years Without Credit Or Royalty, Sidelight On Woman Composer's Suit

Mrs. Maybelle Watson Bergman applied to the N. Y. federal court last week to examine Archie Fletcher and Ernie Burnett before trial in connection with her suit over the rights to and an accounting of 'My Melancholy Baby,' Burnett, who wrote and copyrighted the tune, is her former husband, while Fletcher is head of the Joe Morris Music Co., which now publishes and has the renewal of copyright on the song.

Mrs. Bergman claims she wrote the number in collaboration with Burnett but that for 26 years her name has been left off the title page. Nor has she received any cut in the royalties. By omitting her name, she also alleges, they are hurting her reputation as a composer. She wants an injunction and $20,000, half of the sum she estimates Burnett has derived from the tune.

The defendants deny that she ever had anything to do with the writing and charge that her suit has been instigated by another publisher who wants the renewal rights. They seek a dismissal of the action for laches, or undue delay in asserting her rights.

KING OF EGYPT GETS PEEP AT NEW DANCES

Cairo, April 1.

Tibor Garay and his Band, Hungarian outfit at present playing at Cropp's ballroom in Cairo, played before King Farouk and the Crown Prince of Iran at the ball of the Royal Fencing Club held this week. After leaving the ball 'officially,' the King returned and watched throngs dancing the 'Chestnut Tree' and 'Palais Glide'. People who noticed him on the balcony stopped dancing to cheer but the King signed to them to continue, which they did.

This is probably the first time that the King has watched these modern dances which are not of the type allowed by the Palace.

Pittsburgh in Summer

Pittsburgh, April 25.

Town's two big summer amusement parks, Kennywood and West View, will alternate this season between local bands and name outfits, with some of the latter coming in for one-nighters and others sticking for the usual two weeks. West View gets under way May 20 with Fran Eichler's orchestra, a Pittsburgh crew, and follows with Gray Gordon (one night) and then Earl Mellen, Emerson Gill and Tommy Carlyn, each for a fortnight.

Baron Elliott, who has staff band at WJAS, will launch the dancing at Kennywood late this month, and touring outfits slated for two-week stays at this spot later in the summer include Bunny Berigan, Tommy Tucker, Les Brown and Barney Rapp.

Willows, long one of the top-ranking warm weather roadhouses locally, opens May 22 with Lawrence Welk on a one-nighter and follows with Henry Halstead for one week and Cecil Golley for two.

Providence's Big Affair

Providence, April 25.

Rhode Island Women's Exposition, a combo home, food and beauty show, for which Phil Spitalny's girl orchestra, Ben Bernie and George Hall have been booked, will be aired nightly over station WPRO.

Show will run from Friday (28) to May 6 at the Rhode Island auditorium.

BALTO COLISEUM OPENED BY BERNIE

Baltimore, April 25.

The Coliseum, new arena, will get under way here tomorrow (26) with Ben Bernie's orchestra as opening attraction. New fireproof building will be utilized for fights, wrestling matches, basketball and all other sport events. Plan to use top flight name bands on off nights for public dancing. Tommy Dorsey probably following Bernie.

Dance scale, 85c top, with floor, largest in town. Ed Kurland, managing.

Philly FTP to Trace Tom-Tom to Clarinet

Philadelphia, April 25

History of Negro music, from the jungle to present-day swing, will be traced in a modern dance and musical presentation by the Federal Theatre Project at the Walnut Street theatre, starting May 22. It's booked for an indefinite stay.

Show will be tabbed 'Prelude to Swing', from the text of Carleton Moss, Negro playwright, under the direction of Malvena Fried. Fifteen terpers will work against a background chorus of 25 voices and a Negro swing band.

Berlin's Must Be Quizzed In 'Snow White' Tune Suit

Walt Disney Productions and Enterprises, Inc., need not be examined before trial, but Irving Berlin, Inc., must be, according to the decision Monday (24) by Supreme Court Justice Alfred Frankenthaler in N. Y. These corporations are defendants in a $250,000 action brought by Modest Altschuler, charging the plagiarism of the chorus of his song, 'Russian Soldier's Song,' in 'Whistle While You Work,' out of the 'Snow White' score.

Disney succeeded in avoiding being examined on the grounds that it is a California corporation and not responsible here. A transfer of the suit to the Federal court or taking of depositions in California are the plaintiff's alternatives.

Music Notes

Johnny Burke and James Monaco wrote 'Go Fly a Kite' for Bing Crosby in 'The Star Maker' at Paramount.

Victor Young scoring Paramount's 'Man About Town.'

RKO bought five songs from Aaron Gonzales for use in 'The Dove.'

Walter Jurman doing the songs and music score for 'The Miracle of Main Street' at Grand National.

Herbert Stothart and Georgie Stoll scoring 'The Wizard of Oz' at Metro.

Max Steiner doing the musical score for 'Gone With the Wind' at Selznick-International.

Phil Regan signed to record 24 songs for Brunswick.

Dr. William Axt scoring 'Maisie Was a Lady' at Metro.

Marx Brothers wrote 'The Elephant Never Forgets,' to be sung in 'A Day at the Circus' at Metro.

Werner Heymann and Frank Harford sold their song, 'Dusty Trails,' for use in Metro's 'Maisie Was a Lady.'

Sol Lesser bought two songs by Clarence Muse and Langston Hughes. Ditties are 'Louisiana' and 'Good Ground,' for use in the picture, 'Way Down South.'

Charles Rinker, who used to be with Irving Berlin, Inc., has rejoined Harry Link at Leo Feist, Inc. Rinker will specialize in radio contacting.

Eddie Ward and Dave Snell scoring 'Thunder Afloat' at Metro.

Southern Music Co. publishing Aaron Gonzales' five original melodies for RKO's 'The Dove.'

KOETSER OF HOLLAND DUE IN UNITED STATES

D. Koetser, of the Metro Music Co. in Amsterdam, arrives in New York next week for double-o as the publishing business and the World's Fair.

His firm has the Dutch agency for the Francis Day, Peter Maurice, Chappell, Feldman and J. R. Lafleur catalogs.

WFIL, Philly, Remotes Beaches and Mountains

Philadelphia, April 25.

Heaviest remote schedule in its history in planned by WFIL during the summer. It'll extend southeast to the beaches along the Atlantic coast and north to mountain resorts in the Poconos. Tentative plans call for wires to Atlantic City, Wildwood, Somers Point, N. J., Corsonia, Pa., and Delaware Water Gap.

Arrangements have also been made for 21 dance remotes weekly from hotels and niteries in town.

Starr in Charge as Morris Leaves

Deal with Max Dreyfus Expected to Be Morris' Next Music Publishing Move

Edwin H. (Buddy) Morris, who was succeeded this week by Herman Starr as general manager of the Warner Bros. publishing group, is reported to be coming back to the business soon in a new setup which will have the Crawford Music Corp. as its nucleus. Cited as partners in the new project are Max Dreyfus, who owns the Crawford Music, Morris, and the songwriters, Johnny Mercer, Al Dubin and Harry Warren. Dubin is currently under a short-term contract to Warners while the other two have not had their WB contracts renewed.

If the stock splitup suggested goes through, Dreyfus and Morris will between them hold 75% of it, while the remaining 25% would go to the three writers. It has not been decided whether the name of the firm will be changed to embrace the monikers of the writing threesome. Were this to happen it would be a case of history repeating itself. The firm's original tag was DeSylva, Brown & Henderson, all songwriters.

Matter of setting up firms for or allocating catalogs to noted writers or a partnership basis is nothing new to Dreyfus. His previous works in this direction are the George Gershwin Publishing Co. and T. B. Harms, Inc., which holds many of the important Jerome Kern copyrights and at which Kern has a major block of stock.

Starr took over Morris' former duties at Radio City Monday (24). Starr holds the title of president of the WB subsid, which controls all the company's music publishing, jobbing and retailing interests, and he is also a v.p. of Warner Bros. Pictures, Inc. While he will concern himself exclusively with the music company's publishing operations, Starr will not give up his directorships in Decca Record Co. and Muzak, Inc.

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 (April 17-23). Total represents accumulated performances on the two major networks from 8 a.m. to 1 a.m. Symbol * denotes film song, † legit, all others are pop.*

TITLE.	PUBLISHER.	GRAND TOTAL.
Our Love	Chappell	47
Little Skipper	Feist	38
And the Angels Sing	BVC	37
Moon Is a Silver Dollar	Robbins	36
Little Sir Echo	BVC	33
Heaven Can Wait	Remick	32
I Cried for You	Miller	31
Deep Purple	Robbins	29
I'm Building a Sailboat of Dreams	Shapiro	28
Don't Worry 'Bout Me	Mills	25
Sing Song of Sunbeams...*East Side of Heaven	Santly	24
Masquerade Is Over	Crawford	22
Wishing...*Love Affair	Crawford	22
Begin the Beguine	Harms	21
East Side of Heaven...*East Side of Heaven	Santly	21
Funny Old Hills...*Paris Honeymoon	Paramount	21
We Come Along Way Together	Feist	21
Tears from My Inkwell	Witmark	20
This Is It...†Stars in Your Eyes	Chappell	20
Gotta Get Some Shuteye	Berlin	19
At a Little Hot Dog Stand	Spier	18
Hold Tight	Exclusive	18
Lady's In Love with You...*Some Like It Hot	Paramount	18
Romance Runs in the Family	Ager	16
I Get Along Without You Very Well	Famous	17
I Promise You	ABC	16
My Heart Belongs to Daddy...†Leave It to Me	Chappell	16
Penny Serenade	Shapiro	16
Cuckoo in the Clock	Berlin	15
New Moon and an Old Serenade	Berlin	15
Chopsticks	Shapiro	14
Could Be	Santly	14
Hang Heart on Hickory Limb...*East Side	Santly	14
How Strange...*Idiot's Delight	Feist	14
Step Up and Shake My Hand	Famous	14
Chestnut Tree	Shapiro	13
I Want My Share of Love	Harms	13
It's All Yours...†Stars in Your Eyes	Chappell	13
It's Never Too Late	Berlin	13
Snug as a Bug in a Rug	Paramount	13
Sweet Little Business...*Paris Honeymoon	Paramount	13
Honolulu...*Honolulu	BVC	12
Night Must Fall	Marks	12
That Sly Old Gentleman...*East Side of Heaven	Santly	12
Happy About Whole Thing...*Naughty But Nice	Remick	11
It I Had My Way	Paull-Pioneer	11
Strange Enchantment...*Man About Town	Famous	10
Down Yonder Longer Lane	Morris	10
Patty Cake	Fox	10
S'posin'	Davis	10
Ain't What You Do	Leeds	10
Three Little Fishies	Santly	10

Inside Stuff—Music

The 'spostrophe' song by ABC Music Corp. (Berlin, Inc., subsid), is properly titled 'I' Had It Comin' to You.' It was falsely misspelled in last week's VARIETY ad.

Sentences of from 10 to 30 days were meted last week in Special Sessions court, N. Y., to five peddlers of contraband songsheets who had been netted by the police in a cleanup of the Times Square area.

The arrests were made at the instigation of Arthur Hoffman, chief investigator for the Music Publishers Protective Association.

New York musicians union has put the Stasny Music Corp. on its unfair list for failing to signature the new contract covering arrangers, copyists and proofreaders. Union claims that the industry is otherwise 100% under pact.

New contract became effective Jan. 1, 1939, and is for two years.

The nom-de-sheet music on 'Hold Tight' (Exclusive Publications) reads Kent Brandon and Robinson Ware Spotswood as the authors. That mouthful represents Larry Kent and Jerry Brandon (ofays) and three colored boys, Willie Spotswood, Ed Robinson and Leonard Ware.

Just as the Fishery Council of New York and the Mid-Atlantic area 'adopted' the novelty song as a theme for its seafood dealers, the original lyrics have been banned by NBC and an innocuous set of wordage substituted, none of which mentions anything about 'want some seafood.'

Litigation between Miller Music, Inc., and the Jerry Vogel Music Co. over the renewal rights to 'Sleep' has been largely brought out by the tune's uses on the air. Fred Waring uses it as his theme song. Vogel claims that as the assignee of the copyright renewal of 'Visions of Sleep,' on which the tune, 'Sleep,' had admittedly been based, he automatically becomes the publisher of the latter number. It is his contention that a license based on a copyright ceases to be void when the term of the copyright involved expires. Miller is suing in the N. Y. supreme court for an adjudication of this claim.

'And the Angels Sing,' which has been creating trade comment, is a jazz version of an old Yiddish tune. Ziggy Elman, trumpeter with the Benny Goodman orchestra, wrote it originally under the title 'Fralich in Swing' ('Happiness In Swing') and recorded it under that tag for Bluebird around the first of the year, although it was not released until around the first of March. He made the cutting with an eight-piece band composed of men from Goodman's outfit.

Between the time Elman waxed it and its release Goodman heard the tune. He went for it and had Johnny Mercer fit a set of lyrics. Goodman cut it for Victor with Mercer's lyrics, forcing Bluebird to change the Elman recording title also to 'Angels Sing.'

Credit for the tune's click goes to the recording by Goodman and his air shots, rather than Elman. Bregman-Vocco-Conn, publishing, were caught flatfooted without copies immediately after Goodman introduced it on the air.

Stan Zucker Joins MCA; Wm. Morris Dicker Off

Stan Zucker joins the Music Corp. of America New York office effective May 15. Zucker resigned from Consolidated Radio Artists as head of its Chicago branch last week. He will handle hotels, location bookings, etc.

Zucker at first was reported joining the William Morris agency in Chicago, but with Willard Alexander joining Morris, MCA needed a band booker.

Leo Salkin to Morris

Chicago, April 25.

Additional changes in the band agency field sends Leo Salkin to the local William Morris office where he will handle the band and orchestra department along with Bill Snyder.

Salkin was formerly head of the local Consolidated Radio Artists office.

15 Best Sheet Music Sellers

(Week ending April 21, 1939)

Little Sir Echo	BVC
Deep Purple	Robbins
Heaven Can Wait	Remick
Little Skipper	Feist
Penny Serenade	Shapiro
Our Love	Chappell
God Bless America	Berlin
Three Little Fishies	Santly
And the Angels Sing	BVC
Beer Barrel Polka	Shapiro
Masquerade Is Over	Crawford
I Get Along Without You Very Well	Famous
Hold Tight	Exclusive
Wishing (Love Affair)	Crawford
Moon Is a Silver Dollar	Robbins

** Indicates filmusical song.*

ERPI Loses, but Will Appeal Song Suit by Paine as Publishers' Trustee

Federal Judge John C. Knox handed down Monday (24) a split verdict in the foreign licensing suit which John G. Paine, as agent and trustee, filed against Electrical Research Products, Inc., in behalf of a large group of publishers three years ago. That part of the decision which favors the pubs will cost ERPI, or its sub-licensee film producers, around $100,000, while the phase of the claim which the court disallowed would have figured about $40,000. Erpi intends to appeal.

The litigation concerns the use abroad of film synchronizations made in this country. Paine claimed that ERPI agreed to pay certain sums for such foreign uses regardless of whether the compositions were copyrights or in the public domain abroad. The licenses issued in this country, Paine contended, were to be considered applicable to other countries in return for the privilege of using the recordings made by American artists in such foreign lands.

ERPI's defense was that Paine has no right to collect for a foreign use when and if his principal holds no copyright in the foreign country concerned. ERPI also denied that the pubs were entitled to 100% of the fees fixed in the contract. The electric's interpretation was that it could use the synchronization in as many different groups of countries as it wished and only be required to pay a percentage of the fee applicable to each group. A composition had to be used by all countries in a group before 100% of the fee became due.

In his decision Judge Knox held that the plaintiff's interpretation of its right to compensation is far more reasonable than is the contention of the defendant. The defendant's contention flies in the face not only of the commercial but also the artistic purposes that were sought to be served by means of the foreign agreement. The suggestion that the defendant was to have a free gift of property rights of great value is simply repellant to the ideas upon which business is transacted. I shall hold, therefore, that upon each occasion on which the defendant exported the recordings of the plaintiff's principals, on which domestic and Canadian copyrights are held, and which were in the public domain abroad, the defendant became obligated to pay the stipulated compensation.'

The second cause of action applied to synchronizations made before the contract in dispute (dated July 29, 1939) became effective. In the opinion of the court the pubs got all that was coming to them from these recordings. 'Otherwise,' wrote Judge Knox, 'it would lead to the rather absurd conclusion that the defendant had agreed to pay more for compositions used in conjunction with old pictures than in the case of compositions used with more modern productions.'

After counsel for Paine, Francis Gilbert and Godfrey Cohen, have entered judgment, the matter will be assigned to a special master, who will hold hearings to determine the amount of actual damages.

ERPI's counsel, J. T. Abeles, proposes to bring out at such master's hearings that over 75% of the music involved in the first claim ($170,000) was not in the public domain abroad and therefore under the decision the pubs can only recover 25% of this amount.

Consumer Priority

Music publishers have had their curiosity aroused by reports from phonograph record dealers that the operators of coin machines are given first choice when it comes to the distribution of current tunes. If a dealer runs out of his allotment he must wait for two weeks or more before the manufacturer fills his new order.

Machine operators suffer no delay whatever on refills.

Artie Shaw Keels Over From Streptococci Attack; Palomar Settles Coin Tiff

In a wire received by Tommy Rockwell yesterday (Tuesday) afternoon, Artie Shaw was reported as slightly improved, but not yet out of danger. The band leader fainted during his opening at the Palomar, Los Angeles, nitery last Wednesday (10) and it was found that he was suffering from streptococci of the throat.

Shaw's band has continued at the cafe and on Sunday night (23) it played the Old Gold program (CBS).

Hollywood, April 25.

Artie Shaw's band was permitted to open at the Palomar, Los Angeles nitery, last Wednesday (19) only after the spot's management had settled a claim which the Music Corp. of America had filed with the American Federation of Musicians. Claim involved the last week's salary of George Olsen, Shaw's predecessor at the Palomar.

Situation was straightened out after Rockwell General Amusement Corp., Shaw's agent, was advised earlier the same day by Joseph N. Weber, AFM prez, that the engagement would have to be called off. Long distance call by the RGA office disclosed that Olsen's money had been waiting for him at the cafe and that all MCA had to do was send some one over to pick it up.

JOE YOUNG DIES AT 50

Wrote Top Seller of All Time—Prominent in ASCAP

Joe Young, 50, who for many years rated as a consistent producer of hit lyrics, died last Friday (21) in Beth David hospital, N. Y., after a short illness. A few days before he had called Archie Fletcher, of Joe Morris Music Co., from his hospital room to tell him that he had just finished a new song, 'How Many Strawberries Are There in a Strawberry Shortcake?'

Young, who put part of his fortune from lyric writing into a Spanish mansion and estate in Great Neck, L. I., was teamed with Sam M. Lewis for 15 years. Together they turned out a succession of hits that reached their sheet sales heights in such songs as 'Tuck Me Sleep in My Tucky Home' (rated as the No. 1 selling copyright for all time), 'Mammy,' 'Dinah,' 'How're Ya Gonna Keep 'Em Down on the Farm?', 'Rock-a-Bye Your Baby with a Dixie Melodie,' 'Hello Central, Give Me No Man's Land,' 'Where Did Robinson Crusoe Go with Friday Saturday Nights?', 'I'm Sittin' on Top of the World,' 'Laugh, Clown, Laugh' and 'Cryin' for the Carolines.'

Other hits in which Young served either as solo or co-lyricist were 'In a Little Spanish Town,' 'Lullaby of the Leaves,' 'You're Gonna Lose Your Girl,' 'Life Is a Song,' 'You're My Everything,' 'Ticket to Georgia,' 'Rocky Road to Dublin,' 'Goona Goo,' 'I'm Alone Because I Love You,' 'Five Foot Two, Eyes of Blue' and 'You're Beautiful Tonight, My Dear.' Young also worked on an Ed Wynn show, 'The Laugh Parade,' out of which came 'Ooh That Kiss.'

He was a charter member of the American Society of Composers, Authors and Publishers, held a Class AA rating, and was a director and secretary of the organization. He was also on the executive council of the Songwriters Protective Association.

Young, whose original name was Judewitz, is survived by his widow, Ruth Young; his father, three sisters and four brothers, one of whom, Al Young, is with Du-Art Pictures.

CINCY, RADIO IMPORTANT NOW PLUG CENTER

Cincinnati, April 25.

This town, radio's No. 4 radio center, has become a hotbed for song pluggers during the past fortnight. Several reps of music publishers have lived here for long and made this town their headquarters for territory stretching into states bordering on Ohio. At least a half dozen more pluggers have lately taken up residence here.

Cause of it all is the increasing number of musical and band programs that originate here and spread to the National and Mutual networks. Most of them clear through WLW, 50,000 watter.

Within a month or so WCKY, an NBC affiliate, will increase its signal from 10,000 to 50,000 watts.

Important Performing Rights Decision In Guy Lombardo Test Suit in Canada

Young's Record

In connection with the passing of Joe Young it is recalled that three of his numbers rate among those whose sheet sales have exceeded the 1,000,000 mark.

'Tuck Me to Sleep in My Old Tucky Home' has gone somewhere around 2,000,000 copies, 'Dinah' has topped 1,500,000, while 'Mammy's' sales figure around 1,250,000.

Jack Harris from London Broadcasts to America Preluding His Return

First regular band sustainer via shortwave will start May 13 from London. By way of BBC the NBC blue net will pick up the band of Jack Harris every Saturday night at 8 p. m. (EDST) for a half hour shot. Harris is at the London Casino. There have been many shortwave band pickups both from New York to England and vice versa, but never a regularly scheduled remote.

Idea (mostly to either the net or the band's managers) is that Harris is returning to the United States in the fall and this is to be an advance buildup. He's been in London for some time. Leader is an American citizen and member of N. Y. Local 802 of the American Federation of Musicians. Wm. Morris Agency and Moe Gale jointly handle the outfit.

MUSICIANS COMPOSE SCREWBALL SONGS

Like other screwball novelty tunes which have become outstanding hits, 'Three Little Fishes' (Santly) has a musician as its composer. He's Saxie Dowell of Hal Kemp's band. 'Music Goes Round' was written by Mike Riley and Eddie Farley, instrumentalists, while Frank Silvers, a leader, was responsible for the wackiest smash seller of all time, 'Yes, We Have No Bananas.'

Other novelty tunes currently on the ride or showing promise are 'Beer Barrel Polka' and 'Show Your Linen, Miss Richardson,' the latter by Bernie Hannigan and Johnny Mercer.

KAY JANICE BANKRUPT

Janice Baumgarten, also known as Janice Kaushaar and as Kay Janice, singer, filed a voluntary bankruptcy petition Friday (21) in N.Y. federal court.

She lists assets of $75, and liabilities of $449.

Mary Belinek Joins Voorhees

Chicago, April 25.

Reginald Voorhees is expanding his agency activities and is stepping up operations in the orchestra field.

Mary Belinek, who has been with the Rockwell office locally, shifts over to the Voorhees agency to handle orchestra jobbing dates.

Toronto, April 25.

Appeal of Canadian Performing Rights Society, ASCAP affiliate, from Justice Kelly's dismissal of its damage action against Guy Lombardo, was upheld by Chief Justice Robertson and his associates in Court of Appeal here, the judgment declaring CPRS to be 'the owners of that part of the copyright in the said musical works, which consists of the sole right to perform the same in public.'

Initial victory for CPRS arose out of the refusal of Canadian National Exhibition officials to pay the fees incident to the 1938 Dance Pavilion engagements of Guy Lombardo, Benny Goodman, Tommy Dorsey, and Buddy Rogers' orchestras. At that time, orchestra leaders were individually served with an injunction but accepted the advice of exhibition officials to 'go ahead and play whatever you wish.'

In the Lombardo test case, CPRS sought $1,000 damages to cover the copyright fee on 14 current hits played by the Royal Canadians, and also claimed a percentage of the Lombardo profits from the CNE engagement, and costs of the action.

Lombardo defense was a denial of the CPRS charge that his performance was an infringement of the plaintiff's copyright, this based on the claim that the exhibition is conducted 'without motive of gain' and occurred at an agricultural-industrial exhibition which received grants from both the federal and provincial governments and was therefore outside the jurisdiction of CPRS.

Court of Appeal judgment, however, finds that Lombardo infringed CPRS copyright and awarded CPRS either damages or profits, but not both, and costs of the action.

ASCAP'S DRIVE ON 5 UNLICENSED N. Y. SPOTS

Gene Buck, as president of the American Society of Composers, Authors and Composers, together with Leo Feist, Inc., Shapiro, Bernstein, Harms, Santly-Joy-Select, Chapell, Witmark, Ager, Yellen & Bornstein, ABC Music, and Feist, filed five Federal court suits, Friday (21) in N. Y., against the Hotel Delmonico, the Mecca Roller Skating Rink, E. 14th street; James B. Begley, operator of Atlantic Garden, 1539 Second avenue; the Ferroquet restaurant, 131 E. 61st street, and the Mozart cabaret, 251 E. 86th street, claiming the infringement of 19 songs.

An injunction, accounting of profits and $250 for each playing is sought.

PARADE OF NAMES SET

Detroit Summer Hoeteries Line Up Visiting Bands

Detroit, April 25.

Lineup of outdoor dance spots here this summer currently looks like Eastwood and Westwood, both under management of Henry Wagner, will stick to previous policy of having bands strictly for dancing at 50c top. Westwood Symph Gardens, started several years ago by the Buick family, has passed out of their control this year and Wagner and Max Kerner gobbled it up and will operate both spots.

Jefferson Beach ballroom, formerly run by Graystone, Inc., in competish with Eastwood and Westwood, intends to run its own ballroom as an outdoor nitery with floor shows, set up with name bands a side issue. Also plans to keep kids out, and veer entirely away from competish with Eastwood and Westwood. Plans to reopen for summer about May 19.

Both Eastwood and Westwood will maintain former band policies, with former opening up on May 26 and Westwood June 2. Eastwood will get call on bands first, with Westwood playing 'em the second week when bands are available. MCA, signed to handle Hal Kemp, Bob Crosby, Benny Goodman, Henry Busse, Jan Garber, Eddy Duchin and Kay Kyser.

Republic bought three songs by Freddie Rose and Johnny Marvin for the Gene Autry picture, 'Mountain Rhythm.' Ditties are 'It Was Only a Hobo's Dream,' 'Knights of the Open Road' and 'Gold Mine In Your Heart.'

Rodgers and Hart Uncover Legal Knot In SPA Vs Max Dreyfus Contracts

Team of Richard Rodgers and Lorenz Hart found out last week that if they signatured the assignment agreement which is being offered them by the Songwriters Protective Association they would be interfering with rights that they had previously arrogated to their publisher, Max Dreyfus. They also learned that they would be disposing of the same rights twice and that Dreyfus, to whom they are bound by a term contract, could obtain a court order enjoining them and the SPA.

Rodgers obtained this legal information after Irving Caesar, president of the SPA, had suggested that he consult any authority he wished. Rodgers elected the general counsel for the Dramatists Guild, of which he and Hart are also members. The Guild's counsel held that any assignment of the twosome's mechanical rights to the SPA, as provided for in the revised Article IX of the association's bylaws, would be illegal as long as the same rights were controlled by prior assignment through a term contract with a publisher.

Sigmund Romberg, former prez of the SPA, returned last week to the association's fold. Romberg was among the galaxy of coast writers that walked out of the association last year when the SPA heads in New York sought to enforce the provisions of Article IX.

The Metro-Robbins group has declared its willingness to negotiate a new writers' standard form of contract on the basis of the SPA's new Article IX. The assignment to the SPA is to apply solely to synchronization rights, with the term to be two years and the members free to resign on proper notice. Under the proposed M-R deal the writers would 50-50 in all income from mechanical rights.

Ray Henderson, Gus Kahn and George W. Myer have been designated by the SPA as the administrators of these synchronization rights in the event the association undertakes to deal in them direct.

McCoy's Road Tour Blues

Lincoln, April 25.

Clyde McCoy said he would take no more one-niters for three years after his recent experiences with them. Sugar Blueser says the grind of the long drives, plus the antics of the rostrum chin-hangers, isn't worth it.

Gathered about $950 here at the Turnpike (21), a very fancy gate.

Whiteman Seeks Injunction to End His NBC-Consolidated Contract Tiff

Paul Whiteman is bringing his controversy with NBC and Consolidated Radio Artists, Inc., to a head by applying to the N. Y. supreme court for an injunction restraining the two from representing themselves to be his booking agents. The bandman also wants the court to affirm his cancellation of the NBC management agreement as of April 14, 1938, and order Consolidated to make an accounting to him of monies collected on his engagements.

Whiteman likewise seeks to have Consolidated stopped from filing claims for fees with the American Federation of Musicians. Whiteman contends in the complaint that NBC's assignment of his contract to Consolidated was not valid. He also raises the question whether Consolidated obtained a license for conducting a theatrical employment agency as required by law in New York City.

Pinky Tomlin to L. A. Biltmore

Los Angeles, April 25.

Pinky Tomlin orchestra, current at the U. S. Grant hotel in San Diego, opens at the Biltmore Bowl here on May 1.

New combination consists of four brass, four sax, four rhythm. Jeanne Darrell is in for the vocalizing, with John Scott and Bud Dant handling the music arranging.

Band Bookings

Red Nichols, May 13, Wabash College, Crawfordsville, Ind.

Russ Morgan Casa Manana, Fort Worth, July 21, two weeks.

Les Brown, St. Paul Hotel, St. Paul, eight weeks opening Sept. 28.

Carl Moore, June 10, White City Park.

Fletcher Henderson, May 29, White City Park, Herrin, Ill.

Eddie DeLange, State Hartford, May 27.

Vincent Lopez, May 7, radio guest shot on Fitch Bandwagon.

Consolidated Radio Artists again has an exclusive on Enna Jettick Park, Binghamton, N. Y. Set: Buddy Fisher, May 12 through May 28; Gray Gordon, May 29-June 4; Les Brown, 5-18; Lee Shelley, 19-July 2; King's Jesters, 3-16; Al Kavelin, 17-30; Rita Rio, 31-Aug. 13; Sonny James, 14-27; Mike Reilly, 28-Sept. 4.

Russ Morgan, Field House, Fayetteville, Ark., May 22.

Blue Barron, Scranton, May 29; VPI, Blacksburg, Va., June 22; Warner theatre, Phila., week June 23; Elitch's Gardens, Denver, opening July 21.

Phil Spitalny, May 4-6, Rhode Island Auditorium, Providence.

IRVING YATES WITH CONSOLIDATED IN CHI

Chicago April 25.

Charles Green, president of Consolidated Radio Artists, was in confab with new local chieftain, Russ Lyons, last week on a general reorganizational shift of the Chicago setup. Irving Yates came in and will take over local operations of the vaude and nitery bookings of the CRA.

It is understood that the CRA will also expand its radio talent booking locally, a side of the office which has been dormant for some time.

Kapp Unloads Part Of His Decca Stock

Washington, April 25.

Large slug of stock in Decca Records, Inc., transferred to an unknown recipient by Jack Kapp, of New York, according to February reports of Securities & Exchange Commission.

Decca director listed 6,250 shares of common stock as disposed of under a 'gift' transaction. Was holding 59,841 shares at the end of the month.

Sense of Philly

(Continued from page 27)

be to us?" Peter said he is sending out a questionnaire asking what successes or failures stations have had with type advertising, so that he may intelligently answer the Association's query.

Beware Free Wax

Joe Miller warned the broadcasters to beware of increasing offers of free transcriptions and programs. He said most of them had buried in them, some ever so subtly, advertising plugs, and that companies were using them instead of paying for time. He also warned of an increase in offers of advertising for which payment was contingent on inquiries.

Turning to labor, Miller declared that in his opinion asking for overtime exemptions under the Wage-Hour bill for employees earning less than $200 a month would be a mistake. It would make the industry look bad and lose friends for it, he said. Satisfactory compromise is being worked out, he said, by which time-and-a-half off may be given an employee within a specified period following overtime work.

C. O. Langlois, of Langworth Company, which purchased the NAB library, and Carl Haverland, of Davis & Schwegler, music publishers, both spoke on tax-free music. Haverland said his firm was prepared to purchase tunes directly from the writers and sell both sheet music and recordings to stations on a flat fee. The tunes would be plugged, just as others are now, to push them up into the hit classification.

Clifford Chafey of WEEU, Reading, was elected NAB regional director for the third district. He succeeds Clair McCollough of the Mason-Dixon radio group, who asked to be excused from serving again because he is already kept busy by work on the NAB copyright committee.

Inside Stuff—Bands

Band business is currently seeing a recurrence of a former evil. Cut-throat booking is again showing up in the methods used by some offices to break exclusive holds on spots by rival agencies. In some instances big name crews are being offered operators at prices far below normal, with lesser name outfits to follow on the same deal sometimes at scale. Offering the big boys of course is the wedge.

Practice naturally tends toward lowering the tap all around for bands on any plane as rival bookers have to materially come down in order to compete. Operators wouldn't be business men if they didn't take advantage of the situation which puts the bands in the middle. In short bandmen take it on the chin while agencies rear up and battle for supremacy.

Leonard Feather, English hot record fan and radio script and magazine writer, arrived in New York latter part of last week and is arranging to make all-star swing records for English release. Four sides will be cut tomorrow (Thursday) at Decca Records' N. Y. studios. They will be released in England only.

Feather has lined up Benny Carter, trumpet; Bobby Hackett, guitar; Pete Brown, sax; Joe Marsala, clarinet; Arthur Shapiro, bass; Cosy Cole, drums, and Billy Kyle, piano. Each will alternate to other instruments for the different sides.

Robert Goffin, president of the Jazz Club of Belgium, arrives in New York on a lecture tour Monday (1). He's said to own one of the most valuable collections of hot records in existence.

Goffin has authored some 20 books on various subjects beside his jazz activities. His tour will cover talks on famous criminal cases in Europe, modern literature, history, poetry and a number of subjects dealing with the aforementioned writings.

On the Upbeat

Burton Lane, Coast songwriter, lining up a band.

Bill Harty, drummer-manager for Ray Noble, east to round up crew for English maestro while Burns and Allen air from New York.

Paul Burton into Bill Green's Casino, Pittsburgh, Monday (24) for indefinite stay, replacing the Sterling Young outfit.

Bernie Cummins goes to Cavalier hotel in Virginia Beach for two weeks next month after winding up 15-week stay at William Penn hotel, Pittsburgh.

Tiny Wolf, who has been on tour with Blue Barron for several months, has returned to his home in Pittsburgh and is organizing a band of his own.

Jean Wald's femme orchestra out of Pittsburgh has had option picked up by Hotel Fort Hayes in Columbus, O., for four additional weeks.

Emerson Gill extended indefinitely at the New Penn Club, Pittsburgh. Gets two NBC shots a week.

Count Basie returns to the Famous Door, N. Y., for 16 weeks about the first of July. Date is Basie's second in the spot.

Four Inkspots set for the Apollo, New York, week of May 5.

Chick Webb's band recorded 'Have Mercy' last week. Cutting started at 1 a.m. Saturday when the band got in from a date.

Milt Herth trio has added a Novachord for its NBC sustainers.

Woody Herman orchestra plays three Monday nights in a row at the New Yorker Hotel, N. Y., as relief band for Henry Busse starting Monday (1). Herman's set for a week at the Paramount, Newark, May 10 after exiting from Meadowbrook, Cedar Grove, N. J.

Guy Lombardo orchestra is the first band set for the Professional Music Men's annual benefit at the Alvin theatre, N. Y., May 7.

Marcella Hendricks, blonde balladeer, will be at the Zuider-Zee at the N. Y. World's Fair with Dick Kuhn's band, now current at the Astor hotel, N. Y.

WHITEMAN MAKING 60 SIDES FOR DECCA

Back from out-of-town touring, Paul Whiteman is waxing some 60 sides for Decca. A feature of the new recordings will be two Irving Berlin albums.

Whiteman is also making another George Gershwin album.

Girl Is Partner And Arranger of Orchestra

Unusual orchestra is the recently organized male outfit co-lead by Eddy Dell and a girl pianist tagged Imogene (Jean Rose). Latter is half owner of the band, its arranger, singer, and ivory tickler. Composed of 11 pieces, two of which are pianos because of Imogene's singing. Outfit works under the tag of 'Eddy Dell's Music Styled by Imogene.'

