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48 PAGES

RAY IN WATERWOOD

Dramatic Critics' Box Score

Season of 1938-39

(Sept. 14, 1938-May 25, 1939)

Key to abbreviations: SR (shows reviewed), R (right), W (wrong), O (no opinion expressed), Pct. (percentage).

	SR	R	W	O	Pct.
ANDERSON (Journal-American).....	73	62	11	0	.549
WATTS (Herald Tribune).....	74	61	13	0	.524
COLEMAN (Mirror).....	55	67	1	0	.532
WHIFFLE (Watch-Tell).....	68	68	12	1	.512
WINCHELL (Mirror).....	29	23	6	0	.768
BROWWY (Post).....	62	49	13	1	.778
MANTLE (News).....	69	53	15	1	.768
LOCKRIDGE (Sun).....	74	56	18	0	.757
ATKINSON (Times).....	74	55	19	0	.743

(Score based on new shows covered by first stringers)

VARIETY (Combined)..... 78 64 12 0 .842

John Anderson 1st Time Winner Of N. Y. Drama Critics Boxscore

John Anderson, of the New York Journal-American, is the winner of the VARIETY boxscore of daily newspaper drama critics for the Broadway season of 1938-39. It's his first win, although he has generally been well up in the ratings and last year was runner-up to John Mason Brown, of the New York Post, who topped Anderson's average was .849, the lowest percentage to win top honors in the last eight years and well below his .918 score in placing second last year. Brown set a high record in winning last year with an average of .855.

Runner-up this year is Richard Watts, Jr., of the Herald Tribune, with an average of .824. Others and their scores were as follows: Robert Coleman (Mirror), .822; Sidney B. Whipple (Mirror-Telegram), .812; Walter Winchell (Mirror), .795; Brown, 778; Burns Mantle (News), .759; Richard Lockridge (Sun), .757; and J. Brooks Atkinson (Times), .745.

Outstanding feature of this season's tabulation is the slump taken by Number one reviewers. Only Whipple, with a climb of nine points over his 1937-38 ratings, bettered his previous percentage. All the others dropped. Combined average for all the critics was .793, compared to the .855 figure last year, beating out the evidence that the recent season was (Continued on page 42)

CLASSY CHASSIS LASSIES ENJOYING A FAIR BOOM

It's a signal's bonanza for the nudie performers these days. The N. Y. Fair is the direct answer. So many reports show that the ladies with the classy chassis are getting above par wages.

The entrepreneurs realize this by frankly stating that if they strip well, most of 'em can't do anything beyond the epidermis display. If they can dance, they may be shy on the streamlining, etc.

Chester, Boy From Good Family, in the Band Biz

Bob Chester, son of Mrs. Albert Fisher and scion of the Fisher Boy manufacturer, debuts as a band leader soon. Currently rehearsing a 14-piece outfit in New York comprised of five brass, four rhythm and five sax, including his own. Not tied to any booking agency and has no recording affiliations so far.

FIGHT TELECAST SHOWS UP ITS PROBLEMS

By MORE MORRISON
Telecast of the Max Baer-Lou Nova heavyweight fight last Thursday night (1) from the Yankee Stadium, N. Y., by NBC offered one of the best tests of television in the U. S. so far. Reports from England have been favorable regarding television for covering sports, but this is the first to be televised in this country. The U. S. preem was by no means a auspicious.

Experiment was hardly a complete success, but it did demonstrate the possibilities. It also brought out a number of problems that will have to be met.

It was evident that in its present state television fails to show sufficient detail. Although Sam Taub, who was at a special make for the telecast, admitted that he saw Baer's facial injuries, not a trace of a mark was visible in the picture on the receiver lid. Furthermore, nothing could be distinguished of the fight.

(Continued on page 28)

SEE LATE START FOR '39-40 LEGIT

General Uncertainty of Current Plays, Due to the Fair, Etc., Pitches Broadway Interest Anew on Film Bankrolling Next Season

LOOKS FAVORABLE

Start of the 1939-40 production season will probably again be hazy, such being the indications despite the fact that the summer has only just started. Managers are undecided about their future activities because of the uncertainty about business, none being confident that the slump, which started with the debut of the World's Fair, will soon end.

Some have scripts in finished form but are holding back casting until such time as can be obtained on whether Fair visitors during July will patronize theatres. Some observers are confident of an upturn, but most shrouded appear to be skeptical and figure that if the Fair continues to be a deterrent during the summer, the same conditions may apply to early fall.

Hollywood participation in legit shows is seen upping production. The Coast coin has been abundant for more than two years, but Broadway managers now would welcome a lull. It is an agreement between picture interests and the Dramatists Guild has been in the making for eight months. Both sides basically concur on the new contract and a final draft is being drawn up.

Stated that in about two weeks the factions will confer, and while the terms are not expected to be 100% acceptable, the pact is virtually certain of being consummated before the end of summer. As yet no sleaze between film execs and legit show men is known to have been made, but tentative deals are reported. Number of picture people have conceded that Broadway contacts for talent and material have been (Continued on page 44)

Screen Biogs on Marie Lloyd, Stephen Foster

Hollywood, June 8.
"Marie led in 'Marie Lloyd' story about the English music hall star to be produced at RKO by Herbert Wilcox, goes to Cary Grant. Anne 'Swanee River' Tyrone Power directs the top role and Henry King directs.

N.Y. Cafes Doff World's Fair Bunting In Disgust; Expo's 6,000,000 No Help-

Star at One

Hollywood, June 6.
Sandy, year-old moppet, made her debut as a star yesterday (Mon.), sharing top spot with Mische Auer in "Sandy Takes a Bow" at Universal.

Milken's daughter, formerly Sandra Headline, first appeared in Bing Crosby's "East Side of Heaven" (1).

While it's been a gag around midtown that Grover Whalen is giving Broadway two weeks to get out of town, it's no kidding matter now, with the Times Sq. hotels, offices and restaurants, most of which are seriously considering dropping any trailering for the N. Y. World's Fair. Some of the cafes have frankly stripped the bunting and official insignia of their premises in frank spleen against the Fair.

So far, not only has the Fair been no real sale, but contractive is a vicious detriment to business. The moment the bonfires read of the 6,000,000th customer being clocked at the Fair, in less than a month, it was a rude awakening how much traffic had detoured to Flushing Meadows.

Cafe m.c.'s all over town audibly quip and ad lib that the Fair visitors have been ruinous to business, these gags being for local consumption, since the natives still are the prime supports of the nocturnal joints. And any native New Yorker now realizes how much the Fair has put the town on the bum.

Unless something radical comes to pass in July and August—like May, the locals have given up June as any stimulus—the Broadway banch would like to blind itself almost wholly to what the Fair may or may not mean to the Main Drag. Experience thus far has proved that they're too tired to bother with Broadway, after getting a load of what's going on at White Horse. When the summer dog-days are really here, the heat will be no added inducement to patronize (Continued on page 47)

RENO INTENT ON DOING A COMEBACK

Reno, June 6.

Hoping to catch tourist dollars this summer, travelling and forth between New York and San Francisco fairs, Reno night spots and gamblers have dolled up their establishments and dusted off their roulette wheels and card tables.

For a couple of years pickings have been tough, lots of customers' but no dough. Dollar bills piled high in the cashier cages in the gambling joints, but it takes bales of them to cover the net alone, much less show a profit. Fair-bound visitors, if they will only tarry long enough in Reno to see the town, should have money when they get here, the gamblers figure.

Dog House night club, owned by Phil Curtis, spent \$50,000 enlarging and decorating its place to open act nightly. The tavern, top spot for many weeks, folded during the winter and was taken over by Board of Trade which does not know what to do with it.

Calveza Lodge, Lake Tahoe resort, where fine meals are served as come-on for gambling, scheduled to open Council next few weeks, and Stateline Club, rival of Calveza on Lake Tahoe, has been reupholstered in preparation for expected big season.

Effort to revive the good old days of 1931-32 when the Reno city administration was so liberal that the mayor once advocated placing a tax of 10¢ on every car entering the city, failed completely at last city election.

Conservative mayor, August Prohlich and four conservative councilmen were elected, leaving the gambling and night club interests with little or no control over city affairs. Same situation prevailed during the four years starting in 1931 when the city had no intention of clamping down on gambling or night clubs, but joints must watch their step at all times and not turn places into honky-tonks.

DeROSE-BREEN'S 16TH YEAR AS RADIO TEAM

Peter DeRose and May Singli Breen celebrated their anniversary year in radio when, three years later with WFAP and, when three years later with WABC, the initial New York key for NBC's national network, they joined the NBC payroll and have been in it since. It makes them radio's oldest team in term of service.

Only one day have been off the air is the two weeks they got for their honeymoon in 1928. On another occasion, they got two weeks off for a trip to Denver, but no sooner were they there than the duo got tagged for a daily broadcast on KOA.

AQUA-CINEMA

New opportunity to theatres and beaches is the first of its kind, with pictures at the Riverside Cascades swimming pool, on Riverside Drive at 135th Street, N. Y.

Pictures will be thrown on a screen at one end of the swimming tank for free, with the pool admission.

So That's What's Wrong with the B. O.!

While the World's Fair currently is blamed for slipping business at picture theatres in Greater New York, several showmen are not inclined to rest full responsibility on the exposition. They point to the weakie bills being offered in neighborhood cinemas and in the Broadway deluxers.

One exhibitor related the difficulty he had finding a suitable show in his neighborhood to entertain out-of-town visitors. "One theatre had a film all of us wanted to see, but we figured that by the time the other feature had been run off and some shorts, it would be too late to stay for this one," he stated. "Trouble is that there are too many thin 'A' productions available just now, and too many woefully weak 'B' films, with no big players that anybody cares about. Result was that we all went to a seeweed theatre."

Film Execs' D.C. Parleys Seen As Paving Way for 'Consent' Decree; It's Part of F.D.R.'s Aid to Big Biz

Washington, June 6. A major contradiction by the U. S. Commerce and Dept. of Justice film regulation has the picture industry in the middle. Six top executives huddled here all day with Secretary of Commerce Harry L. Hopkins seemed to get the idea that the Administration's recent lack of "voluntary level" for Big Business may pave the way for a 'consent' decree in the pending antitrust suits against the majors.

It's reached the stage where Joseph H. Hazen, v.p. of Warner Bros. and its attorney, is remaining in the city (Wednesday), following the all-day huddles today (Tues.) in order to supply Commerce Dept. officials with specific angles and statistics on the economic structure of the film industry.

It almost places the Commerce Dept. in the position of defending the film industry, with the suggestion it would then go over to the Justice division and try to make the legislators see the possible strains of their stringent technical laws.

Secretary Hopkins sat down for two hours this morning with Will Hays, Joseph M. Schenck (in the absence of Sidney R. Kent in South America), George J. Schaefer, Nicholas M. Schenck, Harry M. Warner and J. H. Hazen to survey 'problems affecting the motion picture industry in its relation to the general economic structure.' It's in line with the New Deal principle of talking things over. In the hope of accelerating the whole American business machine.

The advance agenda covered a wide range, but the monopoly topic was at the head of the parade.

It was significant that, other than Hazen, who was present, not as an attorney, but as a spokesman for his company attorneys were here. Secretary Hopkins was flanked by Dr. William C. Thorpe, former head of the Bureau of Foreign and Domestic Commerce, and now one of Hopkins' advisers; Nathan S. Margulies, of the U. S. motion picture division; and Ernest Tupper, economic adviser to Hopkins, and one of his prime braintrusts.

Hazen's powwow tomorrow (Wed.) will be chiefly with Thorpe, Mr. Golden and Dr. Thorpe. They will report to Hopkins.

Commerce executives set forth the reasons for their justification in the present business structure of block booking and general operations, arguing that any revision would destroy a business that has taken many years to develop.

It was reported that both sides were in a bargaining mood, and that these parleys may pave the way to a 'consent' decree in the Justice Dept. attack. Hazen, for that reason, has been given details to back up the film execs' contention of oppressive conditions. The afternoon session broke up at 6 p.m. last night.

It was announced that the same group will meet in the afternoon of this week, at an unspecified time and date, depending on what the Justice Dept. may have to say in the interim.

While the Dept. of Justice seemed

ingly processes intricate knowledge of film trade practices, judging by the 2d Sullivan, N. Y. Daily News-Herald, the U. S. Commerce Dept. attitude is a major contradiction, in that it professes not to know enough about it to make request for more details.

Settlement of the New York trust-busting middle may be an outcome of the talks, which followed close on the heels of similar tele-a-tele sessions.

(Continued on page 44)

\$1,000,000 Wanger Libel Suit Vs. D.C. Daily, Ed Sullivan

Washington, June 6. Monetary salvo for wounds inflicted by Ed Sullivan, N. Y. Daily News-Herald columnist, was sought in the local courts last week by Walter Wanger. Naming the gossip peddler as a defendant, producer launched a \$1,000,000 libel action against Mr. Ed Sullivan, publisher of the Washington Times-Herald and sister of Joseph M. Patterson, chief owner of the N. Y. sheet.

Basis of suit is a column termed 'Wanger flims of inferior quality.'

SPITZ DUE TO LEAVE MAYO CLINIC SOON

Leo Spitz is recovering from a recent operation at the Mayo Clinic, Rochester, Minn., and is expected to leave next week for N. Y.

Spitz, who was in the hospital 22 to pass his birthday at Herman Warner's estate, for years an annual custom, then goes to Hollywood for a month's stay.

American Institute Kudos to 7 in Fix Biz

American Institute of Motion Picture and Television Engineers has conferred honorary memberships at its annual banquet at the University of Southern California.

Recipients were Jack Warner, Nelson Shanon, Nelson Edley, Sam Wood, Gabriel Pascal, May Robson and John W. Considine, Jr.

Fine Arts Marks Time

Hollywood, June 6. Continuance of Fine Arts in the Grand National Foundation fold depends on current action of the G. N. F. board and financial prospects. Franklin Warner, G. N. F. proxy, is awaiting word from the board whether to continue as is or seek another release for his eight pictures.

Warner then goes to Hollywood for several months with G.N.'s financial setup.

FORGES PLAYING POLINES; B'S WEAK

New Crop of Films Don't Draw, Exhibits Prefer Name Values of the Reissues—Static B.O. Forecasts More Summer Shutterings Prematurely

ALL OVER U. S.

A severe shortage of product, partly due to weakness of the 'B' films and the necessity of theatres to shorten runs because of dwindling business, is gripping parts of the country and forcing theatres to play reissues. The situation in some centers, including New York, is more critical than it has been in many years. The off-biz and summer shutterings are unreasonably premature.

Shown below that one of the difficulties is the increased number of renamakes and a lack in the few lesser product from either the majors or national Indies such as Monogram and Republic. Audiences have been complaining about the long list of renamakes this year, as are exhibitors. The latter are also voicing protest over the failure of the producers to put any importance into the casts of many of their 'B' pictures.

This is resulting, not only in box-office defeat for a lot of secondary pictures, but is causing exhibitors to feel that it is better to play a reissue with names than new films of minor value without them.

Problem of keeping theatres going with the product that is now available will result in many more closings this summer it is believed. Only certain reissues seem to get anywhere at the boxoffice, although some of them can be obtained cheaply, and rather than struggle through the balance of the current 1938-39 season, exhibitors may be inclined to close down to wait for the new product in August or September.

For the first time in history of its operation, the Strand, Brooklyn, closes tonight (Wed.). In vaudeville terms, the winter 'A' has recently been back on a diet of double bills. Owned by the Warners, the Strand is operated by Si Fain, under the three-way Par-WB-Palpool plan in downtown Brooklyn.

Business in Brooklyn and other neighborhoods is away down, including the Brandt Bros. houses.

Because of the larger number of operators right now are being forced to dig into the files for old film. In Manhattan two second-run theatres which formerly had no trouble getting enough film are now not getting enough to maintain or replace their runs are also using more reissues.

Show Reissues, Rather Than Waste New Product

Pittsburgh, June 6. Flood of picture reissues again grips the downtown district, as houses after getting the go-by for several months following big collapses in ticket receipts, are turning up their return are two-fold. Early summer product (new) has been off and out of the downtown district for a long time here of late that management figures it's no use wasting the current output anyway. Prefer waiting until Warner picked up the trail again last week with 'Mutiny on the Bounty' on a twin-bill with a new film, 'Sorority House,' and Senator.

(Continued on page 14)

H'wood Gossip on Shortwave to S.A., Part of 'Good Neighbor' Campaign, Films Too; Offset to Rome-Berlin

Patterson's F.D.R. Tie

Washington, June 6. New film industry contact with the New Deal high command will be via Richard C. Patterson, Jr., retiring assistant secretary of commerce, who joins RKO July 15. Patterson, former NBC exec, has been appointed to the Business Advisory Council set up by President Roosevelt to provide liaison between Government and business.

First film personality on the panel since its creation several years ago.

Ole Debbil Free Broadcasts, New Target of Films

In the face of falling film grosses, the picture business has been making an intensive but quiet survey on the whyfore. Broadcasting studio audiences, however, are a major cause of complaint in the general direction of radio, which is an old show biz story.

The major film companies, all of which have made elaborate preparations to welcome and entertain visiting showmen to the N.Y. World's Fair, have all hit with the same unusual number of requests from the hinterlands' families—the yen to see a studio broadcast. Breakdown of the types shows requested, fortified by supplemental information in other key cities, evidenced that the personality programs are the answer to the defection of considerable audience interest away from the boxoffice.

Something is paralleled in Hollywood and Paris, visitors to the west coast's exposition having similar requests. As in New York, but to a greater degree because of the film personalities, the large requests for ducts to radio shows with name stars are important.

A survey on certain lesser shows evidenced that the 'break' type of programs, such as 'Good Neighbor School'—under the guise of kindly advisors or free legal assistance—serve a marvellous curiosity. Out shows, with cash prizes as added lure, likewise pull fairly well.

This anti-radio feeling, generated by the direct effect on the gate, will undoubtedly have a visible reaction in the film business' future relations with radio.

U'S \$1,000,000 STUDIO FACILITY THIS YEAR

Hollywood, June 6. Universal will spend around \$1,000,000 this year on studio improvements and new stages after shifting out \$600,000 last year on similar construction.

Outlay will be for two additional stages, cutting rooms, and camera and electrical equipment; latter to cost around \$150,000. Work starts on new stages around July 1.

J. J. Fitzgibbons OK

Rochester, Minn., June 6. J. J. Fitzgibbons, v.p. and general manager of the Canadian-Famous Players' theatre circuit, out of Mayo Clinic, has been released from hospital. Had been under care of doctors for six weeks.

Columbia Broadcasting System's offer to the movie industry of five quarter-hours a week for the shortwaving of film Hollywood chatter news and interviews to South America and Europe, in several languages, differs from NBC's present setup on the same subject in one respect. Whereas NBC has been carrying a daily shortwaving program of this type for the past year, on a strictly independent basis, CBS wants the film companies to contribute directly to the maintenance of the proposed series.

CBS regards the idea as an ideal variation of the entertainment approach in shortwave broadcasting, because of the network potential of screen personalities. In its approach to the Hays office on the proposition, the network pointed out that the program would serve to stimulate interest in American film fare.

Frederic Willis, CBS director of shortwave broadcasting, is slated to meet with producer spokesmen this week to iron out the details.

NBC's daily quarter-hour devoted to film material is broadcast in English, German, French, Italian, Spanish and Portuguese. Occasionally it shortwaves a recorded interview with a film star in Spanish. Because of the huge demand it received from the picture industry, NBC's attempt to work out an arrangement with film studios whereby, by those in Rome, Italy, and Berlin, could be supplied it on a nominal basis.

All this, of course, is further in line with the U. S. 'good neighbor' policy plus the fact it cements the demand for American goods in Berlin axis, which intensively propagandizes South America via shortwave radio.

'Good Neighbor' Filmings, June 6. In line with the President's 'good neighbor' policy toward South America, the Hays office passed Monday (5) a bill authorizing expenditure of the U. S. motion picture projects of the U. S. Film Service. Contained in legislation offered by (Continued on page 38)

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Chi Bans Russian Anti-Nazi Film, 'Oppenheim Family'; Other Reactions

Chicago, June 6. Chicago censors mixed under anti-Nazi flicker last week, this time "The Oppenheim Family," Russian film. Board turned picture down on charges that propaganda and exposes to contempt a class of citizens.

Civil Liberties Union has filed a protest against the ban. Previously the board has banned such pictures as "March of Time's Inside Nazi Germany," "Professor Mamlock," "Concentration Camp," but all three of these pictures were later released.

Detroit's Anti-Soviet Pic.
Detroit, June 6. At least of a committee of 50 Detroit housewives, concerned with the drafting of a resolution which would ban films inciting class hatred, riot and anarchy. Names were led by Mrs. Blanche Winters, prez of Women's Legion of the Blue Cross, who told the council.

"Many films being shown in Detroit at present are nothing more than direct propaganda; they teach revolution. It's getting to a mother here to be both a mother and a detective to know where to send her children. We want laws to protect our children; we're."

"Another bad thing is these double features. These are always one bad picture with one good picture."

Nathaniel H. Goldstick, asst. corporation counsel who was told to prepare the new law, said the council that attempts had been made to take legal action against foreign picture distributors for exhibition banning immoral films, but that the state supreme court had held the ordinance did not apply to such tickers.

London's 'Mamlock' Ban.
London, June 6. New hope of getting "Mamlock" in U. K. is inspired by British Board of Film Censors giving approval to a picture called "A Nazi Spy," which first British National will distribute here. Picture's frankly anti-Nazi theme was expected to be frowned down by the censor, but it will now be shown in the Warner theatre June 9.

Unity Films will now want to know the reason why "Mamlock" was barred, as it has a similar motive. Film was also embargoed by London County Council, which districts appealed for them to override B.B.F.C. veto, reason given by the Socialist-controlled body was that of the disturbances in theatres. If "Mamlock" sails out in the cold, they will say it was one law American and another for Russian films.

German Canadian's Silence.
Regina, Sask., June 6. With nearly one-third province of German origin, the Regina Canadian percentage, "Confessions of a Nazi Spy" proved a dud at Metropolitan theatre and other theatres. Even anti-Nazis among predominant non-English Canadians here did not go to the pic. Might have got better reception had it hit at Hitler only in power light but it hit.

Studio heads are keeping a diplomatic eye on France, waiting for changes in the French attitude toward anti-dictator pictures. England, previously against such pictures, recently changed and okayed Warners' "Confessions of a Nazi Spy."

Warners hopes the picture will be approved in France, since Paris newspapers have been permitted to accept Leon Trotsky's "Life in America," on which the film was based.

MURPHY TEES UP

Hollywood, June 6. Ralph Murphy's first job under his new Paramount distribution is "Our Neighbors—the Carters." Picture rolls in three weeks.

Frank Ghosts

Hollywood, June 6. Now is the time for all good fables to come to the aid of the columnists. With this idea in mind, Bob Taplinger is sending out his annual offer of guest columns, supposedly written by 16 top light players to fill news paper space while the columnists are on vacation. Plan originated last year and was grabbed enthusiastically by Los Angeles and out-of-town critics.

Columns are written by fables and by-lined by picture names.

B'way Capital Breaks Down Its Overhead For 'Lynon' Award

An award of \$18,470 was made Saturday (3) to Edward Sheldon and Margaret Ayer Barnes against the Morehead Realty Corp., owners of the Capitol theatre, N.Y., by special master, Kenneth E. Walzer in N.Y. Federal court. This is in compliance with the exhibit for "Lynon," which has been declared a plagiarism of the plaintiff's play, "The Goodbye Girl."

In arriving at the amount of damages, the special master decided to award total profits of \$159,019, minus the cost of rental. Profits were \$14,052, and the cost of the picture to the Capitol for the two weeks was \$24,581.

Other points of interest in the \$74-page report were that the picture, which played from April 20-May 12, 1932, to a total audience of 159,019, grossed \$118,669. The payroll was \$10,975, trade bills totaled \$14,216, the stage show cost \$23,003, the fixed wages were \$12,835, two shorts were \$7,000, and the Federal income tax was apportioned at \$2,979.

O'Brien, Driscoll & Ratsey, attorneys for the plaintiff, disclosed that they had no intention of suing any other theatre that played the film. They pointed out that the award of \$32,000 secured from Lowy's, Inc., Culver Export Corp. and Metro, covered the situation, as these companies latered their theatres for the profits they had derived from the exhibition of the picture. It was also stated that if suits against other theatres should be brought, "Lynon" would be outlawed by the statute of limitations.

Special Master Walzer also filed a request for \$1,500 for his services.

WB-S-I. BOTH CLAIM FLORA ROBSON FOR PIX

Hollywood, June 6. Warners and Selznick-International are regularly exchanging letters over the services of Flora Robson, English actress, who's set for Selznick's "The Sign of the Cross."

Warners claims the actress, now in London, agreed to appear in the "Sign of the Cross" picture, but on June 1, her arrival here, while S-I is putting "Rebecca" in work as soon as she gets here. She's due in July 3.

\$25,000 Film Settlement Reported for Arnsheim

Hollywood, June 6. Nicky Arnsheim has reportedly accepted a \$25,000 settlement for a \$150,000 suit against 20th-Fox charging libel and invasion of his private life through characterization in "Rose of Washington Square" alleged by him to parallel his life.

Arnsheim, a former wife, Fanny Brice, also complained to the studio but took no legal steps.

SCHOOL PRESS SHOWS RIGHT OF

Newspaper-Sponsored Spectacles Ruin Regular Theatres—Schoolhouse Films at 1-5c Also Damaging

PHILLY'S SURVEY

Minneapolis, June 6. Local exhibitors are gunning for what they claim is 'unfair opposition.' Particularly under their displeasure at this time are increasing number of newspaper-sponsored shows and school films.

Recently the Minneapolis Star published a feature which drew 7,500 to the Auditorium after heavy gratis newspaper and radio publicity. On the same night most of the theatres were practically deserted. The same newspaper annually stages a half-week exhibit at school in the Army and also puts on the 'Golden Globe' tournament for professional purposes each year.

Each of the other Minneapolis newspapers also have annual cooking schools that run a half-week or more. At first these schools were held in the afternoon and were conducted mainly to exhibit the instructions on cooking. Now they're matinee and evening affairs and include theatricals, which has no connection with cooking. They draw capacity houses and cut into the theatre grosses. Schoolhouse Theatres spend huge sums with the newspapers annually, the exhibitors as well as the theatres.

Northwest Allied last week protested to Carroll Reed, superintendent of schools, against the showing of feature pictures and various school auditoriums at recess periods and admission ranges from 1 to 5c. Net proceeds go into various school funds. At least one major company, as well as the city, has refused to service the schools.

Reed agreed to issue an order to school principals that no pictures of feature pictures be shown on any occasion more than two reels' length and no serials hereafter should be shown. However, Reed declared, there is a question relative to his lack of jurisdiction in this particular matter and 'some principals may not see fit to cooperate.'

Quacktowns Free

Philadelphia, June 6. More than 600 churches, lodges, clubs and other non-theatricals in the city are regularly showing films for profit in competition with pictures, a quiet survey by the police department this week. The investigation was made on orders of Fire Marshal Jacob S. Clinton as a start to a new action to eliminate the 'quacktowns' as a fire hazard and source of unfair competition.

Letters were sent last week to school principals that no pictures of feature pictures be shown on any occasion more than two reels' length and no serials hereafter should be shown.

Clinton said the first demand by the Public Safety department will be that all such organizations have standard equipment, fireproof booth and complies with all safety regulations. As few are complying, the expense of compliance with the stringent rules, Clinton said he expected most of them would go out of the exhibition business. He said he felt he has 'been too lax in the past and now are taking action to prevent a disastrous fire which would be sure to break out in these places sooner or later.'

Even if safety laws are met, Clinton said, non-pro exhibits will be prohibited for one year for performance so that they cannot show films regularly in competition with theatres. If exhibits are allowed, the shows are being run for charity, organizations will be required to prepare to prove their claim.

"Too often, we have found, Cin-

Sweeping Investigation Into Fox Theatre Co. Affairs Forecast By U.S. Judge; Manton Had Presided

In the Carpet Bag

Hollywood, June 6. Civil War ended on the Selznick-International lot with the floundering of the fall of Atlanta in "Gone With the Wind." It's all over but the carpet-bagging.

Ed Churchill's Agency To Stand Examination In 'Movie Quiz' Ad Suit

The appellate division of the N. Y. supreme court Monday (5) reversed a decision of supreme court Justice Philip McCord and allowed Edward J. Pfeiffer to examine Edward J. Churchill and Donahue & Co. before trial. Pfeiffer is suing the ad agency for \$100,000 claiming plagiarism of his idea, allegedly submitted to them May 15, 1938, for the "Movie Quiz."

Another point allowed to Pfeiffer is that the agency must show how much money it received for handling the advertising for the Quiz.

ADD: STOVER-STIRN VS. RICKABAY AND RKO

The Circuit Court of Appeals in New York Monday (5) reversed decision on an application by John S. Stover, representing Ernest W. Stirm, Milwaukee, appealing RKO stockholder to give him until today (Wed.) to file his record on appeal. The court also reserved decision on the request of H. C. Rickabay, representing the RKO Corp., proponents of the plan of reorganization of RKO, to dismiss the appeal.

John Learned Hand, after listening to arguments on both sides, in which Stover declared he would be ready today (Wed.), and Rickabay agreed Stover's stalling, declared that regardless of the decision, the appeals would be heard and decided this month.

EXTRA HELPING

Supes Draw \$226,000 and 4,000 More Jobs in May

Hollywood, June 6. May was an extra prosperous month for extras in the picture business. Players earned \$230,000 during the month, with more than 26,000 placements.

Total of placements was 4,000 more than any other month this year.

Movie News Dept. told Variety, "that so-called charity shows are run for the benefit of a few promoters. If the showings are not strictly for charity, we will see to it that the organizations pay the same taxes as are levied on theatres. We are taking action to bring the situation all cleaned up by the opening of the fall season."

Announcement by Monogram that it is setting up a non-theatrical department of equipment will handle releases for engagements 'not in competition with regular motion picture exhibitors' if it exists at all, 'the bank.' There's no exhibition of films and that's why we're in competition with them and doesn't serve to keep people away from theatres, the way they look at it.

A decision which indicates a sweeping investigation into the affairs of Fox Theatres Corp., as handled by former Judge Martin T. Manton, was made Monday (5) by the New York federal court, when Judge John C. Knox refused to allow a fee to Archibald R. Watson, former attorney for Milton C. Weisman, receiver of Fox Theatres. Watson, who has received \$51,500 on account, is asking for \$41,000 more for 648 days of work from June 22, 1932 to Oct. 30, 1934. During this period he eliminated \$590,396 in claims against the corporation and won for it \$200,000 in cash and stock worth \$330,596 in a suit against Fox Film, and 29 other persons and corporations.

Judge Knox's opinion declared, "While intending to produce the application of Mr. Watson for further allowances, in view of certain circumstances which have been brought to my attention, I think it is well and expedient to postpone until after the hearing on the application of Mr. Watson has been clarified. Despite Watson's connection with the estate having terminated in 1934, and that further postponement is unfair to him, nevertheless, public policy must take precedent over private rate, so the petition must await further developments."

The application was opposed by the Stockholders Protective Committee, which the great majority has been paid sufficiently for his work.

Judge Knox is expected to appoint a referee to look into the affairs of Fox Theatres within the next few days.

This is due to charges made against the receiver of Fox Theatres, Milton Weisman, a stockholder and bondholder of misuse of funds. Weisman was a Mantion appointee and Judge Knox's opinion, while not stating so directly, indicates that he is "feeling" that he will probe all decisions of Manton in this inquiry. Manton was found guilty last year of "feeling" justice while he held office as a Federal Court Judge.

WB INTERESTED IN THE RITZES FOR 'SYRACUSE'

Pittsburgh, June 6. Ritz Bros. showed up three weeks of play at the Strand theatre last Thursday (1) and after vacationing in New York for a few days will depart for Syracuse, N. Y., to begin their 20th-Fox. They have two films under contract, "The Sign of the Cross" and "Zanuck Point. Next flicker will be an original story with a college and a Twentieth Century-MGM picture.

Understood that MCA, which bought the Ritzes' contract from the Ritzes for \$225,000, is making a deal for them with Warners when 20th pact expires. Might do screen musical, "Boy from Syracuse," out at Burbank, with Warners presently reported hot on the trail of the Rodgers-Hart hit.

Will Rogers Memorial's U. of Tex Scholarship

Austin, June 6. The University of Texas was \$20,000 richer last week, money donated by the Will Rogers Memorial Fund. Will found a scholarship.

Jesse Jones of the Reconstruction Finance Corp. made the presentation.

Will Hoys and Major L. E. Thompson, RKO executive, were in Houston yesterday (Tuesday) at the unveiling of Jo Davidson's statue of Will Rogers in Dallas.

Hoys, who has marked the first time in film business history that any screen star had been so honored by the Government.

Film Disbans Bank at Nova Scotia

Law Being Held Over Their Heads: Want Repeal or Won't Service Pix

By W. J. MONTLEY

St. John, N. B., June 6. The film supply situation in Nova Scotia has developed another unfavorable complexion over by the recent appointment of a conciliation board, representative of (1) the exhibitors (2) the theatre chains, and (3) the independent exhibitors, the legislation recently enacted to end alleged discrimination in favor of the theatre chains has not been promulgated. Although duly passed in the legislature and given royal assent, the independent exhibitors have protested not to proclaim the new law licensing and regulating the exchanges, if the conciliation board becomes effective.

However, the head offices of the distributing entities New York and Toronto have now declined to continue supplying pictures anywhere in Nova Scotia under a positive guarantee is given that the objectionable legislation will be repealed by the 1940 session of the legislature. This, usually, operates late in the winter, at Halifax. The distributors refuse to participate in a governmental promise of not procuring the new legislation. The exhibitors feel that the new statute books, whether proclaimed or not, constitutes a positive threat to their business. They demand that the definite agreement be made not only that the amendments authorizing the censor board to fix film rental prices and revoke exchange licenses, will not be enforced pending the next legislative session, but that repeal will be made.

Thus it is that the exhibitors all through Nova Scotia are in a quandary. They have previously expressed their chief in August and September. The distributors absolutely refuse to supply pictures to exhibitors until the repeal is guaranteed. This has not been from the provincial government, whose attitude is that of suspending the proclamation of the legislation while the censor board functions satisfactorily. However, this board has not even got into its mission.

Representatives of the St. John exchanges and exes from Toronto offices had agreed to participate in the board, as the solution of a very distressing problem. The ban film sales to Nova Scotia exhibitors had been ordered from the New York and Toronto distribution rights after the anti-discrimination bill had been passed in the provincial assembly. However, this ban did not affect the current supply, as practically all the exhibitors have got to get film up to Aug. 1, and some up to Sept. 1.

The chaotic condition on the supply side has interested the exhibitors for several new exhibiting projects. The sponsors, after launching negotiations for new theatre chains, are finding old ones, find themselves faced with a possibility of not being able to get pictures. The theatre chains are forced to close because the film flow being completely halted is estimated to be between 1,200 and 1,500 people will lose employment. Including not only theatre employees, but exchange salesmen. And at a time when unemployment is the major concern, the exhibitors are being forced, and the relief movement is far inclined to cope with the prevailing poverty.

Distributing through Nova Scotia, Frank St. John, ex-president of the United Artists, Empire-Horizon Films, United Artists, Empire-Horizon Films, Warner Bros., RKO, Maritime Film, the last names of the exhibitors in origin, and covering the maritime provinces only.

Greene Hurt Pic Limps

Hollywood, June 6. Work on "Here I Am a Stranger" at 20th-Fox was halted pending the release of Richard Dix, who was injured in a motor accident. Picture had been shooting two weeks. Following his release, Dix's legs were crushed between his own car and another rolling downhill after its brakes had loosened.

F. K. Speidell Relected As Astoria Studio Prez

Frank K. Speidell continues as president of Astoria Productions, and the Eastern Service studio, Astoria, 1, 1. He was re-elected at the annual meeting in N. Y. City.

Charles L. Glett was renam v.p. of the studio company in charge of production. E. C. Wagner continues as treasurer. The treasurer's reportations and P. J. Mooney as assistant sec.

RKO WOOS LAUGHTON FOR 'HUNCHBACK' ROLE

Hollywood, June 6. Charles Laughton is being overtured by RKO for the title role of "Hunchback of Notre Dame". With picture scheduled to start in six weeks and the studio despairing of casting any of the locals for the Lon Chaney role, pressure is being applied to have Laughton call his English assignments and return to Hollywood.

U'S 13-WEEK NET, \$581,587, BUT NO NEW VVV

J. Cheever Cowdin, chairman of Universal Pictures Co., Inc., reports a net profit of \$581,587 for 13 weeks ended April 15, 1939. For the six months ending on the same date, Cowdin reported \$229,000, or a 31,527,833 improvement over the \$58,285 loss shown by Universal for the first half of the previous fiscal year.

Part of the improvement in earnings is due to the fact that Universal revenue and part came from reduced expenditures, Cowdin stated this week. He would not designate the proportion that came from increased film rentals. Cowdin also said that he did not indicate whether his earnings rate is being maintained at present or whether it might be in the future, but added that his income was running higher than in the past.

Questioned as to whether this big pickup in earnings, representing over \$150 more, being designated for provision for preferred issues, would mean a dividend, Cowdin indicated that none was in prospect. He also claimed that there was no intention of calling in any stock issue.

Asked if Universal showed anything like the current earnings rate was back in 1927 when the company reported a net of about \$1,500,000 for the full year.

20th-Fox's Divvy
Twentieth Century-Fox maintained its 37% dividend on preferred and 80c on common last week, directors making the declaration Thursday (1). The quarterly divvy on the preference issue maintains the net \$150 more, being designated for covering the second quarter of 1939. Both dividends are payable June 30 to stock on record June 1.

GRIFFITH ABSORBS BOOTHS THEATRES

St. John, N. B., June 6. The Griffiths have interest in the Auburn, Neb. and here, will be transferred to Griffiths. As Co. thereafter, Griffiths will be the Griffith interests now scattered over Kansas, Missouri, Texas, Arizona and New Mexico. This is the first entry in Nebraska.

H. J. Griffith was in on the deal said he would leave because of his health, hoping to locate in some the U. S. R. Booth, who has been associated with Griffiths for some time, interest, staying on as manager in Nebraska City for the circuit. C. B. R. was the manager in Auburn, also being retained.

Long-Griffith Adds
Dallas, June 6.

A new unit in the Long-Griffith chain will be started Aug. 1 at Victoria, Texas, seating 1,000. Queen, Bryan, Texas, will be air-conditioned, indirectly heated; 500 seats.

The Arlyne, Longview, Texas, built by Col. M. T. Flanagan and East Texas Theatres, just opened.

Enjoin IATSE From Calling Meetings of Its 5 Coast Locals

Hollywood, June 6. A new restraining order enjoining the IATSE from holding meetings of the five newly chartered studio locals was issued by Superior Judge Emmet Wilson. The International also is enjoined from transacting business with the five locals of Technicians Local 37 to recently set up union branches.

Reported that IA may fix its entire membership of the General Executive Board here, where it is headed by George E. Browne, pres. is vested to the local with the power to declare an emergency when the International seized control of Local 37.

Demand for a mistrial was last week's greatest explosion in the current legal battle for control of Local 37. The International Alliance of Theatrical Stage Employees, now being waged before Judge Henry M. Willis in superior court, was recently intimated by George Breslin, attorney for IA, when Lew C. C. Bilk, former business agent of Local 37, was intimated that former prohibition racketeer had taken over control of the union.

Said Breslin: "If the court has any idea that the International is being operated by racketeers, I request a mistrial." Judge said: "You're a thousand times off," and denied the motion. The case came to court in the person of Brigham Rose, counsel for officers of 37, who said that the International is a financial setup of Local 37 and its relationship to the International during the high pressure membership campaign of 1936. Rose was trying to show that the \$100,000 turned back the local when it was declared an autonomy in 1938 was only a small percentage of the monies collected by International.

Action in the local court concerns the revocation of the charter of Technicians Local 37. The revocation of separate charters to five local unions in the film industry. Revocation was ordered by George E. Browne, president, in the case of the International. The members of 37 into new unions occupying the same quarters. The case was set for trial on June 27, with Charles J. Ferguson, Local 728; Harry M. Shifman, Local 165; George P. Bush, Local 44; Tom Moore, Local 80, and Thomas T. Goss, Local 727.

Charter Mystery Cleared
For a time there was a mystery about the disappearance of the Local 37 charter. The mystery was solved by Breslin, who told the court that the missing document had been taken to New York by a representative, international representative, on orders of Frey Browne. It had been delivered to Breslin, in accordance with the IATSE constitution.

International leaders were ordered to appear before Superior Judge Emmet Wilson next week. The court said that they should not be held in contempt for the revocation of the charter. The court said that the International should be held in contempt for the revocation of the charter. The court said that the International should be held in contempt for the revocation of the charter.

Full Length Abroad For Laurel-Harley 4-Reelers
Hollywood, June 6.

Hai Roach rolled the Stan Laurel-Oliver Hardy starrer, "A Chump at Oxford," to New York by four-reelers for the American market. Pictures will be run at feature length for the foreign market owing to the popularity of the duo in Europe and South America.

WB-Nat'l Theatres Breach Opens Film Outlets for Other Distrib

'GUNGADIN' SUIT VS. RKO SET FOR HEARING

Los Angeles, June 6. Harry Gould's infringement suit against RKO over the picture, "Gungadin," set for hearing in federal court June 26, when Judge Paul J. McCormick will rule on a motion to dismiss the suit. Suit charged RKO, George Stevens, Pandro Berman, Ben Hecht, Charles MacArthur, Fred Goetz, and Jack Sayre with pirating the yarn, "Gungadin" or Pawnee Wallowah. Story was written by Alfred Goulding, who later turned his rights over to Gould.

WANTED TO TALK OVER MANY PROBLEMS

While the open forum at the national convention of Allied States Assn. in Minneapolis, June 13-14-15, which is expected to draw a large attendance from major distribution leaders down the line, will concern trade practice generally, the code and other matters, the Neely bill will be barred for discussion. Also, while Allied denies there is any movement on foot to form a booking combine of around 2,500 theatres, it anyone wants to discuss this matter they may do so. Requests have been received to bring the question of a booking combine up on the floor. "We will be permitted to do so, though no Allied official will bring it up, it is promised."

Film rentals, sales policies, nature of product, independent production of a varied nature, the trade practice code and arbitration will be among matters opened up wide for discussion. W. A. Steffen, convention chairman, has also received suggestions that something be done about giveaways and that racket of all sorts be discontinued.

Others also concerned about the spread of non-theatrical competition, notably in the 16mm, field and live news production, will be heard and widely discussed on the floor.

It has been decided in opening the convention June 13 that an executive session be held at which independent exhibitors will be presenting their views, and admitting selves without fear of reprisal or attack. At all the other sessions, the exhibitors will be heard on the question of general industry affairs, with representatives of major distribution, exhibitors, and theatrical competition. "We intend to discuss any matter brought up. Virtually every major producer is being represented, and we have leaders from outside of Allied also to attend."

Other Matters

Minneapolis, June 6. The convention will take steps to establish a growing and a new foot among theatre owners throughout the U. S. to accept box tops, silver coupons, etc., for admission. W. A. Steffen declares. Something also will be done, he says, about non-theatrical competition. "We are gaining a foothold and which, unless stopped immediately, will put legitimate theatre owners out of business by the thousands." Efforts will be made to find a solution to the problem of non-theatrical competition, theatricals, according to Steffen.

Only independent exhibitors will be admitted to the convention's first meeting, an executive session, including those theatre owners, including non-members of the National Association of Theatre Owners. "We have a chance to be heard on the question of reprisals," says Steffen. All other sessions will be thrown open to producers, exhibitors, and representatives, but the vote on the proposed anti-trust code will be by secret ballot, he says.

Complete break between Warner Bros. and National Theatre Exchange for a deal to cover the 1938-40 season may mean a loss to the latter of \$1,000,000. Estimated. Skouras Brothers, who operate the National circuit (Fox-West Coast) for 20th-Fox, are being blamed for the deal which WB complains. Skouras Brothers in charge of the Fox-West Coast group in National at Los Angeles. Other units are Fox Intermountain, Fox Midwest, Fox Eastern, numbering over 100 houses in Illinois, Iowa, Kansas, Missouri, and Nebraska. The last mentioned numbering over 100 houses in Illinois, Iowa, Kansas, Missouri, and Nebraska. The last mentioned numbering over 100 houses in Illinois, Iowa, Kansas, Missouri, and Nebraska.

While Warner has been playing in National in these areas, though not all, the decision to sell away from National affects all territories. With WB produced taken away from National, it should provide a larger opening for other distributors dealing with National, where they are not the main chain. Skouras houses in Greater New York are not affected by the break with National, and have no trouble with the eastern group. George Skouras, in N. Y., has been threatened with appeal houses in the United States Theatre Exchange. The Warner decision to break with National is a blow to the factory terms offered by National but also because of a policy on the part of National to keep the main chain. Skouras houses in Greater New York are not affected by the break with National, and have no trouble with the eastern group. George Skouras, in N. Y., has been threatened with appeal houses in the United States Theatre Exchange. 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Foreign Coin Curbs Held Biggest Bugaboo for Yank Picture Firms

Currency restrictions plus the premium American film companies must pay to withdraw rental money from foreign lands is seen by foreign distributors of American movies as being the biggest bugaboos in the foreign field. More than 20 foreign governments have taken measures of control or some type of restrictive measures in force against U. S. picture companies with varying degrees of success in full.

Perhaps the most drastic monetary policy with Italy no longer a market for American distributors, is in nations under Nazi influence. Some major film offices estimate that the total more than 10-15% of the little rental money actually is withheld from the U. S. country. The blocked-mark situation as well as the difficulty in withdrawing the blocked mark in the Reich and in the U. S. Added factor is the premium charged for such withdrawn coin. Blocked mark is the method employed by the Nazis whereby they earmark a certain part of the money for the American. Major film companies admit that there's little that can be done about this.

Countries having some exchange control, premium on the withdrawal of money or other restrictions include Germany, Latvia, Poland, Estonia, Lithuania, Yugoslavia, Hungary, Rumania, Bulgaria, Greece, Turkey, Spain, Uruguay, Chile, Japan, Brazil and Argentina.

Stricter Censorship In Japan Would Sock Kids' Pic Attendance

The enforcement of the Japanese picture law, which goes into effect in Japan on Oct. 1, will directly effect the domestic attendance of pictures throughout the country. Because of rigid censorship some distributors are unwilling to give up exchanging shows on Sundays and on national holidays exclusively for children with programs and pictures intended for them. This would insure any dispute on suitability of screen fare for juveniles. The new regulations emphasize greater care in production of film fare for youngsters.

There would be no films which are approved by the Education Ministry, such as newsreels and comedies, and immediately the cartoons in the future will be open to censorship, which is the tip-off on how much more the Japanese censorship is becoming in Japan. Censors also will collaborate with the police in keeping tabs on any group supposedly influenced by gangster films.

Rubini Contract in Aussie Extended by Hoyts Chain

Sydney, May 17. Rubi Rubint, after clicking for Hoyts at the Regency Theatre, has had his contract extended to cover 26 weeks.

Rubini is also doing a series of Sabbath half-hour broadcasts for a commercial sponsor over the Albert-Doyle network.

Take It In Japanese

Tokyo, May 15. A newly organized drama group, the Tokyoetsu, is planning to produce here 'You Can't Take It With You,' the Moss Hart-George S. Kaufman Pulitzer prize-play of a couple of comedies.

Comedy would be done in Japanese.

New Strauss Opera

Vienne, May 27. In honor of Richard Strauss' birthday, the state will produce his latest opera, 'They and You,' at the Reich Festival Week here on June 4-11.

The composer is in his 75th year.

GREATER UNION UNITS UP

Sydney, May 17. Reports from New York that Mayor M. B. Rydge, chairman of Greater Union, would make out okay on product deals, saw a marked improvement in shares of three of the major holding units, West's, Spence's and Amalgamated.

Exhibit Sues to Mix Forces Showing of Mex. Pictures

Mexico City, June 8. Cine Teatro Alameda, class cinema here, has started court action to stop tax slash action of the municipal government that affects all local exhibitors. Injunction is sought to be to restrain the government from upping taxes on exhibitors with Mexican pictures are not shown.

Former city administration allowed exhibitors a tax reduction they each showed at least one native film during the last three months of operation which the government took as a basis for taxes during 1939. Exhibitors assert that there isn't enough home production to enable them to obey the mandate.

AMUS. TAX SEEN IN ASSE FOR WAR FIC

Canberra, May 18. The Australian Federal government is reported ready to seek added revenue for defense purposes through increased entertainment taxes. Believed that a tax will be placed on theatre tickets from 25c up to 100c, depending on price.

It is not anticipated that any added tax will be slapped on U. S. importations.

LOUIS MARX SETTLES HIS UNIVERSAL SUIT

The suit of Louis Marx against Universal Pictures was both dismissed and discontinued last week in N. Y. supreme court.

Marx, who was a foreign sales representative of Universal from 1925-1933, sued for \$150,000 plus interest, claiming that the company owed him that amount, due to the devaluation of the dollar in 1933.

Universal paid him in settlement of the action, but the company's attorneys refused to disclose the amount.

Current London Plays

(With Dates When Opened)

'Me and My Girl,' Victoria Palace—Dec. 16, '37.

'The Corn Is Green,' Duchess—Sept. 20, '38.

'The Walk Alone,' Comedy—Jan. 19, '39.

'Design for Living,' Haymarket—May 20, '38.

'They Draw a Horse,' Strand—Jan. 19, '39.

'Black and Blue,' Hippodrome—March 9, '39.

'The Man in a Hat,' May 20, '38.

'The Doctor's Dilemma,' Whitehall—May 20, '38.

'The Women,' Lyric—April 20, '38.

'The Little Revue,' Little—April 21, '38.

'The Third Party,' St. Martin's—May 20, '38.

'The Quiet Wedding,' Piccadilly—May 20, '38.

Coincidence

Cairo, May 24. Egyptian army officers have been forbidden to visit cabarets or music halls in which girls other than Egyptian are performing. This was ordered by the Minister of War subsequent to widespread reports of spying activities by some of these girls, for the most part German and Austrian.

Coincidental with this order, the most part German and Austrian authorities for these girls to return home.

NATAN, 2 AIDES JAILED, FINED IN PARIS FRAUD

Paris, June 8. Bernard Tanenaz, known as the 'car' of the French picture business under the name Bernard Natán, received a four-year jail sentence last week and two associates were also given jail terms for fraud in connection with French Pathé-Cinema's bankruptcy.

The Court, first-time owner of racing stables, drew three years, while Alexandre George Johannides, Greek, was sentenced to 18 months. Natán also was sentenced to three years and two associates individually and jointly to 18 months and 18 months, Lucien Dolfuss, fourth defendant, was acquitted.

The court found Tanenaz largely to blame for a series of illegal transactions in which Pathé-Cinema's assets were dissipated. Natán was particularly clever with his business.

American Acts Click In London Prems

London, June 6.

Six standard American acts, headed by the Three Stooges and Ada Brown, clicked strongly last night (Monday), opener of the Palladium's new season. The Stooges were particularly likely to click with their buffoonery.

Repeaters who went over were Sonny Wences and Wilson, Keppel and Betty.

Opening a month's engagement at the Coconut Grove, Uta Wytze registered with her singing last night, too.

M-G TOPS IN CAIRO

Cairo, May 20. 'The Great Waltz' (M-G) and 'The Sign of the Cross' (M-G) have been doing excellently here.

'Trade Winds' (UA) has been doing moderately well.

Tokyo Bans 'Conquest'

Tokyo, May 8. 'Conquest' (M-G) has been banned here.

Rhondda' Liked but Not B.O.; Lee Ephraim Wants Simone for London

London, June 8. 'Rhondda Roundabout,' a drab narration of Welsh mining life, was warmly praised by the press at its opening at the Globe here Wednesday (31), though indications are it won't be a success because it isn't sufficiently pleasurable for the theatre.

'Rhondda' was written by Jack G. H. Tennant, Ltd. and John Gielgud, and is being presented by H. M. Tennant, Ltd. and John Gielgud.

Rouche Heads French State Theatre Set

Paris, May 28. 'One of the most sweeping changes in the general management of the French National Theatre has taken place with the appointment of Jacques Rouche as administrator general of the state lyric theatres.

Rouche, formerly director of the Opera, will head a newly constituted board, consisting of 20 members.

He will run the Paris and the Opera Company, bringing them both under a single management for the first time.

Dunlap's Home Visit

Stuart Dunlap, Metro's manager in South America who arrived in N. Y. from his foreign post May 31, plans to leave for the Coast soon time next week. Dunlap, whose home originally was in California, will visit his relatives there.

N. S. Wales Gov't Reported Allotting \$600,000 to Aid Home Production

OLD ORDER CHANGETH

Japan Stage Ignores War Themes, Formerly the Vogue

Tokyo, May 8. Stage productions in Japan have swung from the historical and warriors to popular romantic stories. Since the outbreak of the Sino-Japanese war, plays have been in the brave-fighter theme in an effort to bolster national spirit.

Shift from the trench plot is also seen lately in the short feature theatres that have sprung up seemingly everywhere. Instead of six or seven newswires showing booming guns in China, the programs have two newswires, several cartoon comedies, sports shorts, etc.

BIG SEASON ON FOREIGN FILMS SEEN IN U. S.

Despite the recent sag in foreign production, particularly French, distributors of foreign pictures in New York anticipate that this autumn will be one of the biggest for all seasons for the foreign-makers in years. They base their prediction on the stronger London, which recently has been held back for one reason or another, that will be coming over from distributors.

Distributors admit there has been too much enthusiasm about French product by newsmen in the district field here. This had four effects: (1) It killed French production, particularly in the U. S. S. being developed for French-made films. (2) It boosted American pictures, each individual feature beyond the price where it could be handled for the government on all shipments.

Attendant to this loss of interest was a lot of looser features.

Munitions Boom Up Tokyo Theatre Mobs

Tokyo, May 8. Due to the munitions boom prevailing in Japan, caused by the Sino-Japanese war, theatre mobs are packing them in. And this, in spite of the 10% tax levied by the government on all admissions.

Attendance in Tokyo theatres last year totaled 85,928,027. This is an increase of 31,074,440 people compared with the previous year. Cinema house attendances represented 90% of the increase.

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Plans returning east the latter part of June before sailing for South America again.

Stirling's Anglo Unit Opens 14th Season In Paris with 2 Preems

Paris, May 28. Edward Stirling and his English Players opened their 14th season in Paris last night (Monday) with a week with two world premieres. The first, 'Trafalgar,' is a two-act tragedy by Juan Nicio, Portuguese novelist and playwright. It deals with the French Revolution and the battle that can be expected from it. Very realistically it portrays particularly the role of the French from the air in the next holocaust.

The other, 'The End of the Beginning,' is a one-act play by Sean O'Casey, the Irish dramatist, and James Miller are very amusing as gossipy, boasting and new-old-fashioned Irishmen who try their hands at housekeeping while their wives are out, and only succeed in making things worse for everybody.

In 'Trafalgar,' Stirling plays the lead and is supported by Jacqueline Pons and Jeanne Boudier. They played in New York two seasons ago in French 'Without Tears.' George Matthews plays the radio announcer (in real life he's the English announcer for Paris Mondial Radio Station). Miller is the Irish industrialist.

Stirling's next offering, 'So Akin's dramatics,' by Somerset Maugham, will also be a world premiere. It will be played by the Theatre Dreyer's new play, 'The Hand of the Potter.' Also on the calendar is 'Le Nouveau Testament' in an English version called 'The New Will.'

COL. TOO OPENING ITS OWN S. AFRICA SYSTEM

Following the leads of Metro, 20th-Fox and United Artists in opening their own distribution systems for South Africa, Columbia Pictures is establishing its own offices in that territory. The S. A. sales system will be under the direction of John McConville, Col. foreign head, who later will name those in charge of local sales.

The number of offices to be opened has not yet been set. Col has already virtually completed the release in South Africa from its own distribution system is established.

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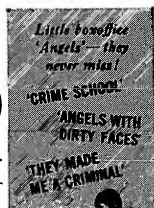
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STANLEY FIELDS

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Screen Play by **Crane Wilbur** and **Fred Niblo, Jr.**
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A COLUMBIA PICTURE



Par Sales Forces Pour into L. A. For Annual Sesh on New Product

Los Angeles, June 8. Paramount's sales convention convenes here tomorrow (Wed.) for four days at the Ambassador hotel, up to 1,000 delegates in attendance. Special Union Pacific train carrying home office sales, eastern sales delegates and conventioners from south and midwest, picked up en route, arrives tomorrow (Wednesday) morning, followed by Vancouver, Seattle, Portland and San Francisco sales forces. Eastern special will be met at San Bernardino, Cal., 60 miles east, by a band, members garbed as soldiers of the French Foreign Legion, in honor of 'Beau Geste,' which Par is remaking for its 1939-40 program. At the Union station here, delegates will be greeted by eight girls, also clad in Hollywood's adaptation of the Legionnaire uniform, who will present each visitor with a boutonniere.

No business sessions have been set for Wednesday, opening day, although conventioners will sit through unrelenting of several morning Par features at studio during the afternoon.

Neil F. Agnew, general sales chief, will call the convention to order Thursday morning. Among guests scheduled for brief talks are Adolph Zukor, Barney Balaban and Stanton Griffis. John W. Hicks, Jr., foreign manager, and members of his department, will discuss foreign selling problems, after which J. J. Unger, eastern division sales manager, will present the 17 members of Paramount's 100% club at studio. Unger will discuss the progress of the initial of the recipient.

Trade Practice Gals
Final business session Saturday afternoon will be given over to discussion of trade practices, with only district and branch managers in attendance. Annual banquet will be the Saturday evening, at Century Grove. Special train pulls out at 8 p. m. Sunday (11) for San Francisco, for brief stopover at Golden Gate.

exhibition, and thence homeward bound. Entire Coconut Grove has been taken over for the banquet Saturday night, with Jack Breen emceeing a floor show to be aired transcontinentally.

Paramount starts seven new pictures within the next three weeks, teeing off tomorrow (Wed.) with "A Million Touchdowns," "Death of a Champion" and "The World on Parade" roll next day, followed by "Fortitis," "In Diamonds," "Dr. Cyclops," "The Light That Follows" or "Our Neighbors—The Carters."

Gillham's New Ad Ideas

On Each Paramount Pic

Paramount this week will attempt an experiment in setting up advertising campaigns and plans on each picture scheduled for the 1939-40 season immediately following the official announcement of the program at the convention in Los Angeles this week. Originating with Bob Gillham, advertising-publicity head, he will lay out the campaign, approach, treatment, etc., on all the pictures at start of selling season. Gillham will have a conference of his own in Hollywood following the convention, with men of his own department sitting in with him to discuss the pictures and the advertising-publicity angles on them.

Alfred Mose, at Wilkie and others from the home office attending the sales convention, will remain west for the conference to be called by Gillham. Terry Delapp, Cliff Lewis, and others from the studio will also be present.

Ratoff on 'Intermezzo' Wyer Busy at Goldwyn

Hollywood, June 8.

Gregory Ratoff moved into Selznick-International yesterday (Mon.) to direct "Intermezzo," replacing William Wyler, previously assigned to the job.

Devin, in completing the script caused Wyler to pass up the chore because it would require him to direct picture for Samuel Goldwyn. He checks in at the home lot July 10, to work either on "Raffles" or "Stranger at Home."

\$350,000 FIRE TO THEATRE

Clarkburg, W. Va., June 8.

The Robinson Grand was destroyed by fire May 31 resulting in a loss of \$350,000. Claud Robinson, the manager, says the theatre was burnt out. The blaze originated on the roof of the Robinson Grand, which was which men were working. A marquee recently erected at a cost of \$15,000 was saved.

Robinson was taking a holiday in New York but rushed back when he learned of the conditions at Clarkburg, which he will erect a new theatre on the site. The Robinson Grand was transferred to Moore's Opera House, under the name of the Robinson Grand. Stanton WILK has a studio in the Robinson Grand, which was removed from the building and broadcasting was resumed within 48 minutes.

\$400,000 Salt Lake Fire

Salt Lake City, June 8. Workmen here are hurriedly refurbishing the Studio whose interior was totally destroyed by fire. Harry David, v.p. and gen. of International Theatres, Inc., operators of the Studio, downed a fire sealer. A blaze, firemen concluded, was caused by either a cigarette or match. Theatre officials reported that a watchman had gone through the building about 3 a.m. without noticing any smoke. Firemen said the blaze must have smoldered for hours.

Sound and projection equipment was ruined by the intense heat. Chester Price is manager. All loss covered by insurance. This was the first fire to a theatre in the International chain here in more than 10 years. House will reopen latter part of June.

Sue Water Co. for Loss

Pittsburgh, June 8. One of the most unusual suits on record was filed here last week against the Natona Water Co. by John G. Rainey, of Pittsburgh, as result of the fire which destroyed the interior of a cinema he operated on Garfield avenue in February, 1938. According to Rainey, it was a blaze that could easily have been put out without doing damage, but because of the water supply. Rainey charges he had a reliable pipe and the company for this sort of protection and that he suffered severe loss because the corporation failed to live up to the terms of its contract.

In the damage claim, he asks for the \$15,000 he claimed was his actual loss.

\$15,000 Theatre Fire

Pocahontas, Idaho, June 8. The old Auditorium, owned by N. B. Gorman, damaged \$15,000 by fire.

How Do I Sound?

Hollywood, June 8. John Davidson, British actor, came here to appear in pictures, is heard but not seen in "Miracles for Sale" at Metro. He plays an important role as an off-screen voice.

'CHAM' TURNS COWBOY

Hollywood, June 8. Sidney Tootle takes temporary leave of Charlie Chan to support William Boyd in Harry Sherman's Red Lion Cassidy picture, "Argentinian," at Paramount. Production starts June 15 on location at Lone Pine.

New Penny Censor an Ex-Exhibit; Theatres-Exchanges in Shifts

Pittsburgh, June 8.

John C. Fisher, just named to Pennsylvania board of censors by Gov. Dutton, is first practical man to nab such a post in this state in years. Fisher was city manager for 10 years, then moved to Harrisburg, also operated houses for various circuits in Harrisburg, York, Lancaster, York and Youngstown, O. He's a nephew of former Gov. Fisher of Pennsylvania.

Practically all of Film Row four, from Morgantown, W. Va., Monday (5) for the testimonial dinner for George Sallows and George Cunitz, celebrating their silver anniversary as exhibitors. U. S. Senator Neely and Gov. Holt of W. Va. were other guests of honor.

F. Frank Bart, former assistant at the Mendl in nearby Carroll, Pa., named manager of State, Wilkinsburg, houses owned by Leon Reichblum.

Interstate Shifts

Charles Meeker, Interstate manager, moved at State, Amarrillo, named assistant to James O. Cherry, Dallas, Texas, manager of the Paramount. Charles Snyder, in charge of nabs here, to Amarrillo to manage the Capitol.

Agnew Prizefighters

Pacific Coast and midwest sales turned out best in the 13-week Neil Agnew drive for Paramount. George A. Smith, commanding the Pacific Coast drive, was named prizefighter for his district, while Ralph C. Libian, Kansas City, over the midwest territory, placed second. Albert Mendanville (Omaha), John J. Jones (St. Louis) and J. J. Bell (Denver) ran 1-2-3 among the branch managers, while salesmen headed by L. C. Rubin, Omaha; Charles E. W. Wilson, Salt Lake City, third.

Wendall Overturn, Omaha, came out fourth, while J. W. Smith, Minneapolis, running second, and J. W. Smith, New Orleans, third. Cash prizes given.

Benton-Benda Add 2

Saratoga Springs, N. Y., June 6. The Palace, one of the city's three picture houses was sold to William E. Benton and Walter Reed, of New York City, for the Congress and Community in this city.

Fruedentuf Dies

Cincinnati, June 6. Col. Arthur Fruedentuf, assistant general manager of 210 theatres in southwestern Ohio, last week asked permission to chief branch of the Club, Tent No. 3, succeeding Joe H. Howard, Cincinnati, who was in charge. Latter filed the spot since Jan. 1 of last year and resigned due to ill health. He was 67 years old. 29th-Fox chief, and Paul Krieger, Cincinnati's cinema manager, moved up as assistant chief bankers.

Craver-Little Take Over

Charlotte, N. C., June 6. A. B. Craver and Thomas A. Little have become sole owners of the stock owned by the Hothornier interest of North Carolina. Craver and Little are stockholders under old arrangement, serving as v.p. and general manager of the company, respectively. Norfolk as proxy.

Craver will be the proxy under new setup, with Craver as secretary, treasurer and general manager. Franchise policy will be decided by the board. Howard opened Feb. 1938.

Theatre Franchise Split

Chicago, June 6. Charging fraud to defeat creditors, Smith Chan Theatres, Inc., has filed suit against George K. & J. Enterprises, Inc., former owners of the Birmingham, Ala., theatre. The individuals are named as defendants along with the corporation. The complaint has a judgment for \$39,958 against the defendants on a contract of \$100,000 made in March, 1936, the defendants executed a mortgage on the theatre to Jennie Kornblum of Birmingham. That this was either kept secret or was made subsequent to the judgment for the purpose of defrauding creditors, until October, 1936.

Newhall Shifts

Rochester, N. Y., June 6. Allan Newhall, city manager for Warner Bros. in Rochester, N. Y., for last three years, transferred to Jamestown and Dunkirk. William McGee, manager of Keeney and Regent, Niles, takes over. Forrest W. Taylor of Worcester, Mass., and the Ransom estate won an assessment slash of \$28,540 on the Embury estate, and two adjoining properties in compromise agreement following trial of the lawsuit involved, assessment on the three parcels totaled \$352,120. An order signed by Supreme Court.

Justice William F. Love authorizes refunds on 1937 and 1938 city and county taxes.

Winnipeg Moves
Winnipeg, June 6. Bob Rennie, of Vancouver, from Toronto for booking.

Leo Adler, United auditor, just blew in from the west.

David Brickman, manager, and Russ Simpson, booker, both at Paramount convention. Will be away two weeks. Jimmy Carey, of Columbia, heading around the rope. It's a 17's. A. C. C. in and then out again. This time for Calgary. Izzy Reinhold and Frank Hastings in from Regina for a session of booking.

Frank Kershaw, Famous Players, down east.

Paramount office second in All-Calendar drive.

W. A. C. head of Western theatre, expected back any day from east.

Cameo Property Sold

Spokane, June 6. Property bought by Cameo, downtown indie, was sold last week to J. W. Smith, of the J. W. Smith Dobbis for \$119,250. Theatre is under new management, now operated by George Wilby & Associates, until 1945 at \$1,500 per month.

Empress' Facilit

Seattle, June 6. The Empress, oldest theatre here, modernized and renovated by H. A. Black, Seattle, Seattle, who bought the house from Ronald Camp.

Astor Absorbs Selected

Los Angeles, June 6. Astor Film Co. of Southern California, headed by William E. Benton, exchange, with Lou Goldstein, in charge and Bill Kohler as sales manager.

Dole's City McWhay

Oklahoma City, June 6. Gerry Dole, formerly insurance superintendent for the city, has been named city manager of the city. He was there the circuit operates three houses. He retains his ownership of the city. Jack Blair, son of Tom Blair, Griffith's son-in-law, has been named manager of the film, Dierks, Ark., another Williams house.

DARING \$500 HOLDUP IN MCKEESPORT, PA.

Pittsburgh, June 8. One of biggest holdups in years around here was staged by two masked bandits last week when they stuck up the Harris Memorial theatre in McKeesport, a Warner house, and got away with more than \$500. Lou Fordan, the manager, fired three shots at the fleeing robbers, but none of the bullets found its mark.

The robbers waylaid the assistant manager, Joseph Toth, and the cashier, Catherine Toth, who were taking the night's receipts in an iron box from the ticket booth to the back office. The cashier was shot. When the bandits stepped in front of the two and commanded them to get down, the cashier, who was made a dash for the manager's office and screamed for help.

Fordan grabbed an axe, rushed through the deserted lobby and fired three times at the fleeing bandits. Whole thing was a revival of the wave of boxoffice banditry that's plagued Pittsburgh theatres for the past six months, when the stores have been sent up for long prison terms but holdups have slackened only very little as a result.

\$419 Seizeup

Philadelphia, June 6. Burglars broke into the manager's office of the Fern Rock theatre here last week and stole off \$419 in Memorial Day receipts. They took a can containing \$438 from the desk of Herb Elliott, op. of the house.

Install

Onlison Paper Towels
ECONOMY WASHROOM SERVICE

New York Theatres

THERE'S A BETTER SHOW AT THE

ROXY THEATRES

Opening Thursday Evening

"THE MIKADO"

With KENNY BAKER

UNIVERSITY THEATRE

Does Open 8:30 A.M. MIDNITE SHOWS

710 AT & 9th St.

"YOUNG MR. LINCOLN"

Starting Friday Penda

On the Stage—New Stage Show

ALL 25¢ TO SEATS 1 PM.

POPULAR PRICES!!!

MUNI-DAVIS JUAREZ

Now in Progress Show featuring PANCHITO & His Gang

STRAND 25¢

Radio City

MUSIC HALL

"THE SUN NEVER SETS"

Spectacular Stage Productions

Irma BURNE - Madeline Wray

"Invitation to Happiness"

A Paramount Picture

PARAMOUNT

Times SQUARE

Air-Conditioned

State

Today on Screen

MYRNA LOY

"LUCKY NIGHT"

Black & White

Black & White

Black & White

Air-Conditioned

Capitol

Romantic! Exciting!

"TELL NO TALES"

With MYRTLE DOUGLAS

Coming Tomorrow

"6000 ENEMIES"

Air-Conditioned

Astor

Today on Screen

ROBERT DONAT

"Goodbye Mr. Chips"

With Green Goddess—An M-G-M Hit

THE RADIO BUSINESS

OPPORTUNITY KNOCKS

Framers of a proposed code for the radio industry are having tough going. Draft has been rewritten innumerable times to date and is still far from a satisfactory document to the various viewpoints. NBC and CBS each have contrary concepts as to the amount of time that should be the outside limit on commercial copy. Local stations in some cases think the networks aren't tough enough on advertisers and in other cases are temperamentally opposed to any curbs whatever.

It is widely feared that any effort to straddle, pussyfoot or fail to bravely meet the issue will have a terrific reaction against the industry. This assumes double sharpness because 'expectations' have been aroused, publicity has solicited from the critics of the industry a tolerant attitude on the plea the business was about to emerge with a code well-fitted with a sturdy set of bitsers.

The effort to swing the N.A.B. away from a forthright, clear-cut and forceful statement in favor of a hen-and-haw masterpiece, full of piety and wind, has caused some alarm among well-wishers of the industry who foresee a monumental blunder being built up on sheer stubbornness and lack of imagination. They see the industry possibly damned by its own action as lacking in social consciousness or any realistic sense of the criticism to which it is subject.

If the industry demonstrates a capacity for self-regulation, the Government and the critics will be set back. There may even be some chance of getting a three-year license, that yumm-yumm dream of the business. But if empty words, vague affirmations not accompanied by substantial proof of sincerity, are all that the mountain—after long labor—produces, the horse-laugh, it is expected, will reverberate from coast to coast.

Self-regulation will stand or fall by the actions, not the cheap words, of a code. The industry has a beautiful opportunity to out-flank its enemies, to stifle much of the adverse comment, to thrust the supercilious crowd for a real loss. But if they convict themselves of contemptuous disregard for opinion they will strengthen every 'I told you so' chorus in the land.

Specifically the adoption of code clauses with lower standards than those already in force will certainly react unfavorably.

CBS-WORLD DEAL MAY BE RE-HEATED

Columbia may again resume negotiations for the purchase of the World Broadcasting System within the coming month. It's been dickered, for recording equipment, but meanwhile the network's heads have developed some ideas that may be successful in overcoming the licensing complications which caused abandonment of the World buy last year.

Network officials recently received word from the World but after several talks it was decided to put the thing back on ice for a while.

TRAILERIZE SUBSTITUTE ON HOPE'S BOW-OFF

Presumptive final five minutes of Bob Hope's annual broadcast of the season, June 20, for 'Trailer of the vacation substitute, District Attorney'.

Dramatic bit will be cut into the program from New York.

Faulkner Resumes

George Faulkner has resumed as staff scripter for the Walter Thompson agency. No program assignment has been carved out for him as yet.

Faulkner went on a leave of absence a couple months ago and has since been wavering between going back to Thompson and striking out as a freelance sketch writer.

Woodbury Buys 'Family' Series From Transamerik; Janney In, Vincent Directs

Woodbury Shop starts a script serial, 'The Waring Family', in the Friday evening (7:45-8) spot on CBS July 7. Leon Janney will head the cast.

Show, formerly tagged 'Richard the Great' was bought from the Transamerican Broadcasting & Television Corp. Chick Vincent, of the latter's staff, will produce and Vincent & Mitchell, agency on the account, will supervise. Hookup will consist of 38 stations.

BERGEN TO RELAX

Portnight Rest For Tonilla Promised In August

Edgar Bergen will likely bow out of the Chase & Sanborn Coffee show for a couple of weeks in August. If the plan now under discussion goes through it will be his first vacation from radio since Dec. 18, 1938, when he made his first appearance on the Rudy Vallee-Standard Brands show.

It is also intended to make it easy for him during the two preceding programs by having his participation confined to a single brief spot.

Coca-Cola Spreads Disks

Coca-Cola is spreading its Singing Stars transactions to a continuing increasing list of stations. Now has around 150 and the number will probably go to 175 markets. Waves are part of advertising cooperative deals made with zone bottlers under the Coca-Cola Radio Right plan.

The singer (Harry Frank) comes to New York from his home in Indiana every two weeks and records 10 plates at the World studios. Victor Arden orchestra backs him up.

SET COMBOS GET NOD AGAIN

After a Lapse, the Musical Units Are Once More Prominent—15 Network Programs Essentially Orchestra Entertainment

PLUS FREELANCES

Organized name bands are again on the upswing in a big way far as employment by network advertisers is concerned. This more of entertainers is slated to hold more commercial spots and major appeal will depend on such name dance aggregations. In addition to these commercial schedules will contain freelance combinations of the dance type under the wing of such maestros as Johnny Green (Philip Morris), Mark Warnow (Lucky Strike) and Peter Van Steeden (Coca-Cola).

A notable corollary to the above situation is the circumstance that for the first time in the history of the name dance unit will occupy five quarter-hour spots across the board a week for a commercial. It's the Fred Waring-Chesterfield series which starts June 18. Lucky Strike is the sponsor doing the same line, having already made inquiries involving Glenn Miller.

The following commercial center on name dance units two of them, Fitch Bandwagon and Show the Best (Mutual). The latter, having a weekly guest policy: Arlie Shaw.....Old Gold Larry Clinton.....Sensation Tommy Dorsey.....Raleigh Guy Lombardo.....Lady Esther Paul Whiteman.....Chesterfield Fred Waring.....Chesterfield Benny Goodman.....Carnel Bob Crosby.....Carnel Kay Kyser.....Carnel Fitch Bandwagon.....Pall Mail Richard Krimber.....Pall Mail Horace Heidt.....Pall Mail Hal Kemp.....Griffin Richard Krimber.....Griffin Show of the Week (Raymond Palge, U. S. Tire, is not ranked as a dance band.)

Herb Moore Scoffs Rumor; WHO Bureau Was Pro Tem While Iowa Solos Met

Herbert Moore, head of Transamerica Press Service, scoffed at baseless Monday (5) report that his organization was going in for sweepstakes. Moore explained that the organization was going in for sweepstakes. Moore explained that the organization was going in for sweepstakes.

More explained that the bureau had been set up as WHO's organ for additional coverage of the Iowa legislature and that when the legislature adjourned and WHO no longer required this service there was no need of continuing the office.

LUCKIES, PET MILK SHIFT SATURDAY TIME

Lucky Strike Hit Parade, now on at 10-11 p.m. Saturday night, will move to 9-10 a.m. CBS July 8. It had tentatively agreed to take the 9-10 a.m. slot but the right to later figured that it was too early for midweek listeners.

The Pet Milk Saturday night Serenade will have to move back a quarter hour, the new time being 8:45-10:15 p.m.

AFRA Boon to Efficiency

Entry of the American Federation of Radio Artists has proved of much benefit to the commercial end of the industry, according to the radio director of an agency which rates among the first five agencies in talent expenditures. In his opinion the operation of the scale and rehearsal provisions of the AFRA contract has tended not only to raise the efficiency of radio departments in agencies all along the line but to make better business men of radio department heads.

What has particularly impressed this agency exec in his dealings with AFRA officials is the latter's practice of making quick decisions. An agency learns immediately what it may or may not do.

Will Arbitrate If Commish-Deduction On Minimums Makes an 'Under Scale'

'Valiant' Indeed
The 'Valiant' which was originally a short story and has since served Bert Lytell as a vaudeville sketch, a stage play and a film, will now round out the comic.

He did it tonight (7) over NBC television in New York.

SEASON OLDER, MORE TUNE-IN BASEBALL

Percentage of baseball listeners in the New York area took a huge jump during the month of May. C. E. Hooper, Inc., which last week disclosed the third survey of the season, found that almost 50% of the sets tuned in were on baseball stations. A survey conducted by the same research organization in April showed but 31%. Latest inquiry also disclosed that the number of sets in use had meantime gone up appreciably, with the credit for this going to baseball. In April the sets on during the period surveyed, 330 to 5 p.m., figured 15%.

In the latest check WABC and WOR came out about even as to their drawing power of baseball listeners. In the original inquiry WOR had 17% to WABC's 12.2%, while WHN, which also carries the Brooklyn Dodgers games, rated 15%. WABC is aligned with the N.Y. Giants and Yankees events.

Co-operating with the radio in casting is currently doing a similar survey but strictly for the sponsors and agencies behind the new NBC baseball broadcasts. The accounts are General Mills, Procter & Gamble and Secony.

WIR STAYS CBS

Master Settled By Richards, Fitzpatrick Before Former's Trip to Hawaii

Hollywood, June 6.—William F. Richards, who was with Columbia. This decision was made over the week-end at the Beverly Hills director Dick Richards, who is now in Hollywood. Leo Fitzpatrick, executive v. p. of the station, here for huddles that include a litigation from CBS which is being handled by Meff Runyan and Herb Akberg and calls from Niles Trammel, head man of NBC.

WIR has a full year to go on original five-year pact with CBS and even longer on WGAR, Cleveland. But the doctors have ordered Richards to take a long vacation in Honolulu so that the need to be completely free of movie actors is prompted the closing at this time.

Frank Fenton's Position
Frank Fenton has been promoted to executive assistant to the president of the Texas State Network in charge of the New York and Chicago offices.

The regional is taking larger office space in Radio City.

Dispute between the American Federation of Radio Artists and NBC regarding commissions on minimum performer fees for sustaining programs is slated for decision by the American Arbitration Assn. No date has been set for the hearing, but it will probably be in a week or two.

Union contends that under its sustaining contract with the network all fees are the absolute minimum, with no commissions deductible that would bring the amounts below the specified. For network artist bureau seeks to collect commissions on minimum fees as well as on deals for a higher figure. Since the majority of contracts are for the minimum scale, eliminating the commission on them would drastically curtail the agency earnings.

Arbitration of the question is in conformity with the terms of the contract, which states that all disputes not settled by conference must be referred to the American Arbitration Assn., whose decision shall be final. CBS and Mutual and the bureau are not mutually involved in the matter, but are watching developments.

A musician union has long held that 'under scale' included deals where the performer's figure was below prime commissions. This has been a sharp point of theatrical unionism.

Wants N. Y. Closed Shop
American Federation of Radio Artists has begun to press New York industry to close shop. Negotiations were started last week between WMCA, N.Y., and the union. While WMCA is the first and only small station approached so far, others will follow. No agreement on a contract has yet been reached. AFRA rates WMCA, WNEX, and WHN in the New York area.

Union contracts for many of the smallest may mean the elimination of many stations. This would be a possible substitution of more recordings. Most operate on a budget which is not enough to cover the fees, and most programs air on the cuff as far as actors are concerned.

AFRA BLASTS AIR SCHOOLS

Hollywood, June 6.—Removal of radio school students from commercial with commercial performers is the aim of a new plan drafted by the American Federation of Radio Artists by committee headed by Attorney I. B. Kornblum. Plan is similar to that devised by the actor's union for the juvenile theatre schools.

Move is aimed at widening radio school to include radio performers to indie broadcasters, regardless of status at the same time giving listeners the assurance that amateurs are regular paid actors and members of AFRA. New plan is to be presented to the National Juvenile radio schools, with regulations for the protection of professionals.

WICK'S FOR LOCALS

Chain Income from Time Sales

NBC				
	1939	1938	1937	1936
January	\$4,033,900	\$3,789,516	\$3,541,969	\$2,981,815
February	2,541,543	2,693,053	2,334,317	2,174,300
March	4,170,856	3,896,851	3,541,283	3,027,883
April	3,580,998	3,310,506	3,277,837	2,741,729
May	3,702,102	3,414,203	3,214,819	2,561,729
Total	\$19,216,487	\$17,823,105	\$16,944,720	\$13,737,446

CBS				
	1939	1938	1937	1936
January	\$2,674,657	\$2,879,945	\$2,378,020	\$1,901,023
February	2,541,543	2,693,053	2,334,317	2,174,300
March	2,825,084	3,034,317	2,550,716	1,723,383
April	2,554,026	2,424,180	2,508,478	1,909,389
May	2,585,029	2,442,283	2,360,958	1,789,317
Total	\$14,568,638	\$13,461,060	\$12,225,680	\$9,883,007

MUTUAL				
	1939	1938	1937	1936
January	\$3,115,078	\$3,839,894	\$3,212,746	
February	2,783,093	2,923,510	2,311,610	
March	3,005,978	3,231,877	2,472,421	
April	2,826,628	185,545	200,134	
May	2,584,764	184,291	154,633	
Total	\$13,596,449	\$11,397,667	\$10,472,225	

CBS' May Gross Zooms to New High; NBC Up 4% on Month, Mutual 22%

Columbia's time billings for May may only set a new monthly high for the network but shed the load (for the year) ahead of 1938, some time. Gross last month was \$3,883,228, or 25.4% better than it had been for May, 1938. Compared to the first five months of 1938, this year's tally to date is 4.4% better. CBS has been behind 1938 in gross unit volume.

NBC's turnover for May was \$2,702,102, a comparative rise of 8.4%, while Mutual did \$2,584,764, or 20.9% above the May '38 gross.

Previous monthly net struck by CBS was in March, 1938, after which there was a monthly decline that didn't end until April of this year. NBC has maintained its monthly plus status for 13 consecutive lunar periods. For the initial five months of this year NBC is up 7.8% over the like stretch of 1938. Mutual's comparative advantage is 22.5%, Columbia estimates that by Oct. 1 its accumulative gross will be at least 2% ahead of last year's.

CBS also widened its margin over the NBC red (WEAF) link. Breakdown of the May gross credits \$2,885,517 to the red and \$615,585 to the blue (WJZ) network.

LUDDUM, CONRAD WEST ON STANCO AFFAIRS

Stuart Luddum, radio director of McCann-Erickson, has gone out to Hollywood to look into a prospective advertising network. Conrad West, Conrad, the agency's time buyer, leaves July 20 for the same territory to make a series of calls in connection with Stanco's present spot campaign. Luddum's errand also affects Conrad who will remain also for 10 days.

ERNEST CUTTING ON OWN

Ed Kirkby, Bob Kerr, Charles Kinney Associated With Him

Ernest Cutting, formerly assistant director and talent scout for NBC, has gone into business for himself. It's a combination of radio, talent coaching and talent selling. Most of his mentoring will be based on sample recording sent in by applicants.

Ed Kirkby, Bob Kerr, and Charles Kinney will be associated with him in the project.

WEAAM and WHEBC, Rochester, N. Y., laid off staff orchestras for June, July and August.

STATIONS GETTING BIG SPOT BREAK

Unusual to Start This Early
George Durham of Morse International Now Touring Country Looking for Local Programs

VARIED POLICY

Coming fall should be big for spot broadcasting, as well as network. If the campaign, which Vick Chemical Co. is projecting can be taken as an index, Vick will spend around \$400,000 this fall and winter on 90 stations for a wide assortment of local material. The campaign is slated to start the last week in September, and rates as the biggest seasonal appropriation for spot since the heyday of the Chevrolet blitz.

Vick's spot splash will cover all sections of the country and operate on a flexible schedule. George Durham, of the Morse International Agency, is now out in the field lining up programs. Its selections will depend on the times and programs available, and there may be as many as four different types of program under Vick auspices on the same station.

The number of times per day will range between three and 12. The major choice in many spots will be news programs, weather reports and women's participation sessions.

Neal Coward will broadcast June 8 in function program concerning annual Theatrical Garden Party, and is assisting script writer Leslie Baily in readying show.

NBC Transcription Division Will Quickened Pace in Anticipation Of Spot Spurt; A Web Recruiter

Shop Talk Twist

Pat Weaver, American Tobacco advertising exec, is responsible for the following bit of advice:
"If your laundry comes back and the identification mark is higher than 4.9 don't throw it away."

CBS ABANDONS HOLLYWOOD FEE

Line change for shows originating in Hollywood is being dropped by CBS effective July 3. With this change in policy pickups can now be made from any of the four major originating points without any added cost.
Rate for Hollywood pickups was \$150 per hour, \$90 for half hour, \$60 for a 15-minute program and half these charges for rebroadcasts.

Mars Candy Shifting

Chicago, June 6.
Mars candy show, Dr. I. Q. shifts from NBC blue to NBC red on Aug. 6, effective July 30-station chain. Also moves time to 8 p.m., CDBT. Grant advertising agency here handling the accounts.

Joe E. Brown Stays On

Hollywood, June 6.
General Foods (Post Toasties) renewed Joe E. Brown for another year on the country program sponsored by the air through the summer.
Quarterly option dates from June 24.

BUREAU OF MISSING BUSINESS

This department takes up the question of various types of advertising which, for one reason or another, usually offer more or less resistance to radio solicitation. VARIETY seeks to stimulate thought on these matters, to provoke exchange of comment. Sales managers and broadcasters generally are invited to unburden themselves on any subject introduced or they may, if they wish, intrude discrete subjects yet touched by VARIETY.

As far as practical, VARIETY will summarize what seem to be the salient facts of trade experience. Occasionally concrete proposals will be suggested. The main idea is, like a chairman of a meeting, to outline the question and throw it open to general discussion.

NO. 8—TRAVEL AND HOTELS

There's one class of prospective radio advertiser about which network sales promotions show scarcely a glimmer of interest. It's travel and hotels. Ask the statistics and they'll juggle. "How come out of the billions spent by the American public for transportation and hotels radio can't show but a crumb or two?" and the reply will likely be a yawn plus a "So what?"

Foreign promoters show the inquirer will hear, "It's just that we're not in the market for good local travel jugglers. How come you're not in the market for good local travel jugglers? How come you're not in the market for good local travel jugglers? How come you're not in the market for good local travel jugglers?"

Aside from the due big angle the hotelier has a unique position in the advertising field. Why should they pay per card rate when they get no hotel rate card? Show but a bellyhoo a year, and from radio. All they have to do is install a name or near-name band in one of their dining rooms, book it through an office that is affiliated with a network, and they're welcome to be as frequently as not plugs their hotel from Coast to Coast.

Station men who travel much and like to spend their winters down south make it a point to find a spot on their schedule for one of these barter accounts. About the only American hotel that ever contributed appreciable coin to broadcast advertising was the Palmer House of Chicago when it occupied a blue station hookup on the NBC blue

this field, and that's in terms of 1930, was the Great Northern Railroad. It was with NBC for three consecutive seasons, ending June, 1931, going from \$191,280 in '29 to \$145,701 in '30 and \$104,485 in 1931. Illinois had a nine-station hookup in 1938-37. There have been others since then, but the final statistics of the country's railroads, being what they are, the cost per campaign, has ranged from \$1500 to \$10,000. The same applies to winter and summer cruise underwriters, as far as expenditures are concerned. They're heard of in one year and not again for the next two or three. Of the more active glorifiers of local scenic beauty in the east there are the New England and the Maine Development Commission. Other states that do more or less seasonal spending in this direction are Minnesota, Wisconsin and Pennsylvania.

Occasionally a foreign government has turned to American radio to help it wheedle the tourist trade, as only in one instance, Mexico, has such participation figured for much. In 1935, NBC's billings to the Mexican government for a 13-week campaign came to \$28,180.

In and outers of the same fraternity are the regional chamber groups who have the summer vacationist as their seasonal quarry. They're heard of in one year and not again for the next two or three. Of the more active glorifiers of local scenic beauty in the east there are the New England and the Maine Development Commission. Other states that do more or less seasonal spending in this direction are Minnesota, Wisconsin and Pennsylvania.

Expansion plans for its transcription division are under consideration by NBC. One move in that direction will be the addition of several salesmen.

Network is confident that a boom in spot business at the transcription variety is on the way. It also feels that by constantly drumming after this type of business it insures itself of a reservoir of future network customers.

According to the NBC viewpoint the nurturing process in radio is as important today as it was eight years ago. NBC believes in instead of confining its energies to snagging business, it should let it snare go after new prospects. Prevail upon the letter to try radio by way of the transcription outlet and if the spot campaign shows results then try to sell them on expanding their broadcasting participation to a network.

NBC CBS, WOR SURVEY AREA

NBC, CBS and WOR Newark, had been furnished with a copy of the findings made by Hooper-Holmes, Inc., research organization, of the survey study conducted in 19 metropolitan New York counties during the third week of August, 1938. The study included the roster method—home set owners being asked to check off the programs that had been heard. The survey was continued to the morning stretch, 6 a.m. to 1 p.m.

Survey disclosed that 58% of 12,100 families interviewed had their tuned in some time during the morning of this particular week. Also that the major audiences were down by 10% for NBC's new programs, WOR and WABC. The ratings of the four stations concerned, NBC, CBS, WOR and WABC, varied with the usual quarter-hour periods of the morning.

Interviewers also inquired to the telephone and automobile ownership and found that 41% of these families had installed in their cars. NBC's share of the survey bill was about \$10,000, CBS' was \$10,000, while the other 50% was split between Columbia and WOR.

Big Town' Layoff July 4 Coincides With Robinson Pix Hiatus; Trevor Pact Up

Summer folding of 'Big Town' (Lever Bros) has been moved forward to July 4 at Edward G. Robinson's last radio appearance. Robinson has assured him that it will finish up with his present production, "Blackmail," by July 7 and he wants to be free to take an immediate vacation. Show will be back on CBS Sept. 19. Dick Gordon had considered him for July 18.

Robinson's new contract, with the soap actress, raises him to \$5,000 week. Negotiations are still on for a new term with Claire Trevor.

Al Williamson Resigns

Chicago, June 6.
Al Williamson has resigned from the Tom Finkle radio letterhead organization. He had been with the publicity outfit in charge of the Midwest station for a number of years. Previously had been assistant to publisher of Minneapolis Star, and before that had established himself in radio as director of publicity for NBC in the midwest for nine years. Williamson had been in charge of a sample of new connections, but first goes on a short vacance.

Parental Comment On Kid Programs

(2nd Group of Cities)

Further tabulations in VARIETY's survey of parental reaction to sponsored radio programs are presented herewith. Taken together with the samples published in the last issue and the samples to be published in next week's issue, the material provides a provocative commentary upon the controversial issue of what little Rollo and little Buttercup listen to.

Comment on the survey itself, either in its implications or its methodology, is invited.

A printed questionnaire form was employed. Distribution was made by personal contact. Parent-teacher councils, women's clubs, church groups, etc., were approached. All respondents were identified as parents.

VARIETY will add its own interpretation to the data when the final tabulations are complete, at which time totals and conclusions will be indicated.

Louisville, Ky.

PARENTS' OPINIONS OF PROGRAMS

(Listed as Appearing in Questionnaires)

	Dis-approve	Dis-
Approve	approve	
'Jack Armstrong'.....	56	0
'Lone Ranger'.....	56	5
'Dick Tracy'.....	44	7
'Green Hornet'.....	10	3
'Don Winslow of Navy'.....	42	1
'Little Orphan Annie'.....	51	2
'Howie Wing'.....	44	0
'Gang Busters'.....	44	26
Yes	No	
Children Write to Program.....	29	32
Parents' Purchases Influenced by Children.....	27	40

QUOTATIONS

"Too many programs portraying acts of gangsters and crooks. Through these stories they attain a glamour in the child's mind. The fact that the crook is always caught does not impress the child."

(Boy, 10.)

"My attitude on radio generally is that there is too little well-written material, and most of the serials resemble the dime novels of the past. The only difference is that the children of today do not have to be secretive about hearing the thrillers."

(Two boys, over 10.)

"I feel there should be as much thought given to radio programs as to courses in public schools."

(One girl, over 10.)

"Radio draws children from study and concentration on small tasks. Very distracting and parents are obliged to curtail time spent by children listening to radio."

(Two boys, one girl.)

ADULT SHOWS TUNED IN BY CHILDREN

Jack Benny.....	14	Joe Penner.....	5
Eddie Cantor.....	9	'Cavalcade America'.....	4
Bing Crosby.....	7	'Death Valley Days'.....	4
Lux.....	7	Burns & Allen.....	3
Charlie McCarthy.....	6	Al Pearce.....	3
Major Bowes.....	6	Scattered.....	44
Kay Kyser.....	6		

Salisbury, N. C.

PARENTS' OPINIONS OF PROGRAMS

(Listed as Appearing in Questionnaires)

	Dis-approve	Dis-
Approve	approve	
'Jack Armstrong'.....	16	13
'Lone Ranger'.....	30	10
'Dick Tracy'.....	18	6
'Green Hornet'.....	2	8
'Don Winslow of Navy'.....	9	6
'Little Orphan Annie'.....	24	8
'Howie Wing'.....	13	3
'Gang Busters'.....	18	12
Yes	No	
Children Write to Program.....	20	15
Parents' Purchases Influenced by Children.....	17	21

QUOTATIONS

"I think, personally, that the radio programs for children are a boon to the modern mother. I know they are much more interested in the serials and stories than in my own feeble attempts to 'tell them a story.' I'm right glad that strangers are willing to take some of the cares of parent-hood."

(Girl, 11; boy, 4.)

"Since my daughter is only seven I don't think she is greatly interested in the radio. I suppose, I hear her running around singing 'Three Little Fishes' all the time, whereas I used to sing 'London Bridge Is Falling Down.'"

(One girl.)

"He likes 'Gang Busters' too well. His mother forbids his listening on the grounds that the engendered excitement keeps him awake.... he has me do his writing. I should say that he makes such requests on an average of once a month."

(One son, under 10.)

"She adores 'Turbi.'"

(Girl, over 10.)

"They even wanted me to buy a Duke Power incubator and raise chickens when they advertised that one."

(Two boys, two girls.)

"My son 'listens' (or rather hears, I'm not sure that he listens) to various musical programs such as Russell McFite.... he's definitely inclined to be musical.... I like 'Little Orphan Annie.'"

(One son, over 10.)

"My two children are in high school group and are jitter-bugs. They care for nothing except t. be jittering around all the time.... I'm afraid they don't listen to any intelligent radio programs. They listen to Benny Goodman, Artie Shaw, Hal Kemp, Jimmy Lunceford and stay up to all hours for various bands. I'm disgusted.... I seldom seriously ask or Camel upon hearing endless repetitions of how swell they are."

(Two children, over 10.)

"Can't see any remarkable scars."

(Two girls, under 10.)

"Important that we Americans do everything possible to keep radio clean, wholesome and healthy."

(One boy, under 10.)

"Columbia school of the air splendid. Would like more programs of this type."

(Four children.)

"Some of the programs are unfit for children, and in many cases even boring to adults."

(Two children, over 10.)

"My youngest child is still in the grasp of 'The Lone Ranger'.... I don't worry.... My girl, aged 17, has a definite crush on Russell McFite's singing, but I suppose that's a common situation around here.... I suppose, I enjoy 'The Lone Ranger' as much as 'Jack.'"

(Three children.)

"Attitude—indifferent."

(Three children.)

"She gets mopey over Kay Kyser."

(Two girls, over 10.)

ADULT SHOWS TUNED IN BY CHILDREN

Jack Benny.....	12	Charlie McCarthy.....	6
Eddie Cantor.....	7	Kay Kyser.....	5
Phil Baker.....	7	Scattered.....	19
Lux.....	7		

Milwaukee, Wisc.

PARENTS' OPINIONS OF PROGRAMS

(Listed as Appearing in Questionnaires)

	Dis-approve	Dis-
Approve	approve	
'Jack Armstrong'.....	20	11
'Lone Ranger'.....	25	8
'Dick Tracy'.....	18	11
'Green Hornet'.....	15	14
'Don Winslow of Navy'.....	19	5
'Little Orphan Annie'.....	26	7
'Howie Wing'.....	10	5
'Gang Busters'.....	15	32
Yes	No	
Children Write to Programs.....	24	12
Parents' Purchases Influenced by Children.....	22	14

QUOTATIONS

"Musically, radio is a great help to the growing child, but the trash accumulated for alleged 'children's programs' should be barred."

(Two children, under 10.)

"My children enjoy the radio more than anything else in our lives. I think the radio teaches them a great many things they don't learn in schools. They want nearly everything they hear advertised on the radio.... they write to nearly every one.... keep them all on the air."

(Two over 10, two under 10.)

"I find the children asking me to buy cereals which they don't eat!"

(One boy, one girl.)

"The radio gives my children new ideas on topics of discussion at the present time. I believe that radio is one of the most essential articles in the home."

(Two children, over 10.)

"Yes, he writes.... pins and badges and books a racket when they have to send 10 cents because you can get most of the articles at the Five and Ten of much better quality."

(One boy, under 10.)

"They hold up the supper hour for 'Howie Wing.'"

(Boy, 9; girl, 9.)

"No attitude—a program once over is soon forgotten."

(Two girls, one boy.)

"Everything you hear nowadays is connected with crime and war."

(Four children.)

"Radio influences his play. I do not mind so long as he does not portray a crook of some kind."

(One boy, under 10.)

"Good.... it keeps them off the streets."

(Two boys.)

"My children's favorite program is 'Gang Busters,' which should be taken off the air."

(One girl, three boys.)

"I believe boys and girls should be outdoors more playing in the sunshine.... 'Jack Armstrong' too much of a hero.... 'Green Hornet' too deep for young people."

(One girl, one boy.)

"We buy products to keep certain shows on the air.... 'Lone Ranger' very good."

(One girl, over 10.)

"I don't think any of the programs now on the air, including the much-talked-about 'Gang Busters,' are outstanding enough to affect them in any way.... they are old enough to realize the radio scripts have no relation to living people."

(One boy, one girl.)

"I enjoy the kiddie programs as much as the adult programs."

(One girl, four boys.)

"If I happen to buy some product advertised over the radio I notice that much more of the food is eaten than usual."

(Two boys, one girl.)

ADULT SHOWS TUNED IN BY CHILDREN

Jack Benny.....	24	'First Nighter'.....	7
Lux.....	15	Kay Kyser.....	6
Bob Hope.....	12	'Lights Out'.....	5
Charlie McCarthy.....	12	Fred Allen.....	4
'One Man's Family'.....	10	'Big Town'.....	4
Bing Crosby.....	8	Scattered.....	19

Spokane, Wash.

PARENTS' OPINION OF PROGRAMS

(Listed as Appearing in Questionnaires)

	Dis-approve	Dis-
Approve	approve	
'Jack Armstrong'.....	9	1
'Lone Ranger'.....	7	0
'Dick Tracy'.....	8	3
'Green Hornet'.....	2	1
'Don Winslow of Navy'.....	5	0
'Little Orphan Annie'.....	10	2
'Howie Wing'.....	10	1
'Gang Busters'.....	4	18
Yes	No	
Children Write to Program.....	7	7
Parents' Purchases Influenced by Children.....	8	8

QUOTATIONS

"They always want the radio on. Sometimes it's all right, sometimes it's too exciting. Then they will turn it off themselves.... Always the impossible happening in 'Little Orphan Annie.'"

(One boy, one girl.)

"Likes 'Dick Tracy,' but forgets about it.... I like 'Gang Busters' and manages to hear it even though we shut the door. I know it's bad for her nerves, but I know it talks and teaches against crime."

(Girl, 11; boy, 2.)

"They will come in from play to listen to their favorite programs."

(Two children.)

"Some very nice; others get on my nerves."

(Two boys, one girl, over 10.)

"Prefer the children to listen to 'The Aldrich Family' on the Kate Smith hour."

(Three girls one boy.)

"They pick up songs and sayings and some good information. 'Gang Busters' N.G."

(Two boys.)

