



Published Weekly at 154 West 58th Street, New York, N. Y. by Variety, Inc. Annual subscription, \$10. Single copies 25 cents.
Entered as Second-class matter December 31, 1905, at the Post Office at New York, N. Y., under the act of March 3, 1879.
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VOL. 137. NO. 9

NEW YORK, WEDNESDAY, FEBRUARY 7, 1940

PRICE 25 CENTS

SIDELINES CLIP MAESTROS

FINLAND BALLY BARRED BY WEBS

Efforts of the Finnish Relief Fund to get an hour on NBC or Columbia for a program using film and radio stars have proved futile. The network's explanation was that the subject would be a controversial one, and under their policy Finland's predicament fell within the same category as Czechoslovakia and Poland's. In the latter instances the webs denied permission for relief pleas over their facilities.

**Mussolini Caricature
In Canadian Revue Is
Nixed by Government**

Toronto, Feb. 6.—Direct telephone call from Ottawa by D. H. Skelton, under secretary of state for foreign affairs, received backlogs at the Hart house minutes before the curtain went up on the wartime revue, "Well of All Things." He saw the "Three Wise Guys" sketch yanked after Skelton had intimated that it was thought "inadvisable for Signer Mussolini to be played on the stage at this time." Becoming more definite, the diplomat declared that he would like very much that the part be omitted.

"Request cancelled" was based on the fact that Mussolini had been

last state's Cast of *Three Wise Guys* which were Jack MacLaren, Frank Peddie and Rupert Lucas as, respectively, Hitler, Stalin and Mussolini. Which had been played up in advance publicity and first-night audience reaction by a comedian, until the curtain came down. Recalled, however, that Mussolini was one of the chief buffooned characters in George Bernard Shaw's *Caesar* when it had its North American tour, as shown in a revised version at the Royal Alexandra here, and that there was a similar incident by the Department of State for Foreign Affairs during the Colbourne-Downs trans-Canada tour.

Shortwaving a Fight

Trenton, Feb. 6.
Standard Oil of N. J. and four of its Latin-American affiliates have bought the shortwave rights to the Jose Luis-Arturo Godoy championship fight Friday night (9) at Madison Square Garden, N. Y., and will direct the broadcast to South and Central America.
It's the first NBC shortwave commercial for a prizefight.

One Way to Put It

Spokane, Feb. 10.—Chamberlain's foreign popularity, according to crooner Gene Austin, is in the best vaude tradition: "He's giving 'em the two older routines in the business—the stage-wait and the blackout."

PA. PUBLISHERS PEEVED AT P

Philadelphia, Feb. 10.—Pennsylvania newspaper publishers today held a general council to discuss the withdrawal of members of the P. E. L. A. They feel that the abuse of reporters continually strewed with "hot" material and "booby" traps devoid of human feeling, has caused the goodwill of the public to be lost.

At the recent meeting of the Pennsylvania Newspaper Publishers Association at Harrisburg a resolution was passed to withdraw from motion pictures of newsmen false to real life.

The resolution, which follows: "Resolved, that member publishers of the Pennsylvania Newspaper Publishers Association are informed that the National Association of Motion Picture Producers is endeavoring to influence the production of films by the leading motion picture producers portraying newsmen in a manner which is untrue and false to real life. Therefore, the P. N. P. A. and the PNPA asks all newspaper associations to unite in a resolution to withdraw from the production of such scandalous misrepresentations. It has been noticed in recent months that the National Association of Motion Picture Producers has been especially perverted at the portrayal of the crooked and unscrupulous newspaper publisher in 'Mr. Smith Goes to Washington'.

CROSBY FLIRTING A NEW PICTURE DE

Big Crosby is being quoted as stating that he has had enough of Paramount and will not renew at completion of three more pictures. He may go either to 20th-Fox or RKO, with the provision he will make one picture annually on the outside. He has done this with Paramount and currently is making his own arrangement for Universal. 'If I Had a Way.' Last season he made 'The Side of Heaven' for U.

Crosby recently completed 'Road to Singapore' for Paramount, which is to go on release March 22.