Month old and with a number of one-nighters under its belt, the outfit goes into the Hotel Abbey, N. Y., May 25.

SONGS FROM
ROBBINS

Gordon and Revel's Newest Song Smash
I NEVER KNEW HEAVEN COULD SPEAK
20th Century-Fox Picture, "Rose of Washington Square"

Here's One For The Money
THE MOON IS A SILVER DOLLAR
By Mitchell Parish and Sammy Fain

From Billy Rose's "Aquacade" at the N. Y. World's Fair, 1939
YOURS FOR A SONG
By Billy Rose, Ted Fetter and Dana Suesse

Still The Tops
DEEP PURPLE
By Peter De Rose and Mitchell Parish

ROBBINS MUSIC CORPORATION
799 SEVENTH AVENUE · NEW YORK

OLD SONG SUGGESTIONS
JIMMY McHUGH'S
"WITH ALL MY HEART"
LEO FEIST, INC.

A Whale of a Song!!
"THREE LITTLE FISHIES"
We're going to give it a "whale of a sail" because this new novelty song hit is crashing to world-wide prominence.
"THREE LITTLE FISHIES"
Some people call it "Itty Bitty Poo" and some "Boop-Boop Di-tem Dot-tem What-tem Chu." But to us, it's the
"THREE LITTLE FISHIES"

Bing Hits a Homer with the Bases Full!
BING'S Score from the Universal Picture
'EAST SIDE OF HEAVEN' by JOHNNY BURKE and JAMES V. MONACO
★ "EAST SIDE OF HEAVEN"
A TRULY BEAUTIFUL BALLAD
★ "SING A SONG OF SUNBEAMS"
. . . RIGHT IN THAT "POCKETFUL OF DREAMS" GROOVE!
★ "THAT SLY OLD GENTLEMAN" (FROM FEATHERBED LANE)
. . . in the picture Bing puts Baby "Sandy" to sleep with this gorgeous lullaby!
★ "HANG YOUR HEART ON A HICKORY LIMB"
. . . a swell novelty rhythm swinger!
SANTLY-JOY-SELECT, INC.-1619 B'WAY, N. Y. C.
CHICAGO • HOLLYWOOD • BOSTON • PHILADELPHIA • CLEVELAND • SAN FRANCISCO

AFA FIGHTS BENEFIT EVILS

Winchell, as Arbiter, Settles Rose's Aquacade-AFA Tiff Over Salaries

Dispute between Billy Rose, operator of the Aquacade, and the American Federation of Actors, which for a time early this week threatened to hold up that show's opening Sunday (30) at the New York World's Fair, was settled yesterday morning (Tuesday), both sides agreeing to abide by the decision of Walter Winchell, who sat in as sole arbiter. Columnist's verdict gave the actors' union a victory on the salary question, and Rose a break on the rehearsal coin angle.

According to Winchell's decision, around 220 performers in Aquacade will have their salaries raised from $30 to $35 weekly, the wages commencing with the opening show. So far as coin for the rehearsals to date, that's being held in abeyance until the termination of the Fair season, when an audit of Rose's books will be made for private scrutiny by Winchell, who will then determine whether Rose's profits are so large as to warrant the extra costs.

It was agreed that Rose is entitled to a fair measure of profit on his investment with Winchell to be the judge as to what that amount should be, and, if there's an overage, the cast will benefit.

According to Rose his investment in the Aquacade will total $325,000 by the time the show opens Sunday. The rehearsal coin will total $22,000, Rose stated.

All Get $35 Weekly

With the exception of the principals, Eleanor Holm, Morton Downey, Johnny Weismuller and numerous specialties, everybody in Aquacade is getting the same salary, namely $35. The show holds nearly 300 in its cast, but only 220 odd are affected by the salary increase.

AFA's rehearsal demands entail $15 weekly for the second, third and fourth weeks, $20 for the next two weeks and full pay thereafter. Some of the swimmers have been in rehearsal for around six weeks.

The situation came to a head Sunday (23), when around 150 performers in the $35 class voted not to continue with rehearsals unless their salary and rehearsal-coin demands were met. Sophie Tucker, v.p. of the AFA, backed their stand, stating, 'I receive rehearsal pay and so should you.' She also said she had given Rose 'hell' for offering non-union contracts.

On Monday, when the situation appeared to be at an impasse, Winchell, honorary member of the AFA, offered to act as arbiter. He was agreeable to both sides and a meeting was held yesterday (Tuesday) in Miss Tucker's apartment at the St. Moritz hotel, from which the final agreement eventuated.

The cast returned to rehearsals immediately after the decision was effected.

RAMON NOVARRO SET FOR TOUR OF CANADA

Alex Cherniavsky has signed Ramon Navarro for a tour of personals through Canada next fall. Manager is also looking for names to tour in Australia, New Zealand and South Africa this summer.

Cherniavsky is currently in New York after eight months in Australia.

Set Names for Atlanta

Atlanta, April 25.

Continuing name booking policy for stage, the Roxy, Atlanta's newest vaudfilmer, is bringing in Helen Morgan for show starting Thursday (27), to be followed by Jane Pickens, May 4.

Bruce Cabot, of the films, will be featured starting May 11.

WB, UNION IN SOLUTION TO PHILLY BAND SNARL

Philadelphia, April 25.

Compromise has been reached between Warner Bros. and the musicians local on a dispute which would have forced the circuit to shift vaude from the Fox to the Earle for the summer. Change of policy switched flesh from the Earle to the Fox last February.

Disagreement arose from Warners' request to be allowed to move the orchestra from the Earle to the Fox during the hot spell. Earle contract with the tooters is for 52 weeks, while the Fox calls for only 37 weeks. WB wanted to fill in the 15 weeks, while the Fox crew was out, with the Earle band. When the American Federation of Musicians nixed the plan, the circuit decided to reverse the flesh policy.

Under the compromise the present Fox band will be retained for eight of the 15 weeks and the Earle combo will be shifted over for the remaining seven.

VAUDE 'REVIVAL' EYED IN NEW ORLEANS

New Orleans, April 25.

Prospects of vaudeville 'revival' here is visualized—though somewhat dimly—with the reception accorded the Strand theatre's experiments of twice-weekly stage presentations.

Now presented every Thursday night is Variety Hour, composed of amateur talent vying for round trip to the New York World's Fair. On Tuesday nights, for two performances, winners of previous week's elimination appear on salary basis as part of their prize.

Last Tuesday night (18), when previous week's three winners appeared, it marked the first time in two years that the large second balcony of the Strand had to be opened on a week day in two years. Theatre normally seats 1,800, but SRO sign was out almost an hour before stage presentation last Thursday night (20). The Strand is a subsequent-run house.

The Strand is the only house in New Orleans with any kind of flesh presentation.

Patron Charges Cafe Op Beat Him; Sues for 10G

Rochester, N. Y., April 25.

Albert Michaels, operator of the Chateau, nite club here, has been named defendant in a $10,000 Supreme Court suit charging assault. Edward S. Swazey claims that after a drink at the bar he went to the dining room with his wife and another couple to see the floor show, and was 'violently assaulted' by Michaels.

Michael's answer charges Swazey hurled 'vile and insulting names' at him and maliciously struck and injured him, causing Michaels to defend himself. Swazey states he was knocked unconscious, suffered a brain concussion, a cut lip that required several stitches, and head lacerations.

The John Perona assault case at his El Morocco, swank N. Y. nitery, was widely played up in the metropolitan dailies as result of his row with a patron. A suspension of his cabaret license resulted temporarily.

Mayor LaGuardia took umbrage at several recent and widely publicized fisticuffs in the classier spots, and opined that, regardless of the establishment, the brawling must stop.

URGES CARE IN OKAY OF SHOWS

Whitehead to Demand Reps Use Greater Restraint to Eliminate Existent Abuses That Mulct Performers Out of Rightful Pay

JUST A RACKET

Ralph Whitehead, executive secretary of the American Federation of Actors, who conceived the Theatre Authority, is reported ready to demand that that body's representatives exercise greater care in passing on shows as 'benefits.' The TA now functions as an adjunct of all member unions of the Associated Actors and Artistes of America, as well as the different theatrical guilds.

The TA was originally formed to end the 'benefit' racket and afford performers more work. Idea is for the TA to pass on all shows asking for gratis performers. If the shows are found to be for legitimate charity purposes, performers are permitted to work 'em without pay, but the TA collects a percentage of the gross, which is divided among all the theatrical charities. Those shows not passed must pay the actors, with the latter fined and censored by the Four A's if found playing a tabooed 'benefit' gratis.

According to Whitehead, too many shows that obviously aren't benefits are being passed by TA reps nationally. The result, he states, is that actors are being mulcted out of legitimate paying jobs, besides having to donate their services at distinctly non-charitable affairs where admissions are charged.

There's a TA rep in nearly every key city. Their findings are usually final.

Adams Takes Over Shubert in Newark

Newark, April 22.

Adam A. Adams, operator of the Paramount here, has bought the Shubert theatre, Newark's only legit house, from the Prudential Life Insurance Co., at a figure not made public. House will be entirely renovated and reopened in the fall with a policy to be decided upon later.

Shubert, this past season, was in opposish to Adams' Par with a vaudfilm policy, both houses going in heavily for name bands.

ATLANTA'S HILLBILLY VAUDE

Atlanta, April 25.

The Cameo, downtown indie, inaugurated stage shows Sunday (23).

Manager Walt Meier will draw his talent from hillbilly crews on local radio programs.

Fay Show Quits N. Y. Deeply in Red; To Tour East with Shubert Backing

Frank Fay's outfit, which dropped the billing of vaudeville for 'Show,' abruptly closed at the 44th Street, N. Y., Wednesday (19) last week, considerably in the red. It is slated to reopen Monday (1) at the Shubert, Boston, another legit house, with the Shuberts said to have made certain financial guarantees in support of Fay. There were reports of salaries due the leading acts, but no complaints were made and, with a few changes, the complement is said to have agreed to ride along with Fay, who has promised to settle pay claims with the actors.

Arrangement with the 44th Street called for the house taking the first $4,000 weekly. Gross was around $9,000 in the opening weeks, then slipped to the $6,000 level. Theatre's end was sliced to $3,400 during the final weeks of Lent, but, with operating expenses to be defrayed, there was little left for the pay-off.

Remaining with the show are Elsie Janis, Eva Le Gallienne and Smith and Dale. The Merry Macs are out, Aunt Jemima replacing. Fay claims he will return to Broadway with a new bill after playing several eastern keys.

Claim of $550 was handled by the Theatrical Agents and Treasurers union on behalf of Nat Dorfman, who was press agent, and Al Lee, manager. Part of the coin was collected on a bond filed with TMAT, with the Shuberts said to have guaranteed salaries of Sam Weller and Charles Emerson Cook, who are now ahead and back.

Hitler's Address on Friday Seen Affecting S. Africa 'Hotel' Dates; Howard in N. Y. to Stage New Unit

Along with the diplomatic factions all over the world, Hitler's speech before the German Reichstag scheduled for Friday (28) will also have its effect on the bookings of at least one stage show. Harry Howard's 'Hollywood Hotel Revue,' currently in New Zealand, is tentatively set for a tour of South Africa, but the deal with the Schlesingers, theatre operators there, will not be finally signatured unless he Fuehrer's speech is more pacifistic than expected. If a war is indicated, the deal is cold.

Howard returned to New York from Australia late last week, leaving the 'Hollywood Hotel Revue' on its own for the time being. Show, which is currently at Her Majesty's, in Dunedon, N. Z., is playing its 32d week since going to the Anzac belt 10 months ago. It has been in Australia and New Zealand 35 weeks, laying off only three weeks in that period because of time consumed in making jumps.

Besides the purpose of arranging the South African booking, Howard is also in N. Y. to line up another show for an Australian tour. He'll stage the same type of revue as is 'Hollywood Hotel,' using a couple of film players as marquee names. Most of the production will be set in N. Y., but the chorus and showgirls will be recruited on the Coast.

Howard's Reflections

Howard's reflections on the Australian playing time are interesting. Touring with 'Hotel,' he got a complete picture of the country and its show tastes. According to the former comic now turned manager-producer, 'Australia is much like America in its theatre desires. Sydney, he states, is a counterpart of N. Y., the native there evidencing the same hustle and bustle as the American metropolis. Melbourne, the capital, on the other hand, is quite sedate. They're fast on the take so far as humor is concerned, but there's a distinct absence of a middle class. Either you're rich in Australia ($40 weekly salary is luxury high there), or you're poor, but, from the grosses on 'Hotel,' Howard indicated a plentitude of coin Down Under.

'Hotel,' for instance, despite record heat and other unhappy conditions at times, hasn't had a losing week in Australia. Show, which is playing the time on a guarantee against a 60% split, has averaged around $9,000 weekly grosses in the Sir Ben Fuller theatres, which Howard claims, has been distinctly profit-

(Continued on page 37)

LOEW'S, CLEVE., HEADS FOR ATTENDANCE MARK

Loew's first stage show current at the State, Cleveland, in around three years appears likely to crack the theatre's attendance record, set by Jack Benny. Headlining Judy Garland, coupled with 'Midnight' (Par), house is looking for a $31,000 gross on the week.

Benny, who played there three years ago, grossed around $38,000, but the admission scale was considerably higher at that time. Up to Sunday (23), the Garland 'Midnight' combination had played to more people than did Benny in the same number of days (3).

The State will not play stage shows as a regular policy, booking only names when available. House, booked by Sidney Piermont out of New York, will play only top screen and radio personalities. Next show comes in the week of May 12, headlining Eleanor Powell at her studio (M-G) salary (around $5,700).

AFA ASKS 100% UNIONIZATION IN CHI

Chicago, April 25.

American Federation of Actors here last week sent notices to all vaude and nitery bookers to operate closed shops. So far, it's reported, all bookers have ignored the notice, probably pending any further negotiations that may come.

A similar notice is known to have been sent the New York bookers some time ago, but nothing came of it.

Notices were received here by such offices as the RKO, Balaban & Katz, Billy Diamond, Music Corp. of America and the William Morris agency.

2 Detroit Night Clubs Fold for the Summer

Detroit, April 25.

Club Plantation and the Hotel Statler's Terrace Room have shuttered for the summer.

Plantation will convert to a Harlem-type nitery before early fall reopening. The Statler, although closing earlier than usual, plans to resume name band policy in the fall.

L. A. NITERY IN LABOR PEACE, RESUMES MAY 8

Los Angeles, April 25.

The Ambassador hotel made peace with the union over the past weekend and its Cocoanut Grove resumes its dance policy May 8. Last week the hotel management stated that the Grove would be transformed into an ice rink and that transcription music would replace name bands, due to labor disagreements.

The Grove's reopening show will have Veloz and Yolanda plus Anson Week's orchestra.

Decision not yet reached whether to re-heat deal with Benny Goodman, recently cancelled.

Toronto Cafe Denied OK To Reopen; Gambling

Toronto, April 25.

With police heads last week rejecting permission to reopen the Club Esquire after William Beasley, owner, had been charged with keeping a gaming house, the town's swankiest nitery is still shuttered.

Shutdown came when Inspector Herb Bolton and seven officers raided the club recently and confiscated wheels and liquor.

Night Club Reviews

MUSIC HALL, L. A.

Los Angeles, April 18.

Al Herman, Ted Blakely, Lucille Lehman, Wirthman Twins, Bromley Boys, Foley & Leture, Bonnie Lind, Edythe Revlon, Ruby La Crist, Gypsy Glenn, Carla Shaw, Donnell & Herrick, Floradora Sextette, Peggy Gilbert's orch (9).

Here we have vaude making a comeback between two slices of rye and a mug of suds. Presented in the Continental manner, it has its moments, but there are too many factors inveighing against its success. On the credit side is the olio, which is okay as vaude goes.

Spot's location in the Westlake Park district is off the beaten path of the night owls. It's neither downtown nor Hollywood. Room has been dark for years since demise of Cafe de Paree. There's little ventilation and, with summer coming on, it'll be shunned for the more airy bistros. Just why Al Schwartz and George Fawcett chose this time of the year to break in a jinx joint is for them to answer. There's not one outstanding feature to put it over. Customers pay 50c to watch the show and dance on stage, the buying of food or drink being optional.

Programmed are 16 acts, including repeats in the second half. Some attempt is made at production and the costumes of the line girls are crisp and fresh, which is quite a departure hereabouts, but not a selling point. Al Herman, blackface mimic, is still singing 'Ida' and telling the same old jokes. Eddie Foley announces the acts and whoops up things in general; then goes into his turn with Leah Leture, whose voice is better than his gags.

Most of the other routines are terpsichorean, ranging from taps to a production number in which Gypsy Glenn climbs out of a coffin and does a vampire dance. Ruby

(Continued on page 37)

•15 YEARS AGO•

(From VARIETY)

Ralph Whitehead made his English variety debut at the Stratford, London, and clicked handily. Act was supposed to have taken 12 minutes, but he had to stay on for 22 due to repeated encores.

Picture extras, with no work, were being farmed out by the casting agencies for commercial purposes. Modeling, etc.

Independent vaude for the summer looked good for the first time in years. In previous seasons more than 70% of the theatres had shut during the hot months.

Clifford C. Fischer sued Nikita Balieff and Morris Gest, charging fraud on a contract he had with Balieff.

Ann Harding replaced Patricia Collinge in Sam H. Harris' production of 'The Horse Thief,' which starred George Marion. Show clicked in its Chicago tryout.

Outside of 'that famous smile' by Herbert Marshall and a generally good cast, including Ralph Forbes and Marie Tempest, 'Far Above Rubies' showed little prospect of succeeding in its London bow.

'Leah Kleschna,' the old Minnie Maddern Fiske vehicle, was revived by William A. Brady at the Lyric theatre, New York. Cast included Arnold Daly, Helen Gahagan, Katherine Alexander, Lowell Sherman and Arnold Korff.

A new-sized film, perfected by George K. Spoor, was believed ready to revolutionize the film industry.

Those who saw Mary Pickford's latest, 'Dorothy Vernon of Haddon Hall,' in New Orleans, weren't particularly impressed by the picture.

Saranac Lake

By Happy Benway

William 'Butch' Knabe, who did his routine up here, is now chirping at a nitery in Wheeling, West Va.

Michael Kelly and Rudy Plank, of the Will Rogers staff, to N.Y. for a hurry lookee.

The Fred McDonalds shot up to the Rogers from N.Y., and ogled their daughter, Grace, who is doing well and will return home soon.

Jean Price who got all messed up via an auto accident, is now up and around at the Rogers.

Myra Blake and Jack Edwards are one year older.

George Graff in from Brooklyn to mitt his brother, Teddy, who's comebacking in a big way.

(Write to those who are ill.)

Pitt Nitery Folds Seen Stayed By Convention Biz

Pittsburgh, April 25.

Expected folding of many niteries here at beginning of new booze licensing period May 1 won't develop after all, except perhaps in a few minor and virtually unknown situations. Reasons weren't obvious until Pittsburgh Convention Bureau released its regular bulletin last week.

The town will have more big get-togethers here this summer than at any time in its history. Hotels are booked practically solid from the end of June until well into September and cafe owners are expecting a general bonanza downtown. Summer's usually poison to the Golden Triangle sites, with most of the biz going to the roadhouses.

In several cases, biz has been so bad that some cafe owners weren't sure they could raise the money for license renewals. However, the convention dope sent them out to beg borrow or steal so they would be prepared to cash in on the influx.

Fire Destroys Nitery

Delevan, Wis., April 25.

The Delevan Gardens, nitery here, was destroyed by fire Saturday (22).

Repairs were being made in preparation for its opening next month.

Betty Jane Rhodes warbling with Matty Malneck's crew at Cafe Lamaze in Los Angeles.

New Acts

VIRGINIA VERRILL
Songs
6 Mins.
Fox, Philadelphia

Virginia Verrill, warbler on the recent Jack Haley program, is making one of her earlier appearances here on a round as a solo chirper. However, she's no stranger to the foots.

Opens with 'I Can't Give You Anything But Love,' sung in French, only a mild novelty. Then goes into 'Stardust,' always surefire here, but Miss Verrill hardly gets all possible out of it, as it's not quite her type of number. Done best by a croony-type piper, she gives it almost an operatic rendition. Finishes with 'Swinging Annie Laurie Through the Rye,' and gets off passively.

Femme's only fairish as a looker under her present flat-white makeup when caught. Shows occasional flashes of personality that might be cultivated with a better paint job. *Herb.*

ALICE KAVAN
Dancing
8 Mins.; Two
State-Lake, Chicago

Exceptionally fine dance single who can play anywhere, niteries or theatres, and evidences a guaranteed brand of stage entertainment. Two numbers, and both solid with flash and delivery.

Gal has color and style in her work and makes every gesture count for audience results. Initial item is a great flash bit in white top hat and tails. Modern strut number that socks over in fine fashion. By switching hats and adding a cape, the girl does a quick-cut metamorphosis into a Spanish cape dance routine. Handles cape with agility for a fine eyeful for any audience. Special music and arrangement are a great asset throughout the act. It's a turn that is suitable for the finest of cafes and theatres. *Gold.*

FOUR JAYS
Minies
7 Mins.
Fox, Philadelphia

Four lads are currently getting a week at the Fox as recompense for winning a recent local talent quest. With a guitar their only mechanical aid, they vocalize swell imitations of name bands. Rather nice looking quartet, is nicely dressed, but meshes only mildly. Principal difficulty is a lack of varied material. Like many amt, they can do only one thing. They do it fairly well, but it needs some additional novelty to break it up. Their takeoffs embrace Kyser, Busse, Glen Gray, Tommy Dorsey, Heidt and Clyde McCoy. Mimicry of the brasses, as in Busse, Dorsey and McCoy is the tops.

With some additional work to get fresh bandies, act could be made worthwhile for an early spot on any show. *Herb.*

Ohio Curfew

Elyria, O., April 25.

Elyria's niteries are expected to be hit hard with the enforcement next week of the city's ordinance banning all music and broadcasting after midnight where food or drink is sold.

The ordinance provides a penalty of from $1 to $50 for violations.

3 CLEVE. CAFES HAVE PERMITS REVOKED

Cleveland, April 25.

George Abbey's Back Stage Club and Freddie Morelli's Hanna Grill, two of the oldest downtown cafes here, were guillotined during the latest clean-up campaign for liquor violations.

The niteries had their licenses revoked by the Ohio Liquor Control Board, which hauled on the carpet last week about 25 operators charged with violations. Both were accused of running wide open after the 2:30 a.m. curfew. Back Stage Club may sell its site and fixtures to another syndicate, according to Abbey.

Monticello Club, supposedly a private and chartered organization, also was knocked off by state raiders, who, it's reported, were served drinks after hours.

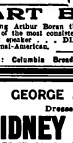
•

Jack Pomeroy rounding up a girl show for the 365 Club, S n Francisco, opening May 11.

JOE TERMINI
with JEAN HAMILTON and BOB DU HART
BRISTOL, HIPPODROME
LONDON
MAY 1st

"Heart of the Loop"
BREVOORT HOTEL
Madison, east of LaSalle, Chicago
Special Theatrical Rates

A. & S. LYONS, Inc.
ANNOUNCE
The removal of their New York Offices to 515 Madison Avenue
PLaza 3-5181
Casting Department
MARGARET LINLEY
ROBERT KENNEDY
HOLLYWOOD LONDON


On the air with Rubinoff and his orchestra
Sponsored by ten thousand Liggett-Rexall drug stores . . . Coast-to-Coast . . . NBC and CBS networks May 2, 4, 5, 6th.
ART BORAN
Young Arthur Boran the mimic-comedian is one of the most consistent entertainers on the loud speaker . . . DINTY DOYLE, N. Y. Journal-American.
Dir.: Columbia Broadcasting Artists, Inc.

GEORGE FORMBY
Dressed by
SIDNEY FISHER
75/77 Shaftesbury Avenue
PICCADILLY, LONDON, ENG.

Best Coffee in England
QUALITY INN
Leicester Square
LONDON, WEST-END

WANTED AT ONCE!
MIND READING OR CODE ACTS
Write Bower, Kline Connecticut, 13 West 60th Street, New York, N. Y. Bike Station Communicate.

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

MUSIC HALL, N.Y.

Symphony orch, Erno Rapee, Mischa Violin, Frank Novnicki, conducting; Evelyn Dueller, Rockettes, Harry Leech and Betty, Jan Peerce, Glee Club, Corps de Ballet; 'Dark Victory' (WB), reviewed in VARIETY, *March 15.*

Stage show runs exceptionally short this week, due to the length of the picture (104 mins.), but all standby departments and personalities manage to get into the proceedings long enough to hold their franchises. Also hutchnoboxed into the 21 minutes of flesh doings is a snappy roller-skating act. The stage amalgamation takes the title of 'Salute to Spring' and climaxes this seasonal greeting with a repetition of the Music Hall's standard spectacle, 'Blossom Time on the Potomac.'

For the opening inning, Evelyn Dueller lifts a dulcet soprano to a rendelsy on 'Tulip Time' and, from show-windows lining the boxes on either side of the auditorium, the Rockettes parade of mannikins clad in Dutch costumes. With the scenic background featuring a windmill, the Rockettes, togged in the same nugget of fashion, take over the next few minutes for an assortment of softshoe dancing and high-kick drilling.

Harry Leech and Betty are given the setting for their whirlwind routine of roller-skate acrobatics. This team of youngsters do a few catches above the conventional tricks of the trade and sock home its semantic profusion for the more difficult variations in arm rolls, body swings and muscle controls. Leech is even different when it comes to performing the handkerchief pick-up. He whirls around until his nose can't be more than an inch from the floor.

Following item brings Jan Peerce and the Glee Club together for a pleasant arrangement of 'The Masquerade Is Over.' This all blends neatly into the finale, which has the house ballet disporting itself rhythmically and gracefully before an impressive scenic backdrop of Washington's Japanese cherry trees in blossom, the Potomac and the Capitol's dome. *Odec.*

STATE-LAKE, CHI.

Chicago, April 22.

George Bauer & Co., Joe Fong, Alice Dawn, Alice Kavan, Jack La-Vier, Flagg & Arnold, Dick & Dee Remy, Jackson, Stone & Reeve; 'Three Musketeers' (20th).

Lot of show here for the customer's money. Eight standard acts and a good picture at 40c. top is value in anybody's town.

George Bauer and Co. opens the bill with their novelty dance work and go over neatly for the getaway. Around for a long time, it still a good novelty singer in a family act. Joe Fong, who opens the act self nicely with his pop vocalizing. Jack LaVier is another playable novelty. He juggles with his hands on the flying trapeze' comedy perch turn. While technically an acrobatic turn, it really is a comedy monolog routine handled for good variety results.

Outstanding for class and distinction is Alice Kavan (New Acts) with her bright and solid dance act. Flagg and Arnold are a serious and good hand acrobatic team. They make a good appearance, but have a rather slow turn. Alice Dawn sings pop songs energetically.

For solid audience reaction to acrobatics there are Dick and Dee Remy. The gal in this act has grown to Mack-truckish dimensions in the couple of years, and she still manages to still come through with acrobatic splits, flip-flops, etc., makes her an excellent novelty. The young man is also an asset with his acrobatic stunting, especially with novelty stunts such as hand-stakes, handstilts, etc.

Jackson, Stone and Reeve do a little of everybody and everything and manage to do any act. Stone does Harry Ritz (unannounced) and Jimmy Durante (announced). Jackson does himself and Reeve comes in with a good solo tapping routine. As the Durante impersonation, the fake schnoz is not necessary, since Stone indicates ability to work such an impersonation without any make-up aids.

Business good last show Friday (21). *Gold.*

PARAMOUNT, L. A.

Los Angeles, April 20.

Erik Rhodes, Judy Starr, Pinky Lee & Co., George Downey, Jimmy Dickey, Fanchonettes; 'The Lady's from Kentucky' (Par).

Film colony and radio was drawn on for two top-liners on current week's stage show in persons of Erik Rhodes and Judy Starr, respectively. In addition, Pinky Lee & Co. are programmed, are just back from Australian tour en route to London to fill vaude dates and they add materially to success of the bill.

Rhodes, in addition to warbling several tunes and clowning, acts as m.c. and does a capable job. His singing is not so forte, tenorish, robust, but he gives the pay customers plenty for their admission.

Miss Starr, tiny songster, is back at the Par after about three years during which time she has achieved quite a national rep singing over the air with pop name bands. She is full of personality and has about everything it takes. The way she puts over her tunes in straightline leaves nothing to be desired.

Opening of show is flash tableaux, participated in by the 20 house Fanchonettes, with femmes then going into a colorful and well executed routine. Rhodes is brought on for introductory dancing with various members of the group and proceeds to vocalize and clown.

Pinky Lee is a hoke comic aided by semi-straight man and attractive femme, lately doing some drilling. Comedy is of the infectious type and scores decisively, with Lee rendelsy on 'Tulip Time' and, from show-windows lining the boxes on either side of the auditorium, Lee emerges a parade of mannikins clad in Dutch costumes. With the scenic background featuring a windmill, the girls, the Rockettes, togged in the same nugget of fashion, take over the next few minutes for an assortment of softshoe dancing and high-kick drilling.

Harry Leech and Betty are given the setting for their whirlwind routine of roller-skate acrobatics. This team of youngsters do a few catches above the conventional tricks of the trade and sock home its semantic profusion for the more difficult variations in arm rolls, body swings and muscle controls. Leech is even different when it comes to performing the handkerchief pick-up. He whirls around until his nose can't be more than an inch from the floor.

Following item brings Jan Peerce and the Glee Club together for a pleasant arrangement of 'The Masquerade Is Over.' This all blends neatly into the finale, which has the house ballet disporting itself rhythmically and gracefully before an impressive scenic backdrop of Washington's Japanese cherry trees in blossom, the Potomac and the Capitol's dome. *Odec.*

ORPHEUM, MPLS.

Minneapolis, April 22.

Wayne King's orch (13), Peppino & Caille, Dean Murphy, Lynn, Royce & Vanya; 'I'm from Missouri' (Par).

Wayne King has dropped down the radio popularity ladder, according to recently published readings, but he undoubtedly will climb high in vaudfilm fans' estimation if he tours with his present show. Showmanship, music and a bit of vaudeville, all exceptionally good, add up to one of the best hand unit offerings to play here this year. In staging, lighting, swift pace and all-around quality, this presentation rates tops. Other radio and nitery bands contemplating theatre excursions might do well to take a leaf out of King's book.

Firstly, of course, King has a bang-up orchestra comprising some 13-rate musicians whose playing merits high praise. Secondly, arrangements are superb. Thirdly, with the skillful selection of numbers, the production artistry and the masterly manner in which the ingredients are put off, it still might be just another stage band.

There are only three acts—two of which classify as dance turns—but each is a show stopper. Band numbers provide most of the action, but there is plenty of the latter, too. Peppino and Caille are the first act after the orch's initial session. They're a smooth, polished ballroom pair, popular here as a result of a lengthy Minneapolis Terrace nitery engagement. Dean Murphy gives a new twist to his impersonations by introducing them into a monolog that carries him from one to another without interruption, and with a semblance of continuity. It's mimicry at its best. Murphy's material being exceptionally good, too, makes something of-color in several spots. The act furnishes plenty of laughs and the customers want to hear Murphy go. His curtain speech is a knockout.

The orch's next number is 'Deep Purple,' which calls into play another bizarre backdrop and Peppino and Camille for more smooth ballroom dancing. Then the outfit goes into still another composition of one of its own members 'Annabelle.'

Lynn, Royce and Vanya are click knockabout comedy adagio dancers. The femme of the trio is whirled from one man to the other for a thrilling finale. A hot orchestra swing number, 'Tarantella,' is a lively finish to the show.

House was two-thirds full at opening. *Rees.*

COLISEUM, LONDON

London, April 16.

Paul Berny, Betty Driver, Bertha Willmott, Yvonne Arnaud, Jack Melford, Patricia McGrath, Horace Goldin, Murray & Mooney with Eric Starr, Jack Ansell & Orchestra, Recombed Mae Knight, Joe Termini, Darmora La Vie Parisienne Dancers.

The headline attraction at the Coliseum this week is Yvonne Arnaud, well-known comedy star here in an Edwin Burke playlet, 'You Can't Beat Them.' It is new to this country, but is shabbily one of Burke's old ones, with a cast of three—wife, husband and friend. Miss Arnaud plays the wife, Jack Melford the husband, and Patricia McGrath the friend. Husband is spending his wife's allowance, but inclined to be generous to the friend who seeks contributions to charity. These turn out to be sums of money which the friend turns over to the wife to enable her to pay her dressmaker's bills. It is scarcely worthy of Miss Arnaud's talents.

Next in importance is Horace Goldin in an up-to-date illusion act which is sufficiently intriguing to hold the audience in closing spot. Remainder of the show is interspersed by Murray and Mooney, old-time cross-talk comedians, augmented by Eric Starr, a dancer, and Clem Dawe, who are billed as Australia's foremost comedians. They are assisted by Edna Luscombe and Mae Knight, and the six of them work through the acts of several others. Messrs. Ansell and Dawe are the only reality Australia's 'foremost comedians,' the Antipodes does not condone Murray's style of work, which is outmoded, and they resort to the old skit, 'Do you know what we do with crawfish here?' jumping upon the victim's headpiece.

The laughing hit of the program, in a late spot, is Joe Termini, who now works with a man and woman for a finish. The girl is etty and pretty, and the man a fine, loose-limbed hoofer. On their own they would be hardly strong enough, but as a comedy trio they provide the somnolent melodist.

Show opens with Paul Berny, a French juggler, who manipulates tennis rackets, Indian clubs, etc., while doing Russian stepping. He is followed by Betty Driver, who put out quite a good G.-ic Field singing negligibly. Bertha Willmott is a torch singer who does some radio work. She depends upon ancient popular tunes, asking the audience to join in. Why is it that all torch warblers carry chiffon dusters in their right hands and wave them about while vocalizing?

Darmora La Vie Parisienne Dancers, b.o. from last week, have a short stay, slightly altered routine, but still feature the Can-Can quadrille, which is their best number. And they do it most of the evening come Murray and Mooney and their Australian prototypes in perfects to do funny gags like the Palladium's Crazy Gang. *Jolo.*

CAPITOL, WASH.

Washington, April 21.

Arthur Godfrey's revue with the Starlets, Harry Russell, Catherine Westfield, Cardini, Ames & Arno, Phil Lampkin's house orch; 'Let Freedom Ring' (M-G).

Arthur Godfrey, whose spieling, whistling and ukulele playing kept him far and away the top figure in local radio for years, has gathered up his entire crew, minus the Mary Lou standard acts and the house orch, and, with Gene Ford, Loew's diminutive producer, has emerged with a revue as varied as it is informal. Granted it would need plenty tightening to click in Godfrey's home town, it's right up the alley of the customers here. Red-headed favorite of all has dabbled in most every entertainment field, but sticks to amateur pose as regards vaude, something which is a radio star out of his element and keeping audience on his side throughout.

Pit band is handled on full-stage with Godfrey's radio mainstays, electric organist, Johnny Salb, and vocalist, Bernice Claire, in the center above Godfrey's piano with neon-lighted keyboard. Godfrey opens with a bit alternating between piano and banjo in variations of 'I Avalon.' He then brings on house emcee, Phil Lampkin, who waves the stick for the Stapletons, who follow with smooth sophisticated pantomime. Lampkin also plugs Kids are good looking and well dressed.

Godfrey takes it again to introduce Salb and Clements, and then brings on his boy, air hostess, Ann Gary, tall, attractive blonde soprano, who pleases with 'Sweethearts.' Gal then does old-fashioned bonnet and shawl and Godfrey gets into derby and mustache for comedy ditty concerning a gal who's after going to the St. Louis World's Fair, a little long. Gal goes straight again to sing 'Summertime,' with Godfrey warbling interpolations of 'Snowball, My Honey' to strong finish.

Godfrey next brings out Katherine Westfield, who works puppets. Hoofing dolls include rhumba dancer, clown, Alice-Blue-Gown warbler and Donald Duck on skates, all scoring. Cardini takes it next for usual sock suave deception stuff, ranking cards and lighted cigarets out of midair as always, but adding a shifting bouquet of flowers and flame-shooting matches, which are new.