ADULT SHOWS TUNED IN BY CHILDREN

Jack Benny.....	6	'One Man's Family'.....	4
Fibber McGee.....	5	Major Bowes.....	3
Orson Welles.....	4	Myrt and Marge.....	3
Charlie McCarthy.....	4	Scattered.....	39

A Coast-to-Coast Motorist Finds Few Highway Hints on Radio

By GEORGE GILBERT

A lack of program material aimed at the automobile traveler equipped with radio was noted on a 1,500-mile tour of the country just concluded. With the sole exception of KOA, Denver, which daily devotes a minute afternoon slot to road information furnished by the local automobile club and the state police, no other station was heard disseminating timely reports on highway conditions.

Local reception was practically nil. Few 100 watters were able to produce a daytime signal of more than 40 miles radio free from interference. This limits their reception in an auto receiver moving at a high rate of speed to an hour at the most. Photographs recorded and taken by far too many spot announcements formed the bulk of their offerings.

Network programs could always be tuned in daytime owing to the lusty signals of the 50,000-watt stations which effectively blanketed their listener areas in as wide a radio area as 400 miles in some cases. KOA was clearly received as far south as Las Vegas, N. M., and was easily picked up near Rock Springs, Wyoming. Other 50,000-watt stations such as KSL and KPXL, Salt Lake City; KGO and KFO, San Francisco; WJLB, Cincinnati; KNX, Hollywood; and WOR, Newark, were similarly effective.

Notable among the locals which

attempted to snare listener attention were KGFW, Kearney, Neb.; KNUB, Watsonville, Calif.; and KYIS, Rodeo Springs, Wyoming. All possessed transmitters near main highways and adjacent to their antennas were signs calling the travelers' attention to the station and its frequency.

While deficient in highway bulletins most stations provided weather reports. Especially in the grain belt forecasts were complete to the nth degree. Oddly enough most of the reports were on a sustaining basis, such time seemed a natural for sale to a hay grain or feed merchant or an oil company.

CANADIANS IRKED

They Were Plenty Interested In The Fight They Couldn't Hear

Montreal, June 6. All local radio stations were flooded with calls last week asking why RCA-Victor didn't pipe the November 8 election fight to Montreal. Fight was carried as a commercial on the basic blue net of the NBC in the U. S. A. but RCA-Victor failed to make arrangements to have the program aired locally, due to belief it would kill local interest here.

Fight fans unable to tune in on the squabble tried to American stations due to atmospheric conditions and would plenty.

Edward A. Bloch's Sunday Symphony orchestra, which includes other WGY pioneer day instrumentalists like Tom De Stefano, Leo Cilwien and Frank Ciricella, is now riding on NBC red rim.

A Revised Deal

Philadelphia, June 6. Agency time buyers were in a quandary last week as to what they would do with the three baby chicks that KMA, Shannadoh, Ia., had shipped them under the terms of a WCAU commercial manager, made them a proposition, which they readily accepted. Street talk was to bring up the chicks on farm in Bucks county and on Thanksgiving Day they will return to them fully dressed and ready for the oven. The agency men were planning another grown-up version for Christmas.

WELLES VICE B'MORE—ALSO ENCOURING JULY 2

Chicago, June 6.

John Barrymore's heart attack canceled him out of the Knickerbocker Playhouse program which Bob Brannings of the Radio City produces for Procter & Gamble's new liquid dentrice, Telf. Orson Welles will be in from east to substitute Sunday (4). Did same piece, "Business Before Pleasure," and in the Barrymore manner.

Welles will do another session for Telf, probably July 2.

Whiteman-Al-Fordham Event Paul Whiteman will guest 3000 watt station, the Al-Fordham Fordham University, N. Y., at his June 14 Chesterfield broadcast. With regular broadcast on the station set aside for them aggregates 600. Airing comes from CBS playhouse but the broadcast is being carried in the Whiteman broadcast is part of the graduates commencement activities.

Whiteman's band plays their graduation night program at the Commodore Hotel, N. Y., June 8.

Three Alabama Colleges Attack FCC Refusal to Let Them Sell WAPI

Washington, June 6.

Vesting of FCC decision in the transfer of three Alabama colleges for transfer of their jointly controlled station, WAPI, to the Federal Communications Act of 1934, was asked Saturday (3) by Duke M. Patrick, attorney for the applicants. Government radio agency was accused of erring in judgment and in the exercise of its jurisdiction in 24 counts recited by the aggrieved petitioners. Commission action of May 16 should be reconsidered, according to the new plea, and an order granting the application should be entered. As an alternative, applicants should be allowed a new crack at oral argument before the Federal body.

Alabama Polytechnic Institute, University of Alabama and Alabama College—three institutions controlling the Birmingham transmitter—contended that the Commission had erred in failing and refusing to find and report the following facts:

Legal, technical, financial and other qualifications of the assignee to continue operation of the station in the public interest; whether the application may be granted within the scope of Sec. 312 of the Federal Communications Act of 1934; what changes, if any, with respect to the service of the station should be made, and the character of service which would be rendered by the station if the application were granted, etc.

Service now rendered by WAPI would be the equivalent of an improvement of the service now being rendered, Patrick argued. Station is adequately financed, has been operating in the public interest and terms of the 15-year lease agreement were in no way "violative of, or

pugnant to, the provisions of the Communications Act of 1934, amended."

The Commission erred in construing the provisions of the Communications Act of 1934 and particularly Section 310 (b), "petition declared, ... as conferring any jurisdiction upon it to pass upon the purely private or business phases of the lease agreement between Alabama Polytechnic Institute, University of Alabama and Alabama College and the Federal Radio Station (WAPI) and the Voice of Alabama, Inc., and grant or deny the application in question upon its concept of those considerations and without regard to the statutory standard established by the Act."

Private affairs of the interested parties should touch upon in any manner affect the ability of the proposed lease to operate Station WAPI in the public interest; it was contended.

KTSA, SAN ANTONIO, TO TAYLOR SYNDICATE

San Antonio, June 6.

Group headed by C. O. (Red) Taylor has bought KTSA, San Antonio, from Hearst Radio, Inc. General C. O. Taylor will continue as the station's manager.

Taylor's associates in the deal are Gene Howe, owner of the Albinson (Kan.) Globe, and T. E. Snowden who with Howe has controlling interests in two other newspapers and stations KGNC, Amarillo, KPVO, Lubbock and KRGV, Weslaco. Howe tried to buy the old Southwest Group before Hearst took it over in February, 1935, but found other matters intervened.

CBS ACT LIST LONGER

Win Shaw, May and Evans, Orth Bell Getting a Whirl

Win Shaw, Ray Mayer and Edith Evans (Mrs. Mayer), vaude performers, and Orth Bell, were signed to management contracts by Columbia Broadcasting's Artists Bureau last week. Miss Shaw was signed for two years, Mayer and Evans five months, and Bell for five years.

Bell may go sustaining on CBS immediately after his "Uncle Jonathan" character aired from WAAT, Jersey City, for a long stretch.

IN BALTIMORE ITS

NATIONAL REPRESENTATIVE EDWARD PETRY IN CO.

ON THE N.B.C. RED NETWORK

ADD WHN AND MULTIPLE RESULTS!

Do you want more New York sales? Smart national advertisers use WHN to supplement their network programs in the world's richest market.

WHN DIAL 1010 NEW YORK CITY

EDWARD PETRY & CO., INC. National Advertising Representatives

FIRST IN DETROIT

Every audience survey ever made in the Detroit Market shows that WJW is first in listener interest.

Owned and Operated by The Detroit News

Represented Nationally by Geo. F. Hollingbery Co.

New York Chicago Detroit Kansas City San Francisco Atlanta

"Variety" Showmanship Award, 1938 Best Radio Network Station

Represented Nationally by Geo. F. Hollingbery Co.

New York Chicago Detroit Kansas City San Francisco Atlanta

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New York Chicago Detroit Kansas City San Francisco Atlanta

Represented Nationally by Geo. F. Hollingbery Co.

Bill Curbing Bureau 'Arrogance' Pending In C., Would Affect FCC

Washington, June 6.

Valuable protection for the broadcasting industry against arbitrary action of the FCC is proposed in legislation of vast importance now pending before Congress and currently the subject of an undercover campaign by Federal officials.

Bills designed to insure more expeditious settlement of disputes with the United States would guarantee court reviews in all controversies and would require automatic hearings on adoption of any administrative rules.

Urged for several years by the legal profession the legislation is sponsored by Senator M. M. Logan of Kentucky and Rep. Francis E. Walter of Pennsylvania, both Democrats.

crats. The Logan bill already has been formally recommended by the Senate Judiciary committee and is on the calendar awaiting consideration. The Walter bill was favorably reported by a subcommittee but the full House Judiciary Committee has yet to act.

Purpose of the legislation is to curb the arrogance of the quasi-judicial and quasi-legislative units, which have snookered the courts and have drawn much business from business and lawyers. In his report supporting passage, Senator Logan pointed to the need for checking the steady movement toward a form of "bureaucratic" rule which would destroy the division of governmental power. Spoke about the state of "indescribable confusion" declaring the time has come when some of these regulators consider themselves above the statutes and when they show contemptuous disregard for both Congress and the courts.

If Congress approves the present draft of the legislation, the following will happen:

1. Any individual "substantially interested" in the effect of an existing administrative rule can appeal for reconsideration and is entitled to a hearing if desired.

2. Before any new rules can be promulgated, public hearings must be held.

Inasmuch as the bills specifically refer to regulations, orders, and interpretations of statutes, the FCC would be immediately affected. While the FCC generally has afforded the industry opportunity to present views before adopting rules or procedural regulations, the legislation would have the effect of re-establishing the trial examiner system which was abolished in the interest of "efficiency" last fall and would broaden the judicial review features—now subject of controversy of the Communications Act.

Court Appeal Important

The broad definitions in the statute mean that every action of the FCC would be subject to review by the courts, with aggrieved applicants permitted to go to the nearest appellate court, not necessarily to the D. C. Court of Appeals, in seeking relief from an unfavorable decision. Under the Logan bill, any party to a proceeding has the right of appeal, and "controversy" specifically includes, "any refusal to grant any license, permit, or other privilege."

PARADE OF PROGRESS

and company

Each year has seen an expansion in our Organization, and, more important, an increase in business for the Stations we represent. This Parade of Progress is due to EXPERIENCE THAT PRODUCES RESULTS THAT COUNT!

NEW YORK • CHICAGO • DETROIT • SAN FRANCISCO

Radio Station Representatives

INTER ASCAP PENALTY

COPYRIGHT FINE WILL BE CUT

Also Total Amount for Any
Single Infraction to Be
Limited—Okay with Webs

N.A.B. UNPLEASED

Washington, June 6.

Path for passage of new copyright legislation, falling short of many broadcasters' wishes but affording some relief from the present burdens, was reported clearing this week as result of secret huddles by numerous interests concerned over music protection. Bills due to be put in the hopper before the end of the week, with passage problematic because of the drive for adjournment and continued dissatisfaction from some radio quarters.

Modification of the statutory penalty provision—chief worry of the radio industry—appears definitely set. Removal of the minimum damage award, which was proposed in legislation sidetracked in 1935 and 1937, will not be attempted, despite continuing pressure from NAB.

As things stand, the State Department is pulling every possible wire to get the long-pending International Convention ratified again and to bring about agreement on revision of the antiquated U. S. statute before the pact becomes applicable to this country. Treaty has been reported out of the Senate Foreign Relations Committee once more and is now on the calendar.

'Everybody' But—

Virtual compromise acceptable to everyone but the NAB was worked out in New York last week, according to word reaching Capitol Hill. The principal point settled as far as most participants are concerned was the penalty clause of the statute, which NAB insists has been used as a club to compel broadcasters to take out licenses on terms dictated by American Society of Composers, Authors, and Publishers.

Tentative draft of new bill says maximum penalty for infringement shall be \$150 for originating station, \$25 for each other station, but not more than \$2,000 damages for any single violation of copyright no matter how many stations may be hooked-up.

This provision reportedly is agreeable to the networks, since it bridges the gap between groups insisting on "clearance at the source" and those who contend that every offender should be liable to the full penalty. But the spokesmen for CBS and NBC still have not promised unconditionally to go along on such a formula, noting they are representing other stations, through their participation in the NAB talks. The indies are balking on the ground that the full responsibility should be placed on the originating station and that no specified minimum should be allowed by law.

Majority sentiment is in favor of

N.A.B. Committee Meets

Copyrights committee of the National Association of Broadcasters spent Monday and yesterday (Tuesday) in New York going over data which has been gathered for use in negotiating a new contract with the American Society of Composers, Authors and Publishers.

While there are 12 members on this committee only three or four will do the talking with John G. Faine, ASCAP general manager.

Throwing out the idea of copyrighting renditions. Though the recording companies still are clamoring for

protection for their individual players, the bulk of the groups in on the negotiations have decided against such a provision, although reportedly the bills will extend the protection for motion picture films to the sound tracks.

Prospects of Congressional action have improved considerably since ASCAP has displayed a willingness to lighten the penalties. In past years, friends of the copyright pool have talked to death bills which would remove the statutory minimum, although the Duffy bill slid through the Senate four years ago. With ASCAP ready to go along, brief hearings are likely despite the broadcasters' continuing dissatisfaction.

The NAB stands virtually alone in

attempting to have the minimum award feature eliminated. In the past, the only support has come from the hotels and certain theatre owner groups and many of these are believed to be satisfied with a smaller compulsory license fee clause. The motion picture producers, always have stood with ASCAP on insisting that the principle should be preserved and presumably will stick to this position at this time, giving radio no aid.

32 for Don Lee

Los Angeles, June 6.
Don Lee chain has added another California station, KZS, Merced. Network total now 32.

'CIRCLE' FOLDS BUT DUE BACK

'Kellogg Circle' exits the NBC (WEAF) red link with the July 9 stanza, after 26 weeks. Slated to return in October, with the new spot and talent setup undecided. J. Walter Thompson is the agency.

Art Gillham, who has been filling sustaining spot on WBS and WAGA Atlanta, for two years, has landed a commercial for Byers Ice Cream Co., on WAGA.



MR. JONES: Now look here, Mr. Emcee, you've had all the best of this quiz business. Suppose you answer a few questions for a change.

EMCEE: Well—this—ah—this is sort of reversing things, isn't it? But go ahead, I've heard a lot of answers.

MR. JONES: All right. Can you cite a list, showing the wide range of products advertised on the Blue Network in 1939?

EMCEE: Certainly. Men's hats, tobacco, ginger ale, breakfast food, kitchen cleanser, shaving cream, petroleum products, magazines, radios and radio tubes, paints, iron and sheet metal.

MR. JONES: Do you know how many advertisers have taken advantage of the Blue Network's new plan, which enables them to "go national" on a modest budget?

EMCEE: Yes sir! No less than 34 advertisers have taken advantage of it, and are now cashing in, with wider Blue Network coverage!

MR. JONES: Correct again, Mr. Emcee. 100% for you, too. You've been right all the way.

EMCEE: You bet I'm right—and so are the advertisers who have taken advantage of the substantial savings of the new "Blue" discount plan!*

STANDS
OUT



WBNS
COLUMBUS

All you need in Central Ohio

5000 WATTS DAY
1000 WATTS NIGHT

John Blair & Co., Representatives

BLUE IS THE BUY-WORD IN 1939

*Get the whole story from any NBC office

NBC
Blue
NETWORK

NATIONAL BROADCASTING
COMPANY

A Radio Corporation of America Service

Jack Benny

And

ary Livingstone

NEILLS BEGIN

FIFTH YEAR

**TYRONE
POWER**

AL JOLSON

REISMAN



ILL MORROW

AND

ED BELOIN

**MEREDITH
WILLSON**

I KURTZMAN

WRITER

MAE MURRAY

ERIK ROLF

Announcer for BOAKE CARTER

ALPH EDWARDS

ANNOUNCER - ACTOR
MASTER OF CEREMONIES

UE BARRON

and his

ORCHESTRA

G. IBBETT

PRODUCER

**NE
MOUR**

**Jolly
Gillette**

(Edson Burton)

WILSON

Early Bird On

**HARRY
HARTMAN**

A Socko with Clancy sports Jane

**BENNY
GOODMAN**

AL PEARCE

BOB HOPE

BOB BURNS

GUY LOMBARDO

AND HIS ROYAL CANADIANS

HENRY BUSSE

And His

EASY ACES

EDDIE CANTOR

CECIL B. DeMILLE

Third Consecutive Year

EDWARD G. ROBINSON

STARRING IN

"BIG TOWN"

KAY KYSER'S

ORCHESTRA

FRED WARING

AND HIS PENNSYLVANIA

Half Hour In Re

DEL

SHARBUT

MARTHA RAYE

**VICTOR
YOUNG HAL BLO**

**EDDY
DUCHIN**

THIRD YEAR WRITING

for

FRANK GALLOP

**Frances
Langford**

CLARENCE MUSE

**Raymond
Paige**

**FERDE
GROFE**

**ANDRE
BARUCH**

D'ARTEGA

And His

LUM AND ABNER

**LEW
LEHR**

(Dribble Puss)

JANE WEST

Radio's Favorite Author

FRANK GILL, JR

SCRIPTIST

Arthur Q. Bryan

Writer-Producer

JOHN RAPP

SCRIPTS

**TEXACO TOWN
GAMBLER**

**Robert C.
Brillmayer**

Writer-Producer

**NADINE
CONNER**

**GARNE
MARI**

**MARIO
TALLE**

THIRD YEAR

**LARRY
HARDIN**

Ex Announcer

**WILKI
MAHONI**

"Anything from a Sock to a Ballo"

RADIO

Since 1924

PRODUCER

JACK HIL

THIRTEEN YEAR

CHARLES PEG

Juvenile Actor

**ACTIVE
RADIO
ARTISTS
DO AS
THEIR
SPONSORS
DO—
ADVERTISE!**

ADVERTISING RATES

1939-40 Edition

Full Page.....\$175

Half Page..... 90

Quarter Page..... 50

ADVERTISING

FORMS

CLOSE

JUNE 20TH

VARIETY
**Radio
Directory**

3rd Year

1939-40

154 W. 46th St.

New York City

(Some of the 1938-39 Variety Radio Directory Advertisers)

June 26 Hearing May Settle FCC Right to Decide If Press Ownership Opposes Public Weal

Washington, June 6. Preliminary to a court test of the FCC's right to rule on press ownership of radio stations were advanced last week when argument was docketed on motion to call off scheduled hearing on the applications for permission to merge WCIA and WSN, Allentown, Pa. Combo would be owned by present proprietors with the publishing company having majority interest.

Novel move to find out how far the Comish can go in preventing newspapers from expanding their radio holdings was placed on a special calendar and will be thrashed out before the full panel on June 26, date when testimony taking was supposed to start at Allentown on the wisdom of allowing the owner of the community's daily sheets to control the sole local air outlets as well.

The Allentown case presents a clear-cut issue, since the only point to be determined is whether the public interest will be served by building a full-time plant out of two part-timers. When the hearing was ordered, Commissioner T. A. M. Craven filed a vigorously-phrased dissent, arguing there is no justification for passing on such a question.

Majority Over. Right of the FCC to base its final decision on the identity of the majority owner was challenged in demurrers filed by Philip G. Loucks and Arthur W. Scharfeld, counsel for the parties in the matter. Seeking approval without a hearing, the barristers called attention to a court opinion that there is nothing in the regulations or law which provides a foundation for turning down a newspaper plea merely because of the press connection.

If the FCC persists in going ahead with the hearing, an appeal may re-

Plugs Bartender

New Orleans, June 6. One local restaurant operator, taking advantage of the large mixture of nationalities of the New Orleans people, plugs away in his spots through WRNO that his bartender speaks six languages, namely—French, Spanish, German, Italian, Chinese, and English.

Ad invites all foreign tongsers to drop in and converse in native language—at no extra cost.

'STRONG AS A TIGER'

Mabel Stark, Wild Animal Trainer, on Local Radio in Petrol Theups

Lincoln, June 6. Mabel Stark, wild animal trainer who toured for years with Al G. Barnes and other circuses, is now in radio under unique circumstances. Having spent much of her time in hospitals recovering from savage clawings from her pets, she is selling the knowledge she possesses of powerful critters.

For a fee Miss Stark makes local radio appearances as she tours the country. She makes an analogy between the power of tigers and the power of any given gasoline that sponsors her.

sult, although prior opinions of the appellate court indicate the question may be dodged. An injunction may be sought to stop the hearing, despite reluctance of the local Federal judges to obstruct the FCC in view of provision for review of a final decision which is unsatisfactory to applicants.

5-Day Spot Week

Hartford, June 6. Five-day week policy for advertisers has been inaugurated at WDRC. Station previously had a six-day week. Under new set-up night announcers in addition to their two days off have the third day free also. Daytime newsmen have either preceding or following half-day off.

Bacher Blowing Texaco; Woolcott Subs for Drama

Hollywood, June 6. Texaco Star Theatre will have a new producer when it returns to the air after eight-week summer hiatus. Bill Bacher, who held reins for 38 weeks, is bowing out after four more programs. Too much outside interference by agency and Texaco execs blamed for the withdrawal.

Petrol oil is dropping the drama spot after tomorrow's show (Wed.) and in its place will be piped in from the East Alexander Woolcott, who will do a 10-minute dissertation on this and that. No hint dropped yet to how the show will shape up on the new season. However, Texaco has reserved the same time opposite Fred Allen.

Boake Carter Due Back

Philadelphia, June 6. Boake Carter reported returning to the air in the fall. It is understood he will be sponsored by a New Jersey manufacturing firm in which he has a sizeable financial interest.

Ex-web gabber currently lecturing in addition to doing his daily newspaper column.

Ray Shalla joins the Rambau office in New York. Was for past 10 years space buyer with Compton agency.

Spot Campaigns (New, Renewed or Pending)

H. Moffat & Co. (Scotty Allen dog food), through Leon Livingston agency, spotting five weekly five-minute live talent programs, 'Dog Stories' with Ted Clifford, on KFRC, San Francisco through No. 3.

Cook Products Corp. (Girard salad dressing), through Rufus Rhoades & Co., sponsoring 'Bess Bye' five-minute live program once weekly on KFRC, San Francisco, through July 3.

Calo Food Products, Inc. (dog food), through Pacific Radio Products, Oakland, bankrolling 'Frank Wright's Pet Exchange' (live talent) 15 minutes weekly on KFRC, San Francisco, through July 30.

White Laboratories (Peanutmint), through William Eddy, New York, using KFRC, San Francisco, for 45 100-word announcements, through June 30.

Bessel Coffee's 'Sunday evening newspaper of the air', by Peter Grant and originating on WLW, moved this week from KDKA to WCAE in Pittsburgh, feeding through the Mutual network.

Leighton & Nelson has set on WGY, Schenectady, three 10-minute breakfast hour shots weekly with Bradley Kincaid, now at WTIC, Hartford, for United Bank, starting May 24.

WTIC, Hartford, has acquired: Hecker Products, 65 quarter hour electrical transcriptions, 'Adventures of Uncle Jimmy'. Placed through B.B.D.&O.

Sealtel Laboratories, Monday through Friday, one quarter hour electrical transcriptions for one year, 'Your Family and Mine'. Placed through McEee & Albright Agency, Philadelphia.

Stanco, Inc., 105 quarter hours electrical transcriptions, 'Meet Miss

Julia'. McCann Erickson Agency placed.

J. B. Williams Co., 13 quarter hours electrical transcriptions, J. W. Thompson Agency placed. 'Gilding Swing with Bob Howard'.

Joe Louis Corp., 38 quarter hours, 'Buck Rogers' electrical transcriptions. Placed through Blow Agency. Miles Laboratories, 'Hooder Hot Shots' and 'Yass Family', 5 minute electrical transcriptions. Monday through Friday until further notice. Wade Advertising Agency placed.

Polish National Home, weekly half hour live show, 53 times, 'Polish Music', Tuesday nights.

Charles Hanson Laboratories, one minute live announcements, Monday through Friday, 28 times. Mitchell-Faust Agency placed.

Fernjine Products, Inc., one minute transcribed announcements, Monday, Wednesday, Friday, 27 times. Spot Broadcasting Agency placed.

Otto Seidner, Inc., one minute transcribed announcements. Participations in 'News for Women Only', 39 times. Langhief & Schonberger Agency placed.

Atlanta Sales Corp., one minute live announcements, 50 times. Starts Sept. 11. Placed through J. W. Thompson Agency.

Wander Co., 20 word flashes, three times weekly until further notice, starts Sept. 19.

Southern New England Telephone Co., 'Conn. Neighbors with Jerry Belcher', 13 half hour live programs, Mondays, 9:30-10 p.m., starts June 12. Placed through B.B.D.&O.

American Thermos Bottle Corp., news participations, 48 times. Keating & Co. Agency, Indianapolis.

Corn Products, 331 25 word flashes. Helwig-Miller Agency.

Broom Thompson, 38 news participations. Julian Gross Agency, Hartford, placed.

American Snuff has bought two 15-minute periods of the WLW New Orleans. Debuters early morning show for next 13 weeks. Will use usual cast of Staff Orchestra, and Audrey Charles, vocalist.



JANE FROMAN

NOW AT
NEW YORK
PARAMOUNT

★ Starting Sunday, June 11, on the Gulf Oil Program

CBS 7:30 p.m. EDT

Commish Won't Be Pushed

Ignores Efforts of Lawyers to Expedite Watertown Case Long on Docket—Denies Hannibal Petition

Washington, June 6.

Despite rebukes from the D. C. Court of Appeals in other similar proceedings, FCC last week refused to expedite final decision of the Watertown, N. Y., case which has been on the agenda for more than two years. Motion asking cancellation of order for new hearing on operations of Watertown Broadcasting Co., Black River Valley Broadcasts, Inc., and Watertown Times, was denied without explanation.

Move was attempted to force a solution to the controversy which has been before the Commish since the summer of 1936 when Black River crew won the nod and then had its papers snatched back as a result of pressure from high Democratic circles. In trying to end the stalling, Black Riverites pointed to the recent court rulings that in reconsidering decisions, the Commish cannot ring in new parties and different issues. The grant was vacated in December 1936, when an order was adopted calling for complete rehearing, although Black River people had spent considerable money erecting a tower and readying studios.

At the same time, the Commish denied the petition of the Hannibal (Mo.) Courier-Post, party to another similar fight over procedure, asking grant of the application for a new local transmitter. Three months ago, the appellate court reversed the FCC decision denying the rag's request for a construction permit for a transmitter operating on 1310 kc. Judge said that the applicant showed sufficient need for service, declaring the finding that public interest would not be promoted by another outlet was arbitrary and capricious. Now the FCC has ordered further hearings. Looking the sheet's application with that of Hannibal Broadcasting Co.

BGP PUSH TO POPULARIZE WTMJ SHOW

Milwaukee, June 6.

What is probably the first important attempt to change listening habits in the early morning hours is seen in the spectacular promotion built around "Top of the Morning," daily feature on WTMJ.

WTMJ is giving 10 radios away each day to listeners during the campaign, the theme of which is "Get Acquainted" with "Top of the Morning." Its entertainment, news and service features and Bill Evans, the personable chap who conducts the program.

A unique device is used to distribute the 10 radios each day. During each "Top of the Morning" program, a musical number played is announced as the "gift song." Then, immediately after the program, Bill Evans makes personal calls in Milwaukee. He rings doorbells, introduces himself and asks if they heard "Top of the Morning." If anyone in the household can name the "gift song," the home is awarded a midge radio.

Paul Williams joins WWJ Detroit, June 6.

Paul Williams, formerly of KOCT, Oklahoma City, joins WWJ here to write and produce "The Sports Parade," heard six times weekly for 15 minutes under aegis of Brown & Williamson Tobacco.

At KOCT Williams did a man-in-the-street program for Junge Baking Co., "Sports Parade" for Seven-Up and football broadcasts for Royal Crown.

WBAL
means business
in Baltimore

All-Aural KGNF

North Platte, Neb., June 6. KGNF believes in ear-selling all the way.

Sales force will not write letters, nor will the continuity department submit copy to advertisers. Salesmen call in person, and the continuity gang reads the copy over the phone so the advertiser will know how it's going to sound when it comes out of the loudspeaker.

Brownwood, Texas, Bid Opposed by WBBZ

Brownwood, Tex., June 6.

Application has been made by Meyer Wendell Mayes and associates of this city for permission to operate a 600 kilocycle, one kilowatt, in the daytime only. FCC has been told population and trade of this city is sufficient to support a station and that churches, schools and civic organizations would be allowed use of the station.

WBBZ and WBEA, Boston-Springfield NBC's have objected.

FCC Takes Threatening Attitude Toward Leases Made in Secret

Washington, June 6.

Punitive action against station proprietors who shifted control over their properties without FCC consent was feared last week. Followed disclosure that Commish lawyers are digging deeper into certain situations brought to light last March during the chain-monopoly inquiry.

Hearings to determine whether the license of certain transmitters should be revoked are possible, although no decision has been reached yet as to the next move to force respect for Section 310 of the Communications Act. Hint was given when the FCC a fortnight ago issued only a short-term renewal to WQDM, St. Albans, Vt.

While no detailed explanation was forthcoming, commish declined to grind out the regular six-month ticket because lawyers have not

completed a supplemental inquiry based on testimony obtained during the chain-monopoly proceeding. Probers discovered that Glen D. Gillett, consulting engineer, virtually runs the station as result of an agreement to clear up money difficulties. Engineer maintained he is only an advisor on operations, but record shows he foots the bill for any losses and has an option to buy.

The commish at the same time is looking into a couple of other situations which did not appear to conform to the law, it was said. One of the stations being reprobed has been on a temporary license basis for many months and was in a jam a few years back while the other received six-month renewal a while ago after questions had been raised about the effect of an agreement under which time is sold in large blocks to a broker.

Woodlots and Crossroads and WLW

A study of the rural listening habits out here in the heart of the nation is about ready to supplement our recent 13-city Survey. During recent weeks we have told the industry the story of the job that WLW does in the 13 cities in which our Ross-Federal and Alberta Burke Coincidental Surveys were made. In WLW's effective sales area, however, 65.19% of the radio listeners live in towns having populations of 2500 or less—and it is in this rural market that WLW is most appreciated, because it contributes most. For this reason, through the Ohio Farm Bureau News, the Hoosier Farmer, and the Kentucky Farm Bureau News, an unbiased study of the listening habits and station preference in this rich farming area was made and is now being concluded. We believe it will not only make it possible for advertisers, but ourselves as well, to secure an even better understanding and an even better insight into the programs which rural WLW-land prefers.

For further details please direct your request to WLW, or Transamerica Broadcasting and Television Corporation, New York.

THE NATION'S STATION

See the Crosby Building at the New York World's Fair

Gerald Cock of BBC Asked W. Hays to Release American Shorts for Tele

London, May 30.

Back from his trip to New York to o.o. visit progress there, BBC television director Gerald Cock scuttled into hiding to dodge the pencil and notebook boys anxious to get his reactions. It's a way they have at BBC, because Press stories must be officially cleared. Cock, after consultation, will probably interview in the lads for a formal interview on the outcome of his visit.

He got caught unawares by one meopier as he came off the boat train, and then admitted to conversations with the Hays office, at which he suggested the picture industry should release shorts to BBC to fill out its daily schedules. Said he would talk over this angle with the trade if invited by them.

In pursuance of policy as indicated above, this statement drew an official denial from the Corp.

PAR, DUMONT PARLEY ON TELEVISION CO-OP

Hollywood, June 6.

Paramount and DuMont are getting together on the wedding of arts pictures and television. Mortimer Leow, board chairman of DuMont, is here conferring with studio officials on some kind of a working arrangement.

Paramount is partner of DuMont, having bought a half interest in the video company.

DuMont is planning a station at Glendale, Calif., near Hollywood. A corporation set up for the purpose has Paul Rathbourn, many years with Paramount and head of the statistical department of the company, as president.

Televish organization also is preparing to build a transmitter in Passaic, N. J.

Calvin Jackson and Bob Mager, return to WRAN, Reading, Pa.

E. M. I. BIG SCREEN TELECAST PRETTY GOOD

London, May 30.

Electric and Musical Industries, biggest radio and recording trust in this country, after secretly working many months on a process of big screen video, exposed the results this week, when they staged the Derby transmission at a private presentation. System is based on the Cathode tube principle, and projects picture 15 feet by 12 feet 6 inches from a unit located 40 to 50 feet either in front of or behind the screen.

As demonstrated, outfit gets the most brilliant image yet achieved, and definition also shows clear advances on similar efforts as previously viewed here. Lens and tube distortion have been largely eliminated, and system certainly looks set to go places.

E. M. I. state they are ready to go into production, and are ogling the West End theatres with a view of getting an installation to serve as show window.

Eckman's Dicker

Preliminary dickering took place between Sam Eckman, Jr., and the E. M. I.-Marconi group with a view of putting video into Metro's big Empire in Leicester Square. Hain't yet got any definite place, Eckman saw a private demonstration of company's new unit several weeks back. He's the British manager for M-G.

Scophony also says they will next install the Odeon at Swiss Cottage, which is outside the West End fringe, and that their system is due into another key house in the central belt. That would make eight theatres with big television screen, beyond which Baird are under contract to put equipment in one or more Gaumont-British cinemas.

Wheelahan to New York

New Orleans, June 6.
Harold Wheelahan, general manager of WSMO, left here Friday night (2) for New York.

Attending special meeting of Copyright Committee of the National Association of Broadcasters.

FILM MEN CALL ON BRITISH POSTMASTER BUT HE NEVER EARNS WHAT THEY WANT

N. Y. (NBC) Television

June 7

(8:30-8:40) Bert Lytell in 'The Valiant'; Kim Loo Sisters; Allan Prescott.

June 9

(8:30-8:40) Ella Logan, Buck and Bubbles, Billy Daniels, Mary Parker, Joseph Rines, Bob Neller with 'Reggie' (dummy).

Television Alop Empire Requires P.A. Fixing At Hotel Block Away

Chief engineer at the McAlpin hotel is readjusting amplification system now that Johnny Messner has moved his band up on the roof. Recent tests showed that the close proximity of the television transmitter atop the Empire State building cut into regular working of the amplifiers.

Not known what was responsible, but believed that the hotel's public address system is affected by the short wave operation of the television broadcasting. Hotel management is seeking realignment so that sound effects will not cut in on any speechmaking or other amplification at the spot.

Another Television Corp.

Albany, June 6.

United States Television Manufacturing Corp. has been chartered to manufacture and deal in radios and television sets. Capital stock is \$150,000, \$1 par value.

Directors are: J. B. Milliken, P. H. Milliken and L. F. Jubien, New York City.

Protesting Television Committee Suddenly Discovers It's Not United—Split Widens After Strange Session

London, May 30.

Recent delegation of film people to Postmaster-General on the television issue has promoted amusing situation. After exhibits and distributants thought they had agreed on a case, they met the Post Office boss—but then, instead of presenting a common plea, split two ways and came from the interview with F.M.G. in total ignorance of what they truly wanted.

Thereafter, the two trade parties, Cinematograph Exhibitors Ass'n and Kinematograph Renters Society, met again, and found the cleavage of view had widened to an unbridgeable abyss. C.E.A. representatives being bent in twin with diametrically opposed versions of the situation.

Distributors for the most part declare there ain't no good in video where the theatre is concerned; it will diminish playing time and markets for their products and ought to be regarded purely as home entertainment, the industry having no part of it. While sponsoring that view, they had not, however, taken into the reckoning television affiliations in America of Paramount (with DuMont) or the subsequently announced collaboration between 20th Century-Fox and Gaumont British in developing the Baird system.

Some of the exhibits agree with the view, though not for the same reasons; their slant is that introduction of big screen video is giving an added handle to the circuits and more substantial interests, and that the index will suffer, both on account of the fierce competition and because of a product famine which would conceivably ensue. But that's only one angle; the opposition session welcome video, on account of the way it would strengthen their bargaining

power with the distributants, while they also aver it will help to revive flagging public interest in their theatres. At the same time, this section expects safeguards by way of BBC control of fees and latest inside dope is that this policy is being recommended to the F.M.G. by his Television Advisory Committee.

Situation means C.E.A. and K.R.S. cannot meet again till the main battle has been fought—and it may be a lengthy affair—though each side individually will pursue developments. Exhibits particularly will use their annual convention in Blackpool end of June as a forum on which to fog out the pros and cons.

News theatre section of the exhibit side is one group that lines up against video, and its representative organization is seeking an interview with F.M.G. to urge him to keep it for home distribution.

WHB Revamps News Dept.

Kansas City, June 6.

Radio news department at Station WHB undergoes complete revision effective this week. New set-up will be based on INS wire with nine broadcasts daily, four general news and five departmental or feature blasts.

Bob Caldwell, Jr., gets tagged as department head under title of chief commentator, with Gene Crum as radio reporter, M. H. 'Mouse' Straight as news editor, Frank Barby as city editor and Ernie Whitney handling sports. Josephine Jones and Phyllis Sebree will handle women's and society department.

"BY POPULAR ACCLAIM, THE MOST OUTSTANDING
SINGING GROUP ON THE AIR"

The MERRY MACS

Season 1938-39

BRISTOL MYERS' FRED ALLEN "TOWN HALL TONITE"

VITALIS "FOR MEN ONLY"

GUEST STARS WITH:

Al Jolson
Al Pearce
Benny Goodman

Four Consecutive Weeks at the NEW YORK PARAMOUNT

Immediately Re-Engaged to Return in September!

Recording Exclusively for DECCA

Warner Bros. Pictures

RCA Television

Season 1939-40

SIGNED TO RETURN WITH FRED ALLEN to "TOWN
HALL TONITE"

• Exclusive Management

HARRY NORWOOD

46 Rockefeller Plaza • Radio City • New York

Circle 7-5681



Not Hiring Morris as Point Assayer

Question of Availability Right Where It Was—85% of Credits Represented on Present Committee

Question of finding a solution to the controversy over availability classification is back to where it was months ago. The publisher faction of the ASCAP sitting as a classification committee last Friday (2), decided that the employment of an "expert" for this task was unnecessary and that the problem might be minimized if the membership of the special availability committee, now consisting of seven publishers, were expanded.

Publishers who have expressed dissatisfaction with their availability ratings received the report of the board's conclusions with various degrees of cynicism. To this critical element it seems that the dominant factor on the board is not determined than ever to take no chances on having their present royalty allocations disturbed. The publication on the board represent over 85% of the total number of availability points.

The availability committee is slated to do some more classifying by the end of the month, as a preliminary to the distribution of ASCAP's royalty plan for the second quarter of 1939. Little jockeying of current standings is expected to come out of these availability meetings.

During the Friday meeting the board engaged in a lengthy discussion of the point man, Alvin H. (Buddy) Morris, former head of the Warner Bros. music group, be regarded as a "strong" man in availability ratings. Morris had asked for \$7,500 a quarter and a contract for 18 months. The proposition did not meet with the board's favor.

JACOB HANDELSMAN LOSES DEAL FEE SUIT

Claim of Jacob Handelsman for \$2,500 against Archie Fletcher, of the Joe Morris Music Co., was tossed out by Chief Justice Frank Wendel of the City Court last week before the case could go to the jury. Handelsman contended that the money was due him for negotiating for the sale of the Morris catalog to the Paramount Pictures Corp. last fall.

Fletcher, who eventually bought the firm, submitted at the trial a memorandum from Paramount which indicated that all terms and conditions of the deal had been met. The court agreed that since there only had been a meeting of minds and no money had changed hands, Handelsman was not entitled to a brokerage fee.

J. T. Abeles represented Fletcher.

Jack Davis of Australia Arrives in N.Y.C. Friday

Jack Davis, of D. Davis & Co., publishing firm in Sydney, Australia, arrives in New York from England this Friday (9). He expects to close a new survey deal with the publisher catalog before returning home.

Davis recently got the Australian rights to "Sunrise Serenade" and "The World of Tomorrow" from C. G. acting for him.

Little Jack Little Back

Out of the band but for some time, Little Jack Little returns at the end of the month with a new band and no in rehearsal. He's tied to Consolidated Radio Artists. Goes into Paramount Amusement Park, Chicago, July 8 after opening June 26 with a series of one-nighters.

Little has been in Europe for six months. His former band, now co-operative, is still around as the Mitchell Ayres combo.

Biggest for 1939

"Deep Purple" (Robbins) takes rating as 1939's biggest sheet seller to date. The song has gone over 400,000 copies.

The original piano version put out in 1934 is still selling in huge quantities.

LEADER-PUBS SEEN AS OVER SANGRE

The music publishers don't fancy the idea of name badmen suddenly becoming music publishers although lacking the attitude that "they'll find out" and pointing to the heavy investment by Fred Waring in Words & Music, the combination in Olman Music Co., and others who have enjoyed "monopoly."

It's one thing for the bands to assist in making song hits, and others of their compositions, but it's something else again when the bandmen start picking song mas, and they'll plug their catalogs into him.

It's Columbia Now

Albany, June 6. Anticipated change in the name of the American Record Co. was materialized last week. Counsel for CBS, new owner of the recording group, filed notice of the substitution and on the same day obtained a charter from the secretary of state for the CRC to conduct business in New York state.

Capital stock of the Columbia Recording Co. is 100 shares, no par value. The American Record Corp. held a Delaware charter.

New York offices and recording setup of Columbia Recording Co. (American Record) moves this Friday (9) to 789 7th Ave. It will be housed with branch studios of Columbia Broadcasting.

Columbia's platter factory is in Bridgeport, Conn.

GOLDKETTE'S CONCERT

Called a Symph. It Will Be a "Modern Sync Band"

First concert of the American Symphonic Orchestra, for the benefit of the MacDowell Assn., which aids American musical artists, takes place tomorrow night at Carnegie Hall, New York. Jane Goldkette, pioneer jazz maestro, will conduct. Actually, it's a symphonic band, rather than a symph.

Purpose of the American Symphonic is to encourage American music. Composers who will be represented on the initial program by their works are George Gershwin, Dana Sussie, Edward MacDowell, for whom the assn. was created; Jacques Walt, Aaron Copland, Otto Cesana.

"Welcome the World" is an added starter in the list of times dedicated to the N. Y. World's Fair. It's subtitle is "The World of Tomorrow." Nathan L. Spector did the melody and Arthur A. Lipschultz the lyrics.

ISSUE TRUE TO POP NOT A RALLY

Convention in Kansas City Also Faces the Spectre of 9,000 Musicians Dropped Off Federal Rolls

OTHER MATTERS

American Federation of Musicians convention, which opens Monday (12) in the Municipal Auditorium, Kansas City, will be faced with a bitter wrangle over the allocation of network links for the pickup of remote dance bands. Delegates from various eastern locals, including New York, are expected to make the setup which limits them to an occasional pop outlet. Joseph N. Weber, AFM prez, it is understood, is prepared to answer this fire with an array of statistics showing that the comparatively small number of network hours available for such pickups makes a wider distribution of facilities hardly possible.

Indications have been given that the Music Corp. of America and Consolidated Radio Artists, Inc., will be singled out as critical objects in the proposed attack on pick-up facilities "monopoly." It will be charged that through their contractual relations with the networks they are able to command a huge share of the time made available for remote bands. NBC and Columbia are expected to be hit as any guarantee of wires.

Other topics that will come in for serious attention from the delegates are:

1. The dropping of 9,000 AFM musicians from the rolls of the WPA's Music Project.

2. The launching of negotiations to fill a bill of a new agreement with the broadcasting industry.

3. The effect of the National Security Law on musicians, with the Federation contending that the vast majority of musicians do not come under the law's protection.

4. The employment of pit musicians in picture theatres. The discussion of which problem has been put off indefinitely as far as the theatre circuits are concerned.

Other Fees

It is believed that a move will be made to put an official ban on the making of phonograph records containing commercial announcements. Also records to be used for the act.

(Continued on page 33)

Share-with-Men Rule Adopted By Performing Artists Association

Records and Hits

Manner in which several surprise hits have started from the ranks of the men's band record-minded than ever. It's all part of the general renaissance of the phonograph record business, and with the increased "circulation" that means so much more opportunity for unusual recordings to make their impression on the song's commercial chances.

The recent "Sunrise Serenade" is an example, along with "Beer Barrel Polka," "If I Didn't Care," etc.

ELI OBERSTEIN SAYS HE SPINS BY JULY 10

Contrary to rumors that the deals he had on fire to set up his own recording company had fallen through and that he had sought a position with one of the other record companies, Eli Oberstein says that his previously reported Seranton factory will start turning out records on or before July 10. At the same time Larry Clinton, whose band will be considered on a contract basis last Friday, is starting recording today (Wednesday). Clinton's factory arrangement may be for single dates instead of a term.

Oberstein is opening offices in New York today (Wed.) and besides the band which has been mentioned as being under contract to him, reports he has contracts with Marian Anderson, Cole Porter, and two American symphonic orchestras. Later he is described as third in radio and rating about third and fourth in American symphonic. They will not start cutting until the fall, he says. As far as the popular bands he claimed to have contracts with at the time he split with Victor, Oberstein says they can record for whom they please until he's ready to use them.

New by-law approved by board of directors of the National Association of Performing Artists requires that orchestra leaders distribute among members of their bands a portion of the royalties they receive from their work.

The new ruling was enacted primarily, according to Maurice Speiser, counsel for the org. to protect the entire royalty going to the bandleader of a crew merely because he is technically the only member of his band who belongs to NAPA. Legally, the band leader may retain the entire royalty for himself inasmuch as his men are employees and he is entitled to the income from their work, Speiser said.

"However," it was explained, NAPA's board felt that inasmuch as each member of the band is himself a performing artist, he should share in the proceeds of his work.

One of the move by the NAPA execs, Harry S. H. (Hank) leaders, was seen a desire to line up the allegiance of their crews in licensing royalties on a large scale. The phonograph machine use of recordings is expected to be distributed all up in increasing number. With 150 cities-wide among NAPA's 700 members, the association has an average of 12 men in each orch, according to NAPA's figures, there is a potential reserve of 1,800 men.

In the process of lining up the strength of members of the bands, NAPA execs are also eyeing the allegiance of their crews in licensing royalties on a large scale. The phonograph machine use of recordings is expected to be distributed all up in increasing number. With 150 cities-wide among NAPA's 700 members, the association has an average of 12 men in each orch, according to NAPA's figures, there is a potential reserve of 1,800 men.

By-law which was adopted by NAPA reads: The association recognizes the interest of all members of an ensemble, orchestra or band, in the royalties received by the conductor or leader or owner of such an ensemble, orchestra or band, from the association. Members shall be obliged to allocate and distribute among their constituent members of their band such proportion of royalties paid by the association as shall be determined by the Classification Committee.

MOSES SMITH OF BOSTON JOINS COLUMBIA CO.

Boston, June 6.

Moses Smith, music critic on the Boston Evening Transcript for past five years, leaves to join Columbia Records in New York. He will have responsibility of selecting compositions and artists in the classified field. Starts June 19.

No successor yet appointed. Smith succeeded the late Alvin Karpis when he took over the Transcript assignment five years ago.

Boris Moros Generally Denies Chas. Schmers Suit

Complete denial of any verbal pact whereby he promised the plaintiff a job was entered by Boris Moros in New York City. He will have responsibility of selecting compositions and artists in the classified field. Starts June 19.

No successor yet appointed. Smith succeeded the late Alvin Karpis when he took over the Transcript assignment five years ago.

At Paramount, of which Moros was then head.

Moros has entered a counter claim for monies allegedly loaned Schmers.

See Shelley, May, has been charged to conduct a music and musical instrument business in New York City. O. Rothschald, Harry J. Cohen and J. Jackson, New York City, are directors. Paul Friedman was filing attorney.

NAME CHANGED

It Will Be the Standard Music Publishers Assn. Hereafter

Albany, June 6. What used to be the Music Publishers Association will now be known as the Standard Music Publishers Association of the United States. Papers to that effect were filed with the secretary of state office last week. Membership of the association consists strictly of New York, New Jersey, and New England. Gilbert & Gilbert, of New York, are the filing lawyers.

Rockwell on Road

Tom Rockwell, head of Rockwell General Amusement Corp., leaves Friday (9) for a cross-country trip. He will keep him away from his New York office for five weeks. He will spend two weeks or more in Hollywood, stopping off on the way for several days in Chicago and Kansas City.

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15 Best Sheet Music Sellers

(Week ending June 3, 1939)

*Three Little Fishies	Sanley
*Wishing (Love Affair)	Crawford
And the Angels Sing	And
*Little Sir Echo	BVC
Beer Barrel Polka	Shapiro
Sunrise Serenade	Wendell
*Never Knew Heaven Could Speak (Rose of Washington Square)	Feist
*I Didn't Care	Robbins
*Lady's in Love With You (Some Like It Hot)	Chappell
*Our Love	Paramount
*New Moon and Old Dreams	Chapin
God Bless America	Berlin
*Don't Worry About Me (East Side of Heaven)	Berlin
*East Side of Heaven (East Side of Heaven)	Sanley

*Filmscopic Production.

On the Upbeat

Art Dunne has bowed at the El Comodoro, Dallas super club.

Harry Jennings' orchestra now playing for dancing after The Drunkard's Daughters at El Comodoro. Dancing is new angle for meller.

Stanley Wolfe is at present waiting a stink for a WPAffiliation in Cleveland, Ohio.

Maunice Spitalay and his KDKA Pittsburgh orchestra leave the air during the months of July and August to play a series of one-nighters. They will return in the fall as the regular house orchestra.

Lawrence Welk got backpaching assignment in Chicago, opening week 10 and following in Ray Herbeck's crew.

Mike Kay, Cleveland maestro, directing the floor shows at the Ohio Villa, Cleveland.

Bert Block substituted for dates Tommy Tucker could not all. Between playing the piano, conducting and handling the managerial rigors for Dick Stable, Block was a busy boy.

Emerson Gilt opened two-week engagement tonight (7) at West View Club, Pittsburgh, replacing Earl Mellen outfit. Placed by Joe Hiller for CRA.

Jimmy Jay band checks in at Kenwood Park, Pittsburgh, Monday (12) for two-week stay, succeeding Tommy Curren crew. Jay now has Pittsburgh congresses, Gail Moran. Other Kenwood bookings include Benny Burton, June 26; George Hall, July 3; Dick Barrie, July 17; Tommy Ray, July 30, and Baron Elliott on August 6.

Phil Ohman moves his band into Victor Hugo, Beverly Hills, June 15.

Buby Brewin's 10-man orchestra, plus Judith Lawton, entertainer, opened two-week engagement Saturday (3) at Atlantic City's Grand Hotel Spanish Room. Jimmy Richards' crew, with Carol Kent, will move into this spot June 17 to be followed by Emil Velazquez, plus pipe organ Helen Gray and Rock Sockwell, July 23. Aired by WATL, Atlanta.

Eddie Gilligan's orchestra from Wilkes-Barre succeeded Dick Condrack's band from Allentown at Harold Boscard's Mt. Pocono Grill, Mt. Pocono, Pa.

Jack Betzner's band (WOR-Mutual) is being introduced to the House and Merry-Go-Round, Newark, N. J., opened Rocco's Villa Sunset, Lake George, N. Y., near the Delaware Water Gap.

Carl Lorain's orchestra replaces Harbelle Holmes' crew at the Hotel Schroeder, Milwaukee, June 15.

George Olsen opens an eight week engagement at Hotel St. Francis in San Francisco June 27, replacing Harry Owens, who moves on to the Broadmore, Colorado Springs. Olsen will have with him a complete floor

show, one of the first to be spotted in this swank hotel in a long time.

Ann Dupont, debuted her all-male band at Palisades Park, N. J., Saturday (3).

Ziggy Elman, Lionel Hampton recruited Bluebirds for their own small combinations next week while Benny Goodman's outfit, of which they are members, returns to Victor Goodman goes into Rita-Carlton, Boston, for three weeks June 15.

Milt Mertrio goes into the La Salle Hotel, Chicago, June 16, for indefinite stay. Currently at Edison Hotel, N. Y.

Paul Fendavie booked into the New Hopkins hotel, San Francisco, July 10.

Federal Judge Vincent J. Leibel yesterday (Tues.) entered a permanent injunction in N. Y. federal court against Teddy King, in favor of Al Wolfeld, known as Al Fields. Fields' suit still holds good against Warner Bros. Pictures Inc., for invasion of copyright, and the Stanley-Mark-Strand Corp., where King played in its Brooklyn Strand theatre.

Fields charged infringement of copyright on a 'Commodore Clock Face and Metronome.' King is enjoined from using 'Tic Toc Orchestra,' Tick Tock Rhythm, or Tick Tock Tempo. No money damages are to be collected.

Rap MCA-CRA

(Continued from page 31)

companion of singers or actors. Changes in the scale for phonograph recordings will also be recommended. Latter scale for a session of three hours \$30, with three-quarters of an hour permitted for rehearsal time. Latter scale would apply to 10 and 12-inch records. For each additional 10-inch master after the first three hours it would be \$150 per hour and for each added 12-inch disc \$10.

Riccardi's Plans Philadelphia, June 6. Rex Riccardi, president of the Philadelphia musicians' local, declared last week that he had urged the AFM to go into the business of manufacturing phonograph records.

An explanation of Riccardi's international convention in Kansas City next week. The move, he said, will be in self protection. Something, contends Riccardi, must be done to relieve continued loss of local musician employment from the indiscriminate use of recordings.

The Federation, he stated, had lost 100,000 jobs in the past year and would be well able to finance itself in the venture. He said that the AFM had been in a position of opposition from the established recording companies, and to their charge of monopoly and restraint. The AFM would reply that its members cannot be forced into making something that they destroy themselves.

Band Bookings

Russ Morgan, Grocery Men's Convention, K. C. June 26.

Johnny Burkhardt, June 10, Southern Mansion, Balto, Indefinite.

Duke Ellington, week June 23, Hotel Balford, Akron-Yongtum, week June 30.

Eddie DeLange, Friday (9), Claridge Hotel, Memphis, 9 days.

Charlie Miller, N. J., two weeks, June 3.

Mike Riley, June 12, two weeks, Memphis, Tenn.

Hal Kemp, June 10-23 Cavalier, Va. Beach; Steel Pier, A. C. June 24-25; Rita-Carlton, Boston, three weeks, July 5.

Larry Clinton, July 16-22 Manhattan Beach, N. Y., afternoons; June 19, Princeton, N. J.

Al Donahue, July 18-22 Manhattan Beach, N. Y., Jimmy Dorsey, June 19, Goddard Gym, Medford, Mass.

Red Nichols, June 19, Yale U. Franklin Trumbauer, June 2, Lakeview Park, Mahoney, Pa.; Al Miller, Barre, Pa., 18, Ithaca, N. Y.

Will Osborne, June 12, Gutterberg, Iowa Memorial Auditorium, Burlington, Iowa; Bluff View Park, Broad head, Wis.

Normark, Conn., June 6.

Theatre-in-the-Woods, outdoor site used for operetta comedies in past summers, will show name bands and vaudeville once a week this season, according to plans of Billy Madigan, Bridgeport promoter, in co-operation with Greek Evans, operating owner of amphitheatre.

Madigan scheduling a Friday-night policy, which would mean no vaudeville, if resumed, would have to pick another night. Theatre holds more than 3,500.

Virginia Beach Open

Norfolk, June 6.

Big name bands are playing for dancing at Virginia Beach this week, the resort having opened May 27. Will Osborne at the Surf Club, and the King's Jesters at the Terrace Club.

Henry Busse into Cavalier Club June 3, with Hal Kemp coming into that spot on June 17. Dan Gregory will play at the Terrace.

Let's have a plan to ferry him to play at Ocean View during the present season.

Inside Stuff—Bands

Charles Barnett scrambled to the Coast last week after finishing a week's stand at the Flatbush theatre, Brooklyn. Finishing the last show at the Flatbush last week, Barnett was late to catch the New York City train.

Leader flies back tomorrow (Thursday) to Washington to pick up his band for dates in that area. He went to the Coast to visit Dorothy Lamour, with whom he has been in touch.

Socialite romance between Enric Madriguera, Hotel Pierre (N.Y.) maestro, and Florence Lawrence, who is in the N.Y. News last week. She recalled the batonists who had married Paramount avengers, including Hal Kemp-Martha Stephenson, Al Donahue-Fredricka Gallatin, Edgy Duchin—(the latter's obligation on the circuit.) Reported romance between Eddie DeLaron (band also at the Rainbow Room with Donahue) and Burnice Smith, culminated in an elopement Sunday night (4).

Unique deal has been closed by the Sammy Kaye orchestra with Loew club of theatre in New York. It called for the use of Kaye's Victor records exclusively in about 65 Loew houses as housekeeping music. Patrons are fed into the p.a. system while patrons are exiting after final show.

An explanation of Riccardi's obligation on the circuit. Reported romance between Eddie DeLaron (band also at the Rainbow Room with Donahue) and Burnice Smith, culminated in an elopement Sunday night (4).

Tommy Dorsey has blossomed into the most prolific songwriter among bandmen. He recently placed four tunes with Larry Spier, Inc., of which 'The Middle of a Dream' had been made the title song. Shortly before that Dorsey turned over 'This Is No Dream' to Bregman, Vocco & Can, Paramount Music now also has one of his, 'To You.' The Bregman and Paramount tunes were co-authored by Benny Davis.

El Oberstein, who is in process of organizing his own phonograph record company, last week obtained a judgment against Louis Jaffe.

Oberstein explained that the judgment involved an old family financial matter and was secured by default.

BBC's Proposal to Regulate Song Plugging Payoffs Seen as Fair

Another Press Agent?

While Benny Goodman was playing the Palace, Columbus, recently a trophy, donated by Goodman and the theatre, was awarded to the winner of a special horse race at nearby Beulah Park. Goodman's show ran over and on to be on time to present the award he was escorted to the track at breakneck speed by Columbus police.

Arriving just in time to make the award, Goodman and his entourage found an 11-to-1 longshot had copied it. Nag's tag was 'Busse's Trumpet.'

Green Bay Park Opened By Kraemer and Fields

Milwaukee, June 6.

Bay Beach Park opened last week at Green Bay. Some 5,000 persons showed up. Howard Kraemer's orchestra played for afternoon dancing, while Ship Fields was on hand for the evening spot. Admission was 50 cents to \$ 8 p. m. and 75 cents thereafter.

Spot is under direction of Sylvester (Cooney) Ester, operator of the Nightingales and Waverly Beach ball rooms. Other bands booked for a June stint include Bobbie Briggs, Ray Alderson and Dick Jurgens.

Music Notes

Henry Tobias was inadvertently omitted in giving names of composers of the score at Nite T. Grandlund's 'Congress of Beasts' show at the New York World's Fair. Tobias, with Dave Oppenheim and Harry Brent, responsible for the score.

Dr. Ernst Tsch is doing musical score for 'The Cat and the Canary' Paramount.

Reppelle bought pop song, 'Jeepers Creepers,' from Wilkman.

Mike Rossey and Sidney Miller clefting their second song, 'Afternoon in a Cold Shower.'

Joe Walsh has left the Sam Fox Music Publishing Co. to become professional manager of the Jewel Music Co.

Larry Clinton orchestra renewed at Park Central Hotel, N. Y., for two more weeks till June 27.

BBC made a bid to end the she-magnons over dance band plugging which these leaders will protest. Plan is to circulate weekly to all the combos a list of 32 current big time numbers, and all bands will be expected to include a substantial number of these tunes in their radio programs. Committee will not demand 100% adherence, though aiming at keeping the balance between publishing houses.

Titles on the weekly list will be selected by reference to normal channels of research, including listeners' letters, sales of discs and sheet music and such accepted tests.

Dance Band Association finds proposal generally acceptable, and has the hope that scheduling of hit tunes will be helpful to them in program building. Scheme may also smooth way for some of the best leaders in the past, whereby BBC officials have demanded numbers be played by them.

Willard Alexander Brings Ernie Fields Colored Bd. East From Tulsa, Okla.

New colored band described as a cross between Count Basie and Jimmie Lunceford, and will be the William Morris Agency banner next week. It's led by Ernie Fields of Tulsa, Okla., and has Alexander of that agency lead: out to hear and sign it recently. It's a new favorite in that area.

Band plays a series of des openings June 14 in Charles Shriman spots in New England as a recraft, then comes into the Savoy Ballroom, N. Y.

FLETCHER HENDERSON FREE FOR GOODMAN

Leading a band of his own at the Grand Terrace, Chicago, the contract of Fletcher Henderson, arranged by Goodman, bought out of interest in Henderson is in line with the recent wholesale replacements in Goodman outfit. Addition of Henderson, who was formerly a Goodman arranger, to the new blood is in line with the band's renewed stride.

NEW BAND FOR ROGERS

Will Resume Dance Dates—Now in Europe with Mary Pickford

On his return from abroad Buddy Rogers picks up a new band now being rehearsed for him. Currently in Europe with Mary Pickford, Rogers starts out with his new outfit early in July, debuting it in the Grand Terrace, Chicago, follows with Eastwood and Westwood Gardens, Detroit. Dates on neither are announced.

Rogers disbanded the band he had been leading prior to his vacation, but didn't say if he had reorganized it. He had reorganized it into a musical-entertainment aggregation of average size.

Music Corporation of America will resume booking for Rogers, while his band will be personally managed by Arthur Michael and Jim Pope, Michael and Pepe are contemplating a merger to handle Gene Krupa, now managed by the former and Sammy Kaye, handled by the latter, Rogers, Lennie Hayton, whose new band is also here, and others still in the works.

Weedy Herman orchestra plays the Paramount theatre, N. Y., opening July 19 for two weeks; option for three.

Al Donahue band stays at the Rainbow Room, N. Y., till Oct. 10.

Pitt. Cafe Permit Lifted for Rum Sales To Minors; Mich. Pushes Reforms

Pittsburgh, June 6. Green Lantern Cafe here had its booze license suspended for 15 days by State Liquor Control Board last week for law violations. Management intimated it would pay \$150 fine at rate of \$10 a day for each day of suspension and keep going uninterrupted. The fine was an alternate sentence.

Spot was raised last March by state agents, who charged the proprietor, R. E. Blodgett, with selling drinks to minors.

Mich. Reforms

Detroit, June 6. Dissatisfied over state legislature's failure to enact liquor reforms, State Rum Board is seeking a ruling on legality of changes made by liquor commission. Gov. Lenient Dickinson, an anti-liquor league, has been insisting on an earlier curfew, ban on Sunday liquor sales and drastic cut in retail outlets, all of which are expected to have its heaviest effect on niteries in the state it made effective.

If the attorney general okays move, Chairman Muri F. DeFoe says board will eliminate rural drinking

spots, prohibit sale of any intoxicants on Sunday and holidays, at least, outside Detroit, and trim licenses heavily. Since new licenses have already been issued for this year, DeFoe said for the present board would eliminate only those against whom complaints are lodged.

Cafe Closes 5 Days

Buffalo, June 6. Chez Ami, Buffalo niterie, closed for five days, beginning yesterday (Monday), after its liquor license was suspended for that period by the State Liquor Authority for selling after curfew.

The Authority's order only called for suspension of liquor for the five days.

Royale-Frolics Cafe Show Into Chi Palace for 3d Yr.

Chicago, June 6. For the third consecutive year Denis Cooney is booking his Royale-Frolics cafe show into the RKO Palace here. Goop in as a unit June 18. House holds option for second week.

AGENCY MEASURE DIES AS PA. LAWMAKERS QUIT

Philadelphia, June 6. Bill governing agents, introduced in the state legislature several weeks ago at the request of the Entertainment Managers Assn., died with the session last week.

Introduced by Senator Tallman, the measure would have put agents in a classification of other men. They are presently covered by the regular employment agency act, which they claim doesn't fit their needs.

Saranac Lake

By Happy Benway

People who really make this actor's glory worthwhile.

The way that Marnie Lowry, who himself has marked time here for over 10 years, is helping the needy, the ever-cheerful letters from the Varsity, Mgr. Edward J. Leonard, who claims that T. B. does not mean "through booking," a nice gesture.

The salutes to this gang from Morton Downey.

The squibs from Joe Laurie, Jr., and George Jessel to name here. Gene Buck, who sacrifices much for the ailing here.

Siddle Cantor, Major Edward Bowes, Al Johnson, George M. Cohan, Hugh O'Connell, Alfred E. Pabst, Jr., Ed Wynn, William Morris, Jr., Rudy Vallee and David Sarnoff for their donations for the upkeep of this colony.

The timely gifts and greetings from Johnny Barnes, of Buffalo. Mrs. William Morris, who claims all here as her children. Dolph Singer has written a play, "With No Apologies." He wrote the tune, "Just Around The Corner."

Chris Hagedorn seen down the street for the first time in a long while. He's had a mess of trouble. Johnny Dickinson rows that eight more months of this will set him pretty for work again.

Keyes and Lawrence, the Reggie and Tommie of the old days, never miss a chance to aid this gang.

(Write to those who are ill).

Prov. Shriners Book 36 Acts for Benefit

Providence, June 6. Local Shriners have booked 36 acts for its annual circus at Narragansett Park, from June 12 to 17, for the benefit of the Shrine Convention held in the state for crippled children. More than 50 animals and 200 men and women performers are on the program.

Show will be staged twice daily.

GEO. KIRBY KILLED IN HEAD-ON AUTO CRASH

George D. Kirby, around 40, who for 15 years had been on the stand and comedy vaudeville team of Kirby and Duval, was killed instantly in a head-on auto collision Monday (5) in Harrison, N. Y., as he was driving from his home in Sandy Hook, Conn., to New York. His widow, Helen Duval, had formed the other half of the team. He was alone in the car at the time of the crash.

Surviving, besides it, widow, are his mother, two brothers and a sister. Interment in Binghamton, N. Y.

2 Men Sought in Attack On Niterie Entertainer

Syracuse, June 6. Deputy Sheriffs are seeking two men who allegedly attacked Alva May Charnock, 25, Buffalo night club entertainer, while she was on a visit here. Miss Charnock said the two men had taken her in an auto to the outskirts of the city and attacked her. Then, she said, they took her back into the city and forced her out of the car.

She secured the license number of the machine but after deputies had picked up two men, she was unable to identify them.

Will Mahoney to Return To England for Vaude

Sydney, May 18. Will Mahoney, currently playing for Tivoli and set to do a picture for Cinesound, will return to England for vaude dates commencing Sept. 18.

Mahoney then intends to bring his own company for a tour of South Africa, New Zealand and Australia.

Dome, L. A., Bankrupt

Los Angeles, June 6. Omar's Dome, niterie here, filed voluntary petition in bankruptcy, listing liabilities at \$27,025 and assets \$17,051, of which \$15,950 are receivable.

Among the debts are \$373 owed Les Hill, orchestra leader, and \$1,368 for wages to employees.

Frisco Cafe Reopens

San Francisco, June 6. Ernie Heckscher's band has reopened the Palace Hotel Room, which has been redecorated following its fold several weeks ago.

Talent for the opening program includes John and Edna Torrence, dance team; Bert Pivali, mimic ballet; dancer, and Roy Benson, musician.

Harry Howard's 100G Libel Suit Against N. Y. Daily, Kilgallen

Charging libel, suit for \$100,000 damages has been brought by Harry Howard and Howard, Inc., against Dorothy Kilgallen, columnist, and the N. Y. Journal-American, charging that last February she ran an item which indicated that members of the Hollywood Hotel Revue, starring Willie and Eugene Howard, were stranded in Australia.

Howard claims that the Hollywood Hotel Revue is still playing in Australia and that it has been forced to lay off only four men in 40 since going there.

DRAPER TO COCOANUT GROVE, L. A., JUNE 21

Returning from London, where he billed eight weeks at the Cafe de Paris, Paul Draper hits the Coast for a June 21 opening at the Coconut Grove, Los Angeles, booked by Music Corp. of America, he's in the Coast niterie for five weeks, replacing Vezor and Yolanda. The Hartmans follow him. Alec Templeton, the blind pianist, is also on the Grove show.

Phil Spitalny, Hoce, Vallee Set for the Chicago, Chi

Chicago, June 6. Phil Spitalny's all-girl orchestra leads the Balaban & Katz Chicago theatre show week of June 23. Following week (30) Hope Hope, with Jerry Colonna, will be on the roster.

Rudy Vallee's orchestra comes in week of July 28.

Constructs New Niterie

Dallas, June 6. A new summer niterie now here is being constructed by Dick Wheeler, former manager of the Rockwell-O'Keefe office here, and Joe Landwehr, operator of the 400 Club, Wichita.

It will accommodate about 2,500 and will be on a five-acre hilltop site. Name bands will be the policy.

JACK HYLTON
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Best Coffee in England
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NEW YORK

Here's a hot weather tip from

ADEN

EXPERIENCED TROPIC TRAVELERS keep comfortable with tall, iced glasses of Johnnie Walker and Soda. Try it as a summer drink. There's no finer whisky than Scotch, and Johnnie Walker is Scotch at its smooth, mellow best!

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*Red Label 8 years old
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Both 50 & 60 proof

RETURNING FROM LONDON PALLADIUM "CRAZY SHOW"

SUE PALMAN

Thanks to Tom Arnold, "Winter Sports," from Dec. 13th, 1937, to Aug. 1st, 1938

Thanks to George Black, "Crazy Show," Sept. 12th, 1938, to June 3rd, 1939

Thanks to George and Harry Foster, William Morris Office, and Harry Young

AFA FINES MCA ACTS IN CHI; PICKETING

Chicago, June 6.

Two acts booked by the Music Corp. of America for a club date were fined by the American Federation of Actors here last week. AFA is presently picketing MCA.

Francita was fined \$25, with the fine later suspended, while the act of Victoria and Loretta was fined \$24 and suspended indefinitely. Five other acts are due to come up for trial this week for playing the same date.

ROSE DICKERS SALLY RAND FOR B'WAY CASH

If and when Billy Rose's Casa Manana, on Broadway, reopens, Sally Rand may be the headliner. Rose has been talking with the Morris agency about contracting Miss Rand for the Casa's reopening show but there's nothing beyond that.

It's not at all definite that the Casa will reopen since Rose isn't particularly anxious to take another nitery fling right now inasmuch as his Aquadale at the New York World's Fair is one of the biggest coin-makers. The Diamond Horseshoe, in the Paramount hotel building, off Broadway, is his lone cafe representation.

If Miss Rand comes into the Casa show, it's believed she'll sell her interests in the 'Nude Ranch' and 'Miss America' shows at the Frisco Fair, both of which are understood to have slid since the opening weeks.

The Hofbräu, Waldameer Park, Erie Pa., has opened for the summer season.

Philly Hotel Exec Seeks To Vacate Cafe's Title

Philadelphia, June 6.—Demand has been served on Art Padula, operator of the Anchorage, that he cease advertising 'Garden Terrace' as the tag for his outdoor dining room. Samuel Barley, managing director of the Benjamin Franklin hotel, has informed Padula by letter that he has rights to the label for his dining room.

Padula maintains that he has been using the name for six years and refuses to debate it with Barley.

DETROIT VAUDE-LESS, 1ST TIME IN YEARS

Detroit, June 6.

The combined elements of the Briggs Body strike involving some 150,000 workers and the lack of available acts at this time have forced the temporary departure of vaude from the Fox (Skouras). Detroit, which last week began a summer policy of dual films. House returns to vaude, however, in the early fall.

This marks the first time in years that the downtown Detroit area is minus a vauder.

Sharkey Replaces Girard As Pennsy License Head

Philadelphia, June 6.—Charles Edward Sharkey has been appointed by Governor James as license commissioner in the Department of Labor and Industry. Job entails supervision of all agents and the working conditions of acts.

Sharkey replaces Victor Girard, Democrat, who was discharged by the new Republican administration several weeks ago.

N. Y. NITERY'S BKPTCY.

The Mexican Catering Corp., operators of a night club at 1675 Broadway, N. Y., had an involuntary petition of bankruptcy filed against it last week in federal court by three creditors.

It is alleged that the bankrupt is no longer functioning, and the sole asset is a refund of \$385 due on a liquor license.

•15 YEARS AGO•

(FROM VARIETY)

James Craig, of the Mail, although not actively engaged in reviewing for the whole season, was the top reviewer in Variety's annual box-score of New York drama critics.

Elzie Janis, opening at the Queen's, London, was a click in her new vaudeville show. Her lead was Walter Pidgeon, a baritone.

Picture people were going into vaude, among them being Beryl Mercer, Gaston Glass, Flora Finch, Lucille LaVerne and Frank Mayo.

Eight shows closed, seven of them hits, and 1,000 people were thrown out of work when Equity went on strike against the Producing Managers Assn.

'Abie's Irish Rose,' Anne Nichols' stage hit, renewed its lease at the Republic, N. Y., for another year. If the show were to last the year it would beat the 'Lighthouse' record for a Broadway stage run.

With film production on the up-beat Equity launched a membership drive among the film players.

Despite an excellent performance by O. P. Heggie, 'The Baronet and the Butterfly' seemed slated for doubtful boxoffice after opening in Worcester. Laura Hope Crews and Leslie Howard were in the week's other out-of-town, 'The Wer-Wolf,' a click.

Tallulah Bankhead was a 'blinding, blonde vamp' in the London production of 'This Marriage,' with Herbert Marshall also featured.

Natural colored films had its first showing in Los Angeles.

Russe Art, N. Y., Bkpt.

The Russe Art, Second Avenue, N. Y., nitery, filed a voluntary bankruptcy petition in N. Y. federal court yesterday (Tues.) listing liabilities of \$7322 and assets of \$3,516.

Liabilities include \$1,690, owed in salaries to 38 persons.

H'wood Chinese Back to Pix Policy After 'Folies' Fails as Stage Hypo

REUNION IN PHILLY

Martin, Ex-French War Orphan. Meets Benefactor 20 Years Later

Philadelphia, June 6.

It was reunion in Philadelphia for George Andre Martin, currently at the Walton Road here, and his sponsor when he was a French 'war orphan' 20 years ago.

Martin met last week, for the second time in his life, W. L. Saunders, Philadelphia publisher, who supported him by proxy in France after the war, backed him through electrical engineering school. He's currently doing a novelty puppet act.

AFA PUSHES CLOSED SHOP DRIVE ON COAST

Los Angeles, June 6.

Drive for closed shop in Los Angeles territory has been launched by Jack W. Kramer, head of American Federation of Actors here, with campaign aimed primarily at theatres using flesh shows where AFA holds jurisdiction.

Most of local vaude houses have verbal agreement with AFA, but drive is to enforce closed shop pact to insure full protection for actors and others coming under AFA jurisdiction.

From London to Frisco; 'Follies' to Bal Tabarin

'Grandfather's Follies' nitery revue, opens at the Bal Tabarin, San Francisco, Aug. 1.

Troupe, headed by Duanne and Leslie, with the Muriel Abbott girls, recently closed after 21 weeks for Music Corp. of America in the Grosvenor House, London.

Hollywood, June 6.

Attempt of Fox-West Coast theatre to revive interest in flesh shows by booking Clifford C. Fischer's 'Follies Bergere' into its de luxe Grauman's Chinese theatre here, failed to elicit the interest expected, and the stage revue folds June 11 and for four and half weeks.

For first three weeks of venture, grosses came nearly up to expectations, with total of around \$60,000 annexed. Day after Memorial Day holiday trade took a slump and hoped-for six or eight weeks' run looked too dubious to continue.

For final week daily matinees have been cut to Wednesday, Saturday and Sunday, with total of 18 performances on the week, as compared with 23 given first couple of weeks.

Hope of F-WC operating execs was that 'Follies' would demonstrate demand for flesh shows in Hollywood, especially of the sexy type, and there was some talk earlier of bringing J. J. Shubert's Golden Gate expo production of 'Ziegfeld Follies' in to follow. Unfavorable notices received by latter following its debut on Treasure Island, and fear that 'Follies Bergere' would collapse if run were stretched, prompted circuit to decide on early fold.

Chinese, once a two-day-a-day luxer on Hollywood boulevard, reverts to day-date first-run film policy with Low's State starting (13). Fox Wilshire, currently day-dating with State, will again be coupled with United Artists for continued first runs, with fate of Carthay Circle, at present operating with the Wilshire policy, still to be decided.

'Follies' engagement at Chinese is expected to grind out total gross of around \$60,000. Stage unit is guaranteed \$7,500 weekly, and shares after house nut has been reached, but first couple of weeks ran close to \$18,000 mark, but has been sharply reduced for final weeks. Attraction is understood to have a salary sheet of \$6,300 weekly.

HARRY JALOW

The Nation's Number ONE Trumpeter
AND HIS ORCHESTRA

OPENING TODAY

(Wednesday)

PARAMOUNT THEATRE

New York

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Eight Offices to Serve You, Each Office a Complete Unit in Itself

STATE, N. Y.

Block & Sully, Irving Caesar, with Gerald Diney, (Mills, Mill-Brown), Helen Reynolds Co. (M-G), Family (8); 'Lucky Night' (M-G).

Stage ball running an hour and 20 minutes deserved much better business on the opening night. The show is running smoothly and building up to a bellyhug final supplied by Mill Britton and his mad muskies.

Block and Eve Sully, plus Irving Caesar, are the headline turns, with Block the m.c. The duo saves his stuff for later, when they get going with a song and dance, and with a vocal. Earlier he kids about the prices at the World's Fair and in a good gag about a nude violinist.

Caesar gets better as he goes along. He explains the reason for his 'songs of the night' in a couple of lines which opened a new field for the lyricist. He wanted to do something constructive, something that would end up in heaven, he says. With Gerald Diney (M-G) at the piano, Caesar sings these 'message' numbers with vim: 'When You Watch the Parade' and 'The World's Fair'.

Caesar does the best returns when caught with 'Oh, What a Day That Will Be', alluded to as the 'most beautiful spirit song' in the end of all war. For encore he gave us was called 'The World's Fair', and folk song, said to be his newest number. Called 'Love is Such a Cheat', it was a melodious and simple and is sung with spirit. Medley of songs and scenes from the show is also accompanied by comment. For instance, 'Two for Two' might indicate a couple of lines, but the medley is also accompanied by comment. For instance, 'Two for Two' might indicate a couple of lines, but the medley is also accompanied by comment.

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ROXY, N. Y.

Sylvia Mason, M. C. (3); Jack Powell, Winfield & Ford, Variety Singers (7); Gae Foster Girls, Paul Brown's orchestra, (M-G), (20th), reviewed in this issue.

Bright stage show at the Roxy, in sharp contrast to the 'Lincoln' feature. The show is running smoothly and building up to a bellyhug final supplied by Mill Britton and his mad muskies.

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STATE-LAKE, CHI.

Burns & White, Larimer & Hudson, (M-G), (20th), reviewed in this issue.

Good vaudeville bill, with the regulars, Bell, Hawkins holding down the big spot. This troupe, with their vices and grace still, is suitable for family time anywhere.

In the vaude bill, the first is solid and standard. Burns and White make good with their clean-cut, unadorned songs. Larimer and Hudson go over nicely here with their bicycle act, the tramp comedy, and the 'Dennis White' double act. Paul Kirkland caddies strongly with his 'Dennis White' double act.

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FOX, PHILLY.

Cass Daley, Cheney & Fogie, Wier Bros., (M-G), (20th), reviewed in this issue.

The Fox show this stanza has been built strictly with an eye to the bankroll. Ducking completely the 'Lincoln' feature, the show is running smoothly and building up to a bellyhug final supplied by Mill Britton and his mad muskies.

Block and Eve Sully, plus Irving Caesar, are the headline turns, with Block the m.c. The duo saves his stuff for later, when they get going with a song and dance, and with a vocal. Earlier he kids about the prices at the World's Fair and in a good gag about a nude violinist.

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PARAMOUNT, N. Y.

Emery Deutsch orch, Mildred Craig, Johnny Barnes, Merry Macs, (M-G), (20th), reviewed in this issue.

Somewhat shortened to allow for the extra-length 'Union Pacific' feature, stage show at the Paramount reasonably entertaining.

Emery Deutsch's music is a curious blend of jazz and pop. The music is running smoothly and building up to a bellyhug final supplied by Mill Britton and his mad muskies.

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FLATBUSH, B'KLYN

Insy Hutton orch, (14), Nathanese Bros., (M-G), (20th), reviewed in this issue.

This is the last fresh layout for the Flatbush until the latter part of August when the operators, the Broadway plan to add several other to N. Y. houses to a combo policy, forming a small circuit.

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KEITH'S BOSTON

Ross Bros. (2), Boston, June 7, 1939, reviewed in this issue.

About the latest exciting show of the season at this house, Keith's Boston, is running smoothly and building up to a bellyhug final supplied by Mill Britton and his mad muskies.

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STRAND, N. Y.

Punches' orch, Mario & Florida, (M-G), (20th), reviewed in this issue.

It's Hispanic all the way here this time, with the 'Mambo' feature, the show is running smoothly and building up to a bellyhug final supplied by Mill Britton and his mad muskies.

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Deane Broadway, (M-G), (20th), reviewed in this issue.

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Maine Strawhats at Crossroads; May Go Arty or Borscht Style

By ROBERT McDONOUGH
Portland, Me., June 6

Local strawhat season, which opened Saturday (7) at the same time with warm-weather opening of Susan and Gals, finds the Maine at fresco of 4th street has been a group of stars at the crossroads. Grosses last year were unsatisfactory and the season is beginning to question whether the New World's Fair isn't going to drain off some of the money that would normally be spent up here. Tourist traffic into the state up to the Memorial weekend was lighter than at any similar period in years, but the optimists have been laying this to the frigid weather and the fact that the season is about a month behind astrophorically.

Maine cowboys, which started pretentiously some years ago as hinterland adjuncts to the arty section of 4th street has been a group of stars at the crossroads. Grosses last year were unsatisfactory and the season is beginning to question whether the New World's Fair isn't going to drain off some of the money that would normally be spent up here. Tourist traffic into the state up to the Memorial weekend was lighter than at any similar period in years, but the optimists have been laying this to the frigid weather and the fact that the season is about a month behind astrophorically.

Becky Hopkin
Lakewood, with Melville Burke directing a strong company is operated in close relationship with a real estate development, and is located in the middle of nowhere, 105 miles from Portland and 100 from Bangor. This is a hard place to reach—and a harder one to get away from—especially after the curtains. As a result, many visitors turn in for the night in one of the smallest cabins capable of 20 persons of this, with the cost of two or three meals has been added to a number of admissions. The fact that the drama-leave leaves quite a bit of coin behind. Ogunquit, with its starting at the same time, is a school for stage-struck kids attached, and this is said to pay quite a few bills outstanding. The town of stocks—Bela Bial's Deities at Harrison; the troupe at Boothbay; the comedians at the same place, all have their incidental sources of income. But the play's still the thing even under mooning Pies bought.

The hayricks up till now have been cursed with a 'good press'—the comedies in the 1939 set as if they were written by the producer's mother—and often are. The New York streets are represented by second-string men who send back windy stories chronicling the details of being eaten alive by mosquitoes while watching the Pulitzer winner of 1931, or the qualms of realizing that the natural habitat of the funny bird is directly under the net as one follows the unraveling of 'Teulon in Jeans', the cast of which is headed by John Barrymore's Hollywood stand-in, supported by the daughter of the director's old college roommate. Basking in the glow of this 'criticism' many producers and their backs that they could do good work in one hand and their own in the other and a bottle of brandy on the table—at least, they didn't think there was any more to be had for brainwork. And when the customers stopped coming, Good houses were night, good houses were night, good houses were night.

Brinlan's Malvers
At the moment some can be heard counselling a retreat to the art along the lines of Brinlan's Malvers, with all the first-stringers on the premises draw from the latter's personal point. This plan, they admit, would call for a big bankroll and would involve the losing of a great deal of long period; it might even require a Federal subsidy. Others are advising a straight retreat to the art, with customers brought in from the cities via co-operating bus lines. Objectors to the latter proposal point out that an influx of piling hot would not be just enough to deal with the 1939 traffic, but the proper procedure for the future should be to coast along while awaiting a return of the 1939 traffic.

Everything seems to be in a state of indecision, and this goes for the season as well. The strawhats beyond the first few weeks have not been released. Deities mentions one by John Barrymore, but nothing else; Ogunquit and Boothbay are still shattered. At the moment, the strawhats are studying

up on some Indian good-weather prayers.

Amblethrust Show His
Nichols, Conn. June 6. You've got to be versatile if you want to make a name for yourself in the Pinebush theatre here. Spot is a 'Having Wonderful Time' community and the show is a group of types of shows weekly. Monday's is vaude; Wednesday, dramatic production; Tuesday, musical. Season opened May 26 and runs 15 weeks.

Sam Jaffe in 'Gold Watch'
Stony Creek, Conn. June 6. New management here this year, with William Castle operating; Warren, stage managing director; Francis Y. Joannes, set designer; Henry Uros, p. a. Castle will double as director. Eight-week season opens July 3. Rex Ingram is set to 'Emperor Jones' and Sam Jaffe for try-out of 'The Gold Watch'. Break-in is 'Not for Children', with cast headed by foreign import Ellen Schweitzer.

House is working on a plan, aimed to local ordinances, to run Tuesday through Sunday. Season of the orthodox Woodstock-Saturday.

Louise Platt Steps Out
Guilford, Conn. June 6. Chapel playhouse starts 10-week season June 26 with 'Victor'—honorable pencilled for opener. Louise Platt, originally scheduled as understudy, left financial and will continue her activities to acting. Present setup lists Jean Platt and Olive Warren, with Kate Beer as managing director. Jean Harmon is on publicity and Peter Wolf has been assigned to set designing. Richard Albright in as director, with Elizabeth Warren as production manager. Guest stars include Eliza Landi in 'Tovarich' and Esther Elston in a comedy. 'The Little Foxes' by Marion Grant and Robert Z. Perry. Marian Steeper is pencilled for 'No More Ladies'.

Jane Bryan Tabbed
Plymouth, playhouse opens eight-week season July 1 with 'You Can't Take This Away'. Marcus Merwin (Continued on page 46)

ATCHAFANS ETCS. FINAL AUDITION

The American Theatre Council committee in charge of apprentices, which has been auditioning new and young talent for the past two years, managed a performance of stage aspirants before an audience of showmen and agents Thursday (5) at the Henry W. Marshall, New York, with surprising results. During the afternoon 50 youngsters appeared, and 15 of them were named as the most promising. There were 115 in line for engagements.

Whereas last season there were 115 applicants, this year the committee concentrated on only one season. Antoine Perry, chairman of the committee, said that the Marshall, which has directed many private auditions since last fall, with various groups of judges sitting in. 'They were graded in that way and the field thus narrowed.'

There were actually about 2,000 applicants who auditioned. Judges gave each apprentice credits much as they would in a regular show, with 100 chosen as the highest scorers. Some were unable to appear. Thursday (1) performance, having secured engagements.

Miss Perry expressed the opinion that the committee was the best in solving the talent problem. Not all those who appeared are unfamiliar with the theatre, with small parts, while others appear in radio and other performing arts. Some are already well known, able to convince agents of their ability, for which reason the theatre is not so much a stepping stone as having performed a service, both for the new faces and showmen.

Burley Comic Has to Join Equity for 'Yokel Boy'

Among the final additions to the cast of 'Low Brown's Yokel Boy' is Phil Silvers, a comic, who steps from burlesque to legit. Last week his management was advised that Silvers would be required to join Equity, otherwise rehearsals would be interrupted. Delay in the actor filing application is said to have been caused by his failure to pay the required initiation fee.

Silvers is a member of the Burlesque Actors' Union, which has been advised that he is not required by Equity. Under the interchangeability rules Silvers was ordered to pay the difference, after which he's eligible for junior membership in Equity. If he retains good standing with B.A.U., he will pay one half the regulation dues to each union.

'Yokel' is due to debut in Boston in two weeks, with early July entry into the Majestic, New York.

HOT MIKADO'S IN TANGLE WITH EQUITY

'Hot Mikado,' which suspended Saturday (3) at the Broadhurst, N. Y., is under contract to relight at the Hotel of Music New York, with Fair, June 20, though difficulties over planned re-classification of the show, which was scheduled to be out. Michael Todd contends that by reducing the running time to around 100 minutes, the show would be out. Todd is not a member of the union and not within Equity's Fair regulations concerning legit attraction.

Equity figures the matter differently, taking the position that no matter how much the show's running time is reduced it would still be a legit. It is explained by Equity that when the comedians were reduced to units, they were booked into vaudeville and presentation the show would be a part of the show, whereby 'Mikado' would be the sole offering.

Management is figuring on using a short piece picture in conjunction with 'Mikado' and the Fair and in that way 'satisfy' Equity's ideas about classification of a unit. Should the fair managers consent, the combination of film and unit, it would change the policy of the house and might come within Equity restrictions.

Principal point is Sunday performance. Equity has been told that on days at the Fair, under the state law legit shows playing such days must be off Monday. That is the procedure being applied to 'Railroads on Parade,' one of the two presentations under Equity jurisdiction at the Fair.

The other show is the Shakespear in the Merric England comedy. At the Chicago Fair, the brief Shakespeare presentations cover 1935 and 1936, leaving midly here. Planned to have separate entrance to the theatre, so the fair managers are only going to pay 25c admission to the concession, in addition the theatre rap of 40c.

There is a talk to lay the show without a layoff, but Equity has ruled that after June 15, the show must be off.

Equity rules set a limit of 44 hours weekly at the Fair, but additional hours are being played by the players are paid for the overtime. There is virtually no limit for performers in other concessions.

Current Road Shows (Week of June 5)

'My Dear Children' (John Barrymore, 'The Sign of the Cross')—Albany, N.Y.

'Our Town' (Edith Dowling)—Albany, N.Y.

'Streets of Paris' (Bobby Clark)—Shubert, Boston.

'Tobacco Road'—Biltmore, Los Angeles.

Signs with Chi Opera
Milwaukee, June 6.

Helén Yarnow, lyric soprano currently starred on 'Saturday Evening Post' (WPKM) has been engaged by the Chicago City Opera for the 1939-40 season.

The Chicago opera, general manager of the Chicago organization, negotiated the contract.

Top Grossers on B'way During 1938-39

(For season ending last Saturday (3). All figures based on VARIETY's weekly estimates. Figures in parentheses show number of performances on Broadway this season. Asterisk indicates show is still running.)

'Hello-a-Poppin' (313)*	\$112,900
'I Married an Angel' (336)	\$60,300
(Grossed additional \$74,000 previous season and \$246,000 on tour)	\$104,000
'Leave It to Me' (238)*	\$67,000
'American Way' (149)*	\$61,000
'Abe Lincoln in Illinois' (206)*	\$61,000
'Boys From Syracuse' (229)*	\$55,000
'Kiss the Boys Goodbye' (284)*	\$45,000
(Two road companies grossed additional \$338,100)	\$118,000
'Oscar Wilde' (247)	\$37,500
'Knickerbocker Holiday' (185)	\$37,500
(Grossed additional \$160,900 on tour)	\$37,500
'Stars in Your Eyes' (185)	\$37,500
'Set to Music' (128)	\$37,500
'Pins and Needles' (413)*	\$36,400
(Grossed additional \$49,000 previous season and road company also totaled \$228,200)	\$36,400
'What a Life' (427)*	\$27,900
(Grossed additional \$49,000 previous season and road company also totaled \$228,200)	\$27,900
'Little Folks' (120)*	\$29,000
'Hamlet' (95)	\$24,000
(Plus \$42,000 on tour with Henry IV)	\$24,000
'Our Town' (194)	\$23,000
(Also \$191,000 previous season and \$143,900 on tour)	\$23,000
'Tobacco Road' (413)*	\$22,000
(Also \$685,000 during two previous seasons, plus touring companies)	\$22,000
'Mama's Daughters' (161)	\$22,000
'Pillars of the Sky' (73)	\$21,000
'Outward Bound' (193)*	\$21,000
'Going Out the Window' (105)	\$20,500
'On Borrowed Time' (195)	\$18,500
(Also \$244,000 previous season)	\$18,500
'You Can't Take It With You' (209)	\$18,200
(Plus \$1,004,000 two previous seasons)	\$18,200
'D'Oyley Carte Opera Co. (76)	\$161,500
'Victoria Regia' (88)	\$178,500
(Besides \$1,100,000 on road last season and \$750,200 on Broadway the previous season)	\$178,500
'Gentle People' (142)	\$170,500
'One for the Money' (139)	\$167,000
'Primrose Path' (168)	\$156,000
'Rocky Road' (78)	\$156,000
'White Steed' (130)	\$148,500
'Bachelor King' (245)	\$147,200
(Also \$101,000 previous season)	\$147,200
'Henry IV' (73)	\$139,000
(Plus \$14,000 on tour with 'Hamlet')	\$139,000
'No Time for Comedy' (50)	\$137,500
'Hot Mikado' (78)	\$127,000
'Rubbish Inval' (58)	\$120,000
'Rocky Road' (78)	\$120,000
'Shadow and Substance' (120)	\$118,000
(Also \$214,500 previous season and \$197,800 on tour)	\$118,000
'Women' (48)	\$90,000
(In addition to \$1,182,000 in two previous seasons)	\$90,000
'Room Service' (48)	\$55,000
'Susan and God' (8)	\$12,000
(Also \$683,500 previous season and \$693,700 on tour)	\$12,000
'I'd Rather Be Right' (447)	\$6,500
(In addition to \$847,700 previous season and \$684,200 on tour.)	\$6,500

WPA Unions in Big Drive to Halt New Campaign to Cut Personnel

Defined Barley-Legit Theatres Held Key To Hike of Salary Rates

For the purpose of presenting data to legit and surety underwriters, in connection with the annual heavy increase in liability insurance rates, the League of New York Theatres has sent questionnaires to theatre managements. Information sought covers 1935 and 1936, the time that the rates were changed. Managers are asked for the number of clubs made and the amount of the paid, if any, by insurance companies. Indications are that the underwriters, in upping the rates, include a number of former legit houses that are now playing burlesque approximately two weeks per week. That would, it's figured, account for the number of claims paid out by the legit houses.

During 1938 there were 48 theatres available to legit houses, currently there are 35, not all of which are legit at one time. Difference shows that 13 houses have changed policy to either burlesque or grind film.

RAZE ELEGIT THEATRE
Eric Pa., June 6.
The Park theatre, a landmark here, has been razed. Everything from legit to talkers, will soon be demolished to make room for a new building.

The house has been dark for the past year.

(Continued on page 42)

THEATRE BOX OFFICE REPORTS OWN

Legit's B.O. for 3 Years at a Glance

(Season ending Saturday (June 3). All figures are based on Variety's weekly boxoffice estimates.)

Grand total Broadway and road grosses season 1938-39.....	\$10,896,300
(Total of 1,656 playing weeks)	
Grand total Broadway and road grosses season 1937-38.....	20,126,900
(Total of 1,656 playing weeks)	
Grand total Broadway and road grosses season 1936-37.....	21,468,800
(Total playing weeks not available)	
Total Broadway grosses 1938-39 (1,061 playing weeks).....	12,751,000
Total Broadway grosses 1937-38 (999 playing weeks).....	11,501,300
Total Broadway grosses 1936-37.....	13,866,300
Biggest week on Broadway (Feb. 20, '38), 32 shows running.....	444,000
Total road grosses 1938-39 (611 playing weeks).....	7,145,000
Total road grosses 1937-38 (656 playing weeks).....	8,625,600
Total road grosses 1936-37 (611 playing weeks).....	7,602,500
Number of productions during 1938-39.....	97
Number of new plays.....	63
Number of new musicals.....	17
Number of new revivals (includes P.O.V.s, Carle Opera Co.).....	13
Number of miscellaneous.....	8
(Includes return engagements of 'Victoria Regina', 'One-Act Repertory', Ruth Draper, Frank Fay's 'Vaudeville', experimental 'Quiet City', 'An Evening in Cathay', Elsie Janis, Cecilia Loftus)	
Number of hit new shows.....	10
Number of moderate successes.....	3
Number of hit revivals.....	3
Number of failures.....	65
Number of shows during this week.....	16
Number of shows current same week last season.....	16

Proposed Tax Changes Seen Boost For Show Biz, Particularly Legit

Changes in the tax structure proposed by Governmental officials is viewed as a boon to show business, particularly legit. A way would be opened up for the spreading of losses along the principles of amortization, covering a period of three years. Plans to alter the tax system and showmen have made several attempts to have legislators consider similar measures.

Producers point out that they may have a hit one year and pay big taxes on the profit, whereas the next season might find them operating in the red. They contend that some method of equalizing the tax burden should be worked out because show business is more hazardous than other ventures. However, they were told in Washington there could be no distinction between taxpayers.

Under the present tax setup all business operates on an annual or fiscal period of one year. Losses sustained during that period are charged off against earnings within the same time. Show people argue that the regulations may be equitable for business generally, but that show production is entirely different. They point out that commercial enterprises have tangible properties and assets, but that the theatrical productions when finished are worthless.

Proposed changes would allow the business and manufacturing corporations include extending the period over which losses may be charged off. As now planned, if a producer lost \$100,000 during one season and a larger amount the next year, he netted a profit of \$300,000 the third year, he would be permitted to charge off \$200,000 in losses and pay tax on \$100,000.

That is virtually what business has been told to bring about. It appears that treasury officials have recognized the logic of the contention. However, there are those in the industry in mind of benefiting the theatre when the proposals were drawn up, but they seem little concerned that the theatre would be benefited, along with all other business. That also applies to the proposal of dropping the tax on unexpired surplus.

While the prospect of changes are welcomed in show circles, how the system would work out if it is cleaned up is still a question. There had two losing seasons. Tax on the first season's profits would naturally be paid, but the losses in the subsequent years would be amortized as a problem. Tax people appear to have done little to date as to how or whether the proposed changes would affect show business, but some are insistent that changes aimed to aid business generally must include theatrical ventures.

W. A. Williams Set To Head Penny FTP

Philadelphia, June 6. William A. Williams last week was named Pennsylvania director of the Federal Theatre project, replacing Herbert Humphries, who recently underwent an eye operation, the cause of which may be shifted to California.

Art Lewis has been named to head publicized and financed. He succeeds Bill Haggerty.

Equity-AGMA's Joint Broadcasts For Charity Fund

Equity, in association with the Actors Guild, announced last week that it is readying to emulate the Screen Actors Guild by presenting sponsored broadcasts for the Equity-AGMA fund purposes. Most of the details have been worked out and it is anticipated that several agencies representing major advertisers are considering a tieup for such a series. The first Equity and AGMA broadcast will be donated by the Actors Fund, Stage Relief Fund, the three theatrical guilds and probably the American Guild of Actors and AGMA.

The plan was placed before Equity's council some weeks ago by one of the younger showmen and was referred to a committee. It is anticipated that the AGMA has decided to handle the matter between them, it being reported that the union did not consider it necessary for an 'outsider' to participate in what is essentially a charity activity.

AGMA's broadcasts net \$10,000 per program, sponsored by Guff Gold. Money to be paid for the Equity-AGMA presentations will probably not be set until the cast lineups are announced. It is believed that the AGMA presentations will probably not be set until the cast lineups are announced. It is believed that the AGMA presentations will probably not be set until the cast lineups are announced.

CURRENT B'WAY

YR. UP TO 37-38

Heretofore There Had Been A Steady Decline—65 Failures, Including a Couple Which May Resume—Sale of Film Rights Increase

THE FAIR FACTOR

By JACK PULASKI Broadway productivity during the season of 1938-39 more than held its own. There were 90 new productions presented, as against 79 during 1937-38.

Up to the latter period there had been a steady drop in the number of presentations. Previous two seasons had seen the total decline from 120 shows (35-36) to 80. Number of clicks were slightly under the norm on when there were 11 hits and six moderate successes. The season just ended shows 10 standouts plus one profit.

Percentage of successes has not greatly varied for seasons, there being one out of every four shows making the grade. There is a fractional difference for 38-39 but two or three shows that didn't climb out of the production red still have chance to turn a profit. In two instances engagements are slated to be resumed, dependent on whether business perks when the rail influx

Hollywood Buys

Shows of the 1938-39 season purchased by film companies, with the latter's approximate prices paid:

'Abe Lincoln in Illinois' (RKO).....	\$225,000
down payment, plus percentage of film's gross	
'American Way' (RKO).....	\$250,000
down payment, plus percentage of film's gross	
'Philadelphia Story' (Katharine Hepburn).....	\$35,000
plus percentage of film's gross	
'The Sign of the Cross' (Paramount).....	\$100,000
plus percentage of film's gross	
'Susan and God' (37).....	\$15,000
'Of Mice and Men' (37).....	\$15,000
'His Girl Friday' (37).....	\$15,000
'The Sign of the Cross' (Paramount).....	\$100,000
'Our Town' (37-38) (Sci Lasser).....	\$35,000

Productions of other seasons, purchased during 1938-39:

'Elizabeth the Queen' (37-38).....	\$30,000
'Night of January 13th' (35-36) (RKO).....	\$10,000
'Whatever Goes Up' (36) (Paramount).....	\$3,500
'Blind Alley' (35-36) (RKO).....	\$5,000
'Let Freedom Ring' (37) (Metro).....	\$4,000
'The Sign of the Cross' (Paramount).....	\$121,000
'Susan and God' (37) (Sci Lasser).....	\$15,000
'Of Mice and Men' (37) (Sci Lasser).....	\$15,000
'His Girl Friday' (37) (Sci Lasser).....	\$15,000
'The Sign of the Cross' (Paramount).....	\$100,000
'Our Town' (37-38) (Sci Lasser).....	\$35,000

to the World's Fair, comes. However, with those doubtfuls shows included in the list, the number of failures is tabulated as 65, four more than last season.