TELETYPE C.B. CONVENT

In the event the Republican National Convention is held either in New York or Philadelphia, as now considered, some part of the proceedings will probably be put on RCA-NBC television.

Telecast of next presidential inauguration in Washington January 1941, is also a possibility.

ONE REASON THEY NEED LAWYERS

Excursions Into Music Publishing Business, or as Nitery Operators, Take Heavy Coin Toll From Maestros — Some, in Big Money for Years, Meet Current Expenses with I. O. U.'s

NON-STOP BANKROLLS

The world of dance music is nothing with an 11-to-12-you-as headache the deficits accumulated by the "sidelines" of acrobata line. The "sidelines" range from ownership-allocation of music publishing houses to playing bonfire in cafes and entertainment spots. Showmen, particularly, point out that music publishing is a business of peculiarly difficult, subtle, heart-breaking factors, and they add that the mortality among artists is so high, and the whole art of putting one over so specialized, that playing angel for such a spot is more risky than Nazi bonds.

The stage play is a dead end, even gloomingly commercially strikes many observers in the amusement realm as one more case of the acrobat who

(Continued on page 36)

**LEGIT PROD. 20%
BEHIND LAST YR.**

Season of 1938-39 is running distinctly behind that of '38-'39 in productivity. Up to mid-January there were 37 new shows presented on Broadway, as against 46 attractions which arrived by approximately the same date last year. That figure was slightly ahead of the previous half-season total, which was 44 attractions. Unless there is a spring spurt, indications are that the cur-

Production situation is emphasized because of expectations that there would be more shows presented through the influx of Hollywood coin. Although the gentleman's agreement between leading film firms not to finance legit is conceded to be obsolete, the revised Dramatists Guild contract has signally failed to win such backing.

Only Warners is out in the open with its show-financing having been more active in that direction than heretofore. The others turned thumbs down on the conditions inserted by the authors' organization, which, they say, was done without

(Continued on page 41)

Great for A. T. & T.

Miami, Feb. 8.
Sid Silvers and Jack Yellen
who are fashioning the book
for the forthcoming Al Jolson-Ruth
Keeler-Martha Raye musical
Harry Kaufman (Rhuberts)
have on almost daily telephone
audition with Jolson from her
Comedian regularly phones the
writers, who are working in New
York, and they act out any ne-
cessary songs or bits.

Richard Rodgers and Lorenz
Hart are doing the score as
Jolson is supposedly financially
interested. Vinton Freedley
no longer is on it, it being

JACK BENNY IN
NEW \$18,500 DEAL

Jack Benny's new deal with General Foods will make it likely he will be on the air by Friday (9). Several agencies are open for settlement, but the chances are that none of these will bid on the signing. The agency will be for two or three years, and will pay him \$100,000 to \$150,000 per week and make him the main and direct employer of even the show on the show.

Benny's present contract expires at the end of June. It is understood that General Foods is interested in inserting a clause which would give it the privilege of attaching a product other than Jell-O to Benny's program. The food producer has declined this request, but Benny has objected, not because he is fervent about getting behind another product, but because he was not intended to be the first. The advertiser would think he had lost

roll Oct. 14, 1934. His
ump will be the largest ever for
half-hour variety show. Young
ubicam is the agency.

YOUTH DRAPER'S GIFT CAPTIVATES CANADIANS

Vancouver, B. C., Feb. 6. — Ruth Draper turned over her \$100 gross to the Canadian Red Cross for her four weeks' tour of Canada here last night (Monday).

Hon. Eric W. Hamber, Lieutenant Governor of British Columbia, was cheered by a standing-room-only crowd when he thanked 'our American cousin for her magnificent gesture.'

WILMS' RADIO CAVALCADE
Hollywood's Top

Concluding that 'Cavalcade of
' should be written by one of
motorcycle lads, 20th-Fox last
week ended Sherdeman from New
York for the assignment. Kenneth M.
Sward produces.
Sherdeman was given permission
to continue his scripting of 'Bro-
nco,' NBC sustainer.