Godfrey warbles 'Turkish Delight,' sided by Lampkin in fez and sheet. Song is one he does over air regularly and in person it is just as sock. Ames and Arno bust on for the finale with their gamut of slapstick clowning and acrobatics, having cut none of the stock stuff and adding plenty of their own ideas. Godfrey gets some hoke at the finish.

Biz oke. *Craig.*

TOWER, K. C.

Kansas City, April 22.

Orrin Tucker's orch, with Bonnie Baker, Parker Gibbs (3), Bodyguards (4), Roger Burton, Melba Cordes, Vern Fern, Vic Hyde; 'Winner Take All' (20th).

The Tower is in the swing this week with one of its infrequent stage shows. It's a semi-unit arrangement of Tucker's organization with the accent on the vocalists, adding to a sizeable entertainment package. Also the second appearance of this crew here in two years.

Following a pop song opening, Tucker, as m.c., calls the Lorraine Sisters to head off the vocalizing. Their hotcha harmonizing is supported by the Bodyguards, male quartette, featuring Gilbert Mershon. Arrangements are novel and the group clicks nicely.

Second spot is given by Vern Fern as a straight single with a short aesthetic acrobatic routine. Then comes the feature attraction, illustrating various rhythm styles from dark stage with colored lights representing several instruments. Number clicked well in former appearance and still few changes this time is still strong.

Mershon's solo is the entree for the whole club ensemble of dozen male voices, crew sticking to songs this time and winding up with their Flower Song specialty, strictly the local interest. Roger Burton, band fiddler, gets an inning to play his own composition, 'Fly in the Fiddle.' The catchy novelty tune is illustrated by toe dancing of Melba Cordes and music takes the spotlight. Burton has written himself a number of similar tunes and could make a stronger feature of the organization.

High spot of the show is the warbling of Bonnie Baker, Style is her chief stock, Especially for 'Love and Sweet Little Headache' aptly illustrated by the tune. Personalizing the songs is large reason for long list of encores demanded.

Tucker introduces assigned to Vic Hyde, added act, with his one-man hand routine. Features playing of multiple instruments at same time, accent building all the way. Finale playing of four trumpets simultaneously is novel.

Band finale is built around Tucker's own 'I Need Lovin' and it's a strong finish. More available tunes like this would see more flesh in the Tower. *Quin.*

SHUBERT, B'KLYN

Pat Rooney, Walter Walters, Lee Royce, Lucky Sisters (2), Rosalie, Mills & Shea, Bee Nelson; band (6) 'I Am a Criminal' (Mono) and 'Texas Wildcats' (Indie).

This bill looks like the best song for the Shubert. There will be no multiple vaudeville, but the booking management after this bill closes. After two weeks with a more expensive bill, the management's budgeted policy went in. It pleases the customers despite number of singles and duos. Management says that the trouble is that there aren't enough customers. Also, the theatre is outmoded by too many other film houses.

Pat Rooney, doing much the same act he has been doing in vaudeville for years, is the bell-ringer of the bill. Announces that he has been on the road 50 years, but scores via his sheer tempsing ability. Forced to make speech before getting away.

Mills and Shea scored with their standard tumbling and knockabout sailor clowning, familiar for years. Walters and Walters usual very good triloquial turn. That record-playing over the phone and the crying baby routine is good.

Rosalie, whose accordion playing is familiar, retains 'Second Hundred Thousand' as one of her solos. 'Must Have Been a Beautiful Baby' is tried vocally as well as playing. Instrument, her voice is light. 'Anchors Aweigh' is a neat novelty with its sound of marching feet. 'Bumble Bee' gives her a trim closer.

Lee Royce who m.c.'s the show, possesses a good 'Song Bird' voice. 'My Heart' and 'Old Man River' in rapid succession. He has a powerful voice and they liked him here. He's been working as Joe Besser's straight man. Lucky Sisters, two colored girls, make a try at vocalizing 'Hold Tight' and then robustly go into their tapping. Obviously need plenty of furbishing. *Wed.*

STATE, N. Y.

George Givot, Eddie DeLange's orch, Carroll & Howe, Neila Goodelle, Five Elgins, Elissa Cooper, Maurice & Maryea; 'Stagecoach' (UA).

A five-course vaudeville buffet of regulation service, this show entertains sufficiently well to suit as supplemental fodder for 'Stagecoach' (UA), on second-run here after a two-week date at the Music Hall revival. Headline is the name and Givot, plus Eddie DeLange. Last-mentioned has built up his following through broadcasting since first caught at a 52d street bistro. A comparatively new orchestra, having been organized last summer, DeLange has just closed with the Phil Baker program on the air waves and is now going out on vaude dates.

The DeLange crew of 13 men, some of whom double for vocals, are supplemented by the singing Elissa Cooper, with the original Will Hudson-Eddie DeLange orchestra, and by the ballroom team of Maurice and Maryea, recently imported from Europe. Popular swing number, with moderation of brass, and novelty songs are featured. DeLange's lyric writer of numerous tunes, latest being 'Heaven Can Wait,' wears tails and is the most dignified of the crew.

Miss Cooper does one number with DeLange, a cute thing, as well as two very effective novelty songs, 'Middle Eye Finkel' and 'What This Country Needs Is Food.' She is a personable young lady, with a Sophie Tucker who clears the hurdles neatly as a swing singer. Maurice and Maryea's two dances are excellent, the latter being distinguished by ingenious routining.

Givot, back from abroad, has added some new material, the Greek dialection number and Mark Antony and Cleopatra being particularly effective. Crack about how long it's going to take us to get into another war is sour grapes, but otherwise the Givot turn is beyond reproach in any way.

No. 3 is Neila Goodelle, and No. 2 is the team of Carroll and Howe. Latter act is a routineless dodgeability. Buddy Carroll and Jean Howe, an effective comedy-dancing combination, are handicapped by a material asset for them. Miss Goodelle, who sings in one at a mike and also at the piano in accompanying, is no smash, but does new as well as old numbers in a quite satisfactory manner. She makes a good appearance.

Real old-time vaude flavor is lent by the Five Elgins, hat and Indian club jugglers, who are good at their trade. This act has been playing around a long, long time. *Char.*

EMBASSY, N. Y.

(NEWSREELS)

Exhibitors have lately started asking with more frequency what has happened to the newsreels. The general opinion is that they are less newsy than they used to be, as judged by what the screen publishes of news is, and that too many issues are nothing but a lot of fiddle-faddle. Because of this, together with the editorial fearlessness with which the March of Time approaches its subjects, exhibitors are apparently willing to pay many times the rental for this monthly reel than for others.

Attacks against newsreels are full of hot news these days, the newsreels aren't. Tendency of picture companies to mention the fact that, failing to let their editors go after hot stuff without restriction, is no doubt responsible for the question that that newsreel editors can get most of the real news and present it without treading on controversial aspects, or fears of complaint, but they apparently aren't permitted to do this.

The current program of 54 clips here this week offers nothing of a startling nature, but is made up mostly of routine, negligible stuff, a lot of which the average newspaper would toss into the waste basket. A couple laugh items with Lew Lehr another of a couple kid boxers that is rather cute and another material that is very finely photographed, stand out in sharp relief to the rest of the stuff.

A forest fire in Washington and surf riding in Australia, former by Paramount, latter by Pathe, are both exceptionally well shot. Another that is good is the cameraman in Fox-Movietone's piece on a Lake Michigan ice-breaker, including exposures at night.

The following are typical of what the newsreels are giving the public these days:

A mechanical man; Pasadena fashions; N. Y. sculptors show outdoors; Jersey's this theatre's cleaning up street; Prince of Iran (one of her old 'tuff); Beck of Poland; Chamberlain taking a ride in a canoe; some army recruits sailing for Panama; parade in Milan; something in Dubuque; Hoover's wife gave no special significance; Max Baer imitating Joe Louis and Galento, young camels and bears in London zoo; Paris fashions; street clothes fashions; gaffing some salmon in Oregon (this is very hot stuff); airplane factory in Liverpool (good any time); Baltimore clipper arrives; and Mt. Rainier skiing.

Nothing of great importance con-

(Continued on page 36)

Variety Balls

NEXT WEEK (April 28)
THIS WEEK (April 21)

Numerals in connection with balls below indicate opening day of show, whether full or split week

Loew

NEW YORK CITY
State (27)
Titan 3
Bradley Martin
Frankie Fays
Lewis & Ames
Eleanor Powell
NORFOLK
State (28)
Rhythm Rockets
Ames & Arno

Paramount

NEW YORK CITY
Paramount (24)
Henry Busse Orc
Lanny Ross
Billy Gilbert
Shirley Ross
Hal LeRoy
ATLANTA
Paramount (28)
Berni Vici Co

BIRMINGHAM
Paramount (24)
Dava Apollon Co
CHICAGO
Oriental (28)
Clyde McCoy Orc
Billy Mayo
Georgie Tapps
Knight Sis

RKO

NEW YORK CITY
Music Hall (27)
Jan Peerce
Harry Leech & B
Evelyn Dupont
Rockettes
Corps de Ballet
Erne Rapp Symph
BOSTON
Keith (27-30)
Hudson Wonders
Johnny Woods
Virginiane
Ja Wer & Ware
Stafford & Leslie
CHICAGO
Palace (28)
Rexettes
Potch & Deauville
Gaudsmiths
Morin Sis
Don Rice

(21)
Roxyettes
Frank Parks
Randall Sis
Peggy Taylor Co
Brown & Ames
CLEVELAND
Palace (28)
4 Novas
John Payne
Slim Timblin
Betty Lorraine
John Fanon
John Elliot
Rosemary Brooks
Rudy Madison
Bill Gaudsmith
Steven Ivies
Bernie Cooper
George Tenak
Harry Donnelly
Arthur Bohan
Harold Willard
Don Certez
Cafe Savlat
Malvin Park
Hayweed & Allen
Cass Manion
Ozzie Nelson Orc
Willie & B Howard
James Burton
Don Barclay
Charles Wick
Yola Gill
Harry Hardwell
Jack Cole Co
Nubonaire
Allen & Kent
Jack Tilton & Seale
Jack Johnson
Arlene Rose
Yacopi Tr
Harry Brown
Kay Parsons
Sylvia Christian
Art Lefleur
Chateau Moderne
Paul Sass Orc
Jill Roy
Gabriel
Lynn Russell
Jack Harrar
George Rixon
Club 18
Jack Wells
Pat Harrington
Harry Krueger
Judy Rudie
Frank Ryan
Leila Gaynes
Stella Dupont
G Andrews Orc
Club Gaucho
Chas Masters Orc
Panchita Vila
Jimmy & Dalcita
Trini Plaza
Sinda
La Merita
Rafael Rey
Felicia Flores
Maria Del Carmen
Lonergan Sis
PITMAN
B'way (29th only)
Swan, Dunn & H
Marcella & Will'nie
Mill'ns Christ'pher
Sun-Ray Rev
PROVIDENCE
Fay's (28)
Ahbott & Robey
Masters & Rollins
Ming & Toy
Jean Hammond
Herbert Ronard
8 Jordens

Warner

NEW YORK CITY
Strand (28)
Fred Waring Orc
(21)
Guy Lombarde Orc
Gene Sheldon Co
Doris Dumont
PHILADELPHIA
Earle (28)
Tony Martin Orc
Gene Sheldon
Charlie Carroll
Dale Winthrop
(21)
Virginia Verrill
Gae Foster Gls
Lamberions
Ben Blue Co

Pearl Robine
Norma Gallo
Dorn Bros & M
Paul Nolan
Catherine Woolfield
WASHINGTON
Capitol (28)
Al Gordon Co
Carroll & Howe
Jessica Dragonette
Saul Grauman Co

Provincial

Week of April 24

ABERDEEN
Strand
Proffitt & Evans
Maskolyne Co
Parachutes' & L
Mendoze Sis.
EDINBURGH
Royal
Jack Anthony
Hilda Meacham
Tommy Graham
Renara
Jay Marello
Doemonda & Clair
Douglas Rex & L
Bond Rewell
Annette Bennett Co
Stanley King
Nora & Dog St John
Eric Palmer
GLASGOW
Pavilion
Levanto Co
Al & Bob Harvey
LIVERPOOL
Shakespeare
Frank Randle
Claudie Edwards
Kerne & Mary Lou
Winton & Hill

Cabaret Bills

NEW YORK CITY

Armando's
Buddy Clarke Orc
Marie Spaulding
Pat Kennedy

Barney Gallant's
Frank McFarland
Bella Bianca
Berech & Dockary

Bill Bartcelotti's
Angelo's Rhythm Bd
Elaine Spencer
Lefty Kombio
Annette Guarlaine
Maya Gibbons

Bill's Gay 90's
Emily Stevensen
Irvin Fischer
Florence Herbert
Bill Lorraine
John Fanon
John Elliot
Rosemary Brooks
Rudy Madison
Bill Gaudsmith
Steven Ivies
Bernie Cooper
George Tenak
Harry Donnelly
Arthur Bohan
Harold Willard
Don Certez

Cafe Savlat
Malvin Park
Hayweed & Allen
Cass Manion
Ozzie Nelson Orc
Willie & B Howard
James Burton
Don Barclay
Charles Wick
Yola Gill
Harry Hardwell
Jack Cole Co
Nubonaire
Allen & Kent
Jack Tilton & Seale
Jack Johnson
Arlene Rose
Yacopi Tr
Harry Brown
Kay Parsons
Sylvia Christian
Art Lefleur

Chateau Moderne
Paul Sass Orc
Jill Roy
Gabriel
Lynn Russell
Jack Harrar
George Rixon

Club 18
Jack Wells
Pat Harrington
Harry Krueger
Judy Rudie
Frank Ryan
Leila Gaynes
Stella Dupont
G Andrews Orc

Club Gaucho
Chas Masters Orc
Panchita Vila
Jimmy & Dalcita
Trini Plaza
Sinda
La Merita
Rafael Rey
Felicia Flores
Maria Del Carmen
Lonergan Sis

Cotton Club
Cab Calloway Orc
Bill Robinson
Mabel Tharpe
Tanya
Katherine Perry
Roachwoody Co
Glenn & Jenkins
Ruby Hill
Son & Sonny
Myra Johnson
Vodery Choir

Diamond Horseshoe
Nobla Sisais Orc
Don McGrene Orc
Fritzi Scheff
Buddy Doyle
Margery Maender
Frank Libuso
Tom Patricola
Joe Howard
Club Kager
Mangean Tr
Tania Lind
Emma Francis
Lalla Rene
Willie Solar
Harry Armstrong
Elizabeth Murray

El Chico
Bilseo Gomez Orc
Fantasia Novia
Pepita & Pepitita
Romero Gomez
Rosario Rodriguez
Dorita & Valero

El Morocco
Val Erwin Orc

Famous Door
Teddy Wilson Orc
Frances Faye
Greenwich Village

Casino
Don Ravel Orc

Angne Enters
Georgie & Jaina
Charley Wright Jr
Hotel White

Lou Lang Orc
Charlie Macy
Peggy Brown
Dodd O'Dell

Jimmy Kelly's
Joe Capello Orc
Inga Borg
Gladys Faye
Primrose Aloma
Mary Lane
Tanya
Lee Leslie
Gerry Wolfe
Carter & Schaub
Terry Shannon
Peggy de la Plante
Montmartre Boys
Danny Miggins
Bid Hawkins
Vaugh Comfort
Jones & Christine
John Rockwood
Gene Walters

Kit Kat Club
Roy Durant Orc
Dorothy Sadler
Delores Brown
Lorenzo Roberson
Teddy Hale
Velma Middleton

Monte Carlo
Ted Streator Orc
Bob Knight Orc
Dick Smith
Elaine Dassett
Peggy Healey
Anita Colby
Evelyn Kelly
Roxanne Murray

Nick's
Mike Riley Orc
Sharkey Bonones Or
Larry & Eddie

Onyx Club
John Kirby Orc
Lee Wiley

Paradise
Richard Himber Or
Jack Waldron
Janis Andre
Hal Sigmen & B Brunell
Bob Parker
Rex Weber

Pepper Pot
Jo D'Arbrisa Orc
Bob Matzi Orc
Brendon
Al Fergusen
Eva Kaye
Prince Singh

Place Elegante
Leo Lataro Orc

4 JAMES BOYS
FOX, PHILADELPHIA
NOW
Personal Management:
EDDIE SMITH
22 West 48th Street, New York

Edith King
Flash & Dash
Connie Harris
Hetcha Drew
Etty Lorraine

La Conga
Pancho Orc
Desi Arnaz Orc
Diosa Costello
Pancho & Dolores
Martinez & Antonite

La Marquise
Bill Lawrence Orc
Gloria Whitney
Lillian Russell
Frances Connolly
Nina Mae

Larue
Eddie Davis Orc
Joseph Santos Orc

Le Coq Rouge
Gee Sterney Orc
Jean Francine
Tisdale 3

Le Mirage
Nina Allen
Byrnes & Swanson
Earl, Cal & Doug

Le Ruban Bleu
Herbert Jacoby
Hotel Meurice
Marie Eva
Elsie Hanson
Graziella Parraga

Leon & Eddie's
Lou Lee Orc
Eddie Davis
Irie Adrian
Ting Pin Sou
Johnny Hamp Orc
Lucky Sis
Lillian Roete
Susan & Christine
Jerry Mitchell
James Keegan
Ann Lee
Welly Wanger 6

Jack Osterman's
Little Club
Roger Stosie Orc
Bill Wheeler
Virginia Curtis
Ruth Mitchell
Betty Weber
Jeanne Hansen
Howard Hale Orc
Rosalind Lewis
Martha Keen
Gypsy Lopez
Estrella Orc
Lydia Ebrenberg

Moe Wong
Charlie Murray Orc
Mary Cohan
Jimmy Rogers

Evelyn Steele
Jerry Gallan
LaCunga N'mba Bd

Little Club
Jane Jones
Paul Kendall
Walter Dyson

Little Hungary
Valerie's Gypsies

Marcel's
Leonard Keller Orc

Marcus Daly
Kay Gregory
Joey Lee, Orc

Oser's Hollow
Lillian Gibson
Charles Earle
Bill Bonn
Ted Wells Orc

Ritz Palace
Imogene Coca
Tenor Sis
Gloria Glennon
Kirk Allen
Masquer & Miller
Jerry Blumson
Jimmy Brittany
George Olsen

Park Inn
Dominic
Blaze & Elaine
Jerry Golden
Katherine Skidmore
Lillian Gilbert
Eric Masser
Henry Monet
Marguerite & M
Ken Sherman
Chuck Henry Orc

Seven Seas
Danny Kawaina
Ray Sinar
Lillian Gibson
Al Heintzes
Eddie Rust 4

Slapsy Maxie's
Slapsy Maxie
Jack Waldron
Jos Pistel
Andy Sorrell
Virginia Mathews
Moore & Lewis
Tommy Reilly Orc

Somerset House
Harry Ringland
Art Tatum
Jack Jones

Stage 'T' Cafe
Wally Vernon
Billy Young
Henry Galanti
Shemp Howard
4 Squires

Swanee Inn
Eddie Bond
Gladys Bentley

Topsy's
Elmer
Arlett Jen
Farss & Masters
Nichols & Lucas
The Mercer Bros
Dorothy Brandon
Chuck Fraser Orc

Victor Hugo
Joaquin Garay
Irving Ennis Orc
Carmine

CHICAGO

Drake Hotel (Gold Coast Room)
Ted Weems Orc
Marvel Maxwell
Elmo Tanner
Perry Como
Parker Gibbs
Red Ingle

County Washburne

Butch's
John Elliott
Carles & Dolores
Betty Jane
Evelyn Harris
Lalita
Mort Lund Orc

Edgewater Beach Hotel
(Marine Room)
Ray Herbeck Orc
Ina Mae & Jackie
Betty Benson
Kitty Brooks
Marine 4
Harriet Smith Gls

855 Club
Eddie Varros Orc
Lucie Garcia
Johnny Howard
Rider Sis
Grace McCarthy

El Dumpo
Laurette Ne Val
Bernie Green
Gloria Ray
Marie Paul
Yehiria Gale
3 Loose Screws,
Ray Stubers Orc
Sam Badie

Famous Door
Esther Whittington
Bryan Wolf
Jack Feldstone Co
Dave Malcom
Bulle Baker
Florine Manners
Nikki Nirvana
Terry O'Toole
Al Robinson Orc

Franke's Casino
Will Martin
Henore & Gladice
Zorello
Betty Sorry
Jean Moore
Jack Washridge
Billie Rodgers
Buddy Kirbie
Rocky Silsworth
Bob Tinsley Orc

Gay Nineties
Jimmie Amee
Lew King
Lolson
Jean Rogers
Jane Decker
Vanette Gle
Pat Rose
Bebby Dendore Orc

Gay Paree
Lulu Lind
Elinor Johnson
Elise Mannon

Green Door
Hotel Hart
Johnny Merrinsey
Frank Gaylord
Charlene Baker
Fred Gaylord Orc

Rose Bowl
Willie Shore
Frankie Lifshitz Or
Selbys 3
Jerry Palmer
Lillian Barnes
Glenda Hope
Sel Wagnor Orc

Royal Frolics
Dolly Kay
Eddie White
Wilson Lee
Anthony, A & H
Jack Kirkland
Frolics Ens

Eusebio Cencialdi
Spyros Stamos
Jan Quizote Orc
Ennio Belognini Or

Hotel La Salle
(Blue Front Room)
Vibra
Stuff Smith Orc
Gladys Madison
Jenah Jones

Liberty Inn
Dick Hughes
Helen Dufrene
Jack West
Billy Hill
Frizzi Bee
Barbra Row
Rita Manning
Jimmie O'Neil
Earl Wiley Orc

Limehouse
Bob Tank Orc

Little Club
Tanua Tamara
Richard Lancier
Roland & Francine
Joe Kirk Orc

McGraws
Marion Oliver
Jack Tilton
Violet Sternberg
Chuck Andrews
George West
Little Jack
Phil Chinerd

McLaughlin's
Nell Clark
Nadja
Mickey Dunn
Ann Klein
Bromberg Bd

Melody Mill
Tiny Hill Orc
Allan DeWitt
Harold Osborne

Millstone
Ann Millstone
Pio Whitman
Gale Lawrence
Betty Merrill
Della Bartell
Jack Roland Orc
Nyra Lee
Muriel Joseph
Bisio Robins
Patsy Du Brae
Sunshine

Minuet Club
Dee Downey
Bonnie Willis
Gale Lawrence
Jacqueline Allen
Art Fischers Orc

Morrison Hotel (Boston Room)
Manfred Schaeffer
Nameless Cafe
Mancini Orc
Cha Ara
Gwen Paul
Pinky Tracey
Margie Strong
Evelyn Reed
Ed Leon

Napps' Gardens
Melaine
Jean Stone
Ray Colbin Orc
Kay Moore
Honey Lee
Sally Sherratt

Old Heidelberg
Old Heidelberg Co
Octet
Robert Kessler
Franz & Fritz
Swiss Bell Ringers
Raoul Kantrow
Hilda Kent

Paddock Club
Ione O'Donnell
Ruth Donnell
Ric Miles
Ivy Dornfeld
Diene Raye
Jay Hill
Jo Jancie Orc

Palmer House (Empire Room)
Eddie Duchin Orc
Ruth Davis
Dick Barstow
Anderson & Allen
Durette & Alexander
Abbett Dancers
Bill Dwyer Orc

Parody Club
Flash Evans
Ray Bloss
Delores Shaw
Richmond Atkin
Chic Sandara Orc

Pump Room
Chet Boswell
Jos Maddon
Jack Miller
Kay Marcey
Lindsey Lane
Wayne Bros
Jack Phillips
5 Chicagaens
Frankie Quartel Or

Villa Moderna
Tony Cabot Orc

Vinoma Gardens
Gigi Rene
Lee Harmon
Pat Allen
Nita La Tour
Jerry Gilbert
Lucille Johnson
Frances West
Nita La Tour
Hazel Ward
Frank Snyder Orc

PHILADELPHIA

Anchorage
Jack Curtis
Tom Davis
Nitza & Revel
Dorothy Thomas
Edna Thompson

Bellevue-Stratford
Eddie Dunlap Bnd
Mayer Davis Orc

(Burgundy Room)
Frances Lynne
Ben Franklin Hotel
(Garden Terrace)
Red Norvo
Terry Allen
Jimmy Dum's
Saucy Sis
Chiquita
Conchita
Charlie Boy
Bart Hernandez
Browning Lane Inns
(Bellmawr, N. J.)
Mary Joyce
Vince Norman Orc

Cadillac Tavern
Helen Doyle
Monique & Adrien
Dan Edwards
Lillian Stewart

Sherman Hotel
(Celtic Cafe)
Gene Korwin Orc

(Dome)
James Hamilton
Empire Boys
Pedro de Leon 4
Jerry Glidden
Keller Sis
Del Obrel

(Punther Room)
Gene Krupa Orc
Irene Daye
4 Jitterbugs
Carl Marx

Silhouette
Larry Forbes
Mildred Perr
Eddie Dandera
Joan Baylor
Joey Cantrel Orc

Silver Cloud
Ray Stiles
Mortimer & B
Amelia Morales
Clark & Amico
Johnny Morrison
Jeanne Daniels
Jean Costello
Hazel Zelas
Ward Richardson
Johnny McNeil Orc

Silver Frolics
Harry Harris
Elaine Raby
Tony & Gene
Fay Wallace
Art Freeman

606 Club
Billy Carr
Sunny Carter
Connie Fassaun
Rosie Burns
Jean Rechelle
Dolores Del Mar
Mary Feber Gls
Joel & Annetta
Dietrichs
Inez Scott
Aloha
Gaela Rosella
Dagmar
Dolly Starling
Patricia Perry
Colletta
Carmen
Del Sara Orc
Tripoli 3

Sky Rocket
Marjorie Whitney
Dictators
Hughes & Shaw
4 Kings

Stevens Hotel (Continental Room)
Rhythm Boys Orc
Barnett & G
Byron Gls

Stratosphere Club
Hal Reed Rock
Frank Berbor

Schwarz
Ginger Dix
Lucille Carroll
Shirley George
Gypsy Zena
Betty Lynn
Jackie Richard
Frances Thomas
Billy Kent
Henry Sax Orc

Soul-Q
Bernie Green
Juice Sis
Cheri
Jane Scott
Sam Berl
Irene Wilson Orc

Thompson's 16 Club
Ray Reynolds
Arthur Allen
Frank & Lola
Heath Sis
Frank Donis
Patsy Thomas
Det Keith Gls
Marsh Sisters
Sammy Frisco Orc

Three Deuces
Baby Dodds
Charles McBride
Jimmy Ateman
Lennie Johnson

(Off Beat Room)
Anita O'Day
Wingy Manone
Frank Ely
Lennie Esterfield
Jimmy McFarland

Tower Inn
Melia Manner
Sally Gray
Ines Gonan
Betty Grey
Los Gls
Ruth Williams
Frank De Avia Orc

Town Club
Chet Boswell
Jos Maddon
Jack Miller
Kay Marcey
Lindsey Lane
Wayne Bros
Jack Phillips
5 Chicagaens
Frankie Quartel Or

Villa Moderna
Tony Cabot Orc

Vinoma Gardens
Gigi Rene
Lee Harmon
Pat Allen
Nita La Tour
Jerry Gilbert
Lucille Johnson
Frances West
Nita La Tour
Hazel Ward
Frank Snyder Orc

Independent

NEW YORK CITY
Roxy (28)
Art Jarrett
Dick, Don & D
Frank Fay
Freddie Craig Jr
Dawn & Darnell
ATLANTA
Roxy (28)
Helen Morgan
White & Manny
Frank Payne
Paney the Horse
BALTIMORE
State (28-2)
Swan, Dunn & H
Millbw'ns Christ'pher
Sun-Ray Rev
(27-29)
Frank & Alma
Billy Sands
Spring Green Revelo
Hippodrome (28)
Bittmanettes
Lorraine & Rogman
Frank G-by
John Boles
MILWAUKEE
Riverside (21)
Gaudschmidt Bros
Gil Lamb
Tommy Panford
Knight Sis

Charles Masters
Belva White
STEVENSON
Malestic (28-30)
Mikado U
PHILADELPHIA
Carman (28-29)
Nellie Lutcher
Mack, Wilkey & D
(Tues to Thurs)
Fay's (27)
Jack Leonard
Mathoe Merryfield
Sally Rand
Amy Fong
8 Sisters
Bob Rollmer
Allen & Irving
Lonergan Gls
PITMAN
B'way (29th only)
Swan, Dunn & H
Marcella & Will'nie
Mill'ns Christ'pher
Sun-Ray Rev
PROVIDENCE
Fay's (28)
Ahbott & Robey
Masters & Rollins
Ming & Toy
Jean Hammond
Herbert Ronard
8 Jordens

London

Week of April 24

Astoria
Rhodes & Lane
Dominion
Wilton
Max Co
CAMDEN TOWN
Gaumont
Marg'rite & Charles
3 Musketeers
Beams Co
CLAPHAM
Granada
Mon Night of 7
EAST HAM
Premier
4 Playboys
Jackie
GREENWICH
Granada
Bernardi Co
HAMMERSMITH
Gaumont
Gautier Co

Percl & Mary H.
ISLINGTON
Ritz
Peter Brough
Rhodes & Lane
LEWISHAM
Gaumont
Billy Cotton Orc
SHEPHERD'S BUSH
Pavilion
Fred Sylvester Co
Lovalia
Regis Redcliffe
STRATFORD
Broadway
4 Playboys
Jackie Co

YOOTING
Granada
Hughes Greene Orc

Bill Ferrell
Tommy Mills
Ben Kauf
Irve Harris
Rex Gavitts

Queen Mary
Joe Bills Orc
Connaught Fiesterton
Carolyn Bell
Patricia Ryan

Rainbow Grill
Barry Winton Orc
Merlyne & Marcel
Rainbow Room
Ruby Newman Orc
Ella Fitzgerald
Gower & Zenne
Eddie & Ann Ore
Jean Carlier

Russian Kretchma
Yashin Mizagorov
Vera Malaya
Daria Bires
Natalia Sova
Hermine Michel
Pseudo Cossacks
Senia Karavnef
Michel Michen
Sergi Igntonko
Volodia Kator
Genia Pobedina

Show Bar
(Forest Hill)
Sheila Warren
Carol Morris
Bill Hanson
Jack Hylton Orc
(Bermuda Room)
Johnny Singer Orc
Bernico Manning
Jack Gray
Antoine & DeBarry
Martha Wroneholl

Stoll Club
Senny Xendis Orc
Jess Lopez Orc

Versailles
M Berger Orc
Mitzi Green
Pancho Orc
D'Avalos Dancers

Village Barn
Howard Wade Orc
Gwen Williams
Freda Sullivan
Zelma Blair
Polly Jenkins Co
Will & Bob
Lou Valoro
Walter Donahue
Billy Burns Co

Whirling Top
Geo Merrie Orc
Paloma
Irene Stanley
Patricia March
Russell Drachan

Glenn Miller Orc
Bernie Cowens
Joe Sullivan Orc

Indigo Cafe
Jerry Lester
Gloria King
Thoodore
Chicco Orc

Kit Carroll
Paul Gerrits
Arren & Bredevik
A Robine,
Igor & Tanya
Vivien Fay
Lynn Wilson
Beryl Wallace
8 Bobbettes
Dorothy Garson
Reshnik Crain
Archie Bleeker Orc
Ed Durant Orc

Evelyn Steele
Jerry Gallan
LaCunga N'mba Bd

Little Club
Jane Jones
Paul Kendall
Walter Dyson

Little Hungary
Valerie's Gypsies

Marcel's
Leonard Keller Orc

Marcus Daly
Kay Gregory
Joey Lee, Orc

Oser's Hollow
Lillian Gibson
Charles Earle
Bill Bonn
Ted Wells Orc

Ritz Palace
Imogene Coca
Tenor Sis
Gloria Glennon
Kirk Allen
Masquer & Miller
Jerry Blumson
Jimmy Brittany
George Olsen

Park Inn
Dominic
Blaze & Elaine
Jerry Golden
Katherine Skidmore
Lillian Gilbert
Eric Masser
Henry Monet
Marguerite & M
Ken Sherman
Chuck Henry Orc

Seven Seas
Danny Kawaina
Ray Sinar
Lillian Gibson
Al Heintzes
Eddie Rust 4

Slapsy Maxie's
Slapsy Maxie
Jack Waldron
Jos Pistel
Andy Sorrell
Virginia Mathews
Moore & Lewis
Tommy Reilly Orc

Somerset House
Harry Ringland
Art Tatum
Jack Jones

Stage 'T' Cafe
Wally Vernon
Billy Young
Henry Galanti
Shemp Howard
4 Squires

Swanee Inn
Eddie Bond
Gladys Bentley

Topsy's
Elmer
Arlett Jen
Farss & Masters
Nichols & Lucas
The Mercer Bros
Dorothy Brandon
Chuck Fraser Orc

Victor Hugo
Joaquin Garay
Irving Ennis Orc
Carmine

CHICAGO

Drake Hotel (Gold Coast Room)
Ted Weems Orc
Marvel Maxwell
Elmo Tanner
Perry Como
Parker Gibbs
Red Ingle

County Washburne

Butch's
John Elliott
Carles & Dolores
Betty Jane
Evelyn Harris
Lalita
Mort Lund Orc

Edgewater Beach Hotel
(Marine Room)
Ray Herbeck Orc
Ina Mae & Jackie
Betty Benson
Kitty Brooks
Marine 4
Harriet Smith Gls

855 Club
Eddie Varros Orc
Lucie Garcia
Johnny Howard
Rider Sis
Grace McCarthy

El Dumpo
Laurette Ne Val
Bernie Green
Gloria Ray
Marie Paul
Yehiria Gale
3 Loose Screws,
Ray Stubers Orc
Sam Badie

Famous Door
Esther Whittington
Bryan Wolf
Jack Feldstone Co
Dave Malcom
Bulle Baker
Florine Manners
Nikki Nirvana
Terry O'Toole
Al Robinson Orc

Franke's Casino
Will Martin
Henore & Gladice
Zorello
Betty Sorry
Jean Moore
Jack Washridge
Billie Rodgers
Buddy Kirbie
Rocky Silsworth
Bob Tinsley Orc

Gay Nineties
Jimmie Amee
Lew King
Lolson
Jean Rogers
Jane Decker
Vanette Gle
Pat Rose
Bebby Dendore Orc

Gay Paree
Lulu Lind
Elinor Johnson
Elise Mannon

Green Door
Hotel Hart
Johnny Merrinsey
Frank Gaylord
Charlene Baker
Fred Gaylord Orc

Rose Bowl
Willie Shore
Frankie Lifshitz Or
Selbys 3
Jerry Palmer
Lillian Barnes
Glenda Hope
Sel Wagnor Orc

Royal Frolics
Dolly Kay
Eddie White
Wilson Lee
Anthony, A & H
Jack Kirkland
Frolics Ens

Eusebio Cencialdi
Spyros Stamos
Jan Quizote Orc
Ennio Belognini Or

Hotel La Salle
(Blue Front Room)
Vibra
Stuff Smith Orc
Gladys Madison
Jenah Jones

Liberty Inn
Dick Hughes
Helen Dufrene
Jack West
Billy Hill
Frizzi Bee
Barbra Row
Rita Manning
Jimmie O'Neil
Earl Wiley Orc

Limehouse
Bob Tank Orc

Little Club
Tanua Tamara
Richard Lancier
Roland & Francine
Joe Kirk Orc

McGraws
Marion Oliver
Jack Tilton
Violet Sternberg
Chuck Andrews
George West
Little Jack
Phil Chinerd

McLaughlin's
Nell Clark
Nadja
Mickey Dunn
Ann Klein
Bromberg Bd

Melody Mill
Tiny Hill Orc
Allan DeWitt
Harold Osborne

Millstone
Ann Millstone
Pio Whitman
Gale Lawrence
Betty Merrill
Della Bartell
Jack Roland Orc
Nyra Lee
Muriel Joseph
Bisio Robins
Patsy Du Brae
Sunshine

Minuet Club
Dee Downey
Bonnie Willis
Gale Lawrence
Jacqueline Allen
Art Fischers Orc

Morrison Hotel (Boston Room)
Manfred Schaeffer
Nameless Cafe
Mancini Orc
Cha Ara
Gwen Paul
Pinky Tracey
Margie Strong
Evelyn Reed
Ed Leon