While the number of production has only been just marked, it is expected that new show activities for 1939 will be materially increased. It is granted that Hollywood resumes legit financing after failing to put up money for nearly three years.

During the spring, up to the time the Fair ushered in the present season, the industry was considerably higher than last year at the same time. That particularly ap-

(Continued on page 42)

Hits of 1938-39

'Abe Lincoln in Illinois'
'American Way'
'Boys from Syracuse'
'Blackbirds'
'Buck and Poppin'
'Kiss the Boys Goodbye'
(Also the revivals of 'Hamlet', 'Henry IV' and 'Outward Bound'.)

Gentle People'
'Knickerbocker Holiday'
'Mammy's Daughters'

MODERATE SUCCESSES

'Rocket to the Moon'
'White Steed'

FAILURES

'Madame Cape'
'Merchant of Yonkers'
'Merrill's Men'
'Michael Drops In'
'Miss Swan Expects'
'Missouri Legend'
'Mother'
'Mrs. O'Brien Entertains'
'My Heart Is in the Highlands'
'Off to Buffalo'
'One Up to Money'
'Please, Mr. Garibaldi'
'P. Innuce Path'
'Ringside Story'
'Run, Sheep, Run'
'Sw. to Music'
'The New Show'
'Soliloquy'
'Spring Meeting'
'Start Your Engines'
'Sunshine, Don't You Cry'
'Swing Mikado'
'Tall My Story'
'Thanks for Tomorrow'
'The Good'
'10 Days Hath September'
'Walks in Goose Step'
'Where Do We Go From Here?'
'What There's a Will'
'Window Shopping'
'Wuthering Heights'
'You Never Know'
(Also the revivals of 'Awake and Sing', 'Blossom Time', 'Importance of Being Earnest', 'Lighthead', and 'One-Act Repertory Theatre'.)

'Closest Saturday', 10, resumes in five weeks.
'Closest Saturday', 10, resumes in five weeks.
Possibility of resumings.

Revisions of B'way's Ticket Code

To Call for Stricter Enforcement;

Playgoer Poll Favors City Control

NEW EQUITY COUNCIL MEMBERS INDUCED

New members of Equity's council were inducted last week. Several made maiden speeches, mostly to the effect on issues and matters to be taken up by the council. The new members were not cognizant of the association's affairs, for virtually every member has received attention for not already included in Equity's policies for some time.

Charles Fiedt held its annual meeting Friday (2) when it was announced that whereas the branch opened \$5,000 in the red last season, that which just closed earned \$11,000 over operating expenses.

Paul Dulleit was re-elected chairman of the executive committee and Frank W. Lerner was elected secretary of the body. Other named for three years are Frances Wade, Carrington Lewis, John Musco, Ben Tilden, Francis Clarke, Emily Marsh and Thomas Scott.

Equity will have representative on Equity's council for the first time, those named being Jack Barnes, Jay Amick, Leroy Maclean, Moore and Miss Marsh.

FTP Dark in L. A.

Hollywood, June 6. The town will be without the Federal Theatre play from June 12 to July 5, marking lowest production level since inception of the project.

Pruning of talent roster is reported under way. 'Swing Mikado' breaks inactive spell.

Brooklyn ticket code will be revised for next season. Extent of changes is under consideration by the New York Theatre and Equity, co-sponsors of the agency regulations. Indications are that the code will be placed before Equity's council by James F. Reilly, the League's secretary, who will submit an opinion from the League's board of directors.

Equity has had a representative pursuing a mass of correspondence relative to code enforcement matter area. Before making his report to the council, he will seek the opinion of the League's board of directors. Also to be queried are a number of ticket brokers and the theatrical managers, Agents and Treasurers union. Letter and ticket men have been critical of the code.

Last week the Spelling bill which would make the sale of tickets for more than 75c over the box office price a misdemeanor was expected to go before the N. Y. city council for action. Sponsor is said to have determined to determine if the measure out of committee but the latter set another public hearing on bill for June 1.

The League has gathered evidence from theatre-goers that the latter are in favor of city regulation of the price of tickets. Postcards answered for a yes or no expression were received from several theatres and within two days 400 replies favoring the passage of the ordinance were received.

(Continued on page 46)

WHOA! IT'S A TRICK

Plug for Erika Mann
Editor, VARIETY:

I hope you will print the following open letter to Broadway:
Two years ago a few of us saw a witty, charming review, "The Peppercorn" managed by Erika Mann in the New School for Social Research. It was the kind you tell all your friends not to miss for anything but it was only scheduled for some days in a small hall without commercial backing and most of New York did not get to speak of the rest of the country.

Since that time Erika Mann has written a best seller; she has toured the country lecturing; and her far-reaching achievements have been spread all over the pages of "Life." Most of the talented reviewers who staged that show in this country, including the inefable comic dancer, Lotte Golar, have later been contrasted to us due to the stupor abroad. National sentiment can be gauged by the Gallup poll and the popularity of Warners' "Confessions of a Nazi Spy."

Who doesn't some big producer grab hold of a sure thing and spread a feast for us by getting Erika Mann to do a new "Peppercorn" in New York?
Jessie Lloyd O'Connor,
(Mrs. Harvey O'Connor)

Says Billy Glason
Editor, VARIETY:

A great injustice was done me and my first radio program on WMCA, on May 24 inasmuch as it was made reference to the fact that the laughter that greeted our script by studio audience was "just" laughter to impress its audience."

Such was not the case. All the laughs heard were legitimate and unselected. He is entitled to his personal opinion of the program in

general but, as "Mr. Broadway" he was not catered to. My script writer, Matty Cohen, catered mainly to those who tune in their desire of detestment and not for criticism. As far as "comedy" comes, as Scho referred to it, it can be kept very busy putting it off the cob' from many other shows that have the good fortune of being network and having a sponsor. This was one show where we didn't ask for laughs or tell the audience when and where to applaud, as they usually do at most broadcasts.

I appreciate it very much if you printed our letter because it gave myself right in the eyes of those who might have seen this notice and who might be some help to me in my struggle to attain the same position in radio as I've had in vaudeville. I never had to "Yore laughter" and I'm not going to start now. And I assure you I'm telling you the truth that it was real and legitimate.

Billy Glason.
Also Endorses Glason
Editor, VARIETY:

You did Billy Glason a great injustice when you allowed a write-up of his radio show to be referred to as a comedy show, that was spoiled by forced laughs that were requested of the audience. I was there and as a former I resent such a misrepresentation of facts. The response in laughter and applause was genuine and no request was made for same.
Mrs. B. Mhand.

Was the Scene in Paris
Editor, VARIETY:

I hope that the New York Fair will be all that is expected, but so far I see, from VARIETY, it is reacting on the part of the "Paris Exposition" did not on local shows.
Maxime Levy.

9 Arenas Form Assn. or Group Booking; Harris Named President

Pittsburgh, June 6.
Nine of the country's top arenas, which bought over \$1,000,000 worth of talent last season, have formed a group to coordinate their booking, with John H. Harris head of Duquesne Garden here and also in charge of Harris Amusement Co. president.

The corporation will be known as Arena Managers Assn. and will be opened immediately in New York with a manager in charge. He'll be in charge of the organization and producing special entertainment and information and recommend bit talent in general.

Charter members are Duquesne Garden here, Providence (R. I.) Auditorium, Syracuse Arena, New Haven arena, Springfield (Ill.) Auditorium, Philadelphia Arena, Hershey Estates Arena, Cleveland Arena and Boston Arena.

Water Brown, of Boston, has been elected treasurer and vice president, with Louis J. Pierre, of Providence, secretary. Brown leaves couple of weeks for Europe to scout for acts and production for the corporation.

KRIMSKY TAKES OVER NORTH'S 'CENTAURS'

John Ringling North, g.m. of the Ringling-Barnum & Bailey circus, resigned Monday (5) as producer of the "Centaur" attraction, headed at the N. Y. Fair, giving as reason that he needed to devote his attention to his circus activities. John Krinsky, the Fair's entertainment director, was placed in charge of the wild west attraction.

Grover A. Whalen, who had been organized and directed the entire show since it was opened two weeks ago. He was induced to leave the enterprise after the exhibition virtually bankrupted the whole deal, which is why an exp. rep. took over. B. has been very dull in the past two days, with numerous schemes introduced in hopes of bolstering business.

The St. Charles hotel, Winnipeg, is the site of the Grill for the summer, as usual, with Johnny Rogers' band taking to the road.

No Hamlet

The N. Y. Police Department has a playlet which goes on six nights a week in the city hall at the World's Fair, sketch being called "Murder at Midnight." The play is a comedy of detection and not for criticism. As far as "comedy" comes, as Scho referred to it, it can be kept very busy putting it off the cob' from many other shows that have the good fortune of being network and having a sponsor. This was one show where we didn't ask for laughs or tell the audience when and where to applaud, as they usually do at most broadcasts.

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Maxime Levy.

AFA FOLDS FAIR CIRCUS IN CAL.

Hollywood, June 6.
Refusal of Pancho & Marco to sign an American Federation of Actors' deal with the show, headed by Jack W. Kramer, head of local AFA, to step in with result that Great American Circus, first tent venue of F&M, folded in Pomona, Cal., Thursday (1).

The show was bankrolled by F&M, with nominal ownership vested in the Dailled, headed by the West Coast San Diego manager, Charles Nelson. Opening May 24 at Redondo (suburb south of Los Angeles), outfit was sporadically booked under auspices, but venture failed to grieve at start of second week.

AFA claims jurisdiction over 35 of the 84 performers coming to the fair, including including 20 F&M F&M contractors.

Failure of Mike Marco to come to terms with AFA necessitated hiring of workmen through employment agency to lead show and to run the Ringling winter quarters at Baldwin Park. Tent, equipment and some animals were left behind.

Ringlings, with plane circus vets in charge of operating departments.

Harvey Condition Critical

Mt. Vernon, O., June 6.
Leon Harvey, 48, ballad singer with the Bells, who was killed in a hospital here, still in a serious condition, following an accident in which his automobile crashed into a highway near here and crashed into a bridge about 10 days ago.

Vanessa Sneedler, 28, comedian with the same troupe, was killed.

N. Y. World's Fair Sidelights

Fair officials expect the latter part of June to tell the story regarding the possibility of large daily gates, with the bulk coming from out-of-town visitors. Right now, the daily paid gate is averaging around 100,000 net, which is not bad considering it represents a daily gross of \$75,000. The fair is not up to producing the gates to be of the total attendance to 50,000,000 to 80,000,000 the first year.

Decision to make entrances to the Working Press-Treasury Dept. building and the Post Office-Publicity structure outside the exposition grounds was taken in order to eliminate the usual road rage for visitors with business in mind. Long delays for building visitors on the grounds resulted in long queues in these buildings resulted in long queues from many who had to cool their heels for 30 minutes or more in the Administration Building, where they were paid.

American flag is now flying from the top of the Giant Parachute Jump in the midway. Supposed to top the red light on the Russian building, statue, but officially it is up in the air only 250 feet while the Soviet peak is 280 feet high. The landscape perspective gives it the No. 1 altitudinous appearance, however.

Slim business at the Cavalcade of Centaurs is now ascribed to the fact that the average midway visitor doesn't realize it's a wild west show and nothing else. Many prospective customers are stumped by the word "Cavalcade" and few have any idea what "centaur" stands for.

Fair association rents the plots in the midway to concessionaires at an annual fee, collecting a percentage of the gate besides. And then has its own treasury division officials on hand to collect the coin and guard the gates to see that tickets are properly picked up. Money is split up subsequently.

Newest crew workers have been given silver badges which are supplied by the concessionaires and other exhibitors. They are given the grounds without delay. Similar gold badges have been given radio technicians and public event crew workers.

Coney Isle, Greatest Nickel Show, Brags It's Outdrawing N. Y. Fair

By JO RANSON

Brooklyn, June 6.

Greatest nickel empire in the world, Coney Island, took down its shutters last week, dubbed Surf avenue, boardwalk and Boverly with new coats of enamel and new attractions. The new show in Flushing, Swim in Coney, and, oddly enough, if last two weeks are any barometer, Coney is in decent position to thumb its own nose at as far as the spectacle in Flushing, as far as the people are concerned.

Coney's getting the mob, half a million on Sundays, and the Fair is sitting nowhere near that number of visitors. But that's all Coney appears to be getting at the moment—visitors. Coney is banking its bets on jousts shopping for nickel knishes, nickel gravity rides, nickel games, nickel shows, and nickel shows, which to squat on the clean beach, for which, thanks to Park Commish Bob Moses, who has instilled the fear of God and cleanliness in hearts of bathers and pedestrians on the beach.

Concessionaires, game operators, rides men and Coney's Chamber of Commerce are all showing simultane-

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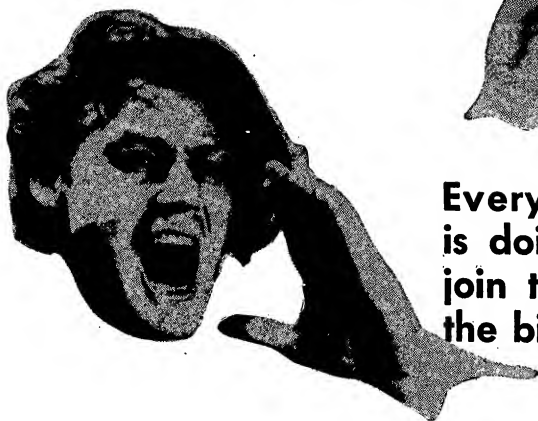
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**Everybody at M-G-M
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join the joyful yells for
the big Show of Shows!**



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**Screen it fast! It's more excitement than the screen has known in years. It's a circus!
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The one and only JOHNNY WEISSMULLER with Maureen O'Sullivan and John Sheffield, Ian Hunter, Henry Stephenson, Frieda Inescort, Henry Wilcoxon, Laraine Day • Screen Play by Cyril Hume • Based upon the Characters Created by Edgar Rice Burroughs • Directed by Richard Thorpe • Produced by Sam Zimbalist

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WANT TO LEARN MORE

Concert Stars Spurn Tours Abroad For U. S.-Canada Platform Bookings

Philadelphia, June 13. Due to a combination of circumstances, the U. S. has largely supplanted Europe as a summer concert field. In previous years the hot concert stars toured the European musical centers during the hot months, but with the rapid expansion of outdoor concert seasons in America, the top singers and instrumentalists now summer in this country.

There are at least 111 spots in the U. S. and Canada that have major summer concert seasons and it is possible for artists to be booked on a continuous circuit across the country, beginning in the east in June and winding up on the Coast during August.

But the growth of the American summer concert business is only one of a number of factors in the situation. Others are the unsettled international situation, with the threat of a general European war, racial persecution in the Fascist strongholds, the difficulty of getting coin out of certain countries, plus various added disadvantages and inconveniences. Other contributing factors are the higher fees obtainable in this country, the boxoffice glory given by the artist's radio or picture activity and the language convenience. One of the most important features is that an artist touring in the U. S. can work in radio, film or theatre dates, whereas all such extra performance is limited in Europe.

Although summer concert fees in (Continued on page 27)

PLAYS FOR ROYALTY IN PIECEMEAL WARDROBE

Meyer Davis had an emergency wardrobe problem at the World's Fair reception to the British royalty Saturday (10) afternoon, when his valet couldn't get by the police cordon with a change of clothes. Davis arrived in sports gear, expecting to change in the Federal Hall. By juggling around his musicians he borrowed, piece by piece, proper afternoon cutaway, shirt, shoes, etc., from among his 15 men, and did his stuff.

He played "Beautiful Lady," "Get a Kick Out of You," "Smoke Gets in Your Eyes" and "I'll See You Again," the latter two the Queen's particular favorites. It was a brief musicale, chiefly a salon comic during the cocktails and reception. No dance music.

Couldn't Stay Away

Hollywood, June 13. After 30 years away from the stage, Henry P. Dixon, one-time burlesque producer, is playing a bit in "Mr. Smith Goes to Washington," at Columbia.

His last acting was in vaudeville with Lou Adler.

Versatile Alice Marble

Alice Marble, among America's topnotch tennis players and now in England to participate in the Wimbledon matches, completed a novel prior to her departure and plans two more books upon her return.

Last winter she did a nifty singing stint at the Waldorf-Astoria, N. Y.

Army, Navy, Air Biz OK's Census Of Sets in Use

Washington, June 13. Special, unprecedentedly comprehensive check on the number and location of radio receivers, was urged on the Census Bureau last week by Federal authorities and industry people wanting positive data to replace the present admittedly incomplete estimates. The Commerce Department canvassers were urged to include questions about listening in their regular decennial non-count '37 year.

Great value of reliable figures on the maximum potential audience was stressed by Acting FCC Chairman Fred Thompson, spokesmen for the Army and Navy, and the NAB. No definite decision reached, although the Census officials previously have been unfriendly to the suggestion, fearing to complicate (Continued on page 23)

FORCING OR ELSE, SAYS D. C.

Adoption or Rejection of Fair Trade Pact at Minneapolis Will Not Alter Thurman Arnold's Program to Sue Additional Theatre Chains on Restraint Charges

POLICIES REAFFIRMED

By JOHN C. FLINN

Washington, June 13. Settlement by consent decree, before trial, of the pending civil antitrust suit brought by the Government against eight major film companies in the Federal district court of New York, is definitely outside present policies and plans of the Department of Justice.

From sources close to the present administration of the anti-trust division, it is learned that acceptance by the film trade of the code of fair practices, and the supplementary plan of industry self-regulation and arbitration of disputes, will have no bearing on present prosecution. It is further stated that the antitrust division, under the direction of Thurman Arnold, has no intention of halting plans to file additional civil suits, similar to the action started in Oklahoma, against large independent chains, unaffiliated with major producers.

On the contrary, it is anticipated that there will be at least four additional territorial suits commenced by the Government, in as many different sections of the country, within the next two months, the complaints of which will contain substantially the same charges as specified in the Oklahoma suit which is (Continued on page 6)

Now the Fair's Beefing About Biz. As B'way Reverses and B.O. Ups a Bit

Clubby Wives

Philadelphia, June 13. The Carman theatre here, never allows business and marriage to mix. He recently wed for the fourth time, but spouse No. 3, June Mace, is still the partner in his act.

No. 4, Janice Williams, temper, is teaching the act to tap dance.

'Golden Jubilee' On Pic Biz Now Looks to Be Cold

Possibility of a Golden Jubilee celebration or any extended exhibitor-distributor goodwill campaign this year was rated slim this week. No particular reason given for this veering away from any "greater picture year" campaign, like the one held last fall, excepting that no interest is being shown in the idea.

However, in some circles the reaction to the campaign of 1938 was viewed as contributing to this lack of enthusiasm. The fact that the film industry has so many ironies in the fire on both the legislative and judicial fronts also is blamed for dividing interest in any idea for a sweeping ballyhoo.

The small possibility that such "greatest year" drive might be revived again this fall is further endangered by the possibility that the Neely bill might pass.

Broadway has complained bitterly since the N. Y. World's Fair began but now concessionaires on the big lot are declaring that business is not nearly up to expectations. Some concessions are known to be in heavily in the red on operation and not certain of continuing. Whereas show business is aware of the Fair's draw as a whole, the amusement area now figures that the exhibit area is too much opposition, with its industrial offerings mostly "buff."

Improvement on Broadway for some legit attractions may presage the delayed betterment. Film biz and cafes also a bit, in some quarters that is interpreted to mean that the number of out-of-towners is still away under expectations, which is why the Fair concessionaires are really worrying.

Weather continues to favor the Fair. At the same time, however, all out-of-doors is getting the best break such spots ever had and there are plenty of people who cannot stand the tap of the Fair. The major amusement parks in the metropolitan district are running considerably ahead of former early numbers. That includes Coney Island, which appears to have no squawks through any eclipse by the Fair. Only weakness is reported from Atlantic City which is comparatively distant but the season there has never really gotten into (Continued on page 55)

CAPRA-RISKIN'S OWN UNIT; GIANNINI B. R.

Hollywood, June 13. There is talk in informed quarters that Frank Capra and Robert Riskin will join forces to produce independently of other studios a special backing from A. H. Giannini. It is generally understood that Capra is terminating the Columbia Pictures contract as soon as he completes editing of "Mr. Smith Goes to Washington."

Report is Riskin will resign as production assistant to Samuel Goldwyn on July 1, with Edwin Knopf being groomed for Riskin's spot. Under the new setup Capra will direct and Riskin do the writing, both sharing production billing.

Literary Stamps Next?

Columbia University Press is inaugurating a campaign for a series of postage stamps to honor America's men and women of letters.

Asking book critics and other literary commentators, booksellers, librarians and all others in and about the book world to get interested in five choices of American authors to go on the proposed series of commemoratives.

Legit Premieres May Be Televised Next Season On B'way In CBS Tieup

A departure in first nights may take place at Broadway premieres next season since managers are considering telecasting debut. The idea has been proposed to them by the Columbia Broadcasting System as an important addition in publicizing shows. CBS, which is to start regular television broadcasts in about three weeks, aims to have legit performers as an important feature of the programs if shown as agreeable.

At an informal luncheon last week Gilbert Selts, in charge of live week shows, outlined the plan to managers and answered questions from the showmen pro and con. Having recently returned from London, where he surveyed television activities,

Selts, who formerly reviewed the drama, made some surprising comments. Particularly interesting to the managers was his statement that business in the legit theatre has been benefited by London by telecasting of shows. Entire performances have been televised, but there's only limited visit there, he said, and those catting the program have aided legit attendance by word of mouth.

"No Deterrent" He also said that telecasting of plays could not be a deterrent over there for years to come, if at all. Currently there are 800 television sets in New York, he said, with the number in a year expected to be around 3,000. Even then, in his opinion, theatre-going would be encouraged.

whether telecast the opening night or thereafter.

Since television is costly, with none of it being profitable in the U. S., it's assumed that if shows are telecast, there would be no rule on the rights, managements rating the broadcasts as promotional. Before such view comes, however, the matter of extra pay to players must be adjusted. When any part of a show is telecast, radio players are paid an extra eighth of a week's salary, under Equity rules, whether the broadcast is made from the stage or in the studio.

Equity claims jurisdiction over television but has considered no rules covering view broadcasts, such as proposed by CBS. Other unions may (Continued on page 13)

Liven Up Those Dummies'

Four hundred mangled figures lay on the battlefield of Atlanta, shattered by shot and shell. They were the last remnants of a regiment in 'Gone With the Wind' on Dave Selznick's back lot. An emissary of the Screen Actors Guild took a closer gander at one of the figures and discovered it was only a dummy.

"War," he declared, "is what General Sherman said it was. I'm gonna see that these dummies have not died in vain!" With that he went back to the SAG headquarters and started another war. From now on, take it from the SAG proclamation, all dead soldiers on Hollywood battlefields must be played by live extras at \$8.25 per day.

Meanwhile, the Guild is trying to collect back pay for the dummies, who not only fell in battle but lay all night under the open sky. That means overtime.

Femme Stars' Trio of Broadway

Hits in Film Sale Negotiations

Although Hollywood boys are pining for three current Broadway hits, none of the deals has yet been clinched. Shows are Philip Barry's 'The Philadelphia Story' at the Shubert; Lillian Hellman's 'The Little Foxes' at the National, and S. N. Behrman's 'No Time for Love' at the Barrymore. All three have femme stars, respectively Katherine Hepburn, Tallulah Bankhead and Katharine Cornell. All three plays are handled by Brandt & Brandt.

Miss Hepburn, who already owned a large share of the legit show, bought the screen rights to 'Story' on a straight percentage basis, calling for a down payment of \$30,000 and bonuses up to a possible \$100,000. Brandt and Moss are now dickering for transfer of the rights, the former on identical terms as Miss Hepburn's buy and Metro on a straight percentage arrangement. Both deals are said to be hot, but neither is riveted.

Miss Hellman, who has a screen writing contract with Samuel Goldwyn, is adapting any work that appeals to her. It is understood favoring him to negotiate for her 'Foxes'. He is handling the deal herself and has received an offer from Brandt, but the amount is not revealed. Her previous elixir, 'Children's Hour', was filmed by the studio. Miss Bankhead is anxious to re-enact her stage part if the play is filmed, but no mention is indicated on that question. Actress was in pictures some years ago, but did not fare well and Miss Hite to go back in a strong vehicle.

Bidding for 'Comedy' is understood considerably less brisk than for the other two plays, but a couple of offers have been received. However, the Playwrights Co., protectors of the Behrman piece, have already rung up two record picture deals this season, 'The Little Foxes' and 'The American Way', both bought by Max Gordon-Harry Gray on percentage deals involving guarantees of more than \$25,000 each.

3 M-G Pix Based on Stage Plays Work; 2 Readied

Hollywood, June 13. Three pictures based on stage plays are currently in production at a fairly lively rate ready to shoot and a fifth in preparation.

'The Women', 'Dames In Arms' and 'On Borrowed Time' are before Paramount; Susan Lenox 'Hullabaloo' is next on the list, and 'Journey's End' is being scripted.

Max Sennett Acting

Hollywood, June 13. 'Falling Star' company at 20th-Fox has been split up. Irving Cummings directing the serious sequences and M. L. Clair handling the comical.

Max Sennett, technical advisor, has been written in as an actor, playing himself. It's a cavalcade of Hollywood.

Hollywood, June 13.

Plans to take over control of all film and radio agents will be rushed to completion this week by Screen Actors Guild, following the lead of Governor Olson in linking Senate amendment to the State Labor Code. The senate bill gives the actors full authority to arbitrate disputes between the bookers and their clients.

The amendment, which the senate floor gives the actors a loophole to appeal to the courts, but this will be eliminated by the SAG Licensing.

CIO'S MOVE-IN

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Fight 'Ecstasy' Ban

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ACTORS MEDIATE ALL DISPUTES

Code of Ethics Will Tabu Client Roids—Complete Draft for Vote of Members—Smaller Gers Not Happy Over SAG Licensing

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Forgot to Tell Salesmen: Philly Exhibs Avert Film Peddlers Still Tough on New Season Sales Terms

Dark Victory

Hollywood, June 13.

Shining light in Columbia's goit, tournament was the studio's Negro bookieback, Harry Martin, who polished off the 14th with a single swipe—the only hole-in-one in any film event.

Bert McRae turned in 64 for low net, Sam Brickstein 70 and B. Irving Briskin 75 and B. D. Kahane 76, all with generous handicaps.

Quebec's Shutdown

Jams Both Cinemas In Levis, Across River

Quebec City, June 13.

Stand by the 11 picture houses here against the 10% amusement tax increase by the municipality remains firm and no compromises will be made.

Mayor Lucien Borne is equally determined and states that no deviation from the city's attitude will be made.

Meanwhile, citizens who are tired of taking the air on Dufferin Terrace in front of the city hall, are going across the St. Lawrence to Levis, where two houses are crammed every inch of ground.

Quebecers will be ready to meet the extra tax by paying advanced prices in the theatres.

However, the Quebec houses tried it out during the whole of the much less attractive (outdoors) month of May and it didn't work, so they are being in the red that month.

ANTICIPATE NO PAR PROXY FIGHT JUNE 20

Paramount Pictures, Inc., has mailed a supplemental proxy statement to all stockholders for the annual meeting of June 20 in accordance with the Securities & Exchange Commission rule which requires specific naming of any and all securities held by company directors in this supplemental proxy statement, cost of which was not more than \$1000 additional to the company, had not been submitted, it was generally recognized in financial circles that any stockholder might have forced postponement of the meeting since not complying with the full specifications of the SEC.

Principal thing omitted in the original proxy statement was designation of holders for the election of John W. Hicks, Jr. and Adolph Zukor. Legally, the company must elect a stockholder who does not hold the company rather than just over-look such designation. This has been taken care of in the supplemental proxy statement with a special paragraph which reads: 'Omission to state in the Proxy Statement holding for Messrs. Answen, Hicite and Zator indicates that they hold no stocks in the Corporation.'

Explanation sent to stockholders is that the supplemental proxy statement was sent to supplement information contained in the proxy statement dated May 12, this year.

In another statement from Balaban, it was pointed out that a large representation of stockholders is desired at the annual meeting.

It now appears that there will be no strenuous proxy fight at the annual stockholders' club as has been indicated at first.

Philadelphia, June 13.

Exhibits here squawking that if the distributors are really serious in their avowed intention of going easier on the theatre ops this season, they've forgotten to tell their salesmen about it.

First beef is on the announced plan of not requiring purchase of shorts, newsreels and trailers to get features. There's no actual demand, exhibs say, to buy the shorts, but the salesmen in their artful way know how to make it appear that it would be advisable.

Second howl is on the score charge. Enough, exhibs say, the score charge has been dropped. But if a pic was formerly sold at \$25 and the score charge was \$250, salesmen are now allowed to eliminate and ask \$27.50 for the film.

Exhibs are asking, too, why the distributors in their new role of friendliness are demanding preferred playing time for certain pics when no mention of such preferred time is made in the contract.

Warner's closed a deal with Willmer & Vincent for the entire lineup of shorts, newsreels and trailers, announces Carl Leserman, ass. general sales manager for Willmer & Vincent, who has offices in Altoona, Easton, Harrisburg, Allentown, Norfolk and Richmond.

Deals have been signed and approved for Warner Bros. product, including 'The Sign of the Cross', for 11 spots in the midwest where Warner's sold in opposition to National Theatre.

Ben Kalms, western-southern manager of Warner Bros. Theatres sold are Howard Atkinson City, Kan.; Cosmo, Booneville and Cville, Brookfield, Mo.; Main Street, Chas. nute, Kan.; Electric, Kansas City, Kan.; Family, Kirksville, Mo.; Mary Lou, Marshall, Mo.; Sona, Mobile, Ala.; Cozy, Pittsburg, Kan.; Vogue, Salina, Kan., and Broadway, Council Bluffs, Ia.

Rep. Info Bermuda

Getting into Bermuda for the first time, Republic has closed a deal with the Colony chain there, calling for 38 features, 28 westerns and four serials on the '39-40 season. Grove, who is v.p.-of Rep., negotiated the contract with Charles B. Monick, of the Colony group.

F&W'S PAR, L. A. UP FOR 10-YR. RENEWAL

A long term renewal of the operating agreement between Paramount and Fanchon & Marco to cover the Paramount Pictures Corp. deal in negotiation, with an early closing expected. Final details will probably be worked out by the end of the week of Barney Balaban.

Paramount has been carried on by Sam Dembow, Jr., v.p. of Fanchon & Marco who Balaban and F&M have been under discussion is for a 10-year period, following expiration of present agreement.

L. A. Par, which has the Par-first franchise in that key, is owned by F&M and operated by F&M for several years.

Her Light Glows

Hollywood, June 13. Muriel Angelus makes her film debut on the RKO screen in 'The Light That Failed' at Paramount.

Actress was signed, while playing 'The Light That Failed' at Paramount.

holding up, with \$30,000, in sight for the second week. Goes third week. First week was \$42,000, tremendous

Philly Continues to Feel Slump; 'Angels' Tops Town with \$14,500

Evident that all the other Four A's unions will continue to oppose Equity's claim of jurisdiction in the field, without claiming such representation for themselves. The idea apparently is to avoid an outright battle, but to stall off deciding the issue until television develops to an extent that its character and course can be determined and controlled.

Coast theatres will be accentuated by the hundred houses of a 'pledge to the flag' pledge are made a part of the 'Gem of the Ocean,' as background theatre has been supplied with new

ultimate judge of pictures under any
to break down a system which has
ld's best motion pictures and is con-
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Question is not one of which union should be favored, but of how the interests of the members can best be safeguarded and promoted.

Venezuela's \$400,000,000 Expansion Program Also a Boom to Film Market

By JOHN LINDSAY

(Until recently director for 20th-Fox Film sales in Venezuela, and slated to return to South America for production distribution).

There is a boom on in Venezuela. Picture theatres are crowded; new houses are being insured; new equipment is being insured.

There is a twofold reason for this boom. The Venezuelan government has started its 'Three Year Plan', which plan calls for the expenditure of \$400,000,000. New roads, schools, hospitals, airports, buildings. And secondly, the newly 'discovered' oil fields are opening up the 'Oriente', or eastern section of the country. New pipe lines, towns, population, films.

It's a great country, run by trained, educated, hard-working executives. President Lopez Contreras has appointed one of the best American cabinets in Latin America. The Venezuelans, and all the foreigners who live there, are enjoying the freedom of a real republican government, free speech and no income taxes. It's the only country in the world without any internal or external debt.

Film Tastes Same

Film tastes are the same as those of any peoples who appreciate art and true-to-life portrayals. Hollywood product is doing an outstanding business. No money can be made on '27' distribution.

The market took a radical turn to native-language and French pictures in February. The market is firmly established and there to stay. Mexican hits started with 'Aja Bu' El Ranchero' and 'El Mexicano' and Argentine producers have the proper 'ambiente'—feel, the language, and the right features, which the Hollywood-made talkers lack.

Local film production is here. 'El Rompimiento' was a starter with bad sound and technical details. 'Joropo' is better, and setting sound will be ready for release soon; certain box-offices in Venezuela and probably in all the remainder of Latin America, and Spain.

Metro and Fox have established branches in Caracas and Maracaibo. The other majors will probably shortly follow suit. The exchange is favorable and pegged at 2:18 bolivar to the dollar. (Incidentally, if you think in terms of U. S. dollars, at the actual exchange, Venezuela is the most expensive country in the world to live in. Divide by six, and not three, to bring living to a New York city basis.)

No Quota Troubles

There are no quota troubles, censorship is reasonable, and tariffs are not a drawback. There are some 110 theatres now operating and this number will increase. There are lease houses now number eight with a seating of Manuel Fonseca's new 'Aja Bu'—1,000 seats. The latest word is that modern equipment, sets, air-conditioning and comfort. Modern concrete structures are found even in the neighborhood houses like the famous 'Luz'. Latest equipment is found in many of the theatres throughout the interior of the country. In fact, theatres in Venezuela are equal to, and in many cases better than, those found in cities and states of equal population in the U. S.

The Venezuelans pay \$1 (\$25 bolivar) to see a first-run picture, and the big houses like the Continental and Principal are often bankrupt or closed. The people still go to see the show.

Percentages are normally booked on a percentage basis—10 to 15 percent less the government tax on this spot-market.

American distributors are beginning to pay attention to this promising growing foreign field, and to appreciate the fact that the Venezuelans are extremely friendly to us. We are natural and forget to be important.

New Whodunit NSG

London, June 13. To Kill a Cat, an ineffectual whodunit, opened to poor response at the Aldwych Wednesday night (17).

Wilcox's 2 Brits To Select for U. S. Sales

Herbert Wilcox has sold U. S. distribution rights to two English productions. 'The Yellow Bird', N.Y. Films are 'The Royal Divorce' with Ruth Chatterton and 'The Reversal' with the French and the Revolvers handled it for Wilcox.

Wilcox, now on the Coast making 'The Cavalry' with Anna May Wong, is reported dickering to buy the distribution rights to an independent production of the same name. Idea is to shelve this picture and take it off the market. 'The Cavalry' was also produced by Wilcox as a silent years ago under the title 'Dawn'.

SHAUER, GORDON SAIL FOR B.A. FRIDAY (16)

Mel Shauer, head of his own Victoria Films, Inc., unit, in from the Coast with William Gordon, en route to South America, sails for Buenos Aires Friday (16). He will start production on at least two of the six Spanish picture productions which American Unitists will release.

Don Lorenzo (Mrs. Shauer), who will be starred in the series, is still in Hollywood and will join the group in B. A. as soon as production starts. Studio, personnel, etc., has been completed. Shauer plans to spend six months in the Argentine and will then make pictures in Cuba and Mexico.

40G LOST ON 'MEXICANA'

Mexican Gop's Losses Out in Booking Native Musical

Mexico City, June 13. With picture producers mixing offers to buy the plot, it seems the Mexican market will be ready to \$40,000 on 'Mexicana' (nee 'Yapa'), pretentious stage revue that it heads and which skidded in Gotham.

There appears to be no possible way to get the film into the States. The other coin it sank into this one, which was intended to build good will and prestige. The Mexican Government is reported to be cool to any other propositions that have foreign entanglements.

Current London Plays (With Dates When Opened)

'Me and My Girl', Victoria Palace—Dec. 16, 37.
'Dear Octopussy', Queens—Sept. 14, 38.
'The Corn is Green', Duchess—Sept. 20, 38.
'Geneva', Saville—Nov. 23, 38.
'Under Your Hat', Palace—Nov. 24, 38.
'Design for Living', Haymarket—Jan. 25, 39.
'Tony Draws a Horse', Comedy—Jan. 25, 39.
'Black and Blue', Hippodrome—Jan. 25, 39.
'Gale Revue', Ambassadors—March 9, 39.
'The Man in Half Moon Street', New—March 23, 39.
'Dance of the Drury Lane', March 23, 39.
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'The Doctor's Dilemma', Whitehall—March 23, 39.
'The Women', Lyric—April 20, 39.
'The Little Review', Little—April 21, 39.
'Third Party Risk', St. Martin's—May 1, 39.
'Introducer', Wyndham's—May 3, 39.
'Quick Winding', Piccadilly—May 8, 39.
'Inquest', Duke of York's—May 9, 39.
'Bridge Head', Westminster—May 10, 39.
'Grouse in June', Criterion—May 10, 39.
'Uneasy Living', Kingway, May 10, 39.
'Behold the Bride', Shaftesbury, May 23, 39.
'Me and My Girl', Apollo—May 24, 39.
'Yesterday', Playhouse—May 25, 39.
'Rhonda Roundabout', Globe—May 25, 39.
'To Kill a Cat', Aldwych—June 7, 39.

Arnold's Ice Revue Clicks in So. Africa

Cape Town, May 30. Tom Arnold's Ice Revue, 'Switzerland', pulled capacity for six weeks at the Empire, Johannesburg, and did likewise at the Alhambra here for eight days, from May 16. Tour is under direction of C. G. Macdonald, consolidated Theatres. Oufit sailed last week for Australia.

Billings are Phil Channing, Elsie Heathcote, MacKinnon Sisters, Ronald and Priestley, Connie Graham, George Russell and Ernie Marconi, Ross and Bennett.

Monetary Setup May Delay U.S. Reentry to Spain

Resumption of American film distribution in Spain is seen largely due to the solution of the monetary problem. It is mainly dependent on the withdrawal of rental money. Meantime, most major American buyers are pushing ahead with preparations for extensive distribution in Spain. A major American buyer, who has maintained skeleton crews during the civil war, but a number with whom the U. S. has no trade relations to Paris until hostilities had ceased.

The big problem confronting American companies is to reach money agreement where they can withdraw coin collected during the last 28 months and in the future. They have had no definite answer from the Franco government that they will be able to withdraw their profit. There also is some confusion regarding legal tender, Franco having ruled that the money in use when he took over is no good but that his own currency must be used. Most rentals collected by American firms in the last two years were paid in Loyalist coin. However, the loss would be relatively small if the Loyalist coin is not acceptable. Some companies also are slightly worried as to how their pictures, especially those banned by Germany and Italy, will fare in the hands of Spanish censors. They are perturbed too, as to what action will be taken in films having stars who publicly and financially supported the Loyalist cause in Spain.

Some buyers have been regarded as an excellent market for American films but few U. S. distributors want to help finance the rehabilitation of Spain.

Lillie, Maurice-Cordoba Click in London Cafes

London, June 13. The Cafe de Paris' new show last night (Monday) was a smash, all due to Bette Lillie, who is booked for a month. Indications are that she'll stick for eight weeks or until she has a change of heart. The last word is that she is in a good mood at the full reopening.

At the Savoy hotel, Maurice and Cordoba are also a monthly appointment is Henry Sherek and Tom Arnold's 'Behold the Bride', which stars Louise Rainer. Was expected to chalk up around \$10,000 for the first few weeks, but going

General Theatre Unit to Be Revived In Australia, Ending Breach Between Hoyts, Greater Union on Bookings

Aussie 'Women' Up As Censor Nix Rebounds

Attempt by the censor to bar 'The Women' boomeranged in New Zealand and the Censor Board rebuffed with exceptional grosses, according to word received in New York last week. Censor had denied the play for public presentation there, but was reversed by local authorities. Resultant publicity tyroed business.

Irene Purcell, Broadway actress who had the lead with her before the troupe returned to Australia and after a stopoff in Honolulu is returning to the U. S. Jack and Helen Denison have left the Australian company of 'I Married An Angel' and have been replaced in the leads by Melton Moore and Katrin Rosselle.

Lina Basquette and Henry Molloyson opened the new Minerva theatre, King's Cross, Sydney, May 13 in 'I Married An Angel'. Australian director, the show.

Broadway Visto

(Continued from page 1)

share the field with Equity eventually, which would complicate the matter. Hereafter, when negotiations to the extra pay for radio have been sought by managers, on the grounds that the engagements would be lengthened, Equity has been adamant on insisting the players be paid on an exclusive basis. The support from show business since, they say, no profit can be earned from television until advertising is made part of the programs. When that time comes rights would be paid to actors and actors' territory being.

Use of radio for theatre promotion is being tried in New York, evening in New York over WNYC, municipal station. Plan is to broadcast a program three times a week. Idea was proposed during the winter but dropped by the managers. The radio program is being proposed and the attitude of the authors was similar. Originally it was proposed to broadcast portions of the present shows, but that plan was dropped because of the barriers between the producers and possibly authors for the rights.

Present plan is billed 'The Voice of the Theatre', consisting of interviews with leading players, light gossip and show news. (Reviewed The Radio Reporter) The show is understood that next season managers may buy radio time locally for their shows. The network is expected that such promotion is beneficial. On a commercial basis there have been no reports about the radio players. Latter presently are giving their services gratis.

London Legit Off; Rainer-Bride '6G, Disappoints; 'Nice,' 3 Musicals Okay

London, June 5. West End legit has been smothered under the weather, with few shows holding up.

Of the new crop the best money-maker is 'Ot Mice and Men', at the Apollo, which has taken from \$50 to \$100 a week. The rate it can run for several months. Gilbert Miller and Jack Buchanan's 'The Women', at the Lyric, has dropped slightly below \$9,000 weekly after topping \$10,000. 'Dance of the Drury Lane', New, was disappointed by Henry Sherek and Tom Arnold's 'Behold the Bride', which stars Louise Rainer. Was expected to chalk up around \$10,000 for the first few weeks, but going

Revival of the General Theatre Corp., booking organization used jointly by Greater Union Theatres and Hoyts in Australia until two years ago, yesterday (Monday) seemed a certainty. With its restoration to active operation, a halt will be called to the present prolonged struggle between GUT and Hoyts circuits for product in Australia.

Northampton, where the GUT board, which has been in New York for the last two months, is expected to disclose details of the set up tomorrow (Thursday). These are expected to include working agreement via General Theatre Corp., whereby major U. S. product will be allocated to both GUT and Hoyts. Rydge plans to sail from Los Angeles for Sydney June 21. He is expected to include more product. Rydge carries with him a contract extending several years for Columbia product. He also has Universal, Monogram and Republic packs besides call on some Metro and Paramount.

Restoration of the old GTC alignment, however, is regarded as the main step toward better relations between American distribution companies and Anzac exhibitors. Quotations are viewed as paving the way to the adoption of a 12½% cancellation clause in exhibition contracts rather than the 25% allowed by law in New South Wales.

GTC has been inoperative in Australia since the split up between GUT and Hoyts. Though not operating, the company has been active in the board of directors of the GUT. It is viewed as paving the way to the adoption of a 12½% cancellation clause in exhibition contracts rather than the 25% allowed by law in New South Wales.

While the new agreement on product bookings between GUT and Hoyts is expected to insure elimination of GUT pressure, stockholder pressure is expected to be a major factor. It leaves most American companies largely dependent on the new booking committee. The new booking committee is expected to be a key house. Lifting of such pressure is counted on to quiet some of the 20th-Fox cancellation in New South Wales, too.

Exceptions to such dependence can be noted as Metro and Paramount, latter having two showcases of its own in Australia, while Metro has six theatres with a seventh due to open in October.

JACK DUNN COLD, BUT HE'S A HIT

London, June 13.

Although he was required to place in Tom Foy's 'The Tenth Deadly Sin', Jack Dunn, the American comedian-horror, scored splendidly yesterday in his opening as the headline at the Palladium.

The Dandridge Sisters, harmonizers, were unable to make the rehearsal and consequently refused to open with their act. 'The Tenth Sin' placed and went over.

At the Dominion theatre, Adelaide Hall, in 'The Tenth Sin', was a click in her debut there.

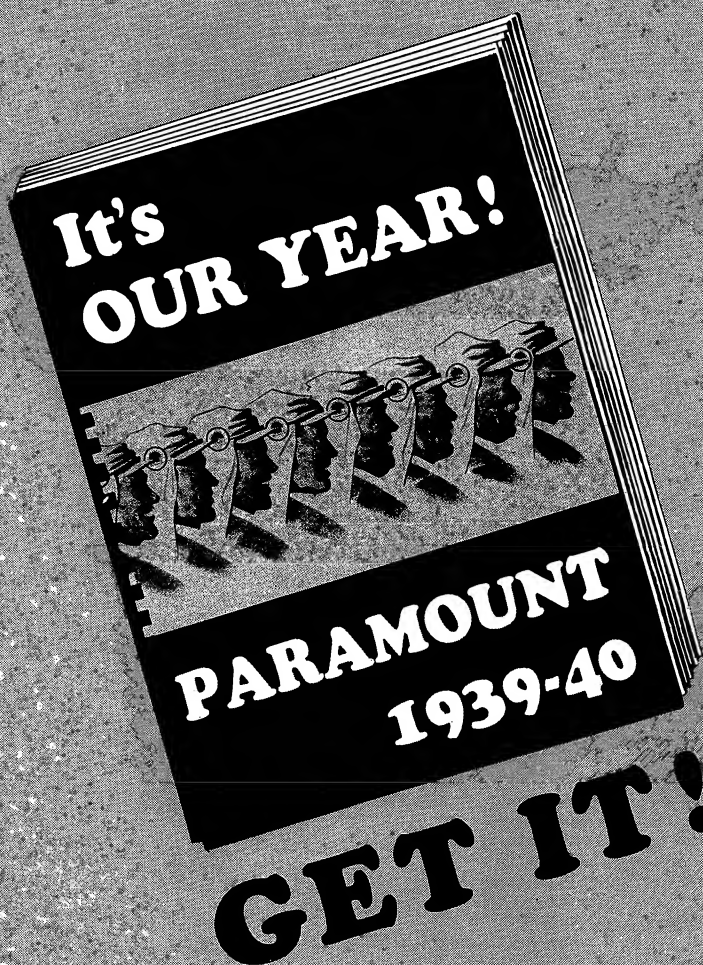
No Change of Policy At London's Drury

London, June 13.

Directors of the Drury Hotel have denie change of policy at the theatre upon the closing of 'Dancing Years', the Ivor Novello musical currently one of the town's leading hits, which is playing at the house. Reported last week that the house would go to a twice-nightly musical policy.

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Yes, 48 of the FRESHEST big-name personalities in the business ... a big-name line-up big enough to insure you *STAR VARIETY*.

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TRAVELS** *IN* **COLOR!**



"I'm in the Paramount
Product Book, lads,
and me Shorts are
more super-spectacu-
lar than ever..."



PARAMOUNT FOR 1939-1940

**IT'S
OUR
YEAR!**

SEPTEMBER

SUN	MON	TUE	WED	THU	FRI	SAT
3	6	7	8	9		
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OCTOBER

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JULY

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Church Bingo in Milwaukee Draws Heavily from B.O., Exhibs Squawk

Milwaukee, June 13. A theatre owner complained: "There are eight churches, all sponsoring bingo, within three miles of my theatre. There have been nights when at least 10,000 persons were playing bingo at the same time in these churches. Each one of those persons paid 35c for a bingo card. Most of them bought more cards, but let's get about that. Those 10,000 persons spent at least \$3,500. That is money that the theatres along my street won't get."

Another theatre owner said he had been tolerant of bingo in the neighborhood, but he knew many churches had been hard hit by the depression and needed money. "If they give it over even give it up," he said. "My congregation, a small one, made \$5,000 one year, the next year, a larger congregation not far away made \$9,000. A couple of years like that and I figure I have more money than I need."

Not all are concerned about the situation. Those who cash the bingo certificates are quite happy, in fact. Since Archbishop Sheen's office has the playing of any games for cash prizes last spring, churches have been giving members the certificates in prize. These are taken to certain stores which have agreed to cash them.

How the Gag Works
The system, according to the manager of a large store which cashes the certificates, works like this: "The group that is running the bingo games—usually the church—buys some cards, society—starts a bingo account with us. We have 20 such accounts. When a prize winner brings us a certificate, he can have either cash or merchandise. We have very fortunate; in May, for instance, a cashier made more than \$800 in bingo certificates and the winners took \$350 worth of goods. We had to pay out less than \$300 in cash."

At the end of each month, the company sends the certificates to the treasurers of the various groups operating the bingo games. These treasurers return checks for the full amount of the certificates to the company.

Bingo is played every night of the week at some church. Most nights the bingo follower has a choice of two or three plays. Saturday is a popular night. Friday night is also good for bingo—one recent Friday 11 churches had parties. Matinee bingo has been growing in popularity in the last few weeks. Several churches have games at the church hall two nights a week and one afternoon. Competition between the churches for the bingo crowds has become exceedingly keen. When churches first took up the game, the announcement of playing dates at Sunday services was considered sufficient, but now, bingo dodgers are distributed to business places and homes for blocks around.

Brandt Finales 'Rio'

Hollywood, June 13. Jerrold Brandt steps in as associate producer on "The Girl From Rio," starring E. B. Clegg, for Paramount Pictures for the 1938-39 Monogram season. Brandt and Derr are committed to eight features for Mono's 1939-40 deal. Frank Melford, associate producer, under Derr for several years, is lining up his own production unit.

U. S. to Coordinate All Its Film Prod. Into 1 Central Unit

Washington, June 13. Single home for Federal camera granders will come out of the tidying which has followed passage of the New Deal reorganization bill. No more than 100 units will be touched last week when the President rubbed out the National Emergency Council and moved the U. S. Film Service to the still-to-be-established Federal Security Agency. The trend, however, is toward a centralized control over the Government's lending activities.

His Service, which came into being last fall on the strength of the acclamation for "Pilot That Broke the Plains," is the U. S. Film Service to the still-to-be-established Federal Security Agency. The trend, however, is toward a centralized control over the Government's lending activities.

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advertising the games and the amount of prizes (see cut). One householder recently collected, during the week, more than 200 different prizes.

Just a Lil Premature

Minneapolis, June 13. Trade here is laughing at a small-town exhibitor in the territory who mailed in his box-office report on a movie picture being played on percentage so that it arrived here Saturday—on day before the film opened its two-day run.

Company hadn't sent a checker because the situation is so small.

MORE THEATRE BDC. ALL OVER

Forest Hills, N. Y., June 13. A 600-seat theatre now under construction by the 99th St. Realty Corp., Queens Boulevard and 99th street, near the intersection of the United Nations International Theatre Corp., which operates throughout Long Island.

More Southwest Bldg.

Dallas, June 13. Southwest Industrial Building, strides last week when details of five new houses were revealed. Interstate Circuit will build two new 1,000-seaters at Houston, while the third at Dallas, six 500-seaters, will be opened at San Antonio this end of the month.

R. E. Griffith will open new Tower at Cristland, N. W. Rowley reopened the Roseville, Dallas, after a completely remodeling the house to give it a modernistic front, 835 seats, lobby, new sound plant, projection equipment and cry room for the kids. Gene Harris, manager.

Wick's Bldg.

Madison, Wis., June 13. Two local and one out-of-state firms announced plans for erection of theatres on Monroe St. here. The Nicolet Corp., Minneapolis, plans a 700-seat house; Ashley Theatre Co., 800-seater; and the Madison Theatre Co., a 720-seater. Ashley operates the Orpheum, Strand, Park and Madison, and the Fair Oaks company has the Eastwood. Currently, the city has seven theatres.

Walter Nordquist is to manage the park near completion at Sun Prairie, Wis. He is now managing the Marine Wis., house of the circuit.

Blaine D. Thomas has renewed his 10-year lease on Lloyd's Menominee, Mich., and is being operated in association with Fox-Wisconsin Amus. Co.

F. Strand, Oakbrook, Wis., named manager of the Bay, Green Bay, Wis., succeeding Porter Norton, transferred to Milwaukee.

1st Talker House There

Carterboro, La., June 13. L. F. Marx started work this week on a 200-seat theatre here, the first talker house this town has seen.

SPECIAL BINGO NOTICE

ST. ANTHONY PARISH
MONDAY
GRAND PRIZE \$1000
#1 & 2nd GRAND PRIZES
#1 ST. JOSEPH'S ANTHONY
#2 ST. ANTHONY'S ANTHONY
#3 ST. ANTHONY'S ANTHONY
#4 ST. ANTHONY'S ANTHONY
#5 ST. ANTHONY'S ANTHONY
#6 ST. ANTHONY'S ANTHONY
#7 ST. ANTHONY'S ANTHONY
#8 ST. ANTHONY'S ANTHONY
#9 ST. ANTHONY'S ANTHONY
#10 ST. ANTHONY'S ANTHONY

BINGO BINGO

ST. ALEXANDER HALL
FRIDAY, JUNE 2, 1939
\$5.00

BINGO BINGO

ST. ALEXANDER HALL
FRIDAY, JUNE 2, 1939
\$5.00

RKO's Innovation: Not Trying to Sell '39-40 Films Until Entire Slate Is Set

Revolutionary, and marking what may be interpreted as a direct move back to the showmanlike of pre-war years, is the policy being undertaken by RKO to refrain entirely from releasing pictures until the entire slate for 1939-40 is set. The sales convention, held for the first time in recent years, will announce it June 12-22. This contrasts with the custom of all film companies to release pictures in advance, beginning to take contracts as early as they can be knocked over—very often before the slate is clearly defined but the pictures will be set.

Two years ago, RKO, the same as other distributors, started closing up deals long before the convention was held and the total lineup had been worked out. That year RKO had its convention in Los Angeles. This year, the company went to the convention it was already nearly 50% sold, including pictures from independent companies. RKO also started selling early, but it skipped a convention for the first time.

Commenting on the radical shift away from what has become annual business, RKO distributed, in the past, its own company in the past, Lew Levay, general sales manager of RKO, said: "Depend, v.p., declared that RKO wants you to know what the product will be before going out to sell it. Reminding that his company could have closed, he said: 'Now, the same as in other years and with other companies for 1939-40, we will have a complete slate of pictures, all the way around (including for exhibitors) to sell the picture. We are based on what the company will have.'

By convention time (June 12-22), which will be held in New York, RKO will have its complete lineup laid out, including pictures from the outside, on which deals are being closed by George J. Schaefer. Also, there are some pictures on the current slate, which will be sold, and shortly which are regarded as important and which may have a vital role in the coming year's output. In other words, why not get these pictures on the market as early as possible, completely set for the '39-40 calendar before a lot of selling is induced.

It Usually Sells Selling

This very desire on the part of the several amounts is what generally starts early spring selling. Levay long has favored a late convention, but he has now decided to move it as early as March, with contracting under way prior to that.

At the convention, RKO will have some franchises, as all companies do, and a few carryover deals that were worked last year on a two-year basis.

RKO will have more pictures for 1939-40 than for this year, with the number ranging upward from a minimum of 52, the additional being dependent on the outside deals.

The sales convention, to be held Monday (19) through Thursday (22), at the RKO headquarters in New York, N. Y., will be the first in this type of setting. Buses will be provided to carry delegates back and forth from New York.

In addition to getting between sessions, RKO is taking in the convention crowd, numbering over 250, to the World's Fair Thursday night (22).

A special train, made up of Chicago, will pull Pacific Coast and other exhibitors eastward from there, making stops en route from Chi to N. Y. to pick up others. Train leaves Chicago Saturday (17).

Four RKO foreign managers arrived in N.Y. this week for the sales convention. Reginald Ames, general manager for Europe; Leon Britton, Far Eastern manager; and Ralph Edmundo, manager for Latin America, arrived from Europe Monday (12). Bruno Chell, manager for Brazil, was due in yesterday (Tuesday).

Paramount's sales conventioners are expected to arrive in New York after spending last four days of last week in convention here. Upwards of 170 delegates from all over the world, including from Europe and Canada and from foreign countries registered.

Sales forces pulled out by special

train from San Francisco last Sunday (11) after attending company's annual convention at the Anaheim Convention Center. Portion of Sunday was spent getting the Golden Gate Express, which cost, company paid all expenses.

Convention, one of largest sales powwows yet held here, was first Paramount-together on the Coast in two years.

Flexible sales policy, to be governed largely by local conditions has been set up by Par for its 1939-40 program. Policy now in force to control the new season, but district managers will have new responsibilities placed upon them, raising greater revenue possible in other situations.

Special drawing power of various stars will have a bearing on deals set up during the coming season, it was stated by Neil M. Agnew, Par v.p. in charge of distribution.

Back to Stage Shows; Shortage Forces Closings

Minneapolis, June 13. Because of shortage of strong product, Orpheum here will book all available stage shows, contrary to usual summer policy. After Bob Hope, June 23 and a Major Bowes show, which closed, Judy Vallie comes in Aug. 4 and Paul Whiteman Aug. 24. It will be Val and Whiteman's second local visits.

With business off and the house in the red on the last stage show, the week will be a struggle to forego cash during the summer months. The change in plans is due to the shortage of strong product, which, faced with the prospect of insufficiently strong screen fare.

Fox Closes 18, Adds 5

Milwaukee, June 13. Fox-Wisconsin circuit closed 18 of its state theatres within the last week and announced its Milwaukee group by two, the Jackson and Astor, prosperous nabes.

Protective two weeks' notice has been given employees of the Palace. Attempts this year to offer name bands every two weeks or so left it with a considerable shortage.

Pin's Promised Shortage

Pittsburgh, June 13. Product shortage and conditions generally forced another down first-run spot, second in as many weeks, to fold for the summer. It's the Fulton, Shady Side, which will shut down at end of "Midweek" run, probably Saturday (17).

Pin's, which has been in the middle of next month. First time house has shut down during the warm weather months. Barry was the other triangle spot to darken, shuttering the Fulton, Shady Side, which will shut down at end of "Midweek" run, probably Saturday (17).

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PLAY BINGO
Every Monday Night
at ST. BARBARA
2nd & W. 1st St.
Grand Bingo
SUNDAY, MAY 19, 1939
St. Adolph's Church
GRAND PRIZE \$1000
#1 & 2nd GRAND PRIZES \$500
#3 & 4th GRAND PRIZES \$250
#5 & 6th GRAND PRIZES \$125
#7 & 8th GRAND PRIZES \$62.50
#9 & 10th GRAND PRIZES \$31.25

S. S. Cyrills Bingo
THURSDAY
JUNE 15, 1939
25th & 2nd St. N. W. 1st St.

Grand Bing BINGO
Tuesday, June 6
St. Stanislaus Addition
St. Paul and W. 1st St.

BINGO BINGO
EVERY THURSDAY
EVERY SATURDAY
EVERY MONDAY
EVERY WEDNESDAY
EVERY FRIDAY
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EVERY FRIDAY
EVERY SUNDAY

Display Adv. on N. W. Bingo

DRAMA-DEEP, STARK.. AND STARTLING!



THE PILOT

Iron-jawed man of action to whom beautiful women are passengers only.



SOCIETY HEIRESS

Beautiful, headstrong, demanding ... Eloping to escape boredom.



LADY OF LEISURE

Gold-digger by choice ... fugitive by necessity ... siren by nature.



HANDSOME PLAYBOY

The man who convinced the heiress he was worth eloping with.



THE DETECTIVE

Escorting a desperate prisoner to doom on the scaffold.



CO-PILOT

Two-listed man against the sky ... a pushover for romance.



CRIMINAL

The doomed man to whom the jungle's terror meant only delay.



GANGSTER

Taking his chief's little son away from bullet-riddled streets.



CONTENTED COUPLE

The botanist and his wife, to whom the jungle was alive with interest ... and life full of happy things!

SENSATIONALISM that pays dividends at the box-office!...The strangest, strongest, most gripping story the screen has seen in months and months!... Nine people trapped by a forced landing in the head-hunters' jungle!... Their crippled plane can carry only five away!... **WHICH FIVE?**... **AH, THAT'S THE PAYOFF!**... Millions of moviegoers will be on edge till they find out - **AND YOU CASH IN ON THE TERRIFIC BOX-OFFICE PULL!**... **BUILD IT UP FOR ALL IT'S WORTH!**

FIVE CAME BACK

WITH
CHESTER MORRIS
LUCILLE BALL
WENDY BARRIE
JOHN CARRADINE
ALLEN JENKINS
JOSEPH CALLEIA
C. AUBREY SMITH
KENT TAYLOR
PATRIC KNOWLES
ELISABETH RISDON

Directed by **JOHN FARROW**
Produced by **ROBERT SISK**
Screen Play by **JOSEF CADA**
Dutton Trumbo, Nathaniel West



APOLLO, N. Y.

House Line (16), **Miss Dicks, John Mackay, Jimmie Baskette, Arthur Bradley, Violet Rhea, Sueing Tye, Lillian Brown, Fred Henderson, Three Speed Kings, Lyle Smith, Tim Bradshaw, Earl Deant, Lyle Bradshaw, School' (Col).**

Just a mediocre bill. Headed by Louise Beavers, the Negro film player, who is supported by Reginald Henderson, show is siltproof, although the tedium in material, although the tedium in material as a whole are reasonably talented.

Miss Beavers and Henderson are in front. Miss Beavers, School, but the tieup failed to produce any noticeable rays. Bill's topography when caught at the late show Friday (and also among the bill's topography) is little Bryant, who easily gave laurels with his grace as m.c. and his dancing. A couple of sketches. He's a holdover.

Miss Beavers and Henderson, appear in a corny sketch of a mother's love for her wayward son. The little place in a death house and depict a scene in material, although the tedium in material as a whole are reasonably talented. Miss Beavers and Henderson, appear in a corny sketch of a mother's love for her wayward son. The little place in a death house and depict a scene in material, although the tedium in material as a whole are reasonably talented.

Tim Bradshaw crew is the band this week. Bradshaw knocks him out as usual, with a few variations. There's little display of musicianship. One of the band's m.c.s., maestro, who's a carbon copy, and a poor one, of Cat. Bradshaw, who's a pleasant clip, particularly in the case of her and her white gown. John Mackay, Baskette, Lyle Smith, Violet Rhea, Arthur Bradley, Sueing Tye, Lillian Brown, Fred Henderson, Three Speed Kings, Lyle Smith, Tim Bradshaw, Earl Deant, Lyle Bradshaw, School' (Col).

Production is better than usual, with lighting, costumes, and other showing snark.

LYRIC, INDLPS.

A. Robins, Four O'Clocks, Ward & Rhea, Judy, Fred Henderson, Three Speed Kings, Lyle Smith, Tim Bradshaw, Earl Deant, Lyle Bradshaw, School' (Col).

Experience has proved that customers want bands, for best acts booked, box office figures show that bands are in for a bright future. This week is no exception, for all these bills are good entertainment, but appeal is mostly to oldersters.

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are disgorged from a voluminous repertoire. Also has some good costume changes. O'Clocks close with dancing and gags. Two brothers start with cuffed combs, but mite winners of the show. Fred Henderson, Three Speed Kings, Lyle Smith, Tim Bradshaw, Earl Deant, Lyle Bradshaw, School' (Col).

Shows runs 63 minutes, and while it compares favorably with other Broadway shows, it was not the highlight of the night.

EMBASSY, N. Y.

(NEWSREELS)

Visit of King George and Queen Elizabeth to the U. S. dominates the show here. Everything else seems pale by comparison. Paramount's special edition covers the arrival of the royal party at Niagara Falls and the elaborate reception in Washington. It's most comprehensive, showmanly handling. Par's coverage, running about 15 minutes, tells the story of the royal visit. The visit here graphically from every angle.

The special contains a prelude, showing the King and Queen preparatory to their visit to New York. The actual landing of the royal party at U. S. soil, at Niagara Falls, picking up the royal train the next morning in New York.

Sequence of events is taken up with shots of special Par narrators spelling different ways of getting on the route taken by the royal party. Indicating the various scenes, crowds lining up, best protests, snatches of humorous incident. The royal party is taken up with shots of special Par narrators spelling different ways of getting on the route taken by the royal party. Indicating the various scenes, crowds lining up, best protests, snatches of humorous incident.

Arrival of Fred Smith, Jr. at Fox. The show is a good one, with a few variations. There's little display of musicianship. One of the band's m.c.s., maestro, who's a carbon copy, and a poor one, of Cat. Bradshaw, who's a pleasant clip, particularly in the case of her and her white gown.

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Unit Review

B'way Merry-Go-Round

(ORPHEUM, L.A.)

Grisha and Brons, Judy, Blossom Slattery, Earl Deant, Lyle Bradshaw, School' (Col).

Harry Sherman's 'Broadway Merry-Go-Round,' all girl unit making its debut here, was a surprise. Orpheum on Memorial Day, one day ahead of schedule, in hope that war for 'Helen in the Tropics' would be a success. Manager Sherill Cohen added Grisha and Brons, Judy, Blossom Slattery, Earl Deant, Lyle Bradshaw, School' (Col).

It's straight vaudeville, with Elaine Boyd's eight-piece female orchestra. Miss Boyd is a good dancer, and the Four Amabassadors, quartet of fast-step dancers, to hold their own. Unit turns out to be highly entertaining, fast moving stage diversion.

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Radio Sets

(Continued from page 1)

their field work and statistical analyses. The National Broadcasting Company's adoption of policies which will improve service to the public is a complete and accurate picture of the radio industry's progress. The National Broadcasting Company's adoption of policies which will improve service to the public is a complete and accurate picture of the radio industry's progress.

Advantage to the industry in programming was pointed out by Paul R. Schuchman, president of the National Broadcasting Company. The National Broadcasting Company's adoption of policies which will improve service to the public is a complete and accurate picture of the radio industry's progress.

National defense agencies were emphasized in the program. The National Broadcasting Company's adoption of policies which will improve service to the public is a complete and accurate picture of the radio industry's progress.

\$15,000,000 rearmament program. The picture also depicts the 'Caribbean' setup as it affects the U. S. and the Caribbean. The National Broadcasting Company's adoption of policies which will improve service to the public is a complete and accurate picture of the radio industry's progress.

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ORSON WELLES AND CO. (8)

25 Miss: Paul (Special)

Plains, Chicago, the man who scared the world, then charmed it, Orson Welles, is no mention of his vaudeville appearance. Neither does the turn refer to radio in any way.

Instead, it's a presentation of a condensed version of 'The Great Dictator' by Orson Welles, the George Arliss role of the rajah. It's a condensed version of 'The Great Dictator' by Orson Welles, the George Arliss role of the rajah.

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New Acts

setting of rajah's retreat in the desert. Orson Welles, the George Arliss role of the rajah. It's a condensed version of 'The Great Dictator' by Orson Welles, the George Arliss role of the rajah.

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"HELLO MAISIE!"

I hear you knocked 'em for a loop in the pre-mieres at Harrisburg and Providence. I guess you're the big box-office noise right now!"

"HELLO TARZAN!"

That goes for both of us. Wait 'till you open your big show at the N. Y. Capitol today and tomorrow! I'll bet the gals will want to feel those muscles, Big Boy!"

This is "MAISIE"
The Explosive Blonde!
She'll dig gold for you!

with Robert Young, Ann Southern, Ruth Hussey, Ian Hunter and Cliff Edwards
Screenplay by Walter Allen • Directed by Edgar Allan
Editing by William A. Seelbach

Here's "TARZAN FINDS A SON"
It's the best Tarzan hit yet!

with Johnny Weissmüller, Maureen O'Sullivan, John Sheffield, Ian Hunter, Henry Stephenson, Frieda Inescort, Henry Wilcoxon, Lorraine Day
Screen Play by Cyril Hume • Based upon the Characters Created by Edgar Rice Burroughs • Directed by Richard Thorpe • Produced by Sam Embellat

"HELLO MR. EXHIBITOR!"

Here are Two Big M-G-M Shows for Showmen!

M-G-M to the rescue as the thermometer soars. "MAISIE" is a daisy. Harrisburg and Providence engagements great! Watch this week's opening of "TARZAN FINDS A SON", a wow! "ON BORROWED TIME" is the talk of the West Coast! "GOODBYE MR. CHIPS" terrific in Dayton, Columbus, Cleveland, the first spots outside of New York and Los Angeles to play it! And now the sensational preview of "ANDY HARDY GETS SPRING FEVER" establishes another big one! Remember this: when a feller needs a friend there's always THE FRIENDLY COMPANY!

MORE
THAN
EVER..

FOR

- ★ 2 DEANNA DURBIN Productions (one co-starring Charles Boyer). Produced by Joe Pasternak.
- ★ HENRY KOSTER Production "THE OCEAN BETWEEN". Produced by Joe Pasternak. Story by Bruno Frank. Screenplay by Bruce Manning.
- ★ JOHN M. STAHL'S "BULL BY THE HORNS" by the creator of "Magnificent Obsession", "Back Street", "Seed", and "Imitation of Life".
- ★ 2 JOE PASTERNAK PRODUCTIONS
No. 1 James STEWART in "The MAN from MONTANA" with Mischa Auer.
- ★ No. 2. Nan Grey, Robert Cummings, Gloria Jean in "The Under Pup". Original story by I. A. R. Wylie. Screenplay by Grover Jones. Directed by Richard Wallace.
- ★ IRENE DUNNE... An assured box office smash-hit with the star of "The Awful Truth" and "Love Affair".
- ★ W. C. FIELDS Production. He's rupee ripe now... and we pick him to pack 'em with a great successor to "You Can't Cheat an Honest Man". Produced by Lester Cowan.
- ★ BING CROSBY Production with a marquee full of great name stars.
- ★ "RIO" starring DANIELLE DARRIEUX to be produced by Joe Pasternak.
- ★ EDGAR BERGEN & CHARLIE MCCARTHY Production. Another sure fire hit... with a battery of front line stars and Mortimer Snerd, too!
- ★ MARGARET SULLAVAN Production. In a role destined to outshine even her own unforgettable performance in "Three Comrades" which won for her the highest awards of the season.
- ★ JACKIE COOPER & FREDDIE BARTHOLOMEW in Two Productions. Produced by Burt Kelly. Directed by Joseph Santley.
- ★ BASIL RATHBONE in "TOWER OF LONDON" Produced and Directed by Rowland V. Lee, who made "Sun Never Sets" and "Son of Frankenstein".
- ★ "VICTORIA DOCKS AT 8" starring Basil RATHBONE An original story by Rufus King and Charles Beahan. Produced and directed by Richard Wallace.

UNIVE

1939-1940

"THE INVISIBLE MAN RETURNS", directed by Joe May. Original story by Joe May and Kurt Siodmak.

"RETURN OF THE SHEIK". Panoramic Adventure!

2 Productions in "The FAMILY NEXT DOOR"

Series starring HUGH HERBERT with "SANDY" the Wonder Baby. Associate Producer Max H. Golden.

SEVEN Productions with RICHARD ARLEN & ANDY DEVINE in stories by the greatest authors of all time!

"Mutiny on the Black Hawk", "Steel", "Man from Montreal", "Raging Rivers", "Air Express", "Sea Patrol", "Fury of the Tropics". Produced by Ben Pivar.

MARQUEE PRODUCTIONS 4 Exploitation Productions, 4 Musical Productions, 8 Action Productions.

SERIAL POWER! Produced by Henry MacRae. "The Oregon Trail"—15 episodes with John Mack Brown.

"The Phantom Creeps"—12 episodes starring Bela Lugosi.

"The Green Hornet"—13 episode radio sensation.

"Buck Rogers Conquering the Universe"—12 episodes with Larry Crabbe.

13 TWO REEL MUSICALS

13 COLOR CARTOONS by Walter Lantz.

"MARCH OF FREEDOM"—a Two Reel Special produced by Tom Mead and Joseph O'Brien.

JACKIE COOPER in "HIS SON". Burt Kelly Associate Producer.

KARLOFF and LUGOSI in "FRIDAY the 13"

2 LITTLE TOUGH GUYS Productions—"Call a Messenger" and "Academy Winner". Ken Goldsmith Associate Producer.

SEVEN JOHN MACK BROWNS with Bob Baker and Fuzzy Knight. The three favorites of your action fans in a series to be produced and directed by Al Ray.

TWO RE-ISSUES: The greatest combination show of the season! "My Man Godfrey" and "The Old Dark House"—presenting an unprecedented array of big star names. Powell • Lombard • Douglas • Laughton • Karloff • Auer Patrick • Brady • Massey.

15 One Reel GOING PLACES. Commentary by the ace voice of radio Graham McNamee.

15 One Reel STRANGER THAN FICTION. Commentary by Alois Havrilla.

104 issues of NEWSREEL (twice weekly). Commentary by Graham McNamee.

FOUR SPECIAL PRODUCTIONS OF ROAD SHOW CALIBER!

3 FAMOUS Productions by a new producing organization of major importance headed by HARRY EDINGTON

Douglas Fairbanks Jr. in "ATLANTIC CABLE" an original story by Dennison Clift.

Cary GRANT in "PARIS STREETS" (tentative title) from the famous play by Georges de la Fouchardiere.

"SOUTH of the AMAZON" an original screenplay by Frances Marion. Cast with stars of the first magnitude.

And by arrangement with Rupert D'Oyly Carte, Universal presents.

GILBERT & SULLIVAN'S "The MIKADO" in TECHNICOLOR with Kenny Baker, Jean Colin, Martyn Green, Sydney Granville, John Barclay, The D'Oyly Carte Chorus. Recorded by the London Symphony Orchestra. Adapted, conducted and produced by Geoffrey Toye. Directed by Victor Schertzinger.

RSAL!

Hill Blackett Is C.O.P. Rep for Illinois; Friends Say He's Out for Ohio's Taft

Chicago, June 13. Hill Blackett, of Blackett-Samplum-Hummert agency, here, has been elected to the post of national Republican committeeman of Illinois. Blackett was chosen at a meeting of the State Central Committee in Springfield over the weekend.

Blackett, who was public relations director for Al Landon in the last presidential campaign, intends to hop immediately into the political pot and will open a local office through which to conduct his Republican committee activities. Blackett is accustomed to spending plenty of coin on his political maneuvers and is reported to have poured plenty of his own coin into the Republican campaign in 1936. It was Blackett who brought in Kirby Hawkes, radio director and actor, to conduct Landon in the use of the microphone, and the best points of elumination. Hawkes is now radio director for the Blackett-Samplum-Hummert agency.

As far as his choice of the Republican presidential nominee for 1940 is concerned, Blackett has made no formal announcement, but it is understood that Blackett will go to the front for Taft of Ohio at the next C.P. convention.

In cornering the state committeeman post Blackett defeated five other candidates for the position and nine ballots were taken before the B-S-H exec emerged as victor. Among the defeated by Blackett were Charles Walgreen, drug chain troon, and Charles Goodspeed, national treasurer of the Republican party.

NO NEED FOR 'ALARM'—FCC

Washington, June 13. Tespo-tempest occurring when the Federal Communications Commission dusted off a 1927 provision in the Radio Act requiring complete disclosure of sponsors on commercial programs appeared to have blown over last week when the commission's statement to the National Association of Broadcasters that it hadn't meant to issue a new rule into the air.

Interpretation of Sec. 317 of the Communications Act of 1934 by Anthony W. Bennett, FCC chief counsel, would seem to properly reflect the purpose and spirit of the section, the FCC hastily informed the national public. No need to use specific language in identifying advertisers, as long as the general public catches on to who is paying for the program; no harm intended, and no skin off anybody's nose.

ROLLER SKATING PARTY FOR KCKN SPONSORS

Kansas City, June 13. Berta Segton who has been broadcasting a personalized service via KCKN, hostess at party for all her accounts and friends at the Commodore roller rink Wednesday, June 14. Rink, an account, was turned over to her as evidence of satisfaction with his service, and Miss Segton made it an occasion to favor her accounts. Passed out 500 ducats through advertisers.

Station also arranged broadcast dance party with staff news member on spot telephoning events to studio announcer who aired affair with play-by-play of public McMillan. Figured 600 skaters have enough friends to want to listen and provided good opportunity for some good will for station.

Van der Linde Resigns

Victor Van der Linde, who held the title of general sales counselor until Ken Dyke recently became national director of sales promotion, has resigned from NBC. He had been with the network for four years.

Van der Linde's major function was to make presentations of NBC's sales story to accounts considering going network.

KELLOGG SEEKS STRIP

'The Circle' Not Exploited, By Radio Trade, to Come Back in Fall

Kellogg has a bid in with the networks for a evening half hour and a daytime strip (five quarters long each week) starting in the fall. The evening spot would preferably be on a weekday schedule. Trade does not expect 'The Circle' to return. Bid is being made by J. Walter Thompson.

RADIO USED TO FOOL BOOKIES

St. Louis, June 13. FCC agents barged into town last week to investigate reports that short-wave radio apparatus has been used here by bettors to receive race results before local bookies receive them over the telephone. As a result, the Federal Communications Commission, studied equipment seized by cops in an auto parked in front of a St. Louis hotel. The bookie had frequented a transmitter operating on a frequency of 60,000 kc. Although the transmitter was not heard by the cops, the transmitter could be heard for long distances because of the high frontal antenna.

United States District Attorney Harry C. Stanton will be consulted on the question of prosecution as the maximum punishment for operating a transmitter without a license is two years imprisonment and a \$10,000 fine. Four persons were named by cops following a fight last week near the handbook, one of six operated by Irving Lee. Those held for investigation are Ellsworth T. Caverly, 76, Anaheim, Cal., his daughter, Hazel Caverly, and her husband, George W. Chestman, a radio engineer, and Guy L. Stark, St. Louis, Cal., also a radio engineer.

The brawl started when Irving Lee and his brother, Patrick, became suspicious because of the last minute consistent 'win' bets made by Caverly and his daughter. Caverly was severely bruised in the fight and was taken to City Hospital. In front of the hotel, where the market was stopping, gangsters found the radio-equipped auto which included a receiving set, control panel, telegraph key and small mike. George Chestman is said to have worn an earpiece which he had when she relayed the bookies.

Suspects deny any scheme to obtain race results, asserting the radio equipment was an invention they were attempting to perfect for deciphering oil. Stark has licenses as a radio operator and for amateur radio WHRTZ at San Diego, which could be used here on notice to the FCC.

Joan Olsen, former vocalist for the band, and for amateur radio WHRTZ at San Diego, which could be used here on notice to the FCC.

Radio Show Dramatizes Refugee Kids

Katharine Hepburn and Burgess Meredith Join Show Seeking to Help Along Wagner Bill

Katharine Hepburn and Burgess Meredith will broadcast from Washington and either Shirley Temple or Deanna Durbin will appear on the radio on a special refugee appeal program June 25 over NBC red net. The show will be a Sunday night push-pull of the Wagner bill to pass the entry limit on juvenile refugees into the United States. Audience of senators and representatives in favor of the bill will be present in the studio and the show for the stanzas is being donated by NBC, probably over the red net. The show will be a Sunday night push-pull of the Wagner bill to pass the entry limit on juvenile refugees into the United States. Audience of senators and representatives in favor of the bill will be present in the studio and the show for the stanzas is being donated by NBC, probably over the red net. The show will be a Sunday night push-pull of the Wagner bill to pass the entry limit on juvenile refugees into the United States. Audience of senators and representatives in favor of the bill will be present in the studio and the show for the stanzas is being donated by NBC, probably over the red net.

ED EAST

Follows new ideas—new trends—but sticks to the old fashioned idea that the primary purpose of radio is to sell the sponsors product—which he does on WIZ every Friday for the American Beverage Corporation and daily on WHN-Participation.

Management
WILLIAM MORRIS AGENCY
New York

CBS FILLS 8-9 SUN.-WEEKS VS. BERGEES

Campbell stop returned the Oron Wales show to CBS Sunday, Sept. 10, using the 8 to 9 p.m. spot, or opposite the Chase & Sanborn session on the NBC red (WEAF) link. It's the first time that Columbia will have a commercial in that period since Edgar Bergen started on the heavy upset for the coffee account. Vick had Nelson Eddy in there at the time of Bergen's debut.

SELLING SNUFF TO DIXIE

Transmuted Set Deal With Kudner For WLV's Happy Dan

U. S. Tobacco starts its campaign in behalf of Bruton Snuff through the deep south July 8 with the placement of five 15-minute programs a week in 12 stations over a period of 26 weeks. Series will use early morning time to get at the factory worker and farmer before they leave the breakfast table.

'Happy Dan and His Radio Folks,' a WLV standby, is the program. Transmuted Broadcasting & Television handled the deal and is according the job in Cincinnati. Arthur Kudner, Inc., is the agency.

Izzard No Longer

Seattle, June 13. Izzard Company, one of the top agencies in the Northwest and Pacific National Advertising Agency, William H. Horsley remains president. Izzard is very active in Seattle. Further expansion in personnel is contemplated.

Lucky Strike on WOR

Lucky Strike is experimenting with a repeat broadcast of its Key Keyer show on WOR, Newark. The program which clears over the NBC red (WEAF) link Wednesday afternoon, will be a Sunday night push-pull of the Wagner bill to pass the entry limit on juvenile refugees into the United States. Audience of senators and representatives in favor of the bill will be present in the studio and the show for the stanzas is being donated by NBC, probably over the red net.

Account wants to find out how much of an additional audience arrangement of this kind can pick up. The WOR version will have the Rudy Vallee and Kate Smith shows in opposition.

WVWF, Bklyn. Ordered to Re-Hire Man

First Reported Case of Nature in Radio—WIOD, Miami Compromises in Similar Action

S-W Paint Stays NBC

Sherwin-Williams Paint is set to use 67 NBC blue stations starting Oct. 1. Was on 65 NBC blue units last season.

While the program, Metropolitan Opera auditions, has been selected for some time, sponsor, who has a possible ability to Columbia network, but the half hour stays with NBC.

Warwick & Legler is agency.

MUSICO QUIZ FOR NAT'L TEA

Chicago, June 13. Musico, a song quiz which, got its introduction at the Blackhawk cafe, has been bought by the National Tea Co. for a five week test campaign, starting with WRCK, Rockford, Ill., June 23. It was at the same time that Kay Kysner's Column of Musical Knowledge, current Lucky Strike program, made its debut.

Game is played in the studio and over the air. Players are provided with a card containing 40 listed titles and they 'musico' when they get a horizontal row of marked squares, which is controlled by the C.O. of which John Farrell is head. Lou Cowan, who p.a.s the Kysner game here, is associated with Farrell.

WCAU NEGOTIATES WITH C.O. PANELMEN

Philadelphia, June 13. WCAU and the American Radio C.O. Association, CIO, opened negotiations last week for renewal of the panelmen's contract, which expires on October 1. Union will not attempt to extend the term to cover all station employees, as it has done in other outlets.

Pact with WIP, which has been pending for months because of a few minor corrections, is still in the state. It is retroactive, however, to April 1. Like the ACA agreement with WPFE, recently signed, the WIP contract covers all employees. Both contain new 'war clauses,' which stations agree to hold an armistice job for him if he is called to military service.

KYW, which was cited by the ACA to the National Labor Relations Board for failure to bargain, has had one hearing before the board, which is thinking it over.

WTAR, Norfolk, Now Free Of Cuban Interference

Norfolk, June 13. Radio station WTAR is now clear of interference from Havana's CMQ, says a report from the American manager of the local station.

Hurried trip to Cuban capital by Arnoux fixed things up.

Wrigley-Lasky Renew

Chicago, June 13. Jesse Lasky's 'Gateway to Hollywood' will be renewed by the Wrigley firm.

Jesse Lasky is in town for confab with Columbia execs and P. K. Wrigley and there is no question that the Hollywood talent hunt show will be repeated since it has proved to the satisfaction of all concerned.

Carlisle Stevens on WFEM Indianapolis, June 13. Carlisle Stevens, former CBS announcer who has recently been taking a turlough on the West Coast, is now filling a 15-minute slot on WFEM each afternoon. Stevens' program is billed as 'Carlisle Stevens Speaking' and is given carte blanche by the station as to subject matter. Idea is to build up Stevens locally with hope of sale to sponsor.

Washington, June 13.

First case of Federal power being used to compel a broadcaster to take back a discharged worker came to light last week, with a similar statement issued under dispute of the final stages. Reinstatement order was served on Paramount Broadcasting Corp., operator of WVWF, Brooklyn, in accordance with a stipulation ending an action brought under the National Labor Relations Act. The NLRB directed the company to pay Charles E. Huriburt for any loss of pay received between his firing on Feb. 17, 1938, and May 9, 1939. Broadcaster also was enjoined not to discourage employees from joining the American Communications Association or any other labor union.

Compromise in a similar case involving WIOD, Miami, was being rubber-stamped this week. Formal order will require the rehiring of four discharged staff members, one of whom, an announcer, already has been given his old job. Others were part-time warblers.

Professor Asks Utilities Be Taxed \$2 C Monthly Per Set for WHA Help

Madison, Wis., June 13.

Proposal that utility companies be taxed 2¢ per month for every electric meter serving a set to pay for operation of WHA's state-owned station seeking the wave length of WMAQ, Chicago, with 50,000 watts power, was before the legislature last week. The proposal was made to the legislature's joint finance committee by Prof. Edward Bennett, head of the state university department of electrical engineering, a member of the university radio board, and technical adviser of state-owned radio stations WHA and WLBZ, met no opposition.

Under the plan, utilities would be asked to appropriate \$9,800 to the attorney general to press a fight before the FCC for the 670 kilocycle wave length. The station, now used by WMAQ at the same power the Chicago transmitter is on, which would be 10 times greater than now used by either WHA or WLBZ. Bennett estimated that maintenance of the station, in event the clear channel were taken from WMAQ and given to the state, would cost \$100,000 a year, compared with the \$45,000 now operation of the present stations every year. The new station would operate 16 hours daily, reaching a night time audience now unavailable to WHA and WLBZ, which leave the air at 7 p.m.

The bill would appropriate \$106,000 for the construction of a new station.

The public utility companies in the state are estimated to receive a gross income of \$1,200,000 from energy used by 500,000 electric meters in the state. By assessing each company \$2 a month for every electric set, \$17,000 could be realized for the operation and maintenance of the new station, eventually paying off the cost of the physical construction and the cost of the station before the FCC.

Bennett asserted that according to FCC regulations there should be at least one clear channel station in the state, adding that Illinois, with four stations operating in, had more than its share.

Intolerance-Fighters Offer Free 4th of July Waxings

Council Against Intolerance is offering cutt clutters on the subject for use on or around July 4. Cutt World Studios, New York, the disked 30-minute program was written by Carlisle Stevens and directed by Bergman, and features an interview of Dick Merrill Erickson, Boston Star baseball pitcher, and a play by Standish, writer of the Dick Merrill series.

Council will originate a program on July 4 at the New York World's Fair which will be picked up by NBC.

STREET CIRCULAR

Pacific Coast's Radio Upeast

Several National Accounts Profess Interest—Looks 20% Better Than 1938

Several national spot users last week suddenly centered their attention upon the west coast last week. Their plans indicate a strong summer and fall for this area. Inquiry among station reps last week was that spot business this summer should be at least 20% better than it was for the warm spell of 1938.

Accounts that last week started to make inquiries in the direction of the Coast with a view to spotting campaigns immediately or in the near future were Bathswater, Hecox Products and Stephano Bros., makers of Ramsay and Marvela cigarettes. Procter & Gamble last week placed direct versions of "Ma Perkins" and "Manhattan Mother," both currently NBC-originated serials, on 30 stations of the Don Lee Network.

San Francisco, June 13. H. H. Kynett, of Alken-Kynett Co., Philadelphia agent and Stephens Bros., of Stephano Bros., big manufacturers, are currently working out of the St. Francis hotel using local programs for their Marvela brand, a 10-cener.

Pat Mills later extend their operations to other California markets.

Sperry Flour Serial For Wheaties KYW Test; Burdick Revises Scripts

San Francisco, June 13.

Hal Burdick's serial, "Dr. Kate," which Sperry Flour is doing as a Coast NBC chain network from the late NBC studios, is being planned for release over KYW, Philadelphia, under the banner of Wheaties, a General Mills cereal. Episodes are being rewritten by Burdick, who also produces the programs.

It includes Cornelia Burdick, Charles MacLair, Helen Kleeb, Monty Mohn and Zella Layne, all of whom are also appearing in the current network series here. Quarter-hour dramas are aired five days weekly.

JERRY DANZIG OF WOR ANGELS B'WAY PLAY

Jerry Danzig, commercial program manager of WOR, N. Y., will turn left impresario in the fall. He will personally finance "Tomorrow Is a Woman," written by Jay Victor, a writer of films and radio.

Leslie Urbach is now casting at Empire theatre. Rehearsals start Oct. 15 in New York.

Danzig continues with WOR.

A. Church Files to L.A. For Film Debt of Rangers

Kansas City, June 13. The Texas Rangers, KMBC double week, currently in Hollywood on the Republic for release in Gene Autry flicker under tentative title of "Colombo."

Arthur B. Church, KMBC exec to whom Rangers are under contract, flew to West Coast this week to make arrangements. Group is a regular unit on CBS from Kansas City. During Autry's picture, the theatre several months ago, possibility of using Rangers in film developed.

M. Carpenter to Crisco

Murray Carpenter has been promoted from time buyer for the Crisco (Procter & Gamble) account. Bill Malliford, Carpenter's former assistant, becomes time buyer.

Tom McAvity Due East

Tom McAvity, radio director for Lord & Thomas in Hollywood, is coming east for a couple months. He will take a vacation on this side of the continent and then spend the interim in the agency's New York office.

He's due back on the Coast Sept. 26.

YALE GAMES SET FOR WOR

Philadelphia, June 13.

Atlantic Refining Co., which last season spent more than \$500,000 sponsoring college football, has bought nine Saturdays and Thanksgiving Day on WOR, Newark. Involves an estimated \$24,000. Handled through N. W. Ayer.

Schedule follows for the description of six Yale games, all at the Bowl with the exception of that with Michigan, which will be played at Ann Arbor. Balance of dates will be filled with games which appear to "ape up best this far in."

Agreement stipulates broadcasts shall begin 15 minutes before start of each game, be of at least two hours duration and guarantee freedom of it be necessary to air the complete game.

Press Dept. at WOR was instructed specifically to withhold all mention of contract until after August 1.

Tentative schedule follows:

Sept. 30-Colgate-N. Y. U. at Hamilton.
Oct. 7-Yale-Columbia at New Haven.
Oct. 14-Yale-Pennsylvania at New Haven.
Oct. 21-Yale-Michigan at Ann Arbor.
Oct. 28-Yale-Maryland at New Haven.
Nov. 4-Yale-Princeton at New Haven.
Nov. 11-Yale-Cornell at Philadelphia.

WRIGLEY WINNERS TO AIR FROM CHICAGO

Chicago, June 13.

Wrigley will replace its "Gateway to Hollywood" contest shows on July 9 for a 13-week vacation-period program devoted to the four winners (two males and two females) of the two "Hollywood" contests. Vacation program will be divided into two series, one for each contest.

Initial series, starting on July 9, will run seven weeks, and will be a once-a-week dramatic presentation of the flicker, "Career," which will be played by John Archer and Alice Faye. The winners of the first contest. These two people will come to Chicago, whence the programs will be broadcast.

Second series will run for six weeks and be a Sunday 30-minute serialization of the second flicker, "Three Sons." Winners of the second "Hollywood" contest will be named on the winners of the first contest, the picture, "Career," will get its world premier winners of the second contest will play the radio leads in the serialization.

NBC Renews 2 Kid Shows

Two kid shows have been renewed, both starting Sept. 25, on NBC. "Ration," starring through the Gardens, will broadcast daily over 51 stations, mostly blue, at 5:45, with rebroadcasts on Saturdays and four western zones at 6:45 and 8:15 p.m. Will pick up the "Tom Mix" yarns as heretofore.

Knock Keesee for General Mills will resume "Jack Armstrong" serial at 5:30 p.m. over 16 stations, mostly

PRELIMINARY DRAFT REFLECTS CONGRUITY

Radio Industry About to Go to Town With Demonstration of Its Ability to Handle Self Regulation—Code Much More Explicit Than Expected

COPY RULES

Washington, June 13.

Explicit declarations of the industry's obligations and duties, backed up by unexpectedly outspoken interpretations of the high-sounding promises, were submitted for broadcast review this week as a new code of ethics which it is hoped will quell mounting clamor for more stringent government control and congressional promulgation of program standards. The NAB committee report, result of three months of consultation which included talks with industry critics, will be taken up by the Radio City Convention next month.

The group completely revote the code, with a number of particular amendments, and supplemented it with a number of general interpretations which are expected to provide a way for constant improvement in the quality of program and record of performance of the industry. Handwork prefaced by a "statement of principles" reciting the responsibilities and obligations inherent in the right to use the airwaves.

While industry observers and critics for the most part have not completed their analyses, the first reaction was one of general satisfaction. Considerable amazement that the conduct dictators went as far as they did in trying to pave the way for reforms, although there was some disappointment that the code does not place more emphasis on reduction of sponsor patting.

The chief features, as has been forecast, deal with controversial public questions (including religion and commentaries) and with children's programs. Whole set of standards is based on "good taste," which the committee defined as including five particular requirements of delicacy.

The basic code and the interpretations set up the following standards of performance:

GOOD TASTE

Respectful and reverent reference to the Deity; language customary in polite society; no nothing bordering on obscenity, sacrilegious, profane or vulgar; dialog; no ridicule of races, races, or beliefs; no personal attacks; respectful treatment of serious rites and ceremonies.

RELIGIOUS BRO CASTS

Good character traits of the audience best suited to the spiritual needs of the community, truly reflective of its religious complexion, with restraint and concern for a "high spiritual and devotional plane." Sponsored religious broadcasts should be discouraged, while no controversy should be tolerated.

CONGRESSIONAL QUESTIONS

The open forum technique was commended, with stations shielded to give backlogs of questions and replies. Clear indication should be given of the identity of any group sponsoring a speaker, equal opportunity to the "open" tech round table point of view, and time should be sold to parties to a labor dispute.

POLITICS

Dramatizations are improper, and debaters should be confined to "logical exposition."

NEWS

Editors should be conscious of tradition of integrity, fairness, and (Continued on page 32)

NBC Drops Oil-Sponsored Grid Games On Coast, Demands Full Net or None

Schmerler Bankrupt

Erwin D. Schmerler, also known as Ernest D. Swann, last week asked the N. Y. federal court for relief from his debts which he gave as \$41,097. Schmerler, who had the same week joined Lord & Thomas as an assistant account executive, stated that his assets amounted to \$250.

The schedule listed the Wertheimer Advertising Co., which last year merged with the Buchanan Co., as his largest creditor. The sum owed is \$19,000.

RANDALL OUT OF NBC PRESS

Wayne L. Randall is out of NBC.

The last title that he held was Director of Latentency. Move came effective suddenly Monday (12) after Randall had been absent from his post for about a month. He came with NBC in 1933.

No other changes are contemplated for the department. "Mr. Mason, v.p. in charge of publicity and shortwave, said yesterday (Tuesday) that the details of the sale of the press department will be in the hands of the day and night editors.

BESDINE COUNTERS LIFES METROPOLITAN LIFE

Donald Besdine, insurance adviser, filed a New York supreme court action against the Metropolitan Life Insurance Co. Edwin C. Hill, Leroy A. Lincoln, Wodnam Corp., owners of WBNW, and the Hammerberg Broadcasting Corp., owners of WOR, for \$100,000 for alleged libel. It is alleged that the libelous statements were made by Hill in his broadcasts for Metropolitan Life.

As well as for \$550,000 against Besdine filed by Metropolitan Life is also on file in the supreme court. Libel is the charge there, too, with the Knickerbocker Broadcasting Corp., operators of WMCB, also named as defendants.

Gene & Glenn Off Spang; Go WTAM Sustaining

Cleveland, June 13. Gene and Glenn, who finished 13-week contract at WTAM, will not be renewed by Spang Brothers when they return from vacation. Reported they will go on sustaining at station that discovered them until they find a new sponsor upon their return.

Spang, their original backers who brought them back the first of the year, understood to be shopping for a new sponsor.

TAXACO OPTIONS

Ken Murray, Ned Sparks, Frances Langford, David Brokman Set

Indications are that Ken Murray, Ned Sparks, Frances Langford and David Brokman have had their options picked up for the coming fall by Texaco. Opening spot wide open is the dramatic introduction for which the four are being sought for the fall. Contracts will likely be closed all around within the coming week.

Clark Andrews to Pix Biz

Hollywood, June 13. Contract as writer-director at 20th-Fox has lured Clark Andrews from the "Big City" show.

He produced the program for the past two years and checks out after today's (Tues.) broadcast.

Hollywood, June 13.

Coast contracts football games, exclusively bankrolled for broadcasting by Associated Oil, will be passed up by NBC this fall. Don Gilman, western division chieftain, has served notice on the oilers that unless they use all the stations on the Coast network (red or blue) they can keep their football of their kilocycles. It looks like no go. By handicapping a few choice spots and leaving the others hanging for something to put on the air, Gilman contends that the adequate service guaranteed these outlets is duly impaired.

NBC will substitute games not controlled by Associated and occasionally pick up the more important petrol-sponsored contests, but sans the commercial blurs. There has been some division of opinion as to Associated's choice of games last year and NBC will log those that were missed up by the oil sponsorship. Network also came in for criticism for cutting short eastern games to clear the lanes for Associated.

Oil company spends around \$150,000 each fall on football broadcasts. Last year Don Lee chain drew the biggest cut. Unless a new NBC deal is struck, the oil will be split up between Don Lee and Columbia, with a few indie stations gathering crumbs.

It is not considered likely that Don Lee or CBS will also insist on full network for the games when contracts are signed next month. Indeed, however, put up a unit front and make it up the track meets and offered them to the nets without cost. B. & K. is making it mandatory that the oil products be plugged before and after the games. The nets will last turnaround and athletes cavorted without benefit of airing.

State-Lake Orchestras

Will Double for Fitch And Get Radio Ballyhoo

Chicago, June 13.

Balaban & Katz has arranged with Music Corp. of America for a series of orchestras to play the State-Lake and tie up with the Fitch Bandwagon orchestra either show. B. & K. date, would be plugged on the network. Price for the orchestras will range from \$25,000 to \$50,000.

Among the orchestras due for appearances are Jack Tegenaren, Bill Barlow, Dick Jurgens, and Freddy Martin.

Appearances later scheduled to begin this month.

DOUBLE UP LIFEBOUY FOR TWO BEFORE FOLD

Hollywood, June 13.

Lifeguard Dick Powell Tuesday night flew to Los Angeles on June 11 and 18 and then calls it season.

Double time occasioned by "Big Town" running "mate" dropping off after July 4 broadcast.

The Man I Married Likes P&G; Vice Versa

Chicago, June 13.

Current show, "Central City," on the NBC net, was for Procter & Gamble Oxydol. Will be replaced by a new show tagged "The Man I Married" on Sept. 2. The regular City will originate in New York.

Set through the local Blackett-Sample-Hummert agency.

Lady Marguerite Stickland, tilted toward the NBC net, will be a literary, being NBC-auditioned. She etherized for BBC in her native England.

RCA TELEVISION

is a Brilliant Flowering of Research

To the patient experimenter in RCA Laboratories this spectacular accomplishment of sending pictures through the air is an inspiration to continued effort in radio development

RCA Television is a notable example of what research can accomplish. For more than ten years RCA Laboratories worked at the solution of its numerous and knotty problems.

RCA pioneered

The RCA all-electronic method of television depends on two great discoveries and developments of RCA Laboratories. These are the Iconoscope, the seeing eye of television, and the Kinescope, the tube on the surface of which the pictures are resolved and made visible.

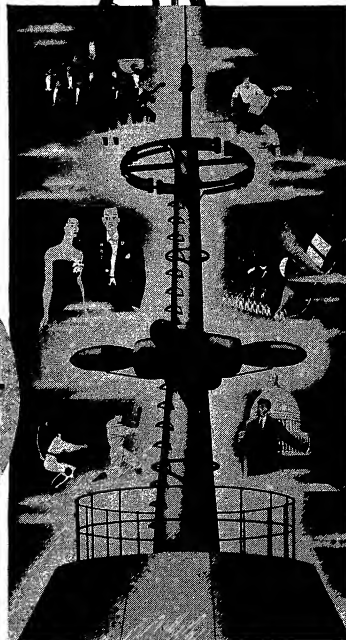
Even after the transmission and receiving

of pictures through the air had been well developed, RCA Laboratories working with the National Broadcasting Company carried on extensive field tests. It was determined that the public would not be asked to buy experimental instruments. These field tests alone cost more than two million dollars. How worthwhile the tests were you can see in the clear brilliant pictures of today's RCA Victor Television Receivers, now being demonstrated by leading radio merchants in the New York metropolitan area.