'GAY WHITE WAY TO HIGHLIGHT N.Y. FAIR

With the Gay White Way, inspired for the moment, already taking shape although opening of the exposition still is nearly three months off, the city is planning its last week revealed plans for more elaborate displays than in 1929. Disposition of the fair grounds is entrusted department known as the Displayers Division, with Milton B. Maynard, chief of the division, in a similar proposition at the Chicago fair in charge.

At the city display lounge, already housed in exposition buildings already under way, is the Purveyor's Office, where the city's representatives given Mr. V. Reilly editors at the head of the department. The office will include 250 display desks. Another will be the McBride Traffic office where set up a carefully located booth for the fair buildings and the fair building and main exhibit area. Sited for the V. Reilly booth, picture the three hand-drawn pictures of the fair grounds, guided tours in Manhattan, children, sight-seeing, buses, etc.

Maynard said, of the fair's publicity staff, who speaks for Lee Con-

Film Stars Avoiding London, Scared Off By Air Raid Threat

Hollywood, Feb. 8. U. S. film companies are halted by an unexpected snag in their plans to melt their frozen British coin by producing quality pictures in England for American distribution. They can't induce Hollywood name players to cross the ocean in wartime.

Only American star currently at work in London is Robert Montgomery, who is doing two pictures for Metro. Ray Milland is going there soon to make a pair for Paramount. Other top names are taking seriously the recent threats of air raids on London in spring.

Hostess' 'Autobituary'

Belle Livingstone, rival of Texas Guinan as a prohibition era proprietress-hostess in nightclubs, has completed a book which she calls her "autobiography." Details her experiences running classy speakeas in New York's east side and later in Reno. Also, her stay in the clinic, the "coming out" party arranged for her by customers and the rest of the hoopla of the period.

This is her second book, first having dealt entirely with her European experiences. It will have a foreword by Ernest Boyd.

Charles Schwarz.
Murray Silverstone
Max D. Steuer.
Gene Towne.
Tom Walker.
Lucille Watson.

MOVIE CHOCK

Goldwyn's OK for His 'Westerner' Pic Via UA Angurs No Peace—Mulvey

Decision of Samuel Goldwyn last week to turn over "The Westerner" to United Artists for release is not a pure move in the transfer of power between the producer and the distributing company, James Mulvey, Goldwyn says. The move is a result of his return from the Coast Monday (5). Mulvey declared that the move of "The Westerner" should be considered only as an "isolated incident" in the efforts of Goldwyn to pull out of UA and not to be construed as the start of any rapprochement which will shake with Goldwyn and UA kissing and making up.

Withdrawal of Goldwyn's suit to recover his producer's bonus and interest for 1938 will not follow, as has been hinted in the past. The decision, Mulvey said, was the result of the producer's battle otherwise, he said, will not necessarily take place in any amount although he gave no indication of what lines it might follow.

Max D. Blumenthal, Goldwyn's counsel for the Coast Saturday (5), although his office persistently denied it was on the way, said he was returning it to that, Mulvey made some about the program of Blumenthal's cross-country jaunt.

Peculiar angle to "The Westerner" suit, dropped up Monday, says reports that may all the star to get it in circulation it may not be returned until summer. Mulvey's explanation why he and UA and Mulvey were both non-committal on the subject, Mulvey declared, was that the picture has been set, carefully ending a denial of the possibility of a temporary deal. Mulvey said it was necessary to look over the suit situation before deciding on the move which has already delivered three films this season.

No surprise
Decision by Goldwyn last week to release the picture through UA despite his announced "termination" of his contract with the company was no surprise, but as a kind of curtesy to the inevitable. With the \$1,000,000 production completed and no other company willing to finance legal repercussions by releasing it, it was figured too expensive to gather data which makes the possibility of delayed distribution in Murray.

Goldwyn's knee-bend came in a letter to Harry Silverstone early last week and was followed by a response by the UA chief. In his reply, Silverstone emphasized that the film was to be released on the same basis as Goldwyn's last picture and no strings were to be connected with it, which the producer agreed. Only thing was a kind of tacit agreement by UA not to publish the acknowledged ownership of Goldwyn by Harry Silverstone, UA counsel.