Napps' Gardens
Melaine
Jean Stone
Ray Colbin Orc
Kay Moore
Honey Lee
Sally Sherratt

Old Heidelberg
Old Heidelberg Co
Octet
Robert Kessler
Franz & Fritz
Swiss Bell Ringers
Raoul Kantrow
Hilda Kent

Paddock Club
Ione O'Donnell
Ruth Donnell
Ric Miles
Ivy Dornfeld
Diene Raye
Jay Hill
Jo Jancie Orc

Palmer House (Empire Room)
Eddie Duchin Orc
Ruth Davis
Dick Barstow
Anderson & Allen
Durette & Alexander
Abbett Dancers
Bill Dwyer Orc

Parody Club
Flash Evans
Ray Bloss
Delores Shaw
Richmond Atkin
Chic Sandara Orc

Pump Room
Chet Boswell
Jos Maddon
Jack Miller
Kay Marcey
Lindsey Lane
Wayne Bros
Jack Phillips
5 Chicagaens
Frankie Quartel Or

Villa Moderna
Tony Cabot Orc

Vinoma Gardens
Gigi Rene
Lee Harmon
Pat Allen
Nita La Tour
Jerry Gilbert
Lucille Johnson
Frances West
Nita La Tour
Hazel Ward
Frank Snyder Orc

PHILADELPHIA

Anchorage
Jack Curtis
Tom Davis
Nitza & Revel
Dorothy Thomas
Edna Thompson

Bellevue-Stratford
Eddie Dunlap Bnd
Mayer Davis Orc

(Burgundy Room)
Frances Lynne
Ben Franklin Hotel
(Garden Terrace)
Red Norvo
Terry Allen
Jimmy Dum's
Saucy Sis
Chiquita
Conchita
Charlie Boy
Bart Hernandez
Browning Lane Inns
(Bellmawr, N. J.)
Mary Joyce
Vince Norman Orc

Cadillac Tavern
Helen Doyle
Monique & Adrien
Dan Edwards
Lillian Stewart

Sherman Hotel
(Celtic Cafe)
Gene Korwin Orc

(Dome)
James Hamilton
Empire Boys
Pedro de Leon 4
Jerry Glidden
Keller Sis
Del Obrel

(Punther Room)
Gene Krupa Orc
Irene Daye
4 Jitterbugs
Carl Marx

Silhouette
Larry Forbes
Mildred Perr
Eddie Dandera
Joan Baylor
Joey Cantrel Orc

Silver Cloud
Ray Stiles
Mortimer & B
Amelia Morales
Clark & Amico
Johnny Morrison
Jeanne Daniels
Jean Costello
Hazel Zelas
Ward Richardson
Johnny McNeil Orc

Silver Frolics
Harry Harris
Elaine Raby
Tony & Gene
Fay Wallace
Art Freeman

606 Club
Billy Carr
Sunny Carter
Connie Fassaun
Rosie Burns
Jean Rechelle
Dolores Del Mar
Mary Feber Gls
Joel & Annetta
Dietrichs
Inez Scott
Aloha
Gaela Rosella
Dagmar
Dolly Starling
Patricia Perry
Colletta
Carmen
Del Sara Orc
Tripoli 3

Sky Rocket
Marjorie Whitney
Dictators
Hughes & Shaw
4 Kings

Stevens Hotel (Continental Room)
Rhythm Boys Orc
Barnett & G
Byron Gls

Stratosphere Club
Hal Reed Rock
Frank Berbor

Schwarz
Ginger Dix
Lucille Carroll
Shirley George
Gypsy Zena
Betty Lynn
Jackie Richard
Frances Thomas
Billy Kent
Henry Sax Orc

Soul-Q
Bernie Green
Juice Sis
Cheri
Jane Scott
Sam Berl
Irene Wilson Orc

Thompson's 16 Club
Ray Reynolds
Arthur Allen
Frank & Lola
Heath Sis
Frank Donis
Patsy Thomas
Det Keith Gls
Marsh Sisters
Sammy Frisco Orc

Three Deuces
Baby Dodds
Charles McBride
Jimmy Ateman
Lennie Johnson

(Off Beat Room)
Anita O'Day
Wingy Manone
Frank Ely
Lennie Esterfield
Jimmy McFarland

Tower Inn
Melia Manner
Sally Gray
Ines Gonan
Betty Grey
Los Gls
Ruth Williams
Frank De Avia Orc

Town Club
Chet Boswell
Jos Maddon
Jack Miller
Kay Marcey
Lindsey Lane
Wayne Bros
Jack Phillips
5 Chicagaens
Frankie Quartel Or

Villa Moderna
Tony Cabot Orc

Vinoma Gardens
Gigi Rene
Lee Harmon
Pat Allen
Nita La Tour
Jerry Gilbert
Lucille Johnson
Frances West
Nita La Tour
Hazel Ward
Frank Snyder Orc

ROXY, NEW YORK
Week April 28th
DICK DON DINAH
Viat MARK J. LEDDY

LOS ANGELES

Beverly Wilshire
Bray Sis
Howard Gerrard
Harry Owens Orc

Cafe Caliente
Pancho
Diana Castillo
Julie Carroll
Leo Luz Dasquez
Susan Miller Ore

Cafe La Maze
Park Ave. Boys
Martha Raye
Matty Malneck Orc

Cafe Ball
George Yount
Brus Fletcher

Club Versailles
Jerry Lester
Gloria King
Thoodore
Chicco Orc

Kit Carroll
Paul Gerrits
Arren & Bredevik
A Robine,
Igor & Tanya
Vivien Fay
Lynn Wilson
Beryl Wallace
8 Bobbettes
Dorothy Garson
Reshnik Crain
Archie Bleeker Orc
Ed Durant Orc

Florentine Garden
Maurice Koolsoff Co
Ted Bacon Orc
Frank Sebastian's
Cubanola

Eduardo Cansino
Joe Barrie Orc
Grace Hayes Lodge
Jackie Coslen
Lina Romay
Joe Sullivan Orc
Hawaiian Paradise
Loretta Walker
Princess Leana
Joe Sullivan Orc
Lido Cafe
Lil Brown
Jimmy Ellard
Jack Frost
Val Harris

It Cafe
Cabaneros
Don Rudolf Orc

Jerry's Mandalay
Margarette Paulos
Geo Surprenant Jr
Novlle Pisson
Nonie Mitchell
Hal Chancellor Orc
Jimmy Karr & Boys

La Conga
Don Jort
Spike Featherstone

Glenn Miller Orc
Bernie Cowens
Joe Sullivan Orc

Indigo Cafe
Lil Brown
Jimmy Ellard
Jack Frost
Val Harris

It Cafe
Cabaneros
Don Rudolf Orc

Jerry's Mandalay
Margarette Paulos
Geo Surprenant Jr
Novlle Pisson
Nonie Mitchell
Hal Chancellor Orc
Jimmy Karr & Boys

La Conga
Don Jort
Spike Featherstone

Down East
Harry Roberts
Henry Garrick
Stylists (3)

Dutkin's Bathskeller
Frank Potti
Keller Sis
Irene Kay
Billie Lee
Marzie Drummond
Dick Valentine
Irving Brasiow Orc

El Chico
Kay Lavette
Margaret Marshall
Virginia Allard
Jean Sutherland
Ivan Tashman Orc

Roseboys
Junia Culbertson
Vera Kane
Benoitta Monterla
Dolores O'Neill
Al Moore Orc
Peters Brothers Orc
George Clifford
Lolita Cordoba
Lelaar & Martin

Evergreen Casino
Tommy Monroe
Andrews Sis
Ben Saxon
Manor & Hinger
Billie Frazee
Al Eldrich
Jo Miles Orc.

1553 Club
Swing King Orc
Ben Alley
Beth Challis
Dolly Parker
Jay Tuna
Dorothy Tanner
Betty McKee
Frank Cenock
Mitzi Lane

Franklin Falumbo's
Ben Perry
De Mayos
Trovettes (4)
Bobby Morrow Orc
Dino & Ann
Daisy the Horse

Harris Harem
Alabama Corinne
Bobby Lyons
Greta LaMarr
Betty Thomas

Hillsborough's
Charlie Nold
3 Whirling Tornad's
Norma Norton
Bobby Ferguson
Barnes Sis
Kitty Barnes
Buddy Roberts
Frankie Milton
Richard Beach
Bobby Lee Orc

Jack Lynch's
Charles Smith
Vincent Rizzo Orc
Berger Zeeman
Joe B. Lewis
Nicholas Kaye
Marjorie Gainew'rth
Helen Martin
Sherry Lee
Susan Sayen
Nini Valdez
Maciovia Ruiz
Herb Dubrow
Jimmy Blake
Al Lyons Sis (12)
Joe Prestito Orc

Little Bathskeller
Tatera
Ruth Wayne
Al Scheck
Cleo Barr
Duval Sis
Victor Kingo Orc
Johnny & George

Maggie's
Helen Maxwell
Marie Claire
Lena Arizio
Bucky Shores
Young Sis
Walt Crawford Orc
Martinette (2)

Helene Sinclair
Vienna
Dr Hudepeth & Dog
Mme Irie

Manon Inn
Leonard Cook
Billie Richmond
Judy Lane
Dick Gale
Whirling Dervishes
Louise Seymour
Broadway & Fenton
Billy Dare Orc

Purple Derby
Buck Carlson
Margie Mosley
Jean Sutherland
Jean O'Neill
Rose Mahan
2 Casimieras
Lee Hunter
Ray Allen Orc

Rendezvous
Joe Kirk
Pearl Williams
Edith Lindsay
Margie Carroll
Charles & Barbara
Dan Margraves Orc

Stamp's Cafe
Bert Goodman Orc
Jack Hutchinson
Johnny Allen
Trenton & Claire
Bubbles Stewart
Walton Sis
Frances Carroll
Vic Earlson

Silver Lake Inn
(Scarsdale)
Mickey Familant Or
Alice Lucey
Florentine Sextet
Jane Patterson
Lillian Dimeo
Marie Holt
George Reed
Russo & Duvel

1500 Cafe
Elsie Jones
Nan Roberts
Camille Roberts
Esther Lepde
Texas Ryan

Twentieth Century
Deanville Boys
Bobby Barnard
Jean Vickers
Madeline Sherman
Tommy Cullen Orc

Village Grill
Joe Kirk
Jerry Delmar Orc
Chris Dale
Andre & Francis
Ginger Lynn
Ann Dahl
Helen Brooke

Village Barn
Bobby Evans
Jerry Cardie
Jack Marston
Jacquelin Herman
Renee
Buddy Myers
Helen Worthington

Wagon Wheel
Joe Grimes
Al Wilson
Al Bastian Orc

Webster's Rest
(Camden)
Ilse Lane
Rudy Bruder
Jules Piacco Orc
Helen Worthington
Ruth Warren
Paul & Pattti
Kirk & Lawrence
O'Connor & Blake
Pat Princess Sel'ndra
Bill Evans
Sid Golden
Bucky Sharmino
J & T Shaliesh'mar
International
Eldoradiana

MILWAUKEE

Athletic Club
Hal Munro Orc

Best Friday's
Pep Bakker Orc
Ethel Seidel

Blatz Palm Garden
Eddie Smith Orc

Blue Moon
D Davidson Orc
Virginia Rose
Jay Jayson
Gale Parker

Cardinal Club
Jay Burt Orc

Chateau Club
Blair Jacobson Orc
Johnny Post
Marilin Barnett
Patsy Marr
Romero & Romero
Jackson & Jackson
Marion Vinay
Janet Kennedy
Dow & Betty
Sharon Sis

Clover Club
Harry Weber Orc
Ruth Phillips
Eva Thornton
Marie Young
Eleanor Gall
Jean Hurley
Flo Radke
Don Kranich
Jazzer

Club Forest
Virginia Grey
Berdine Dickson
Helen Kaye
Vera Welsh

Club Mardrid
Jimmy Rotas Orc
Patricia Dale Sis
Marguerite Claudet
Paul Dunlap

Club Sahara
Geo Cerwin Orc

Club Verde
Gordon Ganeshore
Mona Henderson
Ellen Warren
Phil Kestin
Cathleen Kaye
Claudia Ferris
Dale & Dale

Conga Club
Alberta Reed
2 Esquires
Pearl Moss
Mary Reed
Leonard Gay Orc

Corelas Ship
Bill Davidson Orc
Ben Roe Orc
Ralph Lewis
Bailey & Lamarr
Bert Sigbert

Bendervous
Bob Matheson Orc
Jimmy Blaney
Marion Walker
Marcella Paige
Joan De Lee
4 Harry
Billy Stevens
Dottie Norman
Grace Brown
Mary Douglas
Bendervous Sis

Repo
Babs Lavay
Jean Allen
Pat Marvin
Helen Allen
Romona Brownwell
Rose Tina
Vindick Sis
Jean Hamilton
Harvey Lee Orc

Sealer's
Tony Grace Orc
Marie Kecky
Jamie & Viola
Dorothy Hamilton
Ellen Burdick
Roma Costello

Schwarte
Benny Goodman Or
Irene Grigge
Tony Alcaro
Claude Permenter

Six Point Club
Casper Rodi Orc

Slate Gardens
Earl Rigg Orc
Irene Schank
Flo Smith
Peggy Hall
Verne & Evelyn
Bismore Sis

Sunset Club
Eddie Apple
Top Tap
Joey Feldstein Orc
Natalie & Howard

CLEVELAND

Alpine Village
Otto Thurn Orc
Stalac Bros & P
Barbarinna's Poms
Margaret Aemmer
Herman Firchner

Avalon
Hy Barren Orc
Bernice Gordon
Bessie Brown
Thelma Stone

Airway Club
Troy Singer Orc
Judy Blake

Cedar Gardens
Duke Melvin Orc
Tytia
Rich'd Montgomery
Mary Stone
Howard & Carlie
Helen Willes

Chateau
Pete Gerard Orc
Leon LaFayette
Art West
3 Peasants 1 Fellow

College Inn
Norman Brill Orc
Bobbie Collins
Jack Raynor

Freddie's Cafe
Tony Bonacci Orc
4 Old Timers
Ballard & Rae
Alzena
Marzel Harmon
Eddie Barnes
Teddy Roberts

Golden Glow
Paul Simonetti Orc
Mary Ann
Gladys Delmar
Camille

Gourmet Club
Louis Cina Orc
Gloria Gaynor
Marjorie Black

Hatton's Club
Lenny Colyer
Bob Armstrong

PITTSBURGH

Anchorage
Hughie Morton Orc
Meynard Deane

Arlington Lodge
Art Kirkus Orc

Balconades
Clyde Knight Orc
Janet Lee

Bill Green's
Paul Burton Orc
Johnny Duffy

Bonita Bella
Piccolo Pete Orc
Jimmy Dorsey wood
Carol Gould
Drew & Clemens
Mary Jeffreys

Cork and Bottle
Jack Davis

Eddie Payton's
Pitt Creators Orc
Joyce Lamar
Marion Muller

Hamilton Casino
Sherdina Walker Or
George Gould
Pete Nelson
Monette Moore
Johnson & Grider
Otto Eanons
Marjorie Lane (8)
Larry Steele
Bernie Diel

Hotel Henry
M Contreras Orc
Concetta
Hotel Roosevelt
Buddy Russell 3

Hotel Schenley
Howard Baum Orc
Buza Anton
Jack Rogers

Hotel William Penn
(Chatterbox)
Bernie Cummins Or
Connie Gardner
Walter Cummins

(Courtesy Bar)
Versailliana

Italian Gardens
Rizzi Coreto Orc
Bernie Perella

DETROIT

Ambassador
Bill Tracey
Arlene Whitney
Vicki Lauren
Lee Lynn
Dale Rhodes
Geo Alfano Orc

Book-Cadillac Hotel
(Book Cadoo)
Ben Cutler Orc
Jack Fine & P
(Motor Bar)
Peter Kent Orc

Eleanor Leonard
Al Gale
Betty Louis
Virginia Gray
Reece Alle
Al Samuals

Town and Country
Club
Madeline Gardner
Betty Blake
Aileen Ronda
Zantro & Wells
Merle Hoff
Cameo Gis
Debutantes
Joan Delange
Johnny Little
Billy Joy
Irene Burke

Toy's
Case Landis Orc
26th & North Club
Kay Crandall Orc

Trocadero
Miron Stuart Orc
Jane Rolan
Shutta & Kent
Dolly O'Dea
Woodard Sis
Bobbie Stuart

Wirth's Futuristic
Bill Schweitzer Orc
Jack Fine
Valle Jay Orc
Maurice Rosey
Rogan & Mann

Wisconsin Roof
Ramona Orc
M Merryweather Or
Nio Harper Orc
Tom Hamilton
Cappy Lewis
Joan Dennison
Arnold Dupre

Zunker Gardens
Lou Chann Orc

CLUB DATES

Morrissey Meets AFA And Law Snags; Plans For L. A. Nitery Baiked

Los Angeles, April 25.

Will Morrissey's Big Show, scheduled to open Friday (21) at the remodeled Criterion theatre, ran afoul of both the law and the American Federation of Actors 24 hours before rise of first curtain, with the result that show is off, so far as the downtown theatre is concerned, and there's no telling what its fate may be.

Board of Health moved in day before scheduled opening and insisted proper washroom facilities be constructed backstage, where clean bill of health would be given. At same time John Corcoran, head of AFA here, refused to permit 24 chorus girls to dress backstage, dressing rooms located across the alley from the stage.

Over the weekend, Morrissey and his material backers were reported seeking another location, with possibility revue would be sent out under canvas. Meanwhile, 19 principals and the 24 chorines received where they stood. Latter had received rehearsal pay for several weeks.

Ben Tally and his son, Seymour Tally, owners of the Criterion, meantime, had remodeled the once ace film theatre in anticipating the Morrissey show. Bulk of seats on lower floor were removed, and railroad with tables, and two bars had been installed.

Intention of Morrissey and his partner, Paul Krevitz, was to operate music hall style, serving drinks and eats with accompanying stage show.

DAN STEBBINS, A. C. CAFE OPERATOR, SHOT

Atlantic City, April 25.

Dan Stebbins, 55, operator of Bobette's, night club here, was shot Friday (21) morning in his cafe, allegedly by a former employe. Stebbins life was saved, physicians at Atlantic City hospital declared, by a tie clasp, which deflected the bullet. Slug passed through Stebbins' flesh half an inch below his heart. He's expected to recover.

Stebbins' assailant was identified by police as Morris Zatlin, of Philadelphia, a former bodyguard of Stebbins. Latter was said to have been talking to his wife, Bobette, part owner of the club, when Zatlin came up and demanded money. Upon Stebbins' refusal, Zatlin is said to have shot him. Zatlin is then said to have fled. He's still at large.

Hint was given by Stebbins that he would refuse to prosecute Zatlin, but Atlantic City detectives fumed that they would carry the prosecution through themselves if necessary. Stebbins once before was the victim of a bullet while standing in a Philly barroom in 1918.

The crowded nitery was thrown into a turmoil by the shot.

SPIES OF THE AIR

(Continued from page 12)

role, but acts it with dignity and strength. All of the men have been intelligently cast, while the two women have had roles that give them little scope.

Practically the entire story is filmed in the office and work of a secret airplane factory. Livesey is in charge of construction and Barnes is an ace aviator, who takes up the machines for testing. He's in love with Livesey's wife (Joan Marion) and she with him, despite the fact Livesey is his friend.

Not a very expensive production, with direction, editing and photography up to standard. *Jolo.*

Club Frontenac
Frank Gillen Orc
Vi Mae Duke
Lynn Sherrill
Gloria Miller
Blaine Manal
Jay Jason
Sweethearts (8)

Cliff Bell's
Kaye Alexander
Gardner Smith Orc

Imperial Club
Ralph Jordan
Don Carini
Geo Sells & Jo-Jo
Bonnie Nicholas
Fid Lirrey
Margo Wade
Jerry Walker
Frank Rapp Orc

Nebiolo Cafe
Leonard Ro Orc
Frano Reynolds
Walter
Bertray Sis
Joyce Anne

Northwood Inn
Zev Clay Orc
Billy Jo Nelson
John Hale

Burns & White
Reynold & Collette

Oasis
Tom O'Neill
May Blondell
Carlos & Dolores
Josephine Campbell
Harry Goodman
Don Ricardo Orc

Palm Beach
Amos Jacobs
Estrella
Palmer & Morgan
Brisette
Betty Harrington
Don Ameche

Pawatan
Bob Shafer
Eugene Mitt
Phil Grogan
Gennes
Sammy Dibert Orc

Sake
Don Harris
Buddy Lester
Burt & King
Lonette Sis
Geo Kavanagh Orc
Eddie Farley Orc

Night Club Reviews

MUSIC HALL, L. A.

(Continued from page 34)

La Crist mixes acrobatics with contortions and the others slither around with the usual flourish. Ted Blakely does most of the vocalizing, his forte being Irish numbers. Bromley boys are knockabout stews.

Evening's third session is an afterpiece in which all hands take part in a series of blackouts, supposed to be broad satire on the picture, 'Gone with the Wind.' By the time this rolls around those still left at the tables are pushovers for any kind of a laugh. Show throughout is kept clean and free of blue gags, which might not set so well with the table trade. Peggy Gilbert's all femme muskers play the show and dancing and, for the workout they get, do okay. Line girls perform adequately. *Helm.*

LONDON CASINO

London, April 13.
Jack Harris orch, Hugo Rignold orch.

The London Casino reopened last night (12) with a replica of the Bal Tabarin show from the New York International Casino. The production is adequate, but without great consequence in specialty acts, probably due to the refusal on the part of the authorities to grant labor permits for importation of the intended foreign importations.

There is too much posturing throughout the dance numbers, and a large proportion of the music in minor key does not inspire much response on the part of the audience. The female Can-Can danced by the English girls is competently executed, but wholly lacking in the 'abandon' with which this number is associated. Everything is performed by rote, with always the suggestion of a pause between the numbers or the specialty acts. In other words there is a total absence of rhythmic co-ordination. The specialties are carefully picked and will be appreciated by those who like entertainment. None is cutstanding, but all of them adequate and should be effective with more speedy progression.

To predicate the entertainment by the first night audience would be an injustice—especially as there was only one show tha: night, spread over four hours. Separate dinner and supper routines with fresh spectators around midnight would give the whole auditorium the speed needed filip.

The new management intends to follow on the heels of its predecessor of the past few years. Alfred Esdaile, now managing director, considers the Casino has been presenting the most generous entertainment ever offered to the British public. He intends continuing along the same lines, and the house is controlling its own cuisine, which will be under French chefs.

Hugo Rignold and his orchestra play for the revue, and Jack Harris still heads the auditorium. Since the seating arrangements seem to be more comfortable and give a better view of the stage, the house While they charged $25 a pair for the premier show, the former prices will be maintained at $2.75 for dinner with dancing and revue from 8 to 11, and supper $2.50 from 11 to 2; Saturday and Sunday supper $4.25.

Evening dress is 'essential' on the ground floor and optional on the balcony. *Jolo.*

MEADOWBROOK

(CEDAR GROVE, N. J.)

Woody Herman orch, (15).

This is Woody Herman's orchestra, coming to you from Meadowbrook, Jersey's brightest night spot on Route 4, the Newark-Pompton Turnpike just 15 miles from New York.' That announcement is about as familiar to sustaining bend listeners as any, and more than most coming from remote pickup spots.

Meadowbrook seems to be the haven for the jitterbugs, the high school age in those parts. It's owned by a family syndicate headed by Frank Dailey, whose orchestra plays occasional dates there, but for the most part leaves the bandstand to whomever happens to come up about the time for many wires the spot gets initially, at least to weekly are valuable. It's a Rockwell General Amusement exclusive.

Unusually large for such a remote location, Meadowbrook has a capacity for 1,200 and is more spacious than most ballrooms in New York. When caught, there were at least 800-700 in the spot; it was a two-to-one bet that there weren't 50 of voting age. They come to dance and don't miss an opportunity. During every set the tables are almost deserted. Latter are spread along each side, across the back under a stairway leading to entrance and on balconies on each side of the room.

Tep is a $1 minimum per person, drinks tabbed at average price. Though the house was packed with youngsters, the parking space out back was jammed with cars. Joint seems to indicate the house is able to get more than that minimum. Kids are all well-dressed, too.

Impressing as a colonial mansion from the outside, it's sunk into the side of a hill, with balconies seemingly flush with the surrounding grounds and the dance floor and bandstand area dug out. Driving up to the parking area in the rear almost requires first speed. Opportunities for accidents for cars leaving down such an incline are plentiful, inasmuch as the slope ends at the highway.

Young as it is, the spot's clientele is well behaved and seems to prefer moderate tempoes for terping. Faster, hotter numbers find 'em standing around and listening, while tunes like 'Deep Purple,' 'Blue Evening' and 'Heaven Can Wait' bring 'em all on the floor.

Herman's orch is impressive in the spot. Coming here from its more or less unveiling at the Famous Door, N. Y., it's playing here for the air time more than anything. Kids seem to go for Herman's vocalist, Mary McCall, band's vocalist, comes under that heading, too. She's liked.

Hitler's Speech

(Continued from page 33)

itable for the 56-people unit. The net wasn't so big, he admits, when Willie and Eugene Howard were with the unit at the first few weeks, but Howard adds that no show can play that territory and pay acts over $500 a week. The Howards salary was much above that, plus a split, he says.

One unlooked-for condition, according to Howard, are the frequent brush fires in Australia. There was one week of the 14 the show played in Melbourne that the entire city was blanketed by smoke for the full seven days, even the inside of the theatre being affected. Yet, he states, the house grossed $7,200 that session, which was still profitable and indicated the manner in which Australians go for live entertainment. They prefer hoke, but it must be dressed up and made for the full, if tasteful, and American humor, unlike England, is quickly grasped.

There's also a difference between the English and Australian audiences, the latter equalling about four American dollars against five for England's. Living expenses in Australia are about four-fifths of what they are in England.

Playing at $1.65 Top

With the exception of the Theatre Royale, Melbourne, where the admission top was $2.50, 'Hotel' is playing Australia at $1.65. It played 11 weeks in Sydney 14 in Melbourne (Princess) three weeks, Brisbane (His Majesty's), three in Auckland, N. Z. (His Majesty's) and is currently at Her Majesty's in Dunedon, N. Z. After its second week at the latter, 'Hotel' goes to Christ Church (His Majesty's) for two weeks, then to the Theatre Royale, Wellington, for two weeks, and repeats for two weeks in Auckland following. It has still 10 more weeks in Fairbanks, Adelaide, Perth and Calgooli, plus a few one and two-day stands, prior to winding up its Australian run and going to South Africa, or returning to the U. S., according to European conditions.

The Schlesinger deal in South Africa will guarantee 'Hotel' 20 weeks in Johannesburg, Cape Town and Durban, with a possibility of 30 or more being played. The A. B. Marcus show has played over 30 weeks on its South African tour.

After his initial experiences with 'Hotel,' Howard states that no American producer taking a show Down Under is safe paying acts more than the customary of $500 taps in weekly salary. His current top salary (Bobby May's) in 'Hotel' is more that figure. Bobby Morris and Murray Bolton, from burlesque, who replaced Willie and Eugene Howard, are receiving only a fraction of the Howards' salary.

'Hotel' originally was produced as a vaudeville unit, touring the U.S. as such until all available vaudfilm time was exhausted. It was the basis of a suit against Warner Bros. by Howard, the latter claiming that the studio's production of a picture by the same name was an infringement of title rights. The case was eventually settled out of court.

EMBASSY, N. Y.

(Continued from page 35)

cerning international affairs is served. Most everything is of a brushoff nature, developing only slight interest in what is being talked about by reserved conversation. And latter could learn plenty from the radio bunch in many ways.

A muffled hissing item concerns Bergdoll, the draft dodgers who wants to return to the U. S. Lind, here's arrival here is just a dash in the pan and what Judge Douglas, elevated to the supreme court bench, had to say is not recorded. Unofficial having supplied this item. This act shoots silently.

As entertainment, 'Going Places' (U), short, ranks with the best laughs as far worth the trouble of coming in here than most of the rest of the show. *Char.*

FLATBUSH, B'KLYN

Don Bestor's orch (15), Three Samuels & Harriet Hayes, Estelle Taylor, Walter 'Dare' White & Jessie Trama, Harry Richman, 'Tough Kid' (Mono).

Harry Richman is tossing the full book of nitery erotica at the family trade here. Headlining and m.c.'ing, he's on long and dirty all the way. And it's so unnecessary. He's with plenty socko as a singer, but as a singer he has apparently mistaken idiots about comedy.

Richman, Estelle Taylor and Don Bestor's orchestra give the Flatbush show its main strength, and biz at the last show Friday night (21) was quite good. The layout is further enhanced by acros, Walter 'Dare' Wahl and Jonnie Trama, surefire panto comedy team, and the Three Samuels and Harriet Hayes, ancient dancing quartet, who also register easily.

Bestor's crew plays the show nicely, also doing well in its own musical innings, highlighted by Bestor's clavichord. There's a little team of singers with the band, but they're unbilled and Bestor's intro'ing at this is catching some of the Richman. That's just as well, however, the kids not registering with their one forty-tale songs.

The Samuels and Miss Hayes open, doing mostly military precision dancing after Miss Hayes's initial esthetic acro routine. The two boys inject some nice light comedy, although their initial pa and ancient one boy's prattfall is also too blue.

Miss Taylor, who has vastly improved as a cinnery in the past couple of years, is given a buildup by Richman and gets by nicely with three tunes. Her 'swerling' like her hips ban is her encore and the hot bringes on Wahl and his stooge. Richman is the closer. His singing group of old tunes associated with his style somewhat dissipates the impression of his dirty comedy, but not altogether. *Scho.*

STATE, CLEVE.

Cleveland, April 22.

Neiss Troupe, Stuart & Martin, Eddie Peabody, Billy Wells & Four Fays, Judy Garland, Angelo Vitale orch; 'Midnight' (Par).

Vaude comeback at the State is being put over so solidly by Judy Garland in the ice-breaker that the house shouldn't have any trouble in getting everything to old rating as a fresh stand. It's a nicely framed, balanced family bill with enough name appeal to make one wonder why Loew's doubled costs by putting in 'Midnight' (Par) with it.

On her first visit here, Miss Garland is going over emphatically with localites, who are ordinarily not very hot about Hollywood juve prodigies. This is a big barn with over 3,000 seats and hard to warm up, but the little singer does it with her infectious manner and finesse of a veteran. No amplifying mike is needed as the swing into 'F.D.R. Jones' in an unbelievably full voice. After an operatic version of 'Dancing in the Moonlight,' she sells a pretty comic number tagged 'Sweet Sixteen,' but her one to 'Deep Purple' has a brisk professional way she gets off and on stage doubles effectiveness of her act.

Because he is a former Cleveland-ner and seen hereabouts for nigh on to 10 years, Eddie Peabody stands out particularly favorably. Not only as a banjo virtuoso, but also as a jack-the-box m.c., who knows the show nicely. From his 'Hold Tight' take-off to double-banjo tricks and 'Poet and Peasant Overture,' he whams out hot rhythms without ever a let-down. For good measure, Peabody adds some novel keyshines on a violin, something he didn't reveal here before.

Three standard acts fill out the show nicely. Neiss troupe of trampoline acrobats establish the tempo by flipping through a fast flash opening turn. Charlie Stuart and Harry Martin jump into their rapid-fire repartee, bulging and droll knockabout stuff without any preliminaries. For the finale, Billy Wells and Four Fays speed up a continuous tic-tac-batic dance, mixed with a lot of crisp hoke. Wells' rubber-legged comedy and comely femmes make a corking closer, and Angelo Vitale's pit orchestra clinches it.

Biz big. *Pullen.*

FOX, PHILLY

Philadelphia, April 21.

Ben Blue, Virginia Verrill, Lambertons, Bob Ripa, Four Jacks, Gae Foster Girls (16), Adolph Kornspan's house band; 'Lady's from Kentucky' (Par).

This layout is a hodge-podge of vaudeville that's very mild entertainment, with results acutely noticeable at the b.o. Endeavor was made to replace the Steeple Jacks by a novelty that hasn't been seen here for several years—a line of girls. It's a change, all right, but questionable. With Ben Blue the only real marquee name the nut on the entire business, of course, is down steeple from some recent stanzas, so the house is due to come out not too badly in the end.

Blue is a laugh-grabber and clicks fairly well. It's unfortunate, however, that since he last appeared here a year ago he hasn't charged his gags and business. He meshed much more solidly a year ago, while perhaps repetition is wearing the act thin.

Blue wears his perpetual mohair suit and derby. He opens with phony card tricks, then one of the backs falls in the pit, which is good, then swings into a skit with a blonde who's supposed to be a Russian in dimpled fancery. Follows this with a Russian dance satire which, even in the Russian, over the years, is still pretty funny.

Show this canto has no m.c. Introductory chatter is handled by gals from the line. First time it's a single femme, rather cute, and after that one of the ponies pounces from the numbers in unison. Works out satisfactorily, although the first gal is far superior to the others, and that it would have been better had she been used throughout.

Line of Gae Foster terpers is strong from the looks angle. Weakness is in the personality side, although all the dancers acquainted throughout. Precision is fair, although considerably off from the work of the original Foster troupe, the Roxy, N. Y.

Opening by the line is a military routine in Scotch kiltie costumes that are attractive. Second is waltzy stuff with a tune called 'Hell Man Mouse' ber is a World's Fair motif, with the gals balancing on small peripheres. This routine scores the biggest single click of the show.

Virginia Verrill (New Acts), gets over quite nicely. Charles and Joseph Lamberton, dead mute ballroom team, are a fair novelty. Aside from the novelty angle they are fair. It is not evident to the audience in their perfect rhythm. They are both extremely long on looks, particularly the femme, which adds a lot.

Bob Ripa, juggler, is in the deuce, following the opener by the gals. He's skillful at balancing balls on sticks. Added to the bill are the Four Jays (New Acts), who vocalize band imitations. They are getting the week at the Fox to extend for winning local talent contest. *Herb.*

ROXY, ATLANTA

Atlanta, April 20.

Gae Foster Roxyettes (16), Milt Britton's Band (11), Andree Andree, Irving Jaffa, Tommy Rafferty, Joe Britton, Jerry Cherry, Bobby Silver, Mike Segal's house orch (14), 'The Family Next Door' (U).

Managing Director Moe Baranco has worked out two openings for Baby's current stopover. No. 1 is straight with standby tooters' overture. Second works in screening of 'Will Rogers from Missouri' instead of ushers passing plates among patrons, stage is lighted and Roxyettes, clad in Scottish kilts, costumes, swarm out of wings and collect cash. This over, femmes return to stage and do dance to 'Swing Miss,' tune coming from Britton's band behind traveler.

Offstage voice introes Britton. He brings on personable blonde Andree Andres, who does a snappy aero routine, followed by Irving Jaffa, whose trick violin playing pleases. Jaffa is also in Britton's company, as is Tommy Rafferty, dancing comedian, and Joe Britton and Chubby Silver, comics.

Roxyettes return next and then Miss Andree returns for a comb toe and kick routine. She joins Milt Britton and his band, other members of troupe participating, plus a donkey.

Jerry Cherry, who has been heard over Mutual web, works with house band and sings 'Heaven Can Wait,' 'Got to Get Some Shuteye,' 'Gipsy Doodle' and 'Jeepers Creepers' helpingly. Britton's band then plays tunes by classic composers, putting swing interpretations on them after few bars of straight stuff, following brings on the knockabout. Frank Segal's orch, accompanied with brooms and they clean up messy stage in a rhythmic routine.

Show's clocked in 58 minutes and moves speedily. Patronage was sparse at this catching, second of four shows on opening day, Thursday (20). *Luce.*

LYRIC, INDPLS.

Indianapolis, April 22.

Abe Lyman's orch, Bob Neller, California Varsity Eight, Bud Hughes & Pals, Rose Blane, Red Pepper, Fannie Parrish; 'Or Trial' (WB).

Playing a few midwestern theatre dates around to come the last to do a four-week stand at the Beverly Hills night club in Cincinnati, Abe Lyman is appearing in territory where he hasn't been seen in person for a decade. Without being magical, his name is fairly standard here, however, and he brings along a good 'commercial' band made up of 15 men who make a generally favorable impression.