On this page are illustrated five RCA Victor Television products designed for television broadcasters. They employ the same fine workmanship—result from the same painstaking research—which have combined to produce the outstanding RCA broadcast equipment that is used by so many radio stations today.

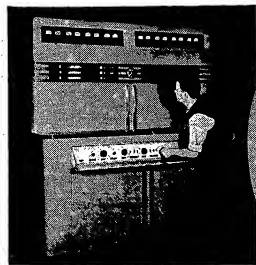


Television Camera... One of the television cameras developed by RCA. This camera utilizes the RCA Iconoscope.

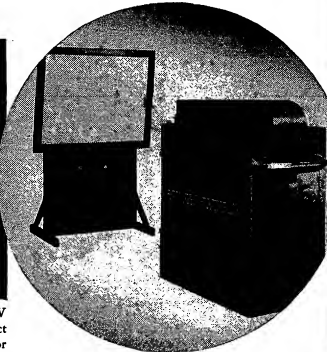


Antenna... Antenna on top of Empire State Building designed by R. C. A. Communications and used in broadcasting television programs to Greater New York area. The lower antenna is used for picture transmission, the upper radiates the associated sound wave.

See exhibit of all RCA services—including Television—in RCA Building at New York World's Fair... For finer radio and television performance—RCA Victor Tubes... Trademark "RCA Victor" Reg. U. S. Pat. Off. by RCA Mfg. Co., Inc. . . In Radio and Television—It's RCA All the Way



Television Transmitter... First RCA 1 KW Television Transmitter developed as a compact unit for experimental use and announced for general sale to broadcast stations.



Television Projector... Television Projector for showing image produced by optical enlargement or projection from a small brilliant image on the Kinescope.

Mobile Television Transmitter... Mobile Television Transmitter Unit designed for picking up "on the spot" television broadcasts. Used in RCA-NBC field tests.



Radio Corporation of America

RADIO CITY, NEW YORK

RCA MANUFACTURING CO., INC.
R. C. A. COMMUNICATIONS, INC.

RADIOMARINE CORP. OF AMERICA
NATIONAL BROADCASTING COMPANY

RCA LABORATORIES
RCA INSTITUTES, INC.

TELEVISION ESTIMATES

Television Firsts

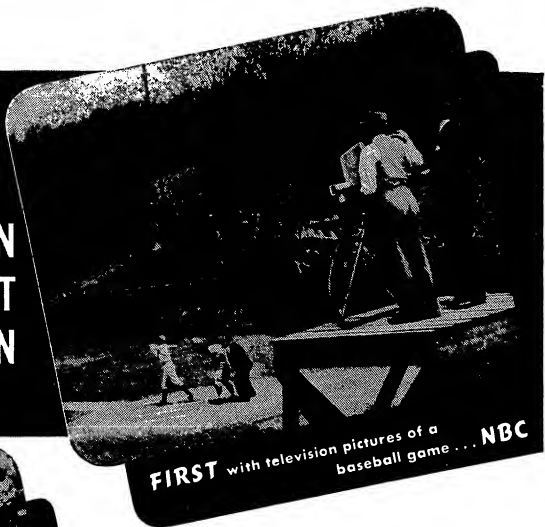
**ROSE BOW
SKY-PICTURE
MAYBE**

handover will be added.

[illegible]

NBC

WRITES NEW PAGES IN HISTORY DURING FIRST MONTH OF TELEVISION



FIRST with television pictures of a baseball game... **NBC**



FIRST to show Intercollegiate Track Meet in pictures through the air... **NBC**

For first time audiences see as well as hear—the President, a baseball game, a track meet, a heavyweight fight, Memorial Day parade, 6-day bike race, studio shows and other special features

In one short and exciting month NBC Television has scored a whole series of "firsts." The natural satisfaction which results from such accomplishments is but a small part of what has been gained during television's first weeks.

The important result has been the promise of greater things to come. The experience acquired in the first television broadcasts of baseball, track and a heavyweight fight, show that television can be definitely counted on to bring to the public a totally new kind of news and sports reporting. It has been made evident that special events of all kinds can be transmitted successfully by television.

No claim to perfection

Studio shows have also been put on with a quality that does credit to so young an art.

The last thing that NBC wishes to suggest is that its television staff has attained perfection of technique. But it does feel that in the short time since it showed the President as he opened the New York World's Fair on April 30, notable progress has been made, much has been learned, set owners have received interesting programs and the stage has been set for a brilliant future.

Even to those closely associated with its development television has a certain mystery and fascination. NBC believes that television is merely at the start of a great career of public service. It dedicates its resources to an earnest effort to extend the usefulness and service of television as rapidly and as widely as possible.

NATIONAL BROADCASTING COMPANY

The World's Greatest Broadcasting System
A RADIO CORPORATION OF AMERICA SERVICE



FIRST to televise a heavyweight fight... **NBC**

MIDNIGHT COMEDY FLOPS

NBC TRIED IT WITH FRED ALLEN

Results as Tabulated Not Considered Worth Presenting to Trade—Hour Not Deemed Favorable for Laugh Stuff

DANCE MUSIC TOPS

NBC has found that comedy shows don't make popular listening after midnight. The results of a survey on this score have proved so unfavorable that the network has decided not to prepare it for trade consumption. The test was conducted last winter when for 13 weeks the midnight rebroadcast of the Fred Allen show (Bristol-Myers) to the Coast got simultaneous airing over WJZ, New York key for the NBC blue link.

Data collected on checking listenership during the experimental run disclosed that the percentage wasn't sufficient to make the survey worth publishing. Competition of name dance bands at this hour was much too strong. Allen gets his sponsored hearing in the New York area between 9 and 10 p.m. over the red link's key WEAF.

NBC had an idea that it might be able to prove that there was a large audience interested in the repeat broadcasts of some of the more popular variety commercials. People who were at the theatre or elsewhere during the course of the regular broadcast. Equipped with corroborative data, NBC would then have attempted to sell some of the sponsors in this category on the proposition of adding WJZ to their rebroadcast list.

Joe Thames Shot Dead

Houston, June 13. Joe Thames, 24, known to Texas radio fans as Joe, the Banjo Boy, was shot to death here last week at a tourist camp adjoining a night club and cafe managed by Robert Ellison. After the shooting Ellison was held for questioning.

JANSEN BACK FROM HAWAII

Seattle, June 13. Eddie Jansen from KGVU, Honolulu, is now promotion manager of KOL. Before going to islands he was commercial manager of KVI, Tacoma.

Jansen's job, according to Archie Traft, is to pep up station and get business.

WHP, Harrisburg, Peps Up

Harrisburg, Pa., June 13. WHP, Harrisburg, will boost its rates July 1, when, pending FCC approval, it will increase its daytime power from 1,000 watts to 5,000 watts and will at the same time become a CBS basic optional station. Tests being made by McNary & Chambers.

In cooperation with the Pennsylvania Department of Agriculture, the station will present a new farm program, either at mid-morning or late afternoon, daily. The program will carry agricultural bulletins and news, weather reports, stock and market quotations and guest speakers.

WHB'S NEW PERSONNEL

Gene Crum Becomes Commentator; McQuigan on News Desk

Kansas City, June 13.

Since advent of new setup in news department at WHB two weeks ago, Bob Caldwell, Jr., chief of bureau, has made several staff additions. Gene Crum joins the staff as commentator in a full time assignment. Previously Crum had free lanced on various local stations. WHB operates only on daylight hours and Crum will continue his free lancing at night.

Cletus McQuigan takes desk as morning editor and legman. Society news is to be handled by Phyllis Sebree and Josephine Jobs.

\$500 Worth of Spot Announcements At Last Minute Fails to Stop Tobacco Tax

St. Louis, June 13.

In a last-minute effort to arouse the natives against the pending ordinance which placed a 2c city tax on each package of cigars sold in the city, the Tobacco Merchants' Association of the United States enlisted the aid of the Thomas W. Parry, Inc. to write spot announcements for its cause. Within an hour after receiving confirmation of the order the Parry organization had

contracted for spots on KSD, KMOX, KWK and KKOK and before the day was over had broadcast 20 protests. The eleventh-hour radio bid was \$500 and the next day Wednesday (?) the Board of Aldermen passed the ordinance by a vote of 21 to 2.

The measure carries an emergency clause and will become effective immediately upon approval by Mayor Bernard F. Dickmann.

WLW
CINCINNATI

JAMES D. SHOUSE
VICE PRESIDENT AND GENERAL MANAGER

June 7, 1939

Ross Federal Research Corporation
16 East Forty-eighth Street
New York City

Gentlemen:

We understand that you are receiving a number of requests for information concerning the recent 118,920 call coincidental study made for us in twelve cities in our territory.

Although we have distributed some twelve hundred detailed analyses based on this study showing the results not only in cities which we dominate but showing also the results in cities which we do not dominate, WE ARE VERY GLAD TO EXTEND TO YOU OUR PERMISSION TO ALLOW AT ANY TIME A COMPLETE INSPECTION OF THE ENTIRE STUDY IN TABULATED FORM AND OF THE ORIGINAL CALL SHEETS PROVIDED SUCH INSPECTION IS SOUGHT BY A REPRESENTATIVE OF ANY ACCREDITED ADVERTISING AGENCY OR ANY NATIONAL ADVERTISER.

Sincerely,

J. D. Shouse

J. D. Shouse

JDS:X

IN
SALT LAKE
CITY

Alert advertisers
are booking passage
on the station that wins
FRIENDSHIP
through Show-
manship.

3,000
listeners
each week

KOYL
The Popular Station
SALT LAKE CITY

NBC
RED
NET

Representative, John Black & Co.

INDUSTRY IN PREDICAMENT PROCLAMATION EMBARRASSES CENSORSHIP

Radio May Win on Grounds of 'Censorship' and Program Dictatorship but Thereby Is on Spot with Powerful Washington Group

Washington, June 13. Hottest tiff between the Federal Government and the radio industry is shaping up over the tangle on culture-goodwill building international programs. Retired by the FCC on June 4, 1938, requiring DX-ers to help the Roosevelt "good neighbor" policy, still is anticipated by the FCC as feeling threatened to lead to a significant test of strength.

Victory for the industry is generally anticipated, despite Communist refusal last week to grant hearing sought by NAB, but the price may be high. Revival of the idea of building a government broadcasting plant—which was thought buried when the privately-owned short-wave were allowed to solicit sponsorship for their overseas programs—was viewed as a certain result of the "deal."

Deep resentment toward the Neville Miller letter is felt at the FCC, even though some of its members agree the Commish ought to suspend application of the new regulation, which has been condemned as re-

verse censorship and outright violation of Section 318 of the Communications Act. While industry figures applauded the strongest demonstration of backbone since NAB was goaded, the regulators condemned Miller's wall as 'arrogant' and 'impertinent.'

Motion to reconsider action on 42.03 was offered last week but lost in an angry welter of talk. Commissioner T. M. Craven, who warned his colleagues last April that the proposal would cause serious hardships, sought to have the approval withdrawn pending further deliberation and a hearing. When the second was forthcoming, the issue was side-stepped and the Law Department—which recommended strategic retreat—was instructed to draft a reply to Miller along the lines of a hearing on "its own motion,"

of the resisters as the official scrip was laid aside.

Prospect now is that the Commish will deny the NAB request for the record—and probably will order a hearing on "its own motion," meanwhile suspending the effectiveness of the injunction to short-wave to try only culture and goodwill-builders at their alien audiences.

Needs Face-Saver
What the Commish wants is a face-saver. If a hearing is ordered in response to the tartly-phrased Miller letter, regulators fear they will be denounced by the Congressional faction which always has howled that the FCC is a tool of the industry. At the same time, however, they realize that failure to go through the inquiry, next being a bribe for other New Deal-hearts, the latter would be backsliding on the radio issue, but the attempt

to specify what shall be DX-ed to foreign listeners is a ready-made case, which they unquestionably will take up.

The Commish is bound to get tossed around no matter what happens. And the industry probably will suffer a few wounds in the process. Two of the old "Some flame-throwers are getting their weapons ready, while a House bloc is organizing."

Here's the way the situation shapes up to more basic observers: If the FCC does back-down and finally modifies the regulations in response to industry complaints, the inner circle group consisting of Undersecretary of State Sumner Welles, Secretary of the Interior Harold I. Ickes, FCC Commissioner George Henry Payne, and Dr. Leo Rove of the Pan American Union, will argue that private broadcasters who given an opportunity—refused to cooperate in upholding democratic and countering Communist propaganda. They may be able to enlist President Roosevelt's active backing for the Chavres Bill (for erection of a government DX plant with call letters PAZ (the Spanish for "Portugal and Peace") which now is collecting cobblers in the Senate.

The State Department angle is important. Last year, it will be recalled, Congress approved creation of a Division of Cultural Relations, which avowedly was to cultivate the Latin American republics. Before the new international radio regulations were adopted, the draft was submitted to the State Department for blue-printing, with changes suggested by the diplomats being incorporated in the final draft. Nothing substantial, but the revisions went farther than the FCC had gone in the direction of requiring international ticket-holders to assume the responsibility of performing short-wave missionary work.

If the FCC does not amend or jettison the culture-goodwill orders,

NOW MONITOR ASKED

FCC Wants More Up-to-Date Equipment to Check Broadcasters

Washington, June 13. Construction of another observation post to check on industry conduct was advocated to Congress last week by the FCC. Presently based at Hingham, Mass., is no longer suitable for monitoring the regular 550-1,600 kc. broadcast band. Regularly new legislation authorizing them to build an up-to-date roost at a cost of \$30,000.

Pastor, Himself on Air, Raps Radio Influence On Church Attendance

Spokane, June 13. Religion via radio was rapped by the Rev. C. K. Mahoney, pastor of Central Presbyterian church, at a meeting of the congregations of six churches of various denominations. Religious services here have been a way of home can never provide the inspiration and communion of fellowship and devotion in public assembly he declared.

"When Christian people begin forsaking broadcast services, the practice of religion through the medium of radio or any other way, the Christian religion is on the way out," he said.

Many local churches, including his, broadcast services. The ministerial association has unofficially discussed the effect of broadcasting on church attendance and has recommended diminishing of financial support.

The fess also may boomerang. To some industry listeners, this idea is preposterous. But others see the slant: If the regulations are perpetuated in present form, some of the licensees are likely to lose the towel. Protesting against the restrictions and conditions. Then the FCC cultivators are to come in, accusing again, declaring the private stations declined to play ball and pleading that the government must take up the burden.

WBX OKAYED SANS HEARING

Washington, June 13. Without formal explanation, the FCC retreated again last week in its sapo-cruisade and revoked orders for a hearing on the license renewal bids of WBXN, New York City. Regular six-month ticket was forthcoming when the regulators granted petition for reconsideration.

The station is one of those which has been under scrutiny for some time because of program complaints. While no official charges have been made, the investigation was aimed at Italian language broadcasts reputedly including offensive language and condemned as unusual. The question of Commish right to use the back-door method of punishing licensees was raised during the discussion which preceded the revocation, but the airwave guardians refused the suggestion that complaints of this sort, if apparently having merit, should be referred to the Justice Department for punitive action via the courts and under the criminal features of the Communications Act. After being on the suspended list for a prolonged period, WBXN feared that the Commish probes reached the conclusion that the station had there was any actual violation of the statute.

Harry Randall, continuity writer for CKY, Winnipeg, out of hospital following appendicitis operation.

**IN BALTIMORE
ITS OWNERS
NABAL REPRESENTATIVES
EDWARD PETRY & CO.
ON THE NBC RED NETWORK**

"Lynch" A TESTED SPOT BEFORE HE "kick off"

**Football OFFERS
BLANKET COVERAGE**

GEORGE WALSH . . . WHAS again to be George Walsh as sportscaster during the 1939 football season. Walsh has covered the average of 15 games each season for the past five years. His spotlights have attracted the attention and sponsorship of numerous successful firms with nation-wide reputations, and have resulted in outstanding recognition of Walsh as one of the nation's best qualified sportscasters.

From Labor Day to New Year's . . . America's famous Football King! Young and old alike, known play watcher, LEARNERS to the KING of Collegiate Sports! And in Kentuckiana those who listen to sports set their dials for WHAS. Louisville's up-to-the-minute \$9,000.00 Wall Station.

**BIG 10,
BIG 6,
and
BIG 13
Schedules
Available**

Noblesville vs. Indiana
Vanderbilt vs. Kentucky
Wisconsin vs. Indiana
Georgia vs. Kentucky
University of Louisville vs. Centre
Ohio State vs. Indiana
Georgia Tech vs. Kentucky
West Virginia vs. Kentucky
Purdue vs. Indiana
Tennessee vs. Kentucky

Despite Pending Court Challenge FCC Still Dees Press-Ownership as Evil

Washington, June 13. Despite the threat of more litigation, the FCC last week persisted in going ahead with its plans to make the matter of newspaper affiliation the chief test of fitness for potential broadcasting license at almost the same moment another move was made in the lower court to force the regulators to issue a ticket in one of the numerous controversies which have been vehicles for judicial reminders.

By a five to one decision, the Commish declined motion to cancel the hearing on requests for consent to the merger of WBSA and WSAW, Allentown, Pa., and establishment of a single full-time station to be controlled by the Allentown Call proprietors. The lone member voting reconsideration was Commissioner T. M. Craven, who several weeks back issued a ruling dissent in which he complained his colleagues are presuming to exercise power they do not have.

The mounting pile of court worries was increased last week when the Hamblin (No. 1) members asked for special relief to avoid another time-consuming hearing on its plea for \$100,000 to be paid. Papers handed to the D. C. Court of Appeals showed the regulators in an exceedingly vulnerable spot, since they ordered further ventilating of the original ambitions of a company which since has tossed in the sponge. About the Potville (Pa.) case, but presently stronger. Repeating his prior judgment, Chief Justice, counsel for both the Hamblin and Potville appellants, told the judges the Commish once more is "obeying orders given in March when the former decision, drawing the paper's plan, was reversed."

Writs of prohibition and mandamus sought on behalf of the Courier Post, which has been in litigation more than three years for a

radio outlet. Lovett wants the court to enjoin the Commish from having a new hearing and to command one of the construction permit. He pointed out that the Court last March condemned the application, sustained the burden of proof that there is a public need for a local station in Hamblin' and that no other grounds were cited for denying the request.

New Intervenor
Latest order for another hearing, the court was told, is in five other participants, including the (KWOZ, Jefferson City) which previously voted no consent to the Courier-Post's plans. All of the other prospective plants mentioned in the hearing notice—Allentown, Ill., Clinton, Ia., and Burlington, Ia.—have been suggested since the Courier-Post papers were filed. Same is true of the frequency change requested by WJBL, Decatur, Ill., and the power boost wanted by KWOS.

The Commission intends to enter upon a reconsideration of the Courier-Post application not upon the basis of the record as originally made and submitted to the court, but in accordance with the opinion of the court filed here on March 6, 1939. (a) In a complaint filed upon a comparative basis with a corporation (Hamblin Broadcasting Co.) which, in the pending applications issued, and argument had before the court, was permitted to the Commission for decision. The paper's counsel, in justification for such procedure, was found in the decision of the court, and if the same is sustained it will make a mockery of the power explicitly vested in this Court to review orders of the Commission.

MONTREAL

First

**CANADIAN
RICHEST
MARKET**

National Advertisers return to CFCK year after year because experience has proved that broadcast advertising in Canada's Metropolitan market can be obtained most economically and successfully through CFCK.

CFCK's renewals throughout the years are the testimony of the advertiser's confidence in the station.

CFCK and Short Wave CFCK
owned and operated by
Canadian Marconi Company

NBC Affiliate
Representative:
CANADA'S Radio Facilities
AT Canada Radio Facilities
Ward & Company

**CFCK dominates a
BI-LINGUAL
AUDIENCE
of over
1,000,000**

Owned and operated by the Louisville Courier-Journal and Times.
250 KILOCYCLES
50,000 WATTS
NATIONALLY REPRESENTED BY EDWARD PETRY & CO.

From New York to Shanghai

"... Far ahead"

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"We commend you for valuable contribution to the industry with this splendid broadcasting compendium."

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"Our continual use of last year's Directory produced splendid results in this particular department."

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"I might say that already on many occasions this Directory has proven itself to be of real necessity, and we don't have to tell you that the information contained therein will be of great assistance to us."

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—HENRY C. PUTNAM, KGMB, Honolulu.

"... Volume is comprehensive"

"We have been fortunate in having recently purchased a copy of your second annual edition of Variety Radio Directory. To say the volume is comprehensive is understating the case, especially in view of our own lack of contact with American broadcasting."

—R. C. PHILLIPS, XMHC, Shanghai.

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Shortwave Check-Up Reveals English Took It Nice 'n' Easy on King's Tour

By ROBERT MADONOUGH

Portland, Me., June 13. The BBC's coverage of the U. S. visit of King George and Queen Elizabeth (as heard via shortwave), was lacking in the extravagant adulation of the various ceremonies. And this perhaps for diplomatic reasons. The arrival in Washington on Thursday (8) was taken from NBC and CBS, with the former furnishing the operatic, but fading into CBS when Bob Trout took over. It was curious, but the BBC home announcer gave full credit to CBS, which mistake was carried over into four subsequent re-airings on Empire waves. Friday found the BBC limiting itself to a ten-minute chatter, period by Richard Dindley, staff observer who had accompanied party, keyed into news. Dindley got effects by understatement laying off all wild tributes to sovereigns. Saturday's New York arrival was elaborately covered by BBC and CBS jointly, with Felix Green, Broadcasting House's N. Y. rep., anchoring it from Radio City. Dindley, at Battery Park, stressed the democratic qualities of the welcome, and seemed to see more to talk about in his surroundings than in the Royal Party, while Bob Bowman (CBC), ensconced in a solarium on Central Park West, couldn't have done a better job for the town if his script had been written by the

Mayor's secretary, as witness his three-repeated remark that 1,000,000 school kids lined the Park's boulevards (one-tenth of the population of Canada). Another BBC staff man, in Thomas E. Dewey's apartment on Central Park East, watched the mob for seat-tight items, finally hitting upon a shoeshine venter whom he followed with binoculars during most of his time on the air, describing how the boy waved his brushes over the heads of the crowd that was cutting off his view of the passing elites.

Alistair Cooke, also taken by NBC, was atop a warehouse near the Manhattan end of the Tyburo Bridge. Cooke described the Dead End aspects of his spot, the 'colorful' dress of the foreign-born inhabitants of nearby streets, the used-car bistros, hardly taking his eyes off that to delineate the Royal Passage.

At 1210 Greene wound up the period with another tribute to the city, switching controls back to London for a steezy session of County Cricket—and this while the American webmen were continuing from Flushing Meadows, chomping the lines with superlatives, racking their brains for unmarked synonyms for 'dignified,' 'gracious,' and 'powder blue.'

KCKN, Kansas City (Kans.) now has George Englester as program director.

FORD SUMMER HOUR
With James Melton, Francis White, Andy Warhol, Bob Keeshan, Orch. Dixie Eight, Mixed Chorus (4).
Songs, Band, Talk
WABC, New York City
FORD MOTOR CO.
Sunday, 9 p. m.
(N. W. Ayer)

In previous years when the Ford Summer Hour for the summer the account would call a vacation. With the CBS new summer policy, being what it is, Ford has elected to install a Friday night police force. The items in the cast are well known to radio listeners. The program is a collection of songs, sketches, and an American Album of Familiar Music, a remembrance of the standards of the early 30's. It's sluggish pace, the items are dumbed and dumbed, and the dialog that cues into the sales copy couldn't be much more subdued.

Musically the show is in exorbitant. There's a Melton, whose tenor voice is thoroughly listenable. The other vocal recruits are Francis White, lyric soprano, while the baton there's Don Voorhees, who's been 'hooked,' and Crandall. Their repertoire reflects a smart insight into the tastes of the folk of the radio. The country mixed among the excerpts from operas and operettas. Tim Pan Alley's current output gets a hearing through the guest voice of the week, Andy Warhol, filled this spot on the opening stanza. The program is a highly pleasant interlude, but it may have been a far better one if the hadn't been slipped in immediately after a number by the oboe-voiced Miss White.

Other vocal recruits of the occasion are a mixed chorus of which hit it off best in the 'Florida Dixie,' and the 'Dixie Dixie.' The amateur specialists in Negro spirit, 'The Octor,' are employees in Ford's Rouge Plant. Their initial performance sufficed to make them worthy of a regular spot on the series.

In place of the propaganda sermons of W. J. Cameron the summer series offers the dull gushiness of one billed as the Rouge Reporter. It's the latter's task to deliver a five-minute diatribe on the idyllic beauty to be found among the smoke-stacked castles of brick that line the River Rouge and its branch. He explained on the introductory installation that from time to time he will bring to the media executives the findings in his plant. He'll tell their workaday stories.

The Rouge Reporter might also bring along an editor for his copy. While the symphony series maintained an institutional policy, this one plunges into the business of Ford cars, and with a vengeance. The plugs are long. Sadly mixing are the bits of dialog that lead into the announcer's delivery of the sales copy. Melton, who doubles as m.c., is the patsy for this lead-in matter.

Program originates from the rotunda of Ford's River Rouge Plant, Michigan.

BENAY VENUTA
With Ernie Flo-Rita orchestra
20 Min. local
WABC, New York City
ERNE FLO-RITA
Monday, 8:30 p. m.
WOB, New York
(Gumbinner)

This is the companion piece, for adults, to the same sponsor's new 'Name it and take it' novelty, for kids. The latter is to be heard late afternoon. The WOR program bears the log-listing Mondays at 8:30.

Program is a routine singer and orchestra session from the same sponsor. It happens to be the forceful personality of Benay Venuta and the smartly-orchestrated music of Ernie Flo-Rita. It's the kind of entertainment that is commonly considered light enough for summer, cheap enough for an experiment, and light enough always to gather at least a minimum audience.

The program includes a guest. For the gateway it was Eddie Duchin who sang a bit and an Australian a bit. Here and there the program comes to a commercial. The commercial sophistication and distinctive character. This outer shell proved porous. Once or twice the verbiage verged to silliness and redundancy. The song single with padding and disconnection did not quite cap it as worth the bother. Bottle cap routine that was cleverly woven into the kid stanza is rather adrift in this case. If it is appropriate to an adult show at all.

And the program needs is tighter editing. No outer shell at all would be preferable to a 'molt' that merely lags. Used up with padding and over-variation. People can't get sore at good music and hot singers. They can be irritated by gab that sets out to be smart and either loses its nerve or misses the target.

Woodrow Hatilo, former program director of WJBO, Baton Rouge, has been appointed director of agriculture of radio station WFLA, New Orleans. Main assignment will be conducting farmer's program from 6 a. m. to 7 a. m. daily except Sunday.

FOLLOW-UP COMMENT

Millen Crandall, Baltimore exploitationist, painted a broad-brushed canvas of yesterday's motion picture exhibition. This, by de- on 'We, the People.' Crandall's sketches include one about starting a 30-foot wooden whale on Pike's Peak for the 'Dixie Week.' This, by de- in Ships' and another about in- ducing Mayor of New York to pro- nounce 'Dixie Week.' This, by de- coincided with the opening of a Clara Kimball Young picture on Broadway. Admitted that His Honor was peeved on learning that he had been 'hooked,' and Crandall said he couldn't blame him. Crandall mentioned the Baltimore at- tention-grabbing stunts, Baltimore said now handles publicity for chambers of commerce and business organizations. Also that new policy is to give the public the facts and let it decide for itself.

Joan Edwards was present to sing a number by a spare-time composer and sent to her for air introduction. Crandall told her he had written it as a tribute to his wife, etc. Miss Edwards gave a nippy interpretation. It sounded more like a specialty than a mass pop-tempo too fast for one thing. Closer on 'We, the People,' was a Philadelphia woman appealing for return of her kidnapped boy-type of thing, not infrequent on this program. Crandall, with what results is a question.

For change, no nonagenarian failed to give those painfully hating readings which suggest the need for forming a radio anti-trustity to old people league.

Nelle Revell and Colonel Stoppang were show business regulars on 'Hobby Lobby.' Miss Revell, who said her hobby was collecting something in the way of an experience from every person she meets, did an effective story-telling stint. One part of it with Will Rogers' first appearance at the old Olympic theatre. Crandall (for which Miss Revell was p.a.) was a manager's comment: 'It's the old Olympic theatre. Part of it was too funny via loudspeaker.'

Elsa Maxwell impressed as a typical life-of-the-party individual, in telling how to throw the party.

(Continued on page 42)

THE PIPER
Radio Guild Drama
50 Min.
Sustaining
Sunday, 5:30 p. m.
WZZ-NBC, New York

Radio dramatization of Conal Holmes O'Riordan's book on Irish patriotism made rather dull listening. Well acted, but punchless except for the final few minutes. More could have been done with the document that has been labeled the History of Ireland in one act.

That appendage is descriptive. Tale relates of a band of rebels in 1794 who are on the march in English. Program clearly shot home the do-or-die feeling of the revolt, and Irish stubbornness had its meanings in the repeated assertions that the policy, standing with the English, was a glorious victory when in reality the 'victorious' had been crushed.

Script, adapted by Maurice N. O'Brien, spent almost the entire 30 mins. often drawn out, bidding between the characters over various subjects. Before time ran out the English caught up and the story took on some significance. Young pier of the hand was killed and ceremonies by his enemies over his remains and burial were the only recommendation. Midway said young pier piped a pep song of the period.

Dialog was rife with Irish brogue as thick as a fog which made some of the lines undistinguishable.

MAKE A NOTE TO USE

WMT

COLUMBUS DRIVE

ALL-THROUGH IN CENTRAL OHIO

GOODWAYS ON WHEELS

JOHN BLAIR CO. REPRODUCERS

17,967 listeners asked for "WMT" Talent Folder? Where?



Last year, we received hundreds of letters asking why and why not the WOR like—how many there are in Les Hartman's German Band—what makes the Cedar Valley Hillbillies go 'round—and so on.

So in January we printed a folder picturing a number of the WMT guests.

For seven days the folder was plugged three times a day. That's a total of 21 plugs. And the response? 17,967 requests piled into the station. 13,715 were from Iowa, 1,547 from Illinois, 1,415 from Wisconsin and 1,021 from Minnesota. That was a new idea of the concentration WMT gives you in Eastern Iowa, Western Illinois, Southwestern Wisconsin and Southern Minnesota.

And the interest in WMT and WMT programming?

Being the only station in Eastern Iowa with 5,000 watts day and 1,000 watts night power, plus a frequency of 600 Kc., WMT is the "of course" station when you're selling the Middle West.

Cedar Rapids - Waterloo • 600 Kilocycles
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Represented by THE KATZ AGENCY

69,000 Square Miles of the RICHEST PART of the MIDWEST

●WKY's Aunt Susan has definitely established herself as the top-ranking personality among Oklahoma housewives. Her quarter-hour, oldest regular feature on the station, began in 1928 when the Oklahoma Publishing Company acquired WKY, and has remained one of the most listened-to daytime features ever since.

Oklahoma women know Aunt Susan intimately; 47,700 have visited her elaborately equipped studio-kitchen; 176,000 have attended her annual Cooking School.

And so, Aunt Susan's daily quarter-hour has become a chatty, friend-to-friend get-together without equal on the air today... a program that moves merchandise for sponsors through its sincerity and helpfulness.

WKY Oklahoma City

NBC AFFILIATE • 900 KILOCYCLES

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COLUMBIA SQUARE - HOLLYWOOD
PALACE HOTEL - SAN FRANCISCO
REPRESENTED BY RADIO SALES

15 Best Sheet Music Sellers

(Week ending June 10, 1939)

*Wishing (Love Affair).....	Crawford
Bessie Bartel Polka.....	Shapiro
Love Little Fidelity.....	Santley
And the Angels Sing.....	BVC
Sunrise Serenade.....	Jewel
Don't Worry About a Thing.....	Chappell
Little Sir Echo.....	BVC
New Moon and An Old Serenade.....	Berlin
I Didn't Care.....	Chappell
*Lovers in Love With You (Some Like It Hot).....	Paramount
*Never Know Heaven Could Speak (Rose of Wash- ington Square).....	Robbins
Little Skipper.....	Felst
My Last Good-bye.....	Berlin
W. Building a Dream.....	Shapiro
Stairway to the Stars.....	Robbins

*Filmcast.
†Production.

Question of Warranty Deeds for Music Attacked Before Shotwell Committee

Meeting of the Shotwell Committee on Copyright Legislation last Friday (9) developed into an outburst of verbal fireworks when spokesmen of the phonograph record industry sought to have a warranty clause included in the committee's proposed amendments to the Copyright Act of 1909. The clause would require the owner of a valuable trading point. Under the proposed clause any time the copyright owner would have any right he would be required to warrant in full the validity of his grant. In effect the licensee would be sued for infringement the licensee could be held liable not only for the damages obtained by the plaintiff but for the costs incurred in defending the suit.

Those opposing the warranty clause pointed out that the matter of underwriting a licensee's validity had always been something on which the dispute between the copyright owner and the user was based. Warranty can be obtained if the licensee would make extra charges for getting an insurance policy along with the license, thereby relieving him of the cost of making the warranty of the copyright's validity. The question of warranty, it was argued, must remain a point in the contract and if the licensee were to insist on every grant being insured the cost of right would become prohibitive.

S-W Warranties
Licenses for music are now written in three forms as far as warranty is concerned. The first form is the license no warranty and it is incumbent upon him to trace the grant's validity and make certain that the particular right that he has bought has been properly cleared. The second form provides for a limited warranty; the licensee agrees to indemnify up to the amount paid to the licensor of the copyright in the third form the licensee gets a complete warranty; the seller of the license himself is liable to unlimited damages.

John G. Paine, general manager of the American Society of Music Authors and Publishers, plunged into the controversy when it was remarked that the M.P.A. has always been the warrant rights it licensed for its affiliated foreign societies. Paine said that ASCAP guaranteed the validity of its American catalogues because the cost of insurance was included in the price of the music works, but as far as the foreign catalogues were concerned it was a different matter. The price of the music works was charging for these foreign society's catalogs were much too low to include insurance. If the licensee user wants a warranty on such works he can get it by paying a higher price.

Under the circumstances, Paine contended, it is cheaper for the user to insure himself by establishing his own checking device.

CARM-CHAPLIN TO WB
Songwriting team of Sammy Cahn and Charlie Chaplin has been rehired by Warner Bros. for the remainder of the season. Cahn has been turning in tunes for shorts studios at Brooklyn Vitaphone studios. Since that time they have been deluged with popes and contributing to the Warner Hollywood studio. Wrote the title song for the forthcoming "On Your Toes."

Jive Hounds Kick Off

Los Angeles, June 13. Town's littersburg will romp over the square feet dance floor to be laid in the Coliseum by Palomar dancers for titles galore and \$2500 cash prizes. Contest to be staged June 13 will be open to rug cutters from all over the state.

Artie Shaw and other name bands will provide the incentive.

MUSICIANS CAN'T SUPPLY OWN AMPLIFIER

Chicago, June 13. Musicians have been ordered that in the future they will not be permitted to furnish public address amplifiers for their own use. Union feels that their members are hired as musicians and not as electrical or radio suppliers and as such should restrict their work to instrumenting and leave the amplifying service job to somebody else.

Discs Labeled With Historic Data Bear To Swing Collectors

Victor records will soon release a series of 30 old hot jazz recordings, augmented by four comparatively new ones released first in France under the Swing label. Old timers were originally released from 1913 to 1935 ago under the Victor label. Re-issue will be on Bluebird and early exact listing dates, personnel and other data pertinent to the hot jazz classic collector. Platters were cut by bands in existence in some instances are unknown today, and in others by crews split in existence such as Duke Ellington and Louis Armstrong.

It was originally planned to release the records with an accompanying pamphlet of criticisms by Hugues Panassie, French swing critic, but the imminent closings of colleges for the summer will bring them out first, pamphlet to follow.

SUE VINCENT LOPEZ CO. FOR ALLEGED MISMGM'T

Claiming waste and mismanagement, and that she was not paid as a receiver and an accounting, Agnes V. Russell, holder of one-half of the stock of the musical Enterprises, Inc., filed suit in N. Y. Supreme Court against Lopez.

Among other claims of Miss Russell are that Lopez took large sums from the company for his personal use, and paid his employees exorbitant wages.

Jimmy Dorey may stay through the summer at the Meadowbrook, Cedar Grove, N. J.

Ben Wain on Victor

Ben Wain, former vocalist with Larry Clinton's orchestra, has signed for one year with Victor Records. Contract is effective immediately, singer now selecting the new orchestra that will back her. She will guest star on the Ford Sunday Hour June 25, and first radio work she's done since leaving Clinton.

Larry Clinton's orchestra is tied to Victor for two years. But on one week and will make more within a fortnight.

PHONO TEST ACTION FEED

Harms, Inc., filed its test suit against RCA Victor on the special anniversary issue in New York federal court Monday (12). Upon the outcome of this action there depends the success or failure of the music industry's drive to collect an additional royalty on phonograph records sold to collecting operators. The Warner Bros. music group, which includes Harms, has taken the initiative in this movement.

Two provisions in the copyright law are slated to play an important part in the Harms-Victor litigation. One is the compulsory provision and the other is the section which stipulates that only the copyright owner has the right to make a special arrangement of his work. Warners contend that the compulsory provision does not invalidate the copyright protection under the special arrangements section.

If the court holds that the compulsory provision does not entitle the recorder to make any arrangement he elects then the publisher will insist that special fee be paid for such right of arrangement in the case of discs used in coin machines. Warners contend that the fee paid against WB the publisher will be limited to the statutory fee of 3c.

The time cited in the action is "Rendezvous Time in Paris," from the forthcoming musical "Streets of Paris." In preparing the case Warners recorded a piano and vocal version of "Rendezvous" with the legitimate intent of arguing that Victor by using a different arrangement violated the copyright arrangements provision of the law. By recording the number WB automatically made the tune available to disc manufacturers, as provided for in the compulsory section of the 1909 act, and that the court should contend that any other version, made without permission of the copyright owner, constitutes an infringement. Wattenberg & Wattenberg prepared the complaint for Warners.

CIVIL ACTIONS SETTLED BY M.P.A. OFFICIALS

Copyright protection division of the Music Publishers Protective Association collected \$1,800 settlements as the result of civil actions brought in connection with printed copyright infringements. Three of the cases involved newspaper and magazine distributors, one a St. Louis stationery company and the fifth concerned a music dealer, Homer I. Kilg, of Washington, who sold his unauthorized instruments arrangements of copyrighted works. Kit settled for \$750.

The distribut and the amounts they settled were: United States News Co., Trenton, N. J., \$600; the New Brunswick News Co., New Brunswick, N. J., \$500; the Franklin News Co., New Orleans, \$800. Each was alleged to have sold unauthorized copies of sheet music.

The St. Louis firm, the Kennedy Stationery Co., paid \$1,000. It settled for the unauthorized sale of sheet music distribution at luncheons, parties, etc.

LENNIE HAYTON STRICKEN
Lennie Hayton underwent an operation for prostate gland removal of his appendix Monday (12) morning. He was stricken while at the home of Tommy Dorsey and Bernardville, N. J., and rushed to Morristown Hospital. Hayton's new outfit, long in rehearsal, was set to get going June 20. Illness will force postponement. Arthur Michael's handling it.

Writers, and Class A Ones, Chief Offenders in Cutting-In; It Once Was a Publishers' Racket Chiefly

Victor Blau Upped

Victor Blau has succeeded Richard Kountz as manager of the standard and educational division of the Warner Bros. music group. Kountz resigned the week before last, after being in the organization for 10 years. Plans being made by Herman Starr, head of the WB group, for extensive plug revivals of tunes in the Harms, Witmark and Remick catalogs.

Blau will also continue with his routine of copyright licensing, renewals and checkups for Warners.

PAR-FAVOR IN VAL ASCAP PLEAS

Lo Diamond, head of the Famous and Paramount Music Corps., last week suffered a setback in his drive to raise the availability of the two catalogs when the board of directors of the American Society of Composers, Authors and Publishers rejected in toto his appeal from a negative ruling by the availability committee. The board by its decision held that his catalogs were in no way underrated.

The industry received an all-day hearing from the board several weeks ago. His eligibility for such hearing was based on the circumstance that Diamond is chairman of the availability appeals board. The industry curriculum of the copyright claims made by the new owners of the Melrose Music Co. in their plea for the higher availability ratings. Purpose of the probe is to find out whether Melrose controls the copyrights of the universe which is submitted in list form with the availability committee and just what rights it holds in cases where the firm is acting as agent for the copyright owner.

1939 Mechanical Rights Out-Pacing Last Year Despite Radio Disc Drop

Mechanical licensing bureau of the Music Publishers Protective Association has so far this year distributed \$120,000 in transcription royalties to members of the industry, a figure which prevailed for the like period of 1938. Income from commercial transcription has increased 10 per cent year by year as far as the bureau is concerned this catalog has been more than offset by the revenue from recorded program libraries. Royalties from the latter source now amounts to about \$4,500 a month.

Licensing sweat has fared exceedingly well this year from the bank. Film synchronization rights on two papers alone sold his "Frenzy and Irene Castle" and "Rose of Washington" it collected a total of \$37,000. Sync bill on the first amounted to \$20,000, and the other, \$17,000.

D. W. BANKS ON ASCAP PLAUSIBILITY BOARD

David W. Banks, president of the Theodore Presser Co., has been elected a member of the availability committee in the American Society of Composers, Authors and Publishers. He takes the place of Edwin H. Morris, former head of the Warner Bros. music group.

Banks is one of the most popular and three standard publishers. Melville Shyer and Al Columbo in Hollywood pick up new material for ground music for "La Marmala," Spanish language picture at Grand National.

Music publishers are complaining that the cut-in evil is more widespread today than it has been in years. What makes the situation somewhat different when compared to the past is that most of it is being done by writers, and not by band leaders. It is used to be the custom for the less ethical category of publisher to designate who was to be cut in and to what extent. Now the arrangement is totally out of his hands. The writer picks his own bandmaster, number of royalties and even lets the latter handle the placement of the tune and work out the advance terms with the publisher.

Most of the cutting-in, the complaint is made, is being done by writers with Class A rating in the American Society of Composers, Authors and Publishers. That such leader partnerships they're able to get an advance payment of \$500. There was one case recently in which the advance check amounted to \$1,000. The leader himself negotiates with the publisher in the average instance an established writer is lucky if he's able to get \$200 in advance.

ARREST IN COIN DISC STENCH BOMB CASE

William L. McConnell, business manager of the East Side Phonograph Operators' Assn., surrendered last week to St. Clair County, Ill. authorities. He was charged with R. V. Payeur, also of East St. Louis, having a stench bomb into the nitery of the latter's store. The store is Belleville, Ill., on May 24. Agnes attributed the act to the fact that the store had been purchasing electric phonograph several members of the phonograph operators' association had been denied access to his place and told him he couldn't own his own machine but had to use the one owned by the association.

McConnell and Payeur admitted being in Agnes' place the night of the stenching but denied responsibility for it. East side authorities are investigating reports that another member of the association, who had his own machine had been in the machine and dance floor damaged by Agnes and the others who had installed their own machines had been threatened.

Dorothy Lamour-Barnet On Joint Victor Disks

RCA-Victor, aware of the publicity handed Dorothy Lamour and Dorothy Barnet, has decided to use the Paramount theatre, N. Y., together, will combine the two Bluebird discs into one. The new date, she'll sing with Barnet's band on four sides to be cut June 18-20. The pair have been linked romantically since.

Indiana Roof Closes

Indianapolis, June 13. Indiana Roof Ballroom puts up the shutters Friday (13) with final dance of the season. Plans were originally to keep the ballroom open during the summer on Friday and Saturday nights, and large fans were installed to keep the hoofers air cooled, but not enough of them attended to inhale the scintillated air.

Dennis Datto and orch. with Dorothy Roberts, vocalist, moved into the ballroom after winter stay at Colma, Calif., and open on hand for fiddling of the swan song.

Joe Reichman at Palmer
Chicago, June 13. Joe Reichman orchestra set for the Empire Room of the Palmer House in the week-end minimum stay. Comes to follow the present Glen Gray Casa Loma orchestra run, which ends late this month.

On the Upbeat

Gay Lombardo replaces Eddy Duchin at the Waldorf-Astoria Hotel, N. Y.'s Starlight Roof, July 13.

Paul Whiteman plays for the Manhattan Carnival at Radio City, N. Y., tomorrow (15). Proceeds benefit Girl Scout summer camps.

Ernie Kossow orchestra renewed for the balance of the summer at the Belmont-Plaza Hotel, N. Y.

Stiff Smith orchestra starts a stay at the Edison Hotel, N. Y., June 15.

Johnny Green (trained to Halifax, N. S., where he guest bated a band at the farewell ball for the King and Queen of England tonight (Wednesday). It's being given by the Kensington's Club.

Vincent Lopez starts a one-night tour after leaving the Strand Theatre, Chicago, July 5.

Bob Zurke's new band cuts first record batch for Victor next week.

Del Courtney stays at the Bear Mountain, N. Y., Inn until Sept. 4.

Artie Shaw set for the Strand theatre, N. Y., from Sept. 15 for a possible four weeks. Optioned him till Oct. 12.

Sammy Kay returns to the Hotel Commodore (N.Y.) in September, where the Palm Room will be redecorated to cut down its size or create an elastic motif so that the

very spacious room may be reduced or enlarged, depending on attendance. Kaye is current at the Essex House, N.Y., until mid-July.

Band opens June 23 for three weeks at the Broadway Strand with "Daughters Courageous" (WB) as the feature.

Larry Clinton held over again at the Coconut Grove, N. Y., until July 11. Possibility he may remain all summer. Goes into the Paramount theatre, N. Y., Aug. 23 for two weeks.

Phil Harris orchestra, which recently faded from Brunswick rolls, signed to Victor.

Mary Horlick orchestra, holder of one of radio's longest runs (13 years for A. & P. stores), signed to create an album of old pops, etc., for Victor.

Joe Sudy's band at the Hotel Adolphus Century Room, Dallas, this week following in Bill Barco.

John Gart and his mixed combination of electric and other instruments opened at the Edison hotel, New York Monday (12) for a limited run.

Chick Floyd, pianist with Leighton Noble's orchestra, has done a march-song, "Over Here," which is being played by crew now playing at Baker's Mural Room, Dallas.

While "The Lion" Smith, newcomer among swing bands, is currently (Continued on page 55)

Band Bookings

Dick Barrie, July 17, Jefferson Beach, Detroit, four weeks.

Chick Webb, June 24, Apollo 8, Tampa, Fla.; 25, Harlem Square Club, Miami; 26, Frazier's Park, Auburn, Ala.

Russ Alexander, June 20, Turnpike Casino, Lincoln, Neb.

Little Jack Little, June 24, week, 24, William Dollar Pier; July 4, Lakeside Park, Barnesville, Pa.

July 8, week, Palisades Park, Fort Lee, N. J.; July 15, week, Brighton Beach, N. Y.

Terrace Club, Virginia Beach, Va. July 8-Aug. 18, Lang Thompson; Aug. 19-24, Rita Rio; Aug. 25-Sept. 4, Blue Barron.

Charles Barnet, week Sept. 15, State theatre, Hartford.

Bill Barco, four weeks, Roosevelt, N. O., opening tomorrow (15).

Mal Hallett, June 21, Heda Park, Bellefonte, Pa.

Red Nichols, week July 2, Surf Beach, Virginia Beach, Va.

June 16-17, week, 16-17, Ramona, week Aug. 20, Brighton Beach, N. Y.

Emil Deutsch, June 16-17, Manhattan Beach, N. Y.

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 (June 5-11). Total represents accumulated performances of the two major networks from 8 a.m. to 1 a.m. Symbol denotes film song, 1 legit, all others are pop.

TITLE	PUBLISHER	GRAND TOTAL
"Love Affair"	Crawford	49
"Strange Enchantment"	Famous	46
"Lady in Love with You"	"Some Like It Hot"	42
"New Moon and an Old Serenade"	Berlin	41
"Don't Forget Me"	"Cotton Club Revue"	38
"And the Angels Sing"	BVC	32
"Whistling in the Windwood"	Clam	30
"Beer Barrel Polka"	Shapiro	28
"Swallow to the Stars"	Robbins	28
"I Never Knew Heaven Could Speak"	"Rose of Washington Square"	27
"East Side of Heaven"	"East Side of Heaven"	26
"Night Must Fall"	Marks	26
"I Didn't Care"	Chappell	24
"Sing a Song of Sunbeams"	"East Side of Heaven"	22
"Whistling in the Windwood"	Clam	22
"You Grow Sweeter as the Years Go By"	Witmark	22
"Our Love"	Harms	19
"Begin the Beguine"	Shapiro	18
"Cinderella Stay in My Arms"	ABC	18
"How Warm It Is the Weather"	Famous	18
"Rendezvous Time in Paris"	"Streets of Paris"	17
"How Strange"	"Idiot's Delight"	17
"I'm Building a Sailboat of Dreams"	Shapiro	17
"Tears from My Inkwell"	"Spier"	16
"In the Middle of a Dream"	Berlin	15
"All I Remember is You"	Parliament	15
"You're a Song"	"Billy Rose Aquascope"	15
"Tain't What You Do"	Leeds	14
"This Is No Dream"	Berlin	13
"Room"	Berlin	12
"White Sails"	Berlin	12
"Begone"	Berlin	12
"Hang Heart on Hickory Limb"	"East Side"	12
"I Did My Way"	Leeds	12
"Little Skipper"	Fest	12
"Sunrise Serenade"	"Man About Town"	11
"That Sentimental Sancho"	"Man About Town"	11
"An Eighteenth Century Drawing Room"	Circle	11
"Deep Purple"	Robbins	11
"Heaven Can Wait"	Remick	11
"I Cried for You"	Robbins	11
"My Heart Has Withered"	Red Star	10

Pittsburgh, June 13.

Just two years ago, Bill Barron and his band were taking everything they could get in these parts at \$400 a week and spent couple of months here at that figure, including engagements at Bill Green's and West View Park. On June 23, band, which has since gone places, checks back into town for week's engagement at the Stanley, de luxe WB site, at exactly 10 times the amount they were being paid locally in 1937.

Booking, and also others for remainder of June, were made by Harry Kalmine, WB zone manager, in New York few days ago. Orton Welles' vaude act comes in Friday (16) and on same bill will be Connecticut City, Cincinnati billies, who performed at White House last week for King George and Queen Elizabeth, and following Barron comes Johnnie (Scott) Davis and his band, second date here in less than six months.

Music Notes

Ray Webb scoring "Bachelor Mother" and "Career" at RKO.

Russell Bennett scoring RKO's "Bedlam" and "Timber Stampede."

Famous Music Corp. publishing "Moon Love," new dance tune adapted from Tchaikovsky's Fifth symphony by Mack David, Mack Davis and Andre Kostelanetz.

Edward Small and Dave Snell handling musical score for "Blackmail" at Metro.

Cy Feser and Bill Lava turned in score of "Hickey the Kid" at Republic and started work on "She Married a Cop."

Aaron Gonsales sold "Tropicana" to RKO for "My Fifth Avenue Girl."

Chappell Music Co., publishing "Good Ground" and "Louisiana," clefted by Clarence Muse and Langston Hughes for Principal's picture, "Way Down South."

Erich Wolfgang Korngold doing an original score for "The Knight and the Lady" at Warners.

Moe Jerome and Jack Scholl are

doing musical numbers for Warners' "Lide, Cowboy, Ride."

Paramount loaned Frank Loesser to Universal to write songs for the picture, "Hawaiian Nights."

Dave Gordon, westcoat manager for Shapiro, Bernstein & Co., leaves New York today (Wednesday) for Los Angeles after a two weeks' stay.

Max Mayer has obtained the renewal rights to all the compositions and arrangements of F. Henri

Klickmann. The catalog consists of 118 numbers. Some of the tunes are "Just a Dream of You, Dear," "Since You Called Me Sweetheart," "Sabbath Chimes," "Sing Me the Rosary," "Melody At Dawn" and "Dear Old Country Mayno."

Song Suggestions
JIMMY McHUGH'S
"LOVELY LADY"
ROBBINS INC., Inc.

BERLIN BULLETIN

THE NEW SCORE BY

IRVING BERLIN

From the 20th Century Fox Film "SECOND FIDDLE"

I'M SORRY FOR MYSELF

I POURED MY HEART INTO A SONG

WHEN WINTER COMES

AN OLD FASHIONED TUNE ALWAYS IS NEW

BACK TO BACK

THE SONG OF THE METRONOME

JOE SANTLY, Prof. Mgr.

IRVING BERLIN, Inc., 799 Seventh Ave. N. Y.

Feist First!

WHITE SAILS
(Beneath A Yellow Moon)
By Nick Kenny, Charles Kenny and Harry Archer

THE TINKLE SONG
By Harry Woods

LITTLE SKIPPER
By Nick Kenny and Charles Kenny

GUESS I'LL GO BACK HOME
(This Summer)
By Willard Robison and Ray Mayer

Featured in the M-G-M Picture "Idiot's Delight"

HOW STRAIGHT
By Gus Kahn, Herbert Stothart and Earl Brent
Based on "KAK STRAIN" by B. A. Proczorski

Featured in the M-G-M Picture "Society Lawyer"
(I'm In Love With)

THE HONORABLE Mr. SO and SO
By Sam Coslow

Leo Feist Inc.
1629 BROADWAY, N.Y. HARRY LINK, Gen. Prof. Mgr.

The Tune You'll Remember
When Others Have Gone

From England, The Royal Marsh

The First Summer Hit
A Sensational Rhythm Number

BEGONE

THE BIRTHDAY OF THE LITTLE PRINCESS

(Many Happy Returns of the Day)

BABY ME

ABC MUSIC CORP.

799 7th Avenue, New York

Elmore White, Prof. Mgr.

Inside Stuff—Music

Bill Oberstein in a broadside sent out to the trade last week disclosed that he intends to start shipping the product of the United States Record Corp., a new company, early in 1939. He will have a weekly release a popular, hillbilly and race label for 25c and a popular and standard group at 75c, and monthly releases of classical and standard numbers for \$1 and up. He states that he already has a catalog of over 500 standard and classical 10 and 12 inch records.

Oberstein reports that he has 26 distributors lined up and that the names for the labels will be picked during a jobbers meeting which he has called for this week. He also says that he made a deal with the present owners of the Music Masters Co., manufacturers of combination radio and phonograph sets, for 3,000,000 records a year.

Of statistical interest to the trade is the statement in the broadside that in 1938 manufacturers of records sold 107,000,000 records and 1939 three manufacturers will sell over 50,000,000 records. Former year was tops for the business.

Second highest sum paid for the synchronization rights to a standard composition is the \$3,350 which G. Ricordi of Milan has just netted from the Universal Pictures for the use of Moseca's 'Ave Maria.' It was for 'First Love,' starring Deanna Durbin. For the inclusion of Puccini's 'One Fine Day' in the same film the producer is paying \$2,640. The record high standard number in the picture business is the \$6,750 which RKO paid for 'West! La Guibba,' from Leoncavallo's 'I Pagliacci,' in the production, 'Music for Madmen.' All-time top for a pop tune is the \$5,000 that Irving Berlin, Inc. got from Warner Bros. on 'Mammy.'

NBC again cracked down on a song title when it refused to okay the use of the 'Shoot the Ball to Me' by the orchestra of the orchestra of the Meadowbrook, Cedar Grove, N. J. location.

When pressed for a reason for the ban NBC explained it immediately brought to mind the banned Artie Shaw number 'Shoot the Ball to Me' and alcoholic reference couldn't even be inferred. Ban has since been lifted, however.

Songwriter Johnny Mercer celebrated his eighth wedding anniversary last week with a small party at the Hotel Pennsylvania (N.Y.) Roof which houses the Tommy Dorsey orchestra. Dorsey and a bunch of friends presented the writer with a cake to mark the event.

Within the cake was baked professional copies of all the songs that Mercer turned out that failed to click.

Five of the songs which helped to make Brown University's fifth annual Red and White musical revue 'delightfully sophisticated and fast moving' (Variety, May 12) got Charles E. Farrow, Jr., a personal contract with Johnny O'Connor last week.

Fred Waring will introduce songs when his Pennsylvanians start their new Chesterfield quarter hours.

Edwin H. (Buddy) Morris is again working on the idea of teaming up with a couple Class AA writers in the music publishing business. Former head of the Warner Bros. music group has already talked to one writer who has ample finances about co-owning the purchase of a catalog and using this as the nucleus of a new firm.

Associated Music Publishers, Inc., New York, has increased its capital stock from \$750,000 to \$975,000. Papers to this effect have been filed with the secretary of state by Sullivan & Cromwell, New York city.

JEAN GOLDKETTES DEBUT AT CARNEGIE

Before a moderate, polite audience, Jean Goldkette and his society-sponsored American Symphony Concert, made its debut Thursday night (8) at Carnegie Hall, N. Y., running the gamut from symphonic music to swing. Goldkette has been a pioneer in that field and his yesterday's jazz disks are collector's items now.

Henry Gilbert's 'Comedy Overture on Negro Themes' was a pleasant lead-off but Edward MacDowell's 'Dirge' from his 'Indian Suite' wasn't favorably representative of the composer, for whose fund this first concert was held. Coming after the light opener, the 'Dirge' was too depressing.

George Steiner's 'Passacaglia on an American Theme' was an imposition by the orchestra's first violinist on 'Turkey in the Straw.' The Charlotte, currently appearing in 'Hallelujah,' were far and away outstanding with their quartet harmonizing of Negro spirituals.

Otto Cesana's 'Symphony in Swims' played by Goldkette's swing ensemble, promised much but failed to achieve its full purpose, particularly because of the arrangements.

Gershwin's 'I Got Rhythm,' piloted by Walter Gross, a devotee of Gershwin music, and accompanied by the orchestra, is still standard expert music, along with the W. C. Handy 'St. Louis Blues,' played as an 'orchestral fantasy.'

Richard B. Gilbert was adequate as commentator.

Nilo Menendez clefted a Spanish number, 'Hupango,' for 'La Immaculada' at Grand National.

Bert Lown's New Band

Stroudsburg, Pa., June 13. Bert Lown has taken over the former Lorton Criterions orchestra along with violinist-leader Bob McClister. After completing a solid bloc of summer bookings, will head for the Hotel Biltmore, New York, where they are tentatively scheduled for a fall engagement.

The Criterions (name derived from a former engagement in London, England, under Paul Speech management, although only a member of that original outfit remains) were put through a period of intense rehearsal by Lown at the American Hotel, Allentown, prior to a summer tour of the Eastern hinterland. Most of the 13 members of the band are from that city and vicinity.

Clarence Barron, drummer and vocalist of the Criterions, did not join in the Lown take-over due to prior commitments. He remains at Harold Brugler's Columbia Hotel with a new seven-piece outfit, 'The Blue-Notes.'

JACK RICHMOND WITH W&M
Jack Richmond, formerly with Robbins, has been named general professional manager of Words and Music.

'Our New York,' new song by Sigmund Spaeth, published by E. B. Marks, endorsed by city authorities as an official anthem. World's Fair concerts have been giving tune strong plugging.

Cecil Golly band, winding up at Willow, Pittsburgh, tonight (14), will barnstorm for fortnight and then open 10-week engagement at Grand River, New York, July 1.

BOOKING DEAL TOO HAZY FOR D.C. COURT

Washington, June 13.

Further proceedings in tiff between Consolidated Radio Artists and Washington section of the National Council of Jewish Juniors over contract for dance orchestra were ordered Monday (12) by District of Columbia Court of Appeals. Confused condition of the record and inability to straighten out the situation of the parties prevented settlement.

The Jewish organization thought it hired an orchestra from the booking agency for a recent shindig. Controversy over performance of the contract resulted in a judgment for \$4,250 against Consolidated Radio Artists. Latter moved to have the verdict set aside, claiming it was a foreign corporation not engaged in business in the District of Columbia and challenging service of papers in the damage suit. The motion to nullify the award was overruled by the Federal District Court.

In announcing inability to unscramble the mess, the appellate bench sent the matter back to the lower court for clarification.

Glaser-Consolidated Unite in New Corp. to Handle Negro Bands Solely

BOBBY BYRNE, 21, ON OWN

Will Be Launched with Tag 'Jimmy Dorsey Presents'

Under the tag 'Jimmy Dorsey Presents,' Bobby Byrne, trombonist currently with Dorsey, will soon start his own band. Men are being gathered for him now but he will not leave Dorsey until everything's set and several gateway dates are lined up. Rockwell General Amusement will handle. Though the tag suggests sponsorship, it's just to help the band's get-away.

Though only 21—which will make him probably the youngest leader in the biz—Byrne is a vet of the Dorsey outfit, having been with it almost four years. He's never been with any other crew, taking, in 1935, the chair that Tommy Dorsey exited when he split with Jimmy and formed a separate unit. Dorsey Bros. were then at the Glen Island Casino, N. Y.

Joe Glaser has gone into business with Consolidated Radio Artists, Inc. The two have set up a separate corporation, Glaser-Consolidated, which will confine itself to the booking of colored dance bands. It's a 50-50 stock ownership arrangement, with Glaser taking over the operation of CRA's colored department. Bob Sanders, who has been with Glaser since CRA closed its Dallas office, will be associated with Glaser in Glaser-Consolidated, Inc., and hold the title of v.p.

The bands that Glaser is bringing into Consolidated are Lou Armstrong, Andy Kirk, Roy Eldridge, Eddie South and Don Redman. CRA's contribution to the setup consists of Stuff Smith, Erskine Hawkins and Chick Webb. Glaser booked the bands which he personally represents through Rockwell General Amusement Corp. until he organized his own office. Joe Glaser, Inc. Bernard L. Miller handled the legal end of the Glaser-Consolidated deal.

AL DUBIN and JIMMY McHUGH ARE BACK ON BROADWAY WITH A SMASH SCORE

from
RENEZVOUS TIME IN PAREE
IS IT POSSIBLE?
WE CAN LIVE ON LOVE
(WE HAVEN'T GOT A POT TO COOK IN)
SOUTH AMERICAN WAY
READING, WRITING, AND RHYTHM
DOIN' THE CHAMBERLAIN
ANGER IN THE DARK
IN MY MEMOIRS

AVAILABLE IN ORCHESTRATIONS

HARMS INC., RCA BUILDING, NEW YORK • MACK GOLDMAN, Prof. Mgr.

IRVING BERLIN, Inc. HAS TWO DYNAMITE SONGS

A NEW LAST GOODBYE
A NEW LOOK AND AN OLD SERENADE

STIFF RUM SALES ARE NEW IN WEST HITS NITERIES FURTHER; MAJOR CLOSING

Main Source of Income Gone, Cafes Either Cutting
Down on Entertainment or Shutting—Colony,
Chez Paree, in Chi, to Fold

Chicago, June 13.—While there are still a few wall inhabitants in show business here, probably the loudest warriors are the niteries operators, who have been generally on the toboggan, but the city fathers have hit the operators fairly hard by enforcing the food sales and a m. curfew on the sale of liquor; entertainment may continue, however, after the curfew.

Liquor purchases may be made before the deadline and kept on the table. But this hasn't worked out well, with the customers in no mood to load their tables with drinks.

Result is that the major source of income for the niteries has been curtailed sharply. The curfew on liquor sales here threatens a major hazard encountered throughout the Midwest by niteries operators.

Retrenchment on talent expenditure consequently has been taking place all through the sector with many niteries, unable to stand the gaff, being forced to shutter.

Colony, Chez Quelling
Newest addition to the folders here are two top-ranking niteries. On Thursday (15) the Colony will close. The Chez Paree will be folded July 7 for at least six weeks to meet the usual summer lull. This despite the fact the Chez is air conditioned. There are also a score of smaller cafes dosing the lights.

In an effort to get some success from the curfew, cafe operators have tried many ideas. The latest is the offer to boost their annual license \$500 a year if the city officials would

lengthen the curfew until 4 a.m. But that appears to be little hope of getting an extension at present. This is due to the number of fratricidal wars recently there has been an epidemic of holdups and shootings in taverns resulting in the police clamping down on all niteries.

6 More Niteries In Philly Cited; Rum Violations

Philadelphia, June 13.—Six more Philadelphia niteries have been cited by the State Liquor Control Board to show cause why their licenses should not be revoked. That makes more than 100 that have been required to explain law violations, including nearly every top spot in town.

Only important drinkery in the new batch is the Village Barn, operated by Harvey Lochman. It's charged with Sunday sale and entertainment after hours. Others are mostly nite spots, charged with a variety of offenses, including selling to kids, refilling bottles, lewd entertainment, gambling and selling after hours.

It's not the fault of niteries proprietors, but of patrons, that they sell booze after curfew, attorneys for Herbie Frank, operator of El Chico, argued before the board last week. If the State Liquor Control Board would launch an educational campaign to inform the public they can't buy after hours, a cure would be found. We don't want to sell liquor after the legal hours, but because of competition it's forced on us.

Mich. to Open Drive

Detroit, June 13.—State rum board this week will launch a drive against loosely operated dance spots, roadhouses and niteries. Drive eventually expected to bring about an order closing all drinking spots on Sunday following by an earlier curfew for places out side Detroit.

State board, irritated by state legislature's failure to enact reform legislation, has decided to effect changes through its own body. Commissioner Muri H. DeFoe, like Gov. Luren Dickinson an ardent dry, was in charge of initial cleanup squad.

Am. Troupe to Tour Indpls. Nabe Chaim

Indianapolis, June 13.—Clari Niesse, general manager of Orlan Enterprises, which operates several nites and the downtown vaudeville Lyric, is readying a troupe to tour his six nite spots in a series of one-nighters. Acts will be amateurs, travelling under the tag, "World's Fair Show," and will consist of a number of several performers who will appear at all houses, augmented by other amateurs picked up by the Lyric, of the nabe, who will appear for one night only.

Pete French, m.c. for a weekly radio show put on by local department store, will double as head of the troupe, using performers who have appeared with him on the air on his High School Hour. Tour will take six weeks, with half the troupe at the choice of a week's stage date at the Lyric, or a trip to the World's Fair all expenses paid.

VAN TOPS BEVILLS, KY, NIGHT CLUB SHOW

Cincinnati, June 13.—Gus Van is topping the floor show at the Beverly Hills, Kentucky niterie opposite Cincinnati, which opened Friday (9) for a fortnight. It's his first local engagement in two years at the spot. Bill includes Sara Ann, a dancer, who is a real show stopper; the Albina, dance team; Six Honey, acrobatic dancers; and the American Sisters, harmony trio, with Deke Moffitt's local 13-piece orchestra.

Lookout House, also across the Ohio river, has Valentine Vox as the current headliner. In support are Margie May, acro-dancer; Six Dances Cocktails, femme novelty dancers including the Michael Twins in vaudeville; Music by Jimmy Van Osdel's band, local, with Eddie Roline, a newcomer, who warbles.

Van's band returned yesterday (Monday) to Rapp's recently opened suburban niterie. It has been on a three-week dance tour during which Jimmy James' orch, from WLW, filled in at Castle Farm, outlying spot, but Smith and His Onyx Club Band, Fort Barber and His Society Orchestra are in Old Vienna, downtown dining.

Aero's Injury Cancels Titans Out of Pitt Date

Pittsburgh, June 13.—Trying to jump more than 15 feet from orchestra pit railing to stage during rehearsal at the Stanley opening day Friday (9), John J. Ryan key man with Titan Trio, strong-arm act, fell nine feet and tore the ligaments in his shoulder. The accident, which occurred half hour before house opened, had to be canceled. Had it not been for the accident, the Six Whirlwinds, roller-skating act from Nixon cafe, were hastily substituted.

Injury to Ryan not serious, physician said, but painful enough to keep him out of action for at least a month, maybe more. Meantime, his two partners will also lay off.

Injunction on 3d Partner Won by 2 Cafe Operators

Detroit, June 13.—Louis A. Munsch and John J. Ahrens, partners in the Mayfair niterie at Grand Pointe Farms, got a temporary injunction last week restraining a third partner, James M. Rasmussen, from being anything but a silent partner.

Munsch and Ahrens told Judge Clyde Webster that Rasmussen, along with guests, was boisterous, insisted on leading the orchestra and otherwise disturbed the spot's dignity. The injunction restrains the silent partner from drinking on the premises until hearing starts on petition of the plaintiffs for a receiver June 17.

The Anchorage, a Port Jefferson, L. I. houseboat used for a night club until recently, has been acquired by the Port Jefferson Yacht Club, which will convert it into a clubhouse.

ESSEX HOUSE, N. Y.

Sammy Kaye orch, with the 3 Barons, Arthur Murray Dancers.

The Essex House's Casino-on-the-Park is a new new place of life with the advent of Sammy Kaye's swing-and-sway dancipation. It's strictly a radio draw, and business is seemingly so good, as business is the misnamed popular spot, the water-captain at the door seems to be embarrassed with riches. Whether on the lake, or not knowing of it to mix up his patronage, on the night caught the room was a bit confused in the struggles between customers who wanted tables that were somehow being held out unnecessarily.

When a band like Kaye draws a tourist patronage, perhaps it's a bit of a problem for the main floor to satisfy the out-of-towners, and yet leave enough in reserve for the resident guests of a sizeable hotel like the Essex, or the local trade. But that's a new problem the New York spots must first reconcile themselves to, especially from now until the early fall.

With so many squawks that the tourist trade is coming in, as soon as they do the boys should give their judgment about giving the hinterlanders a bit of the edge, even if they're in on short budgets.

At this session one of the party of four platinically voiced, but not at all serious, girls sat where she can watch the dancing. The party wound up in left field, but it was a good deal of fun, and yet managing director Oscar Wintrial is too good a man not to realize that that's the keynote of every successful room. He should instruct the guy at the door.

Kaye has built quite a rep for himself in the niterie via the air and his Victor recordings, and it's interperated in the bullish business he is doing. His music is dance-compelling, yet unobtrusive. This is particularly noticeable in contrast to other spots. It's explained by a resonant emphasis on his records, although he's become a bit more swingy of late. It's vocalizing Three Barons and all the other soloists are competent per usual with their interludes.

To plug the wait from 9:30 to 10:30, that hour is filled by the Arthur Murray dance instruction hour with the usual champagne prices to winners.

Pennsylvania Rock
That 'sentimental' gentleman of swing, as is Tommy Dorsey's billing, lives in sweet-swinging, a good dancipation 'tours' now on the summer. It'll be even stronger when the tourists start coming in, because of Dorsey's sizeable rep nationally.

Delivering per usual, with his trombone-massaging, Dorsey has a good all-round team. More notable are his soloists—Eddie Wright, who recalls a pop with the best of them; Jack Leonard, romantic balladeer; and Skeets Herfurt, with his novelty interludes.

Like Vallee at the Astor, when commercial broadcast nights pop up, it's a scramble all around, what with the early getaway, rehearsals, etc., on their respective days, but the hotels regard that as good extra values, sold are more than compensated where name bands are concerned.

And...
The Stone Hot, dine and dance roadhouse, just outside city limits, Walla Walla, Wash., destroyed by fire.

Night Club Reviews

URBAN ROOT

(Wm. Penn Hotel, Phil.)

Pittsburgh, June 8.
Joe Reichman orch. (12). Paul Moore, Tony de Paris, Doug Keiser, Haskell, Arthur Murray Dancers.

Joe Reichman's pliant alternates between the 'peripatetic pianist' and 'the Padriani of the Piano.' More like it would be the 'Barman of the Piano.' His' one of the top showmen in the biz at the keyboard. Customers love it—root of that is the way Reichman sells his stunning and Reichman sells his stunning and pianologic wizardry to a far-ther level.

What's more, and just as important, the piano-thumper has a built-in crew to back him up. Personnel of four saxes, three brasses, drums, two pianos, guitar and string bass, a nearly turned for the purposes of swank Urban Root, where they take their dancing seriously and want their music chiefly sotto voce, but the Reichman crew can turn on the heat, too, whenever the moment seems ripe. That's usually about three times an evening.

Only three members of the outfit brought to Urban Root in 1935 are with Reichman now (violins have all been discarded), but band has same 'sweet qualities of original orch and in the same time added authority and volume.

Band's featured vocalist is Paul Moore, ex-30th-Fox studio player and brother of Pauline Moore, featured player on that lot. Boy's a modern, a ready of what the ringside fannies go for and can cash. If a romantic ballad would appeal, Reichman also spotlights Tony De Paris, trumpeter, in some of the better tunes and has a good accordionist in Dave Keltner, who also doubles at the second piano.

Only floor entertainment is presented by Haskell, a magician. He's a smooth talker and rapid-fire act.

(Continued on page 46)

HILDEGARD

OPENING PIERRE HOTEL
JUNE 15 FOR 4 WEEKS

RETURN ENGAGEMENT
AT THE SAVOY-PLAZA,
OPENING JULY 27 FOR
INDEFINITE PERIOD.

Per. Mgr. ANNA SOSENKO
Ex. Rep. JACK BERTELL

EARL ST. JOHN

SIDNEY FISHER

75/77 Shaftesbury Avenue
PICCADILLY, LONDON, ENG.

The THEATRE OF THE STARS

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SIDNEY H. PIERMONT

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Leicester Square
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"Heart of the Loop" BREVORT HOTEL

Madison, east of LaSalle, Chicago
Special Theatrical Rates

WEEK ENDING JUNE 7TH
1939 A.D.

I CAME
I SANG
I CONQUERED

At Loew's State, New York

Erving CAESAR

[illegible]

THEATRE

Equity Faces Another WPA Problem in Proposal to Cut FTP Personnel; Units Planned to Sift Qualifications

Hollywood, June 13. Screen Actors Guild has wined a protest to Washington offices against the contemplated curtailment or elimination of Federal Theatre Projects here.

Fuzzy Ralph Morgan claims that dropping of the relief projects would present serious problems to a community heavily populated with actors.

With the Federal Theatre Project's personnel expected to be reduced shortly, Equity again faces the relief situation as a major issue. Last week was supposed to be a live in council sessions, but that body was hastily summoned to consider proposals made by WPA officials. However, it did not agree on the course to be pursued, principally because other unions in the Associated Actors and Artists of America, the parent performer union, are also involved.

Session was called after Equity was advised by Paul Edwards, administrator for the theatre project in New York, that agreement on the procedure to reduce its complement should be reached between WPA heads and representatives of actor-artist unions. General proposal was for the latter to name between 12 and 14 "qualification review boards" of three persons each. They would comb the lists and indicate who's best qualified to be retained.

It was finally decided that although the problem was put up to Equity, the other affiliates of the Four A's should first be consulted before an answer is tendered to WPA. In addition to Edwards, Howard O. Miller, assistant to the national director, Halle Flanagan, came from Washington for the council hurdle.

'Discrimination'
Equity people seemed to feel that if it be charged with saying who should go from the WPA, they might be charged with discrimination by their own members, although it's evident that considerable controversy will attend the depletion of the relief theatre rolls any way, regardless of how the decision is made. If the actor-artist unions sidestep the proposal, however, it would mean that the WPA administrator would be in

(Continued on page 54)

'Follies' Slated to Fold At S. F. Expo June 24; 10-Wk. Run Cut in Half

San Francisco, June 13. 'Ziegfeld Follies,' produced by J. J. Shubert for the San Francisco exposition, will fold June 24, after the shutter of the 'Follies,' housed in the California Auditorium, was one of the most acts of the exposition. The agreement, headed by Charles H. Shrub, who last week succeeded Robert Monicah as executive manager of the Fair. Notice was posted last week.

Financed by the exposition association to the tune of \$100,000, one of its debut, 'Follies' has been losing more than \$1,000 daily, it is reported. Exposition company has been paying the cast's salaries and 'Follies' will have had a run of only five of the 10 weeks it was originally scheduled to play.

Settlement of the contract was reached between Shubert and exhibition officials after Milton Weinberger, Shubert's attorney, arrived from New York for that purpose. Details were not revealed.

Fair management is said to have guaranteed Shubert \$100,000 on June 10 weeks, not eight, as originally reported. If the revised figure is that much, the Fair assumed liability for the difference.

Karson Plans to Present N'way Musical in the Fall

Nat. Karson plans to produce a musical in the fall. He has the book and the financing, but is dickering for composers. It would be his first Broadway presentation, though he has staged and designed productions in the past. Latest designing job was 'The Hot Mikado.'

In addition to his designing and production duties at the Radio City Music Hall, New York, Karson may also direct a summer tryout of a new straight play he has under option.

TMAT Reelects Abraham Prez; Oliver Defeated

In a close contest, Saul Abraham was reelected over Charles Stewart for presidency of the Theatrical Managers, Agents and Treasurers union Monday (12). Balloting was held at the Capitol hotel, New York. Abraham, who recently was elected president by a narrow margin over Dan Melnick, incumbent, Joseph Weissman, vice president, and Morris Seamon, unopposed, being re-elected as the new line up in TMAT is about 50-50. Understood that the indie candidates were elected by the presumably united votes of the two groups, which have 62 and 40 members, respectively. Total vote cast was 104, with a turnout of 1,045, indicating that a goody (Continued on page 54)

NEGOTIATE 'PORTRAIT' FOREIGN RIGHTS SALES

Deals for the French and Scandinavian rights to 'Family Portrait' are being negotiated by Cheryl Crawford, who last week disposed of the London rights. Stock rights have already been sold and the play is set to tour in the fall under Theatre Guild production.

Lenore Coffey-William Joyce Cowen drama was slated to close at the Morosco Saturday (10), but was revived when business perked. It will continue on a week-to-week basis through the end of the season (including Judith Anderson, the star) have voluntarily taken cuts to the Equity \$40-a-week minimum, to keep the show running, the 13 stagehands still receive their regular salary, varying from \$54 to \$87.50 a week.

Saroyan Sails; 'Highlands' Slated for London Prod.

William Saroyan, whose 'My Heart Goes On' is the highest grossing controversial high of the recent Broadway season, sails today (Wednesday) for an extended European stay. Will divide his time between London, Paris and Dublin. London production of 'Highlands' being set by the Matton & Duggan play agency.

'The Light Fantastic' (newest title) is on Eddie Dowling's fall production list, with the manager, John H. Johnson, at the New York Fields, Marlene Dietrich and Julie Haydon mentioned as other principals.

FOUR CLOSINGS IN JULY REELING

'American Way' to Reopen July 17—'Kiss Boys,' 'Mamba' and 'Money' Also Ready to Return if Biz Up- turn Continues

NEW MUSICALS

Improvement of business along Broadway last week gave rise to the expectation that several run shows that recently closed will be able to resume before the summer is over. There are at least four which are being retained, pending the date to return. 'The American Way,' which is announced to open July 17, Broadway at the Center, where the patriotic drama played 20 weeks, is being kept open. Up to Saturday (10), when the show closed, the full showmen crew of ticketlessers was on hand. Two are being retained, during the layoff period. 'Way' perked up materially last week.

Production office of 'Kiss Boys Goodbye,' which is still at the same and the same applies to 'Mamba's Daughters,' at the Empire. 'Kiss Boys' which virtually stopped the season, is being released for summer stock, but the isolated rural spots would not materially affect attendance on Broadway, it's believed.

Another reeling possibility is 'One for the Money' which is expected to return to the Booth. Show opened in Chicago last week, with favorable reports. Although the show is new in New York appears dependent on how long the Loop will support the review.

If the Broadway upward turn proves consistent, that will eliminate the chaos of summer musicals staying out of town longer than anticipated. 'Streets of Paris' is slated into the Broadhurst next week, date being showed forward, to be followed early in July by 'Yokel Boy,' booked into the Majestic. None of the proposed revivals that were supposed to be staged for World's Fair crowds has eventuated. Series of such presentations was due into the Belasco this summer, but the idea appears to have been shelved virtually the date was merely set back, according to its sponsors.

Bartsch Sues to Regain 'Maytime' from Shuberts

'Hans Bartsch has filed suit in N. Y. supreme court against Select Theatre Corp. and Shubert Corp., Century Library, Inc. J. J. and Lee Shubert, asking for a return of the show, which has all producing rights on the opera, 'Maytime,' belong to him. Although the Shuberts allege that the Shuberts have lost their rights to the opera, but state that Metro is in no way involved, having purchased rights from both parties before making the picture.

Abbott Acquires Third Play for Fall Production

'Reluctant Feet,' comedy by Gladys Hurlbut, has been bought by George Abbott for fall production. The plans he will put the new Rodgers and Hart musical comedy on the producer's schedule. Third play option, 'The Reluctant Feet,' an untitled work, which is currently being revised. He has dropped his option on 'Carriage Trade,' previously slated for this fall.

According to the producer's press plan, he will put the new Rodgers and Hart show into rehearsal in August for a September opening, probably out of town. The musical will have a college background, with football getting the chief ribbing. No one is yet set for the cast.

League-TMA Bargaining Huddles End; Mgrs. Nix Wage Hikes to B.O. Men, Seek New Way to Settle Rows

The Payoff

Stage manager of a recent Broadway play that closed after a few performances was asked to play a bit and, unwilling to be seen in such an unimpressive part, stipulated that his right name must not be used in the program. Management picked a monitor at random and was asked at the box office next week by a little-known but plenty-knowing Equity member of the same name.

Actor demanded two weeks' leave because his name was used in the billing. After consulting the Equity rules, the management forked over the coin.

Equity May Not Rejoin Mgrs. In Enforcing Code

Under an agreement between Equity and the League of New York Theatres, changes to the ticket code may not be made without the assent of both organizations. League and the League asked the Assn.'s council for an opinion on proposed changes. Although Equity is still 'surveying' the League's activities in enforcement of the code, the answer has been framed and the managers body will be advised of the comment this week.

Regardless of that phase of the ticket matter, it's intimated that Equity will not commit itself to enforce the code next season, which expires Sept. 1, at this time. That may also go so far as suggesting the code next season. Although the ticket rules are claimed to have held down agency charges considerably, the League and Equity are united also in seeking the adoption of the Spellman bill, which is pending in the council of the City of New York. Measure is calendared for another public hearing Friday (16) with a flock of Broadway producers expected to be on hand.

Such a measure is passed, sale of tickets for more than 75c over the boxoffice price would be a penny and punishable by fine and imprisonment.

Such a measure might obviate the necessity for continuing the code, but brokers would be expected to test the legality on the grounds of price-fixing. Some in Equity are apparently not anxious to participate in the code because of possible legal entanglements.

Lew Brown, who's reading 'Yokel Boy' on Broadway, has a session (Continued on page 54)

'SWING MIKADO' SLATED TO RESUME FOR CHU FTP

Chicago, June 13. Cast of the original Federal Theatre Project production of 'Swing Mikado' returned to the WPA rolls for a new production. The colorful 'Swing Mikado' returns to the boards of the Great Northern Theatre under WPA auspices.

Commercial backing is chilled until at least October, according to Burton Tyck, chief of the Chicago branch, who took the show off WPA hands in New York. Under the new deal, the show has a short run at the 44th St. N. Y., after big under the WPA in Chicago and N. Y.

Bargaining conferences between the managerial League of New York Theatres board and the Theatrical Managers, Agents and Treasurers union have been completed. During the sessions the managers made it clear that they are opposed to all salary increases sought but that there may be one concession by the league. Later favors change in the method of settling disputes.

With both sides having clearly indicated their reactions to the many proposed changes in the basic agreement, which expires Sept. 1, results will be mulled and the drafting of a new contract is expected to start shortly. New governors of TMAT will be elected at the same time. Agreement originally called for a one-year period but under the rules of the National Labor Relations Board, employers are required to recognize organizations for collective bargaining purposes to apply over periods to be determined by both sides.

Increases in Doubt
Presumably in doubt are the increases asked for boxoffice people, who would be paid by the box office groups in TMAT. Bargaining committee has been very tentative. Managers have been most insistent on getting an equalization of salaries for company and stagehands, but have asked less than those paid advance agents.

Present scale is \$125 for managers and \$100 for stagehands. Theatricals. Latter figure should apply for both types of attractions, TMAT and Broadway. Theatricals are \$100 and \$125, but the union claims (Continued on page 54)

Mary Martin, Olivier, Massey Scheduled To Quit Shows for Films

The number of players figured to be drawn from Broadway for the Coast for stage appearances for the season of 1958-59 is an unknown quantity. During the season just ended, none of the legit runs was disturbed by the lure of Hollywood casters. Several career men are mentioned coming to the stage next season though engagements are not definite.

During the summer, however, three names are leaving Broadway for movie making. Probably the first to go is Mary Martin, who will appear in 'The Sound of Music' in Imperial, where she scored principally by singing 'My Heart Belongs To The Doctor' in the picture. Her recovery but is yet to make her mark in the studio. Laurence Olivier, after leaving 'No Time for Comedy,' Barrymore, will follow. His contract expires July 1, but he's expected to leave in the summer. Replacements players for each part haven't yet been selected, although Charles Laughton is mentioned for the Olivier assignment.

Raymond Massey, starting in 'Abe Lincoln in Illinois,' will withdraw from the cast Aug. 5 and go to the Coast to play the lead in the film 'The Long Walk Home.' First called for Massey leaving the show before that date, he would join the film. The picture is to go on tour. It's first touring stand is Boston, Oct. 9. Massey is not to leave in Broadway until after Paramount's cast of the cast are getting two weeks off with pay. For the film, Massey will be replaced by Richard Gaines will take over the part in 'Lincoln' until Massey returns from the Coast.

Slane's 'Herbert' Trunk Hollywood, June 13. Andrew Stone has planned exit to leave in Broadway after 'The Sound of Music' 'Herbert,' which he directs.

Stone's 'Herbert' and Mary Martin are only leads left.

Broadway

Lon Clayton still in St. Clare's hospital. Clark, legit actor, to Chicago to visit his mother.

Key Hansen, of Hansen-Williams, will probably have dubbing for film row a cow-pat this week. Emyrov, in Minneapolis.

Will Warner, former dickering on a Paramount exploitation exploitation.

Irene Kuhn to Hollywood. Her writing talent for Paramount.

Bill Shafer, motored across the continent in 35 days.

Wagner, legit player and stage manager, is writing a comedy.

Charles E. Richardson now on tour with his mother, goes back today (Wed.).

Stephen to Philadelphia for the Monday (12) preem of "Honey at Hedgerow."

Edmond Paster, play agent will go to the Coast late this summer for business-transaction.

T. (Tex) Jones, Paramount executive, in Parsons hotel, Flushing.

Treasurers Club held open house with the TMAA.

Edward G. Robinson, at the hotel Monday (12).

Francis Harmon, legit actor, at the hotel Monday (12).

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London

Gracie Fields to undergo two operations.

Fred Breen to America for month of work.

Frederic Lind in town from Morocco.

Joe Friedman to Switzerland to recuperate from recent illness.

Edgar Middleton, manager of the play, "Polish War," left \$1,500.

John G. B. Draper playing her 12th season in London.

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Hollywood

For few days to see her heart, Hal Pifer, of the Cecil Gully crew.

Wally Carson, at St. George's, has special exploitation on the Jauch.

Gene Kelly home for vacation during "One for Money" week.

Manny Cohen has returned to Hollywood.

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Chicago

CBS tossed a party for Orson Welles.

John Jones back from talent hunt in the East.

Leo Garrymore dropped off for some big contacts way across country.

Jack Pollock back in Chi after being out of the picture.

John Johnston, NBC warbler, goes into State-Lake for a one-week.

Arnold Herzog up near Hudson Bay as first B. & K. press department.

Twentieth Century-Fox changed plans for four new local chiefdom Clyde Edwards.

Mr. and Mrs. M. Rubens (he's former of Great Lakes circuit) celebrated 36th wedding ann.

W. C. Sullivan of the G. L. team from the next-Capitol building during wrecking process.

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Philadelphia

By Herb Golden

Elmer Hollander out of the sick bed.

Harvey trekked to the fair last week.

Paula Metz, in from New York with fight films.

Lew Pator to New York and Pittsburgh.

Nate Silver, of the Earle, Allentown.

Ed Moss hosted golf of Scranton.

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Pittsburgh

By Hal Cohen

Tony Conforti and Lou Passarello to the Fair.

Billie Mulvihill and Bob McKee to the fair.

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Billie Mulvihill and Bob McKee to the fair.

Westport, Conn.

By Humphrey Doolen

Fritz Reiner into new home.

John and Carly Wharton here.

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WARNERS

ARE
'WAY
AHEAD!

Every Single One
of These Giant
Attractions Is
Already Finished
or Actually in
Work!

WILL
STAY
AHEAD!

DAUGHTERS COURAGEOUS

(John Garfield, the 'Four Daughters'—Priscilla Lane, Rosemary Lane, Lola Lane and Gale Page—Claude Rains, Jeffrey Lynn, Fay Bainter, Donald Crisp, May Robson, Frank McHugh, Dick Foran)

EACH DAWN I DIE

(James Cagney, George Raft, Jane Bryan, George Bancroft)

HELL'S KITCHEN

("Dead End" Kids, Ronald Reagan, Margaret Lindsay, Stanley Fields)

The LADY and the KNIGHT

(Bette Davis, Errol Flynn, Olivia de Havilland, Vincent Price, Alan Hale, Donald Crisp)

The ANGELS WASH Their FACES

("Dead End" Kids, Ann Sheridan, Ronald Reagan)

WATERFRONT

(Gloria Dickson, Dennis Morgan, Marie Wilson)

NAUGHTY BUT NICE

(Ann Sheridan, Dick Powell, Gale Page, Helen Broderick, Ronald Reagan, Allen Jenkins, Zasu Pitts, Maxie Rosenbloom)

The SEA HAWK

(Errol Flynn)

FOOTSTEPS in the DARK

(Edward G. Robinson)

The DEAD END KIDS at MILITARY SCHOOL

JUAREZ

(Paul Muni, Bette Davis, Brian Aherne, John Garfield, Donald Crisp, Gale Sondergaard, Gilbert Roland)

The OLD MAID

(Bette Davis, Miriam Hopkins, George Brent)

ON YOUR TOES

(Vera Zorina, Eddie Albert, James Gleason, Frank McHugh, Alan Hale. From the Rodgers and Hart stage hit)

INDIANAPOLIS SPEEDWAY

(Pat O'Brien, Ann Sheridan, John Payne, Gale Page, Frank McHugh)

DUST BE MY DESTINY

(John Garfield, Priscilla Lane, Henry Armetta, Alan Hale, Billy Hallop, Bobby Jordan, Allen Jenkins, Charley Grapewin)

CAREER MAN

(Joel McCrea, Brenda Marshall, Jeffrey Lynn, Frank McHugh)

The Story of DR. EHRlich

(Edward G. Robinson)

A CHILD IS BORN

(Gerardine Fitzgerald, Jeffrey Lynn, Gladys George, Johnnie Davis, Gale Page)

The WORLD MOVES ON

(James Cagney, Story by Mark Hellinger)

ALL THIS, AND HEAVEN, TOO

(From the best-seller sensation. Starring Bette Davis. George Brent heads tremendous support)

CLIPPING

PRICE

25¢

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Vol. 135 No. 2

NEW YORK, WEDNESDAY, JUNE 21, 1939

56 PAGES

COUNTRY CLUBS FOLLOW

D. C. Resentment vs. Film Biz

Washington, June 20. Snooty and super-confident attitude of the film industry has alienated some potential allies for the block-busting fight. Trade groups which normally would help oppose any legislation which threatens to hog-ile or restrict business, are sidestepping any action at all on the Hill. When the picture lobbyists ask for aid, because we'll go along, they say.

One sub-leader with good Capitol contacts and many California interests is particularly determined to let films follow their own path, disapproving of the moves made in recent years to handle legislative problems. Others secretly hope the picture business gets burned either by Congress or the Justice Department, and that it will be a teach.

PIE GANG BACK

Keystone Cops Take Up Chase in Clansville

Hollywood, June 20. Like a flock of geese, the Keystone Cops are flitting before the cameras this week, resuming their ancient chase for the first time since Mack Sennett folded up his comedy shop. They are scheduled on location under direction of Mal St. Clair for a sequence in 20th-Fox's "Hollywood Cavalcade."

Among the uniform wallops of early Hollywood are Chester Conklin, Al St. John, Hank Mann, Vic Potel, James Finlayson, Joe Bordeaux and George Davis. Ford Sterling is missing. He is in a hospital, Jed Prouty taking his place.

American Firm Attempts 'Pink Champagne' Because RKO Film Talked About It

An American wine company, Renault, of Egg Harbor, N. J., is currently preparing to merchandise a "pink champagne," inspired by the trailer for that vintage in the RKO film, "Love Affair," where Charles Boyer and Irene Dunne frequently talk of it. Renault Wine Co. has even commissioned Moe Jaffe and Johnny Arthur to turn out a "Pink Champagne" pop, to be advertised as the cost of the exchanges plus the cost of shipping prints to the Haliffax port by plane.

In keeping with the French preference for film with an Empire background, prints dispatched were "Capt. Fury" and "Four Feathers" from United Artists and "The Sun Never Sets" from Universal.

King's Film Tastes

Toronto, June 20. Query of the British King as to whether there were any of the never heard of while he has been doing some composing for French films, his income is nothing commensurate with his past status in the comedy world. His wife, Clara, only last summer barely got out of Austria with her life and stripped of all her personal wealth, their schloss outside of the old Austrian capital, and only their past status in the comedy world spared her any further humiliations. Straus is another friend.

OUTDOOR SPORTS WITH TRIMMINGS

Niblicks Combined with a Nitory Aura Is Midwest Contribution to Al Fresco Entertainment—Full Gamut of Indoor Whoopees Along with Gymnastics

FUN AT THE FAIRWAY

Chicago, June 20. Country clubs, transformed into all-day recreation parks and night spots, are suddenly looming as big new noises in show business. Throughout the Midwest, golf club operators have suddenly learned that there's more to the publick business than the weekend and holiday green fees.

With cities supplying little enough recreation space, the golf clubs have discovered that their vast acreage has many more uses than for slapping a white pill around. Besides, the cream has come off the golfing business, with the depress killing off the boys who used to spend their lives on the links. Only those golf clubs that have found a new means of increasing their revenue are getting any real joy out of the business.

Bro-Air Country Club here and Hill Crest in Peru (Ill.) paved the way for the rest of the field with an all-day recreation policy, including a swimming pool, horseback riding and a nursery in addition to golf. The rest of the Midwest is following suit, many also adding film equipment.

Golf a Sideline

Plenic grounds, archery ranges, nature walks and talks, bubble baths, and swimming, are being added, trap-shooting, bicyclic paths, tennis and badminton are making golf a minor item on the go' club bill-of-fare.

At-night the club still has plenty of coin-putting angle. The dining room is converted into a dine-and-dance.

(Continued on page 55)

Straus' Hardship at 69

Physical condition of Oscar Straus, now in Paris, is pessimistically reported by Continental visitors to the city. He has had to make a series of operations. There were one or two gala benefits staged in his behalf, while he has been doing some composing for French films, his income is nothing commensurate with his past status in the comedy world. His wife, Clara, only last summer barely got out of Austria with her life and stripped of all her personal wealth, their schloss outside of the old Austrian capital, and only their past status in the comedy world spared her any further humiliations. Straus is another friend.

Over 40 Summer Tent Rep Shows Still Big in Midwest at 10-35c Top

Being Practical

Lester Allen won one of those free phone calls to the A. T. & T. Bldg. at the N. Y. World's Fair last week.

Back onto the St. Louis music opera, the following week, he called his hotel there and made sure of a reservation.

By BARNEY OLDFIELD

Lincoln, June 20. After more than forty years, the villain still leans at and pursues the heroine, fair Nell, nightly throughout the summer in the upper most tent in more than two-score tent rep companies.

Stuffed for the rustic, specializing in corny comedy of the red-wig nature, miming dramatics, stentish sound-trucking prior to delivery, and True Blue Harold, these rag enterprises come back year after year in territories wherein they've built a reputation. Their seasonal extremes are early May to late October.

Generally, the 1939 rep biz is very modest. Rains have cut a swath in many cases, while the grooves in many cases, while the rains have, having dwindled in the past few years via bum crops, is no help. However, the rains now mean floods later in the summer on the picnic and county fair stands.

Yank-French Dramatists In Reciprocal Tie

Formal working agreement, providing for reciprocal membership, is about to be adopted by the Dramatists Guild and the French Playwright Society. Fact has been okayed by the Guild council and is slated for approval by the French dramatists before the end of this month. Guild membership will also ratify it.

Idea of such an agreement has been more or less planned for several years, but came to a head during the recent visit to New York of Henri Bernstein, French dramatist. After a number of conferences with the Guild council, the scheme was worked out in detail and Bernstein returned to Paris to obtain the ratification of his French compatriots. Bernstein has for some years been a Guild member.

Under the terms of the agreement, any applicant for membership in either the Guild or the French society will automatically become a member of the other organization. There will be active and associate classifications in each group, with a different dues scale for each. The members will pay dues only in the field in which they are active. Besides the reciprocal membership clause, the agreement calls for each group to regulate all business, contracts, terms, agents and (Continued on page 42)

Pix Don't Relish Search For Needle in Haystack

The New York film companies' summer legist sleuths are quite cool on this season's exploring, and have arranged to cover the sundry cowshed companies in a less hectic manner.

The prime cause for this tepid attitude is that statistics covering the past four summers disclose not one play or director unearthed for Hollywood, and but a negligible handful of players.

Each show features one to three concert blowouts, per stand, with additional box, thunder stirred by popularly contests, and some times early arrival, the only premium on reserves. On stills, played without benefit of the crowd lure of fair or picnic, it is common to use the first night as a free belly to get the tent started for the other four or six days in town.

(Continued on page 55)

Mrs. Roosevelt Protects Kate Smith's 'Exclusive'; Ducks WMCA, WOR Locals

Mrs. Eleanor Roosevelt was scheduled for three radio appearances last Thursday from New York, but cancelled two of them, retaining only her shot on the Kate Smith party. Smith had been scheduled to be aired from the Advertising Club luncheon by WMCA, at which she presented Jacqueline Cochran with a trophy for outstanding work in feminine aviation. Here she refused to allow even a description of the presentation to be aired, fearing her voice on the p.a. system could easily be overheard by the radio.

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Reasons for refusing to be aired on the two outlets were not advanced, but it was said to be a protection in order to make the Kate Smith shot an exclusive for that day. Miss Smith had been scheduled to be aired from the Advertising Club luncheon by WMCA, at which she presented Jacqueline Cochran with a trophy for outstanding work in feminine aviation. Here she refused to allow even a description of the presentation to be aired, fearing her voice on the p.a. system could easily be overheard by the radio.

Tourist Influx Heartens B'way, As Biz Ups a Bit

The much hoped for upturn appears to be here, so far as Broadway show business and the New York World's Fair are concerned. Steady influx of tourists, evidenced by many out-of-town foreign license plates, plus attendant bustle of the hotels, picture houses and the niteries. Cool weather has helped.

Monday, a dismal day, saw one of the best weekly turnouts at the Fair, but it was noted even more so at the legits, picture houses and the niteries. Cool weather has helped.

New York theatres were 'equivalent to the daily publishers that too much amusement space is going to the World's Fair. They point out that this is being played up as news, although the Fair Corp. itself is spending little real coin to bolster the exposition.

Argument is that the theatres are paying high license rates for ads, but advertisements alone apparently will not bring them in when so much publicity is handed gratis to the Fair.

Theatres are urging the newspapers to cut down on N. Y. Fair publicity and devote more space to bawling the attractions of some foreign advertisers. They reason that they should be given a break in news column, and some of the free space taken away from the Fair.

Pro-China U.S. Newsreels A Hurdle in Jap Pic Mart

Kansas City, June 20. Michael Strathin, general manager for Warners in Japan, paused here on his way to New York to confer with home office experts on the status of U.S. film exports to the Orient.

Strathin expressed confidence that 100 films held in a bonded warehouse by the Japanese government would soon be released for showing in that country. One of the factors delaying U.S. feature releases, he declared, is the alleged pro-Chinese attitude of American newsreels.

Laughton Absolved as U. S. Income Tax Evader, Odd Slant on Dietrich's Foreign Income; 20th Execs in D. C.

Washington, June 20. Sigmund gives Charles Laughton British film star, two years ago by Treasury Department officials were cleared last week of any tax evasion of the U. S. Board of Tax Appeals rejecting the contention that he was a tax evader. Attempt to Internal Revenue Bureau to collect over \$100,000 in deficiency assessments was nullified by a ruling that Motion Picture and Theatrical Industries, Ltd.—said by Federal officials to be nothing but a device to escape taxes—was an entity separate and apart.

Prolonged fight revolved about the purpose in Laughton's mind when he organized the British company in which he held all the stock, minus qualifying shares. The U. S. claimed the company was merely the device and alter ego of the petitioner, that it served as a conduit or passkey for his Hollywood earnings to his London bank account.

In an opinion by Judge William W. Arnold, the Board said that Laughton, holding it was a business organization, managed by business men and created for business purposes.

Transactions which caused the Government to attack the status of the company indicate and admit, 145—first was \$22,350 in the year when it was created, and second was the salary supplied to Laughton of \$750 a week. The company sold Laughton's services to various American studios, receiving for his earnings, more than \$260,683, and also was entitled to any return from the sale of his picture rights.

Three studies for whom the English worked withheld, as required by the revenue laws, the case of aliens, nearly \$40,000 to cover taxes. The deductions proved to exceed the company's liability, and refund proceedings were started. The Government declined to accept Mr. Laughton's calculations, and the "Janes" were shown as income to Laughton.

Laughton's taxable earnings during two years in Hollywood were as follows: From Metro-Goldwyn-Mayer for work on "The Sign of the Cross," "The Sign of the Wimpole Street" and "Marie Antoinette," \$164,652; from Paramount for work on "Red Dust" and "The Sign of the Cross," \$48,000; and from 20th Century-Fox \$65,000. During these years, Laughton's contracts with the RKO company, which held contract to her services, was \$53,250.

Dietrich's Jam-Up. Action of the U. S. Treasury Department trying to enslave all of Max Reinhardt's earnings in her California holdings and approximately \$100,000 in jewels, will result in an interesting case on incomes of picture stars. On the contention that resident aliens who come into the United States only, are subject to a tax levy on their income from all sources, the government believes it is entitled to \$142,100 based on Miss Dietrich's earnings from pictures made in England during 1938 and 1939.

Last minute action by Treasury Department and U. S. Attorney General Cahill, before the Federal Board of the S. S. Norandine for Europe last week (14), resulted in turnover of all legal proceedings to her attorney, William B. Jaffe, to be held in escrow pending determination of the tax decision.

The Dietrich matter is said to be similar to the Charles Laughton case according to Treasury officials. Laughton is now prepared to make good any deficiencies allegedly due to U. S. Government if the matter is adjudicated against him. His return to the U. S. this week on Monday (19) is taken as indication that the actor has no intention of remaining at odds with the Treasury Department over taxes on his film earnings.

Schenck, Zanuck, Goetz's Question of Arithmetic. Washington, June 20. Overtures by three film executives, whose income tax returns do not satisfy the Internal Revenue Bureau, are under consideration by the Justice Department. Following secret hearing last Tuesday the producers are trying to decide whether there was any

intent to evade the law or merely an honest dispute about how tax liability should be computed. Names of the personalities under fire were cleared on Monday (15). Telling of the talk with attorneys, Attorney-General Frank B. Rowland said that the Government is scrutinizing the statements of Joseph M. Schenck, board chairman, Darryl F. Zanuck and William Goetz, vice-presidents, of 20th Century-Fox Films.

While a week earlier he said the Department had readied a criminal proceeding, Murphy's most recent statement was that there was no action. In representatives of the Hollywood officials are being withheld and speculation has been spread. If further study indicates, however, a case justifying prosecution, nothing could prevent our going ahead," he declared.

Without giving details, Murphy said the inquiry grows out of "legal differences of opinion because of the merger of 20th Century with Fox Films. The exact asked on advice of counsel in reporting certain financial matters to the Treasury Department as they did, he added.

Without saying the gesture was not intended to evade taxes and they offered to settle by paying whatever they thought the A.G. should receive, the hearing, at which he appeared and which was conducted by the Attorney-General, James W. McHugh.

No concrete offer was submitted, but Murphy said the gesture was not accepted. Underlings will carefully analyze the explanations and reports of opinion because of the merger of 20th Century with Fox Films. The exact asked on advice of counsel in reporting certain financial matters to the Treasury Department as they did, he added.

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Geo. Price, Wife Part

George Price, former vaudeville headliner and Shubert mustang star, now a stock broker and wife, Lorain, have become estranged. She was Lorain Manners professionally. They have two children, a second-born only a few months ago.

Price had a public notice inserted in the "N.Y. Times" repudiating any debts incurred by his wife.

SLASHED SEATS DURING ENGAGEMENT

Cleveland, June 20. Seat-slashers and a flood of "poison-pen" letters to management of the Palace here marred the two-week "Max" Sp. engagement, grossing \$100,000 during its fortnight.

Dressed to theatre seats, apparently performed with razors at last show, was estimated at \$250. Couple of cops were installed in lobby to protect gallery of heavily armed vandals, when some anonymous vandals threatened to throw acid on the Corbett. Pic was the first ever raised a holocaust by the Palace.

Deny Kuhn Injunction. Federal Judge Vincent L. LeBlond in New York yesterday (Tuesday) denied the application of Fritz J. Kuhn, for himself, president, and for the German-American Bund, for a temporary injunction against the distribution of the picture, "Condemnation of a Nazi Spy." Kuhn seeks \$5,000,000 damages from Warner Bros. Pictures, Inc., Milton Krims, John Wesley and Leon G. Turrou in libel allegations.

The libel label stated, "The decisions in our state and federal courts have firmly established the legal principle that no injunction may be used to prevent or stop the publication of a libel."

If the plaintiffs have been libeled they have their remedies in law; money damages, such as the present action, or in a prosecution of the defendants for criminal libel. It is therefore, unnecessary for the court on this motion to discuss the facts or go into the merits of the case. Those issues will be reserved for the trial of the action.

ALBERT LEWIN-PAR SPLIT OVER 'KNIGHTS'

Hollywood, June 20. Paramount and producer Albert Lewin called it quits yesterday (Monday) after the studio refused to produce "Knights of the Round Table," on which Lewin did considerable research.

Breakdown research gives Lewin option rights on "Knights" and "Getysburg," which he will use in negotiating with another studio. He would make three pic at Par since moving there from Metro two years ago.

It's Really Gonna Ram

Hollywood, June 20. Darryl F. Zanuck, back from a Europe tour, ordered \$1,000,000 added to the budget for "The Rains Came."

New deals called for 2,500 extras.

British distribut new tax. Page 13
Hays-GUTS 20-year deal. Page 13
Hungary axes to U. S. coin. Page 13
Rial film veto to Venice. Page 17
London reviews Alvin. Page 27
Waring, Phil Baker, Jane Froman-Jane Pearce. Page 28
Two-eye Joe Pomer for radio. Page 29
Camel stall on Capitol. Page 31
Tolson. Page 31
Robbins says off Metro Joan. Page 30
Brandt's vaudeville pool, idea. Page 43

10% O. T. Tax Means \$19,200,000 A Year, So the Amus Impost Sticks

JOHN KING'S RESORT

Shawman Max Cooper with His Wife, Woods Sp.

Eagle River, Wis., June 20. John King of King-Trendle interests of Detroit has increased his stock exposure on the local summer and winter resort to an estimated \$1,000,000.

His Gateway restaurant and amusement center has been consistently improved and expanded, a private lake being King's latest development. Also added a hotel housing 100 people. His enclosed playground includes some 15 swimming alleys and 20 hilliard and pool tables.

It has become a show spot of the national tourist trade. Except for the stock holdings in Detroit theatres and radio, King is out of active participation in show biz, is concentrating most of his attention on his north Wisconsin enterprise.

GN-Educational's New Financing May Kick Up Things in N.Y.

Rumors over proposed refinancing of Grand National Pictures and Educational Pictures by a Wall Street syndicate, headed by Felt & Co., is expected tomorrow (Thurs.) when stockholders are to vote on the proposition. Franklyn Warner, head of Fine Arts Pictures, and Jack Mitchell, Educational exec, came in from the Coast for the meeting, both reportedly for another show-down in the company's affairs.

Felt & Co. is said to have a 60-day call in which to supply \$750,000 of new money to be used in settling some debts and for financing of pictures. Whether Fine Arts will be able to raise the \$750,000 in the time in which to raise fresh cash, or pull out of GN, depends on what happens in the stockholders' meeting.

SAILINGS

July 5 (Vancouver to Sydney) John N. Hies Jr. (Clagair).

June 30 (New York to London) Mr. and Mrs. Mort Nathanson (Maurelans).

June 28 (New York to London) C. R. Rickinson, Tony Reddin (Aquiline).

June 21 (Los Angeles to Sydney) Harry Hunter, Norman R. Ryde (Mariposa).

June 21 (New York to Paris) Mr. and Mrs. Harold Osley, Frances Osley, John Gunther, Vernon Pope (de France).

June 21 (London to New York) Joseph Stewart (Normandie).

June 21 (New York to London) Mr. and Mrs. J. B. Gitting (Green, F. C. Henry, Dan Carroll, George West (Queen Mary).

June 21 (New York to Venice) Jim Wittered, 8 Chester Lane (Comte di Savoia).

June 21 (New York to Liverpool) Dr. Arthur Schabell (Samaris).

ARRIVALS

Bebe Daniels, Ben Lyon, Florence Wayne, Charles Laughton, Maurice O'Neil, Carol Goodman, George Green, Mrs. Everett Cross, Philip Barry, Mr. and Mrs. Milton Biow, Mrs. Oscar Hammerstein, Mrs. L. M. T. Flynn.

Harry Green, Mrs. J. B. Gitting, George West, Dan Carroll, Jim Wittered, 8 Chester Lane, Comte di Savoia, Dr. Arthur Schabell, Samaris.

Bebe Daniels, Ben Lyon, Florence Wayne, Charles Laughton, Maurice O'Neil, Carol Goodman, George Green, Mrs. Everett Cross, Philip Barry, Mr. and Mrs. Milton Biow, Mrs. Oscar Hammerstein, Mrs. L. M. T. Flynn.

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Harry Green, Mrs. J. B. Gitting, George West, Dan Carroll, Jim Wittered, 8 Chester Lane, Comte di Savoia, Dr. Arthur Schabell, Samaris.

Washington, June 20.

No demurrer on behalf of the film industry was made in Monday when the House of Representatives voted another two-year extension of the temporary tax on movie profits. Measure is due to receive Senate endorsement in rush-act consideration of the latest Fiscal Revenue Bill, which has to get to the White House before June 30 to avoid a substantial loss in Government income.

The present 10% bite on all tickets over 40¢ was approved, following defeat of a Republican move to head off perpetuation of the present unbusinesslike taxes, which were written in 1925 as a depression measure. Despite wails from all corners of the film industry, no attempt was made to expedite the return to the old scale, hangover from the World War.

The Republicans first sought to have all of the 18 temporary imports and exports ended on June 30, but were howled down by the Democratic majority. Then an attempt to limit the extension to one year was defeated. The Ways and Means Committee would be able to think up substitutes during the fall session. The House voted 88 to 87. Nothing specific about the measure's levy during debate on either motion.

The Ways and Means group, in urgent conference until June 30, 1941, estimated that the 10% boxoffice take will be \$120,000 more than the \$100,000,000 that the total forecast for 1939-40. The Treasury Department for the 12 months ending June 30, with this month and \$1,000,000 of actual receipts in fiscal year 1938.

Ben Piazza Tie Not Set; Meanwhile Emanuel Cohen Toys with Radio Gadget

Whether Ben Piazza will align with RKO in a studio production berth, through the agency of his brother-in-law, Floyd Odlum and George J. Schaefer, is still conjectural. Piazza has been in Rome for the last few days, following six weeks in Rome, partly to visit his mother and partly on a honeymoon.

Emanuel Cohen, with whose Major Pictures Piazza has tied identified, is in New York on an "adventure" (radio equipment) venture which a brother of Cohen is operating. The film producer is also in the Marine Woods in a couple of weeks. Whether another RKO unit may result from the Cohen-Piazza talks with the home-office officials is still one of those things, strictly in the talking stage.

Grainger Out at U

Hollywood, June 20. Edmund Grainger washed up his associate producer contract at Universal Pictures Co. after 10 or 12 years on the lot. His last job was "Forgotten Women."

Edmund Grainger expects to announce a hookup with another studio, presumably Republic, of which his father, J. R., is general sales head.

L. A. to N. Y.

Al Hirschfeld, Eddie (Rochester), Harry Green, Mrs. J. B. Gitting, George West, Dan Carroll, Jim Wittered, 8 Chester Lane, Comte di Savoia, Dr. Arthur Schabell, Samaris.

Bebe Daniels, Ben Lyon, Florence Wayne, Charles Laughton, Maurice O'Neil, Carol Goodman, George Green, Mrs. Everett Cross, Philip Barry, Mr. and Mrs. Milton Biow, Mrs. Oscar Hammerstein, Mrs. L. M. T. Flynn.

Harry Green, Mrs. J. B. Gitting, George West, Dan Carroll, Jim Wittered, 8 Chester Lane, Comte di Savoia, Dr. Arthur Schabell, Samaris.

Bebe Daniels, Ben Lyon, Florence Wayne, Charles Laughton, Maurice O'Neil, Carol Goodman, George Green, Mrs. Everett Cross, Philip Barry, Mr. and Mrs. Milton Biow, Mrs. Oscar Hammerstein, Mrs. L. M. T. Flynn.

Par's 16 Directors Reelected; Barney Balaban Reviews Improved Finances

Threatened proxy fight at the Paramount annual stockholders' meeting yesterday (Tues.) in New York did not materialize, with regularly nominated 16 directors being elected unanimously. The one sour note was produced by an attorney, Bernard Steinman, of 51 Chambers street, N. Y., who wanted to know all about each individual theatre owner's financial position. He was not legally entitled to participate in the meeting because not a stockholder until after the May 12 deadline.

Barney Balaban's statement to the stockholders, as president, emphasized that arrangements are being made through a term loan of 3.75% call in the remaining \$1,939,000 worth of 8% bonds. He indicated that these might be called in, or notice given for such withdrawal about July 15 when the Paramount common dividend is payable. This would relieve the company of the entire 6% debenture issue. Another \$200,000 divvy must be considered late this year if earnings hold up. He cited the material improvement in Par's financial position in the last three years. Interest-bearing indebtedness of the company has been reduced by \$1,000,000 since the reorganization of the company. Balaban pointed to \$120,000 reduction in operating costs as first and second preferred stocks of result of conversion into common. He said that senior executives are in debt ahead of common shareholders had been reduced by about \$220,000 in the reorg days.

Paramount's earnings for the second quarter are running ahead of the comparable quarter of last year, he said, with \$1,300,000 consolidated earnings reported for the initial 1939 quarter, as against \$938,000 in the preceding year.

Despite the dislocation and general unemployment in the foreign field, Balaban said that Paramount has been substantially able to maintain 15% of the foreign market, and the amount is written off in a period of 15 months after the films are released in the U. S.

Regarding the purchase of land for a new studio in Hollywood he said that the purchase was made with the view of eventually creating a new studio there over a period of the next few years. The move was taken in order to reduce the ultimate overhead of the studio, site costing about \$500,000 but only a small cash payment was required. No new financing is planned presently, he said.

It was explained to a stockholder that the reason for the supplementary proxy statement on the meeting was that the Securities and Exchange Commission suggested additional information be added. Balaban (Continued on page 55)

LOPERT PLANS INDIE PRODUCTIONS IN N. Y.

Elias Loper, head of Pax Film, distributors of foreign pictures, in the past producer has lined up a unit to make feature films in Eastern Service Studio, Astoria, L. I.

His picture is tentatively budgeted at \$200,000 and scheduled to be independently set. Phillips & Co. are handling his distribution deal.

WILLIAMS OUT OF EDUO.

Ted Williams, treasurer of Educational Pictures, Inc., and Grand National Pictures, Inc., has resigned his post.

Williams was associated with E. W. Franklin for the last two years and joined Educational at the time of the last year's reorganization. He became financially interested.

20,000 Yees

Hollywood, June 20.

Shakespeare was wrong, take it from Samuel Goldwyn, who has discovered that there is plenty in a name. When the United Artists plant was changed to Samuel Goldwyn Studio, over 20,000 items had to be re-stenciled.

900-1,000 Shorts For '39-40 Kills Curtailment Talk

There will be a 10% to 15% increase in the production and distribution of short subjects by the industry for the coming season. Approximately 800 shorts were produced for '38-'39 selling and between 900 and 1,000 short films are scheduled for nine companies for next year.

Increase would tend to nullify the general assumption that most producers would cut down on their shorts as a counter-measure to the double-feature 'evil,' and to the announced abandonment of shorts forcing.

In two instances where notable decreases in schedules have been arranged, viz. Warner Bros. and Paramount, declines in quantity will be counteracted by a greater expansion in budgets; use of more star names and color. Warners is expected to produce 86 shorts for the new season, as against 194, and Paramount 85 against 194. Principal increases are being shown by Metro and RKO.

D. W. GRIFFITH BACK IN PIX WITH ROACH

Hollywood, June 20. David Wark Griffith has returned to active production as an associate of the Hal Roach studio. Under current plans he will act in an advisory capacity until he finds a story suitable to his fancy as a director. Griffith has made only one picture since he sold out his interests in United Artists six years ago. That was a remake of 'Broken Blossom' in England in 1935.

Hicks, Zukor Skate Sailings to Antipis

John W. Hicks, Jr., head of Paramount's foreign department, leaves for England June 25, possibly starting his trip to Australia July 5. He returned to N. Y. from the sales convention in Los Angeles only last week.

Adolph Zukor, accompanied by his wife, left for Los Angeles June 20 on first leg of his Australasian tour. They will remain in Honolulu until July 12, where they will be joined by Mr. and Mrs. Hicks. The four will continue from there to Sydney, New Zealand or be absent for two months or more, possibly visiting South Africa before returning to America.

Franklin's Studio Yen

East since the Motion Pictures Greatest Year drive, Harold B. Franklin has left for the Coast to visit with his family. Franklin has a studio production objective, after many years as a theatre executive. He was for a brief spell at the Columbia studio.

THE STAGE THEATRE

Individual Exhibs Realize They Need Product—All Sales Conventions, Save RKO, Now Over—Code's Concessions an Aid

ADJUSTMENTS

Regardless of disturbances throughout the industry, caused from within and also from the outside, augmented by a variety of uncertainties, selling of the 1939-40 product is 'on the upbeat,' following a very slow start this late spring and early summer. In districts for quarters no fears are held that the pace of the past couple weeks or so, when sales began to pep up, will not be maintained. On the contrary, it is believed that the pace will quicken considerably the rest of this month or during July, in spite of delay in getting the code into effect.

The refusal of Allied States, as an organization, to recommend the adoption of the trade practices code to its individual members, is not expected to have any noticeable effect on sales since exhibs belonging to this organization are as anxious as others individually to get their deals set. Also, for their own protection, whether they want 'sign contracts' embodying the code and arbitration or not, they don't want to be held by the bag by encouraging salesmen to oppose the opposition to dispose of their product.

There is little question in the minds of distributors what Allied's own policy will do. As a result, exhibs have been closed with many of them, or are in negotiation right now, with the provisions of the code hanging over them under their '39-40 deals if they want it.

Actually, a pickup in sales began immediately after the machinery of arbitration was released by the distributors, as a concomitant to the code itself. According to distribution information, this uptrend in sales actually occurred prior to knowledge on anyone's part as to what Allied's position would be, and it isn't expected there will be any unexpected drop on the contract-taking that was set before Allied leaders threw down the code.

Since the code is many advantages under the code, the question the Allied exhibs in his particular locality will be asked is whether he will go along under the old contract and let the fellow across the street have the benefit of the contract, or go along under the code. What may spur a sharp quickening of sales during the coming months is the knowledge exhibs to get the jump on competitors by signing up quickly under contracts giving them the right of concessions and arbitration, while the competitor is sitting back trying to make up.

Most Consider His Theatre First. The Allied exhibs in a given situation may want to be loyal to Allied States and its board of directors, but they also want to be loyal to their business interests. Torn between the two, the average Allied exhib might logically be inclined to favor protection of the investment he has in the business, even if he may not be able to get the code grants him the fullest of benefits.

The closing of deals is expected to be accelerated with completion of the late convention among the big companies, that of RKO this week. The known and the unknown weighed more definitely, with any important increase in sales during the next month or so predicted. Usually occurs, on how tail-end of '39 product is panning out. RKO actually has been holding out on sales because it feels that it will have some important pictures coming along shortly, which will or should have

Hopkins Assures Neely That Dept. Of Commerce's Film Parleys Have No Bearing on Block Booking Bill

.25G Oversight

Hollywood, June 20.

Two minds with but a single thought were discovered in a major studio at a cost of \$25,000. After paying that sum for story, the excess found the same yarn, with same title, in their files, written by a staff scribe. Both authors had taken the title from the same news source.

WB-National Theatres' Schism Remains As Is

Warner Bros. is standing pat on its split with National Theatres. Gradwell L. Sears, general manager of distribution, said on Monday (19): 'Our position has been carefully stated and we are going along the line we have announced.'

Warner sales department is working at top speed to sign as many deals with indie situations in the west and midwest as possible, with a view of being reported in the trade, outside of Warners, is to the effect that some of the Skouras theatre partners are beginning to be perturbed over the split and loss of product which they see going to their competitors and are reported bringing pressure for a quick settlement of the dispute over buying terms and doubling up of 'A' pictures complained of by Warners.

Advice from National Theatre executives in New York so far is that there has been no change in the situation and if Warners wants to continue doing business with N. T. in the fall it returns to the same more than double the revenue this season than last year, it is okay with National.

UA MOVES TO DISMISS GOLDWYN'S DEL SUIT

Wilmington, Del. June 20.

United Artists Corp. moved to dismiss Samuel Goldwyn's Delaware suit on the grounds that Goldwyn has failed to include all the parties to the controversy in his suit to sever his distribution contract with Wharton Pepper and Robert H. Stein, which action motion for UA, and Max D. Stieuer opposed.

U. S. District Court Judge Nields reserved decision. Briefs were ordered filed again by June 25.

Hayites Meet Thurs.

Meeting of Motion Picture Producers & Distributors directors, scheduled for June 14, will be held tomorrow (Thursday). This is the regular quarterly session of the directorate.

Postponement was taken last week because numerous directors were out of town or tied up elsewhere.

Learning on deals for '39-40 pictures.

Adjustments that are now being made on the current year's output are also encouraging a greater amount of negotiation in the coming season's product. According to information, all districts are indicating a willingness to deal fairly with exhibs who have justifiable complaints on this year's pictures and on which sold

Washington, D. C. June 20.

Secretary of Commerce Harry L. Hopkins has sent a letter to Senator Matthew M. Neely telling him that nothing the Commerce Dept. is in its conference with the motion picture industry should be construed as having a bearing on the block booking bill.

'I am greatly concerned with the rumors, speculations and inaccurate reports appearing in the trade press as a result of conferences between the Department of Commerce and individuals associated with the motion picture industry,' wrote Hopkins.

'I am even more concerned to learn that some groups of exhibitors and organizations interested in the problems of the industry have concluded that these conferences may interfere with the consideration of the Neely bill in Congress. I therefore make the position of the D. C. so clear that there can be absolutely no misunderstanding regarding our objective and motive.'

Several weeks ago, representatives of the producing branch of the industry conferred with me about the possibility that the D. C. make a study of the problems of the industry. It was their thought that, through such a study, the Department could reach a considered judgment regarding the performances of the industry in the public interest, and be able to evolve definite suggestions for the existing relationships between the producers, exhibitors and the public.

'The result of several of several whose representatives have come to the Department in recent months to examine them. We have only just started our study of the motion picture industry. We plan to confer not only with the producers, but also with the exhibitors and other interested groups. It will be some time before we can complete the examination of associated facts and figures, and make a legislative program by the fact that we (Continued on page 26)

VARIETY

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SCREENS

NLRB Dropping Some Charges?

Hollywood, June 20. National Labor Relations Board is expected to drop two of the three counts in the Screen Writers Guild's complaint against major film companies, charging unfair labor practices. Washington dispatches indicate the charges to be dropped are producers' refusal to recognize NLRB certification of SWG as the sole bargaining agent for all writers, and the allegation that film execs declined to negotiate with Guild reps. Remaining charge, at hearing, would be the accusation of "coercion and intimidation" of writers by studio department heads and executives. Writers have on file more than 50 affidavits alleging a producer campaign to break up the SWG and play along with the Screen Playwrights.

Reasons for Rejecting Code

Analysis of Causes Behind National Allied's Refusal to Approve the Document

Minneapolis, June 20. In turning down the code, Allied's board of directors approved a report of the negotiating committee which attacked virtually every clause and, instead of feeling the code is a step in the right direction, took the attitude, "It is not a step in any direction; it is the end of the trail. But for rejection of code was that the proposals do not provide an effective remedy for the major abuses of which Allied States has complained, and for the correction of which it has waged a long, aggressive and increasingly successful campaign.

Reasons for Rejection
Negotiating committee's report stressed that coming from many sections of the country, show convincingly, if not conclusively, that the distributors already are taking steps to circumvent and nullify the moderate concessions offered, and that acceptance of the code, particularly in view of the preamble, would hinder the exhibitors in seeking further relief from oppressive and monopolistic trade practices would hinder the exhibitors in the prosecution of pending suits under the anti-trust laws; and would permit the distributors to avoid additional ammunition with which to combat the Neely bill.

Reinforcing that proposals of the code do not afford effective remedy for major abuses, Allied's report points out, at that outset, that block booking, ownership and operation of theatres by producer-distributors and blind selling are not eliminated from the industry under it.

In addition to the preamble, which it is claimed, inferentially would have an exhibit agreeing that there are no unfair trade practices in signing of the code, Allied takes exception to various clauses, including those pertaining to forcing of shorts, precluded playing of picture with acceptable clearance, selling away from an established company, the right to pay rebuying, and the percentage.

The terms and conditions of the cancellation privilege are calculated by way of circumventing the exhibition, and distributors are preparing to make use of the obvious loopholes. There is charged, however, that relating to forcing of shorts, it was contended that a distribut could deny an exhibitor of the picture to arbitrate disputes by simply refusing to accept the contract offered.

Other objections were that the provision against designated playdates on flat rentals and guarantees, as against percentage, is utterly hollow, the report charged and the provision for arbitrating the majority of a picture's disputes, Allied took the position that the right to arbitrate disputes is under arbitration of the exhibitor's choice.

Evasion was also pointed up as easy when it came to selling away from an established company, and also where some run shall be made to get out to an exhib applying therefor.

The right to buy, it was contended (Continued on page 47)

'Patent Leather' Raft

Hollywood, June 20. George Raft completed a deal with Warners to play the top role in a remake of "The Patent Leather Kid." Raft was roundhouse barrel-smile, starring Richard Barthelmess.

CBS Steps Into Agents Scramble For Welles' Film

Hollywood, June 20. Orson Welles and at least three major producers are pretty well satisfied by now that negotiations for a picture can never get past the insurmountable objections raised on both sides. But Hollywood agents are not ones to lose off a rich plum without a struggle, even though the tree they're shaking is someone else's orchard. It so happens, so Columbia Management (CBS) deplores, that Welles belongs to someone else's orchard. His "well" angle is that if he can't write, direct, produce and act it's no for pictures. He's turned down up to \$125,000 just to act in one film. Triple-threat is his trade and they'll blockbook him or leave him to his stage and radio labors.

Assuming an is-that-to attitude, no less than a dozen firms have descended on the studio prepared to strike a bargain for the lad. He can't do that 'mob' one day last week happened upon a hot lead and all piled into the asserted-interest producer's office. When the poobah wanted to know which of the interested parties he'd like, Welles they all rushed forward. In one job he tossed them out and said, "I don't want to do that 'mob' thing and then he'd talk business with the winnab. A femme agent who was to draw scripts and the bidding commenced.

Along about that time Columbia Management entered the picture and wanted to know how come. And there'd be no split commission, either. The lady was pretty hot even if a deal is struck, which it won't be as Welles has made up his mind to forego the flickers, and Hollywood is equally decisive about not letting any actor run his business.

REGAN TAKES 'TIGHT' AT STORMY REPUBLIC

Hollywood, June 20. "Flight At Midnight" is Phil Regan's final picture at Republic under contract, expiring July 31. He shares top spots with Col. Roscoe Turner, aviator.

Regan winds up stormy career on the lot. He once sued the company for allowing them to put out of court. "Hit Parade of 1938," in which he was slated to star, has been shelved.

OBJECTIONS TO PROPOSED, IMPROVED

Allied States Held 'Too Tough'—MPTOA Decried Not 100% Indie Because of Affiliated Chain Theatre Members—Recentment Over Rejecting Code in Mpls.

BRANDT AND COHEN

A third national exhibitors' organization, one that would be patterned along strict independent lines though not under a policy that is as severe as that of Allied States Assn., after a long and bitter battle, with Harry Brandt, president of the Independent Theatre Owners Assn. of New York a prime mover. It reported in inner exhibitor circles that Max A. Cohen, president of Allied Theatre Owners of New York State, may go along with Brandt on such a plan, with his Allied unit and the ITOA as the nucleus of a national exhib association that would be opposition to the Allied States and the Motion Picture Theatre Owners of America.

Allied States is headed by a veteran exhibitor politician whose active interest in an exhib has been vastly reduced during recent years. Col. H. A. Cole, and by Abram F. Myers, general counsel, who has no active theatre connections. The MPTOA is headed by Ed Kuykendall, veteran exhibitor, who has not been actively engaged in theatre operation. His Mississippi houses have been closed since the outbreak of Malco of Memphis and the Saenger circuit of New Orleans.

Brandt's strong inference for the need of a new national exhibitor organization is based quite frankly on his contention that the Allied States is tough, and that the other exhib association, MPTOA, is not of sufficient indie extraction. The MPTOA numbers among its directors and members many theatre operators and owners who are affiliated with major producer-distributors, thus being made up of exhibitors who are for and against the producing company.

There is always the possibility that some exhibitor will join together with Cohen, or other leaders, start the ball rolling for the building of a third indie exhib group, that unaffiliated theatre owner-members of MPTOA might be fair game to go after, and as with members of Allied who may not see eye-to-eye with Col. Cole, Myers and other Allied States bosses.

Brandt Accepts Code

Brandt, on his return from the Allied States Minneapolis convention last week, issued a formal statement concerning arbitration under the code, saying: "We will make certain that every indie exhibitor will get fair arbitration and will act for and aid any indie who is being wronged by the states brandt. It is the best this industry has to offer at the moment."

Brandt attacked the stand taken by Allied States leaders at the convention, saying: "It shows the attitude of some of the exhib leaders who have for the opinion of Allied exhib members. The attitude adopted by Allied leaders, who I believe, are interested only in their own pockets, regarding the cost to the Allied members or the outcome of such futile actions."

Brandt's attack was without attending the Minneapolis convention in order to express themselves and vote on the code. Allied leaders, however, in a star chamber session, rejected the code even before the convention opened. Brandt says he has no intention of having the opinion of Allied exhib members.

Brandt's attack that secret ballot be sent to all indies throughout the country to allow them to vote for acceptance or rejection was disregarded. The "open forum" on (Continued on page 22)

Local 37 Now No More as 6,000 Film Workers Absorbed by Five IATSE Unions; Dicker for Basic Agreement

Boyer's French Pic

Hollywood, June 20. Charles Boyer is slated to star in "Le Consol" in Paris as soon as he finishes his current job in Universal's "Modern Cinderella." Boyer resumes his radio work and goes into a Deanna Durbin picture at U.

Discloses How Booth Strike Ended in N. Y.

Washington, June 20.

Threatened criminal prosecution staved off the slated projectionist strike a few months back, Senate Appropriations Committee records revealed this week. During discussion of anti-trust law matters, Prof. Thurman Arnold, assistant U. S. attorney general, told the solons he served an ultimatum which brought to abrupt end the industry's trouble resulting from factional dissension among operators.

"Recent months ago people came in and complained that the projectionists' union in New York was going to force the close of all picture houses in New York unless they (the producers) refused to furnish films to the largest non-union independents," Arnold was quoted in the official transcript.

"It was to be a secondary boycott," he said, "Well, we think it is all right. We believe that Mr. Justice Brandeis' dissenting opinion in the Duplex case is now the law of the new (Supreme) Court."

"I said, 'I do not know anything about that. It may or may not be only point out to you one thing that we cannot give you a free injunction ride to the Supreme Court if you happen to be wrong about this thing, and I think you are. In this particular case, it means criminal prosecution'."

"The strike was ended, and everybody is going along perfectly happy."

EDDY, KORJUS FOR 'GUARDSMAN' REMAKE

Hollywood, June 20.

Old Lunt-Fontaine comedy, "The Guardsman," is being readied for remaking by Columbia, starring Nelson Eddy and Miliza Korjus at Metro. Robert Z. Leonard is slated to produce and direct.

Shuffle Off to H'wood

Hollywood, June 20.

Local shortage of male dancers caused Warners to send to New York for 120 boys to fill "On Your Tots" George Balanchine tested talent for two weeks without finding good masculine types.

Bosworth's Degree

Marletta, O., June 20. Marletta College, at its 103rd commencement exercises, conferred upon Robert Bosworth, veteran picture actor, the degree of Doctor of Humaniities.

Bosworth returned recently to this small Ohio River community for the first time since he was 12.

Hollywood, June 20.

Technicians Local 37, embracing more than 6,000 film workers, will disappear from major studio lots this week, despite court injunctions and company officials secured by local officers in an effort to keep the entire membership in. Practically the entire membership has been transferred to five new studio locals chartered by the International Alliance of Theatrical Stage Employees, after Pres. George E. Brown ordered the charter of Local 37 lifted.

Moving international representation into the picture means that local officers could enjoy them. Prexy Brown succeeded in eliminating Local 37 before completion of a trial now in progress in Superior Court to determine if he had the right to dissolve the agency and seize control of the organization. Trial is now in its fifth week, but before the decision is handed, only remaining membership will be small group which launched the fight for local autonomy.

Hearing on contempt citations against the IATSE took place in connection with the court order of Local 37 charter and formation of new unions is set for Thursday (22). However, the courts order Local 37 restored, officers and membership of new union are reported ready to go to work. The decision is expected. Men are given the right under the Wagner Law to choose their own union and to organize.

In the meantime, IATSE is preparing to renege the Studio Basic Agreement and is certain to demand closed shop agreements for the new unions. This move would have members of Local 37, who failed to join the new locals, without membership in a bona fide union and they would find it difficult, if not impossible, to secure employment.

They'll Snee New Locals

Others of newly formed unions follow:

Motion Picture Studio Projectionists, Pres. J. Barton, president; Roy Ward, vice-president; Jack Payne, secretary-treasurer; Harold A. Rodden, business representative. Members of executive board are James Brigham, William Hanberry, Fred J. Loakes, Albert R. Pullen, Dix Silver.

Motion Picture Studio Grips Local 37, Pres. J. Barton, president; W. C. Barrett, vice-president; W. Holbrook, recording secretary; W. C. Thompson, business representative; Crompton, business representative; Augie Keller, sergeant-at-arms.

Members of board of directors and studio they represent are Mickla Morris, 20th-Fox; Jack Burke, Paramount; Charles J. Anderson, Fox; Bill Moffett, Metro; George Wilson, Warners; Frank Thompson, United Artists; J. H. Brown, Fox; J. Dixon, Universal; Jack F. Burton, member-at-large.

Motion Picture Studio Local 728: George Alexander, president; Robert Worle, vice-president; Guy Gushington, Pres. Robert Anderson, secretary; Charles J. Ferguson, business representative; Joe Jarvis, 20th-Fox; Ed Bush, Charles Futoren, Lyndwood; Harry J. Porter, 6th-Fox; George Calkins, Warren-Moro; Roy Hadley, Leo Letter. Chick Arnold, Lyndwood, and J. H. Brown, 6th-Fox, named delegates to the Central Labor Council.

Members of the former prexy of Local 37, and Guy H. Cooper, former recording secretary, were listed as members of the new Local 37 during the present trial. Cooper read minutes of various meetings, exercises, and exercises, questioned closely about various activities before the International took over. Cooper was told that he was warned by A. Brigham Rose, counsel for Local 37, that the IATSE (Continued on page 18)

Cassel Co., Copia-Fabian and Stirn's 3 Appeals to Kayo RKO Reorg's OK

The Circuit Court of Appeals in N.Y. Friday (16) rejected the three appeals taken from Federal Judge William Bonaparte's order of Jan. 17, compelling the RKO reorganization. The appeals were those of K. Cassel & Co., brokerage house, holding \$217,000 of RKO adventures; the Copia Realty and Fabian Operating Corp., contingent unsecured creditors; and Ernest W. Stirn, holder of 1,234 shares of the former class 'A' stock of RKO.

Nathan Rosenberg, representing Cassel, was the first appellant to be heard. He charged that the plan of reorganization violates the fifth amendment to the Constitution. In that it gives bondholders approximately 25% of the value of their claims at the present time, without due process of law. He complained that the original plan, filed in November, 1938, but never confirmed, was fair and equitable in that it preserved the preferred position of the bondholders. He stated that the new senior financing of the company would place them on a par with the bonds to the extent of \$3,000,000, which will come ahead of the present bonds, and that the new junior securities so desire, to issue as much more as they see fit, providing that one-third of the new securities consist of the present bondholders' debt, not to be issued, in writing.

The second appellant, the Copia company for this change of position is that the earnings of the company justify the plan. He stated that the earnings of 1938, in comparison with a \$180,000 profit for 1937, would have been paid to the stockholders, who were the worst, was his query.

The plan as it stands now is unfair, inequitable, and discriminates against the debenture holders, he continued. If the company cannot pay its debts it should be liquidated. As a final argument Rosenberg stated that there is no definite proof that the plan will ever go through, with its promised underwriting agreement on the stock, and the reason for this has not done so is that no Wall Street house values the new stock at more than \$5-35 a share, instead of the \$12 the proponents say it is worth. Rosenberg asked for, in the hands of the Chandler, which will place the company in the hands of Irving Trust, the trustee, for the formation of a new plan of reorganization without outside aid.

Copia Realty and Fabian Operating Inc., represented by M. Frank Reavis, erected two theatres in Albany and Schenectady and leased them to the Production Trust, the subsidiary in 1931, with the lease guaranteed by RKO. They were to pay \$228,000 as an annual rental. This was reduced to \$135,000 two years later to save the subsidiary from bankruptcy. The rental was to be three years' rent, then decreased, so that the owners could realize the present value of RKO in three years. The company failed again in three years. Judge Learned Hand seemed extremely lenient regarding the proposed action, and indicated as much to the plaintiff.

Stirn's \$35,000 worth \$500 Stover, attorney representing Ernest W. Stirn, RKO stockholder. He recalled the numerous references of Stirn from the time he purchased his shares for \$3,000 in 1928, to the present time, when they were worth \$500. He stated that no consents had been obtained to the plan, and no claims had been filed by the stockholder holders. He stated that the claims of Atlas Corp., proponents of the plan, be limited to the actual cost to them.

He accused Atlas of having usurped the name of Irving Trust, and appointed Lee Spitz, one of its own men, as president. He interrupted by declaring that what Stover wished would throw out the entire

reorganization, and force the company to reorganize to where it started. The proponents were accused of bad faith, by Stover, and of being prejudicial to reorganization, "but in their present position for Radio Corp. of America to hide behind." Further allegations to the agreement between Atlas and Merlin H. Aylesworth, former RKO president, were alluded to by Stover.

'Ecstasy' Censoria O.O. in Philly Gets Heavy Seat Demand

Philadelphia, June 20. Blue-ribbon jury, invited by the Penna. State Board of Censors, o.o. the city of Philadelphia, on Friday to determine if it was okay for public consumption. Film was turned down by the Board in April and an appeal has been taken by Sam Cummins' Eureka Productions, Inc., the distributor of the picture. Hearing has been set for next Monday (28) at which time it is expected that the picture will be the flicker last week will be called upon to testify.

Deluged by friends for permission to gender the film, made in Prague in 1933, Mrs. Edna R. Carroll, chairman of the censors, restricted Friday screening at the Board's headquarters to the two judges who will hear the case and the jury. The latter consisted of George W. Norris, banker; John Jenks, artist; Rev. B. F. Bonney, secretary of numerous religious groups; Rt. Rev. Monsignor John J. Bonner, superintendent of Catholic schools; and Joseph P. McGowan, Henry Shippen Lewis and Assistant District Attorney Vincent A. Carroll. Censoring claims have alleged that the parts originally called obscene when the pic was banned by a Federal grand jury in New York. He says it is now just being nixed on procedure.

Chi Ok's 'Oppenheim'
Chicago, June 20. After having been banned by the Chicago censor, the picture, "The Oppenheim Family," Russian, was okayed by the board on a second screening.

Opened at the arty Sonotone.

Order Sex Film Destroyed

A jury before N. Y. federal Judge Edward L. Connelley, in New York City (16) that the Viennese film, "Science of Mankind," or "Mysteries of Sex," was found to be obscene. The film, imported two years ago by the birth of a baby and emphasized sexual distortions.

Jewel had claimed the film to be scientific and had sought a license from federal authorities. Pic dealt with the birth of a baby and emphasized sexual distortions. Judge Connelley the same day dismissed the \$22,000 suit of Eureka Productions, Inc., against Raymond Mullen, former U. S. marshal, who was charged with having destroyed a print of Eureka's film, "Ecstasy," while an appeal was being taken from the order of Judge John J. Connelley, ordering the destruction of the print.

Mullen's testimony revealed that he had not been served with notices that an appeal was being taken until after he had destroyed the print.

Jones Back in Concert

Hollywood, June 20. Allan Jones returns to the concert stage in Portland, July 31, for the first time in five years.

Screen tenor made his professional debut with the New York Philharmonic orchestra as soloist with Anna Case.

MAJOR STORIES STIRN CYCLE

**Fans Tiring of Good Earth
Films—Air Epics Too
Scarce and Costly, So
Producers Get Marine-
Minded**

MILLIONS STAKED

By BOB MOAK

Hollywood, June 20. Film moguls are pointing binoculars awag in frantic search for new better locales, with screen due for widespread marine cycle as 1939-40 takes. Ships, large and small, modern and ancient, will be treated to glorified shipwreck horrors reserved for cinema's humans, equines and canines.

Sudden swagrow things nature is direct result of customers cry for larger doses of dramatic action, yes, even good, old-fashioned movie, in their celluloid entertainment. But, and producers have facts before them to prove it, they expect it to be backgrounded against something other than dry land, of which they are tired, overdone and uninteresting stanzas in such important fare as "Jesse James," "Dodge City," "The Sign of the Cross," "Man of Conquest" and related epics.

Eliminating terra firma as natural stage for action, producers have had their fill of good earth, and passing up the skies for reason that violent sea wars are more exciting, to say nothing of too high costs for flying equipment, harnessed to the sky. The sky is turned out as their only outlet. And if ticket buyers are unable to see with them eyes, let the sea do it. Just too bad all around for already Coast plants are being forced to grind out some 20 feet of film a day, with production brains daily huddling in intensified drive to round up more material of similar vein.

Brinkiana Rites The Waves

Toppling sea's pic's monthly under construction, insofar as budget allotments are concerned, is warumant's "Ruler of the Waves," founded on the birth of Britain's shipping supremacy and building of first craft to cross Atlantic under steam. It is estimated producer-director Frank Lloyd will have expended over \$500,000 on the picture by the time it is ready. Sharing top billing with Douglas Fairbanks, Jr., Margaret Lockwood and Will Fyfe, imported from England.

Even before camera had been trained on the drama, Fox purchased outright two square-riggers, and laid on the line many thousands of dollars to hire them not only to resemble the historic Dog Star and Falcon of an earlier era. For weeks the picture has been manuevered in San Miguel Island, with lensers bagging storm footage whenever winds blow waves and billows into view. Meanwhile, principles have been battling machine-made waves at studio, where \$350,000 has been invested in synthetic storm devices.

Barring to overcome Par's head start in aqua pure film is Metro, which has been leaning on Coast on wartime experiences in U.S. sub-chaser service of Ralph Wheelwright and Lieut.-Commander Harlan Phillips, U.S.N., and on the Beery as star, with Chester Morris and Virginia Grey heading support. The picture is being made by sub-chasers reconnoitred at Annapolis for use in picture, while three star vessels on the Coast were portaged from San Pedro to Culver City, where they have been since. The picture will make. Other sequences were shot aboard Navy's sub-chasers at Navy's San Diego base.

In matter of total expenditures, (Continued on page 20)

58 Features, 39 Shorts. Disney's 2d Feature—RKO's 39-4d Program

A total of 58 features and 39 shorts, in the line of selling in March of Time and the outside-produced Walt Disney's "Pinocchio," comprises the output of RKO for the 1939-40 season. This is an enlarged program for the company, which is holding a four-day sales convention at the Westchester Country Club, Rye, N. Y., first time for any film salesmen to do so in the city.

Now's No Time to Cut Out Any B. O. Hypos, Philly Dishes Stay

Philadelphia, June 20. Confronted by all South Philly exhibitors in an attempt to cut out any of the premiums for the summer came to a quick end when several of the houses balked. With big holding a natural summer decline, they maintained that present is no time to eliminate the gimmicks.

The try at cutting down on the giveaways came after two houses either there or out of town for variety and other such stuff six days and a week. Houses are the ideal and wampers operated by the Bergers. Leo Post, up of the Lyric, put up the principal squawk against going away with the hype.

South Philly, until a little over a year ago, was the only sector of the city entirely free of giveaways and giveaways. Now every theatre is using them, with only Warner's exercising restraint in giving them out to one day a week in its houses.

CO-OP SOUND SERVICE UNDER MEN'S EYES

St. Louis, June 20. The Federal Bureau of Investigation is delving into the Cooperative Sound Service Supply Co. to glean facts concerning its organization and operations from which the U. S. Attorney General will determine whether there is ground for action under the restraint of trade statutes. The company services sound equipment in film theatres. During the ouster hearings against John P. Nick and Clyde A. Werton of IATSE, Local No. 143, a union member quoted Nick to the effect, "If theatre owners wanted to keep, let them sign up with the Cooperative Sound Service Co."

Weston was one of the incorporators of the company, but sold out before the Federal Bureau's investigation. Union operators were founded, not to allow anyone but union technicians make repairs on the equipment. Other concerns complained that they had been snubbed by cards from Local No. 143, then under Nick's control. FBI agents have been told it has been learned that the owners broke contracts already in force with other companies, because they would not enter the union.

The local FBI office refused to comment on the progress of the inquiry, remarking all questions to be handled by the St. Louis office. The Attorney-General's office in Washington. Members of IATSE, Local No. 143, to replace Nick and Weston, will be selected by secret ballot according to a plan conceived by John P. Brandt, co-ordinator appointed by Judge Oakley. The election that has received the court's sanction will be held not later than Thursday (22).

Johnston Abroad

W. Ray Johnston, president of Monogram, sails for England today (21) to handle the sale of the Gell and the Pathe association of the British Isles, distributors of the British Pathe, Ltd. Ltd. rep in Hollywood, and George West, Monogram franchise holder, going along.

Y. first time for any film salesmen to do so in the city.

The coming season's output for RKO is made up of a varied list of production, including in addition to the pictures set by RKO's own producers, a number of films to be made by outsiders. "Pinocchio," Disney's second full-length, is expected for release around Christmas time.

Two important prospects from outsiders will be the Max Gordon-Harry M. Goetz productions, "The American Way" and "Abe Lincoln in Illinois." Other films from the outside include "The Sign of the Cross," "40-40 include two pictures by Leo McCarey; two by Leslie Howard will co-direct and produce in England; "Nurse Edith Cavell," which Herbert Wilcox will make, also in England, suggested by Max Gordon; "Chasing Rainbows," the first March of Time full-length, "Ramparts We Watch," suggested by Max Gordon; Fielding Eliot's book of the same name; two Bobby Brenns from Sol LeGasse, a suggestion from Boris Moros to be called "The Flying Deuces," and three features to be supplied in the "series" by Stephens-Lang Productions, Inc. "Hunchback of Notre Dame," starring Charles LaPlante. Other producers to be included in the list include George Stevens, Gene Towne, Robert Siodmak, Charles C. Crichton, J. William Clift, Reid, Ben, J. Wolfson, and William Still.

LeGasse, in his film salesman, together with the district and branch managers, a total of over 250 delegates, will be in attendance at which he and Levy headed discussion on the windup pictures on this year's (1938-39) season.

Yesterday (Tues.) was given over to a discussion of the sales policy for 1939-40, and a morning session for the foreign market with Paul Reiman, head of the foreign department, as chairman. A total of 13 foreign delegates are attending. During the day, also, district managers and home office department heads addressed the convention. Screenings of production films were given.

Schaefer yesterday (Tues.) stated budget for '39-40 would be higher than last year's, by 40%.

He also urged foreign business be built up.

Delegates to the convention came into New York last night (Tues.) for dinner and a theatre party to see "The Sign of the Cross" at the Broadway Massey, star of piece, holding a reception afterward. He will appear in the picture.

Levy informed the convened delegates that the company's share of RKO sold exactly 87% of its possibilities in the domestic market (U.S. and Canada) and that the company has an increase in dollar returns over the prior year (1937-38).

Levy also stated that he had not been computed on the recent Schaefer sales drive, RKO's general sales campaign. He stated that the percentages were greater than for any corresponding period in the history of the company. During the drive, those who fully sold their possibilities, becoming 100% salesmen, were J. P. Brandt, of the district of the Boston territory, W. Canell of New Haven and Harry Kahn of

HARMONY REIGNS AT MINNEAPOLIS!

Minneapolis, June 20.

Over the Hotel Nicollet battle-ground, where distributors and exhibitors last week fought to bitter disagreement, there is a single ray of bright sunshine, a roseate hue in a darkened sky. On one major issue there is unanimity, harmony and accord. Delegates and visitors unanimously proclaim VARIETY the leading international news and advertising medium of show business. On this point there is not a dissenting vote.

Copies of the June 14 issue, shipped from New York by air-express to Minneapolis, were available to convention delegates in hotel lobbies, restaurants, cafe lounges, the Variety Club and elsewhere early the same morning. By noon the supply was exhausted.

Accurate and complete accounts of convention events were eagerly read and discussed. Behind the scenes maneuvers of exhibitor and distributor leaders were reported fully. Industry relations with the Administration departments of justice and commerce were comprehensively covered—impartially, authentically.

On the convention floor Harry Brandt quoted from the issue. Kermit Stengel, of the Sudekum chain in Tennessee, said, 'I couldn't run my business without VARIETY.' Many others voiced similar convictions.

From the din of contest involving grave industry problems there survives a dominant and encouraging note. All factions are in agreement on the serviceability of VARIETY.

Cedric Adams, in the Minneapolis Star, writes in his notes of the convention:

'VARIETY, quite unlike any other newspaper, keeps its circulation a deep, dark secret. It is a fact that virtually every copy off the press has from 20 readers up before it's thrown away.'

Hoyts, Greater Union Booking Deal Be for 20 Yrs.; 180 Theatres Involved

Twenty-year pact between Hoyts' circuit and Greater Union Theatre circuit, leading Australia's largest exhibitors, was announced last week when Norman B. Rydge, chairman of the Greater Union circuit in Australia, outlined business terms to the Greater Union of General Theatres Corp. as a joint booking corporation for Sydney circuit.

Rydge formally announced Thursday (16), as had been expected, that understanding was reached between Hoyts and Greater Union, subject to approval by directors of each circuit. He calls today (Wednesday) from Los Angeles for Sydney with full details for his company's directors. He contemplates returning to New York from Australia within the next two months, but did not disclose the purpose of the return visit.

There are 120 Hoyts and 90 Greater Union theatres involved in the booking arrangement whereby General Theatres would handle all product deals for Hoyts and Greater Union. Ten companies, including the eight majors, and the independents, Kinograph and Paramount, would be effected by the new setup since all American bookings for the two chains would pass through General Theatres.

Dan Carroll's theatres, which include the Birch, Croydon, and Coyle, are to be included in the booking setup. Snider-Dean circuit is reported scheduled to be included in the Hoyts alignment.

The American picture industry generally does not look with any particular favor on the new arrangement because it means that the new combine will dominate the bulk of city theatres in Australia. However, the realignment, too, is viewed in N.Y. as paving the way for more peaceful relations between all Aussie exhibitors and U. S. distributors, which had been at the forefront of the trade war.

Unfavorable legislation aimed at U. S. distributors had been traced to the court-ordered divorce trial regarding Hoyts' "monopoly" of major American pictures in New South Wales.

Rydge was in N. Y. about two months, leaving with deals for Columbia, Monogram, Republic and Universal product, plus assurances that if the booking arrangement via General Theatres is finally negotiated, it might share in product of other U. S. majors.

MAGYAR GOV'T CONTRIB \$140,000 TO FILM PROD.

Budapest, June 8. After local production has been at a standstill for two months, the government is putting \$140,000 (about \$140,000) at the disposal of Hunnia Studios to start production of new production.

General Theatres, Hungary, and Hajdu, Measter, Tschaks, Bajusz and Levay, are to profit by the loan. The plan is a production of 10 pictures, all to be shot at Hunnia within the next few months.

Over 100,000 were to have been affected by the standstill. Exhibitors, particularly in the province, are practically without Hungarian-made pictures draw audiences, which had been apprehensive of the competition because of the prospect of local product shortage.

London Coliseum Quits Vaude for Legit Rep.

London, June 20. After a 10-month revival of vaude the Coliseum is to present plays to policy to present regular plays twice a night at popular prices.

Barry O'Brien will direct. Opening presentation, set for July 1, will be "Margaret" and "There will be no stars."

'Bridge' NG, London

London, June 20. Maurice Brown's production of "Bridge of Sighs," which opened at the St. Martin's Wednesday night (14), showed itself to be a matinee costume play about Catherine the Great of Russia.

Little chance for box.

JAPAN'S 2,600TH ANNI

Opens Next Spring to Mark Founding of the Empire

Tokyo, June 1. In commemoration of the 2,600th anniversary of the founding of the Japanese Empire, the Kabukiza will present next spring a three-act Japanese opera, "Reimei" (Dawn). Written by Fumio Noto, former Emperor and Far Eastern correspondent, and scored by Kosaka Yamada, Japan's leading modern composer. This four-hour opera will dramatize the arrival of Commodore Matthew Perry's fleet at Shimoda port in 1854 and the emergence of Japan as a modern state after its isolation from the world.

3-MILE LIMIT GAG HITS INDIA

Bombay, June 5. Seeking to avert loss of revenue in the event of prohibition, Indian owners plan to circumvent the proposed legislation by operating "excursion steamers" in Bombay Harbor, outside the three-mile limit. On the same ship will be liquor, music and other paraphernalia, sent to America's Volsteadian subterfuge.

Flesh entertainment has been practically all of late and, at present, the only act in town is the Sykes and Jimmy Androm, English ballroom duo. Three Hollywoods, Russian and German, are passing through, as usual these next week.

French Nobleman Sues To Vacate Kinship Claim By Mulatto Claimant

Paris, June 12. A Parisian lawsuit between a member of an old aristocratic family and a half-caste mulatto star who claims to be a member of the family and, as such, is entitled to use the name and family crest, is being followed with the greatest curiosity here.

Count Henri de Vire de Virel-Breda, member of an old Breton family, which can trace its line to 1418, began proceedings in the Paris court against Mounette de Virel, mulatto cabaret singer and entertainer here.

The latter's counsel, Pierre Riviere, maintains that though his client has colored blood she can prove she's a direct descendant of the Vire family. The count is asking for \$500 damages and a halt to the use of the family name.

Mme. de Virel's story is that in 1788, Louis Philippe Hercule de Virel was married to a Breton Revolution. While at sea, a storm drove the ship to the harbor of Saint Bartholomew in the West Indies.

There, he fell in love with and married the daughter of the colored French consul, M. Bigard. The half-caste daughter was to be a direct descendant of the union.

The judge reserved decision.

Dearth of New Acts and Material Socks Vaudeville Hard in England

London, June 13. Vaudeville in England is experiencing its most precarious time in years. Cause of trouble is shortage of new acts and paucity of material. There is especially noticed among the talking acts, which repeatedly return to same spots with same gags, same songs, same material.

Theaters is so concerned it has issued notices to big acts they must turn in material. Some of the GTC also has been trying to keep theaters open through repertory play.

Acts are complaining they are not getting sufficient remuneration from managers to break in new material. If they do inject new stuff they make a reduction in wages. Variably complain it is not up to

British Distribs Plan to Load New Tax On Exhibitors, Precipitating Wrangle

Cinema Owners Seek To Lift Holy City Ban

Jerusalem, June 8. Cinema owners here are suffering heavy losses because of a complete shutdown of operations enforced by the British military commander, Major-General Nugent O'Connor. Ban on all film theatres resulted from the explosion of two bombs and the wounding of 25 persons in one of the Holy City's largest theaters. Bombing is believed to have been an effect of the recent Arab-Jewish uprising.

A petition asking that they be allowed to resume operation was signed by all cinema owners and forwarded to O'Connor, who replied that the ban would have to remain in force until general conditions are quieter. Closing was ordered to avoid mass congregations.

Although theaters are closed entirely, cafes are permitted to remain open until 8 p.m.

VEICES' RIVAL PIC FETE SET FOR CANNES

Paris, June 20. The Venice film biennial, slated for July, has been given a crimp with the announcement that a rival International Film Festival will be held at the Municipal Casino, Cannes, Sept. 8-17, under the ministry of education.

It will be organized along the lines of the Venice Festival, with Louis Lumiere, motion picture pioneer, honorary president, and with the French cup the Festival's highest prize. The government asked the French Assn. of Artistic Action, presided over by Minister of Culture, Albert Sarraut, to organize the festival at Cannes.

Understand that Great Britain and U. S. already have accepted invitations to attend. Also sent to Italy and Germany. France will not participate in the next Venice Festival and its reported decision that American companies will enter.

Cannes was selected over Biarritz because of better hotel facilities. Biarritz had been proposed several weeks ago as the site when the rival fete was first broached.

Montgomery, Goetz Sail Metro head of British production, return to England today (Wed).

Montgomery will star in "The Purple Heart," first being married to Honey-moon by Dorothy Sayers and the young Earl of Chicago by William Williams.

Montgomery's wife and two children accompany the star abroad.

London, June 20. Picture distributors here are reported raising \$50,000 for a press campaign to have the new motion picture film tax. Drive will be in behalf of the entire industry.

Trailers are being rushed to every cinema in Great Britain. They are in sympathy with the sympathy. Distributors inflated at a combined trade conference Monday (16) had hoped they would bag financially, although other sections of the business have income to contribute to the pool later, according to their ability.

London, June 20. Kinematograph Renters Society, organized in Great Britain, has decided to pass the increased tax load in England on to the exhibitors. The society is the forerunner of a pitched battle between exhibitors and distributors unless the new film taxes are eased.

England is believed to go through a lot of internal wrangling much as the United States is experiencing presently.

The British exhibitor is confronted with the problem of having to fill his own quota, and then pay more for U. S. product than previously. Confusion in America is believed to be that production of pictures in England is more costly throughout the year than in the United States and they are forced to bolster rental terms.

Exhibitors claim that admissions can't be increased on certain types of pictures to make up the added burden. This has been impossible in the past, they contend, because it results in petrous buying cheaper tickets.

Test of the whole situation is expected before the end of this month. Any anticipated concessions are counted on only to effect the new situation. Failure to get any material concessions is blamed for the dareup in prices with regard to the picture to pass the increased tax load on to the exhibitors.

Surrounding of exhibitor grievances is expected when the Cinematograph Exhibitors Assn. meets in Blackpool, July 1-10. Several bodies already have demanded that the entire problem of rentals be reviewed. The exhibitors are to be heard by the theaters. Last bitter battle between CEA and the distributors occurred in London last week when a "bookings holiday" resulted, whereby exhibitors pledged themselves to keep their playdates open under a agreed date.

French, Italian Spas Plan for Big Season With War Scare Exit

Paris, June 20. Convinced that the war scares are not a hindrance, the French are laying out plans for the summer tourist influx, hastened considerably by the war scare.

There are eight or nine percentage of advance reservations. The Casino Municipal, Lido-Venice, and the Casino de la Mer are all planning to open for three months, which sailed from New York Saturday (15) with the Italian local manager, who booked them. First time for a U. S. troupe to be brought to the Italian spa. There are eight girls in this group.

On July 8, another group of 12, with Hale and his troupe, sails to open at the Palm Beach Casino, Cannes, for six weeks, augmented by the French and English acts Maryfield and Estelle and Lefty are due over from America.

Brian Band, Dandrige Sisters Click in London

London, June 20. Jack Harris' new production from the London Casino into the Palladium on a last-minute thought, which is the opening last night (Monday).

Dandrige Sisters, harmonizers, who have been in the hands of Pierce and Harris also went over well, although they seemed worried by the dearth of work of Con Coliano was splendid.

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BIG PICTURE FOR 1939-40 IS
ON THE WAY TO YOU NOW!**

52 PAGES

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RADIO**

1939

1940

**THERE'S A
BOX-OFFICE
THRILL
ON EVERY
PAGE!**

SIX WESTERNS

FEATURES

PRODUCERS like Pandro S. Berman, Max Gordon, Leslie Howard, Gene Crowne, Sol Lesser, Harold Lloyd and many others... **PRODUCER-DIRECTORS** like Gregory La Cava, Leo McCarey, George Stevens, Herbert Wilcox... **DIRECTORS** like William Dieterle, William Seiter, John Cromwell, Garson Kanin and many more... **STARS** like Carole Lombard, Cary Grant, Ginger Rogers, Anna Neagle, Douglas Fairbanks, Jr., Laurel and Hardy, Charles Laughton, Victor McLaglen, Jean Hersholt, Richard Dix, Bob Burns, John Wayne, Anne Shirley, and others to be announced... **PROPERTIES** like Hunchback of Notre Dame — The American Way — Abe Lincoln in Illinois — Nurse Edith Cavell — Swiss Family Robinson — Allegheny Frontier — Ivanhoe — Vigil in the Night — The Deerslayer — Tom Brown's School Days — Kitchener — The Ramparts We Watch — and many, many others you'll find in the book...

and the **SCREEN'S BEST SHORTS**

Walt Disney Productions — March of Time — RKO-Pathe News — Two-Reel Dionne Special — Information Please — Reelisms — Sportsopes — Edgar Kennedy, Leon Errol, Ray Whitley Comedies . . . and other short features.

"**THE SUN NEVER SETS**...at Radio City Music Hall...is a handsome and stupendous production" N.Y. DAILY MIRROR

"On the recommended list!" N. Y. EVENING SUN

THE SUN NEVER SETS



starring **FAIRBANKS Jr.** and **RATHBONE**

DOUGLAS



VIRGINIA FIELD • LIONEL ATWILL
BARBARA O'NEIL • C. AUBREY
SMITH • MELVILLE COOPER

Screenplay by W. P. LIPSCOMB • Original
story by Jerry Horwin & Arthur Fitz-Richard
Produced and Directed by
ROWLAND V. LEE



**IT'S NEVER SUMMER IN A THEATRE
THAT'S PLAYING A GOOD PICTURE!
PLAY THESE BIG UNIVERSAL HITS NOW!**

They Never Heard of a Thermometer!

GILBERT & SULLIVAN'S

THE MIKADO



R. E. O. THEATRES
1270 SIXTH AVENUE
Radio City, New York

June 15, 1939

Mr. N. J. Blumberg, President
Universal Pictures

Dear Mr. Blumberg:
During THE MIKADO at the Keith
Theatre, Washington, has given us one
of the most delightful and profitable
dates of the season. With business
reaching top figures, THE MIKADO
turned Washington's summer into
cool fall, as far as we are concerned.
Not only did we hold the picture over
for a third week, but the eighth day
of the run exceeded the opening day's
business.

On the strength of this engagement
and other successful engagements we
are booking THE MIKADO over our
entire New York Metropolitan circuit.
With kind regards,
Sincerely yours,
(Signed) J. J. O'Connor
General Manager, R. E. O. Theatre

By Arrangement with Rupert D'Oyly Carte

in **TECHNICOLOR**

with KENNY BAKER • Jean Colin • Marilyn Green • Sydney Granville
John Barclay and the DOYLEY CARTE CHORUS and a cast of hundreds
Recorded by the LONDON SYMPHONY ORCHESTRA
Adapted, Conducted and Produced by GEOFFREY TOYE • Directed by VICTOR SCHERTZINGER



**—HELD OVER 3RD
WEEK WASHINGTON!**

**3 1/2 TIMES NORMAL
BUSINESS!**

THE SWANER
SEAWARD • TENNESSEE

May 30, 1939

Mr. John Knell,
Universal Film Exchange, Inc.
Atlanta, Ga.

Dear Mr. Knell:

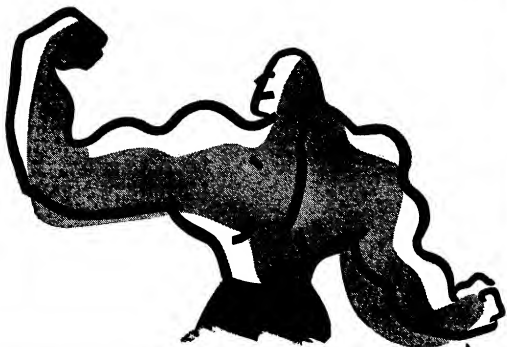
Nothing gives me greater pleasure
than to report to you the success of
"THE MIKADO" opening yesterday.
This film grossed 3M times the
average receipts. Nothing but praise
for the picture was heard. It will be
a pleasure to anticipate its return in
August.

Many thanks to you for letting me
have it and thanks to Universal for
releasing it. Any house which fails
to exhibit this film does an injustice
to its clientele.

Respectfully,
(Signed) H. A. GRISWOLD
Manager



Not ishbone Product, but BACKBONE PRODUCT!



Every Single One of These Giant Attractions
Is Already Finished or Actually in Work!

You can't put 'schmoos' on the screen!
The facts—not the fancy talk—tell
you which company can bring you
the profit you deserve. So put it up
to the record! You'll be convinced
fairly and squarely that the institu-
tion *really* delivering, and *ready* to
continue to deliver more and bigger
profits than any other anywhere is
WARNER BROS.

DAUGHTERS COURAGEOUS

John Garfield, the 'Four Daughters'—Priscilla Lane, Rosemary Lane, Lola Lane and Gale Page—Claude Rains, Jeffrey Lynn, Fay Bainter, Donald Crisp, May Robson, Frank McHugh, Dick Foran

JUAREZ

Paul Muni, Bette Davis, Brian Aherne, John Garfield, Donald Crisp, Gale Sondergaard, Gilbert Roland

EACH DAWN I DIE

James Cagney, George Raft, Jane Bryan, George Bancroft

The OLD MAID

Bette Davis, Miriam Hopkins, George Brent

HELL'S KITCHEN

'Dead End' Kids, Ronald Reagan, Margaret Lindsay, Stanley Fields

ON YOUR TOES

Vera Zorina, Eddie Albert, James Gleason, Frank McHugh, Alan Hale. From the Rodgers and Hart stage hit

The LADY and the KNIGHT

Bette Davis, Errol Flynn, Olivia de Havilland, Vincent Price, Alan Hale, Donald Crisp

INDIANAPOLIS SPEEDWAY

Pat O'Brien, Ann Sheridan, John Payne, Gale Page, Frank McHugh

The ANGELS WASH THEIR FACES

'Dead End' Kids, Ann Sheridan, Ronald Reagan

DUST BE MY DESTINY

John Garfield, Priscilla Lane, Henry Armetta, Alan Hale, Billy Hallop, Bobby Jordan, Allen Jenkins, Charley Grapewin

WATERFRONT

Gloria Dickson, Dennis Morgan, Marie Wilson

CAREER MAN

Joel McCrea, Brenda Marshall, Jeffrey Lynn, Frank McHugh

NAUGHTY BUT NICE

Ann Sheridan, Dick Powell, Gale Page, Helen Broderick, Ronald Reagan, Allen Jenkins, Zasu Pitts, Maxie Rosenbloom

The Story of DR. EHRlich

Edward G. Robinson

The SEA HAWK

Errol Flynn

A CHILD IS BORN

Geraldine Fitzgerald, Jeffrey Lynn, Gladys George, Johnnie Davis, Gale Page

FOOTSTEPS in the DARK

Edward G. Robinson

The WORLD MOVES ON

James Cagney, Story by Mark Hellinger

ALL THIS, AND HEAVEN, TOO

From the best-seller sensation. Starring Bette Davis. George Brent heads tremendous support

The DEAD END KIDS at MILITARY SCHOOL

Put to Sea

(Continued from page 7)

| See sold 20 Mule Team to Metro.



LISTEN AMERICA!



CHIPPER "MR. CHIPS"!

Cincinnati joins the ranks of Dayton, Columbus and Cleveland to establish "Goodbye Mr. Chips" (Robert Donat, Greer Garson; directed by Sam Wood) as a sure-fire sensation everywhere! Watch the new openings nationwide! Imagine! The 5th week at the Astor, N.Y. tops the previous week!



"MAISIE" IS A DAISY!

This exploitation natural is a hot-weather box-office tonic! "MAISIE", the Explosive Blonde (Robert Young, Ann Sothorn; directed by Edwin L. Marin) is delighting audiences and exhibitors everywhere.



THAT "TARZAN" YELL!

From coast to coast showmen are doing their stuff and "TARZAN FINDS A SON" (Johnny Weissmuller, Maureen O'Sullivan; directed by Richard Thorpe) is topping all previous Tarzan hits.



LUCKY 7th HARDY HIT!

Flash from Huntington Park, Cal.: "Sensational preview of 'ANDY HARDY GETS SPRING FEVER', the lucky 7th Hardy hit. Ecstatic audience almost tore the house down." (Directed by W. S. Van Dyke, Jr.).



"ON BORROWED TIME" GREAT!

"ON BORROWED TIME" (Lionel Barrymore and big cast; directed by Harold Buequet) is the talk of the West Coast. The stage hit has become a screen triumph, one of the best produced by any studio this year!



LEAPING LEO!

He's in full stride and you ain't seen nothin' yet! "LADY OF THE TROPICS" (Robert Taylor, Hedy Lamarr; directed by Jack Conway); "THE WOMEN" (Norma Shearer, Joan Crawford, Rosalind Russell and All-Star Cast; directed by George Cukor); "BLACKMAIL" (Edward G. Robinson; directed by Henry C. Potter) and other BIG ONES on the way for June, July and August. Hold tight to that Lion's tail, friends!

BENNY GOES TO *his home* TOWN

• This coming Sunday night, June 25, Jack Benny, Paramount's "**Man About Town**" and Radio's No. 1 salesman, goes home to Waukegan, Illinois—Jack's birthplace. On the stage of the Genesee Theatre, Jack and his entire gang including Phil Harris and "Rochester," both in the picture, will sell "**Man About Town**" to the millions and millions of Benny fans over the big 97-station hook-up during the entire Benny air period.

• Following the broadcast, Jack's home-town folks will see the World Premiere of the biggest Benny picture, "**Man About Town**," starring Jack, Dorothy Lamour and Edward Arnold and including such marquee names as Binnie Barnes, Betty Grable, "Rochester" and Matty Malneck and his Orchestra. And right now, Waukegan is out to outdo Omaha in giving a Paramount picture a national exploitation send-off that will insure big grosses for you.

HEAR that home-town boy make good for you on Sunday Night, June 25

—NBC COAST TO COAST, RED NETWORK: E.D.T.—7:00—7:30; E.S.T.—6:00—6:30; C.D.T.—6:00—6:30; C.S.T.—5:00—5:30; C.S.T.—8:30—9:00; M.S.T.—7:30—8:00; P.S.T.—6:30—7:00. Consult your local newspaper for station.



Jack Benny • Dorothy Lamour • Edward Arnold
in "**MAN ABOUT TOWN**" with
Binnie Barnes • Phil Harris • Betty Grable • "Rochester"
Matty Malneck and His Orchestra

Directed by Mark Zandberg • Released by Paramount Pictures • A Paramount Picture

Republic Reclaims Detroit, Albany And Buff Exchanges; Theatre Moves

Franchise covering Detroit, Albany and Buffalo was turned back to Republic Pictures Corp. of New York last Thursday at 100 J. Edgar Hoover, president of Republic Distributing Corp. of New York. This makes five branch offices now directly operated by Rep. of N.Y. since the Los Angeles and San Francisco franchises were turned back recently.

Arthur Neuman, special representative in Albany was named to this post in anticipation of such victory, probably will be placed in charge of this branch. Sam Selwyn, manager at Detroit under the old setup, stays but Bernie Miller, Albany manager, is out. Jack Bellman, Republic's eastern district manager, has been placed temporarily in charge of both Buffalo and Albany.

Old franchise arrangement with Beretovitch, which had been in effect four years, was settled to mutual satisfaction.

For WB named camp director for Camp O'Connell, established for poor children of city, which will accommodate 200 youngsters when it is opened at Warrendale, Pa. Junior basketball team.

Ken Reeves appointed city manager for Warners in Morgantown, W. Va., succeeding Frank Roberts, resigned.

F-WC Reopens Glendale
Los Angeles, June 20. Fox-West Coast reopened Bard's theatre at the Glen in Glendale after complete remodeling. Circuit is also refurbishing the Valley View, North Hollywood, and the Glendale, Glendale.

Figures playhouse, long a downtown legit stand and later taken over for radio, goes a grind picture policy. Ben Peskey operates on 15c scale.

Cenklin Vice Levy
Hudson Falls, N. Y., June 20. Theron (Tox) Cenklin, associated with Schine in Lockport, now manager of Strand during the absence of Herbert S. Levy, who will go to Saranac Lake for his health.

Summers Upped
James D. Summers, supervisor of editors out of the N. Y. exchange for Warner Bros., named personnel manager for WB theatre zone in Chicago and Milwaukee. Moves to new local office, headquarters in Chicago.

Summer Openings
Milwaukee, June 20. Theatres opening with the influx of summer tourist trade are the Gem at Platteville, Wis.; Butterfield, Sheboygan, Wis.; Northern Lakes, Phelps, Wis., and the Hall on Washington Island, Wis.

Charles Nygaard now operating the Rex, Spring Green, Wis. Recent disturbances in the Wisconsin territory have included the Gwin at Gwin, Mich., the Pavilion at Dearborn, Wis., and the Isle at Minocqua, Wis.

The lease on the Lloyd's, Menominee, Wis., renewed for another 10

years by Martin D. Thomas of Iron Mountain, Mich. Thomas operates through a pooling arrangement with Fox-Wisconsin.

Stan Kohlberg has closed his Rex, Racine, Wis. He continues to manage the Granada, northside nabe.

Max Silverman, veteran Milwaukee showman, is new representative for Wisconsin and Upper Michigan territory for Filmtek Theater, Chicago. He succeeds Harlan Cross.

C. P. Sundberg plans remodeling and reopening of the Wisconsin at Spring Grove, Wis., which he recently took over.

Lincoln Zone's Changes
Lincoln, June 20. Charles Proctor, who sold his 500-seater, the Wahoo, to A. R. Mink, recently of Audubon, Mo., is in Strand, North Loup, taken up by I. Miller and L. Nelson, after operations for some time by W. B. Hall. In Fremont, the Mainstreet is being run by W. Blackburn, after deal with its builder, R. R. Booth.

Farnam, in Farnam, Neb., taken from Francis McNickle, and being run by Dean Reid.

George Campeau, former Jolly and R. R. Booth, has taken over the house to his operator, A. J. Jolly, and building new 250-seater in Omaha.

Orville Bennie, manager of A. H. Bunch, is taking over the Hastings, Neb., preparing to oversee the remodeling of the acer, Rivoli.

Ed Ninchy Upped
Ed Ninchy, with WB theatre department, assumed as assistant to Clayton Bond, head of film buyers for WB. Effective yesterday (Tues.).

McClendon Adds 2
Vivian, La., June 20. B. E. McClendon of Atlanta, Texas, has taken over control of both theatres here.

Midwest Standoff
Kutzuva, Pa., June 20. Borough council here did the film houses both bad and good turn at the same shed. They first banned Sunday films, then introduced an ordinance curtailing promotion of blingo, raffles, commercial card parties and other such "charity" making affairs.

They further measure set for passage now.

St. Louis Openings
St. Louis, June 20. Ne-Bond, 600-seater at Greenville, Ill., opened under management of the Frisina circuit. John Sturm is manager.

Florisant Airplane reopened under management of the St. Louis Amusement Co.

The Theatre Service Concessions co. of St. Louis has been incorporated by J. E. Patton, Mary E. Karty and Lawrence McMillan. Start with \$2,000 capital and is authorized to own and rent theatre accessories.

Construction will soon begin on the new Grand, an 800-seater, in Owensboro, Ky. Will cost \$50,000.

R. Vancey, Brookfield, Mo., will (Continued on page 32)

McDermott of Par, Cohn, Col, Top Netco Territory
Golfers who were good, indifferent, bad and plain lousy turned out, nearly 100 of 'em, for the tournament Wednesday (14) of Netco Theatre Corp., update N. Y. subsidiary of Paramount operated by George C. Walsh and Eugene Levy. The affair was held at Powellton Country club, Newburgh, with dinner and prize awards later at Ship Landen's Inn, Milton, N. Y.

Prize golfer was J. E. McDermott, a Paramount accountancy executive, who brought in a low gross of \$4 and got a radio for his fairway prowess. Runner-up was Nat Cohn, N. Y. branch manager for Columbia.

With handicaps restricted so that there could be no chiseling, the low net of 68 went to John Babson, society polo player who was invited by the Walsh-Levy duo as a guest. Right on top of Babson was Montague Gortworse. Par theatre exec, with a low net of 71.

Putting contest was won by Eddie Schmitzer, eastern district mgr. for WB, with Bert Sanford of Altie the runner-up, while Sam Braverman, supply man, took the prize for shooting nearest to the tee on a short hole. Driving contest went to Bernie Tarrant, N. Y. district manager, with a sock of 208 yards.

A total of 10 prizes were put up for the affair, eligibility being for

Linda Hayes, Alan Lane Preem in RKO Flicker

Hollywood, June 20. Linda Hayes and Alan Lane play their first leading roles in 'Conspiracy,' scheduled to start this week at RKO.

Studio recently signed the youngsters after they won the chess contest conducted by Jesse Lasky via the air show, 'Gateway to Hollywood.'

those in the 'kicker' at low nets of between 60 and 70, outside of prizes for low gross, etc.

Ben Flucke, Par attorney, knocked off the Vantier cup. Gortworse got a bridge table and chairs as host. Douglas Metter, son of 'Leon' Par, theatre department g. m., an electric roaster. Bob Weisman, managing director. N. Y. Par, a valise; Nat Cohn, a golf bag; Clint Lake, the Netco's manager cup for the second successive year; Bob Stanley, Netco auditor general, a set of woods; Harry Kalcheim, a lamp and Joe Lee, 200-Fox branch manager, in N. Y., a radio.

In addition to Netco managers and representatives, Paramount h. o. executives and a few guests, exchanges of both New York and Albany were represented at the tournament.

ERP creates world's most amazing Sound System!



THIS multi-valved marvel—installed in General Motors' exhibit at the New York World's Fair—is, in effect, 150 sound heads combined in one!

It delivers 150 different talks at one time to 600 moving chairs equipped with speakers. The 150 talks are so synchronized that spectators hear described the exact scene they are viewing in the 'Highways and Horizons' panorama.

In working out the many unique technical problems involved in this 20 ton sound unit, ERP found a new use for the principle "sound on film"—originally developed for use in talking pictures.

Through scientific research, ERP maintains its leadership in improving sound apparatus—for use in new fields as well as in pictures.

Electrical Research Products Inc.
A SUBSIDIARY OF
Western Electric

Banish "WASHROOM INFECTION"
Install **ONILWON TOWELS AND TISSUE**
ONILWON TOWELS AND TISSUE

New York Theatres
THERE'S A BETTER SHOW AT THE
THEATRE

BEGINNING FRIDAY, 9 A.M.
STRAND
Broadway & 47th St.
A WARNER BROS. HIT
'Daughters Courageous'
With the 'Four Daughters' Cast in Person
SAMMY KAYE
And His Orchestra

"STOLEN LIFE"
With ELISABETH BERGNER
UNITED ARTISTS
RIVOLI
Broadway at 53rd St.
Only One Show - MIDNITE SHOWS

7th Av. & 93rd St.
ROXY
ALL 25c TO 50c
BRATS
On the Stage - New Stage Show

RADIO CITY MUSIC HALL
"GOOD GIRLS GO TO PARIS"
Spectacular Stage Productions

HELP OVER
IN PERSON
Harry James
and His Orchestra
Extra Added Attraction!
A Paramount Picture
Jane Fonda

PARAMOUNT TIMES SQUARE

LOEW'S
Today on Screen
"EAST SIDE OF HEAVEN"
Benny FIELD, N.Y.C.
and Glee - Ted Dwyer

Capitol
Next Week
"TARZAN FINDS A SON"
Johnny Weissmuller
Maureen O'Sullivan
A Metro-Goldwyn-Mayer Picture

Artist
Continues from 12 A.M.
and 1:30 P.M.
ROBERT DONAT in MGM's
"Goodbye Mr. Chips"
with Greer Garson—End Month

Fire Destroyed Films; Sue De Luxe Lab for \$52,400

The Stone Film Library, Inc., filed a \$52,400 suit in N. Y. supreme court Wednesday (14) against De Luxe Laboratories, Inc., charging the retention by the defendants of 10 negatives belonging to Stone. It is alleged that the films were given the lab. in 1936 in order to manufacture prints.

It is charged that many were destroyed in the fire at the 30th Century-Fox plant in Little Ferry, N. J., in 1937.

\$250 Fire Damage
New Orleans, June 20. Calmed by the manager and others, 1,100 persons, including 600 children, marched out the Best theatre here Friday night (18) in orderly fashion when fire broke out in the projection booth. The manager, Ernest Schulman, mounted the stage and urged the patrons to remain quietly when fire and smoke issued from the room. Meanwhile the operator kept the blaze with fire extinguishers until firemen arrived.

Damage was estimated at \$250. The film was "Come and Get It".

Rebuilding Busted House
St. John, N. B., June 20. The Gaiety, Fredericton, N. B., recently destroyed by fire in the course of one of the biggest and most damaging blazes in the history of the town, will be rebuilt just as soon as the debris is cleared away, according to W. W. O. Fenety, proprietor and manager. It is the original Fenety theatre.

WACKY CIRCULARS

Lyons & Lyons Peddles Ed Byron Only to Discover He Sold Himself

Lyons & Lyons office found last week that it can't deliver the "Prosecuting Attorney" serial, even though it has a prospect in B.D.&O., because Lord & Thomas, in hiring the author of "Prosecuting Attorney" to direct "District Attorney," had him agree to shelve his own work while he worked on "D.A." The author-director around whom this curious situation revolves is Eddie Byron.

LAT had tried to sell "Prosecuting Attorney" to Pagodan, a summer substitute for Bob Hope and when the agency failed to get together with Franchot Tone it dropped its negotiations with the Lyons office for the purchase of "D.A." and made a deal for "District Attorney" with the Phillips Lord office. The next step was to hire the author of "Prosecuting Attorney" at the same time protect itself against having a show of similar type on the air.

Lyons & Lyons continued its efforts to obtain a sponsor for "Prosecuting Attorney" but when it finally got a call it learned that the copolitical clause in Byron's contract with L.T. The Lyons office was writing Burgess Meredith as the serial's star. Ed Byron is writing and directing "Way My Name" which set to go on the air July 5, when Fred Allen vacations his own "Town Hall" program. Goes into the spot left vacant by the Allen departure for the summer.

SERUTIN INTO MORE RADIO TOWNS SEPT. 11

Following a test in several markets in the last six months, Serutan has decided on an extensive radio campaign that represents three times its former output for the air. New serials starting Sept. 11, with several stations already scheduled to be added soon.

Serutan currently features Victor E. Lindlar, editor of the Journal of Living and authority on food and health. Now on three 30-minute programs weekly, Concord also will test a new type of musical program starting on WOR, N.Y. next month. On successful, show goes to other stations. Austin & Specter Co. represent Serutan.

THOSE GIFTED SALESMEN

Fry Whams Out an 84 While Ed Whams' reports are an 84.

NBC held its annual golf tournament at the Rockwood Country Club, Rockland, N. J., last Wednesday (14). George Fry, of the sales department, was the tournament winner with an 84. Ed Laaker, of Lord & Thomas, who did an 84, got the victory prize.

The consolation prize went to Billy Hilgott, of the NBC Artists Service, who scored 105.

Stoop Conquers RCA

Colonel Stoopnagle has been tagged as regular m.c. of RCA's Magic Key program which goes on a nightly schedule June 28.

Because of the program's test with 20th Century-Fox on the plugging of "Second Fiddle" for the initial night installment, Stoopnagle doesn't start until July 5.

Oebbecke's B.S.C.

Philadelphia, June 20. Martin W. Oebbecke, WIP assistant chief engineer, was given his Bachelor of Science in Commerce by the Wharton School of the University of Pennsylvania at the graduation exercises last week. He'll continue in the fishbowl, however.

Two new panelmen were also added to the staff. Ted Nicholas, Francesco, formerly of LSO, South Philadelphia, and Leroy Wolfe, of Philadelphia.

Quoting Himself

After putting the radio director of a major agency on the pan while ranged along the bar of a swanky bistro on the east side of town, a talent agent got consciousness-stricken and called up the agency once.

"Say," piped the agent, "I just had to tell you what terrible things they have been saying about you over here."

Wm. A. Brady Loses In Action to Stop Radio Use of 'Way Down East'

The Appellate division of the N. Y. supreme court Monday (19) upheld a decision of the supreme court and dissolved a \$250,000 damage action of William A. Brady against Blackett-Sample-Hummert, Bamberger Broadcasting Co., WOR, the Mutual Network and Charles H. Phillips Chemical Co. Brady was opening from an order of May 4 dismissing his action which claimed the plagiarism of his play "Way Down East."

He asserted he acquired the rights to the play in 1897 and produced it in 1900. He sold the picture rights to D. W. Griffith in 1921 for \$175,000, for a film starring Douglas Fairbanks and Ruth Barlow. The dialog rights went to 20th Century-Fox, for \$50,000, which he sold to the Phillips Chemical Co. In 1935 he claims to have licensed a radio performance for \$750.

The defendants put on a play with a similar title over WOR, and had advertised it in a manner to lead the public to believe it is the play to "Way Down East," is the claim. Damages of \$250,000, an injunction and an accounting of profits were sought.

The Appellate division, agreeing with the lower court, found that Brady's copyright had expired.

LUCKIES AFTER JOLSON FOR SATURDAY NITE

Lucky Strike is negotiating for the services of Al Johnson and Judy Grant in the account's 45-minute spot on CBS Saturday nights.

Show would originate from Hollywood.

Meet the Fence-Busters

Hartford, June 20. First step towards the organization of solid agencies among personnel of radio stations in Connecticut has been taken by the staff of WTTW, Hartford. George Monaghan, Dick Blackburn, and Joe Mathers. Substitutes are Al Cohen, Charles Meini, Howard Wassenberg, Gloria Delaney, Cedric Post, Paul Swirle and Douglas Keane. Regulars will make up the comprise entire male staff of station.

Markay manages.

NIGHTS BELONG TO WIP

Doug Hartley, gabber on WIBC, daytime kilowatt in Philly, started this week doubling after dark at WIP.

He replaces Howard Jones on the nightly two-hour recorded session, "C'mon and Dance."

AFTER 10 YRS. WEB GETS A GUARANTEE

Powel Crooley Works Out New Understanding With NBC—WSAI Alternate on Red but WLW Commits Itself for Specified Hours Every Week

WCKY SOLE BLUE

For the first time in their relationship WLW, Cincinnati, and NBC have signed a contract guaranteeing the network a definite number of hours per week. The deal, which has been in negotiation for two months, also reverses the local affiliation picture for NBC. WCKY becomes the exclusive Cincinnati outlet for the blue (WZL) line while WSAI shares the programs of the red (WEAF) network with WLW.

Agreement between NBC and WLW gives the former a regular network right-of-way. It's for five years and effective immediately. The arrangement gives NBC an unobstructed availability for network commercials that it has been trying to get from WLW for over 10 years. WLW is committed to relinquish certain periods on its morning afternoon and night schedule as they become free of present local or national spot-obligation, if and when the network has a client ready to take over.

Under the previous relationship WLW didn't have to yield anything to NBC. All three Cincy affiliates were available to either the blue clients. The matter of network rate for WLW remains the same, namely, \$1,000 per evening hour. The rate for WSAI is \$240 an hour.

WCKY is set to go to \$50,000 weekly. When it does Cincinnati will have two outside New York in which the two NBC links have top-powered outlets.

SHEFFIELD STARTS TWO

Isabel Hewson and Tom Healy in Local N. Y. Series

Isabel Manning Hewson, domestic economy expert, started her three times-a-weeker for Sheffield Farms on WEAF (9:30 a.m.) yesterday (Tuesday). Same account the day before (19) debuted Capt. Tim Healy's Stamp Club on this station with a daily schedule but at 6:30 p.m. N. W. Ayer is agency.

'Carters' Off for Heat

Chicago, June 20. Daytime script scrip shoot for Ovaltine, 'Carters of Elm Street,' will vacation starting Tuesday. Set return to the NBC red week in September. Through Blackett-Sample-Hummert agency here.

Public Liked Role, So Mary Mason Written In, Not Out, of 'Susan' Script

Morency Joins Johnson In Revamp at WTIC

Hartford, June 20. In a general change in the commercial department of WTIC effective tomorrow (Wednesday) Walter Johnson, former supervisor of local ads, becomes the station's sales manager.

James F. Clancy moves from business manager to sales promotion manager and Twini Cowper, moving from continuity editor to sales representative.

Advertisements made by G. M. Paul Morency.

Easy Aces, Who Never Meet Sponsor, Set for Two More Years with Anacin

There Was

Lenox R. Lohr, NBC pres., while meeting with a group of broadcasters recently, so lowered his tone of voice that some in the group complained that they could not hear him.

"Well," cracked Lohr, "I've got to go on the theory that there's a Varsity man under every carpet."

Summer Theatre Seeks Stage-Struck Locals in WGAN, Portland, Maine

Portland, Me., June 20.

Bela Blau, who has been a drama critic (Harrison) rural drama last season, pulled a new one in cowboys. The network last week bought time on WGAN, local CBS outlet, to attract stage-struck Jews and their parents. The play is a "talent contest" usual style.

Thrice-daily 100-word spot announcements invite hopefuls to call at station for auditions. Winners get a \$200 scholarship to the drama kindergarten. Previous radio-drama tieups in district had local stations sending lines into 'sheds' for interviews, skits, etc.

WCAU SET FOR 2 YEARS OF GEN. MILLS BASEBALL

Philadelphia, June 20.

Pact has been signed between WCAU and General Mills to continue airing baseball games for the next two years. Bill Dyer, gabber, was inched in for the same period.

GIM a month ago paid \$200,000, which the Phillies will receive exclusive air rights for five years. Similar deal, it is understood, is being talked over with the Athletics, who are being held by Atlantic Refining's attempts to continue its current exclusive, which expires at the end of the season.

Two sponsors now trade games, so that both air all of them. Atlantic is on WIP.

Dr. Stidger Wins Up

Dr. William L. Stidger, spieler on the better life for Fleischmann Yeast over the NBC blue, winds up his 1938-39 run June 26. He goes to a similar American hookup Oct. 2.

The series is also carried on the facilities of the Canadian Broadcasting Co. but whether he will be heard over the CBC next season is dubious. The Doctor's program, however, Health is demanding that the commercials on this show be submitted to it for approval.

Easy Aces have renewed for another two years with Blackett-Sample-Hummert, effective Aug. 1, for Anacin. The contract will take the comedy serial into its ninth year of network broadcasting and 10th year on the air. It's a straight covenant and does not allow for any vacations.

Goodman Ace, author-producer of the series, has yet to meet a sponsor. He has been on two years for Laveria, a year and a half for Jad Salts and four and a half years for Anacin and in all this time he has never become acquainted with the fellow whose product the act is supposed to be selling. Once in a great while he meets someone from the agency but it's not in the studio for the purpose of discussing his program.

The epicure is either accidental or social. Which lack of prudence is it? He has no time. Bought time on WGAN, local CBS outlet, to attract stage-struck Jews and their parents. The play is a "talent contest" usual style.

TEXAS RANGERS, KMBC ACT, STAYS IN H'WOOD

Kansas City, June 20.

Texas Rangers, singing cecetie of KMBC, remain in Hollywood on completion of shooting of Gene Autry's latest, "Colorado Sunset" in which they appear. Group is mulling several offers, but only definite one is for a Sunday night slot at Victor Hugo's. Being handled by Columbia Artists Bureau.

Singers are set for new CBS net starting to begin July 8 at 10:15 p.m. EDT. Program will feature screen personality not yet set as m.c. Arthur Chalk, KMBC proxy, who holds singers under contract, returned from Hollywood last week. Herb Kratoska, of the group, also returned temporarily with romance in his eyes.

Brush Creek Follies, originated from KMBC, continue on CBS Saturday as a sustainer in the niche formerly filled by the Texas Rangers. Follies now regular sustainer at 2:30 EDT midline.

Participating in filming cecetie of "The Radio Days" at St. Louis and East Loos for Job-In Radio.

Detroit, June 20.

Patt radio family staged a telephone hookup, covering about two-thirds of U. S., last Sunday (18) in connection with Father's Day.

Celebrating anniversary of 14th and last Pat, Fred, from Kansas University. Idea belongs to Jim Patt, special events man at WKRC, Cincy, who figured out the swell scheme.

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Inside Stuff—Radio

John L. Clark, E. J. Rosenberg and Waddill Catchings, as spokesmen for the North American Co., utilities committee, will huddle this week to determine how the block of stock in Transamerican Broadcasting & Television Corp., which had been acquired from WABC, will be split among the three. Elections in Transamerican will be held at the same time, with Catchings probably becoming chairman of the board. Clark will continue as president and Rosenberg as executive vice president. Deal with WB takes the film producers entirely out of Transamerica which is organized with Clark and Rosenberg in 1938. Warners held 65% of the stock with the remaining 35% split between Clark and Rosenberg. The North American, through Catchings, controls Musak, Inc., and Associated Music Publishers, Inc.

Supplementary analysis of the study in metropolitan station habits which Hooper-Holmes conducts for New York stations shows WNEW topping the popularity list of the town's indie outlets. The survey, which covered the period between 7 a.m. and 1 p.m., puts WNEW in third position, after WABC, WOR, WFAP and WJZ. WNEW's total share of listeners for the week's home hours was 10.4% of the whole. WJZ got 13.3%, WFAP 15.9%, WOR 17.5% and WABC 35.9%. WJZ figured 4.8% and WMCA 3.8%.

WFAP was credited with getting its biggest proportion of listeners with the five boroughs that comprises Greater New York. Its relative position was 60.9%. WOR figured next best with 58.5% of its listeners being within this area. After that it was 53.5% for WABC and 52.5% for WJZ.

The Appellate Division of the N. Y. supreme court Monday (18) upheld supreme court Justice Aaron Levy, and ordered the consolidation of the five stockholder actions against the Corp. of American Radio, American Telephone & Telegraph, Westinghouse Electric & Manufacturing Co., General Electric and the officers and directors of RCA.

Suit charges waste of management, the issuing of \$90,000,000 in preferred stock against \$1,000,000 of assets, and asks the appointment of a receiver for RCA, cancellation of contracts with American Telephone & Telegraph, and an accounting of damages.

The provisions of the Levy order which allowed Max D. Steuer to be trial counsel for the plaintiff, however, were struck out.

Supreme court Justice Ernest L. Hammer reserved decision last week on application of Ernest A. Arnold and Walter W. Free, doing business as Arnold & Free, to examine General Foods Corp., through Clarence F. Arnold, president, NBC, David Sarnoff, Lenox R. Lehr, George Engelen, Frank E. Mason, John F. Royal, Roy Wither, Benton & Bowles, Inc., C. B. Bowles, Albert Hober, T. B. Bates, Robert Luak, W. R. Baker and J. W. Hensler, before trial, in a libel action against the corporations for \$100,000.

It is alleged that on March 7, 1937, in a broadcast of a suit over station WABC Arnold & Free were portrayed as a "fly by night" outfit. The plaintiffs are dealers in securities.

Benton & Bowles has obtained six copies each of all data connected with the facsimile operations of the McClellan group's KFKB, Sacramento, for distribution among the agency's clients. It wants to keep the latter apprised of what's going on in that phase of broadcasting. Data includes copies of the station's facilities, newspaper, the Radio Age, news stories devoted to these broadcasts and Guy Hamilton's speech on approval to the recent convention of the American Newspaper Publishers Association. Hamilton is general manager of the McClellan papers and stations.

Final RCA Sunday afternoon Magic Key show was aired this week from the RCA plant in Camden, N. J. It was carried by municipally-owned WCAM, Camden, which is not generally on the air at that hour. Immediately following the new show there was a special broadcast from WCAM for the benefit of RCA employees and friends gathered at the plant. Program—which included announcement of prize winners in an RCA contest—was heard by the Coast Guard post nearby handled by Lew Fisher, gabber on the outlet. He also interviewed Ben Grauer, Magic Key speaker.

CBS is reported as likely to enter the wired radio field if and when the World Broadcasting System deal goes through. The firm that CBS is reputed to be interested in is Wire Broadcasting, Inc., which was recently chartered in Albany. Later the parent corporation for Tele-program and Tele-music, which service hotels, restaurants, etc. An executive of Electrical Research Products, Inc., Western Electric subsid, will soon become a member of the board of Wire Broadcasting.

President of Tele-Music is Walter Clarke, who was formerly with ERPI, while J. R. West is president of Tele-Programs.

The 28% that clients are required to pay NBC if they want to go off for the summer is retained in entirety by the network and is tantamount to a 28% discount on the cost of the program. NBC figures that the 28% serves to balance off its absorption of frequency discounts on the basis of paying off the network affiliates. Later collect strictly on the basis of gross rate, with the graduating scale being 20%, 30% and 37½%.

New World's Radio is giving backhome play from local commentators who are using the position of the network as a vacation playground. Interviews and comment transcribed on the Fair grounds are slipped back for airing over their stations with the whole thing having the air of a traveling correspondent's report.

Two such commentators that recently engaged in this phase of air correspondence were Florence Lehman, of WCCO, Minneapolis, and Bill Walter, WFE, Charlotte.

Application by Bamberger Broadcasting Service, Inc., Frank Singler, and the Consolidated Cigar Corp. for a license to operate a radio station from the supreme to the federal court in N. Y., by Eric Adman, revealed the suit Wednesday (14).

It is based on alleged defamation over WOR, on a program sponsored by the cigar corp. Plaintiff seeks \$150,000 damages.

Pure Oil's sponsorship of H. V. Kallenborn Sunday nights is limited to 35 stations in the midwest, even though the program is carried on an extensive cross-country hookup. The refiner has hardly any distribution in the east beyond Scranton. Partial underwriting of a program of this type is unusual with the refiners.

'Production and Direction of Radio Programs', by John Carille, production manager (on leave) of CBS, has just been published by Prentice-Hall (\$3.75). Volume runs to 400 pages. There is a preface by Robert J. La Follette of Vauxville.

Bob Durham and Bill Dillingham, formerly of Benton & Bowles, and J. R. West, Jr. are partners in the new advertising agency that has been bearing their name. They have four accounts as a starter. Each of the three partners is around 25 years of age.

RCA-NBC will not televise military maneuvers on Staten Island, in New York harbor this week. A radio at the World's Fair will supplant.

It was discovered the plans at Staten Island didn't handle 10-ton trucks in which RCA-NBC mobile apparatus is housed.

Four-Penny Hair Tonic Prospect for Fall Radio

Chicago, June 20.
Four-penny hair tonic made from two ounces of Wild Bread (Sherman K. Ellis, Inc.) and Lever Bros. (Rothman & Ryan). Latier's interest has been in the hair tonic and the film press (because of the hair tonic) will show up. In addition the NAB wants to make all documents registration list and a convention routine available generally.

WARD, LEVER EYE J. PENNER

Joe Penner is getting consideration from two agencies, Wild Bread (Sherman K. Ellis, Inc.) and Lever Bros. (Rothman & Ryan). Latier's interest has been in the hair tonic and the film press (because of the hair tonic) will show up. In addition the NAB wants to make all documents registration list and a convention routine available generally.

Wheeling Steel Amateurs In 'Hellsapoppin' Once; Gottlieb Arranged It

So-called Steele Sisters, harmony trio from the 'Musical Steelmakers' radio series, will have a spot in 'Hellsapoppin'. Olsen and Johnson revue at the Winter Garden, N. Y., for a single performance on Saturday night (24). Stunt was arranged by Lester Gottlieb, musical director of the radio show, at the local visit of the radio troupe to New York this weekend. Previous night's 'Hellsapoppin' show 50-strong.

CARLOS FRANCO BACK BUT TAKES IT EASY

Carlos Franco, station relations manager for Young & Rubicam, is back on the job after an absence of almost six months. He is back on part-time basis. He's coming in for a few hours a day until he has completely recuperated.

Francisco's ailment kept him confined to a specially constructed bed for four months.