Lyman holds the band itself down to only three numbers. 'I Got Rhythm' is the opener, 'Melancholy Baby' is used with special glee club effects as a middle number, and 'Farewell Blues' serves as the finale. The accompanying acts really make the show, although the band does a better than ordinary job of playing their music.

California Varsity Eight, male octet in flashy uniforms, do 10 minutes of light operatic singing as the show's opening act. Boys do an earlier than it should be, but it helps to get things started well. They appeared here a few weeks ago and drew their three groups of songs are new this time. Their early spot on the bill allows the quintet to change into tuxedos and reappear throughout the latter half for choral effects in the finale.

Bud Hughes and Pals follow the Varsity Eight with an okay dog act. Trained canines are shanghaied by one hand routine to throw the audience off guard and then really gets startled when the pups begin to dance for a series of hand-balancing tricks. The act runs only five minutes, but it scores solidly. Fannie Parrish, former local boy, is next with some pleasing vocalizing on 'Penny Serenade' and 'Deep Purple.' Red Pepper, heavyweight comic with the band, follows him with trumpet duet with Lyman's Harry Busse and Clyde McCoy and then blows out a busy 'St. Louis Blues' for a finish.

Rose Blane, the only femme in the entire show, is welcome relief to the eyes and ears with her rousing singing of 'I'm Ready for Love' and 'Love You,' announced as Lyman's own composition, and 'Old Man Mose.' The next-to-closing spot is capably filled by Bob Neller, young comedy ventriloquist, who really gets hard and good. In the matter of material, however, he tries too much to ad-libber. Neller really rated an encore, however, for which Lyman served as stooge.

Biz good at last show Friday (21). *Kiley.*

HIPP, BALTO

Baltimore, April 22.

Milton Berle, Shirley Ross, Joe Morrison, Florence Vestoff, Conkling & Donohoe, The Jansleys (5); 'Streets of New York' (Mono).

Giving a clear-cut demonstration of how flesh can hypo b.o. response into important activity, in spite of weak-sister surround, the film stint of Milton Berle takes command here in masterful style to send 'Streets of New York' (Mono) into a boomer town-leading gross. From the very tee-off, and weaving in and out of a nicely proportioned flow of supporting standards, comic dominates every minute of the doings and leaves the place holding for more. Berle gives a solid 55 minutes of really top-flight entertainment. Lad has certainly gone far since his last appearance here some five years ago.

Preceded by a phony trailer, which includes a couple of Berle bits from previous film efforts, Berle takes hold with avalanche of fast, gag gagging, skillfully directed into a long-winded vocal which combines all the 'good old U. S. A.' material available, a plea for any audience and a solid sock on show caught. Brings on Conkling and Donohoe, personable dancing duo of youthful singers, who give out with two hectic routines in the proper groove and act as excellent foil for the comic. Introduces Floria Vestoff in okay rhythm tap holds pace nicely, making an ideal spot for Shirley Ross to follow.

Leaning on stocks of all the familiars, rather than special arrangements, Miss Ross gives from films utilizes a sultry pair of pipes to good advantage and sells a song in socko manner. Does Cole's 'Love Is' in consisting of 'Blue Hawaii,' 'Blossoms on Broadway,' 'Two Sleepy People' and 'Thanks for the Memory' and, for a closer, 'The Lady's Love.' Berle gets in considerable time for laughs, which, which would be far more effective if cut a bit short.

Joe Morrison risley work by the Jansleys follows for usual bell-ringing punch, and participation by Berle enhances the value of this standard act. A rather tough spot here for Joe Morrison, with more vocalizing after the fullsome supply up ahead, but lad takes hold in pleasing manner and whips over solid spot with 'Begine the Beguine.' 'Deep in a Dream,' the inevitable 'Last Round Up' and 'Deep Purple.' Berle steps out to wind up matters in beg-off fashion with parodies on medley of pops.

Biz very big. *Pullen.*

CIRCLE, INDPLS.

Indianapolis, April 21.

Al Donahue's orch with Paula Kelly, Judy Canova with Anne & Zeke, Duke McHale; 'Lady's From Kentucky' (Par).

At show caught running time was short at 45 minutes, with band filling all but 18 minutes of the time, due to cancellation of Ethel Shutta, originally booked for bill, but cancelled at last minute. House brought in Three Heat Waves for remainder of week starting Saturday (22).

Band's stint, consisting of three trumpets, two trombones, four sax and four rhythm, looks very well and is expertly lighted. Donahue acts as pleasing m.c., joining the band on novelty tunes for the vocals. Standout in band is good-looking femme vocalist, Paula Kelly, who sings in swing style.

Band opens with 'You Know That I Know,' following with pop medley which includes 'Hello Dolly,' 'Ole Buttermilk Sky' and 'We Can Wait.' Paula Kelly's 'Charmaine' is single in the Raitt, 'Sonny Boy,' 'Heigh Ho' and 'Alexander's Ragtime Band.'

Band then does two fast stepping tap numbers in polished style, performing in the highschool class of the Hoosier capital, but highly appreciated more by pros than by average vaude audience. Miss Kelly returns for 'Deep Purple,' followed by 'Begin the Beguine,' done by orch. Orch also has a good novelty on 'All Dressed Up with Some Place to Go,' of the band coming down for a comedy chorus and finishing in parade fashion with swing number. Number spotting Carroll in a hot session with the skins.

Anne Canova, Anne and Zeke contribute 15 minutes of rustic comedy familiar to radio and film audiences. Rose Marie, 'Whistle While You Weather Is Good,' 'Jesse James' and 'Ol' Man Mose' in hillbilly style, produce a good-humored note with her piano rendition of 'When Day Is Done.' Act was forced to do a bow-out, with Anne and Judy tossing in a comedy dance while partners sang 'Dinah.'

Biz fair at third show opening day (Friday). *Kiley*

STATE, HARTFORD

Hartford, April 22.

Anna May Wong, Buster Shaver with Olive & George, Guy Robertson, Mildred Fenton, Nancy Healy, 'Tito and Tinytot,' Lorraine & Rognan, Sam Kaplanle, house band; 'Invisible Enemy' (Rep).

This week's seven-act bill is the poorest show put on at the State in a long time. Fault of the house does not the acts, which are standard and good. Bill, but badly balancing, is production man to assemble and routine the bill to make it palatable. Pit-band pit band augmented by one cello placed on stage for occasion, also turns in a weak performance. Kinds called for in getting together with the acts. To be visually effective, another pit band should have been added to the orch, which is lost on the large stage.

Opening the layout is Nancy Healy, who gets by with some nifty tapping. Her leg work is clear, smooth and effective. Personable Mildred Fenton, warbler of pop tunes, is next and registers. A genuine hit she makes out some of her s.s. would be effective.

'Tito and his Swingtette (New Acts), billed as radio outstanding swingsters, consist of three accordions, a guitar and bull fiddle, but are only so-so. Guy Robertson, yet of radio, sical comedy and legit, m.c., offers a trio of ballads, two of which he claims to have introed several years ago. Does nicely.

Highlighting the bill is George Shaver with Olive and George Shaver, nor. They bring down the rafters. Shaver and his two midgets deliver with two-man dance routine. Dance between Shaver and Olive is applause-compelling, as is the ballroom specialty between the twosome, who also click in a Mae West skit. Shaver accomps at the piano.

Lorraine and Rognan, mixed comedy team, are another top applause grabber. Pair indulge in crossfire patter, with the gal going through a series of funny body contortions.

Closing spot is taken by top-billed Anna May Wong, yet of film. Oriental actress does a traveloig bit, with a running commentary of a film showing her touring through China before the recent conflict. Concludes with a Chinese song. Act is the same which she has done before various organizations in concerted drives to raise money for China. It's all right for the clubrooms, but for vaude she should have done something else, songs or a dramatic sketch.

Biz weak. *Eck.*

KEITH'S, BOSTON

Boston, April 21.

Don Zelaya, Ross Wyse, Jr., Dandridge Sisters (3), Three Olympics, Bryan, Rains & Young, Lewis & Thomas, Andrews Sisters' house band; 'Peck's Bad Boy' (RKO) and 'Let Us Live' (Col), dual.

Again dancing and music predominate in the lineup. Not a smash bill, on the whole, but there are highlights that enliven the pace now and then.

Nothing much happens until Zelaya comes on in the number four spot with his musical furniture. The chart showing effects of certain types of music on various parts of the anatomy gets good responses as does his planoing of 'Deep Purple' and a Victor Herbert medley. Zelaya has kept his act up to date since his last appearance here about two years ago, maintaining the comedy formula while presenting it up with popular musical tricks. Example of this is his playing of Chopin's 'Funeral March' in swing time.

Bryant, Rains and Young, two girls and a boy, offer an entertaining ballroom tout and a more exciting adagio. Some odd lifts and catches develop as the team tosses and twirls his two femme partners. This is one of the most unique and polished adagio teams of this type seen here this season.

Lewis and Van break up their routines with Bryant, Rains and Young, so that both teams close the show. Lewis and Van are neat prestidigitators and show off their brand of tapping on two miniature flights of stairs. Their best is a fast challenge dance close their turn. Both boys uncork some dazzling wings.

Dandridges (3), mixed skating trio, open the bill with a rather conventional routine. Work on a circular platform is good, but only when the femme on a swivel from the neck of her partner is a flashy finale.

Andrews Sisters, three male singers, get little response from their rendition of 'It Ain't What You Do' and 'Mama's Gone Goodbye.' They do sock with a red-hot swingeroo of 'Hold Tight.' Ross Wyse, Jr., works hard when seven of the boys show off some good aero dancing, but fails to register with low-down comedy involving some tangling with the girl. *Fox.*

APOLLO, N. Y.

Eugene Van Grona Swing Ballet, Rubberleys Williams, Pigmeat, George Wiltshire, Sandy Burns, Vivian Harris, Clifton & Thomas, Mabel Scott, Edgar Hayes band (14), Carol Wright; 'Mr. Moto on Danger Island' (20th).

The Apollo takes one faltering step when the third act particularly noticeable. That's in the Van Grona Swing Ballet booking. Not that the boys and girls without distinction. It's simply a case of a house thoroughly schooled in colored vaudeville attempting something beyond acceptance by the type of audience that frequents this house. Troupe contrasts the purely dramatic ballining with later swing terping, but there isn't sufficient of the latter to dispel the earlier impression.

Otherwise, there's Edgar Hayes' band, with the maestro at the piano, and the blower, Lester Boyce's crew shows lack of teamwork, though there's plenty musicianship between the sevens. Is the crew step out in specialties. It's a case of Hayes getting recent newcomers to do the show's specialties at the keys, but he disdains the spotlight frequently in favor of his spectacular band work, particularly in timing, when playing for the show opening night, but it's something that undoubtedly has since been corrected.

With Hayes is Carol Wright, who's planoing the show's opener, but lacks the oompah necessary to go over. Also, her pipes are weak. Mabel Scott is a pleasing vocalist, sufficiently personable to even reach the boys in the balcony. However, that attempt at trepidicous could best be eliminated; her jive singing is her forte. She had trouble getting off opening night (20).

Chilton and Thomas are personable mixed steppers, with the male half of the team a couple of notches in terping on plates, and different-sized stools. Both click.

Pigmeat, George Wiltshire and Sandy Burns are on for their usual burley sketches, which are much too long and boring. Vivian Harris, who's usually a foil for the trio, is just m.c.ing first from the pit, where those adjectives are the half of the show, later from the stage. Crew, which has an unbilled girl batoning those adjectives, then moves to the stage for its own sort. Miss Harris, in her introes, could best eliminate those adjectives. Vivian's Williams is on in two short spots, singing and dancing. He isn't so forte.

Biz only fair Friday night (21).

Jackson Teagarden orchestra is set for 46 weeks altogether for the Blackhawk Cafe, Chicago. Opens May 18 for 12 weeks, replacing Bob Crosby. Crosby will then come back in, the two outits alternating that way well into 1940. While one is in, the other's out on one-nighters, etc.

N. Y. SUNDAY LEGIT COLD

Ziegfeld Girls Young Once More At Annual Dinner-Dance in N. Y.

By JACK PULASKI

The fourth annual dinner dance of the Ziegfeld Club, featured by a floor show staged by Ned Wayburn, former director for the late producer, was held on the Starlight Roof of the Waldorf-Astoria, N. Y., Saturday (22) night. The organization is composed of show girls who were in the 'Follies' and other Ziegfeld musicals. A flock of them showed their stuff in the 'glorified' manner of the Ziegfeld displays, between numbers by former principals of his shows.

Sophie Tucker, at her blondest, wowed the well-attended soiree. She proudly claimed she was in the 1909 'Follies' and made no mention of 'Leave It to Me,' success in which she is currently appearing. Soph gave 'em part of her night club routine, starting with 'Life Begins at 40' and topping it with 'You've Got To Be Loved To Be Healthy.' Songstress drew a laugh by mimicking the showgirl strut around the floor, something she 'always wanted to do.'

Frank Fay was m.c., a job originally assigned to Dan Healy, whose duties at the Top Hat, Union City, N. J., kept him away, along with other announced names, yet the show was still okay. Mentioning Healy, Fay said he is the 'only man who works for free more than I do.'

Runner-up in the show was Norma Terris, who, after vocalizing 'Show Boat' numbers, was called back for encores, giving impressions of players at a Louella Parsons radio show. Her Billie Burke was intimate and drew much laughter. Anent the coming of Patricia Ziegfeld, who was present, her ma was supposed to have said, 'Doctor you fooled me; you said I had appendicitis.' Miss Terris also kidded the 'girls' by telling them, 'You look younger than you really are.'

Art Jarrett, who had completed five frolics at the Roxy, gave with two numbers. He cracked that he had a band 'until I gave it back to the union.' Hal Leroy, of the 1931 'Follies,' contributed dance specialties; Bobbe Arnst sang 'How Long Has This Been Going On'; Ada Mae appeared for a number a la Argentine; Mary Lewis warbled at the opening and closing, being introduced by Gladys Feldman Braham, president of the club; J. Harold Murray sang 'The Rangers' from 'Rio Rita' and the theme number from that show. Beryl Halley was the star of the parade.

Most of the Ziegfeld alumni is quite aware they have been out of the show-girl class for some time, but most of those who gilded Saturday night to the melodies of Ziegfy's productions are apparently still in the pink. The club bought a motor car which was raffled off. The Treasure Chest stunt was well patronized, prizes being contributed principally by femme accessory firms.

Erin Moore Leaves Hosp After 13 W'ks; May Play Strawhats

Erin O'Brien Moore, who is recovering from third degree burns of the left arm and legs, was removed to her home Sunday (23) from Doc-Biz's Hospital, New York, where she was under treatment for 13 weeks. Still under the care of physicians and with a nurse in attendance, it will be some time before she can walk or be able to leave her bed. Possible that she will appear in summer stock later, however, actress having received several offers. As previously stated, her face is unmarked.

Miss Moore was injured when her evening frock caught fire in a cafe from a carelessly tossed match, after the premiere of 'The American Way,' Center, N. Y., Jan. 21. Her condition was critical for more than a month. Burns of the type usually required from three to five months to heal.

JASIE REPORTED OUT

Mrs. Leblang's Husband Rumored Dropped As Estate's Attorney

William Jasie is reported out as attorney for the estate of Joe Leblang and the Leblang ticket agencies. Previously unknown in show circles, he married Tillie Leblang, widow of the late ticket magnate, and assumed charge of her interests. It's understood that one or two of the Leblang daughters, who have come of age and are heirs, voted for e change.

Attorney is said to have averaged around $25,000 annually in fees for his services to the estate enterprises. Jasie conducts a law office with a son by a previous marriage.

CASTING MAY HOLD BACK LUNTS

Although Alfred Lunt and Lynn Fontanne are scheduled to bring their 'Festival of Comedy' to Broadway in the fall, there is some question of whether they will finally do so. Stars are reported to be concerned with the problem of casting the various shows of the repertory.

Figured 'Sea Gull' and 'Amphitryon' would be satisfactory with the present casts, while 'Idiot's Delight' might also get by with the current company. But 'Taming of the Shrew' would require strong casting in the supporting parts and 'Reunion in Vienna' might also involve similar problems. Lunts are known to be looking for e new play for fall presentation, but are not believed to have found anything to suit them thus far.

Pair are at the Nixon, Pittsburgh, this week, winding up their season there Saturday night (29). They expect to spend e major part of the summer at their Genesee Depot (Wis.) home. They were to have brought the 'Festival of Comedy' to Broadway this spring, but cancelled the booking. Reason given was a recurrence of e rheumatic ailment of Lunt's. They are known to be greatly tired from their long tour, which began last Oct. 3 in Boston and has included many weeks of one-nighters.

PERCY WILLIAMS HOME TO ELECT ON MAY 4

The annual meeting of the Percy Williams Home takes place May 4 at East Islip, L. I., for the purpose of electing new officers, receiving reports from the officers, directors and committees.

Present officers and directors now are: President, A. O. Brown; v.p., Walter Vincent; treasurer, Sam A. Scribner; secretary, Jacob I. Goodstein. Directors: Daniel Frohman, Richard Herndon, Harry G. Sommers, Edwin Milton Royle, William Gaxton, Raymond Peck, John Hayden, Edwin Burke.

At the Williams Home there are now 38 guests. Superintendent of the Home is Major Bernard A. Reinold.

Hampden in 'Town'

Kansas City, April 25.

Walter Hampden has been brought in to play the lead in the Resident theatre's production of 'Our Town.' It's set for a May 1 opening.

Play is set for a 10-day run, but will likely run into extended time. Theatre is a 500-seater scaled at 50c, 75c and $1. The organization has a subscription list of 1,800.

STAGEHANDS VOTE SURPRISING 'NAY'

Originally Believed Agreeable, Local No. 1 of IATSE Votes Against Idea, Negating Possibility of Sabbath Shows This Summer —Managers Had Hoped for World's Fair Break

NEW TRY POSSIBLE

Chances of playing Sunday legit shows during the World's Fair faded over the weekend, and the possibility of such performances ultimately coming was weakened by the New York local of the stagehands union. At Sunday's (23) nomination meeting, Sundays were considered, but defeated by a considerable margin. As other stage unions will not work on that day without extra pay, unless all unions agree, the managerial hopes appear to have been ditched.

The flip-flop of the stagehands came as a surprise to Equity and the managers' League of New York Theatres. They are on record favoring Sundays, having sent a delegation to Albany urging the governor to sign the bill legalizing such performances, which he did. Most deckhands, singly, have favored the idea, yet, when in a general meeting, they followed their leadership, which was opposed to the idea.

When Equity veered around recently on Sundays, it was strongly indicated that they would be tried during the World's Fair. It was believed the movement would readily get the support of the stagehands and musicians, the latter in fact assenting. At a meeting with the League, however, Local (N. Y.) No. 1 of IATSE demurred and it was intimated the crew unionists were somewhat peeved at Equity for taking the lead for Sundays, dating back to the time that the actors virtually invalidated the law by invoking double pay.

That Sundays should be given a trial is still favored by some stage-

(Continued on page 41)

PHILLY SEASON GETS RESPITE

Philadelphia, April 25.

Out of the proverbial clear sky, Philly's legit season has been prolonged and, at the present writing, anything can happen between now and the end of May.

Last night (Monday) saw the opening of the tryout, 'The Brown Danube' at the Forrest, and a return of 'The Women,' this time at the Locust. Both engagements are listed for single weeks, but with no bookings for either house, there is plenty of leeway for prolonging the runs.

'The Women' can stay any length of time, despite the management's desire to get into New York for the World's Fair. In the case of 'Danube' it admittedly needs a lot of work and may be held here while the fixing is done.

The next show booked in here is 'I Married an Angel,' skedded for May 8 and definitely set for two weeks. Yokel Boy Makes Good,' George Abbott tryout, is still in the offing.

Mass. Nixes Juves

Boston, April 25.

The House of Representatives yesterday (Monday) killed a bill to permit children of 14 years and under to play in legitimate productions.

Bill was defended by Rep. Ernest W. Dullea of Boston, who said that okay on juves might open two Boston theatres, now closed, because of the state restriction against children appearing in theatrical productions.

B'way Ticket Situash Steamed Up By Gillmore's 'Turn-Stile' Theory; Referee's Report Vs. Acme Agency

G&S Influence

The 'Mikado' motif inspired Broadway ticket brokers to refer to the shows currently leading in agency demand as the 'Three Little Maids,' trio being characters in the season's most emphasized Gilbert and Sullivan operetta. Attractions, all headed by feminine stars, are 'The Philadelphia Story,' 'No Time for Comedy' and 'The Little Foxes.'

'Story' and 'Comedy' are topped by the two Kits, Cornell and Hepburn, while 'Foxes' has Tallulah Bankhead. All opened after the first of the year, latest arrival being 'Comedy,' which premiered last week.

SUN. LAW CAN HIT FAIR SHOWS

Issue of a seven-day week may intrude on the schedule of the New York World's Fair concessions it was intimated by the office of the State Industrial Commission, which is charged with enforcing the Sunday labor law. Latter requires one day's rest in seven, specifically naming the legitimate stage and musical attractions. State bureau declares it will check up on Fair shows which may be rated in that category.

It's indicated that Equity, in taking jurisdiction over at least two shows at the Fair, has complicated the situation. Equity does not definitely classify 'Railroads on Parade' as legit but this attraction will operate under rules made by the legit actors organization. Assuming that 'Railroads' is a legiter, Equity claims the right to dictate the working conditions, since the attraction is not regularly presented on Broadway. Shakespearean tab in the Merrie England concession gained permission to work the cast seven days a week.

Equityites who question whether the Fair rules are equitable, are agreed that the seven-day matter should be cleaned up. Pointed out that such shows as the Acquacade, which will show every day, place something of e handicap on 'Railroads.' Latter is slated for four times daily, admission being 25c. No legiter has ever used such a schedule, nor attempted so low an admission, and it is explained that

(Continued on page 42)

EV MARSHALL BKPT.; LIABILITIES, $17,783

Everett Marshall, actor, who lists himself as unemployed at present, filed a voluntary petition of bankruptcy in N. Y. federal court, Monday (24), listing assets of $400 (clothing) and liabilities of $28,316. The major portion of the liabilities is owed Carolina Segrera Marshall, his ex-wife, totaling $17,783. It's for alimony arrears.

Among other liabilities are $4,000 in taxes to the Government, $750 to William Klein, $360 to the N. Y. Athletic Club and $79 to the Lambs Club.

Also listed as of unknown worth among assets is a 12½% interest in the W. S. H. Oil Co., of Fort Worth, Texas.

Marshall is currently on the Coast headed for the Frisco Fair's 'Ziegfeld Follies' (Shubert).

There were several developments in Broadway's ticket situation during the week. Frank Gillmore, former head of Equity, led with his chin in advocating doing away with reserved seats in legit; the referee, who took testimony in the restraint of trade allegations of the Acme Agency against the League of New York Theatres and Equity, recommended dismissal of the case, and the League, in demanding compliance bonds from two brokers who violated the rules, indicated a stricter enforcement of the ticket code.

Gillmore publicly aired his views on 'first come, first served' during a luncheon address, but privately broached the plan several years ago. Idea of doing away with tickets calling for definite locations would eliminate ticket agencies, he figures. However, it might at the same time alienate that class of patronage that supports legit, according to showmen who regard Gillmore's plan as unworkable.

Limited size of the average legit theatre in comparision to picture houses, most of which use the non-reserved seat system, would be a deterrant, they say. Gillmore argues that there would be no need to lower box-office prices, which is being considered in show circles, but managers, critical of the radical suggestion, declare reserved seats are the backbone of legit.

Gillmore is quoted saying the plan could be tried for some months in the event the Acme decision favored the agency, but along Broadway it was known that the militant brokerage had little chance to be favored by the referee. Gillmore claimed the agencies gouge $800,000 from playgoers annually, yet managers who are striving to enforce the code, concede agencies are of value by supplying service to the public.

Use of turnstiles in legit lobbies was considered to be fantastic. It is pointed out that most Broadway film houses have reserved sections or

(Continued on page 42)

The Big No-Decision Of the Year; Critics Can't Pick a Winner

Failure of the Critics Circle to decide on the 'best' play of the 1938-39 season brought much kidding of the reviewing gentry, including observations by theatre men. Four plays were considered, the critics stubbornly sticking to their first choices, so there is no winner and no plaque awarded.

'Abe Lincoln in Illinois' was generally regarded as the front runner for the critical nod, but it was nosed out by 'The Little Foxes,' which got six votes against five for 'Abe.' There were two or three votes for 'Rocket to the Moon' during the ballotting and two critics stuck to a short play, 'My Heart's in the Highlands.' One of the reviewers commented about the latter play being considered, saying it looked like the Circle was trying to emulate former Pulitzer committees, which made such curious selections that the critics got the idea they should do the picking.

Believed the fiasco of their voting has resulted in the Circle losing face. Group was formed some seasons back and was patterned along the lines of London's Critics Circle. Thereafter the scrapping and merging of several papers reduced the number of reviewers and it was decided to make the membership more elastic. Rules were amended and instead of the membership being restricted to critics on the dailies (inclusive of one non-theatrical trade publication, Women's Wear), reviewers on certain weeklies and even monthlies were taken in.

Inside Stuff—Legit

When 'No Time For Comedy' opened at the Barrymore, N. Y., last week an extra row was added in the front of the orchestra. Tickets were printed AA. Because of that the house band was shifted to boxes on the right, being rather annoyingly in evidence. Katharine Cornell, starred in the S. N. Behrman hit, objected to the extra seats. She explained the players, including herself, were disconcerted by patrons being so close to the stage.

The added row was removed but as many tickets for that location had been sold in advance, the boxoffice was hard put to deliver replacement locations. Required number was called back from the agencies, mostly for the fourth and fifth rows.

Total cost of producing 'Comedy' was $21,000, which was the approximate gross of the first week, indicating the new hit will quickly recapture the investment. Guthrie McClintic, who staged the play, received $5,000, and will be paid a percentage. He may also be in on Miss Cornell's 51% of 'Comedy,' the Playwrights Co. having the balance.

There were standees at the first matinee despite a downpour. Advance sale prior to premiere was $18,000.

The Williams College Adams Memorial theatre, Williamstown, Mass., made possible by a $250,000 gift from an anonymous donor last November, will be one of the finest intercollegiate drama centers in the country, according to plans announced preliminary to the start of construction in June. Stanley McCandless, who served as consultant in the lighting layout of the Radio City Music Hall, is acting as consultant on the Williamstown theatre. Of modern architectural design and equipment comparing with the best of the professional stage, the house will seat 465 persons in its sloping, fan-shaped auditorium. In addition to the auditorium there will be a large work room for members of Cap and Bells, student dramatic society, concert and classrooms for music students, scenery rooms and a costume studio. New courses in drama and music are being added to the curriculum for next year.

Nucleous of 'Passing Show,' which J. J. Shubert has at present on the fair grounds of the San Francisco Golden Gate Exposition, started for the Coast last Thursday (20). Principals include Al Trahan, Everett Marshall and Rags Ragland. Several acts from 'Two a Day,' a WPAer in Los Angeles, are also said to have been engaged, while a local line of girls are to be used.

Status of the show has not been established and it may be classified as a legitimate. Equity stated that it received no reports from its Frisco office before making the rating, while the management avers it will be a revue type of vaudeville show.

Ragland was dolled up with a new upper plate, Shubert stipulating that he must have the 'clackers' to take the job. Comic's absence of molars was a stock in trade for burlesque appearances.

Added Thursday matinees, which have been given at the Winter Garden, N. Y., by 'Hellzapoppin' since the first of the year, will be dropped after this week and the front-runner attraction will revert to an eight-performance schedule. One reason ascribed for the switch is managerial, that and figuring the demand for tickets continues to be so strong that potential $3.30 customers attend for $2.20, which is the mid-week afternoon top.

Daily matinees during Easter week proved too exacting on the players, especially Olsen and Johnson, who declared off the two-a-day trick as being too wearing, particularly in light of demands on their time outside the theatre.

Although 'Brown Danube,' produced by Bonfils & Somnes, was scheduled to open on Broadway this week, tryout in Pittsburgh convinced sponsors show wasn't ripe and it will spend next fortnight in Philly for cast and script revisions. Around 15 minutes were eliminated following premiere performance, speeding up action considerably, but still not impressing Smoky City critics with its chances.

Play was authored by Burnet Hershey, former foreign correspondent. He has written a couple of other pieces, which were produced only in the provinces, however, and has also done a stretch on the Coast in WB's writing department.

Theatre Guild, acting on insistent suggestion by certain reviewers that it use 'My Heart's in the Highlands' as a subscription attraction, entered into a deal with the Group theatre to that end and the show is now booked that status. It had been put on as an experimental show. Guild now 'owes' its subscribers one production on the season, which will be deferred until 1939-40.

Because 'Highlands' has a $2.20 top, there will be an adjustment with the subscribers, who pay $2.75 for a $3.30 ticket. They will be charged $1.75 for the new show and the Guild will either refund or subscribers will be credited on next season's account.

Antoinette Perry addressed Philadelphia's Art Alliance at the Plays and Players little theatre there last Thursday (20), subject matter being state of stage direction. Her paper consisted of 27,000 words, which consumed one hour and 45 minutes, so there was an intermission to relieve possible fatigue of the audience.

Miss Perry detailed the work of her committee in handling numerous groups of embryo players for the American Theatre Council last year, which activities were not resumed this season. She was critical of the methods used in drama schools and the type of direction therein. Ibee.

Advance mail order sale for 'The Little Foxes,' National, N. Y., is stated to have amounted to $3,700 received during last week alone. Peak of the orders was reached on Wednesday (19) and tickets up to June 30 are being sent out.

Harman Shumlin, producer of 'Foxes,' denies reports of unusual audience reaction, explaining that plaudits await the conclusion of each performance, at which time the players are invariably accorded a flock of curtain calls. 'Biz' is virtual capacity.

'Rocket to the Moon,' which closed at the Windsor, N. Y., grossed approximately $110,000 in 19 weeks, according to VARIETY's boxoffice estimates. For the last four weeks it split the week with the a previous Clifford Odets drama, 'Awake and Sing.' Claim it just about paid off the original nut.

Phil York has written a small book entitled 'Duties of a Company Manager and Advance Agent.' As title indicates, volume is designed as an aid to those front and back of touring attractions.

Publisher is Ellis Antkes, new name in publishing ranks.

Hunter Gardner, who will be in 'The Pursuit of Happiness' at Maplewood, N. J., next week, is the only member of the original Broadway cast who will be in the revival. Phillips Holmes and Carol Stone will have the leads.

Buloff Concerting

Chicago, April 25.

Joseph Buloff, New York Yiddish and Broadway legit actor, is in town on a series of concert appearances for Jewish groups throughout the midwest.

Will also do the lead in a revival of 'The Kibitzer.'

Beack Stock on Tour

La Crosse, Wis., April 25.

Guy L. Beack Stock, featuring Evalyn Harris and Buddy Graves, is at the Wisconsin theatre here for a limited engagement.

Miss Harris has appeared in Gene Autry films, and Graves has worked in RKO and Trem Carr pictures.

WPA Plays

Sing for Your Supper

Revue in two parts presented by the WPA Federal Theatre; music, Leo Weiner and Ned Lehoc; lyrics, Lehoc; sketches, Dave Lean and Turner Bullock; additional material, Charles Kent and John Latouche; staged by Robert H. Gordon; dances, Ned McGurn and Anne Sokolow. At the Adelphi, N. Y., April 24, '39; $1.10 top.

Cast: Carl Chapin, Virginia Bolen, Eddie Dowling, Dody Rankin, Marjorie Gates, Paula Lawrence, Gordon Clarke, Peggy Coudrey, Harry Hart, Carol Coull, Trent Goodrich, Biddie Blokeley, Muriel Waite, Walter Lelbach, Genome Smith, Frank Newton, Costello Woolridge, James Mordecai, Mial Hunter, Donald Kent and Edward LeDue, William and Allen Tinney, Rufus and Richard Finlayson.

'Sing for Your Supper' opened Monday (24) at the Adelphi, which had been closed about six months for rehearsals of a show that WPA has been preparing for the past year or more. Considering the labor and time devoted, 'Sing' isn't much worthwhile.

It's easy to see that a revue is a tough problem for the relief outfit, for it has typed a musical idiom much that WPA does not possess. The cast is large and the theatre is commodious, but the impression is that a crude attempt to duplicate the pattern of 'Pins and Needles.' The WPAers cannot go as far satirically as the garment unionists, and while there are some more or less gentle political jibes, very little of it is comic, with the show woefully shy of laugh-provoking material.

The doors at the debut did not open until after the advertised starting time. Interior of the house was so stuffy that the audience dropped from throughout. Regardless, there was high enthusiasm during the first part by many in the audience.

Second half of the program was less tow-ee out front. Some of the musical numbers are spoiled in this part.

Finale of both sections are highlights. First-act ending, 'Papa's Got a Job,' and the concluding 'Ballad of Uncle Sam,' by ensemble members, with white and colored sections of the company freely intermingling. The show has three dozen colored players, including some principals.

'At Long Last' is the opening number, lyric of which points out the shows which the WPA did well by and with. Number seems too long and rather braggy. Mention, too, of course, is made of how long, long time the revue was rehearsed.

'Opening Night,' an all-colored number, is just fair, while a skit on naval maneuvers isn't as funny as intended.

First to score is Virginia Bolen, the soubrette. She handles 'Legitimate,' lyric of which paints

LOBBY OPPOSING ANTI-WPA BILL

The Federated Arts Union, a committee representing the theatre, writers, musicians and other white collar people in WPA, New York, is operating a lobby in Washington with the aim of side-tracking the so-called Byrnes bill. Measure has been fostered by the senator, who has been devoted to changes in relief legislation, while the committee is opposed to 'recasting' public works and social welfare legislation, which may switch such control to the several states.

Announced Monday (24), however, that the President proposes to merge 12 federal relief groups into three agencies, which would handle the whole and eliminate the present identities of the separate divisions. That may mean that WPA will disappear in name, but how, or whether that will materially affect the federal theatre set-up is not yet clear.

Martin Popper, an attorney, is representing the arts committee, activities of which are expected to be supported by collections from working players. Those now having engagements have been asked to make donations. Equity has contributed $500 to the committee, and affiliated unions are expected to also contribute.

BERTHA KALICH, TOP YIDDISH STAR, DIES

A career of more than 40 years was ended last week when Bertha Kalich, 64, a star of the English and Yiddish stage, died April 18 in a New York hospital following an operation.

Probably the greatest actress in the history of the Yiddish theatre, Miss Kalich, who crowned her European dramatic achievements with even greater success in the U. S. when she migrated to this country in 1894, was forced to quit the theatre some 10 years ago due to a malignant eye growth which nearly resulted in the loss of her sight. From time to time she made informal appearances at benefits, etc., but the tax of her strength curbed her appearances increasingly of late. Her last public appearance was made last Feb. 23 at the Jolson theatre, where a benefit testimonial was held in her honor.

Miss Kalich, who in private life was the wife of Leopold Spaulding, Yiddish theatrical producer, began her American career at the old Thalia, on the Bowery, N. Y., under the management of Boleslavsky, the impresario of the Yiddish theatre in America. Edelstein had seen her score signal successes as a member of the Bucharest National Theatre at a time when anti-Semitism in Rumania was at a height. Subsequent to her appearance in Yiddish plays at the Thalia, she acted in Russian, German and French plays, too, as well as in some of Shakespeare's works, all given in Yiddish.

At the behest of friends, who thought her an excellent possibility for the English stage, she learned the language and performed her first English-speaking role ('Fedora,' written originally in French by the Gallic playwright, Sardou. Daniel Frohman, David Belasco and Harrison Grey Fiske were immediately influenced by her beauty and striking performance. Fiske soon thereafter signed her to a contract. Minnie Maddern Fiske then took her in hand and schooled her in English. She also performed in English for Lee Shubert.

Probably her outstanding role was in The Kreutzer Sonata,' which she had performed in Yiddish at the Thalia when she first came to the U. S., and later in English. She returned to the Yiddish theatre in 1927, in 'Midway,' at the Irving Place theatre, N. Y., devoting the rest of her career to Yiddish presentations.

In 1929, appearing at the National theatre, on the lower east side of Manhattan, she caught cold, with the illness subsequently affecting her sight. After several operations and the depletion of a fortune for medical expenses, her sight was saved.