Louisiana Lou In Fix

Des Moines, June 20.
Eva Germond Sunday nights on Louisiana Lou with WHO. Des Moines, for several years, has signed to do a Republic picture starring Roy Rogers.

Deal was handled by E. W. Kurtz, agent of the WLS Chicago Artists Bureau.

William L. Shriver, CBS' Central European representative, sails for the United States next week

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Looks Good for Transcriptions

Gulf, Coca-Cola, U. S. Tobacco and Sunbeam Encouraging Optimism

Johnston Heads KNX, Coast CBS Programs

Hollywood, June 20.
Rush Johnston has been named program director for KNX and Columbia Pacific network after serving two years as continuity director. He will work under Charles Vanda, recently appointed western program head for the network, with authority over all transcriptional originating west of Chicago.

Paul Pierce takes Johnston's old job.

R. M. Sampson's NWK TV, St. Louis, June 20.

Robert M. Sampson is now National Sales manager of KWK under V. E. Carmichael, general sales manager. Sampson joined station about a year ago as production manager in charge of all program production.

Will be able to do this.

Coughlin Pouring Money Into Radio But N. A. B. May Hammer Priest

Convention Asides

Will Hays will probably not appear at the NAB Atlantic City convention of the National Association of Broadcasters, July 10-12. Instead, Coughlin will be the chief attraction. He will give the broadcast a special on self-regulation, censorship and other problems common to the industries.

Joe Miller will be in charge of the press division to be established by the NAB in the Ambassador Hotel, Atlantic City. It is anticipated that more reporters from the lay press and the film press (because of the hair tonic) will show up. In addition the NAB wants to make all documents registration list and a convention routine available generally.

There are 350 hotel reservations to date and the delegation is expected to be extremely large because of Atlantic City's unique social opportunities and the easy proximity of the N. Y. World's Fair. Perhaps the largest crowd of broadcast writers in NAB history may show up.

Ranquet will be Wednesday night and there will be a clean-up session Thursday morning, both departures from tradition.

No particular strife is anticipated in adoption of the code with the possible exception of the issue on length of commercial copy on which point NBC and CBS are divided for once.

Father Coughlin may come in for some hatching over. This will be the first time a speaker at the convention will be a Catholic priest. The Royal Oak priest became a dilemma to stations. The code is expected to be adopted by a vote of 400-0. It will force him to choose, after Sept. 24 when it goes into effect, whether he is a religious or a controversial speaker. Privileges and restraints go with either classification but are not interchangeable.

Meetings held in New York Monday-Tuesday of this week in connection with the American Federation of America convention were regarded as a dress rehearsal for the meeting on Tuesday (20) to take over the general management of the Texas State Network.

Jack Adams in Texas

Fort Worth, June 20.
Jack Adams arrived here by auto Monday (19) to take over the general management of the Texas State Network.

Adams was until the end of May radio director of Erwin, Wasey & Co., New York.

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Chicago, June 20.
Father Coughlin has begun his most extensive and intensive radio schedule. He is signing contracts with stations for four periods daily and is understood planning to obtain time on as many stations as possible throughout the week. His appearances are 30 minutes and 15 minutes in length and are spread throughout a 24-hour stretch from morning to night.

Typical is schedule on WHIP here running from 8-8:30 a.m. noon to 12:15, 8-30 p.m., 8-30 p.m. Each of the periods are devoted to various other Coughlin interests, such as the Church of the Little Flower, the Social Justice organization and paper.

Indications are that these programs will devote themselves to discussions of the state of the nation from a political viewpoint rather than racial or religious. Shows that other Coughlin interests, such as the Church of the Little Flower, the Social Justice organization and paper.

Expenditures are figured to run into astronomical figures, even for the relatively low time rates on the part of stations accepting the Coughlin business.

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Costs are estimated to run an average of \$100,000 a week, with several stations running considerably higher on weekly rates.

Editorial Opinion Cause Only Part of N.A.B. Code Queried at N.Y. Powwow

Frank Mason, NBC v.p. in charge of press and shortwave, was the speaker at yesterday morning's (Tuesday) session in the Waldorf-Astoria hotel of the press hearing on the code that was the first of the industry, sponsored by the National Association of Broadcasters.

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Tina & Tim Set for Fall

Chicago, June 20.
Tina and Tim's children's show on platters and to turn in the fall for Columbia.

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Parental Comment On Kid Programs

(3rd Group of Cities)

With the present tabulations VARIETY adds to the survey made in 15 cities, of parental opinions on children's programs. The quotations of mothers continue illuminating, the place of radio in the average American home has been glimpsed in all the intimate importance the medium enjoys. The tendency of certain programs to draw a bad word-of-mouth has been notable, although with this must go a conviction that, in many cases, the women give hearsay evidence rather than evidence based on personal experience.

As for what the figures mean, if anything, in ultimate implications, that is a matter for debate. Club-women may, with some justice, hail them as, 'I told you so' evidence. Interested parties may tut-tut the findings.

It is said that the uproar is partly artificial, partly stirred up. This is probably so. On the other hand, the remarkable tendency of Catholics and Protestants, Easterners and Westerners, rich and poor, to reveal a critical attitude cannot be dismissed as invention. The kid programs definitely do not enjoy freedom from a substantial opposition. Such an opposition against any single night-time program would be of the utmost importance. With kid programs the many cries of 'wolf, wolf' may have induced an undertone of disbelief and hence of false security.

However visionary and perfectionist it may now sound to hard-bitten merchandisers, one conclusion seems inescapable: Radio and radio advertisers will not indefinitely be permitted to kid the kids. An etiquette of the permissible and the unpermissible is rapidly taking form. Radio will perhaps wisely take the initiative.

Next week with the final tabulations of the survey VARIETY will include comment from Neville Miller, Campbell Arnaux, Sam Rosenbaum, Mrs. Harold V. Mulligan, and others.

Philadelphia

PARENTS' OPINIONS OF PROGRAMS

(Listed as Appearing in Questionnaire)

	Approve	Dis-
	approve	approve
'Jack Armstrong'.....	54	26
'Lone Ranger'.....	74	30
'Dick Tracy'.....	48	47
'Green Hornet'.....	19	51
'Don Winslow of Navy'.....	52	23
'Little Orphan Annie'.....	14	26
'Howie Wing'.....	26	16
'Gang Busters'.....	20	34
Children Write to Programs.....	Yes	No
Parents' Purchases Influenced by Children.....	43	39

QUOTATIONS

'We liked 'One Man's Family,' which, until recently, was clean, but I hold my breath wondering what they will next say. Recently one of the characters even had her labor pains.'

(One girl, 13.)

'Allow all humorous programs where no harm can come.'

(Two girls, one boy.)

'Radio entertainment puts joy into the home.'

(Three children, over 10.)

'She wrote to Plain Bill for sewing basket, but received no answer. Also sent one dime for same.'

(Girl, over 10.)

'Radio is of considerable importance to my child. It influences his vocabulary, stirs his curiosity in all sorts of developments, even in current events. I feel that if a parent-educators group were to have some control in selection of children's programs we would have more appropriate and beneficial programs.'

(Boy, under 10.)

'The girl, who is ten, listens to 'Second Husband' which, for a child, is very undesirable.'

(Two girls, 10.)

'Heartily disapprove of 'Helen Trent' and 'Our Gal Sunday' and other such programs, as they give a dishonest and distorted view of life. The girl is interested in these.'

(Girl, over 10; boy, under 10.)

'They distinguish between reality and the world of make-believe.'

(Two children, 8, 4.)

'It made him difficult to manage when he was younger, since he copied the quick, rough manners of speaking on the radio.'

(Boy, over 10.)

'Gang Busters,' while not glorifying crime, gives too many ideas of how crimes are committed.'

(Two girls, over 10.)

'It takes the place of family conversation...should teach

more statesmanship...children think 'Gang Busters' okay, parents awful.'

(Boy, over 10.)

'My child ate, sleeps, dreams radio. If he had his way I should be sold all cereals, etc.'

(Boy, under 10.)

'I think all the serials with the exception of 'Singing Lady,' which is now discontinued, are far too exciting. They invariably deal with blood-curdling adventure, which is not at all good for a steady diet, day after day.'

(One girl, one boy.)

'Uncle Don's program is good influence to encourage my daughter to eat her dinner at night. Does not have a good appetite.'

(Girl, under 10.)

'We never know what will come out of our child's mouth when we introduce him to people. It may be 'hi, partner,' 'Scram' or 'hi, butch.'

(Boy, over 10.)

'The villain always gets caught, doesn't he?'

(Girl, 13; boy, 8.)

ADULT PROGRAMS TUNED IN BY CHILDREN

Jack Benny.....	27	Philharmonic.....	5
Charlie McCarthy.....	23	'Mr. Keen'.....	4
Lux.....	18	Johnson Family.....	4
'Good News'.....	14	'Hit Parade'.....	4
'Information, Please'.....	14	Fibber McGee.....	4
Eddie Cantor.....	10	Bob Hope.....	3
Professor Quiz.....	10	'Cavalade America'.....	3
'Second Husband'.....	9	Dick Powell.....	3
'Big Town'.....	7	Kate Smith.....	3
'We, The People'.....	6	Amos 'n' Andy.....	3
Fred Allen.....	6	Burns and Allen.....	3
Phil Spitalny.....	6	Scattered.....	44

Norwood, Ohio

PARENTS' OPINIONS OF PROGRAMS

(Listed as Appearing in Questionnaire)

	Approve	Dis-
	approve	approve
'Jack Armstrong'.....	50	4
'Lone Ranger'.....	64	0
'Dick Tracy'.....	40	6
'Green Hornet'.....	28	10
'Don Winslow of Navy'.....	54	6
'Little Orphan Annie'.....	40	12
'Howie Wing'.....	44	4
'Gang Busters'.....	28	22
Children Write to Programs.....	Yes	No
Parents' Purchases Influenced by Children.....	30	23

QUOTATIONS

'Children evince very little interest in the so-called children's programs. Occasionally they listen to 'The Lone Ranger,' but we do not permit such hair-raisers as 'Gang Busters.'

(Three, over 10.)

'Stories should leave out murder or gangster parts. Such as 'House Boat Hannu,' the children want to hear them, but it leaves them with horrible thoughts and bad dreams occasionally.'

(Two boys, 9, 6.)

'They insist I buy Chase & Sanborn, Lux, Drexel and Ivory soap.'

(Five children.)

'Everything else must wait until their program is over. Which I do not approve of.'

(One, over 10; one, under 10.)

'They do not like the advertising for the ball games.'

(Three boys, three girls.)

'Right usually prevails, but a great many are tiresome.'

(Boy, girl, over 10.)

ADULT SHOWS TUNED IN BY CHILDREN

Lux.....	12	Lum and Abner.....	4
'One Man's Family'.....	12	Phil Spitalny.....	4
Jack Benny.....	12	Bing Crosby.....	4
Charlie McCarthy.....	9	Burns and Allen.....	3
Major Bowes.....	9	Mad Hatterfield.....	3
'Good News'.....	7	Catholic Hour.....	2
'Life Can Be Beautiful'.....	7	'Big Town'.....	2
Fred Astaire.....	6	Red Seal.....	2
'Fibber McGee'.....	5	Scattered.....	28
Kay Kyser.....	4		

Bridgeport, Conn.

PARENTS' OPINIONS OF PROGRAMS

(Listed as Appearing in Questionnaire)

	Approve	Dis-
	approve	approve
'Jack Armstrong'.....	6	12
'Lone Ranger'.....	20	2
'Dick Tracy'.....	2	16
'Green Hornet'.....	4	12
'Don Winslow of Navy'.....	7	7

'Little Orphan Annie'.....	12	14
'Howie Wing'.....	4	12
'Gang Busters'.....	4	14
Children Write to Programs.....	Yes	No
Parents' Purchases Influenced by Children.....	10	16

QUOTATIONS

'It hinders learning to read and largely displaces reading for pleasure.'

(Boy, girl, under 10.)

'We allow the children to listen to children's educational programs, but keep them away from emotionally exciting programs, of which there are altogether too many on the air.'

(Two children.)

'Green Hornet' excellent, partly because of the music and partly because of the high quality of the acting.'

(Two boys, 11, 12.)

'John Gambling, 7:15-8 a.m., is the only one they seem interested in (adult program).'

(Boy, girl, under 10.)

'Jack Armstrong' is moronic.'

(Two boys, one girl.)

'I have asked my 14-year-old to leave the room several times when I thought the play on the air was too old for him.'

(Two boys, one girl.)

'Warp the imagination and breed disrespect. Seldom write—not over in two weeks.'

(Boy, girl, over 10.)

'Radio advertising is to me a bad influence on the children, as an announcer will practically condemn another product and give the child the impression only one product will make him strong and healthy.'

(Three girls, one boy.)

'My daughter says to me: 'I don't know why I listen to 'Jack Armstrong' because it scares me so much...'' Uncle Don very good.'

(Girl, under 10.)

ADULT SHOWS TUNED IN BY CHILDREN

Charlie McCarthy.....	10	'Good News'.....	3
Jack Benny.....	10	Tommy Rigger.....	3
Kate Smith.....	5	'One Man's Family'.....	3
Kay Kyser.....	5	Fred Allen.....	3
Phil Spitalny.....	4	Red Allen.....	3
Phil Baker.....	4	Scattered.....	14

Kansas City, Mo.

PARENTS' OPINIONS OF PROGRAMS

(Listed as Appearing in Questionnaire)

	Approve	Dis-
	approve	approve
'Jack Armstrong'.....	28	8
'Lone Ranger'.....	20	2
'Dick Tracy'.....	20	8
'Green Hornet'.....	4	8
'Don Winslow of Navy'.....	12	8
'Little Orphan Annie'.....	20	6
'Howie Wing'.....	12	6
'Gang Busters'.....	16	24
Children Write to Programs.....	Yes	No
Parents' Purchases Influenced by Children.....	10	10

QUOTATIONS

'Very little influence except to give the children something to look forward to each day. As parents we appreciate the various constructive ideas the children gain through listening...the children do ask for various merchandise advertised over the radio, but never tease nor beg.'

(One boy, one girl.)

'Most of the late afternoon stuff is absolutely out of keeping and certainly does not give a child the true picture of the game of life.'

(Two over 10, one under.)

'Almost every time an offer is made over the children's programs my child asks me to buy the advertised article. I usually get what he asks for. If it is a cereal he eats it up quickly so I'll get another box, and so another box top...ALL advertising rackets influencing children should be tabooed.'

(Boy, 10.)

'They go to neighbors to listen if denied the privilege at home. Or in someone's auto nearby.'

(Three children, 9, 6, 4.)

'The musical programs make up all our light-hearted and cheerful, thus creating home environment that is enjoyable.'

(One girl, under 10.)

'Very seldom. I think our announcers talk too long on most of the programs.'

(Three children, over 10.)

'Children do not (write to advertiser), but mother does.'

(Two girls, 8, 11.)

ADULT SHOWS TUNED IN BY CHILDREN

Lux.....	7	'Good News'.....	4
Kay Kyser.....	6	Scattered.....	42
Jack Benny.....	5		

Tribune as national ad manager.

Philo Claims Non-Convex Tube Dates Others; Also Asserts 'Ion Blemish' Fix

Philo sent its staff from Philadelphia to stage a television display in New York City last Thursday (15) afternoon. The locale was the American Women's Association, and the emphasis was upon two claimed improvements. First, the Philco cathode ray tube which is flat on the end and not, as with most sets, convex. Second, the Philco tube wears a patented collar that assertedly detects the electronic energy between the socket and the Varescent viewing surface thereby eliminating the 'ion blemish.'

Philo drew from both developments a claim that it was rendering previous and existing television equipment obsolete. Telegrams and messages sent newspapers in New York making this claim created a mild city desk sensation. Reports of the lay press were inclined to feel that the assertion that television was to be revamped so early in the present ballyhoo was pretty radical. Some of the latter proffered a suggestion that the Philco set in the Flat sets on the play. Chief Engineer Murray did not see the blemish (nor did the reporter) but stated that a camera burn, quite apart from the cathode ray tube proper, might show in the image. The 'ion blemish' (a brownish speck usually) is fairly common in television at present.

A portable transmitter was used in an adjoining room. This transmitter has been used already in 20 sets around the country. Philco has staged displays. Philco sets of various model types were brought from northern California, number one wave to the RCA number two wave to bring in, briefly, a sample of an industrial film then on the air for RCA dealer service.

Philo sets are front view (like DuMont) and range lower in price than RCA. The largest is a pretty cumbersome piece of furniture with all-wave radio contained within the cabinet in addition to the video apparatus. The flat surface did appear to add something to sharpness of definition. However, the sets were not subjected to a very vigorous workout.

The Philco engineer 'believed' that with a slight change to the Philco cathode ray tube could be made to work in sets of other companies.

Baker of Gen'l Electric Takes Cautious Position In Discussing Television

Schenectady, N. Y., June 20. Dr. W. R. G. Baker, manager of radio and television for General Electric, in a 12-minute talk at 8:30 p. m. during country's evening 'Science Forum' over WGY, seemed cautious in his predictions about the newest medium. He had other speakers, Baker, supervisor of technical construction undertaken for or by the station emphasized throughout his address that television 'will supplement radio; will not displace it.' Required the same degree of concentrated attention as motion picture. 'For most people, two hours of television about enough for one day or evening.'

Baker underlined the technical problems to be overcome before country-wide television could be expected. He harped on the present small size range of 'consistent reception.' Said nothing of the 13-mile reception which G.E. in public stories has gloriously admitted it achieved, and which New York, in a shack near its powerful transmitter station in Hibbsburg Mountains, back of Albany.

Colgate has put disc versions of its Ask-A-Bot program (CBS) on KOBH, Honolulu and KTRB, Honolulu.

N. Y. (NBC) Television

Wed., June 20.
12:00—Ray Show, scriptless, demonstrating the art of modeling famous hands; interviewed by June 20.
12:15—Film—Sun Valley; in the Hills of New Hampshire.
12:45—Ralph Dunbar and his Bell Singers.
12:55—Newscast.
4:00—Rodeo, World's Fair.
Thurs., June 21.
12:00—Fashion Show, with Betty Wright Jr., Anne Francine, debutante; Ann Miller, dancer; and Betty Durlingham, Vassar girl, modeling Kayser gloves, Dorothy Couture dresses, Sally Vetter, hats, Jockelyn and Trifari jewelry.
12:15—Film—The Mole (Travogue).
12:45—Film—The Mole (Travogue).
12:55—Newscast.
4:00—Martha Graham, Conrad Manager, caricature, rhumba orchestra from the Cuban Pavilion, World's Fair; Singin' Sam, and The Honeycomb, by Aaron Hoffman.
Fri., June 22.
About 5 p. m.—Docking of the new Cunard liner Mauritania.
12:00—Katie Couric, arranged by Paul Milton, Emily Genuer, art critic of the New York World-Telegram, Fred Cook, introducing a new song.
Sat., June 23.
12:00—Katie Couric.
12:15—Film—Sicilian Spring; Chance to Lose; A Film in Vienna.
12:55—Newscast.
4:00—Women's Swimming Association, Champs, by the University of California, with Elizabeth Ryan, Gloria Weeks, Helen Rains, Lorraine Fischer, Karl Karson, others.

Radio Manufacturers Say Television Is Far Away As Toy for Millions

Chicago, June 20. Flat-footed statement that current belief television is just around the corner practically everywhere was made here last week by A. S. Wells at the convention of the Radio Manufacturers Association.

RMA members had been bombarded from so many sides on the question of television by the Association felt compelled to clear up the situation by making a general announcement that, as far as the RMA is concerned, television for the millions is still far ahead in the future.

This statement was made despite the fact that members of the RMA were practically unanimous in their views being turned out in this country. RMA admits that those living in the country are getting television to some extent, but feels that it will be a long time before the rest of the country will get similar service.

Wells, for the RMA, explained the present practical limits of television, which means that other metropolitan areas, with buildings shorter than those available in New York will get television service in smaller areas.

RMA wants the public to know particularly that television is strictly in the experimental stage and that it is not widespread.

Wells said that the present most stations from even attempting television experimentation for some time.

Helps Out Daddy Sleek
Florence Denham, warbler on Jack Steck's daily 'Jambores' show at WFIL, Philly, out after a tonsil operation.

Steck's daughter, Jacqueline, who was graduated from Notre Dame Academy last week, is nibbling.

TELEVISION FOR THEATRES

Press Preview in Gaumont British Projection Room Sees RCA-NBC Regular Transmission Picked Up, Magnified to 12 x 9 Feet

IMPRESSIVE

By BOB LANDREY
Television ballyhoo in New York City last week panned its spotlight away from RCA-NBC and swung over for some close-ups of General Electric, Philco and Baird of England. Each had something to say to the press and something to show. G.E. has a television receiver ready for the retail market and to sell for around \$800, and it has a screen so far. Philco demonstrated its flat-end glass cathode ray tube (see separate story) and finally, on Friday (16) evening, Baird revealed his large screen theatre-type television, the set was shown in a room of the week's most significant and respect-commanding demonstration.

At the Gaumont British projection room at present is 15 feet by 20 feet. This contrasts with inches in home use. Because of the small-sized projection room used in the N. Y. offices of Gaumont British at 1,600 Broadway, the actual demonstration occupied a screen 12x9 feet. For purposes of contrast it was nice recording the screen sizes of three New York theatres:

Music Hall.....28x33
Rialto.....18x22
The program received over the air was the regular Friday night RCA-NBC program running from 8:30 to 9:30 p. m. The Baird apparatus was set up some 24 feet in front of the screen. It contained a cathode ray receiver housed in a huge metal box. A magnifying lens in front of the tube threw the image larger than life-size. All of this is accomplished by the use of seemingly fabulous and intricate machinery. The apparatus which is rectified in special apparatus carefully protected with all sorts of safety latches, etc. Electrical plant enclosed in cages, was in the next room. It steps up the ordinary home television tube, already around 50,000 volts in the United States.

For Churches, Schools, Etc.
In theatres the Baird apparatus has been the music pit or the front rows of the orchestra seat section. In J. J. Javal, Baird expressed the view that theatre television was a minor because he saw church and other public places eventually embrace. He favors the phrase 'large screen television' as more apt.

The Baird company is now altogether out of program transmission. Gainers that lighting used in mechanical scanning system it ran second best when British Broadcasting Co.

Use of motion picture film in television programs will play an important part in forthcoming programs, despite contention of RCA-NBC that the use of pictures is not sufficiently strong to meet technical requirements of the new medium. Both RCA-NBC and CBS are known to be compiling extensive lists of available shorts and feature films. RCA-NBC is delving through the old Pathe film library for suitable subjects. Shorts will be used more than feature pictures because of the ease with which they can be made in more easily

London, Accustomed to Big Screen, Sounds Bearish Note as Baird Reveals Its Wares in New York

Tele Tour Bullish

Although the out-of-town influx of visitors did not show up in anything like the number anticipated, the month of May was the largest gross business day in the history of National Broadcasting Co. studio tours. It failed to measure up to previous May for the period the radio studio tour, but increased popularity of the television studio tour swelled the total to this record.

NBC did not have the tele tour last May.

experimented with both the Baird (British) scanning and the EMI (American) participation in RCA-NBC electronic systems for a time. Baird is now specializing in reception and particularly in large screen development. Some 20 theatres of Gaumont British, Baird's ally, will be equipped in the London area by the end of 1939, it is stated.

Surprisingly Sharp
Friday's demonstration on a basis of quality was definitely impressive. The images had a pronounced yellowish tone and there were some minor flaws of flicker and shadow, but for the most part the clarity was surprisingly sharp. Probably an initial test was provided by RCA-NBC. Baird club mimic, who impersonated without props a gentling a 'Peanut butter and jelly' song was clear and the act got over in full sublimity. That has, until now, never happened within the experience of this observer, which takes in regular or special viewings of RCA, EMI, (in England) Philco, Farnsworth G.E. DuMont and the old Sanabria.

Leaving aside all speculative questions of just how much of how little the Baird development means in America at this time with the present schedule of programs confined to RCA-NBC alone (and CBS and DuMont-Demonstration uncertain future starters), the report on the premiere presentation is that Baird seems to have something.

(Individual items of the Friday program are reviewed separately.)

LOHR FEEDS ASCAP

Then Gives Them a Glance at RCA-NBC Television

Before undertaking to work out a formal agreement on television, a committee from the American Society of Composers, Authors and Publishers will this afternoon (Wednesday) take a look at the medium. The LOHR has invited the group over for lunch, preliminary to their watching a television broadcast of the program.

Committee consists of Gene Buck, John G. Payne, E. C. Mills and Louis Frohlich, of ASCAP counsel.

\$10 Per Short Best RCA-NBC Will Pay And Film Men Think That's Funny

Use of motion picture film in television programs will play an important part in forthcoming programs, despite contention of RCA-NBC that the use of pictures is not sufficiently strong to meet technical requirements of the new medium. Both RCA-NBC and CBS are known to be compiling extensive lists of available shorts and feature films. RCA-NBC is delving through the old Pathe film library for suitable subjects. Shorts will be used more than feature pictures because of the ease with which they can be made in more easily

London, June 20. Baird's large screen television for the first time, insiders in London are somewhat pessimistic of the immediacy or significance. The new air has a way of spurring ahead, but testing momentum. In the case of large screen television for which so much was anticipated a year ago on this side the failure to go ahead more rapidly has engendered skepticism.

Summer of 1938 saw one active theatre installation by Baird, at the Theatre, with another ready at Marble Arch. Baird has just three New Baird has just three cinemas equipped and Sophony two, although one of the latter is still the pocket size equipment demonstrated long ago.

Many reasons are claimed by the manufacturers for the halting development of their dream children. Baird, anxious to test for non-failure of plans to equip 12 Gaumont-Baird theatres for the Derby, maintaining the desire to have more demands on their production resources and that all new plants are being built for the purpose of impressing the U.S.A. with the magnitude of British progress in the new field. Baird's industry insists they are held up by shortage of supplies for the government armament plans and that the war is bogging all the available materials.

Sophony's New Capital
Many reasons are claimed by the manufacturers for the halting development of their dream children. Baird, anxious to test for non-failure of plans to equip 12 Gaumont-Baird theatres for the Derby, maintaining the desire to have more demands on their production resources and that all new plants are being built for the purpose of impressing the U.S.A. with the magnitude of British progress in the new field. Baird's industry insists they are held up by shortage of supplies for the government armament plans and that the war is bogging all the available materials.

Lagging progress of Baird is ascribed to much the same cause, that of shortage of supplies for the government armament plans as regards income, as Baird home receivers are finding a ready market. The organization of the approach nearer to being self-supporting.

View over here is that promoters have been hasty in jumping in with big screen, and that several more years could favorably have been allowed to elapse. Systems were put into public consumption long before plans had been fully laid for providing them with telecast programs, and there's no clear indication yet that situation will be satisfactorily ironed out. Also novelty angle of the entertainment failed to arouse more than a half-hearted interest from the public, and even the recent Derby didn't call out the best.

Significant that John Maxwell, whose Associated British circuit is the biggest in the Empire, and whose country, has as yet revealed little excitement over the situation. Oscar Rejlander, who has installed over 200 and more Odeons—but he hasn't put any time limit on the task.

Attitude of exhibitors is curious. Some sections dicker with the thought of encouraging television as a means of giving them a handle in their bargainings with the distributor, but more are taking a wait-and-see attitude, and still others, including most of those who claim to be the biggest, are waiting for the fizzle within six months. General line of thought may be clarified, though, by the fact that exhibitors A.S.A. annual convention discusses the subject at Blackpool this month (26-29).

Fergie as Sales Rep

R. L. (Pergie) Ferguson is opening his own service rep office in New York as eastern manager of Western Walker, Chicago rep organization.

On the Walker list are WHB, Pittsburgh, WCAE, Cincinnati, WABC, Quincy, Ill., and KOAM, Pittsburgh, Kan.

Celestial illustration by J. F. Horvath, reproduced from "Mathematics for the Million", by Lancelot Hogben, F.R.S., by permission of the publishers, W. W. Norton & Co., Inc.



THE GREATEST "RUNNING START" IN COLUMBIA'S HISTORY!

The first five months of 1939 broke *all* previous records for CBS volume of advertising!

The month of May was the *biggest single month* in CBS history; bigger than any competing network's.

And this summer CBS clients will use over 60% more CBS facilities than last year!

That's a "running start" into the Fall and Winter which means something! For Summer as it concerns Winter is important in radio. Summer habits of listening ease into Winter habits without a break! And *this* Summer, people are increasing their habit of listening to Columbia stations to a greater degree than ever before in Columbia's brilliant history!

THE COLUMBIA BROADCASTING SYSTEM

CBS SUMMER 1939 ADVERTISERS

- ***** AMERICAN HOME PRODUCTS
- * AMERICAN OIL
- ***** AMERICAN TOBACCO
- ** BEEFICIAL MVT.
- * BOWERY INC.
- ** BROWN & WILLIAMSON
- * CANADIAN CORP.
- ***** CAMPBELL SOUP
- *** CHRYSLER SALES CORP.
- ***** COLGATE-PALMOLIVE-PEET
- ***** CONFIDENTIAL BAKING
- ***** CUNARD PACIFIC
- * DART MFG. CO.
- * EVELL GARGOLINE
- * EUGLES GARNT
- ***** FORD MOTOR
- ** GENERAL FOODS
- ** GRIFFIN MFG.
- ***** GULF PETTING
- ** HAWAIIAN FIREAPPLE
- ** O. A. NORME
- *** HOUSEHOLD FINANCE
- *** INTERNATIONAL CIGARETTE
- * KNOX GELATINE
- ***** LADY BETTER
- ***** LAMBERT
- ***** LIVER RDS.
- ***** LUCRET & MYERS
- ***** PHILIP MORRIS
- * RICE INC.
- * OLD TRUSTY DOG FOOD
- ***** PET MILK SALES CORP.
- ***** PROCTER & GAMBLE
- * PRUDENTIAL INSURANCE
- * FINE CH. CO.
- ***** R. J. REYNOLDS
- ***** RIO GRANDE CUL. CO.
- * S. & W. FINE FOODS
- ***** SEALTEST, INC.
- ***** STERILINO PRODUCTS
- * U. S. RUBBER PRODUCTS
- ***** T. C. TOBACCO CO.
- ** JOHN H. WOODBRY
- ***** WILLIAM WHEATLEY JR.

Each star (*) represents one summer on CBS

Spot Campaigns

(New, Renewed or Pending)

Hind's Honey & Almond Cream (hand lotion) will be plugged 16 times weekly for 13 weeks, starting June 15 on KFSO, San Francisco. William Eddy agency, New York, handled.

Clare-Cat Dairy (dairy products), through Fletcher Udal & Associates, participating twice weekly in Elma Latta Tackett's "Friendly Home-maker" programs over KFSO, San Francisco.

Johnson, Carrell & Murphy, Los Angeles (Kellogg's "Art Paste"), through William A. Ingoldby Co., is sponsoring three live announcements weekly on KGO, San Francisco, through Aug. 12.

Schnull & Co., wholesale grocery

company of Indianapolis, interest in the 500-mile race to be run here May 30, by sponsoring a series of race programs over radio station WFBM.

Four 15-minute programs used weekly, giving dope on race drivers and cars.

Firm also arranged with speedway officials to admit one child when accompanied by adult. Admission is on condition to the qualification trials on presentation of a label from Phoenix City, Indiana, and a ticket, good for four days prior to race date, and actual cash value of label is 25c price of moppel tickets.

Duart Manufacturing Co. (Creme de Milk cosmetics) has replaced its "Problem Clinic" broadcasts with "Tom Breneman's Spelling Bee-Liner" Sundays from 7 to 7:30 p.m. PST, with KFSO, San Francisco, originating the program for CBS stations in N.Y., Hollywood, KAMM, Fresno.

Cal: KOIN, Portland; KIRO, Seattle; KKI, Tacoma, and KPZY, Stockton, Calif., Wasey Co., San Francisco, handles the account, with Howard Williams as account exec. "Bluebird" was aired at a sustaining feature for three weeks.

RCA Manufacturing Co., Camden, N. J. (records, radio sets, etc.), is bankrolling Will Aubrey's "Musical Clock" programs on KGO, San Francisco, six half hours weekly for one year. Victor and Bluebird dance records supply the music.

Stork pler has signed for another year on KFSO, San Francisco. Will increase its schedule, however, from 11 sessions weekly at 15 minutes a pop, to 15 periods weekly.

"Universal Music", new 15-minute show to be aired three times weekly, started on the Michigan Network on Monday (12) for the Universal City Club. Features "Purple Pages" from Detroit Motown, Wednesdays and Fridays at 7 p.m. N. W. Ayer agency on the account.

From the Production Centers

IN NEW YORK CITY...

Welcome Lewis did her WIN sign quiz before Lowe's State audience when guessing for Dinty Doyle... it went over big stuff, but not an agent or booker was in the house... Dick McKnight last writing for Doc Rockwell directed a quiz to help Hanson Sherwood win the Scripps radio prize. Shredded Wheat served Lowell Thomas last night and will serve Floyd Gibbons next Tuesday...

Ed Sullivan, N. Y. News columnist in Hollywood, has waxed a new Lyons program idea of behind-the-scenes stuff in the film capital... San Lyons is peddling in the east... Frank Black denier his resigning as NBC musical director... "It's heard the rumor"... in fact, he says he hears it every seven weeks.

Jack Johnstone, writer of the Buck Rogers serial, has contracted to supply material for 39 transmissions of the Rogers story for use in the show of the Lowe Co.; users not yet designated. They'll be cut in July for September release... Al and Lee Reiser give a party June 22 following for the first year on the commercial... Merle Pitt swing quarter has new five-time weekly commercial for Watchung Lake, N. J., summer resort, on WWSW, N.Y., at 7:15 p.m.

Michael Davidson, writer with Charles C. Speer on the Ripley program, has adapted a play, "Chocolate," from a Russian spy story. It may be tested at Hedgerow theatre this summer. He's also scripting a series of shorts to be produced by 20th Century-Fox in the east next month... Speer is writing the NAB institutional series to be recorded by World... Joseph C. Schrank is auditioning a radio series through Music Corp. for a pair of name light comedians... John Steele, Mutual's European rep, arriving in New York Friday (23) on the Mauretania's maiden voyage... Erskine Caldwell and Dawn Powell will guest next Monday (28) on the "Author," author program over WOR-Motown.

IN HOLLYWOOD...

Thomas Freebairn-Smith, Columbia's cricket-playing producer, handling last two broadcasts of Eddie Robinson's "Big Town"... Artie Shaw will stick around with his summer Old Gold series... that picture deal clicks... Robert Benchley will finally get around to the job he likes to do, that of covering the dramatic front for the New Yorker. Reports have it that he has \$300 on the job when he could be earning \$2,000... Uncle Sam takes the rap there... Lord & Thomas radio staff scattering hither and yon, with all the agency's programs receding for the hot spell... Jack Rungin has left Lord & Thomas for a whirl at independent production. He was with the agency 14 years and handled the radio department for many years... Wolfe Kaufman having his air script, "The Magic Waller," dramatized by Frank Morgan on "Good News"... Matty Malneck will get a second network spot for Pall Mall if suitable time is kicking around... American Tobacco's Geo. Washington Hill is reported sold on the new novelty singing crew...

NBC gang back-patting themselves for having 80 English film actors on the air for a royal salute without once having to mention a studio or movie credit. Radie Harris and Buddy Twiss landed the show and taking the deepest curtsies... Chase & Sanborn program will pick up Edgar Bergen from New York July 9; He'll Faking Chances for a look at the Fair exhibit... New Maxwell House shows will have Fanny Brice and Meredith Wilson from the present engagement. The mebbe's are Connie Boswell and Frank Morgan... Fall series starts Sept. 4... Phil Farnsworth commentary on KFI. "This is My Slant" he calls it... Cliff Edwards strutting and humming on KJHE three times a week... Hal Block spreading NBC good-will along the Coast... U. S. television is at least two years behind the English band, according to Sydney Mosely, who pioneered Baird visual wireless abroad. He's here (second visit) assembling material for a book he'll do on Hollywood.

WBNO's Dance Skeed

New Orleans, June 20.

As result of tremendous mail response received about a month ago to their two-hour, mid-night to 2 a.m. Jax Beer Dancing party, WBNO is certain of dancing audience at night, and have arranged for music straight through from 9:30 until 2 a.m.

The two-one-half hours before midnight will be furnished by eight remote picture stations at 15 spots, and the two hours in the morning will come as usual from the specially licensed recorded library Clark Alexander, dance party conductor has created.

Connie Johnson III

Lincoln, June 20.

Connie Johnson, wife of KFBF sports broadcaster Harry Johnson, and herself a broadcaster, operated on twice in the last month. Got two blood transfusions last week.

Poor Congressional Accommodations

NBC Controls One Phone—Washbut at One End of Room—Press Meanwhile Lounges in Elegance

Washington, June 20.

Three national week-CBS, NBC and MBS—have assigned a total of 10 radio commentators to a job of covering the national capital, with Transradio Press offering names of radio commentators to the Capitol asking for three tickets to the Big Tent, and Montana Network and Yankee Network requesting one correspondent each. Understood, however, that some plucking may occur before official list is made up.

Competitors of the well-plucked news scribblers have advanced to a point where they have their own press room in the house end of the Capitol. Senate accommodations sit under discussion, with radio men disturbed at the possibility that they may get a poke-hole where egress and ingress may be impeded by Leslie Biffie, majority secretary in the senate, whose office adjoints, and females using ladies' lavatories which connects with the quarters under consideration.

House, a. g. for the radio press is set up behind two public elevators—with not much room left to take the 20 aspirants. Representing a hurry-up job, radio scribblers are bedded down in a narrow, slightly cramped space which forms a passageway for washing of Capitol maps by charwomen.

Only a partition of flimsy wood cuts off the radio press gallery from gabbling visitors in the corridors. Solitary phone (belonging to NBC) sits on the floor, and furniture is not available until July 1—the date when taxpayers money is available and shifts can be made for Capitol Laundry tub (formerly used for mow washing) adorns one end of the press room and ladders are installed at each side for possible emergency to the elevators. Boys are hoping for the installation of some comfortable chairs, typewriter and phone booth. The radio men, with some optimists believing that the press room will be given a dressing of coat of white paint, air-conditioning before the next session of Congress convenes.

One of the new radio gallery is Robert Menough, red-headed Irishman, who for several years has been a "go-between" watch-dog of the Democratic lobby. Menough, who knows each of the 435 house members by name, is anticipating the appointment of an assistant by the standing committee of the radio gallery.

Possibility that the radio gang may be moved into more capacious quarters faded with the news that the senate side of the Capitol may provide even more restricted quarters. Some ground gained, however, when a small gate was provided in the house chamber to keep gawking tourists from trampling the radio section of the public gallery under foot.

Superior

Newsmen are still flaunting their superior privileges (fair-credit, telegraph rooms, and a large, marble-finished room for the gallery) before the newcomers. Somewhat shocked, however, by the presence of two members of the N. Y. Herald Tribune's Washington bureau, and Fulmer, Jr., Universal Service, who are vice-president and press, respectively, of the new radio standing committee.

Members of the newly-founded Radio Correspondents' Association are as follows: For National Broadcasting's two Washington outlets, WMAK and WRC, William R. McManus, Charles Smith, Charles Barry, H. R. Baskin, Tom Knoder, Rex Lampman and Earl Godwin. William R. Cox (exclusively WMAK), Columbia Broadcasting System (WWSW), Robert T. Warner, Willis Gillis, James Harbut, William Slocum and John Charles Lewis, for the American Broadcasting System (WOL): Fulton Lewis Jr., Stephen

McCormick, Frank Blair and Walter Compton.

Transradio Press: Mason Reed, Fred Harnon, Fred Morrison, Gertrude Chestnut, Edwin A. Kampmann, and Tom W. Davis.

Radio News Association presented three aspirants—John Reed, Howard Lampan and Harvey Rosenthal. Montana Network contributed Ed Cooper, with Yankee Network offering Francis Tully—first-out of town radio correspondent to register.

Wayne Welch, sales promotion manager for KGO-KRNT, Des Moines, has started a house organ entitled "Old Toes" to be printed monthly and distributed to business firms in town.

TO COVER GREAT BRITAIN YOU MUST USE
RADIO NORMANDY
Full Particulars of Air Time & Conditions of Sale
INTERNATIONAL BROADCASTING COMPANY LTD.
25 PORTLAND PLACE, LONDON, E.C.1

JOSEPH RINES
And His
ORCHESTRA
Hotel St. Regis
Venezian Roof
2nd Consecutive Year
NBC-THREE WEEKLY
WM. MORRIS AGENCY

NAN WYNN
ON
"TIME TO SHINE"
Tuesdays 10 P.M. EST.
CBS Network
Mgt.: Columbia Artists, Inc.

Allen Prescott's "DON'T FORGET" is attracting deserved attention. He is deft Master of Ceremonies.
DINTY DOYLE
New York Journal-American.
"DON'T FORGET"
ALLEN PRESCOTT
Fridays, 8:30-9 P.M., WJZ

WBAL
means business
in Baltimore

TOMMY LYMAN

AT THE AIR COOLED "HEDGES"

6 East 48th Street, Off 65th Avenue, New York

Special Material and Chatter by Mitt Francis

Leadership

A January, 1939, listener survey revealed that WJW led the other three network stations in Detroit by

65% 18% 20%

Such leadership merits the most careful consideration of advertisers in the Detroit market.

WJW
Owned and Operated by
The Detroit News

Represented Nationally by
Geo. P. Hollingsbury Co.
New York Chicago Detroit
Kaiser City San Francisco Atlanta

HILDEGARDE

RADIO

BOB RIPLEY'S
"BELIEVE IT OR NOT"

Fridays at 10:30 P.M.
E.D.S.T.—CBS

Per. Mgr.—ANNA SOSENKO
Ed. Rep.—JACK BERTELL

IN BALTIMORE
IT'S

WJW

NATIONAL REPRESENTATIVES
EDWARD PETER & CO.

ON THE NBC RED NETWORK

THE O'NEALS

By JANE WEST

Now RADIO'S MOST POPULAR

FAMILY BRINGS YOU MORE

LAUGHTER TEARS AND HEART-THROBS

Presented by Vicky Soap - 99% in 1 piece

LISTEN TWICE DAILY
NBC Red Network, 12:15 to 12:30 P.M. EDT
CBS - WABC - 2:15 to 2:30 P.M. EDT

IN A...

COAST TO COAST

By COMPTON ADVERTISING AGENCY
MGT. ED WOLF—RKO BLDG., NEW YORK CITY

WE NEWS MAY CRIMP LOCAL

RALEIGH ON CBS 6 NIGHTS A WEEK

Network Schedule of 11 p.m.
News Flasher Seen Affecting
Many Local Situations
After Next November

SULLIVAN SET

Another important local package feature, the late evening news broadcast, looks doomed for elimination in many eastern and midwest spots this fall when Brown & Williams debuts Paul Sullivan on a CBS cross-country hookup. Through B.B.D.&C. the tobacco company is buying the 11-11:15 p.m. period six days a week for the airing of straight news bulletins. Series is slated to start around Nov. 1, and will plug Raleigh cigarettes. Probably 50 or more stations.

The latest B&W splash will probably provide the final twist for one of radio's most curious evolutions, at least as far as many stations in the midwest are concerned. With the development of news as a standard article of broadcasting, there developed four surefire sales packages for local disposal. They were the news periods that came around breakfast time, luncheon time, dinner time, and late evening.

In due time NBC and Columbia sold so many morning and afternoon strip programs that the affiliates, particularly those in the midwest, were compelled to eliminate the breakfast and luncheon news periods as local commodities. Where the network has no exempt time arrangement with local affiliates the dinner time newscast has also gone by the wayside because of commercial hookup commitments. The whole trend has resulted in the wiping out of a program-type potentially worth hundreds of thousands of dollars to local outlets. Another perilous angle to this situation is the future of the news service trunk line. It is questioned whether stations will be agreeable to maintaining this expensive service just to be covered for sustaining bulletins.

Sullivan, who got his major start at WLW, Cincinnati, has been at WEAZ, Louisville, for the past several months and under the grooming eye of B&W, whose main plant is in the latter city. The last time that CBS aired a commercial news program (General Mills) across the country was in 1935 when it maintained its own news collecting service. As a result of the pact with newspaper publishers and the establishment of the Press-Radio Bureau the network dropped its own setup and called off the newscasting contract with General Mills.

Schmidt's Breuting Co. is bankrolling over WWJ, Detroit, a nightly broadcast of the top race at Detroit Fair Grounds track which is now holding twilight programs every day except Saturday. Handled by George Krenzel, turf editor of Detroit News.

DIVIDING THE BET

Horse Races on Participating Sponsor Deals Over WIND

Chicago, June 20. Sponsorship of hood-by-hood descriptions of individual horse races has been arranged by WIND with Ted Williams handling the mike. Each of the eight races will have its own individual sponsor. Clients get from start of one race to the start of the next.

Sponsors already set are 20 Grand-Soud cigarettes through the McCormick-Erickson agency, Kream hair tonic through the Erwin-Wasey agency, Walgreen drug store through Schwimmer & Scott agency, Burlington brewery, direct.

Three races remain open, and according to the number of sponsors

Alert, Anyhow

Oklahoma City, June 20. Paul Buening, KTKO merchandising director, placed three wrecked cars, turned over on side, at strategic corners in local vacant lots, with signs reading, "This car wrecked hurrying home to hear Bob Benchley Tuesday night at 7 p.m. now on NBC and KTKO in Melody and Madness sponsored by Old Gold Cigarettes."

Cars were laid out early in the morning before day-break; so morning traffic could see.

dickering for the participation, there is little question that the races will be booked solidly commercial in a couple of days.

Slow-Pokes Denied Parity With Those Who Get Radio Petitions In Ahead

Washington, June 20. Right of first-comers at the FCC counter to receive preferential service was reaffirmed last week by the District of Columbia Court of Appeals in one of two cases resulting in Commish victories. Upheld decisions which wound up Arizona and Georgia races after many months of legal sparring.

The doctrine that the FCC cannot hold up applications until slow starters have joined the line was emphasized again in opinion by Chief Justice D. Lawrence Grover affirming the Commish denial of plea by Consolidated Broadcasters, Inc., for permit to put up a local outlet at Savannah. The regulators gave the nod to Arthur Lucas, whose papers were submitted three months before Colonial filed its request.

Question presented by Philip G. Loucks and Arthur Scharfeld, counsel for Colonial, was whether

(Continued on page 42)

DURING the past few weeks several radio stations seem to have taken some exception to recent WLW advertisements. It has not been the intention nor the purpose of the recent WLW series to discredit the effectiveness of any radio station nor has it been our purpose to point out the ineffectiveness of other stations.

We had gone on record through advertisements and releases to the trade papers to the effect that we were making a survey in 13 cities long before we had any idea as to the outcome of the study in any city. The statements made in all of the advertisements concerning our 140,000 call survey have been based upon the facts as supplied to us by accredited organizations. Because of the copy limitations of even large space advertisements, it was, of course, impossible to deal with specific facts for specific cities. This, of course, was done in the complete analyses, and the breakdown deals with every fact discovered . . . whether WLW was the first station or not. In short, nothing was held back. If you have not received one of the complete Analyses it may be secured by writing to WLW or Transamerican, or if you prefer, original records may be examined at Ross Federal Research Corporation and the Alberta Burke Research Company.

We have not attempted at any time to answer in our copy any of the criticisms of our survey which competing stations have made in their advertisements . . . they have a perfect right, as we have a perfect right . . . to state the facts concerning what they have to sell. We realize, however, that because of the tremendous dominance of WLW over such a widespread area, as supported by the recent survey, we must of course, expect a certain amount of criticism from some of our collective competition.

WLW

THE NATION'S STATION

See the Crowley Building at the New York World's Fair

METROPOLITAN STATION
COSMOPOLITAN AUDIENCE

THIS WEEK IN WASHINGTON

FCC Backs Down on Program Control Internationally But Slaps Industry

Washington, June 20.

Under heavy fire of criticism, FCC last week prepared to retreat in the fight over requirement that international broadcasters must present specially-prepared programs reflecting 'American culture' and promoting 'goodwill.' As expected, public hearing was granted, with the doors open to all-comers, and tentatively scheduled for July 12.

In backing down, the Commish sought to sting the industry, which protested the regulations as dictatorial and a violation of anti-censorship restraints, by refusing to act on the complaint and request for hearing submitted by Neville Miller, the NAB president. Instead, the regulators pointedly granted the privilege of presenting testimony on the plea of the American Civil Liberties Union.

While it was said no affront or rebuke was intended, this way out of the muddle drew expressions of exasperation from industry people, who consider the Commish was 'childish' and 'sophomoric' in going to such lengths to deny the NAB the satisfaction of gaining 'closure' to protest the vague, confusing, and controversial requirement. Explanation for using the A. C. L. U. as the excuse was that the free-speech organization offered the only 'formal petition' and that the NAB demurrer was more of a bludge than a request in accordance with administrative procedure.

The date picked for the hearing also brought snarls, but these died out promptly when it was learned the service will be postponed if delay is desired. At first, it was believed the FCC deliberately sought to inconvenience the industry by selecting a time right in the middle of the NAB (Atlantic City) convention period. In denying this intent, Commish spokesmen noted the hearing date was 30 days following the decision to open up the subject (although public announcement did not come for more than 36 hours). The NAB was informed—after a curt communication acknowledging Miller's letter and announcing the plan to take testimony—that continuance will be granted upon proper request from any interested party.

The public announcement, calling for notices by July 5 from parties desiring to submit their views, explained the Commish believes 'an open public hearing to discuss the merit of the new regulations is desirable, particularly in view of the fact that the application of the rules has been misunderstood in some quarters.' Only Rule 42.03—the one dealing with culture and goodwill—is to be discussed.

Whether a continuance will be sought, and the plan of procedure, are to be taken up today (Wednesday) at a special meeting of the NAB international committee. Also, to retain the group will ask Miller to file an appearance and simultaneously seek more time.

More opposition to the regulation was voiced in Congress before the retreat became known. Senator Burton K. Wheeler, the chairman of the Senate Interstate Commerce Committee (which controls radio legislation), ultimatum that Congress will enact a law clamping the FCC's wings if the rule was not modified, while Rep Emanuel Celler, advocate of a government-owned DX-er, wrote Chairman Frank

R. McNinch that he was 'disturbed by the unprecedented

A brief flurry in the Senate over the question indicated the FCC has stirred up animosity among those who have been regarded as more or less friendly.

FCC Asks Congress for Law Giving Supervision Over A.T. & T. Radio Lines

Legal authority to control and supervise the furnishing of land lines for chain broadcasting was sought from Congress in the long-delayed FCC report on the \$1,500,000 investigation of the Bell System. Much discussion has been devoted to two-year study of the telephone industry pointed to the need for power to protect the public interest by insuring adequate treatment and reliable service to radio stations.

The Commish, without going into detail, suggested Congress should amend the Communications law 'so as to make it clear by specific language rather than by implication that practices, classifications, regulations, and facilities, as well as services and charges' are subject to Federal scrutiny.

The 800-page document reviewed all of the evidence brought out at hearings in 1935, 1936, and 1937 concerning the American Telephone & Telegraph Co.'s relations with and interest in radio. Recalled the self-defense motive which caused the Bell people to engage in patent development and later in broadcasting, along with the initial idea of having a virtual debt-grip on commercial operation. More recent entry into radio through the Bell System and the cable also mentioned briefly.

In discussing the land line matter, the report noted the A. T. & T.'s revenue from leasing wires to link stations was \$5,593,618 in 1938. This was 1.81% of the total income. With Postal Telegraph and Western Union shut out by restrictions on interconnections and the Bell System's policies, the A. T. & T. has a virtual monopoly of the business, making the entire radio industry dependent on its services, Congress was told.

Clearing House for Orderly Control Of Government Bureau Time Requests

Establishment of a centralized Federal radio agency is half-way assured, following House approval of a \$20,000 item for pay of workers who will undertake 'coordination' of the pettifogger government requests for gratis time. Money is in the 1940 relief bill, now before the Senate.

Little station was given by the House Appropriations Committee to the idea of shifting the U. S. Radio Service from the about-to-be-erased National Emergency Council to the new Federal Security Agency, which opens doors July 1. Lawmakers did, however, use the knife, cutting off \$5,000 from the requested amount.

The radio office will be a central clearing house, attempting to arrange time for government officials with an urge to tell all at the mike, help the webs and individual stations arrange specific time features, and supervise the fourth-hour transcription work of the many Federal outlets.

No change planned in the pay of Robert L. Berger, who heads the Federal Security Agency, but his assistant, who would go up from \$3,800 to \$4,800. Other staffer is Lee Fox Hart, former Washington newspaperman, who will stay

Mrs. Elliott Roosevelt Petitions For Right to Acquire KTAT, Ft. Worth

Plans of Mrs. Elliott Roosevelt to purchase the only station of the old Southwest Broadcasting Co. chain not taken over

by Heart Radio during the expansion program several years ago were revealed. Application received at the FCC revealed the President's daughter-in-law wants to take over KTAT, Fort Worth, and consolidate with her KFJZ, of which her husband is general manager. Deal calls for payment of \$101,507 for the 1,700 shares of common stock of Tarrant Broadcasting Co., now owned by Raymond E. Buck, Fort Worth attorney.

Relocation of two other station sales also was asked of the FCC. Formal petition submitted outlining the deal between Indianapolis' Lefty Fowler and Ben F. Blum and Harry Blumer, executive of the Heart organization, for WFBM, the transfer of control of WGTM, Wilson, N. C., from Ben Farmer to Fowler. Deal calls for payment of \$100,000 to McDonald. Tag on the Indianapolis transmitter is \$500,000.

North American Relocation Delay Is Cause of Stalling on Nine Licenses

Delay in putting the North American pact into operation is the cause of stalling on requests in nine licenses and potential ticket holders for broadcast assignments, the FCC announced last week. Conflicts with the allocations agreed upon at Havana 18 months ago.

Long wait in store, unless Mexico shows more signs of ratifying than have been visible in the past, for Evening News Press, New York; WASH, WASH; KERN, Seattle; Michael J. Mingo, Tacoma; Tacoma Broadcasters, Inc., Tacoma; KSEI, Pocatello, Ida.; St. Lawrence Broadcast Co., Odensburg, N. C.; Cuba Broadcasting Corp., Havana; WGBF, Winston-Salem, N. C.; and King Trendle Broadcasting Corp., Grand Rapids.

Payroll for FCC Not Yet Voted And Unfriendly Mood Causes Worry

Hurried moves to make sure that Federal payroll of the airwaves is not suspended after June 30 were made in Congress. Passage of an appropriation bill replenishing the FCC coffers now due before the end of the month, which is also the terminus of the government's fiscal year and date when the regulators go bankrupt.

Brief hearing on the FCC's request for \$2,038,175—a boost of \$283,175 over this year's allowance—was held on short notice Monday (19) by the House Appropriations Committee, which at the end of the present session denied the Budget estimate because of talk about reorganizing and changing the administrative machinery. Action speeded by panicky Commish subcommittee, which had begun willing to law-maker acquaintances as the last pay-day loomed.

Whether the Commish will get the added funds—destined to pay for more employees, engineers, attorneys, and clerks—was conjectural. In view of the unfriendly attitude, it was doubtful if the purse-keepers will be disposed to grant any more money than was available this year. Some possibility the committee may recommend only a stop-gap sum, enough for a few months, pending more thorough study of the situation.

The bill is due to be brought before the House for debate and quick passage Friday (23). Chairman Clifton A. Woodman, who committees turned the FCC down in unprecedented fashion in January after sharp interrogation of the regulators, was planning to force action on a measure which will take care of several organizations that will be without funds on July 1 and then to go ahead with consideration of requests for the Third Deficiency Bill, due for presentation just before the session ends.

Notice! "JIG SAW PUZZLE MUSIC"

is an original, copyrighted musical feature, thoroughly tested on WHB as a contest plan; and for its merchandising possibilities. Imitators will be prosecuted. The right to use this style of music (with its attendant contest and merchandising plan) will be licensed by the undersigned to only one name band, or network sponsor. For information address

DONALD DWIGHT DAVIS
WHB • KANSAS CITY

WNAX Grabs Traveling Salesmen for Tie-Up With Sponsored Entertainment

Yankton, S. D., June 20.

Strong merchandising tie-up—and a flock of good word from sponsors of web shows which it air—is obtained by WNAX, CBS affiliate here, through a new program of territorial salesmen of the sponsors' products are informally interviewed. Titled "Behind the Product" and aired once a week among guests on the station have been district managers for Colgate-Palmolive, Peet and Procter & Gamble. Whenever possible, the interview follows immediately after the sponsored show. Drummers are c. and a.d. by Art Smith, WNAX program director, on their personal lives, as well as their products. Interviews are presented with a disc of the airing as soon as it is over.

Salesmen, according to commercial manager Haydn R. Evans, almost invariably ask that the recording be sent their home-office. It gives both him and WNAX a build-up and makes him feel that WNAX is 'his' station—with the resultant proper recommendation it and when the h.o. boys ask him what he prefers for their network show.

Crate Sponsors WFBM News Indianapolis, Ind.

Crate Tobacco will foot the bill for a 15-minute news stand over WFBM each Sunday night at 10 p.m. with Gilbert Forbes.

Dune Standard Time, Forbes skips the Sunday news spot in favor of H. V. Kallenborn, who did his news analyzing too near the 10 o'clock time.

HOME-TOWN DAILIES EXPLOITED BY WCKY

Cincinnati, June 20.

WCKY plugging its recent power boost to 50 kw with salutes to all the towns within its new range. Programs have been booked solidly for seven nights a week from June 28 through October. Each town's local talent will be heard on the air, which are getting plenty of publicity—and publicity for WCKY's increased ratings—by going with home town papers.

Editors of the papers in many cases will speak on the 'salute' to their town and are giving the programs front page space. Some of them are running ballads on the most popular musical selections for the show. In addition, the L. B. Wilson outlet is sending out 1000 stereos to about 300 stations in its tri-state area.

KQW Re-Powered Sept. 1

San Jose, Cal., June 20.

New \$50,000 transmitter being erected by KQW here will be ready for use by Sept. 1, according to present expectations of manager Charles L. McCarthy. Transmitter with a power of 5,000 watts, will have a directional antenna, said to be the first of its kind on the coast, sending its strongest signal north and south.

As a result, the station's primary area will be extended beyond Santa Rosa in the north and Salinas in the south.

Bob Roberts from Nebraska has been added to the WDEL, Wilmington, announcing staff.

"Meet Us At THE (N. Y.) FAIR" on JUNE 25TH (Sunday)

The Entire Cast of
IT'S WHEELING STEEL

Including
THE MUSICAL
STEELMAKERS
Dorothy Ann Crowe
Ardenne White
Singing Millman
Old Timer
The Steele Sisters
Jean & Her Boy Friends
Walter Patterson
Will Broadcast From

COURT OF PEACE

Radio's unique emphasis family broadcast is heard on the Court of Peace (P. M., E. T. S.) over coast-to-coast Market Broadcasting System network.

Another AFA Headache

U. S. Revenue Department investigators, District Attorney Dewey's office and the New York City Department of Welfare are all studying the charges against the American Federation of Actors. Several affidavits are examining the union's records to see if funds from tax-free benefits were used for non-charity purposes. If so, the union might be liable for the taxes, plus penalties and interest. Treasury officials said no criminal action would be taken unless intent to evade the taxes could be proved.

Dewey's office has a copy of the Four A's investigating committee report, but is merely studying it to determine if there is ground for Grand Jury action. Herman J. Levin, director of the division of public welfare of the New York City Department of Welfare, and Stanley department investigator, revealed that statements made to that office at the time of the benefits did not coincide with figures in the union's records, but explained that the discrepancies were merely clerical errors. He refused to reveal if they planned action in magistrate's court. Office of the U. S. Attorney, district of New York, stated it contemplated no action "unless a complaint is filed."

Brandts Extend Joint Booking Plan To Include 40 Theatres in the East; Ultimate Aims 20-Wk. Indie Circuit

Indie film houses in the east are trying to work out a cooperative pool and booking circuit for name stars, shorts, and features. The Flatbush branch, Brooklyn, N. Y., inaugurated vaudeville policy this spring, scheme has already been discussed with the support of the booking circuit. Balto, Dave Weinstein, Rialto, Newark, and Dr. Harris, State, Hartford. The Brandt Circuit plans a vaudeville policy also for its Windsor, Hartford and Carlton theatres in the N.Y. area next fall in addition to the Flatbush. None is presently operating. Brandt and Harris join the Weinsteins and the booking circuit, which the scheme rests. The names of the 10-week booking plan, in which the three theatres have not been disclosed. Each theatre favors its own booker to handle the routing and dating of the acts.

Brandt would handle the N.Y. houses first and weak spots would be ironed out before hitting the East. Considerable expense would be saved by the 10 houses in dealing with booking through a single agency. Eventually, if the plan works out, the new organization plans to have other theatres join so that about 20 weeks booking could be guaranteed.

HEAT, RUM BOARD HIT PHILLY NITE CLUB BIZ

Philadelphia, June 20. With extreme heat and State Liquor Control Board agents harrassing the city, Philadelphia nite clubs are currently experiencing tough sledding. Half a dozen spots have been closed down in the city, and all have severely slashed their budgets for entertainment.

Philadelphia's natural ice cream business, which accompanies an extended heat wave, citations for license revocation, the home board came at an extremely untimely time.

More than 100 drink-and-dance-in and around Phila. spots have been caused with notice that they were being served why their licenses should not be revoked.

Cite Camera Operators Camden, N. J., June 20.

Nitely owners here can't even give away their liquor on Sundays.

They're weary of their sorrow last week.

Flood of licensees called in to answer charges of operating on the Sabbath, replied that they weren't selling the stuff, just giving it away. Municipal Beverage Control Board said that liquor doesn't have to be sold during restricted hours to be in violation.

Members face suspension of their licenses.

Shutta Hit by Car But OK

Calverton, June 20.

Ethel Shutta was detained briefly after a hospital here last week being nudged by auto, cutting her head on pavement.

Injury not serious.

POSSIBLE AFA CASE COULD FIGHT AFA EFFECTIVE AGAINST 4A'S

PITT'S URBAN ROOF TO QUIT FOR SUMMER

Pittsburgh, June 20. Despite standstill since opening June 1 with Joe Reichman's band, Penn hotel's Urban Roof folds for the summer July 1 and there'll be no dancing at town's exclusive nightclub until late October. Management says Roof's too expensive to operate and that any room for big conventions scheduled for July and August will take over entire 17th floor, where spot is located, for private affairs.

Reichman closes here night of June 27 and goes into the Flat for two weeks. He'll return for the next two nights later. Bob Crosby comes out from New York to round out Urban Roof's season.

Ches Pares Folds July 4

Chicago, June 20. Ches Pares, which had been scheduled to close for the summer on July 7, has moved its shuttering date up to July 4.

Will be under wraps until Aug. 31.

STANLEY, PITT, TEXAS WARE

STANLEY 30

Pittsburgh, June 20. After hiling series of new lows over last three weeks, the Stanley, WB deluxer, drops deep for straight picture again on June 30. Last night, following Orson Welles' current, will have Arthur Treacher, screen comedy with Barro's barroom comedy with Fred Tracy.

Management isn't making any announcement this time as presentations will resume, but its unlikely to be before Labor Day, or longer if local conditions don't improve. Stanley dropped once before recently, in April, for three weeks, but Stanley second in big pictures and has had only one winning stance since resuming on May 19.

Under Low-WB pool set up here, whereby Penn gets first call on pictures, but Stanley second in line through its flesh policy, management is making certain alterations for latter spot's straight film policy. As a result, Penn gets No. 1 pick one week, with Stanley drawing the plum the next, etc. It'll mark the Stanley's first permanent cessation from flesh since musicians' strike ended more than three years ago.

ED. HEALY (AND CROSS) DIES OF FIRE INJURIES

Providence, June 20.

Eddie Healy, 44, for 12 years a member of the vaude team of Healy and Cross, died Sunday (18) of wounds from a fire in his home. He was killed and 25 injured in the blaze.

The pop parade and singer formed his first vaude duo with Jack Ryan. It was when they split up that Healy and Cross met. Healy and Cross, publishers, brought Healy and Cross to the attention of the vaude world in 1921 after playing a Treasurer's Club benefit, at which several guests were present. Healy and Cross went on to become famous for their hits, including being with "Old Grand of Mine," "Wonder What's Bothering Sally," "Hello Central, Give Me Heaven," "Old Pal, Why Don't You Answer Me" and numerous others.

Should Affiliate Lose Its Charter, Latter Seen Organizing Independently of AFL—Answer to Charges Must Be Filed by Saturday (24)

After frothing and smoking for two years, the affairs of the American Federation of Actors exploded last week with Coast-to-Coast revelations. Publication of former charges against the union by the Associated Actors and Artists of America, and related in various Federal and City authorities entering the picture, while accusations and counter-accusations cluttered the scene.

Situation is expected to continue right into daylight until July 10, when the international board of the parent union will hear the charges against AFA. If the charges are upheld, the vaude-nitery union may

conspiring to break down the union. Four A's resolution of complaint against AFA lists seven general and eight supplementary charges, including bribery, percentage, conducting the union (including \$17,000 for a new car for Whitehead), paying organizers salaries and other expenses. AFA, to notify members of its meeting is failing to make it ends an important issue.

Also charge failure to organize the vaudeville field, conducting a one-

Near-Riot Breaks Up AFA Meeting

American Federation of Actors mass meeting, called by President Sophie Tucker and attended by about 700 at the Edison hotel, N. Y., early this morning (Cheney) ended in a bitter fight. The meeting, light, with cops being called in to clear the hall. Session not only failed to give the Tucker-Ralph Whitehead administration a vote of confidence, but the proceedings were interrupted by the presence of several speakers from the fight attacking the union policies.

When Miss Tucker was unable to maintain order, she abruptly adjourned the meeting and the speakers were escorted to the speakers' table left by a backstage exit as a near-riot was averted.

Several brief fistfights took place and the amplifying system and lights were turned out to halt the uproar. Miss Tucker and Whitehead sought to avert the disorder by plotting a compromise between the AFA and NVA adherents, but this was disputed by opposition spokesmen. Later were understood planning another mass meeting next Monday midnight (21) to air their grievances against the existing regime. Claims they were denied a hearing at yesterday's meeting. Those who spoke included Miss Tucker, Alan Correll, Theatre Authority official; Michael Robinson, former AFA president; and the Aqueduct race track owner, Robinson. Refusal of Miss Tucker to recognize Peter Wells, an opposition leader, and the seizure of a stage microphone by Helen Johnson, showgirl from the N.Y.C. show at the World's Fair, precipitated the near-riot and brought the meeting to its abrupt close.

lose its Four A's charter or be otherwise penalized. In the former case, the situation could readily become even more complicated and bitter, as AFA might be forced to continue in the field without the Four A's-AFL sanction and compete with any union of the future. The latter would set up to handle the vaude-nitery jurisdiction. In such circumstances, most of the leading performers are seen wavering over to the new organization because of their affiliation with other Four A's unions.

The AFA administration must file a written answer to the Four A's charges by Saturday (24).

At the July 10 hearing, the Four A's investigating committee, whose report formed the basis for the charges, will appear as witnesses against AFA. Among the witnesses are: Charles F. Allen, former AFA president; Screen Actors Guild; Paul Dullize, Equity; George Heller, American Federation of Radio and Motion Picture Artists; and Frank Gilmore, Four A's; Henry Jaffe, counsel, and Bernard J. Reis, counsel, for the AFA. The AFA will likewise be a witness. AFA will also bring its own witnesses and the AFA is expected to request a recess to prepare for the hearing. In place of the regular delegates on the Four A's international board, a special committee will be named, a special alternate delegate for the group of judges which will render a verdict. The board members, who participated in the investigation will not decide the case. Instead, the board will be composed of the fields will serve. Among those mentioned are Fredric March, Margaret Squire, and Gleeason.

Whitehead Assailed. Rub of the whole controversy is AFA's accusation that Whitehead, executive-secretary of AFA. Although Sophie Tucker, president, is not a member of the AFA, neither she nor other non-employee AFA people are involved in the AFA's action. Basis for the AFA's action is its investigating committee's report running 86 pages and containing a long list of alleged wrongdoings, from obstruction of the investigation to misuse of charity funds to abuse of power.

In the hearing, Miss Tucker and the AFA council deny the entire charges and accuse the AFA of maliciously

man administration, devoting too much time to organizing field eligible for Four A's membership (circus workers, etc.) to the detriment of the vaude-nitery. The dues and initiation fees for running expenses without depositing them in a fund for the AFA's jurisdictional and other strife within the Four A's to the detriment of performers as a whole. Failure to cooperate with other Four A's affiliates in strong-arm tactics in recruiting, failure to refer new members to the new members, failure to administer the AFA's affairs satisfactorily and persuading the AFA to interfere in the case without revealing all pertinent facts to William A. Green, AFL prez.

Deny Charges

Regarding most of the specific charges, Whitehead and Miss Tucker and Whitehead enter general denials. They admit using benefit money for the running expenses of the union, but state that shifting of such money from one account to another is a common union practice and explain that it is more important to have the money in the union solvent than to use the money only for the running expenses of the union.

That the money used for running expenses was borrowed from the charges, Whitehead and Tucker are refusing to lend the AFA financial help while going to for other unions. Whitehead and Tucker are accused Alan Correll, Theatre Authority official, of using \$800 of that organization's money to help him for his home. It was explained that the money was an advance on Correll's salary as Theatre Authority board and subsequently repaid. However, "Whitehead" asserted that the money was loaned to the sort of thing for which the Four A's is criticizing AFA.

Whitehead and Tucker are appealing to the membership not to give Whitehead a vote of confidence and to elect a new board of directors. Statement expressed its faith in the integrity of the Four A's and its confidence in the AFA council. It urged members to refrain from taking any position in the case until both sides had given their evidence at the July 10 hearing.

Dancer's \$15,000 Suit For Backstage Accident

Bernice Hampshire, dancer, filed a \$15,000 damage action in N. Y. supreme court Friday (18) against the Evansville Corporation of the Majestic, Evansville, Ind. The plaintiff claims that she was injured by a defective door in her dressing room on Nov. 4, causing the amputation of a finger and the loss of use of her arm.

NABE THEATRES IN N.Y. GO FOR VAUDE

Indianapolis, June 20.

Nabes are turning to live talent in sudden surge of interest in stage entertainment here. Charlie Olsen has set "Pine Ridge Polka," a small unit which has been touring the south, into his Ritz for three shows, closing today (Tuesday). He also has the Ritz and his other five recently acquired neighborhood theatres, including touring units, local amateurs during the next six weeks, and has been offering colored dancing acts in a "jitterbug jamboree" for a series of one-nighters at these houses. Olsen is also operating head shows in the latter brother of which has maintained vaudeville for years.

Other neighborhood theatres seeking to keep pace with Olsen's use of flesh are the Rivoli, trying out small dancing units, the Fountain Square, which is starting a series of bathing beauty contests, and the Elks, planning to bring a candidate to compete at the Atlantic City beauty pageant.

DUTCH AGENT SETS UP OFFICE IN NEW YORK

Godfrey Bergmann, who originally came over from Holland as manager of Ann de Vries, a Dutch actress, now to NBC, has established an office in New York City for agenting talent.

First act Bergmann is offering is Igo Frank Gutman, exiled Austrian pianist. Latter brother of Arthur Gunther, the composer who has been with M-G-M.

W. J. Harris' Encore

Will J. Harris, former vaudeville producer of Chicago & Katz, returns to do a special show at the State Theatre for week of July 2-4. "Production will center around the world's fairs and will be labelled 'World's Fair Merry-Go-Round'."

Variety Bills

NEXT WEEK (June 23)
THIS WEEK (June 16)

Generals in connection with bills below indicate opening day
show, whether full or split week

I

<div> <div>Loew</div> </div>		Lightner & Havo	Er
		Vanity Fair Rev	Er
		INDIANAPOLIS	Er
		Lyrice (23)	Er
		Johnny Davis Or	Er
		Joe Besser	Er
		Harry Downling	Er
		Val Sets	Er
		(16)	Er
		Henry Bruce Or	Er
		Brown & Ames	Er
		2 Trojans	Er
		Dalia Winthrop	Er
		BUCKEYE	Er
		Colonial (24 only)	Er
		2 Jacks	Er
		2 Aces	Er
		2 Kings	Er
		2 Queens	Er
		2 Jokers	Er
		2 Aces	Er
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Paramount

NEW YORK CITY
 Paramount (21)
 Harry James B
 Jane Frenen
 Chesterfield
 Stapleton
CHICAGO
 Chicago (53)
 Phil Spitalny Ore
MINNEAPOLIS
 Orpheum (23)
 Bert Hope Co
 Jay Colonna

Catbarros Westfield
 G D'Ormonde & F
 ST. PAUL
 Orpheum (53)
 Brown World's F U
ABERDEEN
 (24-25)
 Maj Bowen & Ann U
JACKSONVILLE
 (38 only)
 Maj Bowen & Ann U
 Burt
 State (24-25)

Rny Mayer
 Edith Evans
 G & J D'Ormonde

London

Week of J

Demilans
 & Predians
 Monday

RKO

NEW		CLAREM	
		Granada	
NEW YORK CITY	George Beatty	Tommy Trinder	
Mace Hall (15)	Tacopi Tru	Pat Hyde	
Joe Pecora	Chicago	Latsana, & Laurie	
Joe Jackson	Palme (25)	Polina	
Martin Trimaldi	Frank Fay Co	EAST HAM	
Joe Bette	Shaver	Granada	
Corp de Ballet	Olivia & George	Bryan Michie &	
Erno Rapas Sympo	Royale	Frederic	
HOSTON	Royale	Macart & B	
REO Keith (16-18)	ALBANY	GREENBUSH	
Brian J. & McKenna	Reddies (only)	Granada	
	Riddle Cantor	Bryan Michie &	

**JAY AND LOU SEILER
MAX AND GANG
NELSON NOVELETTES
ROXY, NEW YORK**
Week June 23rd

Warner

NEW YORK CITY		PITTSBURGH	
Strand (23)	Rachel Cramer	Edythe Royal	J
Sammy Kaye Or	Baul Grisman	Jack Radcliffe	M
2 Niata Brez	Lynn Moran	Ray Curran	N
Ulesale	PITTSBURGH	Bob Moreland	P
(16)	Blanche (23)	4 Smith Brez	R
Pancho Oro	Blue Barron: C	Clare Hugh McKenna	S
Boyes	Arthur Treacher	12 Loretta Loe	T
Maria & Floria	(14)	Henderson (2)	U
Lolita Cordoba	J Lenny & Stetler	8 Kallaway & Alvia	M
1010	Cook Creek Co	GLANGOW	M
Orson Welles Co	Terry Howard	Tommy Morgan	N
	Orson Welles Co		

IV-12- R.

[illegible]

Independent

NEW YORK CITY Mazy (23)	Will Morris & B Shawell Sile	Ceb Calloway Orc Bill Robinson	
Middle Peoddy Gang	Bert Land	Sister Tharpa	
Y & Lou Seller Celona Noviettes	THE ZEMORE Hippodrome (23)	Katherine Perry Deachembara	
THE ZEMORE Steel Pier (24)	Duka Ellington Orc Iv Anderson	James Jenkins Rudy Hill	
Rick, Don & Dinah Carmel	Stump & Stumpy Anise & Aland	Son & Sonny Vernon	
Harlan Talley Earl & Esden	J Kirk & Claydon Don Barclay	Calvin Calne	
Will, D. Pier (24)	Joe Harmonicas (15-26-17-28)	Ang Sanabro Orc Quart Marcane Orc	
		Joe Rodriguez Don Casanova	

[illegible][illegible]

ANGELS		Dorothy	
	Little Hungry	Libby	
	Valencia Co	Pinky Tor	
	Marcel's	Margie	
F	Helen	Marjorie	
	Darryl Harper	Billy Hill	
	Mervin Placenta's	Jimmy	
	June Ellgour	Jim	
	Jimmy Koro	Lim	
	Palsomer	Rob Tan	
	Loose	MH	
	Paul Gordon	Ann Whit	
	The Kato Twins	Gary Lew	
	Artie Shaw	Debra	
	Hotie Ann	Debra	
	Domini	Marjorie	
	Sharon Twine & M	Paul	
	Marjorie & Mirtles	Felix Dan	
	Marjorie		
	Mick Maney	Mervin	
	Melvin Miller	(Boone)	
	Jack Henry Orr	Manfred	
	John & Mary	John	
	Muriel Vaughn	State St	
	Alfred Galt	Nappa	
	Lucille Young	Whorton	
	Walt	John	
	Soren Sen	Ruth Nip	
	Denny Keanna	Genevieve	
	Paul Shaw		
	Mal Peterson	Old Hild	
	Walt		

006 Club

Billy Carter
Sunny Cortez
Conita Casaw
Dolores Green
Lillian Green
Taylor & Allen
Joe Allen
Jane Davis
Dan & Betty Lynne
Carol
Mae Faber Ole
Irene Scott
Dorothy
Dolly Remala
Patricia Perry
Carman
Ski Lake Ora
Trippoli

Shy Neekot
Marjorie Whitney
Dolores
Mathews & Shaw
4 Kings

Stevens Hotel
(Continental Room)
Rex Hines One
Danny Drayson
Jack Gwynne
Subway
Ginger Dix
Gladys Green
Gypsy Zen
Mary Lou
Frances Thomas
Billy Kent
Honey & Ora
Thompson's 36 Club
Ray Reynolds
Wells

e 19

HOLLOWAY
Gasmont
Sita & D
Laid Gourley
Bass Hall
Lewisman
Koppel & B
Glenn Bush
Favillon
3 Matias
& Melr
Broadway
Trotting
Granada
Trinder
Hyde
Laurice

Hotel Park Central
(Oceannan Grove)
Larry Clinton Oro
Neville
Myr Duran
Hotel Park Lane
Freddie Starr Oro
Bob Lido
Al Harria
Hotel Pennsylvania
Tommy Dorsey Oro
Wright
Edith Dautman
Dinglas Dudley
May Jordan
De Reins Farley
Renny Roberts
Max MacLean

Hotel New York
Harold Nagel Oro
Hillgarade
Hotel Flamm
Jack Hubbard Oro
John W. With
Ethel Rosenfeld

[illegible]

E. Max Gershtein	Robert E.
Super Mac's	Paul
Paul Rosenblum	Swim
Joe Pitolski	Raeli
Andy Sorrelli	Palms
Cully	(Empire)
Al Normea	Joe
Norma	Tip
Rita Carroll	Joe
Tommy Rose	Oxford
Sharon M. Morse	Sharon
Jack Owen	Abbot
Johnny Laag	Fall
Key	Cottis
Murray Hargland	Gone
Ray	James
Shore Inn	(D)
Cliff Richia Jr.	John
Junaida Carter	Ellen
Edgie	Lila
Taper's	Jonny
Toni La Rus	(Fanthie)
Edna M. Mewa	Count
Jannina & Murray	James
Bill McDonald	Mewer
Frederic	Carl
Emil Coleman	Silver
Tip	
Violeta	
Ed	
Vivian Hoga	
Carmina	
Shenay Ennie Oro	

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Mirky Dunn
 Mary Grant
 Puffy Thams
 Alana
 Sammy DeCudy
 Sammy Frisco Ora
 Three Dances
 Baby Dode
 Charles McWride
 Julie Lo
 Lemmie Johnson
 Tower Iaa
 Sam Hase
 Eny Gonaa
 Mary Hanson
 Hazel Bailey
 Kewell Ora
 Haynes Bras
 s Waylans
 Frank Davis Ora
 Town Club
 May de Pili
 Milton Swift
 Den Carini
 Scilans land
 Kathlene Ray
 Remo & Willis
 Bob White
 Bronx Nobla
 Joe Nitts Ora
 Villa Medoras
 Carlos Melinas Ora
 Lucia Garcia
 Villa Venica
 Iabam Jotay Ora

provincial

Hotel St. George
Dave Maxwell
Don Williams

Hotel St. Morris
Jack Sherr
Angela Valea

(Sky Gardens)
Basil Fomeon
Cecilia & Barry
Lorraine Adams
3 Riders
Peggy Duvine

Hotel St. Regis
(Iridium Room)
Dorothy Lewis
Sam & M Simpson
Kent Jarvis
John Reiter
Chae Baum Off

(Vignette Room)
Mary Parker
Billy Daniels
Nora Gale
Harold Richards
Jes Rinsco Orr

John Beasley	Amosbury N.H.
William Beasley	Newbury N.H.
Lillian Fitzgerald	H. McCrory C.
Al & Freddie	Brady Bryant
Robert & Fred	Don & Mary
Rubberneck Holmes	(The) Brown
Gussie Mary	Cleo Brown
John G. Goss	Rich. Rismun
Concord & Pawanter	(Wainai) Rose
Rita Bell	Virginia Gibson
William Palmer	William Gibson
Make Frank's Club	Hadley Jia
Dorothy Walley	Red Belmont
William & Mary	William Belmont
Pres Blake	William & Mary
William & Mary	Red & Mary
Wm & Fred	Red Fields
Gus Walker	Charles & Mary
John Galsinger	Charles & Mary
William & Giff	Charles & Mary
Harry Winton Ore	Blackhawk & Mary
Marjory & Michael	Jack Teagardner
Rainbow Room	Jack Ansen
William & Mary	William & Mary
Orson & Glance	Linda Keene
Orton Country	Bill Beckman
William & Mary	William & Mary
Nita & Charles	William & Mary
Edith & Charles Ore	Editha Barron
Ervin	Blackstone E.

	Gibbilia Hill	Jay Gibbs
	Charles Smith	Franklin Smith
	Charlie from	Marcus &
	Pearline Glad	Fredrickson
	Carlisle from Ore	Hazel Zell
	Cargason Hotel	Nord Rich
	(Glass Hat Rm)	Johnny
		Silver
	Johnny Banga Ore	Harry Ha
	(Foosech Rm)	Eleina Rn
	Joe	Teddy
	(Pompalun Ma)	Fay Well
	Irvine Margret	Arl Freese
	Dol-Sheer	
	Goos Hamilton Ore	Anche
	Delmore Marcus	Margie Sil
	Don Julian	Edna
	Marjorie	Ola Man
	Dol-Sheer Gla	Jonet Cam
		John
	Deutch's	
	Ralph Cook	Bellewee
	Daily	Bellevue
	Tot Henry	(Herald Dr)
	Leola Buchanan	Myra Dan
	Knewlton Ore	(Burgund Fr
	Edgewater Beach	Donna
	Hotel	A Murray
	(Main Room)	
	Lawrence Wolk	Benny the

Richards & Adrienne	Charlotte Claire
Oriental Ricardo	De Quincoz & G
Wisconsin Gardens	Les Harmona
Pat Allan	Virginia Gilbert
Lucille Johnson	Frances West
Mia Le Tour	Mazel Graz
Frank Snyder Ore	

PHILADELPHIA

Paula	Rhythm Queens
Alb Sher	Wanda Lee
Andrew Mae	Phillips
Lucille Whilla	Hotel Richmond
Bobby Lee	
Hotel Adelphia	(Hawallan Root)
Frank Fisher	
Paul Valencia	
Suni Iauai	
John	
Lulu Holckel	

Caharet Bills

CITY
 Second Horsehoe
 Eddie Slasio Ore
 McGrae Ore
 Schaff
 Doyle
 Brander
 Libuaa
 Patricia

Howard Mito Orc	Joan Leach
Howard Lally Orc	Crusader Orc
Joe E. Lewis	Ben Air
Keith Bacon	Freddy Martin
Ray & Naldi	Gertrude Ninas
Fraze Slader	Eddie Garr
Frank Parie	Grace & Nikkk
Jittorbugs	Jackie Green
Moos Poison Farm	Johnny Barnes
(Asbury Pk. N.J.)	Rose Girls
Disk Gasparre Orc	Newport Hc
Ramon & Renita	(Crystal Hc)
Terry Lawlor	Florence Sebubus
Eleanor French	Charles Baldwin
Russlan Kretchma	Grace Katrol
Nadia Milrova	Norma Ballar

Mildred Stanley	Ellen Tor
Walter Bloom	Beryl Cor
Ernest Grina	Driskill V
Tbe Nightbawks	Horry Ka
Marine	Kmor
Harriet Smith Gie	
Herb Foote	Cadillac
665 Club	Jack New
Keith Boecher Oro	M Reynol
Paul Rosini	Cafe M
Beiva White	
Famous Door	Scarey Ga
Ernest Whittingtaa	Al Cubler
Bryan Wolf	Ed Fred
Terry O'Tools	Ginger L
A Robinson Oro	Pag Bow
	Teasle Na
	Isabelle D

Eddie Valencia Oro
Jack Lynch's
Vincent Risse Ore
Barney Zeaman
Bob Russell
Gleamour Gla (12)
Helena Heath
Thomas Martin
'Sportout & Col'bus
Lola Harper
Joan Brandon
Jimmy Black
Joe Frassetto Ore
Lexington Casino
Murry Wood
Clifford & Jackson

ertoletti's	Joe Howard
Rh'mba Bd	Clyda Hagor
	Margen Tr

Jonnán
 Francis
 Bates
 de Solar
 Lezonsky
 Keith Murray
 Al Chico
 Maíta Ochoa
 Minillo Gimeno
 a Laís Lopez
 María Ore
 E Mercedes
 Gunka Oro
 Rumba Ba
 de Des
 Prima Oro
 97 y G
 Island Casto
 de Des
 Bencko
 nson Mutton
 Eberia
 vana-Madriá
 a Ortega
 & Sgilla
 Paul Sparr Oro
 Hout White
 Lou Lang Trio
 International Casto
 G. Richman
 Milton Beria
 Harry Harkins
 Alton Retz Oro
 Rancy Wecke Oro
 Paul Renos Co
 Janjary
 4 Feminine Notes
 George Tappit
 Virginia Verill
 D. Leslie Ore
 K. Karane-A Street
 Jimmy Keltia
 Jea Capello Oro
 Ings Berger
 Gladys Paya
 Princess Alome
 Mary Lana
 Tanso
 Lee Leslie
 Carter & Schaub

[illegible]

<p>Wanda's Canteen James Kester & Hazelton Billie Rogers Reddy Rockie Ellsworth Bob Timothy Grand Treasures Toucan Rhythm Paia Ted Smith Charles Ledden Dot Adams Buck & Bubbles John & Catherine Joan Starr Janet Niles Dusty Leonard Reed Grennare Metal George (Lynn Elm) Teasly Paul Orr Carl Rock Norrie Morrison Woody & Nush Lorraine Vase</p>	<p>Virginia Club M Joe Armet Reddy Mike Jinks Servell Chad Dutkin's Frank Pore Rosalea John & Mary Giles & Joe Gabe Shaw Irvine Al Moore Edna Patricia Smith George Evergreen Tommy Mc Helenae John & Mary Andrew S W. White 1025 Swing King Beth Chalk</p>
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Joe
Oce
ing

Dor
Dot
Frans & Crane
Lamington 3
Irene Kay

Eldo Venale
Jack Griffin
Billie Beck
Gene Van
Cleo Valentine
6 Rockets
Jamboree Ora
Little Katharine
Bob Carney
Mella
Eveline Jordaa
Carroll Sia
Edith Delaney
4 Ink Spots
Victor Hugo Ora

Messia Ann
Leonard Cook
Lon & Derova
Deanna Rechella
Nakes & Dot
Four Blesoms
Billy Gates Ora
Peacock Gardens
Sylvan Herman O

A & Cesar
A Rios
Bobby Higgins
Montmorria Bo
Denny Higgins
Marna Ore
Treballs
El Ambassador
O Ramos Orc
am Adler
n Scaple
n Saurer
El Aster Roof
Valles Ore
London
Manners
Coeur
C Cook
Belmont Plaza
Holat Ore
Boethia
Coeur
C Cook
Kil Kat Club
Ray Durant Ore
Dorothy Santora
Lorraine Hoberson
Tody Ore
Valma Middleton
Dolly Rhodes
Dolly Harris
Notoha Draw
Nier Cooper
Concord & Parks
La Cong
Eric Nardigore O

Villages Barn	Eddle Roth Oro
Howard Woods Oro	Cocanant Gro
William	Dave Malcolm
Freda Sullivan	Marion Ford
John Jenkins Co	George & Leonard
John Noian	Harvey & Mozor
Joe Vase	Betty Jerome
Walter Dones	John Francis Oro
Billy Burns Co	Celestine
Whirling Top	Willis Shars
Lee Morris Oro	Arnida
Renia Stanley	Boaghs & Bara
J & C Herbst	Shelley
Russell Dracken	Frank Quastrell
John Dones	Phronah Gls
Yacht Club	Clab Delais
Li Sharos	Sam Robinson
Playboys	Wes Dicos
Boone	Howard & Carl
Mar	Patway Stead
Phyllis Colt	

Tom Garvey	Ethelred 12
Gendollers Oro	Farty-Os
El Hat	Robby Doh
Marion De Jedis	Bobby Doh
Marion Gavin	Jack Rich
Kratlow Gie	Hilly Brili
Sid Lang Ora	Bob Doh
Iraahoe	Melvin Evr
Dolores Bonar	Frankie R
Eddie Rice	Ben Perry
Kay Becker	Kay Allen
Yera Garrett	Yvonneta
Donna G. Oro	Bobby Mar
E/Algor	Harris 17
Mary W Kilpatrick	Alabama C
Russell Coscaiddi	Bobby Lyeo
Spross Stames	Bob Doh
Donna G. Oro	Betty Thro
Kennie Solopolar O	Hildab
Hotel La Salla	

Alvin Klee
 Frankie Derby
 Buck Calhoun
 Andy Russell
 Ray Allen Ora
 & H. Mealey
 Anna Wills
 Jean O'Neill
 King Sins (?)
 Joe Lemar
 Rainbow Tarrance
 (Stratford, Pa.)
 Len Zelle Ora
 Mildred Rogers
 Bill Eastwood
 Slamm's Cafe.
 Earl Hines
 Jack Hutchinson
 Johnny Walsh
 Marty Flynn
 Ned

LEGITIMATE

'Join With Us—'

In addition to hundreds of names of those connected with the theatre, arts and the literary, being attached to the flood of messages sent to Washington, protesting the action of the lower house of Congress in eliminating the theatre project, an ad calling for support of the public appearing in the New York Times Tuesday (May 20), space measuring eight inches triple column. Copy set forth some of the contents of the telegraphic appeal to the legislators and requested readers to individually petition to the Senate, where the WPA appropriations bill is now under consideration. Final paragraph read:

"If the theatre has ever brought you any joy, join with us in this action: Write or write your senator now, denouncing the continuation of the Federal Theatre and other Arts Projects. There were 22 stories, some of whom were reported among the protestant delegation that went to the capital Tuesday: George Abbott, Talullah Bankard, Ben Bernie, Bela Blum, Eddie Cantor, Katharine Cornell, Edie Gledhill, William Gexton, Frank Gillmore, Sam H. Harris, Moss Hart, Helen Hayes, Katharine Hepburn, Rex Ingram, George S. Kaufman, John Krinsky, Lawrence Langner, Philip Loeb, Burgess Meredith, Worthington Miner, Douglas Montgomery, Victor Moore, Clifford Odets, Florence Reed, Arthur Richman, Richard Rodgers, Arthur Schwartz, Herman Shumlin, Lee Shubert, Laurette Taylor, Ethel Waters and Blanche Yurka.

Hollywood Jells in Two

Hollywood, June 20. A plea to the U. S. Senate for a 60-day respite for the Federal Theatre Project here was dispatched by a large group of Hollywood players, producers and directors yesterday (Monday). The delay in logging the FTPers off the Government rolls, it was said, would give them an opportunity to land private theatrical jobs instead of going on relief.

Wharton-Wilk Plan for Return of Pic Financing to B'way Legit Looks Set, But Some Dramatists Still Skeptical

So-called Wharton-Wilk plan for the return of Hollywood financing to Broadway production and legit to be finally approved yesterday (Tuesday) by the Dramatists Guild Council, but final action not yet taken at the hour of going to press. It will next be submitted to the Guild membership and the League of New York Theatres. If passed quickly, it would become effective at the start of the next season.

Possible hitch to its adoption arose last week when several Broadway managers, members of the League came out against the plan. One showman stayed away from a meeting last Thursday (15) at which was held B. Fleischer, film sale negotiator, reported to the League regarding the status of the plan. The same producer revealed that only eight League members attended the council, but that four of those were against the plan.

However, the League is figured certain to okay the plan over the active minority. Managers as a group have agitated vociferously for revision of the minimum basic agreement, particularly since many of the members are among the 15,000 established producers who would welcome more plentiful backing.

And if the matter were decided, the Wharton-Wilk plan would supplement the basic agreement, the individual company handles may or may not participate in film production, under its terms, if they choose, they do not sign the supplementary plan, but will signature letters stating their intention to observe its regulations.

New H. Works

Plan itself calls for including the motion picture rights to a script in any contract for legit rights. However, the price for the film rights would be based on a percentage of the gross of the picture, both on Broadway and in stock. Also, there would be stipulations to prevent a producer's backer from closing a show while it is operating at a profit, merely to shut down the picture and make the producer would be numerous other regulations.

Explains and Amplifications

No Differences There seem to be few differences concerning the main points of the new plan. Plan in general is that a company entering into a deal with a manager put up the cost of production. Thereafter, the picture end is to deposit weekly with the

BOOKED 2½ YEARS AGO

Connie Wolf, Philly, to Be Passenger on Clipper's Atlantic Hop

Philadelphia, June 20. Connie Wolf, former manager of the Garrick here and a director of the Bucks County Playhouse, New Hope, Pa., will accompany her husband, an attorney, on the second trip of the Atlantic Clipper to Europe next week.

The Wolfe put in a reservation two one-half years ago for the first flight but were too late.

Equity Concedes 'Mikado' Seven Day W. a Fair

With solution of one major point in dispute between Equity and the managers, the "Mikado" is now colored, judged Gilbert and Sullivan show, is due into the Hall of Mr. Todd, the individual company handles may or may not participate in film production, under its terms, if they choose, they do not sign the supplementary plan, but will signature letters stating their intention to observe its regulations.

Todd appeared at Equity with Stanford Short, the show's stage, and Mary Forth, manager of Bill Robinson, star of "Hot Mikado." Later he said he has a \$200,000 interest in the show. They asked for a seven-day week to be tried for one month. This was granted. However, for the Sunday performances, company must be given additional pay. Three and a half for overtime was also specified.

Council was told that changes in the production had entailed an added expenditure of \$15,000. Todd was held up by Equity early in the week and were not required to be tried for one month. Petition set forth that the chorus would accept \$35 weekly, which is

(Continued on page 55)

LAST ONE TO BE GOOD ONE TO BE

House Vote to End Drama Project Unlikely to Be Nixed by Senate—Provisional Continuation of Other Arts Units Made—Gotham Critic Come Out in Favor of Maintenance

PROTESTS FILE UP

Washington, June 20. Efforts to extend the run of the Federal Theatre Project, a trouble-ridden branch of the relief program since 1935, failed in the House of Representatives Friday night (16). Final curtain for the FTP takes place June 30, unless the House countermands the House, which is unlikely, since the bill supplying relief for the jobs in the opening July 1 must be passed quickly and there would be disposition to wholesale over protest that none of the money can be spent for drama ventures.

Cancellation of FTP, foreshadowed by the Congressional probe of the Works Progress Administration and mounting criticism for the last months, was specially ordered by the House Appropriations Committee. The disestablishment was effected with other art undertakings, the measure will allow continuance of the painting, music and writing activities if some local sponsor, either a city or a state, makes a contribution toward the total expense. Bill states, however, that "none of the funds made available by this title shall be available for June 30, 1939, for the operation of any Theatre Project."

Government-ordered drama was blasted sharply in the House during debate. There was so much displeasure that the law-makers nearly refused to listen to defenses and disregarded warnings that 5,000 persons united for other work will be thrown on the street.

The Appropriation Committee's bill was upheld in a tumultuous 16-hour session when the House turned down by a margin of more than three-to-one the motion of Mrs. Mary T. Norton, New Jersey Democrat, to strike out the restriction. Top-heavy vote—122 yeas—was virtual clincher, although the Senate still has to act. In view of the House attitude, there is only the scantiest hope that concession can be won before the bill gets to the White House.

Hostility

In its form, report the House committee did not go into the reasons for killing FTP but members seemed to denounce their hosts during the debate. There were references made to the voluminous material denouncing their hosts during the debate. There were references made to the voluminous material denouncing their hosts during the debate. There were references made to the voluminous material denouncing their hosts during the debate.

Reimbursement over the pruning was voiced unavailingly by Works Progress Administrator Harriet L. Brown for the House took final action. He deplored the clause in the bill, along with the restriction on other art activities.

Suspicion reflected by the House Committee that many persons on FTP feel fed up for life. Figures cited for the last year on FTP show 33% of all persons on Fed-

(Continued on page 50)

League to Ease Ticket Code Levy On Brokers in '39-40; Provisional Summer Tax Suspension Planned

'Just Quoted'

'Reluctant Feet' the Gladys Hurlbut comedy, which is second in George Abbott's fall production schedule, is said to be about a character inspired by Sara Enright, legit casting agent. In fact, when Miss Enright read the script she's reported to have remarked: "This play wasn't written—it was just quoted."

Some semi-serious talk of getting the agent to play the part, but no one is set for it.

Pemberton Hits Producers For Philly Legit Lag

Philadelphia, June 20. Producers are more responsible than Philadelphia audiences for the decline of the city as a road stop. Brock Pemberton declared before a mass meeting of 800 theatregoers at the Ritz here last Wednesday (16). The Quaker City, he said, has earned a reputation as a poor show town because the local theatre has been too often tricked by producers foisting off on them unit productions at inflated prices.

He advocated setting up four different admission scales as a step toward reuniting the theatre. There should be a bottom scale for tryouts, he suggested, a slightly higher top for run-of-the-mill shows, a third rate for good, established plays, and a top price for hits with stars. Pemberton said that he and other producers have at times tried to reduce scales for their road companies, but an anti-opposition. For one thing, he averred, house managers refuse to go for the cuts on the basis that it cheapens their audience. Secondly, the producer stated, as soon as the public sees lower-than-usual prices it immediately jumps to the conclusion that the play's not so hot and stays away.

Solution for these two difficulties, as Pemberton sees it, is the establishment, and typing of separate houses, as far as possible, for each kind of play.

While producers favor Philly for tryouts because of its proximity to New York, Pemberton said, they're taking them to Boston now because the city doesn't respond. For one thing, he admitted, because they have been duped too long into opening at \$2.50 and \$3.00 and are unprepared show. It's up to both producer and playgoers to take a change of heart and attitude.

Mass meeting which Pemberton addressed was called by the Philadelphia Theatre Guild, and he aimed to (1) obtain more and better bookings for the city, (2) get a group of producers planned and organized to support a professional local repertory.

Others who came from New York to the speech were Theresa Heburn and Warren Minkoff and the Theatre Guild; Henry Wagstaff Gribble, of the Philadelphia Theatre Guild, and Robert Coleman, N. Y. Mirror critic.

The Maplewood (N. J.)

Reverts to Stock Legit

The Fabian Maplewood theatre, Maplewood, N. J., is reverting to stock.

O. E. Wee and Frank McCoy are cited as the Maplewood, which they did last season. Some policy has been laid.

Although the ticket code is not formally set to continue through next season, the League of New York Theatres, which supervises the regulations covering most Broadway agencies, has decided to lighten the levy which the brokers have been required to pay. Agencies have contended for some time that 3½c per ticket is too heavy an impact and claim that the tax represents the margin of profit for an appreciable part of the season.

Recently, the League's executive secretary, James P. Kelly, put the matter up to Equity, whose assets are required when any of the code's clauses are revised. Council of the association replied that it had no objection to the proposed changes. Kelly then advised the brokers that matters of interest would be placed before them at a session to be held at the League's office Thursday (22). Understood they will be told that the League is willing to suspend the ticket code collections from the present time until September with the proviso that money due be paid forthwith. Brown, a well-known producer with payments during the period that the Acme agency case was pending. That agreement to secure a restrictive writ against the manager's body and Equity. The brokers agreed that the code would be placed on the other way, the code would have been dropped.

Considerable Owed

How much money is due the League was not disclosed but a considerable total is indicated. Another source expressed the hope that the ticket regulations to lower the levy next season to 2c per ticket. The League people are expected to seek a settlement of money due on that basis but the League is believed to be opposed to such an arrangement.

Both the League and Equity again came out strongly in favor of the Speelman bill last week, spokesman appearing before New York's council committee on general welfare Friday (18) when another open hearing was held. Measure had been more or less buried in committee but the latter appeared impressed and advised proponents of the bill that it would be reported to the council early in July.

(Continued on page 51)

Mrs. Hammerstein Wins Accident Suit Started by Hopkins

Mineola, L. I., June 20.