In addition to her husband, a daughter, Lillian, also survives. Funeral services were held in N. Y. Friday (21).

The Bard Couldn't Take London's Weather—Phelps

Philadelphia, April 25.

There would probably be considerably more of Shakespeare's plays in the world today if London weather wasn't what it is, Dr. William Phelps told the American Philosophical Society here last week.

Bard was continually sniffing from the chilly, foggy weather, which was a major reason why he retired at 46 to live in Stratford and never wrote another play. Thirty-three of Shakespeare's sonnets, Dr. Phelps observed, deal with London weather.

Philly Group Outlines Next Season's Plans, But Still Seeking Coin

Philadelphia, April 25.

Plans for the new Philly theatrical producing company aiming to make a 10-week stand at the Walnut next season were formulated at a meeting of the leaders of various interested groups in the house on Sunday (23). Group, tagging itself Philadelphia Theatre, Inc., will be modeled somewhat along the lines of the New York Theatre Guild.

Leslie Spiller, who will handle the job of producer-director, if the civic-minded promoters are able to brush up enough coin, outlined plans for the season. There will be a series of five plays, with pro casts, starting in October. Each show will run two weeks. At the conclusion of the 10 season in December the theatre will close down to permit preparation of five more plays, starting in February.

All casting will be done in New York. Shows to be given will include current available Broadway hits, with original casts wherever feasible, or a duplicate if necessary; new plays and N. Y. critical successes that hadn't enough b.o. to hit the road.

BURR, EQUITY AT ODDS ON 'HAPPIEST DAYS'

Dispute over the claims of actors in 'The Happiest Days,' which was withdrawn from the Lyceum, N. Y., will go to arbitration. Cast of the show, which was presented by Courtney Burr, was paid a week and one-half's salary prior to opening and received pay for the seven performances given. Management contends that as the players were paid at least two weeks, there is no further liability.

Equity decided differently, saying that its rules are that players must be paid a minimum of two weeks dating from the first public performance. There was no question of paid previews. Management avers the rule was recently invoked, with Equity claiming the rule to have been in force for some time. There is an agreement not to change the rules between Equity and the League of New York Theatres, but Burr is not a member.

The time and one half was for rehearsals held beyond the time limit. Council had conceded one week more at rehearsal pay, provided the cast was agreeable. Management claimed such an arrangement, but when the cast received notice of the concession, the players called at Equity and declared they had never been asked about the matter. Council thereupon figured misrepresentation, withdrew the concession and ordered full salaries paid. Management also plans to present that part of the dispute to the arbitrators.

Engagements

Gower & Jeanne, 'Streets of Paris,' John Emery, 'Wuthering Heights.'

Rhys Williams, Hiram Sherman, Erford Gage, Bertram Tanswell, Winston O'Keefe, Raymond Johnson, Wallace Acton, Arthur L. Sachs, Franz Bendsten, Charles De Sheim, Howard Wierum, Byron McGrath, Joseph Callaway, William Franklin, Peter Leeds, Robert Hanley, Austin Coghlan, Charles Barre, Kevin O'Shea, Grace Coppin, Jackson Perkins, Kate Warriner, Katherine Bard, Katherine Squire, Elsie Dvorak, Eugenia Rawls, Timothy Lynn Kearse, Globe Theatre, Merrie England, New York World's Fair.

Current Road Shows

(Week of April 24)

'Brown Danube' (Fay Wray)—Forrest, Philadelphia.

'Call It a Day' (Philip Merivale, Ann Mason)—Maplewood, Maplewood, N. J.

D'Oyly Carte Opera—Colonial, Boston.

'Hamlet'-'Henry IV' (Maurice Evans)—National, Washington.

'I Married An Angel' (Dennis King, Vera Zorina)—Cass, Detroit.

'Kiss the Boys Goodbye'—Shrine Mosque, Peoria (23); Orpheum, Davenport (24); Iowa, Cedar Rapids (25); Shrine Auditorium, Des Moines (26); Orpheum, Sioux City (27); Lyceum, Minneapolis (28-29).

'Kiss the Boys Goodbye'—Chief, Colorado Springs (24); Auditorium, Denver (25-26); Lincoln, Cheyenne (27).

'Knickerbocker Holiday' (Walter Huston)—Grand, Chicago (23-29).

Lunt-Fontanne Repertory—Nixon, Pittsburgh.

'My Dear Children' (John Barrymore)—American, St. Louis.

'Our Town' (Frank Craven)—Curran, San Francisco.

'Our Town' (Eddie Dowling)—Plymouth, Boston.

'Skylark' (Gertrude Lawrence)—Harris, Chicago.

'The Women'—Locust, Philadelphia.

'Tobacco Road'—Paramount, Toledo (24); Paramount, Marion, Ind. (26); Roxy, Ottawa, Ill. (27); Grand, Davenport (28-29).

'What a Life'—Erlanger, Chicago.

'Whiteoaks' (Ethel Barrymore)—Capitol, Calgary, Alberta (24); Empire, Edmonton, Sask. (25-26); Capitol, Regina, Alberta (27); Orpheum, Winnipeg (28-29).

WPA WASHING UP CONN. FTP

Hartford, April 25.

Final curtain for the Connecticut Federal Theatre Project will be rung down May 6. Public announcement of the blackout was made Friday (21) from the office of State WPA Administrator Vincent J. Sullivan in New Haven.

State project, employing 92, is being closed at the recommendation of the WPA Federal Theatre Project with the concurrence of the Connecticut state office of the WPA. Most of those employed on the project are non-professional and will be shifted to other WPA projects. Include some 47 clerical help, stagehands and musicians.

For the 45 remaining pros, a 'paper project' is to be created with John Drakin, assistant director, as its coordinator. Under this set-up, actors on the paper project will be loaned out to other WPA theatre units in the east.

Elimination of the FTP will mean an estimated saving of more than $160,000 yearly. For the period of July 1, through December 31, 1938, the unit operated on a nut of $84,000. Budget for the first six months of this year had been set at $70,000.

There were at one time three separate units in the state, one at Bridgeport, another at New Haven, and a third here. Subsequently these were consolidated into the single project, with separate units for white and Negro actors.

FTP Extends '2-a-Day' Run in L. A.; 'Blow' Next

Hollywood, April 25.

Federal Theatre Project extended the run of 'Two-a-Day' at Hollywood Playhouse to May 14, after which it will be replaced by 'Run, Li'l Chillun,' now in its 10th month at downtown Mayan theatre.

Theodore Platt's 'Big Blow' opens at the Mayan May 17, and 'Excursion' at the Belasco May 5.

Leftwich Shakes FTP

Los Angeles, April 25.

Alexander Leftwich, director of the Federal Theatre Project, abolished the vaudeville department and shifted the personnel, including the actors in 'Two a Day,' to the drama department. Gene Stone and Jack Robinson, in charge of vaude, were assigned to write a musical comedy.

After the shakeup, Leftwich left for Washington to confer with Hallie Flanagan.

Glenda Farrell to Play 'Stage Door' In Strawhat; 15-Wk. Pawling Season

Added Strawhats

(Not Previously Listed)

Central City Play Festival, Central City, Col. July 15-29. Frank St. Ledger, Richard Aldrich.

Coach House Theatre, Oconomowoc, Wis. Opens July 17. Thoda Crocroft, Mildred McDonald.

Cross Roads Theatre, Bailey's Cross Roads, Va. Opens June 5. Howard Wentworth, C. Adolph Glasgold.

Litchfield Hills Theatre, Litchfield, Conn. (Formerly Litchfield Theatre). Randolph Carter, Stewart Chaney.

O'Neill Has 3 of His 8 Plays Set; Guild Won't Get Cycle Until '40-41

Eugene O'Neill is working steadily on his cycle of eight plays for the Theatre Guild, but doesn't expect to finish the crop for at least another season, according to word received in New York last week. Playwright is said to have three of the plays fully outlined and two others in rough pattern. Still some possibility that the series might be extended to nine plays.

O'Neill is at his home in Casa Genota county, Oakland, Cal. He has fully recovered from his recent illness.

Guest-Star Stock Co. Opens in Chi May 5

New stock company, using a guest-star policy, will open May 5 at the Chicago Civic theatre, Chicago, following stays given during the winter. C. Thompson, of the Civic Opera company, will head the venture and John Charles Gilbert, general manager of the opera, will direct.

Opening bill will be 'Enter Madame,' with Eugenie Leontovich, followed by 'Death Takes a Holiday,' with Philip Merivale, and 'The Lady Has a Heart,' with Elissa Landi. Norma Terris is tentatively set for a subsequent show. Bills will run three weeks each. Chamberlain Brown is casting the productions in New York.

Sunday Legit

(Continued from page 39)

hand leaders, who say the issue is not cold regardless of the local's tentative vote. Equity is certainly for that trend, but now contends it was right in delaying the referendum to the full membership until the attitude of the other unions was made clear. Theatrical Managers Agents and Treasurers, a comparatively new union, took the position of riding along with the stagehands.

New Attempt May Be Made

It's possible that a new attempt to work out the Sunday question will be made this week, upon the theory that the stagehands can be induced to change their stance on the issue. Proposal, however, will probably be along the lines of seven-day week, without strings, which was the general idea in back of the deckhands' recent objection and despite the fact that that union does not exact extra pay in film and other theatres, nor do musicians.

Stagehands came out for Sundays during the regime of James Brennan, IA v.p., who is still in favor of that move. After heading the New York local a number of terms, union replaced him last year, election being an upset. Brennan's name was placed in nomination last Sunday, but declined the honor.

Robert Amstedt was renominated, he to be opposed by Harry L. Abbott, a veteran who was business agent some years ago. Posts of business agents will also be contested. Vincent Jacobi and Frank Powderly, present incumbents, were nominated along with Solly Pernick, current v.p., and Samuel Goldfarb.

Glenda Farrell, in 'Stage Door,' will be the initial bill at Steve Cochran's Olney Playhouse, Olney, Md., opening May 15. Second show will be Douglas Montgomery in 'Night Must Fall.' Eva Le Gallienne, in 'Camille,' is mentioned as a subsequent offering. This is Cochran's second season at the spot.

Pawling Sked

Productions for the 15-week season at the Starlight Theatre, Pawling, N. Y., opening May 29, will be chosen from the following: 'Merry-Wives of Gotham,' 'Tovarich,' 'What a Life,' 'Devil's Disciple,' 'Room Service,' 'Merchant of Venice,' 'I Want a Policeman,' 'House Beautiful,' 'Command Performance,' 'Missouri Legend,' 'Helena's Boys,' 'Shadow and Substance,' 'Midwest' and 'Three Wise Fools.' Season will include three tryouts, substituting in the above list. Maryverne Jones will again operate the venture, with a subsequent road tour of the east tentatively planned.

Central City's Yeoman'

'Yeoman of the Guard' will be the presentation at the eighth annual play festival July 15-29 at Central City, Col. Frank St. Leger will direct and Richard Aldrich is associate director and eastern representative. Broadway players will be used.

New Comedy Prize

Award of $250 each, in addition to the regular royalties, is offered for the best new comedy produced this summer at the Coach House Theatre, Oconomowoc, Wis. Playwright will retain all subsequent rights to the work. Thoda Crocroft will direct the strawhat season, with Mildred McDonald business manager. All new plays will be given.

Swerdlow at Pine Brook

Pine Brook theatre, Nichols, Conn., will be directed by Irwin Swerdlow, and the season will open May 26 with 'Having Wonderful Time.' Subsequent shows will include 'You Can't Take It with You,' 'High Tor,' 'Boy Meets Girl,' 'Three Men on a Horse,' 'Yes, My Darling Daughter,' 'Room Service,' 'Measure for Measure' and T. S. Eliot's 'Sweeney Agonistes.'

2-a-Day Stock at 25c

Policy of two-a-day stock, with a daily matinee at 25c admission and an evening scale of 35c, will be tried this summer by the Capitol Players, Footguard Hall, Hartford, Conn. Alan Moore directs and the 10-week season opens June 15. Shows will include a new version of 'Frankenstein,' 'Hamlet,' 'Tarnished and How,' 'Raffles' and a modern adaptation of 'Amphitryon.'

'Able' in Barn

Cross Roads theatre, Bailey's Cross Roads, Va., will open the first season June 5 with 'Able's Irish Rose.' Shows will run two weeks each. Spot is operated by Charles Hohein, Tuesday Lunger and George Ross. Howard Wentworth and C. Adolph Glasgold will alternate as stagers.

Keith Checking Barns

Robert Keith has been named Equity representative to check strawhat theatre compliance with the association's summer stock regulations. Action was taken yesterday (Tuesday) by the council.

He will begin May 15.

Mielziner's Quartet

Jo Mielziner, who did the sets for S. N. Behrman's 'No Time for Comedy,' at the Barrymore, N. Y., already has four productions definitely set for next season. They include the Playwrights' Co. production of the untitled Sidney Howard play, the Carly Wharton-Martin Gable production of 'The Merchant of Venice,' with Sir Cedric Hardwicke, and Max Gordon's production of the Clare Boothe-Kopit and Hart musical 'The Wedding Day.'

Fourth item is an unrevealed musical.

Antal Doratti, formerly with Covent Garden Ballet, has been engaged as guest conductor for Australian Broadcasting Commission.

B'way Ticket Situash

(Continued from page 39)

mezzanines and that there are reserved seats in large arenas for sports, including ball parks. One manager, in chatting about the 'rush' system of theatre-going, asked if a patron leaving his seat at intermission would find the same location upon returning.

Gillmore further theorized that while the non-reserved-seat plan might keep well-to-do patronage out of the theatre, show business would benefit by attracting more people who have found it hard to get tickets. He dismissed as unimportant the patronage from out-of-town who buy tickets in advance, and his ideas seem to be reverse to his expressed views for attracting suburbanites. Under his plan, such patrons would be forced to reach the theatre earlier than ever. Proposer admitted that his plan may be 'a major operation.'

Referee's Report

Referee Morris Cooper, Jr., reported to Justice Samuel Hofstadter, in reference to the Acme complaint, that 'In light of the attempts of Equity practically since its organization and of most managers and producers to put into effect the very reforms embodied in the code, it is impossible to say that its provisions are unreasonable or capricious... The code has not created an unlawful monopoly, nor are the acts of the defendents in unlawful restraint of trade...Their effect is to prevent an monopoly by plaintiffs of the best seats for the best shows and effectively...The effect of the code seems to me clearly to be for the benefit of the theatrical industry as a whole and of the public.'

Concerning the claims that only a limited number of tickets were sold at premiums in excess of the code maximum of 75c, the report says: 'I am convinced that the number is sufficiently substantial to that the code cannot be stamped as unreasonable on the ground that it deals with an insignificant factor in the industry...the brokers obtained high premiums...and effectively prevented anyone who was unable to pay those premiums from obtaining them, thereby causing the public to lose interest in the theatre...the actions of the League and Equity do not constitute a boycott...members of the industry are entitled to co-operate for the purpose of correcting abuses.'

Under the procedure, Justice Hofstadter may concur in the dismissal, or order the case to trial. Right of the agency to appeal may be later discussed, but the League announced that all agencies on its accredited list would have to conform to the 75c premium limit, or managers would withhold allotments of tickets.

Stricter Enforcement

League intends making all brokers who are detected violating the rules to file bonds of $500 each, which would be forfeited should there be further infractions. Originally compliance bonds were supposed to be filed by all agencies signatory to the code, but such requirement was not insisted upon because of other safeguards. Louis Cohen agency and Phil Furst, who were recently found having violated the code, are the first called on to post the bonds.

Generally understood, too, that most of the brokers have been withholding the 3½-cent per ticket levy, as required by the League, ever since the Acme action started. Payment of the levy has been a bitter pill for the brokers, the money being used for policing and other enforcement measures. League will now call for the ticket people to make good on arrears, though it is possible that the levy will be lowered, or some form of compromise agreed on.

Delegation to Frah Bill

Delegation of name stage players will visit City Hall, N. Y., Friday afternoon (28) to push the bill pending in city council to limit ticket broker commissions to 75c. Headed by Gillmore, the group is expected to include Helen Hayes, Katharine Cornell, Sophie Tucker, Olsen and Johnson, Ethel Merman, Ethel Waters, Mary Martin, William Gaxton, Victor Moore and others.

"STARS IN YOUR EYES"
Mgt.: LOU CLAYTON

Chances Brighten For Philly Dell Concerts

Philadelphia, April 18.

Prospects of a 10th season of al fresco concerts by men of the Philadelphia orchestra in Robin Hood Dell this summer, which looked practically hopeless a month ago, have now brightened considerably, according to Sam Rosenbaum, v.p. of the Orchestra Assn. and chairman of the Dell committee. He said a guarantee fund sufficient to insure the musicians their $60-a-week demands will be raised.

Salaries in the cooperative venture last season were almost negligible because rain drowned out about a third of the concerts. Only five evenings a week will be skedded this season to allow for postponements.

Carnegie Aids S. C. Symph

Spartanburg, S. C., April 25.

Carnegie Corp., New York, has kicked in with $10,000 toward proposed $25,000 South Carolina state symphony orchestra.

WPA Plays

OTHELLO

(Continued from page 40)

Iago during the first week. John Connor, Othello, and Keith are skedded to alternate roles. Keith brings a fine professional experience and quality to the Blackstone stage and makes a happy choice as the lead for these plays.

Of the entire cast he's the only one who put over the Shakespeare lines audibly and intelligibly.

Connor is pleasing as Othello, though not sufficiently commanding in stature for the role. Other good performances are by Margaret Shanna, as Desdemona, wife of Othello and victim of Iago's malicious tongue, and Peggy Joyce, as Emilia. The rest falter.

Costuming and production are fine. Gold.

Sunday Labor

(Continued from page 39)

'Railroads' lasts but slightly more than one hour.

That Equity is inclined to soften the regulations of its few attractions at the Fair was seen last week, when the management of 'Railroads' sought an exception for three scheduled Monday layoffs during the Fair period, to make up for the Sunday shows.

Showmen explained an influx of railroad people will arrive for the premiere of the Fair and next Monday (1) is one of the excepted dates for which regular pay is offered.

Equity made a partial exception, allowing the Mondays sought, but at time and one half pay. Stipulation was that such performances would not be in violation of the one day rest statute. Such regulation is not expected to apply to virtually all other concessions, most of which are under the jurisdiction of the American Federation of Actors, which has no Sunday restrictions in theatres, or otherwise.

Tabloid Shakespeare, to be presented at Globe theatre, in the Merrie England concession, will give seven 46-minute shows daily on a seven-days-a-week schedule. Plays will include 'Comedy of Errors,' 'Taming of the Shrew,' 'Midsummer Night's Dream' and 'As You Like It.' House will seat 450 and the admission will be 40c; 65c in the 100-seat reserved section. Price will be in addition to the 75c entry fee to the Fair and 25c for the main concession.

Audiences will not be permitted to remain in the house and see all four plays for the single admission, but will have to re-enter for the same price to subsequent shows. Interval of 15 minutes will be allowed to clear the house and admit the next audience, making a total of a full hour for the complete play and intermission.

Margaret Webster, who directed and is currently appearing in 'Family Portrait,' at the Morosco, N. Y., and who staged the Maurice Evans Shakespearean productions, is directing the briefie shows for the Globe. David Stolkes has designed the single set and the costumes, while Lehman Engel has composed the special scores. Rhys Williams, who was in the Evans revivals of 'Hamlet' and 'Henry IV,' is managing the venture and playing the Town Crier. John T. Schless is general manager, Thomas Wood Stevens is producer, Paul Winkler is business manager.

CHORISTER REP DENIED TO GOCA

Grand Opera Choral Alliance petition for recognition as exclusive bargaining agent for choristers at the Metropolitan Opera Co., New York, has been denied by the N. Y. State Labor Relations Board. No other group has been certified. American Guild of Musical Artists, which already has a contract covering principals at the Met, is claiming the chorus representation.

Choral Alliance had already lost a plea to the N. Y. State Board of Standards and Appeals for a corporate charter. Previous to that, its charter was revoked by the parent body, the Associated Actors and Artists of America. Charter, involving affiliation with the American Federation of Labor, was awarded to AGMA. Latter's contract for principals at the Met expires Sept. 30. Negotiations for a new one are expected to begin as soon as the Met returns from its current tour.

Seeking to extend the new contract to include choral representation, AGMA has launched a program to develop young chorus singers to swell its chorister ranks. Union is employing regular opera conductors for the instructions and those attending will be auditioned for inclusion as regular members.

Harlemese 'Traviata'

Detroit, April 25.

National Negro Opera Assn. is planning to present 'La Traviata' in a series of outdoor performances during the summer in out-of-town engagements, to be followed by its preem in Masonic aude here next fall.

Opera will be sung in special English translation, with Stuart P. Piggins as artistic director and conductor.

ERNEST C. ROLLS
Presents
VIOLET CARLSON
AS THE STAR
of his Newest Sensational Hit Show
The Famous
LONDON CASINO REVUE
Now Playing His Majesty's Theatre, Melbourne, Australia

MARY MARTIN
CURRENTLY
Appearing in
'LEAVE IT TO ME'
At The
IMPERIAL THEATRE
NEW YORK
COMPLETED SEVEN WEEKS
At The RAINBOW ROOM
MARCH 1st
Radio City, New York
RE-ENGAGED for Four
Weeks Starting May 10th
Under Exclusive Management
DOLAN & DOANE, Inc.
C. Colton Cronin, Associate
8905 Sunset Boulevard, Hollywood
N. Y. Representative
DOROTHY VERNON
Associated with
MARK HANNA
Under Exclusive Contract
LAURENCE SCHWAB

A. & S. LYONS, Inc.
ANNOUNCE
The removal of their
New York Offices to
515 Madison Avenue
PLaza 3-5181
Plays
RICHARD J. MADDEN PLAY CO.
HOLLYWOOD
LONDON

'Angel' Up to $24,000, 'Life' Thrives At $6,800 in Chi; FTP 'Othello' Okay

Chicago, April 25.

Legit was strong here last week, grossing 'I Married An Angel,' which quit the Grand to sellout trade.

Also on the bright side is 'What a Life,' at the Erlanger, which had been on the verge of calling it quits several times, but held on long enough to catch on. Will continue indefinitely.

On Sunday (24), 'Knickerbocker Holiday,' starring Walter Huston, opened at the Grand. Last night (Monday), 'Skylark' brought Gertrude Lawrence to town for the second time this season. She appeared earlier in 'Susan and God.'

The Federal Theatre has a strong winner in the current Shakespeare series, headed by Jan Keith, 'Othello,' the opener, is giving the Blackstone a fine play. Follow-ups will be 'Hamlet' and 'As You Like It.'

Due later is 'My Dear Children,' which brings John Barrymore back to town after an absence of some 18 years.

Estimates for Last Week

'I Married an Angel,' Grand (7th-final week) (1,300; $3.30). Finished seven solid weeks, finale being excellent, slightly under $24,000.

'What a Life,' Erlanger (7th week) (1,400; $1.65). Weekends are gymmite here. Profitable $6,800.

WPA

'Big Blow,' Great Northern. Replaced this week by 'Awake and Sing,' in Yiddish.

'Othello,' Blackstone. Getting excellent reaction.

Lunts' Repertory Does $18,000 in Indpls., Col.

Indianapolis, April 25.

The English theatre, with the Lunts in two performances of 'Amphitryon 38,' on Monday (17) and Tuesday (18), and matinee and evening performance of 'Sea Gull' on Wednesday (20), turned in a satisfactory total, most of which was done on 'Amphitryon.'

Estimate for Last Week

Lunts' Repertory, English; (1,500; $3.30). First two days accounted for most of the $9,000 with 'Sea Gull' holding down the boxoffice.

Lunts 9G in Columbus

Columbus, April 25.

Alfred Lunt and Lynn Fontanne drew approximately $9,000 in four performances at the Hartman here last Thursday through Saturday (20-22). Figure brought their total gross for the week to about $18,000. Engagement was divided between 'Amphitryon' and 'The Sea Gull.'

They're winding up their tour this week in Pittsburgh.

HUSTON $17,800 IN COLUMBUS, CINCY RUNS

Cincinnati, April 25.

'Knickerbocker Holiday,' starring Walter Huston, had a b.o. holiday last week. Take $7,800 in first half at the Hartman, Columbus, O., and $10,200 in last three days at the Cox here. Top was $3.30. Engagement closed Cincy's legit season.

Show came in for rave by local critics. Saturday matinee and night performances were sellouts.

'Skylark' $12,500, Balto; 'Candida' $10,800, 4 Spots

Baltimore, April 25.

Playing of Gertrude Lawrence, in 'Skylark,' at Ford's last week, against three-day (four performances) booking of Cornelia Otis Skinner, in 'Candida,' at the indie-booked Maryland, closed local legit for the season, with b.o. response satisfactory for both attractions. Current season, exceptionally slim as to bookings, nevertheless drew steady biz.

Total of 17 bookings for the entire season of '38-39, three of which were return dates, compares with '37-38 crop of 34.

Estimates for Last Week

'Skylark,' Ford's (1,800; $2.75). Strong advance and window interest counted on to nice $12,500 in spite of extra Thursday matinee replacing Friday night show, omitted because of Miss Lawrence's radio commitment.

Candida,' Maryland (1,575; $2.75). Cornelia Otis Skinner revival attracted fair response, $5,000, i.e. heels of terrific previous week of Katharine Cornell in 'No Time for Comedy.'

Skinner's 2G in Princeton

Princeton, N. J., April 25.

Cornelia Otis Skinner concluded her tour in 'Candida' here Saturday night (22), grossing $2,000 at the McCarter. Seven-performance week included $5,000 for four performances in Baltimore; $2,000 for a single showing in Bethlehem, Pa., and $1,000 for a single performance in Wilmington. Total was $10,800.

Actress will appear in 'Romance' at the Mohawk Drama Guild, in Schenectady, N. Y., and in 'Tovarich' at Ogunquit, Me., this summer, and will begin the fall season with a few weeks through the south in her one-woman show. Plans to appear on Broadway next season in a new play, if she can find a suitable one.

3d 'Kiss Boys' $13,400

Wichita, April 25.

'Kiss Boys Goodbye' (No. 3 company) finished a week of one-nighters Saturday (22) with about $13,400. Stands included the Melba, Dallas; Shrine Auditorium, Oklahoma City; Convention Hall, Tulsa, and the Arcadia here.

Troupe is continuing this week through Colorado and Arizona.

'Whiteoaks' $8,500

Vancouver, April 25.

'Whiteoaks,' with Ethel Barrymore, drew a little under $8,500 for six performances last week, ending Saturday night (22) at the Strand here. Company played Monday (17) in Tacoma, traveled Tuesday (18), did a one-nighter Wednesday (19) at Victoria and gave four performances here beginning Thursday (20).

Show is continuing through Canada this week.

John Barrymore's 'Hamlet' Net $15,000

Memphis, April 25.

John Barrymore grossed just over $15,000 in a week of one-nighters with 'My Dear Children,' winding up Saturday (22) at the local Auditorium. Takings were considerably washed out during the week's heavy rains. Dates included the Bijou, Knoxville; Bijou, Chattanooga; Erlanger, Atlanta; Temple, Birmingham; Ryman Auditorium, Nashville, and the Auditorium here.

Show is at the American, St. Louis, this week.

'TOWN' EXPANDS IN L. A., $10,000; 'MICE' $9,000

Los Angeles, April 25.

The Biltmore here and El Capitan, Hollywood, went dark Saturday (22) after legitimately closing their current 'Of Mice and Men,' respectively. Former built well and second-final week progressed and finished with virtual sellout. House reopens May 1 with 'Kiss Boys Goodbye,' in for two weeks, with possibility of three.

'Of Mice and Men' wound up two and half profitable weeks at El Capitan. Federal Theatre 'Our Town' three long-runners continue at the Hollywood Playhouse, Mayan and Belasco.

Estimates for Last Week

'Our Town,' Biltmore (2d-final week) (1,654; $2.75). Finished to strong $10,000.

'Of Mice and Men,' El Capitan, Hollywood (3d-final week) (1,560; $2.50). Held to good $9,000 on final seven days.

WPA

'Run, LI'l Chillun,' Mayan. Moves to Hollywood Playhouse May 17 after more than six months downtown.

'Two-a-Day,' Hollywood Playhouse. Engagement extended to May 14.

'High Tor,' Belasco. Winds up middle of May.

'Kiss Boys' 10G, St. Loo., Dented by Circus, Opera

St. Louis, April 25.

'Kiss Boys Goodbye,' only road show to remain in St. Louis two weeks during the current season, quit Saturday (22) with a fair take. The play drew good week enough considerably additional opposition from the annual police circus at the Coliseum, played to virtually sellout biz, and two performances of grand opera, with New York Met stars, sponsored by the recently organized St. Louis Grand Opera Assn.

John Barrymore in 'My Dear Children' opens at the Ambassador (Monday) for a week. This winds up the local legit season.

Estimate for Last Week

'Kiss Boys Goodbye,' American (2d-final week) (1,707; $2.80. Topped $10,000.

Yiddish Art Troupe 3G In Two Nights, Toronto

Toronto, April 25.

Headed by Jacob Ben-Ami and Samuel Goldenburg, the Yiddish Art Co. junketed up from New York for a two-night appearance at the Victoria here and did very nicely.

Last top, B. Lefkowitz's 'Who Is Who' grossed little more than $1,000 Friday night (21), and Clifford Odets' 'Awake and Sing' did excellently at $2,000 Saturday night (22).

Both plays were done in Yiddish.

B'way Sees Fair Influx Helping, But Probably Not Until June; 'Comedy' Near Lead with $21,000

With the introduction of two dramas on Broadway this week, new production activities of the season will practically be washed up. Other than four musicals due between late May and July, the World's Fair offerings will consist mostly of those currently on the boards. Only two or three straight shows otherwise are in sight.

With few exceptions there was little change last week in the generally ofish business that followed Easter, with the scarcity of visitors blamed. Starting Friday (28), the first influx for the Fair is due, for Sunday's debut. The expo bow will doubtlessly receive more attention than Broadway, and because of that showmen are skeptical about an upturn in legit attendance in the near future. It's assumed there will be some pick-up later, however, since the peak 'crowds for the Fair are not expected until June, when schools are out and vacations begin.

Last week saw the entrance of an apparent high grosser, 'No Time for Comedy,' at the Barrymore, which registered over $21,000 for its initial week. It rated close to the top straight shows. The Philadelphia Story,' with 'The Little Foxes' and 'Abe Lincoln' running behind 'Comedy,' Mexicans,' an import, at the Imperial, opened late in the week with its chances not definite. New edition of 'Pins and Needles,' Labor Stage, drew a strong press. First full week of 'My Heart's in the Highlands,' Guild, very weak, being rated under $2,000.

Standing of the musicals still has 'Helizapoppin' on top, with 'Leave It to Me,' 'Stars in Your Eyes' and 'Sweet Mystery' in that order. Downward revision of scales for two are slated for next week. The American Way' continues to top all.

No new shows due next week, when WPA's 'Swing Mikado' will change to commercial management and moves from the New Yorker to the 44th Street.

Estimates for Last Week

'Abe Lincoln in Illinois,' Plymouth (26th week) (D-1,036; $3.30). Tapered somewhat but still hefty with $16,500.

'Boys From Syracuse,' Alvin (23d week) (M-1,325; $4.40). While under levels of first few months, musical turning profit steadily; eased off to $18,000 last week and may revise ticket scale.

'Family Portrait,' Morosco (8th week) (D-691; $3.30). Under expectations, around $7,500.

'Gentle People,' Belasco (17th week) (C-1,107; $3.30). Missed one performance through illness of Franchot Tone, who was replaced by Leif Erickson on two other evenings; topped $7,000.

'Helizapoppin,' Winter Garden (32d week) (R-1,671; $3.30). Remains in high demand, with capacity claimed right along; topped $35,000.

'Hot Mikado,' Broadhurst (6th week) (M-1,116; $3.30). Steadily improving; while colored-cast musical can do considerably more, it's profitable with $15,000 or slightly more.

'I Must Love Someone,' Vanderbilt (12th week) (C-800; $3.30). Moved week from Longacre Monday (24); some improvement reported; $4,000.

'Kiss Boys Goodbye,' Miller (31st week) (C-344; $3.30). Around the same level as Easter week, $9,500; both road companies grossing more.

'Leave It to Me,' Imperial (25th week) (M-1,468; $4.40). Recovered unlike other musicals which went off during Easter; occupied around $26,500.

'Maxwell's Daughters,' Empire (47th week) (D-1,099; $3.30). Slightly better than previous eight performances; takings estimated over $11,000.

'My Heart's in the Highlands,' Guild (3d week) (D-426; $2.20). Was placed on subscription basis, starting this week, by Theatre Guild after getting a counter offer from N. Y. Critics Circle best play session; very lean so far; less than $2,000 last week.

'No Time for Comedy,' Barrymore (2d week) (CD-1,086; $3.30). Newest entrant, opened late in the week; unless all performances after debut; quoted over $21,000.

'One for the Money,' Booth (12th week) (R-708; $3.85). Agency call developing and looks like intimate musical will stick around $13,000.

'Oscar Wilde,' Fulton (29th week) (CD-413; $3 30). Around $6,000, profitable.

'Set to Music,' Music Box (15th week) (R-1,000; $4.40). Some revisions of operating costs helping; down around $12,000.

'Stars in Your Eyes,' Majestic (12th week) (M-1,717; $4.40). May advance claimed very strong; $21,500 last week.

'The American Way,' Center (14th week) (D-2,433; $3.30). Still heading list with around $27,000 level.

'The Little Foxes,' National (11th week) (D-1,164; $3.30). Many performances are sellouts; approached $19,000.

'The Mother,' Lyceum (1st week) (D-1,000; $3.30). Presented by Victor Payne-Jennings; adapted from foreign original by Paul Selver and Ernst Toller; opened last night (Tuesday).

'The Philadelphia Story,' Shubert (5th week) (C-1,363; $3.30). Front-running comedy capacity at all performances, with takings more than $23,000.

'The Primrose Path,' Cort (17th week) (CD-1,059; $3.30). Doing moderately well with last week's takings betering $7,000, profitable.

'The White Steed,' Golden (16th week) (D-1,067; $3.30). May perk up with critics award as best foreign play of the season; probably turning small profit around 40,000 again.

'Tobacco Road,' Forrest (281st week) (D-1,107; $1.65). Expo visitors brought in good stager in action; around $4,000 for low-cost drama.

'Twist a Life,' Mansfield (54th week) (C-1,050; $3.30). With parties and other cut rates, run comedy earning small profit; quoted over $4,000.

'Wuthering Heights,' Longacre (1st week) (D-1,019; $3.30). Presented by Robert Henderson and Harry Young; adapted from Emily Brontë's novel by Randolph Carter; film version current at Rivoli; opens tomorrow (Thursday) night.

REVIVALS

'Awake and Sing,' Windsor. Closed Saturday (22) after three weeks; disappointed.

'Outward Bound,' Playhouse (19th week) (D-873; $2.30). Has passed run of original presentation; $6,000, profitable.

ADDED

'Mexicana,' 46th Street (2d week) (R-1,375; $3.30). Import from Mexico drew fair press at Friday (21) debut; chances may be indicated this week.

'Pins and Needles,' Labor Stage (73d week). Unofficially intimate revue pepped up with new numbers, which drew press praise, and business should pick up from the $4,500 level, at which it is profitable.

'The Quiet City,' Belasco. Taken off, new show opened week after revision; played two out of five scheduled Sundays.

'Frank Fay Show,' 44th Street. Closed last midweek; due to reopen at Shubert, Boston, Monday (1).

WPA

'Sing for Your Supper,' Adelphi. Opened Monday (24) after being in preparation more than one year.

'Swing Mikado,' New Yorker. Moves to 44th Street Monday (1) under commercial auspices.

'Pinocchio,' Ritz.

'Mother' Just a Lullaby With $6,200 in Wash.

Washington, April 25.

Combination of circumstances played havoc last week with The Mother,' starring Nazimova.

Current is Maurice Evans' uncut 'Hamlet,' with Saturday's (29) two performances to be devoted to 'Henry IV.' 'I Married an Angel' arrives Monday (1) and closes house for the season.

Estimate for Last Week

The Mother,' National (1,698; $2.75 top). Heavy stuff for sudden hot spell and only got approximately $6,200.

Dowling-Town' Click For 6½G, Hartford, N. H.

New Haven, April 25.

Nothing set here for the balance of the year. Thursday to Saturday (22) the Wee McCoy production of 'Our Town,' starring Eddie Dowling, did satisfactorily on top of a single show in Hartford, Wednesday (19).

'Rigoletto' comes into the Shubert, May 1, for one performance, with Jan Peerce.

Estimate for Last Week

'Our Town,' Shubert (1,967; $2.20). Pop prices drew okay $6,000 here, on top of $2,500 done Wednesday (19) in Hartford.

2 Coast Revivals

San Francisco, April 25.

Helen Gahagan, in Jerome Kern's 'The Cat and the Fiddle,' and Charles Thomas, in Johann Strauss' 'The Gypsy Baron,' will be brought to the Curran here in June By Homer Curran. Engagements of each will be limited to one week.

Thomas' last appearance here was in 'Blossom Time.' Miss Gahagan was starred in 'The Merry Widow' at the Curran several years ago.

'Road' Snares $13,800 In Four Wisc. Towns

Road company of 'Tobacco Road,' continuing its course through Wisconsin last week, ran up $13,800 in four whistle-stops. Stands included Madison, Fond du Lac, Kenosha and Lafayette.

Troupe is shuttling back and forth over the Canadian border this week.

Agents Sue Niven

Hollywood, April 25.

Hawks-Volo agency is suing David Niven, English film actor, for $56,100 commissions.

Charges Niven ran out on his contract.

D'Oyly Carte Is Hub Mikado, $23,500; Evans OK $18,000, 'Women' Repeat 12G

Boston, April 25.

The D'Oyly Carte Opera Co. mopped up in the opening week of its four-week run here, easily leading other shows here. Maurice Evans continued to draw with his full-length 'Hamlet' and 'Henry IV,' closing two successful weeks Saturday (22).

The Women,' at the Opera House, along with Elissa Landi in 'Lady Has a Heart,' which finished two dismal weeks at the Plymouth, Saturday (22), were in at $1.10 top. Latter was disappointing. Wee and McCoy brought in 'Our Town,' with Eddie Dowling, yesterday (Monday) to replace 'Lady.' This is another $1.10 offering. 'Women' was in on a repeat.

Estimates for Last Week

D'Oyly Carte company, Colonial (13d week) (1,645; $3.30). Gilbert and Sullivan troupe came in with a big advance and rang up a smash $23,500.

'Hamlet' and 'Henry IV,' Shubert (2d-final week) (1,590; $2.75). Built on basis of excellent word-of-mouth and good press comments. Around $18,000, very good.

'The Women,' Opera House (2,944; $1.10). Closed Saturday (22), although at least two weeks were hoped for at these prices. However, it did profitable $11,000.

'Lady Has a Heart,' Plymouth. Never got to first base; finished with $4,000; played two weeks.

Newspaper Pubs in Convention

Annual convention of the American Newspaper Publishers Association, which opened yesterday (25) at the Waldorf-Astoria, N. Y., will continue until Friday. Coincidental sessions being held by the National Newspaper Promotion Association. Prior to start of the publishers' conclave, the Associated Press held its annual meeting on Monday (24) also at the Waldorf-Astoria, and on Saturday (22) in Washington, D. C., the American Society of Newspaper Editors concluded a three-day convention with the election of new officers.

Highlight of the opening day of the American Newspaper Publishers Association convention yesterday was a preview by members of the N. Y. World's Fair, and dedication of a 'Freedom of the Press' statue at the Fair grounds.

Important evening tomorrow night (27) will be the annual dinner of the Bureau of Advertising of the A. N. P. A. at the Waldorf-Astoria, at which George M. Cohan, U. S. Sen. Robert A. Taft, Mayor LaGuardia and 'Senator' Edward Ford will speak. General meetings by both the A. N. P. A. and N. N. P. A. will conclude the conclaves on Friday morning.

Officers elected by the American Society of Newspaper Editors in Washington are Don J. Sterling, the Oregon Journal, prez.; Tom Wallace, Louisville Times, 1st v.p.; M. V. Atwood, Gannett papers, 2d v.p.; J. Roscoe Drummond, Christian Science Monitor, sec., and Dwight Marvin, Troy Record, treas. Directors are Desmond, David Lawrence, E. S. News; Nathaniel R. Howard, Cleveland News, and Gardner Cowles, Des Moines Register and Tribune.

'Wuthering' Selling

Extent to which interest is revived in a literary classic as the result of its transfer to the screen is demonstrated by the Goldwyn picturization of 'Wuthering Heights.'

Although the film has been on exhibition only around a month, it's resulted in the sale of more copies of the book during that period than in any five years since it was first published 92 years ago. First and second editions of the Blue Ribbon Books reprint already gone according to Freeman Lewis, of that firm, with a third edition on the press and a fourth contemplated. Grosset & Dunlap have sold some 5,000 copies of their reprint of the book, with another printing now on the press. Dodd, Mead special film edition of the story gone, and a second printing being readied. Modern Library edition is five times over previous issue.

Libraries and even rental libraries report unusual demand for the book, and many sets of the Bronte works being broken up to supply demand for 'Wuthering Heights.'

The Goldwyn film has also inspired a stage dramatization for Broadway, opening tomorrow (Thursday).

New Dodge of Dodge

Dodge Co., subsid of Robert McBride, has turned the old Street & Smith author trade name service to westerns, for the circulating libraries, after a start at a $2 price. Firm has purchased through Munsey's agency, Service for Authors, copies of old Argosy Weekly. Authors are approached with offer of flat sum for old serials, to be issued under a trade name with changed titles. Upon sale, yarns are sawed down or expanded up to 60,000 words. Idea a nice surprise to writers who have westerns they'd never wanted to try for book format.

Trademark and invented name tagged to books will belong to firm. Just as it has with S&S in nickel and dime novel series—Nick Carter, Burt L. Standish, et al. Dodge editor, Critchell Rimington, formerly with John Day.

Stanley Walker to Philly

Stanley Walker, among the best known of N. Y. newspapermen, takes editorial charge of the Philadelphia Evening Public Ledger on Monday (1). Succeeds C. M. Morrison, who has resigned as editor and prez of the newspaper.

Walker most recently an editorial writer for the N. Y. Herald Tribune, which daily he's also served as city editor. In addition to holding down many other important editorial jobs in N. Y., he is the author of a number of books and articles on the American scene and the newspaper profesh.

Overseas Press Club Elects

Overseas Press Club of America formally organized at a meeting Sunday (23) at the Hotel Algonquin, N. Y. Group, composed of former and present foreign correspondents for American newspapers, adopted a constitution and by-laws, and elected officers.

Wythe Williams, editor of Greenwich Time, elected prez. Other officers are Irene Kuhn and Samuel Dashiell, vice-president; Charles Preslin, sec., and Joseph Shaplen, treasurer. Executive board contains Eugene Lyons, Bob Davis, Ralph J. Franz and Harry J. Price. James H. Hare, dean of American foreign correspondents, who is now 83, elected honorary prez.

Annual award for the best work of a foreign correspondent planned by the new organization.

Geo. Backer's N. Y. Post?

Negotiations for the purchase by George Backer of the controlling interest in the N. Y. Post from J. David Stern are reliably reported. Deal is unconfirmed by both parties, but stated by one of the Stern aides that the 'announcement' will be made shortly. Some members of the Post staff say that papers for the transfer were drawn up a week ago, and await Stern's return from Philadelphia for signature. Stern is due back in N. Y. on Friday (28).

Backer, a N. Y. City Councilman, is husband of the former Dorothy Schiff, of the banking family. He is active in the American Labor Party movement, and seen likely to pursue a liberal party, when and if taking over the daily.

Post has been in financial difficulties on and off the past few months, acquiring loans to keep going.

'Today At the Fair'

N. Y. World's Fair will have its own newspaper, Today at the Fair. A tab, it will sell for a nickel and will be on sale at the Fair grounds and at newsstands throughout the city. Will carry news and pictures of special events and exhibitors at the Fair.

Publisher is Patmal Programs, headed by L. T. Mahoney. He's formerly of the N. Y. Times.

Inside Staff Newspaper

New national weekly newspaper, giving the in-dowdown on events, after the fashion of Ken, projected by a new publishing organization, Norman Publishing Co. Has sent out a call for 'inside stuff' material, and particularly desirous of contribs from newspapermen.

Norman Co. recently put out an abbreviated edition of Hitler's 'Mein Kampf' in tab newspaper form.

Literati Obits

James O'Flaherty, 63, publisher of the Bronx (N. Y.) Home News, died Wednesday (19) after a seven-month illness. Founded the paper in 1907 as a weekly serving the Bronx, one of the five boroughs of N. Y., and saw it expand rapidly into a semi-weekly and, in 1922, into a seven-day daily covering the Bronx and upper Manhattan. Unique success of the paper as a neighborhood news medium within the metropolitan city gained the daily a national reputation. Native New Yorker, O'Flaherty served on the old N. Y. Daily News before starting the Bronx paper. Widow and two sisters survive.

Homer Sheridan, 71, former newspaper reporter and, at the time of his retirement a year ago, circulation promotion manager of the N. Y. Journal-American, died on Wednesday (19) at his home.

Walter Judd Scott, 73, veteran newspaperman and former cable editor of the Associated Press, died Saturday (22) in Union City, N. J., of arthritis. Born in Byron, Mich., Scott began his newspaper career on the Toledo Blade. Besides his work for AP, he had also been connected with the old N. Y. World and the Poughkeepsie Press. Sister survives.

Sour Quiz

Several leading authors are planning a mutual bombardment of just the sort of how-do-you-ever - think - up-all-those-stories questions that they hate from the uninitiated. Crossfire will be the chief feature of a luncheon meeting of the Authors Guild, at the Midston hotel, N. Y., May 9. Only members will be admitted.

Principals in the mutual tell-me-all-about-it exchange will be John P. Marquand, last year's Pulitzer Prize-winning novelist, and Stephen Vincent Benet, poet. Helen Hull, fiction writer, will be chairman. According to the advance dope, the session is supposed to help writers mutually solve their problems of craftsmanship.

LITERATI CHATTER

The Roy Howards back from Europe.

Marie Belloc Lowndes back to London.

National Press Service formed by Samuel I. Sax.

Charles A. Pearce has quit as editor for Harper's.

Oliver St. John Gogarty, the Irish scribbler, coming over soon.

Rodney Wentle going to Mexico when he finishes his new book.

Widow of Frank Ward O'Malley, Grace, wed to George A. Mohlman.

Negley Farson in Africa on assignment for a series of newspaper pieces.

Kenneth Watt in Hollywood on special writing assignment for Liberty.

Sigmund Spaeth doing a book for Whittlesey House, to be called 'Music Is Fun.'

John Hall is doing an article on 'The Wizard of Oz' film at Metro for Good Housekeeping mag.

Charles Anderson in Charleston, preparing a volume on Paul Hayne and the Charleston literati.

'Sex in Business,' Russell Birdwell's second book, has been accepted for publication by Julian Messner.

Julian Lee Rayford, poet and painter, Living in Woodstock, N. Y., old pal in the south of Jesse Stuart.

Martin Mooney sold his book, 'Cobra of Crime,' to Lyman House, San Francisco, for publication June 15.

Christopher Hale, whose 'Murder on Display' has just been issued by Doubleday, is really Frances M. R. Stevens.

Peter Koeves in N. Y. to close with Houghton Mifflin for the publication of a book to be called 'Time Table for Tramps.'

Mary Ashley compiling a collection of the late Al Boasberg's screen and radio scripts under the title, 'He Left Us Laughing.'

Walter Scott Meriwether, the fictioneer, publishes a country weekly when not putting fanciful things down on paper.

Walter S. Campbell, whose 'Professional Writing' has just been published, is better known as Stanley Vestal, scribbler.

G. E. R. Gedye in N. Y. for a brief stay, accompanied by Mrs. Gedye and his sec, Mrs. Alice Lepper. His first visit to the town.

MARRIAGES

Velma McCall to Jerry Hausner, in Los Angeles, April 18. She's secretary to Lum and Abner, of radio; he's a radio and stage player.

Valerie Hobson to Anthony Havelock-Allan, in London, April 12. Both are British film players.

Martha Reid to Lawrence Kelly, in Detroit, April 22. He's spieler and head of transcription department at WXYZ, Detroit.

Vera Mahee to Gordon Hughes, in Mexico City, April 21. Both are with NBC in Chicago, Hughes as a drama producer and she as secretary to night traffic supervisor.

Elnora Poppens to Carl Lindbom, in Marinette, Wis., April 10. He's arranger with Howard Kraemer's orchestra.

Annabella to Tyrone Power in Los Angeles April 23. Both are film players.

Jessie Platt, non-pro, to J. G. Rountree, engineer at WBAP, Fort Worth.

Wanetta Simpson, non-pro, to Leonard Sayre, engineer at KGKO, Fort Worth.

Jayne Ward, non-pro, to Hilery Bebis, engineer at KGNC, Amarillo, Texas.

Mrs. Mary Lee Epling Hartford to Douglas Fairbanks, Jr., in Los Angeles, April 22. He's the film player.

BIRTHS

Mr. and Mrs. Dan Stoddard, daughter, in Glendale, Cal., April 18. Father is with Paramount.

Mr. and Mrs. Sal Victor, daughter, in Atlantic City, April 14. Father's with the Buddy Russell Trio, at the Roosevelt hotel, Pittsburgh.

Mr. and Mrs. Jack Meridan, son, in Pittsburgh, April 17. Father's an engineer for KQV, Pitt.

Mr. and Mrs. Al Capstaff, daughter, April 19, in Los Angeles. Father is NBC engineer.

Mr. and Mrs. Jimmy Brinton, daughter, in Pasadena, April 21. Father manages United Artists theatre, Inglewood, Calif.

Mr. and Mrs. Robert Seal, daughter, in San Francisco, April 18. Father is production manager for KPO and KGO.

Mr. and Mrs. Raymond Hollingsworth in Amarillo, Texas, son. Father is on staff of KGNC.

Mr. and Mrs. Adolph Schimel, daughter, in New York, April 22. Father is attorney for Universal.

OBITUARIES

MILLIE BUTTERFIELD

Millie Butterfield, retired actress, was found dead in her hotel apartment, New York, April 19. Niece of the late Maj. Gen. Daniel A. Butterfield, she came from Utica, her birthplace, at 18, to act as hostess for her uncle. Among notables he entertained were the late King Edward VIII, Grand Duke Alexander and Queen Liliuokalani of Hawaii.

Miss Butterfield won several beauty contests in her day. Although her uncle frowned upon the stage, she essayed many roles and was cast with Otis Skinner in 'Sancho Panza,' with Grace George in the 'Ruined Lady' and with Lou Tellegen in 'Don Juan.'

She was the daughter of Theodore Butterfield, mayor of Utica in the '70s, and her grandfather was one of the founders of the American Express Co., and also of the New York, Albany and Buffalo Telegraph Co., which was later absorbed by Western Union.

Her husband died some years ago.

HERMAN FINCK

Herman Finck, 68, composer and musical director, who wrote scores of popular melodies and light opera airs during his 29-year tenure as conductor at the Palace theatre, London, died in that city April 21 after a long illness.

A native of London, he studied music as a boy and was soon engaged as pianist and violinist at the Palace in 1892. Four years later he was named conductor and remained in that post until 1921 when he became musical director of the Theatre Royal, Drury Lane.

An associate of Sir Alfred Butt, he was an exceptionally prolific composer, having more than 500 compositions to his credit. Among his more prominent works were the operettas, 'Moonshine,' 'Hiawatha' and 'Decameron Nights.' In 1921 he collaborated with Elsie Janis on the score of 'It's All Wrong,' a London revue that starred Miss Janis.

ARTHUR BLOCK

Arthur Block, 39, treasurer of the Windsor theatre, New York, and brother of Jesse Block, of the comedy team of Block and Sully, died April 23 of pneumonia in a N. Y. hospital.

As a youth he worked in boxoffices of N. Y. Yiddish theatres and later was employed similarly in Philadelphia legit houses. He once produced a Yiddish film, 'The Cantor's Son.' Brother-in-law had served as treasurer on the boxoffice staffs of Alex Yokel, The Group theatre and George Abbott.

Surviving also are his widow, Mrs. Millie Block; a son, Ronald, and two sisters.

ANNA HUDER KEENAN

Mrs. Anna Huder Keenan, 59, dancing instructress, died at her home in Philadelphia April 17 after a long illness. Mrs. Keenan and her son, Walter, for years were a stage dancing team, both in this country and in Europe, appearing in variation name bands.

More recently Mrs. Keenan and her son had operated a dance studio in Philadelphia. She was a former v.p. of the Dancing Masters of America and of Philadelphia Dancing Masters Assn. Her son is dance director of the University of Pennsylvania Mask and Wig Club. Her widower, Walter F., a retired bond broker, who managed the studio, also survives.

LEANDRO CAMPANARI

Leandro Campanari, 79, who in his childhood had been a violin prodigy, died in San Francisco April 23 after an operation. For a time he was director of orchestral concerts at La Scala, Milan. He also toured Europe and America with his own string quartet.

A contemporary of Puccini, he made his American debut in 1881 with the Boston Symph and later became professor of violin at the New England Conservatory.

Since 1907 he had been a resident of San Francisco, where he taught violin and voice.

LENA LOVENBERG

Mrs. Lena Lovenberg, believed to have been the first woman cornetist in America, died after a prolonged illness at her home in Bridgeport, Conn., April 19.

For six years she toured with the Ringling Bros. circus and at one time also appeared with Weber and Fields. Daughter of Charles Lovenberg, an associate of B. F. Keith, she was of the second of three generations to have been on the stage.

Surviving are two daughters, Adelaide and Estelle. Services were held Saturday (22) and burial followed in Bridgeport.

WILLIAM RANDALL

William Randall, 82, author and radio, film and legit player for more than 35 years, died in Elizabeth, N. J., April 22, after a three-month illness.

He appeared in pictures during the industry's pioneer days as well as stock companies and numerous Broadway productions. More recently he had confined his acting to radio sketches and occasionally wrote detective stories.

Survived by a sister, Gertruda Randall, of California.

RAFAEL NAVAS

Rafael Navas, 54, who retired as a concert pianist 15 years ago, died April 20 in Leroy Sanatorium, New York, after a short illness. A Spaniard by birth, upon termination of his career owing to impaired hearing he became a real estate operator.

He had toured the major European capitals with leading orchestras and was once decorated by ex-King Alfonso, before whom he had played.

Survived by widow and a son.

EDGAR MIDDLETON

Edgar Middleton, 54, dramatist and author, died in London, April 10. Originally a journalist, he became well known with his first play, 'Pollyanna,' which aroused considerable controversy and was banned in some places.

He wrote some sketches for a revue that were banned, so he published them in book form under the title, 'Banned By the Censor.' At his demise he was collaborating on a film biography of Queen Mary.

CLARA SEINDLER

Clara Seindler, pianist, wife of Carmen Rossi, Akron tenor, died April 18 in New York following an operation. Well known as a pianist, Miss Seindler had studied in Berlin as a student of Josef Lhevinne. She had lived in N. Y. in recent years while her husband continued his operatic studies and singing engagements. He's the only immediate survivor.

LEO DRYDEN

Leo Dryden, 75, composer and English music hall trouper of the '90s, died April 21 at the Artists' Benevolent Home, London.

Once a performer in the same company that included Charlie Chaplin's mother, he's said to have taught the comedian to walk when Charlie was a tot. He composed 'The Miner's Dream of Home,' popular tune of those times.

SOTEROS D. COCALIS

Soteros D. Cocalis, 52, who operated motion picture theatres in New Jersey, New York City and Long Island, died April 22 in a N. Y. hospital after an operation for intestinal trouble. A native of Greece, he came to the U. S. in 1906 and entered the film business in 1917.

Details in the picture section.

FLORENCE L. PARKER

Mrs. Florence Lamont Parker, 63, vaude and legit performer, who retired 15 years ago, died of a heart attack April 17 at her home in New York.

Mrs. Parker, who appeared for 15 years on the legitimate stage as well trouping in vaudeville for five years, was the widow of Charles Parker, prominent in Boston society.

CORNELIUS DONAVAN

Cornelius (Con) Donavan, 70, Pittsburgh stagehand, who was well known in theatrical circles in that city for more than 45 years, died at his home there last week after a short illness.

He retired from active work almost a decade ago.

WALTER HELDMAN

Walter Heidman, 43, vice president of the Newark, N. J., Local 21, International Alliance of Theatrical Stage Employees, died at his home in Irvington, N. J., last week following a six-month illness.

Widow, a sister and brother survive.

GORDON THOMPSON

Gordon Thompson, 35, producer of the Rudy Vallee program, died of a heart attack in Hollywood, April 19.

(Continued on page 48)

Broadway

Herb Crukshank quite ill again.

Bob O'Donnell in from Dallas on periodic visit.

Delos Chappell returned from short stay in Denver.

Austin Keough will be back in two weeks from southern trip.

The Hartmans have an RKO film deal on with Pan Berman.

Bill Danziger sails Saturday (6) for Havana for two weeks.

Sam Taylor has returned from San Francisco and is working on a play.

Anne Graham returning to London will be replaced by Hillary Brook in 'Set to Music.'

The Gus Fleischmanns (Virginia Smith) getting tired of the country and moving back to midtown.

Bill Miller, agent to the Coast on business in connection with Shubert's new musical at the Frisco Expo.

Morris Green, formerly manager of the Longacre theatre, now operating the Dyckman bowling alleys.

Sara Allgood, signed for Sidney Howard's untitled new play, sails for Ireland late this week, to be gone until fall.

John Balaban and Walter Immerman of Balaban & Katz in from Chicago to discuss Par product with Neil Agnew.

Bela Lugosi to the Coast and Universal. He arrived in N. Y. from Europe midweek, hurrying to the studio pronto.

Pat Harrington of Jack White's Club 18 zany tribe has wrazed an entire album-full of Irish 'come-alives' for Decca.

Eddie Edelson, ex-Grosset & Dunlap, who used to handle the contests for the book publishers, in voluntary bankruptcy. Owes $9,146; assets, $375.

Hazel Flynn and Blanche Merrill co-authored 'Low Heel Shoes,' which Lulu McConnell did on the last RCA Magic Key broadcast over NBC.

Dorothy Fletcher, formerly associated with Adrienne Morrison, heads the play department of the Ann Watkins agency effective next week.

Oscar Morgan, Paramount's new Southern division manager at the home office, left his Great Neck in Atlanta but brought the pet cat up North.

S. N. Behrman, whose 'No Time for Comedy' is solidly entrenched at the Barrymore, is figuring on leaving soon to vacation on the Coast or in England.

Stephen Siesinger, publishers' representative, will arrive from the Coast Friday with manuscript of Zane Grey's latest novel based on the life of George Washington.

Monroe Greenthal and Al Margolies in from Coast on Friday (28) to arrange details for UA's annual sales convention which opens May 8 at the Los Angeles Ambassador.

Mrs. Esther Root Adams, wife of Franklin P. Adams (F. P. A.), has bought a large house in 160-acry property in Newtown, Conn., some miles from Adams' manse in Weston.

Maxwell Anderson is working on a new straight play. Also a musical in mind. Both would be for next season production by the Playwrights Co.

Albert Johnson, who designed Billy Rose's Aquacade for the N. Y. Fair, will leave in a few days for a short vacation at Charleston, S. C. His summer and fall plans are uncertain.

Hume Cronyn back from his Jamaica vacash and a visit to the Dominion Drama Festival at his hometown, London, Ont. He joins the Skowhegan, Me., strawhat troupe in mid-July.

Sidney R. Fielscher, Dramatists Guild attorney and motion picture media negotiator, leaves Saturday (29) for a vacation of two or three weeks to recuperate from his recent appendectomy.

After 25 years a Broadway agent, Sam Lyons' new address is on Madison avenue, hence his soliloquy: 'Now that all my actors are on Park avenue, the least I could do is move over near them.'

David Ffolkes, currently designing sets and costumes for the Shakespearean Globe theatre revival of the Merrie England concession at the New York World's Fair, goes home to England late in May. He'll be married there and return to N.Y. during July.

Philadelphia

By Herb Golden

Warners booking 'Professor Mamlock' into a few of its houses.

Van Lewis' wife suing for divorce.

Betty Jo, of WIP's Radio Rangers, doubling on a sustainer at WCAU.

Louis Cutroff, manager of Jack Lynch's bar, recouping from pneumonia.

Ben Alley, ex-WCAU warbler, making his first nitery appearance at 1923 Locust.

Shirley Lee, KYW chirper, added to Walton Roof Tropical Bar show. Formerly with Red Nichols.

Al Datz, formerly Gimbels' with Del Regis' band, arranging and tooting trumpet for Vincent Travers now.

Benny Street, former op of 1214 Club here, reported to have leased swanky Town Casino in Miami for next winter.

Catherine Littlefield ballet group scattered for the summer, with some to strawhat theatres and others at the World's Fair.

Joe E. Lewis doing plenty of hoping since small quantities of oil have been discovered on some land he owns in Florida.

Federal Theatre projecteers currently rehearsing Moliere's 'Would-Be Gentleman,' hoping to again take over the Walnut.

Prospects for a 10th season of al fresco concerts in Robin Hood Dell by men of Philly Orch, which looked pretty blah a month ago, now seem hopeful.

John Martin, former boss at Philadelphia Ledger, now is publishing the Philadelphia Shopping Guide. Plan first issue May 5, with nearly 400,000 circulation. John L. Butler is assisting Martin. Guide will be standard newspaper in size.

Pittsburgh

By Hal Cohen

Charlie Riley and the family have gone to St. Petersburg for a month's stay.

Mike Gusikoff has resigned as concert-master for the Pittsburgh Symph.

Tony Vincent got a smashed hand when truck rammed into his car on Film Row.

Ross Brown Boys into their second straight year at Ed Herold's Jacktown hotel.

Vince Sortinos — he's trumpet player in Stanley's house crew—expect an image.

Co-sponsorship Jess Carver returning to Conneaut Lake this summer as spot's pa.

Morty Henderson's brother, Harold, named manager of Ross Federal office in Omaha.

Vincent Robin rehearsing 'Moonlight Sonata' at Art Cinema to coincide with Paderewski's concert here.

Playhouse director Fred Burleigh stepped into cast of 'Meet My Sister' last week when Jules Ross fell ill.

Kay (Bernie) Cummins flew home to her parents' home in New York next month to await the stork in July.

Chicago

Joey Stool tussling with tough spring cold.

Ella Fitzsimmell in for chats with NBC customers and execs.

J. D. Gortatowsky in town for general of Hearst situation.

Nate Blumberg renewing old acquaintances while here for Universal sales.

Max Turner locked out of his house. His wife and kid are quarantined with measles.

Irving Yates in town to set up new talent department at Consolidated Radio Artists office.

June Travis and Irene Castle now rate as town's top femme spacecrackers for dailies.

George Riley, now recouping at home in Rochester, N.Y., due to head for Coast convalescence in a few weeks.

Kansas City

By John Quinn

Town showered by unusually heavy rains past two weeks.

Ground broken and foundation set for Universal Film exchange building.

Frank Dailey and orch in at the Terrace Grill for two-week spell. Replaces Clyde McCoy.

Don Davis, WHB prexy, confining himself to his home for 10 days after being injured in the mumps.

Ben Marcus, exchange manager, will take his four salesmen to the National Columbia convention at the Drake, Chi, May 14.

Neal Agnew, Par v.p. and gen., stopped over for conference with Ralph LiBeau and Arthur Cole at the local exchange en route to N.Y.

Joe Redmond, Esquire; Jim Long, Plaza; Lew Sponsler, Waldo, and Sam Naster, Lincoln, only Fox managers unchanged by recent shuffling of personnel.

Twice-Told

(Continued from page 1)

'Polo Joe,' although it's strictly a racing yarn, and earlier this season it was released as a musical under the title of 'Going Places.'

Flood of remakes is attributed in the trade, including by exhibitors, to the efforts of producers to keep down story costs by availing themselves time and again of properties that have once or twice before served their purpose. Some of the pictures on which remakes are based were big b.o. attractions when originally released, but in their carbon form have been poor. The remake division, however, also includes a list of films that were no great shakes when originally made and still aren't.

London

Clare Greet left $10,645 estate.

Sam Smith to the south of France.

J. L. Sachs in hospital for observation.

Jack Jackson to tour a vaudeville show.

Pola Negri in town from the Continent.

Jack Eggar's daughter an appendix victim.

Ken Harvey to Holland for three broadcasts.

Walter Hackett has just completed a new play.

The Bo Brummels to Milano, Italy, for vaudeville dates.

Max Berman and sons launching new offices in Paris.

Jack Jackson making initial trip to New York in June, just for the visit.

Charles Laughton adding scenes to 'Jamaica Inn' for American showing.

Frances Day and Bud Flanagan are godparents to Val Guest's newborn son.

Simpson's Marionets booked for the Savoy hotel in June by Eric Wollston.

'Jamaica Inn,' Laughton-Charmet's third film, preeming at Regal, Marble Arch, May 12.

'Magyar Melody,' the renamed 'Paprika' musical, is said to have lost over £125,000.

Joyce Bros. and Dean have split, with Bobby Joyce doing double act with Sylvia Dean.

Oscar Homolka due to go to America soon. Intends to stage play on Broadway in the fall.

Harry Foster, on an 11-day bout of hiccoughing was on the danger list. Now recovering.

Sacha Guitry has completed new film script, which he has titled, 'The Nine Beds.' Farce.

Harry Green going into the cosmetic business in London. Also trying to stage something.

Walter Mycroft dickering for film rights of 'Heaven and Charing Cross' for Associated Talking Pictures.

Frank Neil finally in London after several postponements. Talent scouting for Twentieth Century Fox.

Stephen Haggard's 'Weep for the Spring' opens out-of-town May 8, moving to the West End soon after.

Charles Munyard, former Paramount vaudeville booker, has joined Dave Marks (Richards & Marks) office.

Charles L. Tucker will cut his N.Y. visit, whence he sails April 27, to a fortnight. Had intended to stay four weeks.

Jack O'Brien has bought the touring rights of Max Catto's thriller, 'They Walk Alone,' current at the Shaftesbury.

Billie Ryan (Mrs. Ed Ryan) starring in Vaillion's 'Girl,' trying out at the Richmond. Show may come to the West End.

Tim Whelan to do another for Irving Asher Columbia at Denham studios, as yet untitled, with Roland Pertwee scripting.

'Stepping Out Each Other' grossing best business for UA at London Pavilion since UA acquired house about five years ago.

Calgary Bros. due to appear at the Paramount, N.Y., May 10, but may postpone if negotiations for a West End show materialize.

Harry Ham to drop up charge of Myron Selznick office here since he can't prevail upon his missus to come over and settle in England.

Hyams Bros. disposed of picture theatre site in Kingston. London court judge, Sidney Bernstein, who will erect another Granada.

Anmer Hall presenting Third Fifty Club, by Geoffrey Lennox, at St. Martin's May 2, starring Nora Swinburne and John Wyse.

Cafe Anglais, one of West End's landmarks, and for years known as The Cavour, will shortly be razed and a new building erected.

David Burns given starring role with Tommy Trinder in former Fred Astaire-Ginger musical, 'Funny Face,' being made by Associated British.

The De Marcos were practically signed to follow Paul Draper, booked at the Cafe de Paris for five weeks, but it's reported their demands were too high.

Erich Pommer to New York May 9, taking point of 'Jamaica Inn' with him, to show to Paramount, which replaced all Mayflower pictures in America.

'Quiet Wedding,' which closed at Wyndham's last week, returns to the Piccadilly at cheap prices following its tour. It will replace 'French Without Tears.'

Bela Lugosi, who recently finished 'Dark Eyes of London' for Argyle Films, sails for New York April 15, but may come back to star in Alexander Dumas' 'The Vampire' for the same company.

'Ladies Bare' scheduled for West End opening at the Gaumont, Haymarket, June 2, but may have to go into Gaumont-British house instead if business holds up there with 'Wuthering Heights.'

Associated British Pictures dickering with Lee Ephraim and Jack Hulbert to film 'Under Your Hat,' the Palace hit musical, in which latter is star with Cicely Courtneidge, and former is producer.

Frank Lawton is recruiting younger actors into the Queen's Westminsters. Already in, to name a few, Hugh Williams, Harold French, John Gillespie, Peter Madren, Guy Middleton, Nigel Patrick and Ronald Ward.

Brian Desmond Hurst to direct 'The Night of the Fire,' adaptation from F. L. Greene's best-seller of same name, for G. & S. Productions, with Charles Woolf having financial interest in film. Pat Kirwin has done the script.

Despite European scare, Gilbert Miller going ahead with two more shows for the West End. These are 'Sixieme Etage,' (Sixth Floor') and 'Le Vale Maitre' ('Bridge King'). Former being adapted in English by Rodney Ackland.

'The Warning,' British National picture, which was sponsored from idea by Arthur Dent, is being used extensively for recruiting purposes, under government sponsorship. It is estimated that at rate recruits are coming in, picture will be responsible for having helped to get over 100,000 men.

Paris

By Hugo Speck

Elmer Rice in.

Maurice Gleize to Africa.

Fine weather, Week weather, hurt cinema box offices.

Roger Dann out of Folies Bergere revue due to illness.

Jean Doyen in from Berlin and off on North African tour.

Germaine Montero topping new Chez Agens Capri nitery offering.

Pierre Stephen signed with Abel Gance for part in 'Christopher Columbus'.

'Ludwig Berger to London to make 'Tales of Hoffmann,' which Marc Allegret mixed.

Jean Gabin and Vivianne Romance name for Mogador theatre operation as best draws in 1938.

Maria Dea, newcomer in films given lead femme role by Robert Siodmak for his 'Pieges'.

Leopold Rhode to remake 'Danube Bleu' following burning of only its negative in Saint Cloud laboratory fire.

New film snatching racket has appeared where reels are stolen from theatres unless ransom demanded for return.

Maurice Diaman-Berger has written play which is scheduled to be produced at the Marigny theatre. No title yet.

Vivianne Romance will star in French version of Zola's 'Nana' towards end of the year. Jean Renoir mentioned as director.

Marcel Archard, Marc Allegret and Jean Lagrange have adapted French of 'Le Corsaire,' which Charles Boyer will commence in June when he returns from America.

Minneapolis

By Les Rees

Pari-mutuel racetrack bill killed by state legislature.

Charlie Isaacs, Hollywood gag man, visiting parents here.

Wife of Joe Behan, Warner's head booker, out of hospital.

Leo Morgan back from Boston to produce Wayne King show at Orpheum.

Verity, Harry Hirsch's stock burlesque house, to close its spring season Friday (29).

Udell Jones, Farmington, Minn., exhibitor, in St. Mary's hospital here with throat ailment.

Benny Goodman to play one-night dance stand May 1 at Coliseum, midway between Minneapolis and St. Paul, under sponsorship of group of U. of Minnesota students.

South Africa

By H. Hanson

War scare hasn't hit show business here.

Due to the success of the French picture, 'Mayerling,' Gallis film is becoming popular here.

Bioscope Bros. South African impresario, reported to go shortly to London and New York. Says he has dates there.

Otto W. Bolle, manager for 20th-Fox here, says he's arranging to acquire four new picture houses in the Cape Town suburbs.

A pro-German member of South African Parliament wanted the March of Time's 'Refugee' clip banned, due to carrying propaganda against a 'friendly state.' The Minister of the Interior stated he had no power to ban a film if it had been passed by the Censor Board.

Hollywood

Bela Lugosi back from London.

Phyllis Fowyh in from Broadway.

Al Jolson fishing in Mexico waters.

Colin Tapley back from New Zealand.

Polly Moran recovering from illness.

Ken Spitz in from Florida for two weeks.

Bert Gilroy scouting locations near Sonora.

I. B. Kornblum laid up by auto accident.

Albert Lewin at his desk after ear operation.

Wallace Beery flew to Wyoming on vacash.

Arthur Byron here on annual Equity tour.

Carroll Peacock recuperating from heart attack.

Harriet Hilliard in from Broadway for film work.

George Joseph in from Manila to assist shooting.

Tom Moulton on the job after three months' illness.

E. Y. Harburg returned from Mexican motor tour.

Herman Sims at his desk after West Indies tour.

Luise Rainer settled traffic damage suit for $500 by proxy. She's currently abroad.