A jury before Supreme Court Justice Henry G. Wenzel, Jr., refused to award damages for injuries sustained by the late Mrs. E. J. Hopkins in a automobile accident at the home of Mrs. Dorothy Hammerstein, at Great Neck, L. I., on May 15. The jury found that the late Mrs. Hopkins, wife of the deceased and his former Dorothy Dalton of the film of Arthur Hammerstein, Brooklyn producer, was the plaintiff's producer, was the plaintiff's producer, was the plaintiff's producer.

Hopkins sued for \$20,000 and brought the action as the executor of the estate of his late husband, who died Jan. 21, 1938. He claimed his wife sustained a broken right ankle and a broken left arm and leg. It was alleged that the accident aggravated another injury, which caused the

The defense asserted that no negligence was shown on the part of Mrs. Hammerstein, and that the accident was caused by the negligence of the driver of the car which struck her.



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56 PAGES

ails How All **LEGIT VEERING** **FTP Reprieve Viewed as New Lease**
by a N. Y. Fair Visit **MORE TO LAUGHS** **Of Life in N. Y.; D.C. Attitude Tepid**

**LEGIT VEERING
MORE TO LAUGHS**

FTP Reprieve Viewed as New Lease Of Life in N.Y.; D.C. Attitude Tepid

300G Back to U. S.

FEMMES DON'T FIGURE

Close to \$300,000 has been d

CLEAN B'WAY BEHIND CITY'S NEW MOVES

The New York city fathers have passed the word along to all Broadway theatres that many dormant ordinances will be invoked to make the houses clean up. Whether coincidental with the Fair or not, seldom before has the city taken such pains to make it clear that the houses must be rid of surplus valances, old paper, heralds, and the like.

That 'Coney Island look' must go, the cue. Also, 42d street's theatres will get a similar going over.

Rex Tugwell, former brain-truster of Roosevelt's administration, and the City Planning Commission are behind plans, reported to be elaborate, for a complete enforcement of all laws relating to theatres, the use of valances, the height limit for electric signs, marquee ends, dressing rooms and the like. Complete enforcement of all the various ordinances and regulations put on the books in past years would raise havoc with not only the theatres but with the sign companies as well.

**Aerobatics by Don
Douglas' Planes Jazz
Up Film Prod. Plan**

Hollywood, June 27. Next time Donald Douglas celebrates an anniversary he will do so on the ground, if Hollywood film producers have anything to say about it. Airplane biggie's 11th

Party was held 3,500 feet in the air, aboard the huge plane, Douglas C4, whose four roaring motors dropped a barrage of sound waves.

on the film makers below. Work ceased on the Paramount, Columbia, RKO and Samuel Goldwyn lots while 1,500 thespians drew pay for idling an hour. Many of them sustained sunburned tonsils while gaping at the sky.

It was not a sight-seeing tour. Douglas explained later. Big Id was to broadcast a program from the plane over KKWB. Ship had difficulty making connections with the radio station, so it had to circulate over the four studios while the motor music went round and round.

C4 Incident was the climax

(Continued on page 55)

Pending a meeting with Tugwell and others on city ground, theatre executives and attorneys are holding

(Continued on page 55)

NAZIS FORBID EXIT OF FRANZ LEHAR, 69

Irving Mills' idea of bringing over Franz Lehar, composer of "The Merry Widow," for a series of commercial broadcasts has been temporarily stymied by the Nazi government's refusal to let Lehar leave the country. Mills worked out a deal for Lehar's representation in this country on his (Mills) last visit to Europe.

Mills figured on Lehar, who is 69 years old, doing a series of 13 broadcasts for an account such as Ford Motor.

According to advices from Hollywood there are more male comics available for production than at any time since the advent of talking pictures. Trend in legit is towards comedy, particularly in contemplated musicals, and indications are that a flock of stage giggle rousers, who were supposed to have been gobbled up by the studios, can be had. Reports of two and three comedians being listed for the same musical now in the making seems to substantiate that theory.

Film companies have ceased tying up the funny men for extended periods or termers, preferring to use them when necessary. Apparently that is one of the moves to cut down the overhead on the Coast. For a number of seasons, legit producers complained it was too difficult to cast shows. They found comedians sewed up under term contracts to the studios.

Among the funsters available for stage shows are: Hugh Herbert, W. C. Fields, Edward Everett Horton, Bert Lahr, Jack Haley, Charles But-
(Continued on page 22)

WAITED TO GRADUATE

Memphis, June 27.
Kay Starr, WMPS staff songstress who refused several chances to join bands because she wasn't through high school, finally got her sheepskin this month and is taking a call

She's been on NBC sustaining from WMPS and was with Joe Venuti here for two weeks and two more weeks on the road in this territory when she decided to switch to Crosby. Gal's real name is Kathryn Starks. She's 17.

Mobs' 5 A.M. Cocktail Hour

Chicago, June 27.

The 'hoods' (hoodlums), as the local mobsters and we-boys are locally labeled, have an on-the-level 'cocktail hour' at one of the near-loop hosteleries where they congregate.

It's at 5 a.m., which is at the peak of their nocturnal activities, and the boys are in need of a bracer and a little refreshment.

Close to \$300,000 has been deposited in the Federal Reserve Bank to the credit of the Government by the WPA Theater Project in New York during the fiscal year ending Friday (3). No figures of other boxoffice operations in the relief theater have been made. Deposits substantiate the claim that it's not only work relief project that has materially helped to earn money.

Boxoffices in WPA rented theatres have no tickets dated beyond Friday (30), but sets for subsequent performances were expected to be ordered today as result of latest word from Washington.

STRESS RAD SETS IN ADS, NOT TELE

Radio manufacturers are withholding their newspaper and magazine campaigns on their new sole models until after Aug. 1. Meanwhile they will plug the portable sets for summer use. Manufacturers express themselves as gratified by the reaction of retailers to the former's assurances that television, as a serious threat to radio sets, is a long way off, stocking up heavily with the

The ad copy will stress the sense of ground wires and antenna needs for the new models and to stir up a greater interest in phonograph combination sets.

BAR FAKE PRESS CARD WHICH NAIVE DOTE

Washington, June 2 — Move to end flourishing press racket taken by the Federal Trade Commission, in clamping down practice of the mag. Photo-Mart of issuing so-called press identification tags allegedly enabling hooligans to pass through police and fire line.

Would-be news correspondents news photogs avidly seek the so-called press cards, with numerous self-made news and photo syndicates salivating the vanity of tyros by issuing the purportedly identifying tags at varying fees. Actually the alleged press cards worthless, police and fire officials recognizing only those issued their own cities and signed by their own department heads.

At WPA quarters in New York yesterday (Tuesday), the impression was that the Federal Theatre Project had been granted a new lease of life. Interpretation of the Senate subcommittee's recommendation that the relief theatre be classed with the other arts projects, which the House measure continues until Aug. 31, would keep the theatre end going that long, at least. It is dependent on acceptance by the Senate of the committee's revision and the final okay by the House.

Senate committee did not make a definite allocation of funds and stipulates that 'some appropriation' to the Theatre Project be made, only if sponsored by local governments. That is taken to mean that the Theatre Project is expected to receive financial support from those sources. Because the Government took over the relief theatre in entirety, it was financed in New York by Federal funds in combination with N. Y. city and state emergency allotments, and it may revert to that status, if continued.

All rentals of theatres used by WPA shows expire Friday (30) when the fiscal year ends. If the Project is to be extended beyond then, month-to-month occupancy will be arranged until the situation is clarified.

Too Vague and Indef
Washington, June 27

A reprieve, which is quite indefinite, was voted for actors depending on Government relief Monday (26). Senate Appropriations Subcommittee, considering next year's unemployment aid bill, partially re-

(Continued on page 50)

Tar-and-Feather Routine Will Raise Havoc With Social Gossip Industry

Washington, June 27.
Virginia gentry inflicted tar and feathers on a newspaper gossip columnist last week for what many

unist last week for what many newspapermen thought was a relatively light 'insult.' It immediately inspired conjecture of what the fourth estate would do with the case. If columnists are to run the risk of kidnappings, beatings and physical indignities the boys around the National Press Club feel it will

Cassini's own rag was furious over his abduction by a group of Virginia socialites who objected to a couple of items in his column. Paper ran a long piece playing up the fact that he was felled with a 'blunt instrument,' choked unconscious by his captors, threatened with emasculation.

(Continued on page 55)

Kent, Back from S.A. Arrked at Allied's Rejection of Code; OKs Latin Market

S. R. Kent, 20th-Fox proxy, made his first public appearance in the distributor committee of which Kent is a member. As distributors and particularly where 20th-Fox is concerned, he has made our final offer to Allied. We may have to attack the trade practices solution from another angle, Kent stated, on his arrival from his Southern American business trip on Monday (26).

"Twentyth-Fox is going to push the trade pact and offer it to every exhibitor who wants it, provided no legal difficulties restrain us from doing it. I expect some Allied individuals to take the pact and there is no reason why it should not be done now."

"Noting we could offer would be acceptable to Allied, I am convinced. I am S. Myers is presumptuous to even expect the distributors to talk to Allied on these divorcing terms. There is no guarantee, even if we gave Allied everything they wanted that it would do us any good in Washington."

"My feeling is that I would rather keep my chances with assistant United States attorney-general Arnold than with Myers, because Arnold is doing his job according to the law, but we do not know what is going on in Myers' mind, and I don't think it is pleasant."

Kent viewed his company's first two conventions in South and Central America—in Rio de Janeiro and in Trinidad—as very successful. And he had a wonderful reception in the latter, but we do not know what is going on in Myers' mind, and I don't think it is pleasant."

"Although we are making Spanish-language films and may even decide to distribute a quantity of such pictures made by outside producers in Latin America, I feel that there is a certain type of Spanish picture for local consumption which should be left to local producers in Latin America. American producers could do better to concentrate on making better American pictures," was Kent's view on future position of American distributors.

"I feel that there is a certain type of Spanish picture for local consumption which should be left to local producers in Latin America. American producers could do better to concentrate on making better American pictures," was Kent's view on future position of American distributors.

KANN DENIES ANY POUTING WITH RKO

Hollywood, June 27.
Garson Kann is understood grimacing at RKO because of the exclusion of his latest picture, "Bachelor Mother." Director will huddle with the studio execs in New York before sailing to Europe for an extended vacation. He's reported to be demanding the right to cut his own pictures in the future.

Garson Kann sails today (Wednesday) for three or four weeks vacation. Denies any rift with the studio, and says he'll do some research abroad for his next directing stint, which he declines to identify.

Hopes to return to more Broadway stage assignments in the fall, to get the right play and managerial staff, but has nothing in line at present. His "Bachelor Mother" opens at Radio City Music Hall, N. Y., tomorrow (Thursday).

New Deal for H. J. Brown

Hollywood, June 27.
20th-Fox handed Harry Joe Brown a new two-year deal with a four-month extension of his old pact had four months to run. Currently he is touring the picture "The Rains Came" and has "Holdover" coming in work.

Other assignments include "Here I Am, A Stranger," "Everything Happens at Night," "Johnny Apollo" and "The Postman Always Rings."

Kit on the Run

Hollywood, June 27.
Old Kit Carson is thinking about selling his horse and buying a motorcycle, with three pictures woven about his exploits.

Latest entry is Warner's, preparing a Wayne Morris starlet for summer shooting. Columbia is lending a serial, "Overland With Kit Carson," and Edward Small is reading "Kit Carson, Adventurer."

U.S. TAXES SHOW APRIL B.O. WAS VERY COY

Washington, June 27.
Strong comeback in the lagging amusement business took place in April, most recent Federal tax collection figures showed last week, with the May payments to the Treasury from the admissions tax, perpetuated for another two years by the law sent to President Roosevelt for signature Friday (23).

The May receipts hit \$1,005,887, within \$1,000 of the top for this year. The April receipts were \$912,228 above the level of 1938, and \$221,266 over the April sum. The month-to-month jump was the largest since last November, which was itself a break-through, while the boost over the same month of the prior year beat any since March, 1938.

As a result of the revival, the Treasury's books show the month now is worth \$87,341 of the five-month total last year and nearly \$200,000 ahead of the same portion of 1937.

Optimism Note
Minneapolis, June 27.
Territory's exhibitors are taking heart because of optimism as to crop prospects and, in turn, over the general business outlook in western Minnesota and North Dakota, according to surveys just made. There has been plentiful moisture during the last two weeks.

J. H. de Wildt, manager of the Civic & Commerce Assn., said both farmers and business people have changed their attitude from the pessimism caused by drought in April and May.

SEE 15c PER SHARE NET ON MONOGRAM

Monogram Pictures is expected to show a profit in its first earnings report for the six-month period ending June 1, excellent income during April and May makes this possible. Wall Street is looking for about 15c per share on about 335,000 shares outstanding for this period.

The half-year statement probably will be rendered separately instead of with the company's report on Monogram starts its fiscal year on June 1 effective this year. Rentals at the end of the time are running well ahead of what they were last year.

Canty Quits U

George R. Canty, Universal's European general manager for the last two years, is rumored to have been reported ready to return to the U.S. diplomatic service.

No successor has been named.

MAJORS SIGNS REPELLOUT DUE

Major's Sales Offices Report Many Exhib Requests to Buy for '39-40 Under the Code—Giving the Indies an Edge

ALLIED REBUTTAL DUE

Any exhibitor who wants to buy 1939-40 product under the provisions of the code, carrying with it the benefits of arbitration, may do so with seven distributors, regardless of his affiliations and without the action of any theatre owner organization to which he belongs.

The exhibitor, in selling new film, will agree that deals for '39-40 product will be considered signed, with all provisions of the code to apply, pending further developments in connection with the industry's own Bill of Rights, but that, if so desired, riders will be attached to the contracts so certifying.

Major sales quarters it is declared require are coming in from numerous accounts asking if they may sign the new law which will carry the provisions of the code, and when it is placed into effect, to provide arbitration, and, in such cases, whether the distributor will annex a rider to the contracts covering that. This is being done where the request is received.

In sales and exhibition circles it is believed that the code could easily be put into effect, and that approval of politically-minded independent theatre leaders who, through their associations and their boards, without respect to majority wishes of the membership, may refuse to go along with the code. In other words, should a vast majority of the country's exhibs desire to do business on the code-regulated basis, natural since it gives something not enjoyed—then the mere signing of sales contracts and accompanying documents to cover is all that seemingly is necessary to give it a major sales quarters.

If exhib bodies, other than Allied States, also completely reject the code, based, as with Allied, not on a vote of the membership, but on a vote of the board of directors, then there still is nothing to stop 90% of the country's accounts from signing up under the code. That in itself would make it effective. Since the work is being done, the mere adoption of the code by every exhib association in the country, headed by Allied and METRO, would mean that every exhib would have to take it with his contracts. He isn't forced one way or the other.

Many Acceptances

Numerous acceptances of the trade practices pact and arbitration have already been indicated. Pending board confirmation, and others throughout the country for a representative number are expected. Complete acceptance is expected to be speeded by willingness of the distributors to modify the terms concerning arbitration of clearance disputes where an independent and affiliated theatre are involved.

The complaint is that the monoprice indie has only one vote while, representative of the exhibs, the affiliated theatre, has two since he's on the distributor side and has two votes in the board with the latter. This may be changed so that the indie in such three-way disputes has two votes to the exhib's one vote for the affiliated theatre and one for the distrib.

Motion picture work and other matters out are expected to be held later this week with S. R. Kent's recent visit to the exhibs. At the time, William F. Rodgers of Metro, spokesman for the distrib, is planning to propose a later meeting. It is in the nature of an answer to the action taken by Allied States at its (Continued on page 54)

Post-Mpls. Convention Convinces There's 'No Use Waiting'; Product Deals For 1939-40 Spurt Generally

Gold Spoons

Hollywood, June 27.
Highest-paid actors in Hollywood are new-hire infants, who draw \$75 for a few minutes' work per day. At the age of six days their stipend drops to \$50 per diem, and at three months they skid to \$25.

At the end of six months they are just like other folks and have to work at the regular daily scale, \$4.25.

REPUBLIC NOT TO SET UP OWN EXCHANGES

Although Republic Pictures distributes its product chiefly through state-owned franchise-holding companies, it is now operating six of its own key city exchanges, having taken over the territories of Jack B. Liska, Seattle, San Francisco and Los Angeles, and the Albany, Buffalo and Detroit territories of Sully J. Helman, and Bernard Mills, Rep. executives, however, deny it intends to buy out any other franchise-holders.

The Coast franchise held by St. John is reported to have wanted a half year to go, of its original five-year term, but he wanted to retire from the business. The Berkowice-Mills franchise is said to have expired this year. Operating name of the latter enterprise, the B-M Film Exchanges, Inc., has been changed to Republic Pictures Distributing Corp. of Buffalo, papers having been filed in Albany last week by M. H. Lavenstein, Republic executive.

Lavenstein denies Republic will buy out other franchisers and eventually operate its own national distributing system of exchanges. The six exchanges taken over will be operated by the company until new state-right distributors are found to assume the franchises.

DAN MICHALOWE MAY H. Q. IN AUSSIE INDEF

Dan Michalowe, 20th-Fox executive who spent six months in Australia last year in connection with 20th-Fox and National Theatres' interests in Horta Theatre Circuit may return to Australia in September, according to S. R. Kent. Michalowe is to act in an advisory capacity by return to Australia in September, Fox home office. His stay down under may be of several years' duration.

With a new setup of booking agencies of Horta Theatre Circuit and Greater Union in September, according to which all product deals will be handled by the General Theatre Co. of Australia, for the next six months Michalowe is being assigned to coordinate working details of the new pact.

Wilder's Place Leased

By Sid Kent of 20th-Fox
Syracuse, June 27.
Col. Harry Wilder, president of WSWR-TV-WBXX, has rented the family show place, Pine Tree Point, at Alexandria Bay in the Thousand Islands, to Sidney Kent, president of 20th Century-Fox.

It's for the rest of the summer.

Minneapolis, June 27.
Since Allied States' convention, buyers of 1939-40 has taken a decided spurt, according to film exchange managers. Failure of the convention, give expression to some complaints against film prices or to make any move to get them lowered is reported to have convinced exhibitors that there's no use waiting.

Indies are reconciled to the fact that they'll have to do their own battling over rentals, the same as hitherto, and that the exchanges will continue to treat each situation individually. It has become apparent. They're convinced now that nobody else is going to do their fighting for them in the matter of film prices.

Even many Twin City independent exhibitors are negotiating deals, although the new indie is not yet in to wait until fall or early winter because no new-season product will be available. Some indie exhibitors and managers also prefer to wait in the case of the Twin Cities until after circuit deals have been closed.

Exchanges report that practically every out-of-town exhibitor comes and closed has signed a desire to operate under the new indie trade practice code and declares they'll sign regardless of adverse Allied States' action.

U's Schine Deal
Bill Scully, Universal distribution head, is due back today (Wed.) from Gloucester, N. Y., after discussing a \$100,000 production deal for him to wait until fall or early winter because no new-season product will be available. Some indie exhibitors and managers also prefer to wait in the case of the Twin Cities until after circuit deals have been closed.

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Majors to File Answers Tomorrow

(Thurs.): S. Vs. Schine, Also Fla.

The major film companies will file answers tomorrow (Thursday) to the charges that they violated the Sherman anti-trust laws in the N. Y. federal court. Each company is filing separately, with the firm of Donovan, Newton, Leshure & Lombard, which represents, except Columbia and United Artists, acting only for RKO.

The answer will categorically deny all charges, and the defendants will point out the misuse on the part of the U. S. of many trade terms, and the inaccuracy of many of the statutes and figures. A dismissal of the action will be asked by the U. S.

It is expected that immediately after filing, with the lawsuit, the Government will have the anti-trust action placed on the ready calendar for Judge John Knox is expected to appoint a judge to hear the case the first week of July, and the start of the trial will be the first week of October.

Government sources also revealed that additional actions will be started within a month against the Schine group, including John Schine, who is being indicted in Florida. The U. S. is attempting to show its impartiality in the federal action against the major defendants, as well as the majors. It was also stated that some of the RKO defendants will be dropped, as they are no longer connected with the industry. Others added to replace those eliminated.

RKO Defendants Opi
Discontinuance of the suit as to eight RKO defendants, and the siding of other not named in the original suit, was ordered by the federal court with the filing of a stipulation of discontinuance with the original suit. Those officers who will have the action dismissed against them are Cornelius H. Bliss, director, resigned May 5, 1939; Edward W. Madden, director, resigned May 5, 1939; David W. Hadden, director, resigned May 5, 1939; Merl H. Aylesworth, chairman of the board, resigned Oct. 2, 1939; Gerald Smith, president of Pathe News, resigned May 20, 1939; J. H. Lawrence, chairman of the board, resigned March 10, 1939; Frederick Strauss, director, resigned Aug. 1, 1939.

No one will be named to replace these men until Judge William B. Egan approves the new RKO board.

CM B&K Sift Under Way
Chicago, June 27.
Government suit against Balaban & Katz and seven major distributors will proceed again on Wednesday (28). On last Thursday (25) the Government began to outline its case to the Master now hearing the suit. Robert S. Wright, attorney for the U. S., has the hearing, which is primarily in the form of a description of the Government charges against the defendants. On Friday (27) the first witnesses were brought up to the stand for examination.

Two men were questioned, one a member of the Federal Bureau of Investigation and the other local executive in charge of the branch manager for Warner Bros. For the first part the examination consisted in an indication of certain facts and contracts as authentic in local law.

Case will continue tomorrow (Wed.) on a similar basis of identification of tentative evidence by witnesses.

Bear Hugs Par Pact

Chicago, June 27.
Gus Stevens and his wrestling bear have been put on the Paramount for a stint in "White Flame." Stevens and bear get a three-week contract plus traveling expenses and keep for the three weeks. Joy starts July 1.

Moto Out

Hollywood, June 27.
Mr. Moto is on the shelf at 20th-Fox, a victim of the prevalent anti-Japanese sentiment in the U. S. and England.

Another reason given for the decline in the popularity of the character of Moto could not be made entirely sympathetic, because it would make him too much like Charlie Chan.

N. Y. Indies Meet Today (Wed.) Prior to D. C. Huddle on July 18

Independent Theatre Owners Association of New York at its semi-monthly meeting in New York today (Wed.) will discuss the desirability of asking the U. S. Department of Justice to appoint an official observer to the picture industry to watch the operation of the new code. The committee is made up of three, headed by president Harry Brandt, will be selected to confer with Harry L. Hopkins in Washington July 18.

Theatre owners will also ask the Government for other assistance and cooperation on taxation and other matters affecting the small business men. The N. Y. labor situation will come up for discussion, particularly with regard to mandatory pay increases under Local 303 Operators union, a 10-year past signed two years ago.

Arbitration committee consisting of two representatives from each side is now being tried to arrive at a satisfactory solution to the costs for the past 10 days. Local 303 last summer demanded a 48% increase with exhibitors clamoring in return for a reduction. Since then the union has been steadily toned down and unofficially it is felt that if a 10% increase is granted it will be accepted by the union.

With business as it is at the present time, the indie theatre owners are still pressing for both cost and reductions. Settlement is expected somewhere between the two demands.

M-G Moves to Settle

Fears' Process Suit

Los Angeles, June 27.
Metro is reported dickering with Ralph G. Fears for a private settlement of his breach-of-contract suit involving cash payment of \$1,000,000 or face the likelihood of a \$2,700,000 action for \$2,700,000. Negotiations are the result of a Federal court decision.

Two-year-old legal battle concerns Metro's claim that Fears' process was used by Fears and used by Metro. Fears claims he sold the process with understanding that the process was to be used only on Metro's own product. Later, he learned that Metro was using the process for other studios. Eliminating the question of damages, Federal court interpreted the contract in favor of Fears.

Plaintiff's claim has been reduced to \$2,700,000, based on a levy of \$500,000 per month for the nine months Metro was charged with using his process on outside jobs. Fears is a camera and film lab engineer head of the Fastest Camera Co.

Sequel to 'Chips'

Hollywood, June 27.
Metro is readying "Valdeciotto," an American version of "Goodbye, My Darling," a picture starring Lionel Barrymore. It is to be the last, which includes, to date, Mickey Rooney, and Judy Garland.

Practice Puts Studios On Guard But Snipers Lay In Wait—No More Nuisance Payoffs—Settle 10G Suit For \$35

Following the films, like their brethren in other tangents of the profession chase the ambulances, are a considerable and growing number of Coast attorneys. They haunt the p-reviews and premieres with an eye and a pen, and are usually successful of the producers in dealing with actual living or historical personages on the screen. They hope to, and frequently do, persuade these dramatized individuals or their relatives that they have been unjustly maligned, and that the privacy of the person has been invaded, even though that person may have lived a notorious life.

Most of these cases are unfounded, unjustified from the public angle, and are usually settled for a few hundred dollars. The Coast attorneys are not infrequently the film-chasing attorneys that is his fee is 50% of the recovery, in event he should be successful. And they have been a few lucrative and inciting precedents.

This makes the dramatically attractive biographical pictures somewhat precarious production ventures. Many personages whose lives, exploits and impact on their times are of great interest to the public, and who, in the past, have been entertained from the screen for this reason. And the dramatic personnel, who have doubled in preparing screen plays on those important or historical individuals, are now being asked for film treatment.

The practice now is to secure releases from relatives and all other persons who might directly or remotely be affected by the presentation of the dramatic personnel, to the third and fourth generation. And it is amazing how sensitive remote relatives can suddenly become about the family "touchstone" after a few suggestive words about "damaged reputation," family honor, and the "rich studios" from film-chasing lawyers. It is usually one or two 42nd county suits, but the attorney and the rich studios' companies attempt to round up in advance any possible objection to a biographical screen.

Can't Do That to Me
The fact that the majority of the subject matter may grant the picture producer proper and reasonable immunity in his dramatic presentations, usually at the inspection of the script and sometimes even after private preview, usually at the inspection of the script, always deterred some other offshoot of the family from announcing him as a subject for a film of a kinsman. To be unsuited for this alleged defamation, the subject matter is usually a famous person who will be only too glad to share in the "reputation," the "fame," the "glory," and the "wealth" from \$25,000 to \$1,000,000.

There are, of course, some instances where the subject matter is a dramatic figure of dramatic and historic privilege and have so distorted a picture of the subject as to cause a public, protective legal reaction. The majority of attorneys representing biographical pictures, as usual, are not legal provocateurs promoting percentage cases, ethical and moral, but are simply men of their profession and the public.

The effect of the increasing number of the defendant's suits has brought against picture companies in connection with biographical or historical films, has been to distort the historic film protagonists the other way—to parade them as historical figures, and not as heroes and heroines, men and women who could do no wrong, make no mistakes, and be perfect.

(Continued on page 16)

Chi's Downtown Situation Points The Way to a Possible Revision To Up Nabe Pic Rental Income

Hot Ice

Hollywood, June 27.
First day's work on Sol Lesser's "Everything's On Ice" was all wet. Freezing machinery went crazy with the heat.

When 30 skaters reported for ice rink scenes, they found a swimming pool.

Franklyn Warner's Cosmocolor Stock; Using It On His Pic

Fine Arts Pictures Corp. signed contracts Monday (26) with Cosmocolor Corp. of N. Y. to produce a claimed 24 pictures with that process. Deal was closed by Franklyn Warner of FA prior to his return to the Coast last night (27). Boyd H. Waldo Hatch and David Blankenhorn handled the negotiations for Cosmo. Recently completed Fine Arts picture, "Tale of Destiny," was the first FA production to use this color.

Warner owns some Cosmocolor stock and is negotiating for another block of stock which will give him altogether 40,000 shares of approximately 300,000.

Fine Arts producing committee with Grand National Pictures remains as is, but may be materially affected by what happens in the next two months regarding new proposed financing. Warner had no comment to make at the time of a postponed meeting of Educational and Grand National stockholders scheduled for tomorrow (28) when he would venture any prediction on whether stockholders will ratify the deal.

Fine Arts expects to put his next picture, "The Girl in the Red Velvet," before the cameras on Friday (30).

Educational-GN Meet Set for Thurs. (29)

Meeting of Educational and Grand National Pictures stockholders scheduled for last Thursday (28) had to be postponed for lack of a quorum. Management presented proxies for approximately 30,000 shares of Educational stock, but only 500 shares represented in person. Total shares necessary for a quorum was 44,668.

Next stockholder call is for tomorrow (Thursday). Principal business will be ratification of the corporate setup. Felt & Co., Wall Street underwriters, are now proceeding to furnish cash to \$500,000 of Educational stock.

It is understood that Educational is checking closely into affairs of the Educational stockholders, and that Wall Street houses, it is understood, have agreed to share in the underwriting with Felt & Co.

Ford Draws 'Grapes'

Hollywood, June 27.
John Ford gets the directorial job on "Grapes of Wrath," John Steinbeck's story of California farm labor, at 20th-Fox.

Producer is Munnally Johnson.

Movita's Double Linger

Hollywood, June 27.
Monogram is shooting in Mexico starring, "The Girl from Rio," as a double-header in English and Spanish. The picture is being sold in English countries.

E. B. Derr producer rolled yesterday in the picture, "The Girl from Rio," directed and Alberto Sergio imported from Mexico to handle Spanish orchestration and songs.

Fading of the downtown theatres as the main source of picture amusement and flicker revenue is bringing about a number of upheavals in the general picture industry. Distributors are convinced that there must be a revision of their revenue standards to compensate for the huge amount of coin lost in the downtown runs, at the present time, due to the slump of the first-run grosses. While the downtown theatres have dropped an estimated 40% of their former revenue, the power, the naves have upped their general take as much as 300% above previous gross levels.

In Chicago alone, which serves as an indicator for the entire country, the exchanges estimated that they are getting as much as \$20,000 under what they should on their top pictures. The price, and the power, brought in \$40,000 and more from the downtown run, while today their figures show a loss of \$10,000 longer any such money to be had from the first run.

It is not coming downtown any more since they are getting the same pictures in first deluxe nabe houses. The exchanges are now on a twin bill policy in force today, they are really getting a flicker bargain in the first-run gross.

Must Make It Up in Naves

To the distributors this means that they must look to the nabe houses to make up for the loss of the first-run revenues. In the past the naves have been paying from 15% to 25% for their flickers, but the distributors now insist that this must be increased to 35% or 40% to make up for the first-run loss.

Distributors see in this campaign percentage in the naves a major liability which may lead to the elimination of double features from the downtown runs. The picture houses have to cough up 35% or 40% of their gross on a flicker, and the distributors are now looking for another picture, but will rely on the percentage film to carry itself.

Exhibitors have been doing some figuring on their own, and according to their arithmetic they wouldn't be spending as much for a show on a percentage basis than they do at present for two features. Distributors are not sure of the situation, a possible solution to the dawning problem.

Grey and Berke Swap Mustang Productions

Hollywood, June 27.
"Raiders of the Wastelands," last of the "Loud vocal battle over the public, rolled yesterday (Mon.), to be followed by a shakeup in the production.

Harry Grey takes over William Berke's chore as producer of Mustang Productions. Grey will take steps into Grey's old job as producer of Gene Autry's "Frontier" series, and Roy Corrigan step out of the Mesquiteers, and into the "Loud vocal battle over the production and Duncan Renaldo.

Odium in the Middle

Hollywood, June 27.
Warners and Paramount are putting on a loud vocal battle over "Silence Has No Sound," each claiming it has a prior commitment on the subject to the third story of the picture.

Par declares it bought an option on Odium's next yarn and Warners author is the third story of the picture. The other two were "Back Dawn I Die" and "Dust Be My Destiny."

Slim L. A. Pickins; 'Juarez' \$21.500
On Return, 'Tarzan' 18½¢, 'Mikado'
Ekes 15¢, 'Godfrey' Playback. 9¢

Paramount (4,128: 25-35-50) — **Juarez** (WB) and **'Secret Service'** (WB) (2d week). Nifty \$17,000. Last week, swell \$22,000.

THE SCREEN'S BIG, NEW, RECORD-SEEKING COMEDY OPENS THIS WEEK AT RADIO CITY MUSIC HALL . . .

—AND HOW DESPERATELY THEATRES NEED A HIT LIKE THIS RIGHT NOW! . . .

Look for peak midwinter grosses... **BECAUSE IT'S AS BIG A LAUGH SHOW AS THE SCREEN HAS KNOWN! . . .** Joyous Ginger a new delight in every scene as the shopgirl "mother" of a doorstep founding... **David Niven** every girl's new "boy friend" from now on! . . . **Brilliant dialog... Hilarious embarrassments... glowing drama . . .** A touch of jittermania and a whole world of exciting glamour in a romance that will make you tingle all over!

GINGER ROGERS · DAVID NIVEN

"Bachelor Mother"

WITH
CHARLES COBURN · FRANK ALBERTSON
E. E. CLIVE • DIRECTED BY GARSON KANIN • PRODUCED BY R. G. DASTYLA



PANDRO S. BERMAN
IN CHARGE OF PRODUCTION
SCREEN PLAY BY NORMAN KRASNA
STORY BY FELIX JACKSON

Parliament Confirms Withdrawal Of Britain's Excise Duty as Simon Plans to Restore Former Taxes

London, June 27.

Sir John Simon's promise to drop excise film duties was confirmed last week by Parliament. The Chancellor also published further amendments restoring the former rates of import duty on films, but with the difference that 10c. per foot must be paid on first prints, whether positive or negative, and 5c. for subsequent footage. Previous customs rate was 10c. only on negative stock. This is subject to ratification when the committee resumes sessions tomorrow (Wednesday).

The Chancellor admitted the proposed boosts were a mistake and would have operated unfairly, particularly on newsreels. The Chancellor on Wednesday (21) told the House of Commons that the different circumstances under which the excise duty would have to be applied prompted his conclusion that the portion of the taxation should be dropped. He also said that the proposed customs duty would need other corresponding minor adjustments. These are the taxes scheduled to be acted on by law.

U.S. distributors in Great Britain had bitterly opposed the excise duty. They claimed that it was unfairly applied to them here before, would cost eight U.S. major companies \$5,000,000 more in business in England, nearly twice as much as previously.

The tax agreed to cost an American film company \$9,000 for feature distributed in Great Britain, on basis of 40 prints net per subject. Proposed import duty was to have been 12c. per foot for positive and negative first prints and 4c. a foot on all subsequent prints.

U. S. Pix Blame Move

Elimination of excise taxes and the decision that proposed duties would be abandoned were hailed by American exporters. In New York as a sensible solution of the problem which threatened to cripple American film business in Great Britain. It would have hit exhibitors, producers and distributors, with the latter categories because they have financed or done the bulk of costly production in Great Britain.

Regarded here as a victory for F. W. Allport, Hayn rep in England, and A. S. Griffith, Brierley, Hayn rep in England and head of the Kinematograph Renters Society (KRS), both active in the battle against the taxes.

French Pathe Trustees

Denied Judgment in N. Y.

Supreme court justice William T. Collins in N. Y. yesterday (Tuesday) refused to enter a summary judgment in favor of Maurice Mancy and Marcel Coutant, as trustees and receivers of the French Pathe Cinema, against the KRS. The court judge declared that the issues at stake were too complicated to be decided by summary judgment.

Defendants claim that at or April 29, 1933, they entered into a contract with Auten for him to act as their exclusive agent to sell the American rights to seven pictures. He was to receive ten weekly. They assert that he has refused to pay them \$197,000, an injunction to prevent further distribution and damages.

Auten has filed a counter action against the trustees, representing a commission to which he claims is entitled for having secured all KRS contracts for France for the benefit of the plaintiffs in the 1933-34 season. A total of \$175,000 was paid for the pictures. As a result of the proceedings, he asserts that the plaintiffs assigned all their rights to the seven films to the KRS. The KRS no longer possess any rights to them.

Shatin In for Huddles

Michael Shatin, managing director of Warner Bros. in Japan, is in New York for homeoffice huddles. He probably will return to his post early next week.

Del Rio Weeper

Mexico City, June 27.
"Santa," the story of protest, which has made three generations of Mexicans weep, is to again be filmed. The first done, with Antonio Moreno starred, in 1930, and the final Mexican classic. This time, Dolores del Rio will play the same part.

Pedro Calderon will produce. He has cast the young actress, and Lupa Velaz's vehicle. Production starts here in July.

Munro Discredits Report Hoyts-GUT Feud Hits Distribs

Charles Munro, managing director of Hoyts, Australia, takes issue with reports printed in the American press that he had been ousted from the New South Wales government against distributors was brought about by rivalry between Hoyts and Greater Union circuits. On the contrary it had nothing to do with it, he says. The new law was requested by the Motion Picture Exhibitors Assn. of New S. Wales, according to Munro.

The Australian exec also refutes reports that Hoyts has monopolized production. "I have never had more film than we could use in New South Wales," he says. "All the pictures we have contracts for in the past we needed and exhibited."

Munro and M. G. Soman, a director of Hoyts, are remaining in New York until August, closing production deals.

WADDELL SEEN AS AID TO U. S. FILMS IN SPAIN

Arrival of U. S. Ambassador Waddell in Spain was viewed as highly constructive by the American film industry. "I have never had more film than we could use in New South Wales," he says. "All the pictures we have contracts for in the past we needed and exhibited."

Munro and M. G. Soman, a director of Hoyts, are remaining in New York until August, closing production deals.

British Accent on Youth

Hollywood, June 27.
Mickey Rooney and Virginia Weiderman, who first met in the next picture to play in Metro's "Yank at Eton."

"Yank at Eton" starts early in August on studio's Denham lot.

Post-Mpls.

(Continued from page 3)

probably begin with Alexander Korda, who is expected to be registered for August. Since the U. S. problem of selling hinges on consideration of individual merits, Korda's picture may be had in a group, percentage split, deals and booking terms are the case. It is expected by N. Y. picture officials as intensely pictured.

James WB Deal

Vincent McFaul (Paramount-Shen house) has returned to Buffalo following a trip to Chicago for office conferences and closing of a product deal with Warner Bros., one of most important for WB for the time being. McFaul, for Public-Box circuit in the Buffalo territory, took the WB picture "The Sign of the Cross" to Chicago, features, shorts, and trailers. He concluded deal in N. Y. with Roy Hough, distributor, and the picture. Haines subsequently left on a tour of exchanges.

State Goldstein, Massachusetts partner of Far and Tracy Barham, latter over Ohio, Kentucky and West Va., also was in Chicago for principal party deals. Barham has carryover film deals with most of the companies for the time being.

J. H. Cooper, midwest partner, who lives in the east, returned from Chicago to Chicago via Tokyo about July 14, literary including stops in China, Philippines, Malay States, Australia, New Zealand, and East Indies. Will not return until Nov. 1.

New Yank-Japan Con. May Be Snagged by U. S. Deed on Tientsin

LIENSKIND AND BRITTON PROMOTED AT RKO PIX

Nat Lienkind, who was promoted last week to be RKO supervisor for Brazil, Chile and Peru, underwent an operation for an abscess at the Fifteenth Avenue hospital, Thursday (23). He was reported recuperating nicely this week. Lienkind also remains manager in Argentina.

With Tientsin increasing in Tientsin, there was considerable anxiety in film circles over what American moves might be interpreted as anti-Japanese, with the resultant gain of new money-removal pact whereby U. S. could be refused in the recent shipment of pictures might be withheld from Japan.

It resulted in considerable talk to set up the arrangement for withdrawing \$200,000 from Japan. The "originally 'treen' in Japan," which is deposited in the Yokohama Specie Bank, is being withdrawn, in essence, for a period of this year. At the expiration of this period, the money would be repaid in proportionately by the companies, on the basis of their individual business.

American picture companies favor a similar pact, particularly if it could be linked with arrangements for permitting the distribution of additional films in Japan. There is no chance of outright money withdrawal because Japan is not required to fund for to be employed for military purposes.

EASE OF WAR SCARE BUILDS AUSSIE B.O.S.

Sydney, June 6.
With the ease in the European war picture, the "war scare" in Australia has been smothered and is tipped to hold over another "Gunga Din" (RKO) is, so-called, "Idiot's Deluge" (M-G) holds, "Let Us Live" (CWB) moderate, "Oklahoma" (M-G) bright, "Over Bengal" (BEF) okay, "Cafe Society" (M-G), "The Girl in the Red Pyjamas" (M-G), sixth month, "Last Warning" (U) and "Sweetest Lovers" (WB) holding well.

1ST MINIMUMS SLAYED FOR MEX. PIC PLAYERS

Mexico City, June 27.
Though Mexican picture producers are going to a strike for pay raises, they have established for the first time minimum daily wages for Mexican players. Rates are: principals, \$20; second and third class part players, \$15 and \$8, and bit players, \$5.

Production chiefs have been abolished and such artisans as carpenters and electricians are hired on the production basis instead of as a daily wage.

One big cooperative to boost Mexican film production, to include players and technicians, is being organized by the National Picture Studios Workers' Union. Minimum wages for pictures a month are to be produced.

Union has asked the government's National Workers and Industrial Bank for cash backing. Understood the executives like the idea.

Cochran Dickers For London Casino

London, June 27.
Charles B. Cochran is reported quickly dickering with A. E. Abramson to return to the London Pavilion with a musical show.

The Pavilion is under lease to United Artists.

Gregg's World Survey

E. S. Gregg, Electrical Survey Products, Inc., foreign manager, left Sunday (25) for four-month inspection tour of company's foreign operations. The Far East. He sails from San Francisco June 30.

State Goldstein, Massachusetts partner of Far and Tracy Barham, latter over Ohio, Kentucky and West Va., also was in Chicago for principal party deals. Barham has carryover film deals with most of the companies for the time being.

J. H. Cooper, midwest partner, who lives in the east, returned from Chicago to Chicago via Tokyo about July 14, literary including stops in China, Philippines, Malay States, Australia, New Zealand, and East Indies. Will not return until Nov. 1.

Diplomatic representations by the American Government in the Tientsin situation in China were viewed this week by U. S. picture officials as possibly affecting present plans to secure any new money-impounding plan from Japan. S. companies are expected to obtain some setup similar to the three-year agreement arranged for the rental of film for \$800,000 in rental coin from Japan. This new improvement arrangement would cover rentals collected on some 240 features shipped to Japan during the final quarter of last year.

With Tientsin increasing in Tientsin, there was considerable anxiety in film circles over what American moves might be interpreted as anti-Japanese, with the resultant gain of new money-removal pact whereby U. S. could be refused in the recent shipment of pictures might be withheld from Japan.

It resulted in considerable talk to set up the arrangement for withdrawing \$200,000 from Japan. The "originally 'treen' in Japan," which is deposited in the Yokohama Specie Bank, is being withdrawn, in essence, for a period of this year. At the expiration of this period, the money would be repaid in proportionately by the companies, on the basis of their individual business.

American picture companies favor a similar pact, particularly if it could be linked with arrangements for permitting the distribution of additional films in Japan. There is no chance of outright money withdrawal because Japan is not required to fund for to be employed for military purposes.

EASE OF WAR SCARE BUILDS AUSSIE B.O.S.

Sydney, June 6.
With the ease in the European war picture, the "war scare" in Australia has been smothered and is tipped to hold over another "Gunga Din" (RKO) is, so-called, "Idiot's Deluge" (M-G) holds, "Let Us Live" (CWB) moderate, "Oklahoma" (M-G) bright, "Over Bengal" (BEF) okay, "Cafe Society" (M-G), "The Girl in the Red Pyjamas" (M-G), sixth month, "Last Warning" (U) and "Sweetest Lovers" (WB) holding well.

Solid lineup in Melbourne, June 6.

Adair, together with "Little Miss Broadway" (20th), is so-called, "Idiot's Deluge" (M-G) holds, "Let Us Live" (CWB) moderate, "Oklahoma" (M-G) bright, "Over Bengal" (BEF) okay, "Cafe Society" (M-G), "The Girl in the Red Pyjamas" (M-G), sixth month, "Last Warning" (U) and "Sweetest Lovers" (WB) holding well.

Solid lineup in Melbourne, June 6.

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Auckland OK

Auckland, N. Z. June 6.
"Gunga Din" (RKO), "Boys Town" (M-G) has a "Three Men in a Boat" (M-G), "Men with Wings" (Far), "Tigger Takes Trip" (UA), "The Girl in the Red Pyjamas" (M-G), sixth month, "Last Warning" (U) and "Sweetest Lovers" (WB) holding well.

Dickinson, Reddin Back

London, June 27.

C. G. Dickinson, sales manager for Paramount in Great Britain, sails today (Wednesday) for London. Accompanying him is Tony Reddin, advertising-publicity manager for Paramount in Great Britain.

Both are returning home to the U. S. together and are turning home, held on the sales convention, held on the Coast last week.

Dance! Just a Waltz

London, June 27.
"After the Dance" opened at the Saint James Wednesday night (21). Auten has a "Three Men in a Boat" (M-G), "Men with Wings" (Far), "Tigger Takes Trip" (UA), "The Girl in the Red Pyjamas" (M-G), sixth month, "Last Warning" (U) and "Sweetest Lovers" (WB) holding well.

Play has some clever comedy dialogue and slow and ends on a high note.

Toy-Wing OK, London

Toy and Wing went over nicely at the Palladium here last night.

Featuring JESSE L. LASKY'S "GATEWAY TO HOLLYWOOD" TALENT-SEARCH DISCOVERIES!

Your first chance to ballyhoo the boy and girl chosen from thousands through the great thirteen-week, coast-to-coast network quest for new screen personalities! ... **HERE THEY ARE**—accompanied by a solid box-office cast ... in a marvelous heart drama made from a spectacularly popular novel! A swell picture on its own—a double-barreled attraction with the "Gateway" victors!

MAMMOTH "DOWN-HOME" PREMIERE IN DES MOINES!

... Iowa's own story and Iowa's own author will capture the whole State for the week-end of July 1 and 2! Every wheel that can turn heading for Des Moines to see the "big doin's"! ... Special Rock Island train from Hollywood with the cast and other personalities ... Big movie ball in the Drake football stadium! ... Parades, meetings, luncheons, interviews, final broadcast of the second "Gateway" series before 5,000 people! ... Service clubs, women's organizations, all civic groups excitedly enthused ... Des Moines Register & Tribune cooperating in the biggest build-up the State has ever seen ... Every eye in Iowa turned to the mount and Orpheum Theatres for the joint world premiere on July 2! ... A PROMOTION THAT WILL RE-ECHO ITS BOX-OFFICE BENEFITS TO EVERY STATE IN THE UNION!

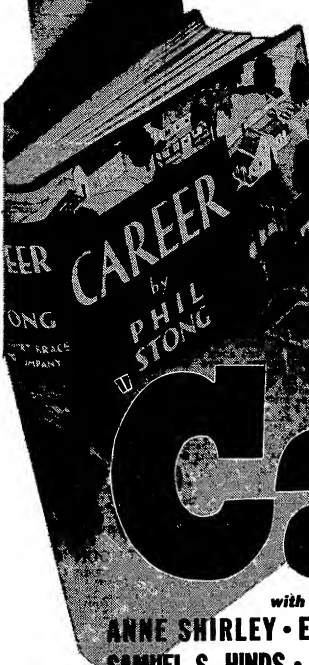
Career

with
ANNE SHIRLEY • EDWARD ELLIS
SAMUEL S. HINDS • JANET BEECHER
LEON ERROL and
ALICE EDEN • JOHN ARCHER

selected through
JESSE L. LASKY'S
"GATEWAY TO HOLLYWOOD"
TALENT SEARCH



Directed by Leigh Jason
Produced by Robert Sisk
Screen Play by Dalton Trumbo
Adaptation by Bert Grant





Come on over and
SEE MRS. TURNER

...Or write her. She and her staff can help you pick the spots you'll want to see, the places you'll want to dine at, the shows you'll want to go to. Remember us when you make your plans for the World's Fair—and remember that Mrs. Turner will worry about the details... Because every friend of *Warner Bros.* is a friend of hers.



N.Y. Critics Go To Town on "Good Girls Go To Paris"

N. Y. HERALD-TRIBUNE

"The gayest screen comedy that has hit town in a long while. It is corking entertainment for any time of the year..."

N. Y. DAILY NEWS

"Refreshing and sparkling as pink champagne. The Music Hall has selected the right kind of entertainment in 'Good Girls Go To Paris'. Just the thing to take your mind off your troubles and the heat."

N. Y. DAILY MIRROR

"Had the stately Music Hall audience rocking with merriment. One of the most heartily amusing comedies which has come along."

N. Y. WORLD-TELEGRAM

"Its lines are gay and sparkling."

N. Y. JOURNAL AMERICAN

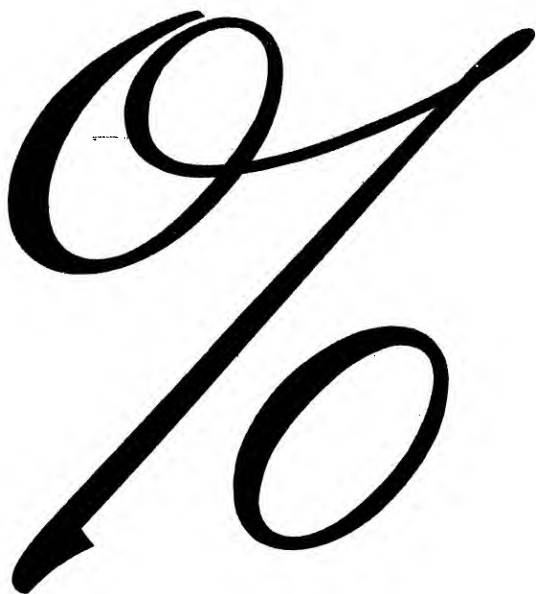
"Designed solely to entertain the customers and succeeds cheerfully. The team of Blondell and Douglas is a slick one ... Authors, Director Hall come in for bows..."

N. Y. POST

"A festival of chuckles—hilarious situations—dandy entertainment."

**Now at RADIO CITY
MUSIC HALL**





That's what counts!

The batter may look good when he steps to bat. But how does he look in the % column? That's what his manager wants to know. A picture may look good on paper. But how does it look in the % column when the returns start coming in? That's what the exhibitor wants to know. With **"Midnight"**, one of the high % pictures of the spring season, still cleaning up, with **"Union Pacific"**, one of the top % pictures of the year, yes, and of many years, continuing to run up records from coast to coast, with **"Invitation to Happiness"**, starting out with 146% in Kansas City, 135% in Hartford, 125% in Detroit . . . Paramount right now is the company with the big % pictures. And **"Man About Town"**, the picture the whole trade is talking about as the smash hit of the summer season, the "best of the Benny pictures," is going to add plenty to that Paramount record . . .

and that's only the beginning, boys, only the beginning



IT'S OUR YEAR

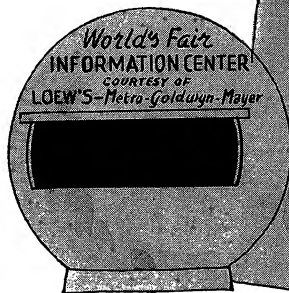


TOPS THEM ALL!

"I've opened up
a World's Fair
Information
Booth for you
right in
the heart
of Times Square!"



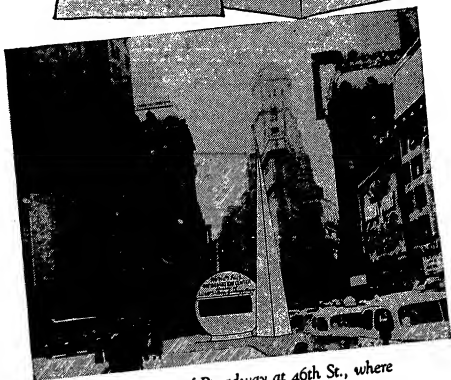
That leaping Lion has done it again!
And M-G-M customers win, as usual!
When your patrons come to New York
On a World's Fair visit
They'll find there's *only*
One Information Service
On Broadway—at the
Crossroads of the World!
And that's Leo's!
Watch for the Special
Trailer for your screen,
And guest cards for you
Patrons to Leo on Broadway!



GALA OPENING TODAY!

**LOEW-METRO-
GOLDWYN-MAYER
WORLD'S FAIR
INFORMATION
CENTER**

in the heart of Times Square, N. Y.



The Center of Broadway at 46th St., where
The Friendly Company stands ready to serve
you! Open Daily 8 A. M. to 12 Midnight.

No FCC Member to Address A.B.

Hays, Stahlman, Miller to Broadcast to Nation
Steve Early May Talk to Broadcasters

Washington, June 27. Will Hays will address the Atlantic City convention of the National Association of Broadcasters by radio from Hollywood.

Emphasizing an attempt to join hands, the broadcasters will use their facilities for a three-way program in which radio, films, and the press will participate. On the broadcast with Hays, Neville Miller, president of NAB, will speak from Atlantic City and James G. Stahlman, president of American Newspaper Publishers Association from New York.

Address by President Roosevelt's secretary, Stephen T. Early, may be an additional highlight of the convocation. Unable to make definite arrangements for the President to send his greetings and best wishes via the airlines from the White House, NAB has invited Early to attend the convention as his emissary. Explanatory talk on the wage-hour law, one of the major subjects of small stations, will be the only scheduled address by a Federal official. Elmer F. McClellan, executive director of the new labor standards program, is set to talk at the Wednesday session.

Absence of any FCC member from the program is significant. In the past, the Commission has frequently heard a lecture from the chairman or other delegated spokesman of the regulatory body. But this year, in view of the unclear d over program control, the fight about the internal rules, and the fact that no such invitation went out. Instead, all members of the Commission and the staff are expected to be asked to attend without participating.

Orrin Dunlap, radio editor of the New York Times, is expected to present an outsiders' slant on television.

GORDON BAKING MAY RETURN TO RADIO

Young & Rubicam is lining up some local campaigns for submission to the Gordon Baking Co. So far it is in the station inquiry stage. The company hasn't done much in radio, outside of New York, since it dropped "The Lone Ranger." N. W. Ayer, nicknamed away from the New York area representation a couple months ago.

Ray Post Wins Right to Quiz Blow Before Trial

Supreme court justice Ernest Burger in N. Y. State Court (28) granted an application by Monroe B. Ray, also known as Ray Post, to examine Milton Eisenhower, ex-official of Philip Morris cigarettes, before suit in connection with a \$250,000 suit by Ray against them. Ray, 60, is a former executive of W. B. Smith Co., Inc., NBC and Jack Johnson's lawyer. (Post) is also a Fifth avenue office of the 60's.

The plaintiff claims the plagiarism of an idea entitled "The Perfect Crime," submitted by him to the radio agency in Sept., 1958. It is his claim that the radio agency of the same name, which started Nov. 22, 1958, is a plagiarism of his idea.

SINGER SPONSORS HERSELF

Nita Mitchell Back on Air To Popularize Cocktail Bar
San Francisco, June 27. Radio artist who is her own commercial sponsor and a former microphone warbler, who returned to the air after several years' absence to host a 15-minute quarter-hour program over KJBS to plug her own cocktail lounge. Mitchell does all the singing on the show.

J. P. McKinnay & Son replaced John Blair & Co. as station representative for WOKO-WABY, Albany.

Major Lohr's Picnic

All members of the N.Y. office of NBC have been invited by President Lenox R. Lohr to be his guests at a July 4 picnic at Hawthorne, N. Y., his home. It has become an annual affair.

Invitations to employees need to include members of family. Special autos will meet those going by train.

Indian's Art Injured, He Says, By Omission

Ish-Ti-Op, Indian concert singer, wants General Foods to pay him on the "We the People" program to clear up what he considers a damage impression. But Young & Rubicam, his agent, says the show, thinks his plaint highly exaggerated and refuses to let him go on. Ish-Ti-Op has retained counsel to handle his grievance against "We the People," which he says is being misrepresented as a sort of suit so that his reputation will be vindicated is being held in abeyance.

The broadcast which started the bother took place two weeks ago. Ish-Ti-Op was on the program, singing a song, "Tata, an Indian, who was among those that entertained the British and Queen during their visit at Hyde Park. On the same 'People' program the Princess had an accompanist, who, besides accompanying her on the tom-toms, joined her in a bit of rhythmic vocalizing.

His interpretation

Ish-Ti-Op had also been one of the entertainers at Hyde Park and, according to him, this was well publicized among concert bookers and promoters. What made him see red, he claims, were some of the remarks he got from the former day after the broadcast. The accompanist-vocalist was introduced as having appeared at the President's party and those who communicated with him because they were afraid they didn't think he sounded so hot. Ish-Ti-Op states that the Indian that sang on the program didn't lift his voice at all at the Hyde Park party but just accompanied the Princess. He told the agency that out of justice to his reputation "We the People" ought to let him go on and sing. The agency said it would compensate for appearance. Y & R states that it can't see why any singer would want to be mentioned in his way was made on the program.

ARRID (DEODORANT) 14 RADIO STATIONS

Arrid (Feminine Products, Inc.) will take a firm in radio July 3 with a spot announcement campaign. It is using 14 stations in the east and central states for three announcements. The stations are: Small & Sieffer, New York, is the agency.

LEROY MILLER ON RCA SHOW

Philadelphia, June 27. Leroy Miller, m.c. of RCA's "Midnight Clock" show on KYW, NBC-operated outlet here, has been selected to handle the introduction of new numbers on the new Magic Key program.

Miller was named after auditions in N. Y. He'll continue on KYW, continuing.

Performing Rights Society Willing to Accept Any Formula Not Adding Up Less Than Minimum Expectations—It's Up to Broadcasters to Decide on Principle to Be Followed

CLERICAL FACTOR

While the copyright committee of the National Association of Broadcasters continues to urge that ASCAP's formula is not correct, the commercial fee is confined to programs using music, there has developed some doubt in the industry as to the long-range wisdom of this principle. The skeptical element state that the formula would be gratifying for broadcasting if the ratio of musical programs remained static, but they point out a sharp upward surge in the popularity of such programs would find the broadcasters paying ASCAP far more than they had anticipated.

ASCAP has taken the position that it doesn't care what the formula will be in the new contract as long as it will be able to net as much as it did in the final years of the current agreement which expires Dec. 31, 1960. Figures compiled by the Federal Communications Commission show that the overall use of music is 66%. ASCAP figures that 55% to 60% of the music used in commercial programs come from its repertoire, and it proposes to base its

(Continued on page 37)

CAMEL GIVES CANTOR GO-BY

Camel has not renewed Eddie Cantor for the season. Making his broadcast of Monday (28) the last for this account.

Cig manufacturer will have three other half-hour shows going this season, namely, Bob Crosby, Benny Goodman and a dramatized version of "Blondie."

Wilson Rejects Deal Offered WCKY Supplements to NBC-WLW's New Pact

L. B. Wilson, owner and operator of WCKY, Covington, Ky., offered him last week rejected the new contract which NBC offered him. Under the revised affiliated setup in the Cincinnati territory, Wilson would become, along with WSAI, the exclusive release for the red ink, advertising agencies which will sell Cincinnati outlet for the blue network's

Wilson's wire of rejection sent Wednesday noon after Vannoy's appointment to take over the station.

"Your proposed change as submitted on your NBC contract, which was signed by the company which we want \$50,000, was rejected. The proposed plan you submit is not in the public interest but in the Crosby interest. It is not in the advertiser's interest but in the Crosby interest. It is not in the advertiser's interest but in the Crosby interest."

"WCKY secures its license from the Federal Communications Commission. It is not in the public interest and not from Crosby. This is NBC's decision, that they are going to compete with Crosby so as to fix and control the price of \$2,000 on WLW and continue to be for \$50,000 wats.

Radio Men Will Be Entertained At Convention by Non-Radio Show

Ph.D. Turns Spieler

Milwaukee, June 27. A doctor of philosophy, Clifford Mason, has joined the announcing staff of WTMJ here for the summer season. Mason is a prof of American literature at Carroll College in nearby Waukesha.

World Sets 16 Of 51 Stations Used by Stanco

Summer spot business has received another substantial contribution, this time from Standard Oil of New Jersey, as indicated. The account has expanded its list on the "Meet Miss Jule" and "The Career of Alvin Blair" (Nijol and Mistol), while the "Blair" show will be carried for Dagobert and the Cream over 10 stations in this same group. Each series shows for five quarter-hours a week.

McClellan started testing these shows over a few stations several months ago with the plugs connected to Nijol and Mistol. The list was gradually expanded to 16 stations. After an interval of checking the air campaign against the new schedule, it was decided to bring the D & C product into the picture and go in for intensive national coverage.

While the program series are tied up with the World Broadcasting System's Gold program, there are seven markets which will be represented in the SONJ campaign. These outlets are WLW, Cincinnati; KFI, Los Angeles; KFSO, San Francisco; WCKY, Oklahoma City; WFLA, Dallas; WIOD, Miami, and KARK, Little Rock. World is looking 16 stations of the 51 involved, which is reverting to NBC clients.

Harold Patten, merchandising director of WHO, Des Moines, is reverting to a leg function at Iowa Methodist Hospital.

Wilson Rejects Deal Offered WCKY Supplements to NBC-WLW's New Pact

that they get practically \$1,000,000 a year from NBC while the other 50-odd stations will have to pay \$100,000 we will have to appeal to the Federal Communications Commission, the Federal Trade Commission, the Congress and Senate of the United States, the President and the advertising agencies which we shall Cincinnati outlet for the blue network's

Wilson followed up his wire with a trip to Washington. Commenting on the telegram, NBC stated that it was not the new contract which it submitted to Wilson was much better than the old one but that it was being signed by the company which was raising or his rejection of the agreement. WLW had the week before signed a deal with NBC which whereby the former for the first time guaranteed a specific number of hours daily for NBC clients.

WLW-NBC deal had long been pending. NBC officials had several times talked with Wilson about the matter. Last winter Bill Hedges (travelled to Miami to confer with the WCKY owner, who was \$100,000 wats, has a construction permit for \$50,000 wats.

Radio talent will for the first time be passed up at a convention of the National Association of Broadcasters when the latter holds its dinner at the Ambassador Hotel, Atlantic City, July 12. A door show of vaudeville acts, with perhaps a line of girls, has been proposed as the entertainment for the evening. It's on the theory that station men are pretty well surfeited with broadcast talent and they would prefer something different when they are away from the job.

Ed Spence, of the NAB staff, suggested to NBC, Columbia and Mutual that instead of sending major talent to Atlantic City for the occasion, they should send a line of girls which would be used to buy a door show. The networks readily agreed to the idea.

KENNY BAKER TAGS TO EXCLUSIVE TEXACO DEAL

Hollywood, June 27. Kenny Baker will be missing from the Jello program next fall. Texaco has signed an exclusive contract at a reported stipend of \$2,000 weekly.

This season's oil deal called only for singing, as Jack Benny's sponsors refused to allow him to talk on the show. He does both next semester.

Tums 'Wheel' Starting Temporarily Curtailed

Tums unveils its "Wheel of Fortune" program with Horace Heidt on the NBC red (WFLA) link tomorrow ("Tums" for the past six months, while it will use the 7:15-7:30 period with a rebroadcast for the West. On July 17 (Monday) the show goes a half hour, commencing 8:30 p.m., and remains there until Sept. 30 when it shifts to the Friday 8:30 to 10 p.m. spot. Latter will be its permanent lodging.

Program's idea involves a money giveaway with a number wheel and telephone directories at various cities serving as the game's equipment. Stack-Goble is the agency.

Cherniavsky Off for Heat But Reported Nearly Sold

Cincinnati, June 27. Josef Cherniavsky's "My Lucky Red" show, a weekly sustainer on WLW for the past six months, ended July 1 for the summer. Program is being offered by Transamerica, which is reported to be near closing for sponsorship on a new show, which will be a new resumption likely for early September.

THEY'LL BE SPOILED

All Series of Civic Events Be Scheduled for WTMJ's A.P.

Milwaukee, June 27. So anxious was the committee handling arrangements for the Monroe County Fair to secure WTMJ's star attraction, that they moved fair closed a week. Of that date was necessitated because the original date conflicted with the vacations of Heinie's troupe.

A Benton Harbor, Mich., fire department changed the date of their regular St. Patrick's Day parade to make sure of getting WTMJ's maestro, and the Wisconsin electrolators changed the date of their convention here for the same reason.

Robert Miesling, announcer-baron, forced to resign at WGY, Schenectady, two years ago because of an illness which hospitalized him for months, has returned to radio as milder at WTIC, Hartford.

Round-Up of Viewpoints

By **CAMPBELL ARNOUX**

(Gen. Mgr., WTAR, Norfolk, Va.)

"May I express appreciation for the most interesting articles on the parent's estimate of children's programs. Since this phase of the broadcast program checkboard is so in the limelight of public scrutiny these studies should be most helpful. I believe every broadcast station operator would welcome the development of a sound yardstick which may be applied to children's programs."

It might be interesting to know the reaction of a group of 100 parents with whom the writer re-

'JACK ARMSTRONG'

(Wheaties)

Dis-	Dis-
approve	approve
Albany..... 20	10
Baltimore..... 21	17
Boston..... 6	12
Bridgeport..... 6	12
Des Moines..... 45	27
Kansas City..... 56	0
Louisville..... 52	10
Mason City, Iowa..... 52	10
Norwood, Ohio..... 50	4
Philadelphia..... 54	26
Pittsburgh..... 22	13
Salisbury, N. C..... 18	13
Seattle..... 0	6
Spokane..... 0	6
Totals..... 385	224

cently was invited to participate in a two-hour round table discussion on the influence of magazines, the radio and the child. The meeting was held by the Parent-Teacher organization of one of our public schools. The audience, located in one of the higher income level neighborhoods with a high intelligence level of parents. Magazines and movies were quickly disposed of, and almost all the meeting devoted to the radio. Indicator of attention being given to broadcast programs. Some of the topics expressed are enlightening, i.e.,

1. The most widespread single point of irritation appeared to be the appeal to family routine by children's serials scheduled during the summer. It was the almost universal opinion of the mothers present that these should not be scheduled after 6:00 p.m.

The difficulty caused by the fact that many adult programs also appeal greatly to children, with the

'LONE RANGER'

(Bond Bread)

Dis-	Dis-
approve	approve
Albany..... 20	10
Baltimore..... 24	18
Boston..... 9	17
Bridgeport..... 20	12
Des Moines..... 20	12
Kansas City..... 20	2
Louisville..... 36	5
Mason City, Iowa..... 36	5
Milwaukee..... 25	8
Norwood, Ohio..... 64	0
Philadelphia..... 26	15
Pittsburgh..... 13	3
Salisbury, N. C..... 7	0
Seattle..... 7	0
Spokane..... 7	0
Totals..... 466	100

result that a severe strain on family discipline is imposed by demands of children to hear programs when they should be studying or in bed, and second, that the content of these programs are not suitable for children.

3. There was general agreement that children listen voluntarily for entertainment; and that they can neither be motivated, nor educated and guided, unless the program have elements of adventure, and appeal to the imagination, that permits the child to indulge in the dramatic content.

4. Some irritation to the practice of premium offers was evidenced.

5. Very few of the parents had

made any effort at systematic listening of children's programs, yet almost all of them knew the sponsors and products advertised of the current locally broadcast children's shows.

6. Children did listen to those programs of an educational nature

'DICK TRACY'

(Quaker Oats)

Dis-	Dis-
approve	approve
Albany..... 14	14
Baltimore..... 23	18
Boston..... 3	24
Bridgeport..... 3	18
Des Moines..... 28	11
Kansas City..... 20	8
Louisville..... 44	7
Mason City, Iowa..... 17	44
Milwaukee..... 18	11
Norwood, Ohio..... 40	6
Philadelphia..... 48	47
Pittsburgh..... 37	24
Salisbury, N. C..... 18	9
Seattle..... 0	14
Spokane..... 8	3
Totals..... 321	271

that had adventure, and imagination value, and the parents could name them.

7. Some discussion advanced the thought that children's programs are being studied from the viewpoint of the parents based on their own knowledge and training, rather than from the present-day child's whose impressions are formed at a greatly accelerated tempo, in a world where overstimulation is received from almost every phase of living.

Too few parents and too many children persons set up their shingle as child psychologists.

By **MRS. D. GORDON**

(Child Psychologist)

"The survey conducted by VARIETY is very illuminating and presents a vivid cross-section of public opinion. It definitely shows the need for improved children's programs. Edu-

'GREEN HORNET'

(Various)

Dis-	Dis-
approve	approve
Albany..... 2	9
Baltimore..... 14	17
Boston..... 4	12
Bridgeport..... 4	12
Des Moines..... 9	40
Kansas City..... 4	8
Louisville..... 10	13
Mason City, Iowa..... 5	43
Milwaukee..... 15	14
Norwood, Ohio..... 28	10
Philadelphia..... 18	10
Pittsburgh..... 8	10
Salisbury, N. C..... 2	8
Seattle..... 2	1
Spokane..... 2	1
Totals..... 123	261

cators and parents alike will welcome a higher standard of quality of radio entertainment, and contrary to others' opinion, I believe that children will not only accept but will enjoy good programs if they have the necessary element of showmanship.

By **MRS. EDWIN C. LEWIS**

(Director General Sons and Daughters, National Society of New England Women)

It is a matter of record that organized women's groups throughout the country are opposed to the horrid content of radio entertainment, and advertisers and agencies meanwhile feel that this reaction does not reflect the attitude of the average parent. This past season, as director general of Juniors and National Radio Chairman, I have traveled about 16,000 miles, coast to coast, speaking to club groups and conducting interviews with hundreds of individuals,

THE BOOKS WE PROBABLY SET UP

Another Meeting of Series Between Clubwomen, Broadcasters and Admen Held in New York—Movement Taking Shape Rapidly

DATE UNCERTAIN

Another meeting was held last week in New York City between the various spokesmen who are seeking a solution to the children's program dilemma. It now is expected that a National Board of Review for radio entertainment designed to please youngsters will be set up. Expected to participate in the movement which has been simmering for months following this season's revival of the question are the networks, probably functioning through the National Association of Broadcasters, and the advertising agencies and sponsors.

Women involved are most anxious to have the mechanism carefully thought through. At the proper time publicity will be released.

(Continued on page 35)

on the subject of radio. Without exception, when asked for constructive criticism of radio, individual women, who are the ones placed children's program problems paramount.

In Chicago, recently, on Friday afternoon, the child-hero of a well-known radio series was left

'DON WINSTON'

(Kellogg)

Dis-	Dis-
approve	approve
Albany..... 12	7
Baltimore..... 21	16
Boston..... 3	16
Bridgeport..... 7	7
Des Moines..... 2	20
Kansas City..... 12	6
Louisville..... 42	25
Mason City, Iowa..... 57	23
Milwaukee..... 19	5
Norwood, Ohio..... 54	15
Philadelphia..... 18	10
Pittsburgh..... 18	10
Salisbury, N. C..... 2	4
Seattle..... 2	4
Spokane..... 5	0
Totals..... 294	153

drowning in a well, presumably to be rescued the following Monday. To the astonishment of station and sponsor, 2,500 telephone calls were received over the week-end protesting the incident. Parents claimed that their children were distraught over the fate of their radio idol.

Everyone must recognize that to children radio stories become far more real than those found in books. Webster said that there more power in the spoken word than in the written. Radio has proved this statement years later. No one has indicated that all adventure and excitement must be eliminated from children's programs but they do feel that situations become more plausible, scripts contain less reference to the unreal, and the locale and language show improvement.

By **NEVILLE MILLER**

(President, N.A.B.)

The children's program survey undertaken by VARIETY will be of great value to all those confronted with the difficult and complex problem of determining a new standard for children's programs that will satisfy every normal social regard, and which at the same time will not stifle those imaginative and sometimes rugged motivations so necessary to sustain child interest. The

'Tom Mix Adventures' Will Become First Coast-to-Coast Kid Program

'LITTLE ORPHAN ANNIE'

(Quintine)

Dis-	Dis-
approve	approve
Albany..... 18	10
Baltimore..... 23	15
Boston..... 1	18
Bridgeport..... 12	14
Des Moines..... 47	18
Kansas City..... 20	8
Louisville..... 58	7
Mason City, Iowa..... 38	32
Milwaukee..... 21	2
Norwood, Ohio..... 40	12
Philadelphia..... 74	19
Pittsburgh..... 32	14
Salisbury, N. C..... 24	8
Seattle..... 8	8
Spokane..... 10	2
Totals..... 437	175

survey, too, has been valuable in pointing out the sometimes wide difference in viewpoints existing between those organizations seeking child program improvement and between those who offer opinions which do not necessarily represent an organizational opinion.

There is a tremendous amount of work to be done in this field and such surveys cannot help but be beneficial to those with a sincere interest in the problem.

By **MRS. H. V. MILLIGAN**

(Chairman of Radio, General Federation of Women's Clubs)

"While the findings of VARIETY's survey among the unorganized may be at variance with that of women organizations, it should be borne in mind that it takes organized effort to institute any change. A striking example of this is the Prohibition Amendment which came into being as the result of one organized group's activities and subsequently was repealed. Hence, the equally determined efforts of another organized group.

The leadership of women is now being reflected in the programs of organizations and the movement toward better radio programs for

'HOWIE WING'

(Kellogg)

Dis-	Dis-
approve	approve
Albany..... 8	11
Baltimore..... 16	18
Boston..... 1	14
Bridgeport..... 4	12
Des Moines..... 14	17
Kansas City..... 12	6
Louisville..... 44	20
Mason City, Iowa..... 49	21
Milwaukee..... 10	5
Norwood, Ohio..... 49	16
Philadelphia..... 18	9
Pittsburgh..... 12	9
Salisbury, N. C..... 13	17
Seattle..... 8	5
Spokane..... 10	1
Totals..... 227	148

children is gaining momentum daily. It is inevitable that changes will be made in radio to satisfy this demand."

By **MRS. H. M. MULBERRY**

(President, Illinois Congress of Parents and Teachers)

Radio listening by children presents a major problem, but it is one which I believe, parents can do for themselves to a great extent by guiding their children's choice of program. It is their duty to have the opportunity to hear the better program and I think they will gradually learn to prefer them. My own daughter, some years ago, was an ardent admirer of 'Orphan Annie' and I remember that when she decided it wasn't any fun to always be in so much danger.

By listening to the program, don't forbid them to listen to the objectionable programs.

NBC's blue Pacific link will for the first time fall out in on the Don Lee Network's monopoly of kid shows. Ralston Purina is extending its 'Tom Mix' hookup to and up and down the west coast. Move will at the same time introduce the first coast-to-coast kid commercial in network history. New production schedule for 'Mix' calls for three separate broadcasts a day.

NBC set out to crash the kid show studios on the Coast last fall when it failed to prevail upon the Wanda Co. to switch its local 'Orphan Annie' broadcast to Don Lee to the blue Pacific network. A similar attempt was made in the case of 'Jack Armstrong' (General Mills).

NBC now figures that with 'Tom Mix' as a wedge it should be able to succeed this coming season in getting one or both of these programs.

That would only increase their interest and, perhaps, send them away with a constant demand for more.

In addition to the questionable influence of too much suspense and excitement, the pressure on parents referring to another bad feature of the current children's radio programs is the lack of character and tough characters. Children are copying both the language and the manner of their favorite characters, which adds to the parents' problems. And, I also want to register a protest against the use of pressure on the child listener to increase sales of a product. Frankly, I believe it has not been in my two or three years of listening to spasmatic talks by clubwomen on the subject. They have a lot to say about what is wrong with the children's programs currently heard over the radio but not one of them offers a constructive idea for remedying the situation.

I've always felt that the agencies and sponsors would be glad to give

By **ETHEL RED WISNER**

(Radio Chairman, Illinois Federation of Women's Clubs)

Criticism gathered in the VARIETY survey have the same faults that I have noticed in my two or three years of listening to spasmatic talks by clubwomen on the subject. They have a lot to say about what is wrong with the children's programs currently heard over the radio but not one of them offers a constructive idea for remedying the situation.

I've always felt that the agencies and sponsors would be glad to give

'GANG BUSTERS'

(Colgate-Palmolive-Peet)

Dis-	Dis-
approve	approve
Albany..... 4	20
Baltimore..... 1	18
Boston..... 1	24
Bridgeport..... 4	14
Des Moines..... 1	15
Kansas City..... 18	24
Louisville..... 44	28
Mason City, Iowa..... 49	28
Milwaukee..... 15	12
Norwood, Ohio..... 28	22
Philadelphia..... 27	36
Pittsburgh..... 27	36
Salisbury, N. C..... 18	15
Seattle..... 0	15
Spokane..... 4	18
Totals..... 223	390

the public what it wants, if it could be certain what it is; and I haven't been able to come up with the matter, believing that nothing could be accomplished to better the programs and the apathy of the public in general.

But, if aroused public interest demands it, I believe that the logical answer to the whole question lies in a board of preview, made up of representatives of women's organizations and the sponsors. In the interest of women's movement with the representatives of the advertising agencies and the sponsors. In the preview, prospective programs would be submitted and the objectionable features could be ironed out.

FINAL GROUP PARENTAL SURVEY

(COMPLETING 15-CITY TABULATION OF QUESTIONNAIRES)

Pittsburgh

PARENTS' OPINIONS OF PROGRAMS

(Listed as Appearing in Questionnaire)

	Dis-	Dis-
	approve	approve
'Jack Armstrong'.....	37	22
'Lone Ranger'.....	26	15
'Dick Tracy'.....	37	24
'Green Hornet'.....	8	10
'Don Winslow'.....	18	10
'Orphan Annie'.....	52	14
'Howie Wing'.....	12	9
'Gang Busters'.....	27	36

Children Write to Program...	Yes	No
Parents' Purchases Influenced by Children.....	32	21

QUOTATIONS

"Don't seem to appeal to boys, can't keep them off the streets, say the stories are too distasteful. Girls would rather read love stories and attend theatre. I think they are good but I can't get the children interested."

(Three boys and two girls, under 10; three boys, over 10)

"Saves mother in a lot of ways, especially during dinner time, when she is busy."

(Two boys, over 10; one girl, under 10)

"I believe that it is responsible for some sleeplessness on the part of the nine-year-old, interferes with the 12-year-old's studies, and causes the youngest to spend some violent and useless emotion over imaginary people. My attitude is that we were better off without it as children. It's wonderful, but hard on kids, like daylight saving, etc."

(One boy, two girls, under 10; one boy, over 10)

"Two of the boys who are over 10 listen to adult programs. Their favorites are Information Please, 'Sour Ace', the other question and answer programs and the 'Hit Parade'."

(Two boys, over 10; one under 10)

"From listening to the dance bands tuned in by her grown brothers she has picked up a dozen or so popular songs which she sings with gusto and an ability to carry a tune unusual in one so young. We are confident, however, that she will outgrow this stage of her development. We attach little importance to it."

(One girl; five boys, 18 and 20)

"About an hour a day is set aside, to pacify the kiddies in our house, to let them hear their favorite programs."

(Two children under 10)

"Yes, she often saves labels and coupons and sends them away for something in return. I think this practice later on helps a child to be thrifty."

(One girl, over 10)

"Of these (programs listed above) the only one I object to is Gang Busters. It is much too realistic and exciting, especially as it comes just a little before the children go to bed. I have tried, and unsuccessfully, to steer them to another type of show at that hour."

(Two boys over 10; girls under 10)

"Girl not permitted to listen to daytime programs because of studying music. Little boy enjoys what he hears but forgets what he hears immediately."

(One boy, one girl, under 10)

"Influence only for good. Mother very grateful because it's the only source of entertainment they have—family very poor."

(Two girls under 10)

"Not permitted to listen. Mother thinks reading or exercising at that time more beneficial. (One child very musical but mother does not make any effort to listen to musical children's programs, Columbia, Danmore, etc.)"

(Two boys under 10)

"During the winter evenings he listened to several adult programs and picked up several slang phrases that he used to whomever he was speaking, or calling people some of the names he heard Jack Benny call Fred Allen. When these things happened I discouraged him and didn't turn the radio on. He does like musicals and I've noticed ladies attentively to quiet violin music."

(Two boys over 10)

"I buy lots of articles because the children ask me to buy them, but waste the most of them as they just want coupons and box tops and can't be induced to eat them."

(Girl, 13; boy, 11)

"Only influence noticed is definite harmful aspect of blood and thunder programs—making children nervous and causing nightmares, etc." (One program referred to was 'Big Town,' which mother could prohibit child listening to, as it's a late show and not for children. Mother thinks programs have toned down a great deal, but generally are bad. Has never listened to a whole show and could not identify any of those listed above, except 'Gang Busters.'")

(One girl under 10; two boys over 10)

"Girl, now 12, no longer asks for products advertised. Did until last year. Mother tried to buy products asked for."

(Girl over 10)

"Radio is great importance in our family. They all want to be like Little Orphan Annie or Dick Tracy. I think it is the greatest thing and is very interesting to listen to them explain what they would do. In the light spots the radio children get into. I think it is the best education."

(Two boys and girl under 10)

"Have a tendency to make them think and talk much older than their age."

(One child, under 10)

"About two years ago there was a program on the air on Saturday mornings which I believe was called 'Make Believe' or a name closely related. To me, it represented one of the finest children's programs I have heard on the air. It is too bad it has been discontinued, since that is my idea of a suitable program for children. Radio can be extremely educational to children, but not with the type of programs they listen to generally. There are countless stories and plays which could be dramatized in a fascinating way without the harmful nervous reaction of the average present programs. I am so definitely opposed to most programs for children I try to supervise those my daughter listens to."

(One girl, over 10)

ADULT SHOWS TUNED IN BY CHILDREN

Charlie McCarthy.....	34	Eddie Cantor.....	13
Jack Benny.....	33	Big Town.....	10
Lux.....	15	Information, Please.....	8
Good News.....	15	Fibber McGee.....	7
One Man's Family.....	13	Kay Kyser.....	7
Kraft.....	13	Scattered.....	109

Des Moines, Ia.

PARENTS' OPINIONS OF PROGRAMS

(Listed as Appearing in Questionnaire)

	Dis-	Dis-
	approve	approve
'Jack Armstrong'.....	45	27
'Lone Ranger'.....	49	19
'Dick Tracy'.....	29	31
'Green Hornet'.....	9	49
'Don Winslow of Navy'.....	25	40
'Little Orphan Annie'.....	47	19
'Howie Wing'.....	14	17
'Gang Busters'.....	12	59

Children Write to Programs...	Yes	No
Parents' Purchases Influenced by Children.....	30	19

QUOTATIONS

"A program like 'The Green Hornet' plays have with children's emotions and creates fears which are deplorable."

(One boy, two girls over 10; one girl under 10)

"We are opposed to all children's radio programs, especially those offering specimens which tempt the children to ask the parent to buy the product whether worthwhile or not."

(Two girls, one boy, under 10)

"I think radio is grand as it helps them (children) understand many things which they would not know otherwise."

(Two boys, one girl, under 10)

"Tried writing for premiums twice and were disappointed."

(One girl over 10, one boy under 10)

"Radio can be made an important influence on children. I believe, though, that the programs should be confined to regular children's stories by authors like Louise Alcott, Hans Christian Andersen, Robert Louis Stevenson and many other similar authors. I firmly believe that there should be no follow a radio serial depicting characters by such authors as readily as the hair-raising stories like Orphan Annie, The Lone Ranger, Dick Tracy and the like."

(Two children under 10)

"Radio advertising influences my children very little in asking me to buy things. Ovaline seems to be the big stand-out. Having had to eat a few things in order to get the labels or other 'wind-up' they look with a wary eye and only if offered by companies whose products they don't already know."

(One girl under 10, three girls over 10)

"When the child is engrossed in a serial he wants the articles advertised included in order to get the articles he wants the box tops, etc. Other than that I don't believe he is influenced by the advertising permanently. The mother is apt to be prejudiced against the article at the time it is advertised."

(One boy, 10; one boy, 4)

"It is rather difficult to estimate the amount of influence of radio on my children. I have never listened to a complete broadcast of any one program; therefore I cannot comment on it. But I feel that a competent board should be appointed to act upon these programs and those that are

detrimental or wholly lacking in education value should be eliminated and others of the right type substituted."

(One boy, one girl, under 10)

"I firmly believe there should be some kind of censorship board formed to control children's programs and to check the outpouring of horrible trash that is now provided for them. Several times I have almost come to the point of forbidding the children to listen to these programs, after trying to wean them away by means of story hours and outdoor play, but that method seemed such a vice in itself I decided to forgo it."

(One boy, one girl, under 10)

"Radio means a great deal to the children and since listening to the exciting adventures of Jack Armstrong, Dick Tracy and the like, they generally do not care to play the normal games of marbles, ball and such, but would rather go whooping and yelling playing cops and robbers, or pretending to kill everyone they encounter."

(Two boys under 10)

"Radio influences no more than newspapers or movies—think the children have to become educated in the ways of the world. Better while they are young enough to get their explanations at home."

(Two children under 10)

"Our six-year-old has become gangster-minded this past year since he has been allowed to run the radio at his will. He plays G-men constantly and talks at great length about Jack Armstrong and the rest. Most children at this age have adequate imagination without this added stimulus which radio brings them. I am very greatly opposed to the various programs for children which employ 'exciting situations.'"

(Two boys under 10)

ADULT SHOWS TUNED IN BY CHILDREN

Jack Benny.....	47	Kate Smith.....	8
Charlie McCarthy.....	38	Kraft.....	7
Good News.....	18	Fibber McGee.....	7
Lux.....	12	Fred Allen.....	7
One Man's Family.....	9	Scattered.....	111
Orson Welles.....	8		

Baltimore

PARENTS' OPINIONS OF PROGRAMS

(Listed as Appearing in Questionnaire)

	Dis-	Dis-
	approve	approve
'Jack Armstrong'.....	21	17
'Lone Ranger'.....	24	16
'Dick Tracy'.....	23	16
'Green Hornet'.....	14	17
'Don Winslow'.....	21	15
'Little Orphan Annie'.....	23	15
'Howie Wing'.....	19	16
'Gang Busters'.....	23	23

Children Write to Programs...	Yes	No
Parents' Purchases Influenced by Children.....	18	30

QUOTATIONS

"Most of these (programs listed above) are good, but don't like crook stuff. Of course they show that crime does not pay. But some children may think it shows their own way that they can improve on the plunders described in the program and that's bad."

(Six children, four over 10, two under)

"Influence of radio advertising on my child has me eating out of their hands... I'm the perfect radio request buyer."

(One child, under 10)

"Frankly, I think they (programs listed above) are insane, but the children insist on tuning them on and I don't think they can be hurt much by a radio program."

(Four children, two over 10; two under 10)

"Children certainly do influence by purchases. That's why radio is smart in aiming at the parents through the children."

(One child over 10, one under 10)

"I've heard most of these programs and while they are full of noise, shouting and advertising, it keeps the children in the house where I like to see them."

(Three children over 10, two under 10)

"Comes at a wrong time of day and interferes with supper hour."

(Two boys, one under 10, one over)

"Am opposed to these radio programs because they appeal to untold and unrefined elements of juvenile makeup."

(Two children over 10, two under)

ADULT SHOWS TUNED IN BY CHILDREN

Lux.....	10	Good News.....	5
Charlie McCarthy.....	7	Information, Please.....	5
Jack Benny.....	6	Hit Parade.....	5
We the People.....	6	Scattered.....	22

WAVE WORLD

Appeasement Turns Out Sourly

Private Stations Disillusioned of Any Liberal Tendency Toward Them by CBC

Montreal, June 27.

Last vestige of the CBC appeasement policy towards privately owned stations is swept away with the announcement that the corporation will take over full control of all network arrangements in Canada after Sept. 23. Private broadcasters stayed away from the Parliamentary Radio Commission last spring because they naively believed CBC would ease up on restrictions whereby independents were refused lines for network purposes.

Latest development, it is understood, will bring about even more stringent control of network broadcasting by the secondary (independent) circuits of stations not affiliated with the CBC. CBC officials are expected here shortly to explain the meaning of the notices received by private broadcasters. It is believed that henceforth sponsors intending to buy time on private networks will be obliged to apply for CBC permission, with the corporation then advising the stations whether they can do business with their clients.

Private networks such as the Association of Private Radio Stations of the Province of Quebec, and others in Ontario and in the Canadian west will bear the brunt of the new regulation, which will bring additional hardships to private broadcasters.

Until now private networks as well as individual stations have been under closer CBC supervision than CBC. The CBC now intends to move in and take over completely on independent networks and stations.

The new regulations stipulate that the CBC will henceforth take complete charge of reservations for time on private networks and will see to the preparation and signature of contracts from sponsors in their dealings with private networks.

The CBC will arrange for the time which the sponsors may have on private networks and will determine what stations can be used in this way. Question now is whether the CBC will also hold a veto on the stations, who will be the unwilling recipients of the additional supervision.

CKAC FRENCH SHOWS

TAKE BRIEF HIATUS

Montreal, June 27.

'Femme à la Page' (Lydia Pinkham) has been scheduled as a commercial for the summer but will be carried as a sustainer by CKAC from July 7 to Oct. 2, when it will resume under sponsorship. Meantime Lux program entitled 'C'est la vie' carrying on as usual through the summer with CKAC added to the CBC stations now being used.

'Smoker Out' (Arsene Lupin) program produced and narrated by Paul L'Anglais goes off the air July 5, to return again Aug. 18.

Pond's program, 'French Language version of 'Those We Love' ('Ceux Qu'on Aime') also to be discontinued for the summer beginning June 28 and returning Oct. 4. Produced by Paul L'Anglais a road company of 'Ceux Qu'on Aime' has been booming throughout the province from Montreal to the wilds of 'Rupert's' Cast of the Rockies. The original radio show, has already played 32 stands.

Changes at CKY, Winnipeg

Winnipeg, June 27. Several changes will be put into effect at the local government-owned station, CKY, when the retirement of G. H. Mills, chief engineer, at the end of June. W. A. Duffield, currently chief engineer of the transmitter, will replace Mills.

W. Haney will replace Duffield at the transmitter, while Duffield's operator will continue as chief station operator.

ONE BENEFIT OF TAXATION

Has Made U. S. Transcription Companies More Sympathetic

Montreal, June 27. Importers of U.S. transcriptions report conditions for future biz in Canada fairly good despite terrific hike in duties imposed by the Government last year. Before new levies came into effect Canadian importers report disc manufacturers in U.S. refused concessions of any kind with result that considerable volume of business offered in the lower-priced field had to be turned down.

One firm here states that the U.S. platter manufacturers are no longer amenable to the limitations of the Canadian market so that volume is being maintained despite the high rates.

GERMANS BUILDING

ITALIAN STATIONS

Berlin, June 18.

Rome and Turin radio stations in Italy have placed orders with Telefunken, Germany's largest electric firm, for broadcasting station equipment. Installments are to be the last word in radio development. Up to now, German stations have been carried simultaneously, controlled by a long distance system which is practically automatic.

Following the design of the Telefunken, last touches are put to the apparatus on the spot by the Italian engineers of the IRIAR (Ime Italiana Audizioni Radiofoniche). Studios are to be put into action before the year is up.

GERMAN SHORTWAVE

Transmitter Moved and Power Greatly Step Up

Berlin, June 18.

Deutschensender, Germany's shortwave broadcasting station, has moved from Zezen to Herzberg, about 40 miles south of Berlin. In the migration it has also changed its strength from 60 to 150 kw. But this is only temporary. A new European ether division was decided on at the last World Radio Congress at Montreux and as soon as this gets going around March of the coming year, the Deutschensender will pull up to 200 kw.

The antennae of the new transmitting station is the tallest of its kind in Europe, 600 feet high. Heavy material and construction technique is to eliminate fading and interference to a minimum. The station was built by the Reichs Post office which holds the building monopoly and is under complete State and Nazi control as far as transmitting is concerned.

London Calling

London, June 18.

Jack Henry, ex-detective inspector with Radio Norman, making his debut in 'At the Black Dog,' weekly BBC program of an imaginary night. This should be a natural for Inspector Henry, who now runs his own 'pub.'

Bruce Anderson, IBC (Normandy) assistant program director, appointed to newly created post of director of special features.

Nestlé Milk Products renewed contract for a further series on Normandy. Deal through Rexwoods Ltd., London.

Spink & Son, Ltd., West End jewellers, renewing for another year with Radio Norman, making the eighth consecutive year and Normandy's oldest advertiser.

BATISTA'S EXPERT

THINKING OF CHARGE

New Radio Boss Quietly Steps In and Things Start to Happen—He's Juan L. Govea and Broadcasters Think He'll Do a Lot for Their Industry

HAS IDEAS

Havana, June 18.

Havana has a new Radio Director, who, contrary to his predecessors, came in quietly but promptly getting together with the executive board of the Cuban Broadcasters Association in ordering off the air ten very popular chumbas with slightly off color lyrics and step dancing.

He announced that he will order off the air the stations that deliberately cause interference to local and foreign stations.

Juan L. Govea, who during the revolution days was put in the hot of personnel in the Treasury Dept. by Col. Batista, himself, and when he had shaped that Department was sent to the Labor Department, for the same purpose, is the new Radio Director.

It is understood that Dr. Govea has a list of 10 stations that will either go off the air entirely or will share time, as he intends to reduce the number of channels in Havana to 25, instead of 32 as at present.

This week, Govea will start his plan to put the local announcers, who are Cuban, on the air, according to his assistants the announcers, each will have a number and the listeners will decide whether he continues there or goes back to the pick and shovel.

If politicians can't interfere with Govea, local broadcasters think radio in Cuba will be in shape by the end of the year.

CMC-COCO PAR

WE HAVE MANY SIDELINES

Havana, June 20.

Gabriel and Cambo, owners and operators of Sirena, a radio show, have enough time to branch out in other businesses.

First, in partnership with Crusellas, (local Colgate-Palmolive districts) went into show business, operating the National Theatre, first run film house.

Then, along with Crusellas, went in again, the show business, with the first production now showing.

Before that, went in the recording business, making the RCA-Victor platters here, with processing in Cuba.

Also, backing a local penny ice cream concern.

And, in the publishing business, in partnership with Bohemia, local weekly.

And Cambo is busy with his political campaign for Senator.

CUBA SETS UP NETWORK

Nine Stations Linked—Key Is CMK, Havana

Havana, June 20. Cuba has its own network. It consists of nine stations with CMK, the radio newspaper. Montreux ordered for wire charges, administration and talent is \$5,000.

Yankee DX Propaganda, thus Far

No Wow in South America, Nazis Shrewder; H'wood Gossip Starting

Trade Tragedy

Havana, June 20.

Ramon Peon, Cuban film director, is being kidded by critics by owners of CMK-COCO and local Colgate subsidiary (Crusellas) he produced a full length comedy 'Aventuras de Felipe' based on w.k. CMK radio characters. Shooting exterior in Galliano Street, one of the main shopping streets here, when film was shown on the screen, in the background of the main scene, lasting about 10 minutes, there is a conspicuous display of a large neon sign of Gravi, rival toothpaste heard over a rival station. Shouting exterior in Galliano Street, one of the main shopping streets here, when film was shown on the screen, in the background of the main scene, lasting about 10 minutes, there is a conspicuous display of a large neon sign of Gravi, rival toothpaste heard over a rival station.

Crusellas wanted the scene deleted, but it was too late.

SUMMER HITS CANADA'S NETWORK SCHEDULE

Winnipeg, June 27.

With one-half hour and one full hour show time, the summer programs of the Canadian Broadcasting Corp. and nine more scheduled to go on the summer schedule. Of light and a half hours for CBC is chalked up. Two of the eleven programs are Canadian. The other two are American. Exchange programs from the American networks.

The two already in the air are the Nova Kelo show from Toronto, and the Campbell Playhouse from CBS. Set to start Sunday (28) are the Jello and Chase & Sanborn shows.

Following are the others and the dates upon which they will call it: The Carnation Contested Hour (28); Tender Leaf Tea's 'One Man's Family' (28); Maxwell House (28); and Dr. Quiz (Canadian-built quiz show produced in Winnipeg from stage of Capitol theatre and sent to western CBC stations).

July 10 will be Lux Radio Theatre (10) and the Lever Brothers hour, comprising Big Town and Dick Powell (18).

No announcement has been made as yet as to whether they will return in the fall. It is known the Dr. Stidger show is encountering continuing trouble due to CBC negotiations regarding this type of continuity.

CBK, Watrous, Due July 15

Watrous, Sask., June 27.

Newest of the Canadian Broadcasting Corp.'s new \$50,000 stations, CBK will go on the air July 15 at 5:30 p.m. The station's owners hope to open it formally on Dominion Day, July 1, is abandoned. C.B. Sargent, CBC production chief, went to supervise opening.

CBK will have clear channel at 540 kc. and, claiming power of 500 watts, is expected to boom in all over the continent.

Booming Aviation

Montreal, June 27.

CBC has closed its two affiliated short-wave stations, CJRX and CKY, to take in the air until further notice' pencilled in.

Stations were the first short-wave stations in Canada to be ordered to adopt a regular schedule of daily broadcasts. - KDKA's short-wave unit will volunteer to fill the gap. Both stations were only operating Saturday nights and took all CBC programs from 8 p.m. to 2 a.m. CST.

Booming Aviation

Montreal, June 27.

New program originating at station CFCF center round aviation activities in city of Montreal. Series of broadcasts is handled by an aviation study group of the Junior Board of Trade under direction of Harry de

Board of Trade group interested in getting the municipality to offer incentives to aviation industry to make Montreal the aviation center of the Dominion.

Rio de Janeiro, June 27.

Observers here believe Americans are kidding themselves a bit on the score of the effectiveness, actual or prospective, of short-wave radio programs to South America. Particularly as regards Brazil, many here feel the Germans are way out front in slickness. First because of the powerful DX transmitters employed by the 'axis countries' and second because of greater practical skill in propaganda the play it away from the Yankees and toward the Huns and the Italians, their echo.

NBC programs are frequently jammed or blocked out by the fascists' senders. - KDKA, Pittsburgh, and WCX, Schenectady, have short-wave adjuncts that fare better than the NBC stuff from New York City.

Another trick of the Germans is the importation (to Berlin) of Portuguese and Spanish announcers and certain propaganda programs to other countries. Thus the programs tuned in from the Reich are not only in the language but in the particular dialect or patois best suited for and most familiar to native listeners. In contrast, the American programs have often been in halting or over-precise accented Portuguese. Some of the reformer and highbrow stuff has been downright absurd if considered as propaganda.

Crusellas has just been so glamorous against the Yankees' cash deals. Of course, the Germans are a lot more friendly to Americans because of the coffee market than the Argentine. The Germans are a lot more friendly to Americans because of the coffee market than the Argentine.

Meantime American broadcasters may desire too much diplomaticacy from a smattering of fan mail reaching them from these parts. Yankees of course have not made the impression on those on the spot that reports from New York indicate.

New York Committee Set Up

Washington, June 27.

Organized in New York through the medium of the Will Hays office, a committee to study the use of DX broadcasters in spraying South America with news of Hollywood.

Charles C. Latham will be interested in the familiar personalities they know through the screen and who are nearly their only intimate idea of gringos. Hollywood news is presumed to answer the critics who wish to talk about asking or expecting South Americans to listen.

Charles C. Latham of 20th Century-Fox is chairman of the committee. Dave Brown, Albert Deane, Kenneth C. Latham and John Thompson comprise its membership.

Winnipeg DXers Shut Down

Winnipeg, June 27.

CJRX has closed its two affiliated short-wave stations, CJRX and CKY, to take in the air until further notice' pencilled in.

Stations were the first short-wave stations in Canada to be ordered to adopt a regular schedule of daily broadcasts. - KDKA's short-wave unit will volunteer to fill the gap. Both stations were only operating Saturday nights and took all CBC programs from 8 p.m. to 2 a.m. CST.

Booming Aviation

Montreal, June 27.

New program originating at station CFCF center round aviation activities in city of Montreal. Series of broadcasts is handled by an aviation study group of the Junior Board of Trade under direction of Harry de

Board of Trade group interested in getting the municipality to offer incentives to aviation industry to make Montreal the aviation center of the Dominion.

More LISTENERS!
 As a basic NBC RED NETWORK station
 has consistently led Baltimore station
 preference. NOW--increased power
 signal mean MORE listeners for WFBR

Wider COVERAGE
 Increased power (5000--10000)
 and NEW towers (located)
 WFBR's circle of influence

More Dramatic
 The new WFBR studio
 studio audiences and
 to put over a show
 check up on work

WFBR

Baltimore's

Member Baltimore

National Radio

MARYLAND'S PIONEER

tion, WFBR
as in listener-
and a clearer
BR advertisers.

AGE!

atts), with NEW transmitter
in water), greatly extends
ce.

SHOWMANSHIP!

udios offer facilities unequalled in Baltimore for
audience participation programs. If you want
with "BIG TIME" punch and atmosphere,
at WFBR, alone in Baltimore, has to offer.

RADIO CENTRE



first-choice station

ic NBC Red Network

representatives: EDWARD PETRY & CO.

BROADCAST STATION

Most of these outlets will introduce the World library with special full hour broadcasts including a recorded greeting from Percy L. Deutsch, WBS prez.

16 OUT OF 24 FIRSTS TO NBC

**Red and Blue win one-sided victory
as Radio Guide readers cast 729,000 votes
in Star of Stars election**

ONCE AGAIN a vote has been taken. Once again NBC wins.