Bert Lahr building a home in Coldwater Canyon.

Hobart Bosworth up and around after six weeks' illness.

Noelle Britton recovering from injuries in motor crash.

Bessie Love suing William B. Hawks for back alimony.

Walter Brennan to be governor's guest at Kentucky Derby.

Alice Brady and Small Co. settled their dispute out of court.

Basil Rathbones tossed benefit used by Hollywood Guild.

U. S. tax collector asked Maxie Rosenbloom for $3,499 more.

Will Rogers, Jr., checked in after three weeks in Philadelphia.

Charles Ruggles changed his surname to Charles Ruggles.

Bette Davis and Miriam Hopkins back to work after flu attacks.

Two hundred and twenty threw a testimonial dinner for Jack Gross.

Dorothy Devore returned to picture after years of retirement.

Bill Holmes upped to chief editor of Foy productions at Warners.

Mel Brown re-named to head of Famous Artists story department.

Irene Auster new assistant to Milton E. Schwarzwald at Universal.

Stan and Illiana Laurel settled their financial quarrel out of court.

Ivan Johnson to tender a party for Mischa Elman at Hillcrest Country Club.

Frank Morgan writing 800 words on motion picture history for Encyclopedia Britannica.

New Haven

By Harold M. Bone

Sunday vaude a hefty click at Arena.

D'Oyly Carte had season's biggest week at Shubert.

Jan Peerce due at Shubert in 'Rigoletto' May 7.

Arena brings in Perry-Budge Indoor Circus May 1.

Frank Wirth circus under K. of C. auspices here this week (24-29).

Jack Hurst's strawhat troupe operate nearby Clinton strawhat this year.

Yale drama repeats hit musical 'Here We Go Again' for China relief.

Dan Cummings and Jim Brennan getting about slow after serious auto crash couple of months ago.

Armand Zimmerman, local author of prize-winning Pulitzer Drama Tourney, lost his mother the night before winning cup.

Thornton Wilder had three plays on local boards last week; 'Our Town' at Shubert and two one-act entries in city drama tourney.

Battle Players, Dixwell Players, Guilford Players, Chancel Players finished in that order in 12th annual drama tourney for George Pierce Baker cup.

Sydney

By Eric Gerrick

'Alexander' (20th) is smash in the nabes and stix here.

Buster West and Lucille Page a click for Tivoli in Frank Craven also.

Epidemic of measles headaching film theatres in Melbourne and Victoria.

In the Southern industrial spots Roy's 'Roy Wife' took the count from the mobs.

Top kid star here is Mickey Rooney. 'Hardy' series set him way up as b.o. draw and 'Boys Town' clinched him.

Unit bag just completed a deal covering 1939 product with Hoyts for Sydney and Melbourne nabes. Greater Union circuit here.

Cast presenting revival of 'Waltz Dream' for Australian-New Zealand theatre tour include Bernice Claire, Marie Bremner, Helene Denizon, Jack Arthur, Don Nichol, Melton Moore, Marvon Dale and Marie Le Varre.

Clicks here include 'Citadel' (M-G), 'Stablemates' (M-G), 'Great Waltz' (M-G), 'Kentucky' (20th), 'Mr. Chedworth Steps Out' (BEF), 'Dawn Patrol' (WB), 'St. Martin's Lane' (Mayflower), 'There's That Woman Again' (Col) and 'Pygmalion' (G-B).

N. Y. World's Fair Sidelights

Past week saw a preview parade of showfolk as well as civic leaders and the like to the N. Y. Fairgrounds. All were impressed with the massiveness of the venture, but many agreed that the best commutation bet to Flushing Meadows would be via train, rather than motor, considering the distance of the parking space from either end of the Fair—the Play Zona (midway) or the Industrial Exhibits.

Employees' Hygiena

Personnel is being assiduously blood-tested, fingerprinted, etc., as part of the hygienic scheme of things to provide safeguards for the public. Even cashiers in restaurants, although remotely connected with the actual handling of food, undergo intensive physiological tests. It was for that reason that the employment agency call went out for 40% above the desired number.

Midway Stall

Some inside stuff chatter is that the midway concessionaires purposely stall not to be ready for tha preem, since the Play Zone trade isn't expected to be good until after June 1, when warm weather and a real tourist influx commences.

Sarg's Maps

Florence (Mrs. Edgar) Leslie, wife of the songwriter, promoted that Tony Sarg 25c. comic World's Fair map idea. She has the booths on the grounds.

Sarg's trimly illustrated guide is rated the most graphic publication put out on the exposition to date. It is virtually foolproof to the stranger in town.

Costly Feudary

Somehow that private Terrace Club intrigues the show bunch the most. Unless you're a $5,000 bondowner, you can't belong to the private eatery, which is rather drab externally but very chi-chi within.

Macfadden Film at Fair

A preview will be held today (Wed.) at the Fair Grounds of 'Tll Tell the World,' produced by tha Bernarr Macfadden interests and to be shown during the expo in the Macfadden Theatre. Story was written by Herbert Crocker, formerly with Warners, and produced under his supervision in Hollywood.

Patricia Murray, in the film, is to make personal appearances during the picture run at the Fair.

Many Dioramas

New York exposition probably has so many giant dioramas and sweeping panorama displays that it is difficult to pick the outstanding one, although in cost and elaborate presentation the General Motors' offering seems a cinch for top honors. Largest on the Flushing site are the giant ona inside the Periphere (which is viewed from a height of about 100 feet at one point), huga one in the Railroad Building, in Consolidated Gas (N. Y. Edison) which the City of Tomorrow is reproduced, exhibit in U. S. Steel's conical structure and the Highways and Horizons third-of-a-mile trip at GM building.

Because of its location, the Periphere diorama is expected to draw thousands to the interior of the giant ball. Whether the 25c clip will cut into its draw as compared with so many free diorama shows is problematical. Fair officials claim the admission tap was installed in order to cut down the great flow of visitors and obvious limited daily capacity of the exhibit. Diorama was not completed early this week.

Macfadden Film at Fair

Largest exhibition building is the Railroad structure and its huge wings. Sponsored by the Eastern Conference of Railroad presidents, it covers 17 acres. In the main building (shaped like locomotive roundhouse) is the largest model railroad show (Railroads at Work) ever constructed, being a giant acenic diorama 160 feet wide and 40 feet deep. It demonstrates for the first tima anywhere the 24-hour operation of a modern railway system. On the vast diorama are 3,500 feet of track, 500 pieces of miniature railroad equipment including more than 40 locomotives. It can be viewed by 1,000 people at one time, with 10c tap.

In one extension of the main building will be 'Railroads on Parade,' four-a-day pageant and stage presentation, with seating capacity of 4,000. Edward Hungerford, who made a success of a similar show at Chicago's fair, is in charge of this, with Kurt Weill, Broadway composer, responsible for original score. Harry Horner has designed the stage sets and Charles Alan is pageant director. Show is presented on an outdoor stage, 250 feet wide and 100 feet deep, with cast of 250, plus a large array of ancient and modern railroad cars and engines, 50 horses, etc. Admish is 25c.

14 Restaurants

Fair has 14 larga restaurants not including tha $2,500,000 Terrace Club and a number of small spots. Largest is Ballantine's Three Rings Inn, with three separate rooms with a total capacity of 2,000; four Brass Rail restaurants and counter cafes; Caruso cafe, Casino of Nations (1,500-seater with sunshine roof); Midway Inn, one of largest in Play Zone; Heineken's-on-the-Zuider-Zee, 700-seat two-room cafa with bar and orchestra plus a dance floor of the waterfront (most elaborate scenic layout of exterior); Schaefer Center, 1,600-seater with outdoor bar; Turf-Trylon cafe; two cafes to be operated by Mayflower Doughnut Corp., with only light food served; Childs' 80 frankfurter stands, plus its lone 1,000-seater in the R. R. Bldg.

Dufour-Rogers Top the Shows

Lew Dufour and Joe Rogers, veteran midway operators, who also have a stake in the San Francisco exposition, probably will have tha greatest total of shows in line and operating at the opening gun, outside possibly of the rides operators. Their elaborate 'Strange As It Seems' layout already has reached the stage where exhibits are being installed for show's run. Their Seminole Village, with Indian group arriving in town last week, is virtually completed with redskins doing actual building and living on site now. Their 'Gangbusters' show may be a bit slow in opening because of presentation production work needed. Dufour and Rogers also have Nature's Mistakes, the Silver Streak and We Humans.

The Nationalistic Buildings

Soviet Russia's giant structure, which has been slow getting under way, has gone forward rapidly in the last 30 days, with a chance that most of building will ba ready for the opening. France's pavilion is nearly complete after much delay, with exhibit material arriving on the fair site early this week. Japan's unusual type of structure makes it stand out among several pretentious foreign pavilions. Most of exhibits are installed in this structure already. A number of smaller foreign nations, unable to afford a building of their own, are leasing space in structures grouped about the main U. S. federal building and part of the federal layout.

Baker-Traver Next

Nearest group in number is Harry C. Baker-Harry G. Traver combo which has the largest single array of rides. On list are Auto Dodgem, Centipede, Cyclona Roller Coaster, Jitterbug, Laff-in-the-Dark, Lafland, Midget Autos, Over the Top, Serpentine, Sky Ride, Snapper and Stratoship.

Among the new shows, outside of the new rides, or new twists given old ones are the Monkey Mountain (with room for some 500 monkeys) rising from Frank Buck's Jungleland show; Norman Bel Geddes, elaborate mirror dancing girl show; Parachute Jump (tallest structure on midway), with visitors allowed to drop off 250-ft. tower by controlled chutes; Liv-

(Continued on page 47)

Obituaries

(Continued from page 44)

He leaves his widow and 10-month-old child, his mother and a brother. Burial was in Greenwich, Conn.

Details in the radio section.

NICK LANG

Nick Lang, 40, radio singer and vaude performer, died April 20 after a prolonged illness, in a New York hospital.

He leaves his widow, Mrs. Estelle Lang; his mother, five brothers and three sisters.

ADELE RANNEY

Adele Ranney, 56, who retired from the stage in 1928, died last week in Arlington, Mass. She was formerly in musical comedy and vaudeville.

She leaves a brother and two sisters. Interment in Lynn, Mass.

GEORGE I. GELDER

Georga I. Gelder, about 75, pioneer in motion pictures, died April 20 in Milwaukee. After the Spanish-American war, Gelder got into the film biz in Chicago.

Surviving are his widow, two sisters and two brothers.

BRYON A. BACKUS

Bryon A. Backus, 68, former stage manager and psychicologist at the Colonial theatre, Janesville, Wis., and also former operator of a bill-posting service in that city, died April 12 in Chicago.

Survived by his widow and a daughter.

BERTHA KALICH

Bertha Kalich, 64, known in America and on the Continent as an English and Yiddish legit star, died April 18, in a New York hospital following eye operation.

Details in the legit section.

JAMES EUGENE ROSSETT

James Eugene Rossett, 75, musician, died April 10 in a Kenosha, Wis., hospital. Rossett played with the Ringling Bros', circus band for years. Survived by widow, two sons and three daughters.

HERBERT WILLIS

Herbert Willis, 68, veteran Milwaukee stagehand, died April 16 at his home in Milwaukee after a three-month illness. Surviving are his widow and a sister.

JOE YOUNG

Joe Young, the songwriter, died in a New York hospital April 21, aged 50.

Details in the music section.

ALICE CLARK

Alice Clark, former vaude and musical comedy dancer, died in Los Angeles, April 14.

Two sisters and a brother survive.

JOHN 'JOCK' ELLIOTT

John 'Jock' Elliott, 60, manager of the Palace theatre, Los Angeles, died there April 22 of a heart attack. He was in show business 40 years.

Frank Edward Sehr, 59, onetime property manager at the old Welting Opera House, Syracuse, when it was a trial spot for Broadway-bound productions, and former stage manager of Keith's theatre, died in Syracuse last week after a year's illness. Surviving are his widow and two daughters.

Mother of Margaret and Roberta Becker died in San Francisco last week of pneumonia. Margaret Becker, who is associated with the George Abbott office, was with her mother. Roberta is touring with the Maurice Evans company in 'Hamlet' and 'Henry IV."

Mrs. Alice Foulk Hively, 68, mother of Robert Foulk, actor, director and stage manager, died April 22 at her home in Paradise, Pa. She had been ill about a month.

Miss R. LeClere Phillips, 51, newspaper and magazine writer, died in a New York hospital Monday (24) after a long illness. A sister survives.

Earl F. Reis, 43, sound engineer at Metro, died April 19 in Santa Monica, Cal. Surviving is his widow, Peggy O'Day, former film player.

William O'Brien, 68, father of Pat O'Brien, film actor, died in Hollywood, Monday (24).

Mrs. Anne Bonnick, sister of Betty Brown (VARIETY), died April 20 in Forest Hills, N. Y., aged 45.

Preview of N. Y.'s Fair

(Continued from page 1)

'Century of Progress' in size, scope, number of exhibitors, vastness of its Play Zone, and in every classification imaginable.

Total paid attendance (at 75c a head) anticipated is conservatively estimated at 50,000,000 for the operating period from April 30 to Oct. 31, while Fair officials believe the figure may hit 60,000,000. Of this total, probably 30,000,000 will come from Greater New York and eastern seaboard cities. New England area alone is expected to swell the count by 10,000,000, while 20,000,000 are looked for from other sections of the U. S. The average visitor is expected to take in the exposition at least twice.

Highly contributory to such high attendance expectations is an unusually 'good press,' which has sustained interest. There has been some captious criticism, voiced largely by columnists in N. Y. dailies, but this has been more or less expected with an undertaking of this size.

New York's 1939 show probably will be recorded as the 'fair of color.' Where others gained attention as the 'exposition of light' of architecture, or of novel invention, color is the dominating note in all the trimmings of the N. Y. Fair buildings. Color also dominates the novel lighting system on tha grounds. It was tested partially Monday (24) night, with numerous additions added in the last few days.

The New York Fair has 1,500 exhibitors. Of the 60 foreign nations represented, 23 have their own buildings. A total of 35 states are represented (including Puerto Rico) but there are only 17 state buildings. Fair officialsy listed concessions granted at 747.

While the exposition site extends over 1,216½ acres, it is compactly arranged considering its size. This is because much space used for pavilions, exhibit buildings and showa covers something like 884 acres, remainder being given over to 200 acres of parking fields and occupied by 132 acres of lakes and inlets.

Tallest on site is the Trylon, which, with the Periphere, forms the fair's Theme Center at the middle of the exhibit area. It is nearly 700 feet high. The peak of Russia's building is next in size, 269 feet tall.

Parachuta Jump in the Play Zone is a close third at 250 feet.

Fair staff, around 2,000 until recently, will be increased to 8,000 as the show opens. Estimate is that there will be 40,000 to 50,000 workers on the grounds during the operating period. Grounds will be patrolled by 800 exposition guards, while about 800 soldiers, sailors and marines from U. S. service branches will be kept on the Fair site. In addition, several thousand city police will help on special event days.

Typical of special event days will be the opening day which will be attended by President Roosevelt, his staff, Government and foreign dignitaries. Fair Corp. believes the opening day, next Sunday, will see 1,000,000 pass the gates.

The Fair has 11 entrance gates. It can be reached by subway, elevated, bus, railroad, motor car, plane and boat. Latter two means of transportation do not land visitors close to entrances, however. BMT-IRT admit to the gate which is also served by the Long Island railroad. At the opposite end of grounds, the Independent Subway has a station with double track line connecting with the Queens express line running into heart of architecture. This station admits visitors directly into the Play Zone. Train, subway and bus will be the best transportation building; private motors, self-driven, the poorest.

Not all the entertainment is spotted in the midway or Play Zone, as it is officially designated. Exhibits and novel gadgets, not the least of which is the television in the RCA building and the A. T. & T. building displays, are sure drawa. It's this strong competish from the free industrial exhibits that makes a topflight Play Zone almost a 'must.' Typical of these free shows outside the amusement area are the General Motors' Super-Highways and Horizons show; trip to the moon scheduled for Standard Brands exhibit; Peru's Pavilion of Models showing Peruvian gart of history; actual television broadcasts from the RCA Bldg.; Telephone Building with a series of novel stunts; miniature speedway of Goodrich Tire Co.; Consolidated Gas' ultra-modern city; Borden's scientific cow farm and dairy; tha 'city of tomorrow' in the Periphere; frea auto rides in the Ford building, and the gigantic spectacla in the Railroad Bldg.

Frank Wirth's Circus

(ARENA, NEW HAVEN)

New Haven, April 25.

Hip & Rittley, Lady Barbara's Dogs & Ponies, Helen & Bebe, Don & Dawn, Cecil Rellips' Seals, Mischia, Delmar's Lions & Dogs, Reuben Castang & Hollywood Chimpanzees, Kay & Helen Emerald, Four American Eagles, Adele Nelson's Elephants, Jeanette May, The Kitaros, Nelsons, Yacopis, Flying Charles Trio, Max Kassow, Zimmy, Mike Victor band, clowns.

Taking over the spot vacated by the Morton-Hamlet trick, which has played indoor stands under auspices here for the past three years, the Frank Wirth outfit opened a full-week run to a good house and a good response yesterday (Monday). Show has been polished about considerably lately due to some acts going into the New York World's Fair.

Following the animal action picks up with Hip and Rittley on the falling tables and Lady Barbara's dogs and ponies holding center ring. Helen and Bebe work end trapezes while Don and Dawn do a trapeze-and-ring turn in the middle. Boy and girl team closes with a flashy neckspin that has femme swinging from a wire held by partner on high trapeze. No. 4 is Capt. Rellips' seals, doing the usual.

Brazilian lass, Mischia, is next in some clever wire-walking, done entirely without balancers. Delmar's lions and dogs win plaudits while the ace novelty act of the show is Reuben Castang and his Hollywood Chimpanzees. Tongo, oversize simian, is featured and rates billing.

Kay and Helen Emerald bring a the high wire, with and without poles, and feature a three-high stand. Adele Nelson's Elephants are standard, and give away to Jeannette May, who's in a one-arm giant swing. Next-to-closing is a combo of the Kitaros in risley work; the Nelsons, highlighting a somersault on stilts from a teeterboard, and the Yacopis, with a dog act. Last named are son and daughter of the acro family of the same name. They're in their second week on their own. Flying Charles Trio close the show.

Max Kassow is a trick shooter and knife-thrower, there's also a trained horse and Zimmy, the legless swimmer. Kassow doubles as announcer, Mike Victor conducts the band and Frank Wirth handles all acts as well as handling managerial end. *Bone.*

TMAT Squawks Vs. N. Y. Fair; Picket Threat

Theatrical Managers, Agents and Treasurers' union has filed complaint with the Central Trades and Labor Council, asking that the New York World's Fair be declared unfair. TMAT took this course following the proposal to picket the Fair, management of which has not recognized the union nor employed any of its ticket sellers. A decision by the Council is expected to be made by Saturday (29) and such demonstration would probably occur after the exposition opens.

TMAT leaders are still exercised over the failure to place members on the Fair payroll, but decided to hold back the order to picket until learning if support of other unions will be extended.

Some 30 changes, or points, have been submitted by TMAT to the League of New York Theatres, in prospect for a renewal of the minimum basic agreement. Stated that the League's board will have further conferences with the union after it has been given more familiar with the proposals, which will later go before the managerial membership.

Matters within the union have quieted down since the hectic nomination meeting, during which factionalism intruded. Claimed that all nominees would run, including Charles Moskowitz, who is on the ticket for presidency, opposed to Saul Abraham, present head of TMAT.

N. Y. World's Fair Sidelights

(Continued from Page 46)

ing Magazine Covers (with models posed in tableaus); Salvador Dali's Mermaids (bathing beauties in tank fitted out like living room); Tony Sarg's Enchanted Forest (girl-in-fishbowl idea, with human being appearing the size of birds and small animals); Victoria Falls (replica of deepest falls in world in South Rhodesia); and Children's World, a small world's fair within the exposition.

Partial Light-up

Transportation Zone and a portion of the exposition grounds were lighted Monday (24) night, full test of grounds being delayed because Grover Whalen was not present. Color dominates virtually all lighting displays, spectacular effects giving the illusion that different buildings are sources of lighting instead of targets for spot or floodlights. Circular gadget lights, recently installed on bridge leading from the exhibit area to the transportation zone, were tested out. Whole effect on the N. Y. Fairgrounds substantiates the contention that a big exposition should be seen only at night to be fully appreciated.

One typically uncanny effect is obtained on the Perisphere (giant globe that is 200 feet in diameter) where some 270 floodlights bath the huge sphere in deep blue light, producing cloud effects and the movement of light. That makes the Perisphere seem to be revolving while the cloud effect is like a large shadowy map. The light, water and fireworks display will be given a preview on Fountain Lagoon, opposite the amusement area, later this week. Workingmen have been building and trimming large barges from which water and fire displays will be touched off.

Preview Parade

Previews of buildings and shows staged inside have become so common in the last 10 days that newspaper scribes, photographers and newsreel cameramen are spending most of their time going from one open house to another. Goodrich Rubber opened its large building and small-scale auto racing track Monday (24) night with a buffet supper and cocktail party, preceding an advance showing of racetrack stunting. Party was transported to fair site in two chartered schooners that tied up in Flushing bay.

Other recent previews included RCA building, Ford building, General Motors, Childs Restaurant, DuPont and miniature railroad system in Railroad building. Among dedications or shows slated for this week are the A. T. & T. building, Frank Buck's Jungleland and Railroads on Parade pageant (preview).

Barkers OK, But No Shills

Barkers will be allowed in the Play Zone, according to John Krimsky, who has charge of the fair's entertainment. Krimsky said this week, however, that he was not so certain about permitting shills, indicating they would be taboo.

52 Sideshows

Latest official tabulation reveals that 52 shows and rides are contracted for the Midway or Play Zone. Others for which admission is charged are located in the transportation zone, main exhibit zone or elsewhere in the grounds. Exposition executives are hopeful that 36 of these will be operating opening day or close to 70%.

Costliest Smallest Bldg.

House of Jewels, although the smallest exhibit building, bouses the most costly display. Structure is so small that it is difficult to locate among huge surrounding structures.

Preview Gapers

Fair weather and the final Sunday before official opening brought out thousands of motorists to the Flushing Meadows site last Sunday (23). Autos stretched five abreast down Horace Harding boulevard near the amusement zone entrance. One unofficial observer claimed that those trying to get a glimpse of the grounds through wire fences represented a capacity crowd of nearly 500,000, with only New York City license tags represented by motorist caravan.

World's Largest Soda Fountain

World's largest soda fountain, especially designed to handle juvenile trade, will be among unusual features of Children's World (the fair within a fair).

Unfurling the Bunting

Monday (24) was the official day for unfurling exposition flags and decorations in the Times Square area. Orange and blue color scheme figured in displays on Broadway, Fifth avenue and side streets.

For the Lenshounds

Lagoon of Nations, a portion of the vast Court of Nations, forms the most photographically perfect alignment of the exposition, with the perisphere-trylon Theme Center at the end. Lagoon has been fitted with special lighting and water effects for night displays.

Not Sharing Spotlight

New York World Fair officials turned down a friendly proposition offered by the New York Daily News last week. Sheet planned the Fair exec it was printing a color map of New York in its Sunday roto section indicating the interesting points of the city. Offered to run off a million or so extra that could be passed out at the Fair.

Sheet got a polite turndown, inference being that the Fair wanted no opposition from other historic or scenic attractions and certainly didn't want them pointed out on its own grounds.

BEL BEDDES' G.M. BLDG. A GREAT FREE SHOW

The Norman Bel Geddes-designed General Motors building and its amazing highways and horizons exhibit promises to be the show place of the transportation and exhibit area at the exposition. It has sturdy competition from the Railroad Building, Goodrich, Ford and others, but for sheer ingenuity and theatrical staging the G-M outlay looks tops.

Besides the usual array of the company's products, including a giant 4,000-horsepower Diesel locomotive in the lobby entrance, arranged in a typical future city of buildings, the third-of-a-mile trip through the largest panorama in the world inside the General Motors building is ace showmanship.

Creation of Geddes is virtually a realistic trip in an airplane, over a typical U. S. countryside of 1960. Electric Research Products (Western Electric) has installed a 20-ton sound system which enables each set of two seats in which visitors ride, to listen to a description of the view below. This is done by synchronizing innumerable sound tracks, picked up by as many projectors and distributed among the series of two-seat cars. Each two chairs has a dual sound set over which the description is heard. Trip takes 17 minutes.

There are two chairs to each car, and 150 cars. Previous to taking this ride, visitors are taken through a vast auditorium with the largest map in the world, 110 feet by 60 in size, outlined by three separate lighting systems. Special announcer shows how future highway system will have to be constructed.

SMITH RESIGNS AS FRISCO MIDWAY BOSS

San Francisco, April 25.

Mel Smith resigned last week as concession director of the 1939 Golden Gate International Exposition, a post which he had held for five weeks. Smith said he resigned because he was 'boss badgered.'

In a statement to newsmen Smith clarified the charge by stating there's too much red tape and too many department heads interfering at the Fair.

As to whether Smith resigned or was fired there seems to be some confusion. Harris D. Connick, expo manager, said that it was a question of 're-shuffling.' Connick is said to be trying to get together with Major Art McCrory at his office in effort to get the latter to take over the Gayway job.

Emile Bondeson, manager of the California Auditorium, where 'Folies Bergere' is packing them in, will move the Clifford C. Fischer show to Hollywood when J. J. Shubert's 'Ziegfeld Follies of 1939' takes over the auditorium next month. Shubert is supposed to have a 10-week contract, with a clause enabling him to cancel before then if not satisfied with biz.

Aerialist Hurt in St. L.

St. Louis, April 25.

Nina Otaris, of the Seven Flying Otaris, trapeze troupe, escaped serious injury last week while doing a double-over spin at the police circus in the Arena. She lost her grip on her partner's wrist and fell to the net, then bounding to the ground.

She was treated for contusions of the back and lacerations of the left ear, but returned to her stint the following night.

Analysis of the Midway Shows That Phase of N. Y. Fair Furthest Behind

HANDLING THE PRESS

Bureau Opened Yesterday—Season Passes Must Be Visaed

Press Pass Bureau, through which all newspaper ducats will pass or be supervised, was opened yesterday (Tuesday) in the Administration Building at the N. Y. World's Fair. Working scribes assigned to cover the Fair will be okayed for tickets here, when supplied with proper credentials. The bureau also will handle one-day and weekly passes for newspapermen only, it being located in the Administration Building just outside the Fair site when the exposition opens.

Those who have been assigned season passes must have their photographic likenesses validated at the Working Press building, which is being officially opened this week. It is in the rear of the Administration Building, but inside the grounds.

IA-IBEW FIGHT BITTER AT FAIR

Jurisdictional fight between stagehands of the IATSE and Local No. 3 of the construction electricians organization (IBEW) for the spotting of members in theatrical and other staged attractions at the New York World's Fair promises to develop into a bitter struggle. That was the indication last week, and events during the last 10 days indicate that both sides are extremely obstinate.

Crux of situation is that Local 3 officials contend that they should be left in key spots as long as they are building at the fair. Counter contention of stagehands is that they should go in as soon as a building is completed and admission is charged. More liberal interpretation is that they should be in charge even if no admission is collected—just so that it is a theatrical venture of one sort or another.

Group of newsreel cameramen, belonging to the International Photographers Local, an IATSE outfit, inspecting the interior of the Perisphere last week preliminary to taking shots of the diorama show, found the complete interior lighting system 'pulled' as soon as they climbed up to the peak platform. Result was complete darkness, although newsreel representatives claim that the lights were on full force before they entered the structure.

There have been several other instances where activities of rival unions were suspected when wiring has been found torn out and other damage inflicted.

A jurisdictional squabble between unions probably knocked out at least one show at the World's Fair last week. It was to have had a trial performance which was not given. Had the show clicked it would have been regularly scheduled for the duration of the Fair. Show was 'Highways to New Horizons,' which was to have been shown to General Motors executives in the GM exhibit building.

There were 25 players in the playlet, including several legit players, but Equity was not concerned in the mixup. Allegedly responsible were an electrical workers local and two stagehands locals. Latter's New York union claimed the right to haul the production and unload it, but the Brooklyn end is said to have contested that right.

The situation was only partly cleared when only two union groups were at odds the third having dropped out. Motors people offered to pay both locals, if one would operate the show, but that was rejected. The actors were paid off however, auto people deciding they were innocent victims, also not caring to risk unfavorable press reports. All players were hired at a flat rate of $40 for the single preview, contracts stipulating that there was to be no liability if the show was not given.

'Highways' was written and rehearsed by Lem Ward.

INDPLS. PARK REOPENS

Indianapolis, April 25.

Riverside Amus. Park, which after 36 years has a virtual monopoly on town's outdoor amusement coin, reopens April 20.

By JOE SCHOENFELD

In the amusement sector (midway) lies the biggest problem of the New York World's Fair, for the Play Zone still looks like a quagmire of unpaved road and unfinished buildings. Any heavy rainfall two or three days prior to the Sunday opening will murder what little chance there is of giving the customers any solid ground to walk upon. Practically all the roads and paths are paved in the Fair's main section, which only serves to point up the stepchild status the midway assumed up until a couple of months ago.

That the midway always figured last is rather frankly admitted on the Fair grounds. After all, it's pointed out, the Fair could only hope to get the bulk of its money back from the industrial and foreign exhibits—the amusement concessions, in comparison, representing nickle-and-dime returns. However, the Play Zone will be fully complete by the time the visiting firemen really begin to roll into New York—after June 1.

Six of the top shows in the amusement sector, N.T.G.'s two shows, Sun Valley, Billy Rose's Aquacade, Children's World and the Savoy ballroom, will be ready for the starting gun, but such expensive layouts as George Jessel's 'Old New York,' Merrie England, Lama Temple, Amazons in No-Man's Land, Cuban Village, Morris Gest's Miracle Town and Crystal Palace (nudes) are in doubt. Jessel's show and the Amazon layout definitely will not be ready. Cuban Village and Merrie England will be at least partially complete by April 30. Latter has a band led by Ving Merrill set. Cavalcade of Centaurs (rodeo) may not be ready till late May.

Three s.a. layouts, Salvador Dali's Mermaids, Jack Sheridan's Living Magazine Covers and Norman Bel Geddes' Mirrors, are most incomplete. The Dali and Bel Geddes construction is lagging, while Sheridan's show apparently hasn't even started building as yet. Geddes show never planned to be ready till May 15.

The midway, however, will present a complete picture so far as rides and concessions are concerned. All of the mechanical amusement devices appear ready, or very close to completion, including the 250-foot parachute jump.

Hot-dog stands liberally dot the area. Candy biz has that concession; some 80 spots.

Sun Valley the Most Novel

One thing that's quickly apparent in the N. Y. Fair's midway sector is that it holds practically nothing startingly new. Practically every ride and village, with the exception of Sun Valley, has been done before at other expositions. Sun Valley, with its ski-jumping and ice-skating rink, may well be one of the midway's top draws because of this.

It remains to be seen, however, what the nude shows will present. NTG's layout will have two entertainments. One will be a Cavalcade of the Theatre, in a tent at 25c admish, while the second is a cuticle display at 40c. the Congress of the World's Beauties. Title of the latter originally was the Aztec Sun Worshippers, but the World's Fair Commission deemed this too suggestive. Crystal Palace, which will feature a dove-dance by Rosita Royce, will be another s.a. exhibit. Rose's Aquacade will hold 100 odd girls, but no nudes. His show will seat 10,000 around 8,000 seats, with the remaining 2,000 choice locations going at $1. Aquacade will grind four shows a day and, like Sun Valley, the New York State Building, has the choicest location at the entrance to the midway from the main exhibition area. Details on the Aquacade-American Federation of Actors dispute are in another story.

Savoy Theatre, which will feature Chick Webb's orch and Ella Fitzgerald opening day, will hold a 20-minute display of Harlemania at 25c admish. Following the opening, Teddy Hill's orch will play the show. There'll be no customer-dancing merely a display of north-of-125th street terping, such as truckin', Suzi-Q, peckin', etc. Moe Gale is the operator.

Morris Gest's Miracle Town (midgets) will probably be complete for the opening day.

Charlotte Jury Frees Former Circus Aide In Death of His Mate

Charlotte, N. C., April 25.

Robert Newell, until last fall traffic superintendent of Barnett Bros. circus, was acquitted in circuit court Friday (21) of the charge of slaying his wife, Winnie, 32, on the circus lot here the night of Jan. 29 last. Mrs. Newell was found dead in her trailer on the circus' winter grounds, apparently the victim of a bead injury caused by a fall.

Ray W. Rogers, general manager of the circus, had testified that Newell left the show last September but came to the winter quarters the day of Mrs. Newell's death. Rogers said she and Newell quarreled, after which the latter went to his wife's trailer. Later, Rogers said, he heard a commotion and a shrill scream, he called police. Newell denied that he had quarreled with his wife or had struck her.

Mrs. Newell, who had appeared in a Barnett Bros. elephant turn, then in a balancing act, had not been a performer of late.

Newell admitted on cross-examination that his wife began action last fall for a divorce, alleging mental cruelty. He insisted, however, that he came to York, the circus' winter quarters, from Florida to take her back to that state with him.

RINGLING CIRCUS BIZ PERKS AT N. Y. GARDEN

Business for the Ringlings, Barnum & Bailey Circus at Madison Square Garden, which started mildly, has picked up considerably. Latter part of last week saw strong attendance, but under capacity, and indications are for a profitable final week, which concludes Saturday night (29). It's conceded that attendance is under that of last season, along with general amusements, but claimed to be better than three years ago, when there was a decided drop.

Big top goes to Boston next week and begins under canvas on a lot next to Madison Square Garden Bowl, Long Island City. Spot is not far from the World's Fair, which will be in its second week. Outdoor doors will be $1.75 top, except boxes, which will be used for the first time by the Ringling outfit, seats there being $3.50. Unreserved tickets are priced at $1 and all the rates will include tax. At the Garden the $3.50 and $3 tickets call for an additional admissions tax.

Rosello, the high trap specialist who fell on the second night and sustained fractures of both wrists and one foot, is out of the show for a longer period than expected. Aerialist was one of the show's top features.

S. F. Fair Revue Planned

Los Angeles, April 25.

Harry Carroll and Dave Bennett are lining up a vaude revue here for the San Francisco Fair.

Show is slated to open May 20.

DUKE ELLINGTON

and His Famous Orchestra

There may be "wars, and rumors of wars", but the French populace, crowded into the new bomb-proof theatre, the Palais de Chaillot, with its stage more than 100 feet underground, extended to Ellington and his musicians one of the greatest ovations ever heard in a Paris concert hall!

"It left us all thoroughly convinced that Ellington is, and will remain for many years to come, the outstanding creative artist of modern music! When the band went to town in truly unforgettable manner on a terrific jam routining of St. Louis Blues'—all restraint was broken down and the music was finally submerged in a burst of applause and cheering which knew no bounds! The Parisian swing world was present in full force and many had made the journey from London."

—Arthur Wilcox—"MELODY MAKER", London

"Duke Ellington is the only true jazz composer! His contribution to swing has been enormous—providing an incentive to greater orchestral perfection, especially through example of superb brass playing!"

—Norman W. Lees—"MUSICAL NEWS", London

☆

"There is only one Ellington! He stands in a class alone!"

—Radio Luxembourg, Europe

"Probably the first composer of real character to come out of America—Ellington is no mere band-leader and arranger! He is a composer of uncommon merit!"

—Constant W. Lambert
"SUNDAY REFEREE", London

EXCLUSIVE MANAGEMENT
WILLIAM MORRIS Agency INC.
NEW YORK • CHICAGO • HOLLYWOOD • LONDON

FRESH FROM NEW EUROPEAN TRIUMPHS **DUKE ELLINGTON** AND HIS FAMOUS ORCHESTRA RETURN TO AMERICA ON OR ABOUT MAY 10th!

Scanned from microfilm from the collections of
The Library of Congress
National Audio Visual Conservation Center
www.loc.gov/avconservation

Coordinated by the
Media History Digital Library
www.mediahistoryproject.org

Sponsored by

Department of Communication Arts
University of Wisconsin-Madison
http://commarts.wisc.edu/

A search of the records of the United States Copyright Office has determined that this work is in the public domain