In this election fans vote for their favorite artists and programs under twenty-four different classifications. NBC won 16 out of 24 first places!

Here is a fine picture of listener preference—a real endorsement of NBC popularity.

NBC appreciates this overwhelming vote of confidence from nearly three-quarters of a million radio fans. NBC also takes this opportunity to extend orchids to its advertiser clients whose consistently fine programs have made this victory in listening preferences possible. And to the fine performers who have so well merited this nation-wide recognition.

HERE'S HOW THEY VOTED FOR NBC

Best Commentator (man)	Lowell Thomas	NBC
Best Commentator (woman)	Dorothy Thompson	NBC
Best Comedian	Bergen-McCarthy	NBC
Best Radio Actor	Don Ameche	NBC
Best Singer of Popular Songs (man)	Bing Crosby	NBC
Best Singer of Classical Songs (man)	Nelson Eddy	NBC
Best Singer of Classical Songs (woman)	Margaret Speaks	NBC
Best Announcer	Don Wilson	NBC
Best Audience Participation Program	Kay Kyser's Klass	NBC
Best Variety Program	Chase & Sanborn	NBC
Best Master of Ceremonies	Don Ameche	NBC
Best Serial Dramatic Program	One Man's Family	NBC
Best Swing Band	Artie Shaw	NBC
Best Swing Instrumentalist	Tommy Dorsey	NBC
Best Swing Singer	Bea Wain (Larry Clinton's Orchestra)	NBC
STAR OF STARS	Nelson Eddy	NBC

NATIONAL BROADCASTING COMPANY

The World's Greatest Broadcasting System

A RADIO CORPORATION OF AMERICA SERVICE

BUREAU OF MISSING BUSINESS

Articles appearing in this series are designed to stimulate trade discussion, pro and con, on matters pertaining to types of advertising which, for one reason or another, usually offer resistance to radio solicitation. Both network and spot radio aspects are considered. Station men and others are invited to comment upon issues brought up by this department or to suggest themes that might be profitably considered.

NO. 10—AUTOS, ACCESSORIES AND PARTS

Although radio has done pretty well by itself—except in the past 18 months—as regards automobile advertising, there remains a vast field virtually untapped: the accessories and parts industry. While the business is worth millions of dollars worth of needed replacements, as well as gadgets, to motorists annually, such as batteries, spark plugs, piston rings, headlamps and fog lamps, brake linings, oil filters and pumps, car heaters, radios, directional signals, cigarette lighters, etc.

The main factor in the lack of bite from these companies appears to be the ignorance of radio men as to their existence and to the amount of goods they sell in a year. True, many of the firms in each accessory or parts field spring up from nothing—and sometimes die with nothing—an as a result have little to spend for advertising.

On the other hand, the majority of accessory and parts makers have ample treasures. At least to spend in magazines and newspapers, as they've been doing right along. Maybe they don't have a sufficient amount as they are wont to say, to bankroll a good network show for 13 or 26 weeks, but perhaps they do, if

someone will sell 'em on the idea. Some of the firms, notably the battery and piston ring companies, have sponsored network shows in the distant past for long periods. And these firms are the business leaders and bigger than ever in most instances.

The argument that practically all accessory and parts manufacturers sell their products directly to the car or truck maker does not hold water, although for most it is the original equipment field forms a very lucrative portion of their total bill. However, the replacement field, where the consumer, or motorist, is the deciding factor, is by far the larger market when it is considered that there are around 30,000,000 cars and trucks on the road in the U. S. every year and that the average annual production of new vehicles is around 2,500,000, or less than 10%. Networks and local outlets have found a lucrative revenue source in tires and oil, and they're in the same field as the other accessory or parts firms.

There's the angle, too, of distribution and limited territories for such items as fog lamps, car heaters, antifreeze compounds, etc. These factors may nullify need for a network program, but would strengthen the argument for a regional or local hookup similar to anti-freeze campaigns of the past few years.

Serious Angle

Another, and more serious, drawback to advertising by accessory and parts companies is the prohibition placed by most car makers on any ballyhoo of the fact that suppliers provide certain parts for their vehicles. While this ban doesn't affect the supplying firms' sales of individual car makers—it's always on bids anyway—it doesn't help promote the accessories in these same parts fields where the customer or motorist would probably be more likely to buy this or that part if he could be told, through advertising, that this or that particular part was the original equipment on this make of car.

Auto advertising on this radio

could still stand a good shot in the arm. While passenger car ballyhoo on the air rose steadily from a low of around \$433,000 in 1927 to a high of almost \$6,000,000 in 1937, it's suffered greatly in the past 18 months along with other forms of media, because of the sharp drop in auto sales, etc. But radio, unlike most of its competitors, hasn't come back in the past six months.

Various factors are involved here.

First is the auto makers' fear of a slump at the time which might catch them with a big other show and unable to cancel as easily as with newspapers, magazines, etc. Secondly, the auto industry has prospered extensively down through the years on the free publicity provided in the press and magazines; therefore, it's been a hard nut for radio to crack with no free ballyhoo to offer. Third, the ban on dealer-maker cooperative advertising nullifies names of all dealers contributing their proportionate share are mentioned, promulgated several months ago by the Federal Trade Commission.

Last-named point has wrought considerable hardship on auto programs, since it's thrown all such shows into the institutional category and which must be paid for entirely by the auto makers. Previously, under the cooperative system, independent dealers contributed around \$7 per car sold by them, the other shows could be paid for much more easily. As result of the FTC ban, this dealer-maker cooperative fund now goes into newspapers, which lend themselves more readily to the mention of dealer names.

Radio men should be able to find a way around this situation, especially in view of the millions involved.

ADDENDA: INSURANCE

Insurance may play a part in the 1940 national elections and radio, which is increasingly becoming a forum for public examination of the pros and cons of the subject, may thereby be involved. While all this is suppositional and well in advance of the development of such a state

New CBS Sales Slogan

Columbia time sales has adopted a new promotional term, the Family Purchasing Plan, and they're playing it to a fare-thee-well. The FPP is pulled together by anyone cites the number of radio homes.

"Ah," rejoins the salesman, "that figure must only be the number of a base. You must remember that whereas the sales message may be received by a single mechanism it's heard by from two to eight persons in the home. Since the average article advertised appeals to group use, such listenership is to be taken in terms of Family Purchasing. And instead each radio home should be credited with an average of four listeners."

of affairs the insurance companies are getting ever stronger in their denunciation of non-company "advisors" and the partisans of the latter, in fact, analysts would make what publicity capital they can from the situation.

It is as on form of expense that touches the pocketbooks of the common citizen directly, has been a Washington investigations into "monopoly" and, politically sagacious guess, for a distasteful publicity that politicians, particularly in certain states, may adopt and exploit to him.

With "counselors" lambasting insurance companies over the air and the fact that companies replying in kind, also over the air, it is well known that the underwriters are generally alarmed. Financial-political-social problem rarely is, of course, merely the medium. It stands to benefit in some sales. Morris Seigel, who more or less is the lad who started the ball rolling with his Folioholders Advisory Council which functions in New York City and Boston, is said to spend \$150,000 annually for time.

These remarks are addenda to previous discussions herein of the insurance biz as a time source.)

LOU WINSTON SUING

RADIO ATTRACTIONS

Application today (Wednesday) in N. Y. supreme court for a temporary injunction against Radio Attractions, Inc. and Herbert R. Ebenstein, revealed the action of Lou R. Winston against them.

Winston claims that in March, 1938, he agreed with Atlas Radio Corp., of California, of which Ebenstein was a director, to exploit some 20 masters and stamper for use in making radio transcriptions, together with literary, dramatic and musical rights to these transcriptions. The agreement was subject to cancellation on 30 days' notice, and the plaintiff asserts he gave that notice on Aug. 10, 1938, which made the transcriptions revert to him. However, Ebenstein formed a new company, Radio Attractions, Inc., which is presently engaged in selling these transcriptions. An injunction, accounting of profits and damages are sought.

Ben Gimbel Signs Pact

Philadelphia, June 27. Termer with the American Communications Association, CIO, covering all the employees of WIP from Janitor to chief announcer, was signed by Ben Gimbel, pres. last week. Contract has been in the making and on the verge of ink for four months, but every time it was set for the pen some minor point would not hold up.

It's retroactive to April 1.

TOPS IN CENTRAL OHIO

5000 WATTS DAY 1000 NIGHT

JOHN BLAIR & CO., Representative

KLZ NEVER LETS THE BEST GET AWAY!

KLZ Denver

KLZ's 200-watt mobile transmitter went fishing at sunrise on May 27 and recorded for its listeners the biggest event of the year for Colorado sportsmen . . . the opening of the trout season.

KLZ is always on hand when things important to Colorado happen . . . never lets the big ones get away. Likewise, KLZ is always on hand when a sponsor has a really big selling job to be done in the Denver-Kitz Mountain area.

KLZ Denver

365 AFFILIATE'S 550 KILOCYCLES

AFFILIATED IN MANAGEMENT WITH THE OKLAHOMA PUBLISHING COMPANY AND WKY, OKLAHOMA CITY — REPRESENTED BY THE KATZ AGENCY, INC.

first IN CANADA'S RICHEST MARKET

CFCF Montreal

Full your sales message over quickly, economically and successfully by using CFCF, the Voice of Canada's Metropolitan market. Over ONE MILLION people in Greater Montreal are either Radio or TV listeners. CFCF is the best in radio advertising and the latest news.

CFCF Will Build Sales for You

CFCF and this was CFCF owned and operated by Canadian Marconi Company

NBC Affiliate

Representatives:

U.S.A. All Canada Radio Facilities Word & Company

CFCF dominates a BI-LINGUAL AUDIENCE of over 1,000,000

Leland Childs Joins WDSU

New Orleans, June 27.

Leland Childs with WABC, Birmingham, for past six years, joined WDSU staff Thursday (22) to specialize in sports.

Jack Halliday stays for play-by-play baseball games.

Earle Anthony Gives Back 1430 To FCC as Latter Grants Him KEHE

Los Angeles, June 27. Sale of KEHE by the first radio licensee, Earle C. Anthony, owner of KFI-KECA, was approved yesterday in Washington by the Federal Communications Commission. Transaction involved a reported price of \$400,000. The takeover of the station by the FCC was reported in the June 26 days, according to Harrison Holloway, manager of the two NBC radio outlets protecting against the sale are filed with FCC within 20 days. Under terms of the purchase, Anthony returns KECA's frequency (1430 kilocycles) to the comish, which, in turn, is expected to scrap it and hang on to the station, so that the local area is over-served.

Official sanction of the deal, which has been hanging since application for transfer of ownership was filed April 7, 1938, marks the passing of two radio landmarks. The Hearst station which has passed through many call letters since it was established in 1925 by Clarence Junene and the KFI-KECA studio at Tenth and Hope streets, scene of many firsts in Coast radio.

Transaction involves complete takeover by Anthony of all KEHE properties, both real and intangible, which includes wave length, good will, offices, studios and all broadcasting equipment. Hearst-Evener Herald-Express expended around \$150,000 on the new studio on Vermont ave. near First, which was unveiled in May, 1937, and the transmitter in Culver City.

Anthony will supplant KEHE's call letters with his own KECA (Earle C. Anthony) on the 780 kilocycle band. Station, to function as NBC blue outlet, operates on 5,000 watts daytime and 1,000 watts at night. KECA's wave length far down the dial has been a source of considerable worry to Anthony and NBC and resulted in the loss much local and national business.

Deal was temporarily stymied months ago when an Diego transfer of KECA's frequency was tied up in the negotiations. Columbia at that time was interested in an outlet at the border as the chain's old transmitter at Sherman Oaks failed to get a strong signal to the town.

KEHE is presently managed by Jack Gross, who came here from Shreveport, La., one year and eight months ago to succeed Clarence Junene. Staff of around 40 workers is employed. Holloway will move the entire KFI-KECA personnel into the KEHE quarters as soon as legal requirements are discharged. Gross will go East after he turns over the keys and take a brief vacation before making another affiliation.

First signal sent out on 780 kilocycles was in 1925 when Junene opened KFTV and later changed the call letters to KNRC. Four years later he sold the transmitter to Pickwick Stage, who changed the initials to KTM. In 1935 Evening Herald-Express bought the station and combined it with another acquisition, KELW, out of which was born KEHE.

From the downtown studios of KFI-KECA many radio premieres were broadcast. The first complete opera was aired from the site; first symphony concert on the Coast; origination of the first coast-to-coast program, and the first football game to be broadcast across the nation.

COCA-COLA'S FOOTBALL

Louisiana Series On State Network Of Seven Stations This Fall

New Orleans, June 27. All Louisiana State University football games are set for a statewide network of seven stations this fall under sponsorship of Coca-Cola. Programs last year carried direct from field of play to KALB, Alexandria; WJBO, Baton Rouge, (originating station for home games); KPLC, Lake Charles; KYOL, Lafayette; KMLB, Monroe, and KRMB, Shreveport, and WDSU, New Orleans.

Edley Rodgers, of KALB, Alexandria, did play-by-play descriptive past season with Zet-U-Botting Co. sponsoring. Same set-up will be followed in fall with Coca-Cola taking over.

Coca-Cola also has booked for all Tulane games through WSMR, New Orleans (Variety, May 31).

Less Witting This Summer, Reports WIP, Philadelphia

Philadelphia, June 27. WIP claims business whopping this summer, with the smallest number of hot weather cancellations in the station's history. It is reported to be 75% sold, in contrast to 66% last year, despite the fact that it has been on the air 24 hours a day since Dec. 12.

Hot wave stickers who are principally responsible for the upsurge in take are clothing accounts. Regular duckers who are sticking this season include Hurnan's, Clothes, Adams Clothes, Fox-Weis Fur, Crawford Clothes and P. B. White Clothes.

JAX BEER'S ADDED SPORTS

New Orleans, June 27. Jackson Brewing Co. (Jax Beer) has concentrated its underwriting of sports broadcasts on WBNO. In addition to the play-by-play account of a soft-ball series, the brewer is obligating itself for two quarter-hour sports reviews a day.

Ken Elliott and Roger Phillips with share the spelling assignments for Jax Beer.

Noe, Candidate for Office, Has His Full Name in Station Call Letters

Renominate Paul Walker

Washington, June 27. Commissioner Paul A. Walker, of Oklahoma, renominate Monday (28) by President Roosevelt for a seven-year term on the Federal Communications Commission, was okayed by the Senate today (27).

Walker, a former member of the Oklahoma Utilities Commission, best known in Washington as the director of the \$1,500,000 investigation into the machinations of the telephone trust. First nominated in 1938 for a five-year term under the commission's "stagger system" of one to seven-year raps on the Federal body.

John Peel, former newspaperman with the Scripps-Howard and Hearst chains and the Philly Inquirer, now doing a daily comment spiel on WJBO, Philly.

New Orleans, June 27. WNOE put into effect use of new call letters at 6 a.m. Monday (28) after permission granted by FCC last Thursday (25). Station owned by James A. Noe is only station in U. S. A. which has full name of owner in call letters. Was WBNO before switch. Noe is a candidate for lieutenant-governor.

Thursday was second time in as many weeks station representative called before FCC. Station granted transfer of license from Coliseum Place Baptist Church to James A. Noe, previous week. Expect attorney to appear before commission again shortly regarding application for boost of power from 100-day-250-night to 5,000 watts.

WFAA, Dallas, has Bunny Biggs and Harry LeVan, known as 'Slo 'n' Ezy.' They do 16 voices.

WLW VISITS OLD FRIENDS —at 36 fairs—in 7 states

Since January 1st, operating through WLW Artists' Bureau, WLW entertainers have played before more than 174,281 people in listeners' home towns.

Between July 4 and September 15 these "Ambassadors of Good Will" are scheduled to appear in "command performances" at 36 State and County Fairs in 7 states; striking evidence of the loyalty of WLW listeners throughout the Middle West.

These personal appearance tours are creating a true bond of friendship between the Nation's Station and its listeners . . . a bond of which we are tremendously proud, because this direct contact with listeners means much to every present and future user of WLW.

"THESE THINGS, TOO, WE THINK ARE PART OF THE STORY OF WLW"

WLW

THE NATION'S STATION

Writers Looking Ahead

Radio Writers Guild Wants Jurisdiction in Field of Television—Tacit Approval of Authors' League Seen

Hollywood, June 27. Special significance was seen in the Radio Writers Guild's claim of jurisdiction in the field of television, made at the organization meeting of the Coast Branch June 27. Present at the meeting were not only several RWG representatives from New York but also a number of Hollywood Authors' League president, and Charles Brackett, Screen Writers Guild proxy, with several members of the board.

With the Screen Writers figured earlier to contest the Radio Writers' claim of the visio jurisdiction, the presence of Brackett at the session is believed likely to prove embarrassing to his organization, since it would seem to lend approval to the RWG bid. Also, tacit approval by the parent organization, the Authors League, was seen in the attendance of Connelly.

KALE's New Transmitter
Portland, Ore., June 27. Increase in power for KALE has been granted by the FCC from 1,000 to 5,000 watts daytime only. This Mutual station will continue on 1,000 watts at night.

C. W. Myers of KOIN-KAL promptly announced construction plans for a new KALE transmitter with a vertical antenna to be erected on the 22 acres of hilltop property owned by KOIN.

Bill Schadt Goes East
Cincinnati, June 27. Bill Schadt, WKRC general manager, leaves Friday (30) for NYC, where he will confer with CBS executives attending the NAB convention. He will vacate in the east before returning here Aug. 1.

Stone, Felts Travel
Seattle, June 27. Loren Stone of KIRO and Hugh Felts of KOMO-KJR left last week for PACA convention. Felts will continue east. Stone due back here in ten days.

HILDEGARDE RADIO

First Lady of Television
Recording for DECCA

Per. Mgr. ANNA SOSENKO
Ex. Rep. JACK BERTTELL

JOSEPHINES

And His ORCHESTRA
Hotel St. Regis
Viennese Roof
2nd Consecutive Year
NBC—THREE WEEKLY
WM. MORRIS AGENCY

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.D.S.T.

78 Station commencing Monday

WOP—8:40-8:45 P.M. E.D.S.T.

Monday Through Friday

Direction BENTON O. BOWLES, Inc.

Management ED WOLF, RKO BUILDING, New York -

Metropolitan Television Files in Albany, N. Y.

Albany, June 27. Metropolitan Television, Inc., has been chartered to conduct a general radio business in New York. Capital stock is 1,100 shares, 1,000 preferred at \$100 par, and 100 common at \$10 par value. Directors, each holding one share of common, are: John E. Cosgrove, George V. Reilly, David H. Jackman.

Stephen V. Ryan, Albany representative for United States Corporation Co., filed the papers.

Harvard's Radio Course

Boston, June 27. Harvard Summer School has announced a conference on "The Use of Radio for the Public Welfare" among its courses for its current season. Radio course starts July 24 and carries through to Aug. 4.

Included in the roster of lecturers and speakers are: Frank R. McInch of FCC; Sterling Fisher of CBS; Walter S. Wadsworth of Radio Broadcasting Foundation; Allen Miller of University Broadcasting Council, Chicago; George W. Chase of Harvard; Helen Benson, director of school broadcasting in Scotland for the American Educational Directors, New England Town Hall.

Franklin Dunham, educational director of NBC, will play the most prominent part in the summer course, leading off each day's session with a forum-lecture on a subject related to radio, and another lecture-tourism each afternoon.

Kensley's Lecture
Louisville, June 27. WHAS staff men assume professional roles for University of Kentucky. W. Lee Coulton leads off, Dudley Musson, Robert Kenneth, and J. H. Hosiand, WHAS, to follow. Course will continue through Saturday, July 15.

ARTHUR SHOWS KIDS HOW

Philadelphia, June 27. Doug Arthur, speller on WBIG and WIP here, last week was showing the kids in his neighborhood how big league players steal bases.

He's able to get around as crutches now. The sprained ankle is almost better.

Third, Perhaps a Fourth, Regional Web Looms In Texas Coverage Battle

San Antonio, June 27. Texas will see a battle of regional radio stations in the coming week, as another of the third, regional for Texas coverage, and also a possible fourth regional web being considered.

Latest and third regional is to be operated by the Lone Star network and is scheduled to start operations with the change of time back to

Thompson Back to NBC And Assigned to Phila.

Philadelphia, June 27. Griffith B. Thompson, salesmanager of the Associated Record-Program Service of New York, has been named salesmanager of KTW in New York City. Thompson resigned June 15. Thompson takes over on Saturday (1).

Once before the salesmanager of an NBC-operated outlet, WBZ, Boston, Thompson was transferred to the network division of the company in 1937. He resigned last year to become associated with the advertising agency of Bernheim, Gledhill & Pierce, Inc., N. Y., leaving there to join Associated.

Kid Show Board

(Continued from page 25)

With special clarity on the matter of financing, from whom the money will come and on what basis, is deemed a necessity to avoid dubious reactions. The board files must show that this is a practical, honest setup and free of personal careerism or financial speculation.

Exact nature of the proposed board or council is not fully determined but the authority will largely be vested in the leadership of various women's club groups who have already played prominent roles in bringing the issue to a head. At this date it is pure guesswork to indicate the possible membership of such a board of review. Names have, however, already been mentioned.

Probable members will be: Margaret S. Dunbar, Mrs. Harold Singer, Dorothy M. Lewis, Harold V. Gledhill, Dorothy Gledhill, Mary Gould Davis and others.

Recognition by the broadcasting industry of the growing power of criticism against the kid programs is reflected in the about-to-be-consummated plan for modifying the social viewpoint content. Coincidentally VANR's own survey of a wide range of public opinion (see this issue as adjoining columns). The survey is probably typical of a widespread feeling that the present situation is a bad one. Since the leadership of the women's groups have largely been spokesmen for the dissemination of the disquiet the radio industry turns to them for the answer to a better system.

Opposition to broadcast, in principle as a practice, is said to be a basic tenet of the clubwomen. They say it is as bad for the sponsor as for children, and if all drop it none will miss it.

Practically all of the kid programs of the past season are set to continue next year. Their usefulness in merchandising is fully recognized by advertisers. Presumably they are prepared to accept supervisors and control as the advertising agencies which such programs have been in the vanguard of the Board of Review movement.

standard on Sept. 24. KTSB here, recently taken over by the interests of the Texas State web, and also in Lubbock and Weslaco, has aligned itself with this new network, which includes KOMO, KTRH, WORTH; the Tiford Jones-Frank Smith outlets in Houston and Corpus Christi; KXYZ and KRIS, and the Weslaco station, KRGV.

Last three mentioned stations are also tied in with the Edinburg-Weslaco Texas State web, and also have been a third network alignment with NBC on that web's supplementary roster. KTSB here is a Columbia affiliate while the others are tied in with NBC and Texas State Mutual.

Columbia station operators in Texas, KRLD in Dallas, which will soon go to 50,000 watts with directional antenna both daytime and night, and KTRH, Houston, are reported to have conducted a personal campaign on their own. Roy Taylor, proxy of the San Antonio outlet, to line up with the other CBS outlets for a network of their own, and its considered likely that KRLD and KTRH will continue to plug for a set-up of their own regional.

CBS Reaction
New station in Wichita Falls, KWT, which has signed with the Texas State web, is reported to have run into a flood of objections from CBS headquar-

Radio Daffodils

Indianapolis—A squirt by squirt broadcast of the milking contest between Gov. M. Clifford Townsend, Lt. Gov. Henry F. Schricker and Dr. Herman C. Morgan, executive secretary of Indianapolis Board of Health which marked opening of National Dairy Week, was carried by WIR.

Macon, Ga.—Officials at WMAZ had to plead inability to fill the following request in a letter, from a listener in a nearby town: "I beg to say that I'm intimately with a financial complication. I'm desiring a private conversation with some gifted physiognomist. One who can tell both past, present and future. One who needs not ask any question. One who can give the names of individuals and the dates and places of events by a mere look in the face."

"If you know of any such individual please inform me by return mail and I will amply reward you for your trouble."

San Francisco—Fan dance performed by a trained feline named Sally, costumed and with a microphone fan attached to her back, was aired recently by KSTP during a broadcast by Ruth E. Brown. The dance from the Golden Gate International Exposition. A special pick-up was devised so that listeners could hear the feline as she polka'd and three-stepped on top of her music. The station, with Balfour providing a top-by-top description. The program was one of a series from the expo controlled by Gallopam Stores Company, shoe distributors.

Indianapolis—Left LeFevre, conductor of the Early Bird program on radio station WFBM, missed the alarm clock the other morning and made the grade to the mike an hour late.

The text morning he started his program with, "Do you get out of bed with a yawn?" "Do you say the first thing?" "Are you a prompt getter-up?" "If you are, please tell me, for I can't make the grade."

FL. Toronto—"The Introduction for the broadcast by Gov. W. L. O'Daniel every Sunday a.m. over WBAF has read in the past: 'We take you now to the beautiful Governor's Mansion in Austin.'"

Critical Texans being named in. Couldn't see how the governor could be beautiful.

New York—WNEW, N.Y., was last week approached by a young aviator offering the station an exclusive on a controversial on-top-of-flight in Paris. Built was the indie and he would be in constant communication during his trip and would have a clear field on the description of his take-off.

Explained that there was just a small matter that had to be taken care of before he spread his wings. A \$350 repair bill to get his plane out of hock.

Knoxville, — WNOX uses a paper mache cow for an audience quiz. Questions emanate from a speaker in a bovine's tummy, while Red Wilson, m.c., roaming around the studio, picks up the answers with his mike. Same station is responsible for a combination man-in-the-street and game show, wherein passers-by giving right answers are rewarded with tickles, dimes and quarters from Doc Dize's moneyschanger.

WBB Hires a Reporter

Kansas City, June 27. Wally Gladish, reporter for the Daily Drifter, Topeka, has been added to WBB's staff as head of the station's livestock and farm program. Gladish is part of the trade daily, with Gladish holding the two jobs.

Station is installing a remote booth in the Telegram's office where Gladish will handle four market broadcasts daily. This arrangement was with the K. C. Livestock Exchange, which banned broadcasting of its reports from the station's regular booth.

Meantime the Texas State network, comprising WFAA-WBAP, WQAI and KPRC, continues along the same path with the Edinburg-Weslaco Texas State web, and also have been a third network alignment with NBC on that web's supplementary roster. KTSB here is a Columbia affiliate while the others are tied in with NBC and Texas State Mutual.

Columbia station operators in Texas, KRLD in Dallas, which will soon go to 50,000 watts with directional antenna both daytime and night, and KTRH, Houston, are reported to have conducted a personal campaign on their own. Roy Taylor, proxy of the San Antonio outlet, to line up with the other CBS outlets for a network of their own, and its considered likely that KRLD and KTRH will continue to plug for a set-up of their own regional.

RUTLAND JOINS YANKEE

Boston, June 27. Effective July 2, WBYB, Rutland, Vt., joins the Yankee and Colonial Networks. Operating unlimited time on 1500 kilocycles, WBYB has a total of 18 outlets for the two nets, headed by John Shepard, S.D.

Philip Weiss Music Co. of Rutland operates WBYB, and station personnel includes Phil Weiss, president; J. H. Weiss, station manager; and M. R. Francis, chief engineer.

TO COVER GREAT BRITAIN YOU MUST USE

RADIO NORMANDY

Full Particulars of Air Time & Conditions

INTERNATIONAL BROADCASTING CORPORATION

REPORTAGE PLACE, LONDON, ENGL.

NAN WYNN

ON "TIME TO SHINE"

Tuesdays 10 P.M. EDT

CBS Network

Mgt.: Columbia Artists, Inc.

Allen Prescott's "DON'T FORGET" is attracting deserved attention. He is a deft Master of Ceremonies.

DINTY DOYLE

New York Journal-American

"DON'T FORGET"

ALLEN PRESCOTT

Fridays, 8:30-9 P.M., WIZ

WBAL

means business in Baltimore

Biting Off Their Noses

Two southern stations which share the same wavelength and transmitter and are affiliated with the same network have become such bitter local rivals that they would rather sacrifice thousands of dollars' worth of national spot business than make any move to co-operate when a query for time comes through. The time is split equally between them but the schedule alternates from day to day.

The two stations have the best coverage in the area but what makes it discouraging to an agency time buyer is the haggardness he has to go through if he wants to contract for more than three spots a week across the board. The station that doesn't get the inquiry declines to go out of its way to see what can be done about clearing the required time. The result is a local show in the way it stays there regardless of the pleas it makes to the two outlets to engage the same station rep have always proved fruitless.

WINNIPEG DAILY IN UNUSUAL AIR LIAISON

Winnipeg, June 27. Radio men in town were astonished when the Manitoba Free Press burst forth with best part of a page on radio publicity Friday (23). Papers in this town have in the past been plenty loyal toward radio. It was partly due to Free Press acquiring Edger's Bergen's strip of Charlie and Mollie, and the Free Press is former Press staff cartoonist.

Deal is now being worked with local stations, CKY and CJRC, to play comic strip by putting on a series of concerts in the various city parks, with stations supplying the gratis and getting plenty of reader pages. This has happened before, but only at Christmas when two mediums co-operated for annual benefit shows.

While CIRC carries the McCarthy show the majority of talent in this tie-up is booked from CKY whose program director, Herb Roberts, is in charge. Newspaper ballyhoo shows will not be broadcast.

Dailies' Peeve Aids Canadian Fan Sheet

Montreal, June 27. Believed here in authoritative circles that the unusual (for Canada) circulation climb of "Radiomonde," French-language radio fan mag, is due mostly to shortsightedness of local newspaper publishers in playing down radio copy. Publication published fortnightly by Jack Teitel, goes weekly in September. Circulation and reader interest lost by dailies through inattentiveness to local radio matters in which both French and English have displayed avid interest, has been grabbed off by the new fan mag.

"Radiomonde" has bought first newspaper serial rights to "Rue Principale," authored by Ed Baudry, long-distance radio dramatic show sponsored by Oxydol. Other radio serials to follow, it is understood.

Tom Archer, radio and music editor of the Gazette, carries only comprehensive local coverage in English-language daily here. Gazette came through with radio space only after a stiff battle lasting over a year.

Georg Seel, Arthur Schnabel and Edmund Kurtz have arrived to present a series of concerts under direct Australian Broadcasting Commission in Melbourne.

AUSTRALIAN COMMISH STARTS FAN PAPER

Canberra, June 9. Australian Broadcasting Commission is to publish a weekly fan radio paper. Will be opposition to two local fan papers put out by commercial interests. Syd Deamer, formerly editor Daily Telegraph, will be in charge.

Publishers are bitterly opposing project. Say A.B.C. should reduce some fee of 25 years before figuring in becoming publishers. Point out that A.B.C. is making too high a profit nowadays and that portion should be returned to the public in fee reduction.

Some time ago the dailies dropped all radio program listings with hint that programs could be printed at advertising rates. The drop saw an increase in sales of Wireless Weekly, published by the Denison Group, and brought about the introduction of another fan paper carrying programs for one week from commercial and national stations.

RCA's Chicago Ballyhooer

Chicago, June 27. RCA running a special demonstration of television in Marshall Field's department store, 536 N. Dearborn, from 4 to 4 p.m. in the radio department of the store.

Music and sound flowing direct from the temporary studios in MF to the television receivers spotted just a distance away. Coast-to-coast run between direct from scanner to television screens, without first going through a transmitter or lower. Effect is exactly the same.

While Chicago is still far off from getting regular television, set-up is merely being used as institutional build-up for RCA and NBC, with the latter supplying the talent from its local roster.

Olympic Knitwear, Inc. (Tish-U-Knit Sweaters) will include radio in campaigns for fall and winter. Will use Hickey Advertising Agency, New York.

Ask Television Okay's

Washington, June 27. Construction of three new California television transmitters was proposed to the FCC last week. Permit also sought for a visual plant in Wisconsin.

Sport in picture broadcasting on the West Coast involves Don Lee System, which went out put up a plant at San Francisco, and the May Co., big department store, and Television Productions, which contemplates operations at Los Angeles.

The Milwaukee J. K. L. asked for papers covering a 1kw visual transmitter at Milwaukee.

FIRST TELEVISION HILLBILLY New York

Editor, VARIETY: I have a correction for your listing of "Television Firsts" which I saw in VARIETY.

You listed as the first television hillbilly, Judy Canova. You can check off Mr. Hutchins of NBC and you will discover that I am the first hillbilly to do a television broadcast.

I was on Tuesday night, May 3, 1938, which is over a year ago. Zeb Carver.

Music Audit Is Debated

(Continued From Page 23)

calculations of future income on the basis of the 1938 figures. It is made 7 1/2%, it will be predicated on the expectation that the Society will net as much for the use of 8 1/2% of its catalogs as it did from unlimited use.

Skeptical Element

If broadcasting, say the skeptical element, accepts a contract on these two bases, it stands to pay more than it before if during the succeeding years a reaction set in against dramatic types of program and broadcasters had to increase substantially their output of music. Such increase would naturally favor ASCAP both in usage and income. Instead of paying, might mean 35% the broadcasters might find such conditions be cutting in ASCAP on a basis of 75%.

Another angle that has given this matter weight for thought is the increased accounting and checking

costs that might stem from the change of formula in the ASCAP contract. The broadcaster now knows that he must now pay 5% to ASCAP on all commercial programs, but a change to the proposed formula would necessitate maintaining a more expensive checking service so that ASCAP would have no cause for complaints about not being credited with certain numbers and fees. With this shift in formula accounting might also become more complicated and require added clerical help.

Advocates of the pay-for-what-you-use plan say that they have anticipated all these angles and contend that even if the broadcaster has to pay a little more he will feel that he has freed himself from an oppressive practice, namely, that of having to pay for something that he doesn't use. The proponents also feel confident that once this godly has been removed the coin problem will be solved to the broadcasters' satisfaction.

Inside Stuff—Radio

WBFR, Baltimore, was ear-deep in politicians and society folks last Wednesday (24) night when the station officially baptized its new plant where, however, it has been installed for some weeks. From Monday onward the station began a week of special broadcasts and salutes coming in from NBC and other stations.

Not the least unique part of the Baltimore ballyhoo was a paid congratulation ad in a local sheet from rival station WBAL.

Pickets who for the past six months have been parading in front of WDAS, Philly, because of the station's refusal to carry the Coughlin broadcasts, are old stuff to all the Philly dailies except the Record. With the picketing in its 28th week and no new angles, all the other papers have forgotten about it. Record, however, because of a run-in with the Catholics church two years ago, which badly hurt circulation, is taking no chances on injuring anyone's feelings. So the WDAS picketing is a must story in every edition of each Monday's paper.

Identical story is run each time with only the number of weeks that the picketing has been going on changed.

Booksellers Guild of America, represented by a delegation of 100 members and its executive board, foregathered last evening (Tuesday) at the Federal Theatre Project, New York.

Purpose was to preview four recorded half-hour programs of the "Epic of America" and "Men Against Death," series which were submitted as samples of the type of radio broadcast that could be made available to be sold in albums through bookstores. Evan Roberts and Ivan Bell will be hosts to the booksellers, whose spokesman is Terence Holliday.

This matter of book stores selling radio discs was ballyhoed at the recent American Writers Congress in New York.

Radio work offers best opportunities for women over 40 trained in journalism. Mrs. Joseph E. Goodbar, national prez of the National Federation of Press Women, reported at annual convention of the organization at the Waldorf-Astoria, N. Y., on Saturday (24). Report was the result of a survey conducted by the group during the past year.

Thirty-five delegates from 12 states at the convocation, at which female press work was discussed generally. Following business meeting, delegates were fired by the Woman's Press Club of N. Y.

Slated switch of the Kate Smith show from Thursday, 8-9 p.m. to Friday, 9-10 p.m., will affect booking of guest artists from the ranks of legit players appearing concurrently in Broadway shows. The current schedule of the Smith show makes it convenient for such guests to do a broadcast and get to the theatre in time for the curtain rising, which comes as a rule at 8:40 p.m.

Five new directors were added last week to the board of N. W. Ayer & Son. They are Frank L. Scott, Jr. and Thurman L. Barnard, chief and assistant chief, respectively, of the firm's Detroit office; George Cochran, head of the copy production department in Philly headquarters; and John Hannel and Paul L. Lewis, account executives in the Philly office.

Universal Pictures and NBC are collaborating tomorrow (Thursday) in a dual celebration at the Rainbow Room cocktailery with a shindig in behalf of Graham McNamee. It's his 10th anniversary with U' newswired and 16th as NBC announcer. Strictly invite.

Col. Arthur O'Brien, attorney for KIRO, Seattle, is directing Seattle bar Association's Legal Air Bureau, giving free advice to those unable to pay.

Pay less to get Top KRNT, Per Family Income? How? Of course!



Latest figures (1938) give Des Moines — the city — highest rating in the 100,000 group in Effective Buying Income—\$3,778 per family. You already know that story—know what it means in retail sales.

KRNT gives effective coverage in this, the nation's most prosperous city — plus the entire Des Moines market — with a population of more than 1,000,000. It is Iowa's largest single marketing area — 267,861 families, who in 1938 bought better than \$280,000,000 worth of goods at retail.

*And, of course, you can buy KRNT in the WNAI-Iowa Network combination at an exceptionally low rate.

The effective buying income of the Des Moines marketing area last year was \$500,771,000. KRNT, Iowa's only Basic Columbia Station, gives you ready-made access to this profitable market. Rates? Check them. You'll find them surprisingly low. In Iowa, it's KRNT, of course.

KRNT
DES MOINES • Basic CBS • 1820 K.C.
3000 WATTS P.P.S. • 1000 WATTS NIGHT
Represented by THE KATZ AGENCY
THE ONLY BASIC COLUMBIA NETWORK OUTLET IN IOWA

DURING ONE-HALF OF EACH YEAR NO OTHER LOCAL STATION EVER DARES

Baseball is Cincinnati's biggest interest. In the "Reds" lean years, the population established the nation's highest per capita attendance.

After almost 20 years of starvation baseball diet, our team is on top—with the year's most colorful outfit. And Cincinnatians are "baseball wild." Attendance has been smashed.

Usually, however, most of the trading area's million people haven't the time to go. So daily they tune in WSAI, the only local network station broadcasting the games. They kept tuned in for the 5:45-7:00-9:00 p.m. baseball features.

All year "round WSAI is in the thick of the leadership fight. But during the entire baseball season, even other local stations recognize WSAI's domination of the audience. Not one of them has ever dared to make a coincidental survey during one-half of each year!

They and we know that WSAI has the audience! More than enough to give your product a summertime sales boost — right now!

Cincinnati's Own Station

Latest Quirk Emphasizes How Dance Orchestras Dominate Music Publishing

Practice of songwriters now giving bandleaders the first look at their new manuscripts has developed a 1939 mode of operation. Latterly, so keep close to the masters, not only for plugs, but to see what unpublished material they have lying around. The writers figure they have a better chance at publisher acceptance plus an advance if the manuscript has been performed over the air.

Case in point of the mountain group to Mohammed was the acquisition of "The Man With the Mandolin" by Sandy-Joy-Select, Inc. A member of the latter company picked up the manuscript while contacting Horace Heidt but before he could get the writers' signatures from other houses heard about it. There was some counter-bidding but SJ got it anyway in a stiff advance. The tune's writers are James Cavanaugh, John Redmond and Frank Weidman.

Nothing Done About Wish Of Benny Goodman, Says MCA; Morris Seeks Band

MUSIC CORP. of America denies that Benny Goodman has made any headway in his attempt to buy the exclusive rights to the recordings that he can switch his alliance to the William Morris office. Willard Alexander, long Goodman's personal manager, is head of the latter organization's band department.

MCA admits that Goodman has been "hecking" it but states that there has been no negotiation talk. Records of Goodman's band in the east were cancelled last week so that the band could leave immediately for touring at the San Francisco Fair July 2.

San Francisco, June 27. Benny Goodman and his band will get \$10,000 a week for playing at the outdoor concert series in Treasure Island, San Francisco. Goodman cancelled a number of dates in the east in order to hit the date at the Golden Gate International Exposition, where he will first appear on July 15. He replaced Edwin Franko Goldman's band.

Goodman will do his first summer season at Old Gold in the grounds.

Boston, June 27. Benny Goodman put on a gratis performance on Boston's historic Faneuil Hall last week, the middle of the dance season the maestro was deemed a Admiral of the American Flagline Fleet.

Brent was accompanied by a downy-haired rain but the stars prevented the jitters from jiving to and among the tree-lined walks.

INA RAY HUTTON SET FOR STAG ORCHESTRA

INA Ray Hutton will forsake her all-girl orchestra to baton a male band. Stick switcher has shifted from the M. M. Gorman when booked her sister after she left Mills Arline, and is now with Rockwell General Entertainment.

It's undecided whether Miss Hutton will assume leadership of an integrated outfit or put together a new one. More than likely it will be the former, however, because of the new standard to gathering a completely new crew.

Lombardo Loft Curtailed

Vacation for the Lombardo band was cut short. Instead of leaving on until July 15, it was booked by the Music Corp. of America to tour at the Rite Carlton hotel, Boston, yesterday (Tuesday).

Next stand still was the Waldorf-Astoria, N. Y., starting July 17.

Bessie Bennett is handling music for "Cancer" at RKO.

BERIGAN SETTLES FOR BUS

Greyhound Lifts Garinabe When Bandman Flee \$475

Detroit, June 27. Bunny Berigan's compromise agreement with Central Greyhound Lines of New York resulted in dissolution last week of Garinabe's proceedings against band leader who just finished week's stand at Westwood here.

Bus lines said Berigan owed \$875.40 for bus he chartered last October for four of east. Berigan promised to pay \$475.40 at once and balance at rate of \$100 a month.

WEBER MUST TAKE IT EASY

Joseph N. Weber, president of the American Federation of Musicians, isn't expected back at his New York office for another week. He became ill while presiding at the AFM's convention in Kansas City and the attending physician suggested that he take a two weeks' rest at the hotel he's occupying here. He might decide not to return to New York immediately but instead take a few weeks' vacation.

Weber had planned to go on to Washington after the convention to take part in the fight against the elimination of some \$600 musicians from the WPA.

Horace Heidt Divorced In Reno; Pays Wife 25¢ Child, at 21, Gets 10¢

Reno, June 27. The Horace Heidts, married in 1927, are divorcing here. The night city on charges of cruelty preferred by Mrs. Florence W. Heidt was \$15. Band leader was ordered to pay his wife \$25.00 by Saturday (1), with other cash payments to be made later. Heidt also approved alimony of \$100 a month for five years and instructed Heidt to pay his daughter, Patricia, 10¢ when she reaches 21 or upon her marriage, whichever occurs first.

Under terms of a separation agreement made in April and approved by the court at the divorce hearing, Mrs. Heidt receives custody of the daughter, with the father having the right to see her.

Music Notes

Jimmy Van Heusen and Johnny Burke seemed to turn out "Oh, You Crazy Moon." Though not contained in sheet form, Tommy Dorsey's band has already cut it for Victor.

Pinky Tomlin called I Did It and I'm Glad.

Al Newman completed musical score for "Beau Geste" at Paramount.

Matty Malneck and Frank Loesser wrote four ditties for Universal's "Hawaiian Nights." Numbers are "When Hawaii Sings," "Hey, Good Lookin'," "Then I Wrote the Minuet in F" and "I Found Love."

Anthony Collins writing symphonic score for "Nurse Edith Cavell" at RKO.

Edward G. Robinson doing lyrics for songs in "Isle of Destiny" at Fine Arts.

Bowdoin Jackson scoring "Sisiphe" M. G. M. at Warner.

Mickey Moore and Sidney Miller cuffed I Swear by My Lovelies.

Eddie Ward wrote "Eyeliner," to be sung in Metro's "These Glamorous Girls."

Diamond's Legal Bill

Supreme Court Justice Aaron J. Levy in N. Y., Friday (23), ordered Milton Diamond to serve an unpaid bill of complaint on the American Record Corp. in 10 days.

The old complaint sought \$15,000 for legal fees from 1936-38. The amended complaint must state whether the defendants permitted to pay the plaintiff before, or after services rendered.

HUNT STARTING FOR CODE IS DEBERATE

Officers of the Professional Music Men are becoming suspicious of the stalling around the proposed code of ethics is getting from publishers and they are suggesting to industry leaders that this procedure continue much longer the pubs might suddenly find themselves confronted with a contention union. The code was submitted to the trade several weeks ago but so far there has been no movement, with most of these attaching conditional riders.

The conditional provision is that the agreement must not be considered in effect until signed covenants have been received from all the publishers in the Music Publishers Protective Association. Besides one publisher, waiting on the other sign, there are a few cases of pubs who still want certain clauses in the agreement.

ELLA FITZGERALD, WEBB BOYS CONTINUE

Orchestra of the late Chick Webb will continue to be led by Ella Fitzgerald with the Famous Chick Webb orchestra. Billing of the Webb boys will be equal in size. Band will resume activity with a week's date at Loew's 15th Street Theatre.

Miss Fitzgerald and the band to record date tomorrow (Thursday).

Consolidated Radio Artists for one-nighters and Wm. Morris Agency for theatres, will continue to book the band managed, per usual, by Joe Gale.

Miss Fitzgerald is a songstress, no union membership figure.

Schwienberg to Wave Stick But Renamed

Willard Alexander of the William Morris Agency starts work Aug. 1 on a new band. The unit will build around Ray McKinley, currently with Jimmy Dorsey, and Wilbur Schwartz, New York radio band leader, who will be led by Schwienberg, who'll assume another name. Miss McKinley is featured.

McKinley is slated to leave Dorsey, who's now at Meadowbrook, Cedar Grove, N. J., the first week in July and vacation until the next convenses for rehearsing Aug. 1. Buddy Schulz, until recently with Benny Goodman, takes McKinley's place with Dorsey. He's getting the feel of D.'s band by already sitting in on record dates.

Meadowbrook's Dance Floor in the Grove

Meadowbrook, Cedar Grove, N. J., will unveil a summer garden July 8. Spot is building a dance floor in the woods adjacent to its current 100-seat building. Band will alternate on the open and undercover bands.

Benny Dorsey orchestra is current. Dorsey originally went in for four weeks sometime ago, but is becoming reluctant to wear the options and will likely remain through the summer.

Jack Mann new staff musical arranger of WWL, New Orleans.

Complains California Song Was Licensed Too Cheaply for Film

NIX U. S. MARINE BAND

Its Appearance at Ellis Affair Would Be Unfair, Says A.F.M.

Plans for the appearance of the 80-piece U. S. Marine Band during the annual convention of the American Guild of Musical Artists at the Grand Lodge here, starting July 10, cancelled by action of American Federation of Musicians, who last week, exercised a recommendation of the St. Louis Local No. 2 that the leather-necked footers be permitted to be cancelled. The local No. 2 threatened to disperse with music entirely or take the convention to another city. The matter smoothed over when the convention corp. agreed to hire between 80 and 100 local tooters during the concert. Current plans call for bands representing the Sixth Infantry and 198th N.G.M. to lead the Ells' gigantic parade with the American Legion band at the head of the St. Louis contingent.

E.B. MARKS CO. UP 250 POINTS

Availability committee for the publishers in the American Society of Composers, Authors and Publishers has agreed to let writers' new classification session last week with but four adjustments in the popular field. The two firms have granted increases were E. B. Marks, which went from 4,500 to 4,750 points; Metro, from 2,250 to 2,500 points; Miller Music, from 1,500 to 1,600 points; and Paramount, from 20 to 30 points. Paramount Corp. subsid of Paramount Music, which likewise had a boost remained as is, at 100.

Other publishers whose recent price availability committee also turned down were Larry Spier, Inc. (50 points), Stanny Music Co. (40) and Southern Music Co. (50).

Touring in the South Is Something for B. Bernie; Worn Out and Tied Up

Charlotte, N. C., June 27. Ben Bernie had the last word of his band chariot while playing Asheville. The property was released when Bernie gave bond of \$2,700. Former Gov. Dave Sholtz, of Florida, filed the suit, charging that the maestro owed him \$2,233 for legal services. Sholtz had demanded admission to file his complaint later.

While playing Charlotte just before he moved to Asheville, Bernie had to contend with the weather. It was so hot that the bandman sagged and Dave could lagged. Charley Mitchell, of WBT, which was picking up the event, went out and got bathing suits for each member of the band. When they came back on after intermission they were clad only in towels. Soon afterwards, a sudden 100-pound cask of ice shivered sat on as he played his fiddle.

PREACHER NOT HELD

Stranded Boys Band, but Hopes to Pay \$127 Board Bill

Orlando, Fla., June 27. Circuit Judge Frank Smith, after having heard the case of the dismissed charges of false pretenses and fraud against the Rev. E. K. Whitely, a traveling evangelist, has ruled that the preacher can be run-up by his stranded band of teen-age tooters. The 68-year-old preacher-detractor of Crusade Through Boys Band declared outfit had gotten "bad breaks" from time group left Miami on concert tour.

Whitely was returned here on charges of beating \$127 board bill. He told Smith that he never had any concerts here failed to cover expenses and he hoped to pay bill later.

What is expected to develop into a test case on the issue of whether a preacher has the right to use his own discretion on the price asked in disposing of a mechanical right is the fact that Irving Berlin, last week instructed his lawyer, Abe Bernan, to bring against the Warrenton Convention of the American Songwriters Protective Association is believed to be behind the litigation. The case will be heard by the courts to determine whether the writers of a number should be compensated for the price offered by its synchronization usage may be accepted by the publisher.

Convention revolves around the licensing of the "traditional" tune "California, Here I Come," which Meyer, Bud Fawcett and Al Johnson wrote, to 20th Century-Fox for use in "Rose of Washington Square." The tune is in the Witmark catalog and Meyer charges that the price obtained for it (it reputed to be only \$450) was unfairly high. In his grievance, cited in the fact that Irving Berlin, Inc. got \$4,500 for use of "Mammy" in the same picture, Al Johnson was the writer.

SFA spokesmen and publisher reps appear to have reached a hopeful agreement on the writer's agreement for a new standard writers contract. The pubs claim that as soon as they yield to the writers' request to deal with a new demand with the result that they gathered the impression that the writers are intent upon becoming partners in the publishing business but without assuming the financial or other obligations.

\$160,000 MELON

PAID APPROX

American Society of Composers, Authors and Publishers last week distributed \$160,000 in royalties collected for 1937 from the British Isles, Denmark and Australia. It was the first time the ASCAP board of directors has paid by the Society. For the previous year it had come to around \$60,000. ASCAP board of directors met last week (Thursday) to pass on the domestic distribution for the second year of 1938. It is expected that the board will be at least 10% bigger than it had for the like period of last year.

Board of directors will meet until September.

SHAW'S 2 FILMS

WB's "Co-Eat" and "Then Mate's" "Twey Melody"

Artie Shaw and his band is set for two pictures, the first, Warner Bros. "Dance Time Here," which will be released in the latter part of the year. Second, is the Fred Astaire-Eleanor Powell picture, "The Band Wagon," at Metro. Leader will have a part in this also, as well as leading his band in the picture. Shaw's band was slated to get going at about the time the picture was released, but has been deferred a month. Tommy Rockwell and Ralph Wonders were on the first picture, which follows a better date at the Golden Gate Theatre, San Francisco. It features the stepping of a series of one-nighters on the coast and will probably get back his scheduled opening at the Capitol Hotel, Boston, set for Aug. 1.

Jack Mills' 20th Milestone

Jack Mills celebrates his 20th year in the publishing business this Saturday (1). After working in Philadelphia for several years as a song-plugger, he moved to New York in 1919 and went into business with his former, Irving.

Shaw's band, Inc. in later years went in for catalog aquiring, with these including Waterford, Berlin and Co. and the late Al Jolson. Jerome S. Schwartz, Harry Williams Co., Stark and Coward and Stepi & Ford. It has received its share of the standard from the popular to the extended and educational fields.

On the Upbeat

Leighton Noble and his orchestra now playing spot the Rice hotel in Houston, Texas, with wire through Texas State Network.

Johany Anderson, formerly staff pianist with WOAI, San Antonio, staff, now with Jack Tagardina in Chi.

Harold Crasheek now first trumpet in Dunie Cain's swing aggregation.

Artie Mayne's orchestra of Bridgeport signed for 12 South American West Indies cruises on North German Lloyd liner Columbus.

Gas Meyers band gets season job at Longshore Beach and Country club, Westport, Conn.

Guy Lombardo and Royal Canadians one-night Sunday (23) at Roton Point Park, North Norwalk, Conn.

Artie Shaw disked five sides on the Coast for Blue Bird. Ditties are Easy to Say, "I'll Remember," Moon-

ray, "Serenade to a Savage" and "Melancholy Mood."

Van Alexander's band holiday-eyes July 3 at Crescent Beach, Miami, Conn.

Tommy Reynolds plays repeat one-nighter July 2 at Pleasure Beach, Bridgeport.

Lois Love orch has moved into Westlake Terrace, Indianapolis, for the summer.

Buddy Bundy orch at New Colonial Hotel at Lake Manitow, Rochester, Indiana.

Joe McCarlinay at Potawatomi Gardens, Tippecanoe, Ind., Indiana.

Foxy Almerice swing band follows Annette Diernann all girl unit into Chez Paree, New Orleans, July 1.

Mervin Grege moved into Rendezvous at Balboa Beach, Cal.

Brad Han's band out of Pitts-

burgh into Ruggles Beach, O., for indefinite stay.

Lee Shelley orch opened at Pines, Pittsburgh, Saturday (24) for five-week stay, replacing the Jimmie Livingston outfit.

New Burles-Buckley crew (Benny Burton and Nell Buckley, formerly with Don Boster) followed Jimmie for into Kenwood Park, Pittsburgh, Monday (26) for two weeks.

Dale Markness band into Hotel Henry, Pittsburgh, for remainder of summer, succeeding Manuel Contreras tango orch.

Larry Funk replaced Emerson Gil at View Park, Pittsburgh, Monday (26) for fortnight. Gill opens July 1 at Mission Inn, at Latrobe, Pa., for short stay.

Earl Matlen band has checked in at Rivers, Pittsburgh, for indefinite engagement. Hal Curtis moving out to one-night through the territories.

Yethan Snader, leader of the Rhythmatics, house band at KTW, Philly, is now Ken Martin. Orch's heard on the NBC red.

Don Wallace orchestra is taking over the bandstand at the Club Chanticleer, Madison, Wis., under Larkins with orchestra as vocalist.

Bunny Berigan orchestra into the Panther Room (College Inn) of the Sherman House, Chicago, next month. Follows Count Basie.

Ernest Watson will take over as guest conductor of Shea's Buffalo orchestra (pit) beginning June 30, replacing Marchelli.

Lola King, daughter of Jerome Barchard, former musical director of Keith's vaude house, Philly, currently bantoning her own all-girl crew at the President hotel, Atlantic City.

Whitley Newirth orchestra, with vocalist Bobby Platt, opens June 30 at the Carmen, Mainline Hill, Pa., near Delaware Water Gap. Organized following Newirth's withdrawal from the former London Criterion, now Bert Lown's band, this outfit plays "dixieland" style.

Gray Gordon opens for the summer at the Westchester Country Club, N. Y., July 1. It's club's 10th anniversary.

Bob Zukers unveiled his new band at the Manlius school, Manlius, N. Y., Saturday (24). Joe Gale, hanger of Chick Webb, directing Zukers, with Wm. Morris booking.

Sherry Cherash shifts his trumpet from Jimmy Dorsey to Bob Crosby next week.

Tom Gentry, newest Frederick Bros. set for 10 days at Thornwood Ballroom, Cedar Rapids, Ia., following in which he moves over to the Riviera, Lake Geneva, Wis.

Rosemary Barker, Dallas singer, with Dick Stabile, to succeed Evelyn Oaks. Miss Barker is privately Mrs. Bill Barker. Meanwhile Evelyn Oaks weds A. Gordon Findlay.

Nick Harper is at Casino Park, Fort Worth. Will be followed July 3 by Gus Arnheim.

Ken Baker at the Palomar in L. A. for two weeks starting June 28, followed by Will Osborne. Artie Shaw winding up 10 weeks at the Coast live emporium.

Hal Kemp set for Totem Pole Ballroom, Auburnville, Mass., June 28; Lakewood Ballroom, Mahanoy City, Pa., June 28; Danceland, Sylvan Beach, N. Y., June 30, and Reader's Casino, Asbury Park, N. J., July 1. Opens in Boston's Hotel Ritz-Carlton, Roof July 2 for a three-weeker.

Ace Briggs closes June 27 at the Showboat, Ft. Worth, Texas, and is set at Chilpeaua Lake Park, Chilpeaua Lake, O., from July 1 to the 21st.

Senay James' crew booked for two weeks at Reader's Casino, Asbury Park, N. J., stays July 2 through the 14th via C.R.A.

Bill Marshall goes into Lawsonia Lodge, Green Bay, Wis., July 1. Set by Meyer Davis.

Sammy Watkins' nine-man crew goes into the 500 Club, Atlantic City, on Friday (30). Comes from the Hollenden hotel, Cleveland. Booked by MCA.

15 Best Sheet Music Sellers

(Week ending June 24, 1939)

Sunrise Serenade	Jewel
"Wishing" (Love Affair)	Crawford
Bear Barrel Polka	Shapiro
If I Didn't Care	Chappell
And the Angels Sing	BVC
Three Little Fishies	Santly
Little Sir Echo	BVC
Stairway to the Stars	Robbins
"Don't Worry 'Bout Me" (Cotton Club Revue)	Mills
"Lady in Love With You" (Some Like It Hot)	Paramount
"I Never Knew How Close You Were" (London Square)	Berlin
"Strange Enchantment" (Man About Town)	Famous
If I Had My Way	Berlin
New Moon and an Old Legend	Paul-Florence
	Berlin

* Filmmusical. † Production.

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 (June 19-25). Total represents accumulated "Newcomers on the two major networks from 8 a.m. to 1 a.m. Sunday" denotes film song, † legit, all others are pop.

TITLE	PUBLISHER	GRAND TOTAL
White Sails	Feist	71
Stairway to the Stars	Robbins	43
Lady in Love With You	Paramount	40
Strange Enchantment	Famous	37
"Don't Worry 'Bout Me" (Cotton Club Revue)	Mills	29
Bear Barrel Polka	Shapiro	27
If I Didn't Care	Chappell	27
In the Middle of a Dream	BVC	26
This Is No Dream	BVC	26
And the Angels Sing	BVC	24
New Moon and an Old Serenade	Harms	24
Moon Love	Famous	22
South American Way	Chappell	21
Some Love	Chappell	21
Back to Back	Berlin	20
You Grow Sweeter as the Years Go By	Witmark	20
Begin the Beguine	Harms	19
It's Possible	Berlin	19
My Last Goodbye	Berlin	19
Serious Time in Paris	Leeds	19
Well Alright	Santly	18
That Old Gentlemen	Leeds	18
"I Never Knew Heaven Could Speak" (Rose of Rumpel-Stecklekin)	Robbins	17
I Remember Is You	BVC	16
Blue Evening	Remick	16
My Heart Has Wings	Red Star	16
Sing Song of Sundae	Santly	16
Concort in the Park	Witmark	15
Sunrise Serenade	Paramount	15
Three Little Fishies	Santly	15
Roller Skating on a Rainbow	Chappell	14
Begin	BVC	12
Boom	Berlin	12
Specialty for You	Berlin	12
"I Poured My Heart into a Song" (Second Fiddle)	Berlin	12
Years for a Song	Circle	12
You Don't Know How Much You Can Suffer	Remick	12
Alvin's Cha Comm' Out	Robbins	11
Cinderella Stay in My Arms	Shapiro	11
Hang Heart on History Lamp	Chapell	11
How Strange	Feist	11
Tinkle Song	Feist	11
Years Got Me Crying Again	Tennet	11
That's Right—I'm Wrong	Paramount	10
Honey Carmichael	Famous	10
There's Only One in Love	Robb	10
What Goes Up Must Come Down	Cotton Club Mills	10
You Are My Dream	Mark	10

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IRVING BERLIN
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I POURED MY HEART INTO A SONG

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BACK TO BACK

THE SONG OF THE METRONOME

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(Artie Shave's Pastel Blues) (Jimmie Lunceford's)

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Band Reviews

PHIL ORMAN Orchestra (15)
Hedy Lamarr, Beverly Hills

Most of the records have assembled a crew of musicians that may hit it in great style, but they are not in it in the same form as this week's spot. Rinsdale tables around the stage floor are packed too close to the stand and 15 men are too many for such an intimate layout. Once the brass gives out, sans music, it makes for a deafening assault on all else.

Orman's piano is tops and occasionally blaring tubas tend to allow for full sweep of his virtuosity. For a new band they play with a certain dash or conflict. In the slower tempo songs they find a common way to show their faults, common to any new crew, and lack of style becomes a case pattern. Band should stick to the sweet tunes, the alters showing more relief for the oldies. Anyway, floor is too confined for any of the few flourishes.

Quits is made up of three fiddles, four sax, two trumpet, bass fiddle, guitar, drum trio and two pianos. One of the trumpeters doubles on the vici, which gives that section a predominance that's wrong, when the saxes let out the stops. Orman is a pleasant personality and makes a nice appearance in black tie. There is "Back There You Say Goodbye," which Orman com-

posed for a Hedy Lamarr picture. K! Pagani's vocalizes are good.

STUFF Smith Orchestra (7)
Hotel Edison, N. Y.

Booking a strictly live band into a hotel, no matter how all fresco, was a bit daring, but it's working out surprisingly well at the Hotel Edison's Green Room. No longer need the liturgical go 52d street, it's right here handy for 'em.

Stuff Smith, one of the original "Tee-um-mug" maestros at the City, has been away from New York a while and they play with a different swing. It is now back with a moderate swing combo, less bizzare in its general cutting-out, but none the less effective for the dissonance. Sans the battered hat, and the boys' other hoboism accoutrements, they're a neater looking septet. But Smith is still a hot man on the fiddle, and he has a sturdy supporting team. That sweet-hot, muted trumpet is a stand-out, still the reed specialist and the kid who plays the sax, who, tom-toms some nifty tunes.

The organ, per usual, has four nightly NBC spots, a half-hour, goes trailer for the hotel and its record date 'no set, pending completion of building where unit will play.

Will be merely eat, drink and listen. No dancing, says management.

Classics and Baby Talk

From synopsizing the classics to a baby-talk cycle are the two extremes of present-day Tin Pan Alley. When Harry Clinton rhythimized Claude Debussy's "Reverie," he started a cycle and "Three Little Children" is going into No. 1 sales, has the song pluggers talking lily-tippy-po.

COMPARISONS ARE—

Lincoln, June 28.
Rus Morgan, interviewed on KFOR by Jack Hansen, was asked how many instruments he played. Said all but the strings.
"Sort of a Buddy Rogers?" Hansen asked innocently.
"Not necessarily!" Morgan jolly.

Max Adkins, staff arranger at WCAE, Pittsburgh, off on an eight-week summer's vacation. First going to Elkhart, Ind., band instrument maker, and then to Chicago for composers convention. From there to National Music Camp at Interlochen, where he'll spend six weeks in eight-hour days of study and practice. Even took his sax instructor, Cecil Leeson, along with him part of the way.

Band Bookings

Russ Morgan, Fairlyland Park, Kansas City, Mo., July 18.

Eddy Rogers, Palm Beach Cafe, Detroit, July 10.

Benny Meroff, Manhattan Beach, N. Y., July 1.

Bliss Barton, Stoneboro Pavilion, Stoneboro, Pa., Aug. 18.

Les Brown, Sunnyside Ballroom, Potomac, Pa., July 1.

Sony James, Palisades Park, Ft. Lee, N. J., week July 15.

Leo Reisman, Million Dollar Pier, Atlantic City, N. J., July 3.

Larry Clinton, week Sept. 26, Flatbush theatre, Bklyn., 5, 5, Windsor theatre, N. Y., Oct. 12, Audubon theatre, N. Y.

Red Nichols, Surf Beach, Virginia Beach, Va., week July 1.

Charlie Agnew, Muehlbach Hotel, Kansas City, two-weeker, starting July 1.

Four Inkspots, Hipp theatre, Baltimore, June 30.

Mal Hallett, Surf Beach Club, Virginia Beach, Va., July 8.

Tommy Herman, Hipp theatre, Balto., week Aug. 18.

Vincent Lopez, Claridge Hotel, Memphis, Tenn., week July 1.

Eddie de Lange, Jones Beach, S. N. Y., July 9-12; Cedar Point, Sandusky, O., July 14.

OHIO RESORTS USING COSTLER ORCHESTRAS

Cleveland, June 27.

Parks are loosening pursestrings for the first time in six years, and going back to name bands, and the competitor is of the old-fashioned cut-throat kind. Geauga Lake Park, which adhered to low-priced orchestras since it opened ballroom in 1925, is bringing in Shon Furry, Joe George Hall on July 18 and Renfro Valley Barn Dance troupe July 23. Also expanding budget is Cedar Point, which started last season with Shep Fields and Russ Morgan for current season. Ozle Nelson and Harriet Hilliard on slate for July 1 and Bala Barron for July 8. Longer stands are being adopted by Chipewaga Lake Park, Tommy Tucker starting three-week visit last Sunday (28) and the Ace Brigade on calendar July 18 for similar run.

L. A. Give Giantic Pulls 26,000—To Break Even

Los Angeles, June 27.

Although five bounds and the just plain curious cooked to the Coliseum on Sunday, June 18, to the number of 26,000, promoters of the latter contest just about broke even. Crowd was disappointed at the "Palomares," which surprised the first outdoor rug-cutting extravaganza, poured out plenty to advertise the event.

Artie Shaw and Ken Baker provided the leg-shaking encouragement.

Jerry Johnson, Booker, To Cover Spots by Plane

Memphis, June 27.

Jerry Johnson, the ex-maestro, is believed to be the first booking agent who books a booking zone using an airplane.

Johnson, now head of Johnson-Peters firm with headquarters in Dallas, bought a single-wing Monoco cabin plane here last week from Robert D. (Red) Forman, local pilot and promoter.

Donahue's Busy Sked

Coming week will find Al Donahue just about the busiest patron in the metropolitan N. Y. area. Starting July 1 he'll play afternoons at Manhattan Beach, N. Y., in addition to his nightly stint at the Rainbow Room.

Besides three NBC wires at the radio, Donahue, outfit will have five Mutual airings from the beach resort. Donahue is also down for two guest spots on June 29 appearing on the "Request Club" via WAAT, Jersey City, N. J., and is set again same day on the "It's Up To You" program on WJZ.

Bernard Frager, general professional manager of Leo Fite, celebrated his ninth wedding anniversary with a party at the Fite office Saturday (26).

Writers Seek More Illumination On Readjustment of Decca Royalties

Radio Put in Its Place

Band booker called a dance promoter last week to find out why he had turned down a certain orchestra for an open date. "My customers don't know him," answered the promoter. "Don't know him," exclaimed the booker, "why he's been on a network hookup for months from three to five nights a week."

"That's all," said the promoter, "but he hasn't been making phonograph records, and my regular customers only know 'em by what they hear from coin machines."

SISSIE'S ASSIGNEE SUES MCA FOR \$25,000

Andrew J. Clarke, as assignee of Noble Sissie, filed a \$25,000 N. Y. supreme court action Thursday (27) against Music Corp. of America.

Clarke claims that Sissie owned, in 1935 to January 1938, the right to make recordings of Sissie's compositions on engagements secured Sissie from December 1, 1935 to January 1938. The plaintiff also charges that Sissie was to receive a minimum guarantee of \$15,000 per week for his engagements on the weekly for his engagements on the weekly. Many weeks he did not receive this sum, or anything like it, it is charged.

Pendarvis at Navy Ball

San Francisco, June 27.

Paul Pendarvis and his orchestra will play for 1,000 navy officers, and their ladies and a number of civic biggies at the Navy Ball to be held in the California building on Treasure Island Saturday, July 8. Affair is being staged by the City of San Francisco.

Pendarvis is currently at the Palomar hotel here.

Group of writers meeting with Irving Caesar, president of the Songwriters Protective Association, last week urged that an inquiry be instituted by the organization in the summer when certain publications in connection with Decca Record Co. in connection with decontrol royalties. These writers wanted to find out whether their interests had suffered from the terms of the deal.

The pubs involved got together with Decca after an audit had disclosed that the phonograph manufacturer had for a considerable period overlooked the count on certain compositions in submitting its royalty statements. It was suggested by Decca that instead of making a money settlement it would record in the settlement of bill numbers the works of these publishers which ordinarily it would not go after. The royalties from such uses would compensate the pubs for the coin due as revealed by the audit.

The publishers concerned declare that the writers of the tunes named in the audit had been provided for in the settlement deal. To make sure that the latter writers would not be penalized the pubs had insisted that Decca furnish them with detailed statements of the delinquencies and it was on the basis of these that the pubs themselves paid to the affected writers their share of the delinquent royalties.

But that Decca gave at the time for preferring a new manuscript deal to a cash settlement was that the publishers refused to a period before the company became a source of public investment and that it would be impractical to put these back sums on the current books.

Joe Flander, for the last five years press contact for ASCAP, has set up an advertising department for music publicity with the Charles Agency, San Francisco.

Box Dunn doing musical score for RKO's "Spellbound."

Song Suggestions
JIMMY McHUGH'S
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ROBBINS MUSIC CORP.

JOE GLASER presents
LOUIS ARMSTRONG
AND HIS ORCHESTRA
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WHITE SAILS
(Beneath A Yellow Moon)
By Nick Kenny, Charles Kenny and Harry Archer

GUESS I'LL GO BACK HOME
(This Summer)
By Willard Robinson and Ray Mayer

IT'S 'WAY PAST MY DREAMING TIME
By Charles Newman, Walter G. Semuels and Rudy Valle

THE TINKLE SONG
By Harry Woods

LITTLE SKIPPER
By Nick Kenny and Charles Kenny

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The Musical Menation of the Picture Industry
Six Great Songs by L. E. Hays and Harold Arsen
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THE WIZARD OF OZ
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WPA Never Was B'way Competition

Broadway showmen, who looked askance at the WPA Theatre Project, wondering whether it would affect regular production, now concede that the WPAs never furnished any actual competition. There have been no complaints from theatre managers for the past six months. Only real objection to the relief outfit was its plan last year to encroach directly into the Times Square zone. WPA, however, ceased such activities after one or two tries.

Leading WPA production in New York included "One Third of a Nation," "Prologue to Glory," "Dr. Faustus" (which attracted attention to Orson Welles and John Houseman), "Piscaccio," several "living picture" plays, and "The Big Show," also colored and "Bait." Out of town, "Swing Mikado," also colored, and "Two-a-Day" were standouts.

Regarded highly in literary circles was the Federal Theatre's "Murder In The Cathedral." However, the play was distinctly non-commercial, as proved when it was brought over later from London. Latter production with the regular theatre but was hardly held to be the fault of WPA, since "Hot Mikado" was produced after "Swing" opened on Broadway. The "Hot" version was taken off but brought last week at the N. Y. World's Fair, where it's reported doing very well.

3 B'way Plays Booked For the Fall in Philly

Philadelphia, June 27. Three fall legit bookings have been tentatively set for Philadelphia. First is "Abe Lincoln," slated to start Oct. 23. Second of two plays are Theatre Guild-American Tour productions. They are the revival of "Outward Bound," currently at the Playhouse, N. Y., and "Family Portrait" with Judith Anderson.

Road, Broadway P.A.s Reported Near TMA's Row

Board sessions of the Theatre Managers Association and the Theatre Owners Association are said to have been orderly since the turbulent campaign prior to the recent election. However, it is reported, however, that an internal scrap is brewing between the two publicity groups. The New York group is the road men, and the road men. Former sought to name all new officers and was successful; the latter came out for the administration.

Present report still concerns rumors that Broadway p.a.s have told certain producers that the rules do not permit road men to be shown in New York. That move, however, is not being held to be in retaliation for the road men's opposition during the campaign. The latter are being held to be "stripped to the waist" to combat the alleged reports in producer circles. TMA's board is expected to have members of any affiliate chapters "may accept jobs in any field within the union's jurisdiction."

Real cause of the feeling between the two groups is the opposition of the road men to Broadway p.a.s acting two or more shows. Broadway group does not appear disturbed over the attitude. They point out that they may figure in the selection of a p.a. on tour. They also point out that they have accepted their advice as to the road staff selections. Thus, they feel, they held the upper hand. Whether the situation will go that far is not indicated but such a move could result in a new split between the two groups. Most touring jobs are generally determined by showmen on the grounds of personality and knowledge of the road. However, leading New York agents care to try TMA's for such a change.

In the light of developments it's doubtful if the two p.a. groups will merge, as proposed. Piece of TMA's been advised by counsel M. J. Heller that he has no objection to the union's general classification. There appears to be too many diversified interests within TMA for such a change.

Connolly to Produce Play by Drama Prof

Hollywood, June 27. Marc Connolly, here on a Samuel Goldwyn scripting assignment, is unemployed planner of a production of a new untitled play by Glenn Hughes, head of the University of Washington. The play is the first work Hughes has done for the commercial theatre, but he's written for the theatre. Piece of plays for little theatre production. Connolly returns to New York in a few weeks.

Glenn Hughes is well known for his work with the Pasadena Play at the University of Washington, Seattle. His pamphlet describing the play and its operation is being published by the Dramatists Play Service.

Connolly would presumably follow the production of Connolly's own "Land of the Living" in the fall. The play is slated to be produced during the summer at Deetrees theatre, Harrison, Me. Spot is operated by Blau, Connolly's general manager.

NAMED TO CITY POST
Burlington, June 27. Robert C. Stevenson, manager of the Eringer, has been appointed by Mayor Thomas L. Hollister to be one of the seven members of the City's Board of Publicity.

He will spend \$50,000 to publicize Buffalo.

Showfolk Committee Opens Probe In N. Y. on Qualifications of Federal Theatre Plays, Pending Firms

Dear People

Pittsburgh, June 27. Although admitting that he and the WPA don't talk to each other because of his "Cradle and Theatre" difficulties with the Government a couple of seasons ago, Orson Welles, nevertheless, came to the defense of the Federal Theatre Project last week and in doing so also slipped a fast one over on the management of Stanley, where he was then appearing. Welles had been on WPA when the Government "nationalized" "Cradle," which he was producing.

Knowing full well that theatre wouldn't sanction discussion of such a controversial subject on the stage and wishing to get through the proper channels, Welles said nothing to Stanley except that he had been "nationalized" by the Government and asked them to contact newspapers and other theatre Project last week.

Reporters were in the audience to hear and urged every temporary curtain speech at end of "Green Goddess" sketches. Welles said he will bill himself as a member of the audience to wire his or her senator immediately after the bill is introduced on relief rolls. Welles figured he'd get to make the speech all right, but he was told he'd be caught once management got wind of what he had done, actor was told to lay low. In the time, however, newspapers, via Welles-CBS fast word, had the story in the liberal local paper the next day.

52d St.'s White Harrington Now Real Thespians

The two zanies, Jack White and Pat Harrington, of the night spot, Club 18, have gone legit, the latter recently, the former a few days later. Charles MacArthur "Ladies and Gentlemen," which Gilbert Miller will try out on the Coast, and the former having gone into the cast of Nancy Lovell's production at the Vanderbilt, New York. White has long had a very legit although he has been in the theatre since MacArthur steamed up Harrington to take the footlight assignment last year. He is now a legitimate comic work with White and hearing him sing "comealays."

Harrington will play a hotfooting juror in Miller's legit, while White took over the part of stage manager in the "Pioneers of Love," about which the Jack Kirkland play is based. There is some legal proceeding reported, but on the right of the author-manager to use the sextet idea.

White and Harrington have ordered new wardrobes befitting their new status as actors. White will appear in Club 18 as a singer. He got a six-weeks leave of absence. After the Coast showing, "Ladies and Gentlemen" is due into the Martin Beck in October.

As White entered "Someone, Please," he was stepped out by Miss Carroll from whom she is divorced. He replaced Miss Carroll. Miss Carroll is said to have invested \$5,000 in the show when she joined. Recently, there was reported some rumormongering over salary and when informed that Kirkland's bankroll was none too good, she replied: "Well, I've got to eat; let him sell one of his coats." Showman has an elaborate farm in Bucks County, Pa. Hilda Stoddard, Kirkland's fourth wife, replaced Miss Carroll Monday. (Continued on page 51)

With the expectation that the Senate would save the WPA Theatre Project, similar to the relief appropriation bill which made no provision for the stage when passed. The House has a combined qualification committee has started combing the list of actors in the New York Federal Theatre Project. Pending the final Washington decision, the local administration proceeding with the order to eliminate 1,500 from the payroll. The cuts are to start on July 1 (Saturday), but dismissal notice out today (Wednesday) are effective in two weeks. Since there are no further developments, the project will not abruptly end this week.

The story on Page 1 of this issue, from Washington, indicates the official "reprieve" is quite indefinite and depends on final Congressional action.

Committee of show people who advise the administration of their findings is headed by Lucille (Weller) Gleason, former legit actress who is the wife of James Gleason, who acted similarly on the Coast. Coming to New York at the behest of the WPA. She has established quarters in the Adelphi, where the committee is functioning.

Mrs. Gleason has started contacting show people on the Coast. Most of those involved are of mature age, idea being that they are aware of the situation. Some are on a people. A committee of 20 was sought but a number of those asked to join declined. Some of those they did not wish the responsibility of deciding who shall be dismissed. Equally did not name anyone to the board.

Those already named, however, is that Mr. Webster on the investigation. He is a former legit actor. Taylor Holmes, Mitzo Hales, Eddie Miller, Donald McDonald, Carl Benson, and others. Some are on a people. Ed Dresher, Abby Morrison, Staak Ostrowsky, Molly Picon, and others.

The board started with a list of over 500 names to be considered. The board is a committee of 20, on plan is for a board of three to decide future discharges and new appointments. Some of those to be dealt from the rulings of that board, although there will be other boards for individuals, designers, and non-actor professionals. Mrs. Gleason's committee is to be given an allowance of \$100 a month.

'FAMILY' TAKES COAST TOUR, THEN TO B'WAY

Los Angeles, June 27. The Great American Family, Lee Shipper's stage comedy, is slated to start on the Coast on a new play, Broadway as its ultimate goal. Tour opens late August in Los Angeles, then to San Francisco and Los Angeles to follow. Homer Curran and Luther Arthur are the main attractions.

Play ran six weeks for a record at Pasadena Community Playhouse. The play was produced by Chapin and Charley King, who dramatized the piece.

Phil Barry to Make For Work on New Play

Phil Barry, who returned to New York recently from Europe, goes to the Coast to work on a new play. Declines to reveal the theme or title, but indicates it's one of three he had in mind before leaving the shore. Plans to have it ready for production next season.

Barry's "The Great Story" is still playing to virtual capacity at the Shubert, N. Y. Deal reported pending a contract with the Shuberts to acquire screen rights held by Katherine Hepburn, who plays the lead. Barry is expected to be ported to have a figure of \$125,000 for the rights last week in an offer by the Shuberts. She bought it on a straight percentage arrangement prior to the premiere.

Brokers Discredit Mgrs. Concession On Summer Suspension of Ticket Tax

The managerial League of New York Theatre Group is offering Broadway ticket brokers by favoring to suspend the levy of 34c per ticket during the summer. The group, between both sides Thursday (22), the agency didn't think that was a month. The group is offering to the fact that considerable coin they owe the League must first be paid before the levy is dropped. They insisted, some concession on the amount due would be welcome.

Brokers owe the League \$5,500. They have paid \$15,000, and up to March 1 60% of the agencies made a number. A number of the agencies the Acme agency case pending, but had payments been made, the levy would have \$50,000 for the year.

The ticket men say that's too much coin and it isn't decided by the League to operate the ticket code. That is why they anticipate a lower levy next season if the code is to be made. Main complaint of the brokers about paying the League is "that they are financing ways and means that may put them out of business."

Understood that a majority of the ticket agencies have been in the line of the levy. Others say they haven't the cash to square accounts. They also claim to owe money to the Government and are less apprehensive of what the League may do than what would happen if the Federal men descended upon them.

That the code will be continued next season is not certain. The Master will not be definite until Equity decides about continuing with the managers for another year, yet extending the basic agreement. Showmen believe that without Equity the code would not be enforceable, although the actors' association has made no militant gestures toward the managers who have complied with the rules Equity has indicated it would call out the actors if they were violated. None was ever clearly proved against the managers and there's some doubt whether Equity would call out the managers on such grounds. Involving other unions is an angle.

There was considerable conversation at the huddle between the ticket men and the managers, with the latter insisting that the code had to show business. None of the complaints is new nor was the talk about ticket buyers. Brokers were reminded that the outing of buys had been their plenty of money and perhaps they had been holding it. One insisted, however, that he would take block of tickets despite the weak press of a new attraction.

Shuberts Set Troupe For L'ville Operettas
Louisville, June 27. Company and production staff have been set by the Shuberts for the summer season. The group is the 3,400-seat Troquois Amphitheatre, to open July 3 with "Student City." Entire troupe is from N. Y., arriving here Saturday (1).

Cat for the opening bill will, of course, be Conrad T. H. (H. H. Newhall), Helen Arnold, Ann Heath, Hope Emerson, Douglas Lewitt, and Nordstrom. The group is to be managed by Truman Gage, Victor Morley and Driskill Wolfe. John Shubert will be resident manager.

Tip Service

Penne casting agent, noted on Broadway for her eccentricities, has been sending plays to the "Tip Service." The "Tip Service" is a service regarding jobs. Reversing the usual procedure, however, the invariably audience the hopefuls, "Don't say I sent you."

One such actor who was thus cast for a play was subsequently dropped from the production. The commission. He paid it, but squawked to his pals. "She's not an agent; she's a tip service."

Muni Set to Star For Playwrights In Anderson Play

Paul Muni will appear on Broadway next fall for the first time in more than eight years, having been signed to star in "Key Largo," by Maxwell Anderson. Author arranged the contract with Muni on the Coast for the Playwrights Co. of which he's a member. Muni's stage appearance was in "Counselor-at-Law," produced at the Plymouth, New York, in 1930. Show made star and then was on tour for a season.

Playwrights will start rehearsals for "Key Largo" and "Summer Night" in September, both being due to debut in October. Allgood and Muni will be in the latter. "Summer Night" is by Sidney Howard, only one of the author-manager group. "Key Largo" is a prolog located in New York, being a melodrama set on an island near Key West where it was written.

Paul Rice has written two plays, "Siege of Berlin," being considered for production by the Plymouth, New York, in 1930. Show made star and then was on tour for a season.

Robert E. Sherwood, another of the group, has completed a comedy which the outfit may produce, too, with the Lunts started.

PEARL QUILTS 'YOKEL'; PHIL SILVERS BUILT UP
Boston, June 27. Jack Pearl, co-featured with Judy Canova and Buddy Egan in Lew Brown's "Yokel Boy," stepped out of the spotlight for the first time last week here, Saturday (24). After opening night, Brown cut about an hour from the production. Pearl's role is a minimum. Pearl had the role of "Rubish," a daffy Hollywood producer.

There will be no successor to Pearl/Phil Silvers' role has been developed slightly to care for Pearl's part.

pend \$54,310,000 of the 1940 appropriation (\$1,477,000,000) on projects for which the Federal Government pays the entire cost. Prospects for adoption are not very bright, however, in view of the rampant economy sentiment in the upper branch of Congress, and the three-to-one House vote against continuing the

Broadway

Bryan Fog in town.
New garden case open.
A. E. Thomas at Watch Hill, R. I.
Jake Lubin in Atlantic City for trial.

George Kelly back in Philadelphia from the Coast.

Johnnie Childs Carpenter at New Hartford, Conn.

Movietone exudes new luncheon routine at Lambs Club round table.
The Robert Ardrys have taken a summer home at Lake Umbagog, N. H., in Lenox Hill hospital with kidney ailment.

The old Hollywood due to debut in a week or so.

Warner exchange and U. A. division sales manager found getting fresh coats of paint.

Barney Gerard, due to switch away from Metro, will revisit Broadway after a long stay.

Arnold's handsome, ex-Chal music, now does her business. She's an ex-circus Elvira alumna.

Frances Leary, formerly with L. B. Brown, now secretary to James C. Flanagan, Republic pressy.

The Budapest, West 46th street, has \$5,000,000, liabilities, \$18,000,000.

John Golden's 65th birthday, with 100 guests, celebrated quietly at his home at Bayville, L. I., with his family.

Postponed quarterly meeting of the Hays office directors slated for Tuesday (22), adjourned to Friday (30).

Harvey Day dreams to live on a boat in Minnesota. He has spent many younger days as a film salesman.

Joe and the 65th consecutive week for Marylyn and Michael shot on the set of the RCA Biograph picture "Boy Girl".

E. Ray Goetz calls back to Paris for the first time in the fall with a couple of French plays to be shown on Broadway.

Will Hays has been getting the flashlights' attention in the niteries of his wife's business. She's a straw hat and black topknot.

Leonard Goldenson, Per h. o., has been in Minneapolis, Minn., for the big leap this fall in Israel Weinstein, whose dad is the presb. of Hollywood.

Plenty of Hollywood around the city, especially in the theatre and musical people-players and producers. Priming stage musicals.

Harry Cohn, Columbia pres, met Wesley Ruggles upon his arrival Monday (26) and together with Al Halsey, another Col director, return to the city this week.

With the fair influx, the city has spotted anti-begging signs in all public thoroughfares.

Natalie Nappi, of the William Morris Agency, weekended at Totenwood Park, New York, near West Troy, N.Y., where she directs the new "Bettemed de Cour".

New trip certificate, called the Grover, when Cawakwak, concocted by J. C. Robinson, was taken to the Bolingbroke at the Fair prem of "Hot Millions" Thursday (22) and Friday (23).

J. C. Stein (MCA) and the Mrs. back to the Coast the end of the week, following a short stay in New York on business. Stopped off in the AFM.

The free gardeners and fancy soups program at the AFM, which premiered was a bit of a shock to the straighteners. First time they ever saw a souper.

Joe Hope while at the Orpheum, Minneapolis, participated in the Trans-Mississippi women's golf tournament (26) and together with Al Halsey, another Col director, return to the city this week.

Albert Maltz, whose "Life and Love" is an American comedy, is being sent by the FTP at the Marine Elliott, N. Y., has come to Cape Cod for a short stay, and is expected to Boulder (Col.) for the writers' conference on August.

The new "Lew's World's Fair" information, located in the Island 46th street, in Times Square, formally dedicated today (Wednesday) to the writers' conference.

Baron Valentin Mandelstam, formerly stationed in Hollywood as liaison between French producers and the Hays office, will shortly rejoin the Coast and expand his capacity. For the past four years he been writing in France.

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Paris

Hal Wallis, of Warners, in town.
Earl of Warwick in from Hollywood.
Norman film star, Hilda Kruger, in town.

Parla's Howard relaxing at Juan-les-Pins.

Marika Kotopoul, the Greek Sarah Bernhardt, in town.

Igor Stravinsky shortly off for Venetian festival.

Dita Farrow negotiating with a Hollywood film outfit.

The Comedie Francaise off for two-month tour of South America.

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London

Henry Wilson asked for \$40,000 income tax exemption to do a picture.

Wells is said to have a financial interest in "Bridge of Sighs", at the Tivoli.

Buddy Ryan latest addition to "Allen Court", when Bronson Allen is presenting at Wyndham's J. J. J.

Glady's Tudor-Owen, former publicist for "Follies", is now with Betty Davis, late of "Wielands agency", and is planning to open a new show.

Collins & Gracie, local 10's, have made Alexandra Palace for Christmas season of 1939, and will operate circus and fun fair.

Scott's "Theatricals", which of August, with Billy Bisset, its band manager, is planning to open a new show if he can get out of his radio commitments.

Next to Betty Davis, E. J. E. and Simon Simon to star in new musical with Bobby Jones held up, due to Miss Simon asking for income tax exemption on salary.

House will set 1939 instead of 1940, re-opened in July, with Jack Taylor re-visited for summer season.

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Durbin, has been signed to a long-term contract by Ken G. Hall for "The Great Dictator".

Alec Hanlon, here with a unit show for "Follies", is being paid by Ken G. Hall for "The Great Dictator".

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Hollywood

Stu Martin home from p. tour. Herman Wobber in for studio hum.

Scott R. Dunlap celebrated a birthday.

Edmund Goulding back from Europe.

Leroy Prinz sent to Louis-Gaetano.

Errol Flynn's mother in from Ireland.

James Roosevelt back from New Vacation.

Fritz Leiber motoring east on vacation.

John Lawrence Tablin on Hawaiian vacation.

John Lee Mabin back from South America.

Tommy Rockwell holidaying on his ranch.

Bonita Granville graduated from high school.

Joe McGee and Frances Dee back on the ranch.

Robert Montgomery joined Rodney Pantages' agency.

R. K. O. tabling studios for Associated Press.

Ed Goodman in from Far East for studio hum.

Bette Davis back to work after vacation.

William Anthony McGuire laid up with bronchitis.

Charles Chaplin recovering from acute indigestion attack.

Harold Lloyd to Atlantic City for Shrine convention.

Paul Parish filed divorce action against Mary.

Maurice Condon (gandering studios) has been laid up.

Errol Flynn nursing cold on foreign tour.

Jesse Lasky's son, Bill, went to work for Samuel Goldwyn.

OBITUARIES

MARY HATCH WARBURTON

Mary Louise Hatch Warburton, 38, estranged wife of C. Edgerton Warburton, grandson of the late John Wanamaker, ended her life in Pittsburgh last Thursday (22) by jumping from a bridge. As Mary Louise Hatch, she had worked in Pittsburgh night clubs for a couple of years before going to New York in 1930, where she appeared in the musical comedy, "Lady Fingers," and also did nitery work. Upon her marriage to Warburton in 1931 in Detroit, she retired from the stage.

A few months ago she filed suit for divorce in Pittsburgh, where she had been living with relatives since the first of the year. Police found a note in Mrs. Warburton's pocketbook indicating that marital difficulties, nervous disorders and poor health were the causes of her suicide.

FRED IRELAND

Fred J. Ireland, actor and producer, died last Thursday (22) in Detroit after a long illness. He made his stage debut as a child in "Belle Fagot" at the Queen's, Duluth, Ireland. In 1899 he made his first American appearance at the Star, N. Y., in "An Irishman's Love."

After touring for many years with his father and alone, Ireland and his father produced stock plays in Nebraska. Several years ago he went to Detroit and produced stage shows, besides managing the Grand Riviera theatre and a nearby nitery. Survived by wife, Mema Catto, who worked professionally with her husband, and a son and two daughters.

IN MEMORY OF CHICK

Whom We Will Never Forget

CHICK WEBB PASSES

The little colored King of Jive, Hide-better Number One
His title in God's sweet chorus!
His earthly work is done.

There have been great Americans—
Chick rated with the best;
His smile so sweet—his hands so fleet
Are strangely none to rest.

The trumpet of Jive Beiderbecke...
Guitar of Eddie Lang...
Now have a drum for company...
Chick Webb has left the gang.

NICK KENNY
The Daily Mirror

From all who were
associated with him.

more recent years he played in several legit productions.
Plout had been a patient at Saranac for two years. He is survived by his wife.

JOHN C. SHAY

John C. (Bud) Shay, 63, former member of the vaudeville team of Shay and Plout, died last Thursday (22) in Albany, N. Y. Shay's specialty was Irish comedy and he toured about 10 years at the turn of the century.

More recently Shay tended bar at the Hotel Wyandham, and was a member of the Piping Rock, Saratoga Springs. A brother survives.

TONY MASON

Anthony Braun, 70, test show manager, known professionally as Tony Mason, died in Buffalo June 17. First associated with Pawnee Bill, he later became known as Buffalo Bill-Pawnee Bill combined shows. He was under canvas for 40 years, later becoming connected with the Shea Theatre, Buffalo.

MILES F. GIBBONS

Miles F. Gibbons, 57, home office representative for Paramount News, died of cerebral cancer at St. Luke's Hospital, New York, June 21. Born in Pittsford, Pa., he was associated with the film industry at Paramount in 1927. Surviving are his widow, a son and three daughters.

TEMPO KING

Tempo King, 24, band leader, died last Thursday in New York. He had been ill several weeks.
King had composed a number of popular songs and was rehearsing a new band when he became ill. Father, mother and several sisters survive.

MALCOLM COOK

Malcolm Cook, 51, movie producer and partner in Griffith Amusement, died in Oklahoma City, Okla., died last week following an operation.
He went to Oklahoma in 1934, following operation of a theatre in Capitol Hill, suburb of Oklahoma City.

WILLIAM C. HUGGINS

William C. (Spike) Huggins, proprietor of the W. C. Huggins Shows, died in Seattle, June 22.
One of the Pacific Northwest's most prominent carnival men, Huggins had operated his shows from Seattle since 1918.

J. GORDON COOPER

J. Gordon Cooper, 44, veteran picture director, died of a heart attack June 21 at his Beverly Hills home. Was with Fox Film Corp. for 17 years, directing silent pictures. Also producer for Paramount.
A daughter survives.

Widow, 48, of John O'Toole, late Milwaukee picture picture distributor, died last Thursday (22) in Milwaukee. Her husband died two months ago.

John F. (Jack) Reidy, 69, of the vaude team Reidy and Currier, died of a heart attack in Harlem Hospital, N. Y., June 23.

Charles Frick, 57, late resort owner, died last Thursday (22) in New York City. Was sister and brother survive.

Yestman Griffith, 55, singer and voice teacher, died June 17 in Los Angeles.

RKO's Prod.

(Continued From Page 6)

ness. He pointed out that RKO was not to be arrogant in dealing with its accounts, nor that the salesman are to go out with a chip on their shoulders.

Worth Titled Prices
He added that whatever policy was to be pursued, it was believed that the film coming for '39-40, based on numerous deals with producers he made himself, would be worth the asking prices outlined to the sales force. Ned E. Depinet, v.p. over distribution, and Jules Levy, general sales manager, in outlining product and discussing sales policies, echoed comments made by the president and expanded on Schneider's platform. General impression among salesmen was that they really had something to sell this year. Outside comment, including among exhibitors, that RKO's output for '39-40, more completely designated than by most companies holding early sales meets, looked the best on paper that this distributor has offered so yet and appeared to justify higher bracketing. In addition to promotions and en-

larging of the sales force, including creation of a new district under L. E. (Nicky) Goldhammer, RKO is inaugurating a new system for the building of manpower through spotting of student salesmen in the various branches. Choosing the best from the strength of their backgrounds, personality, etc., RKO is placing them on exchange to learn the business. They are started in the shipping rooms at \$40 a week. After being taught everything about shipping, rewinning, inspection, etc., they are moved to the film booking department. Then they are taught office relations with accountants. After time in the handling of contracts and other relations with accountants, they are sent on the road with one of the regular salesmen to study the art of wrestling with an exhibitor. Several weeks later to be put on their own. Salary goes up as they move along, with the opportunity for doubling that \$40 as a starter possible within a year or less.

Going out this year with its largest program, RKO may form additional districts. If it is judged they are required, over and above the eight that are effective this week, they will be in effect. This new so-called practice district will embrace Chicago, St. Louis, St. Paul, Omaha and Des Moines offices. As a result of the shift, C. J. Dresel, manager at Omaha, will go to the more important Minneapolis branch post, while R. F. Egan, salesman at Minneapolis, takes the Chicago office.

Cress Smith, western division manager in whose territory the new district was created, will be replaced by McCoy, eastern div. mgr., conducted windup sessions at the convention to instruct the new policy, plan, etc., for '39-40. Harry Michelson, shorts sales head, also held meetings at the 11th hour, following which on Thursday night (22) the new convention was entertained at the N. Y. World's Fair with no stinting on cost in spreading that old good-will.

The Code

(Continued from page 3)

Minnesota convention in virtually rejecting the code.

Bogden states that he wants to answer various charges made by Allied in turning down the code. His statement is expected to reflect in the minds of any Allied exhibitors—or others—any points on which there may be doubt, due to the report of the Allied negotiating committee at Minneapolis.

Participation in the code and arbitration by Monogram and Republic, lesser companies which did not all in on the negotiating, is a matter that will be taken up later, possibly after the seven major producer-distributors who wrote the code have placed it into effect. Preemption is that Mono and Rep will both go along for a front that will be unbroken except for United Artists, whose sales policy and unique setup among numerous producers precludes its complete participation. However, while UA may not be able to take part in the other code provisions, it still sells its various products since it probably has no other code competitors. UA never had score charges at all.

BIRTHS

Mr. and Mrs. John Beck, Jr., daughter, in Hollywood, June 20. Father is with Music Corp. there.

Mr. and Mrs. Jack Kerrigan, daughter, in Des Moines, June 18. Father is with WFO, Des Moines, singing announcer.

Mr. and Mrs. Russell Harlan, daughter, in Hollywood, June 20. Father is cameraman at Paramount.

Mr. and Mrs. H. Bernard Hook, son, in Mason City, Ia., June 5. Father is cameraman with RKO.

Mr. and Mrs. Nick Michaels, boy, in Philadelphia, June 23. Father is tenor sax player and arranger in Leo Zell band.

Mr. and Mrs. Fred R. Zepp, son, in Dallas, June 20. Father is VAUXCO copywriter in Dallas.

Mr. and Mrs. James O'Light, daughter, in Santa Monica, June 25. Father is Columbia studio publicist.

Mr. and Mrs. Alice Bennett, son, in Los Angeles, June 28. Mother is former Frances Lee, one-time film player.

Mr. and Mrs. Bob Crosby, daughter, in Chicago, June 23. Father is band leader and brother of Bing Crosby.

Wanger Blames

(Continued from page 2)

public will reject such pictures, but I see no reason why the responsibility should be laid on the producer. "A free press (and I see no difference in a free screen) informs its readers and its audience of the facts and interprets the burning questions of the day. I cannot see how a writer or editor can do so with such matters; moreover, today, when people as a whole are especially sensitive to the market, I see a steadily shrinking boxoffice if it does not.

"The same picture can be one of the greatest weapons for the safeguarding of democracy. But if it is hobbled latered, it cannot be allowed to do so. I cannot speak truthfully and freely where great issues are involved—then it can be weapon turned against democracy. Democracies, unwittingly feeling the power of this medium, have been asked to speak for democratic principles.

"Now that the majority of foreign critics are clamoring to see, we have automatically freed ourselves from the narrow censorship with which we have been plagued. The result is that we can expand the range of our pictures, make up our losses by the increased revenues of a more vital picture in the same market. If we are allowed to do so by our own people."

In: Propaganda

Racine, Wis., June 27.
The Racine Journal, in an editorial captioned, "Propaganda movies should be recognized as such," says that the picture, labeled "Confessions of a Nazi Spy," playing Varsity Venetian here, as a propaganda picture, if not in purpose, at least in effect."

WB Would Like 'Happen'

Hollywood, June 27.
Warners is dicker with Metro for the screen rights to Sinclair Lewis' controversial novel, "Can't Happen Here." Plan is to use Claude Rains in the top role of editor.

The picture is being produced by Culver City plant about two years ago for \$75,000 and has since undergone several changes in the picture. Screenwriters, including Sidney Howard, it approached the starting line at Metro but the owner, Mr. Lewis, with Lewis Stone in the leading part, was finally tossed back on the shelf.

MARRIAGES

Mary Dentist to William G. Serano, in Pittsburgh, June 14. He's an Arnold P. exhibitor.

Ella Zemaner to William Probst, in Pittsburgh, June 15. He's with UA exchange in Pittsburgh. Marguerite Louise Chapin to Will H. Hays, Jr., son of the head of the Motion Picture Producers & Distributors of America, in Indianapolis, June 27. Groom is a student at Yale Law school.

Doris M. Williams to Ernest A. McKenna, in New Orleans, June 26, with the Moss Federal Research Corp.

Jennie Giddings to Albin Parratt, in Oakland, Wis., June 18. He's a musician.

Marie Kleetche to Charles Renaud in Milwaukee, June 20. He's with the International Opera Chorus.

Emma Pickett to Alan Bode, in Los Angeles, June 23. He's head of KFWB, L. A., sound effects department.

Laura Lee Owens to Herb Kraska in Liberty, Mo., June 22. Bride is vocalist with Prairie Pioneers and daughter of Tex Owens, late cowboy singer; groom is member of Texas Rangers, outfit. Both of KWBZ, Kansas City.

Cecilia Farr to Larry Starmore, manager of Westland theatres, Colorado, in Tucson, N. M., recently.

Alberta Hayes to Dave McEnery, in New York, June 15. He's radio singer.

Mary Bassett to John Fielder, in San Antonio, June 18. He's San Antonio orchestra pilot; she's vocalist with band.

Vivian Hart to A. B. Conwright, in Hollywood, June 25. Bride is a light opera singer.

Barbara Towne to Oliver Barbour, in Fairbury, Neb., June 24. Both are legit players.

Genevieve De Saint-Jean to Sacha Gornay, destined for Paris, June 24. He's the French playwright-actor-director; she's a screen player.

Clara Pilon to Fred B. B. in New York, June 20. He's the orchestra leader; she's non-pro.

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