MERRILL NOW TREAS. AS WELL AS V.P. OF RKO

W. J. Merrill was elected treasurer of Radio-Kinetograph and the directors' meeting last Friday (3), after having previously served as secretary for the past month. The treasurer through subsidiaries have the same named vice-president of the company.

Merrill, active in RKO during most of the years of its reorganization, has been assistant to Harry Silverstone, Jr. for the last year. Previously he had been vice president of RKO and had been in charge of the holding company, W. J. & J. Stone.

Berman III in Fla.

Paul R. Berman, new producer of RKO, is understood to be arriving in Florida Monday (7).

Berman was resting up before beginning his new chores from his former post at RKO.

Sam Bischoff Out After Grippe; Back to Coast

Sam Bischoff, Columbia's new executive producer, was permitted to leave his New York hotel bed on Monday (5) for the first time in almost a week as result of an attack of grippe. He came to Manhattan two weeks ago for a vacation prior to start of his three-year deal at Col. Bischoff will return to the Coast at the end of this week after confab with Harry Cohn, Columbia pres., who is also in New York, on plays and other story properties under consideration for next season's program. Columbia will sail to Palm Beach Feb. 13.

HAYS TALKS ON WEEKLY AD ITALO-U.S.

At the Producers' Ann. elections Monday (5), understanding that Will Hays had considerable to say about the Nerly bill. He also spoke of the English situation and United Artists' negotiations with Italians.

Reported some criticism was made of Hays for declaring he said it was necessary to look over the suit situation before deciding on the move which has already delivered three films this season.

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FLU STALLS STAHL'S PROD. DEAL WITH UA

Dines of John M. Stahl has resulted in a delay in the negotiations by which he is to be added to the United Artists producer's roster. Stahl, who has been in New York with UA and had two confabs with Harry Silverstone, UA chief. He was forced by the illness, later diagnosed as influenza, to leave in the middle of the week.

Stahl has been bedded at his hotel since Thursday (4) with a double shift of nurses. When he returns he will have to continue the confabs on the Coast, as Silverstone leaves N.Y. tomorrow (Thursday) for his month-long vacation. Deal, however, is understood virtually set for inkling whereby Stahl will produce one or two pic a year.

Joe Bernhard's Op

Joseph Bernhard, general manager of Warner Bros. Theatre, was operated on Monday (5) for gallstones of the Lower Hill hospital, New York.

Reported resting comfortably following the operation.

PIX PRODUCTION TO ACCELERATE

Wall Street influence on Hollywood Film-Making Set-up — Keep Production on an Even Keel — No Overloading for One Period, and Then Begging Down for Another

SHAKEUPS DUE

Hollywood, Feb. 6
Film production, in delirious state last December, will get back into normal stride around March 15, by which time all makers will be started on their 1940-41 product. Current slump is motivated by two causes: (1) that most executives are ahead on pictures for this year's program, and (2) coming of the personal property season, which pays his annual visit to studios March 4 to levy assessment on exposed negative.

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Roach Peeved at UA Because 20th's Steinbeck Film, 'Grapes,' Beat His Steinbecker, 'Mice & Men,' on B'way

Par's Foreign Acct'g Delays 1939 Statement

Paramount earnings statement for 1939 probably will not be available for another month, delay in getting in figures from foreign accounts being responsible.

Estimate of earnings, expected to be considerably above of 1938, probably will be given stockholders at the annual meeting next month.

ZANUCK SHAKES PROD. STAFF; 3 ADDED

Hollywood, Feb. 6
General shakeup in the associate producer staff at 20th-Fox is on the way, as a result of Darryl Zanuck's recent huddles with Joseph M. Schenck, Sidney R. Kell and Herman Webber in New York. Three new names have been added to the associate producer staff and others are contemplated before the 1940-41 season his stride.

Additional to the producer staff are Lucien Hubbard, who recently obtained his release from a Metro contract and move into the Warners studio March 1; Ralph Dietrich, who was upped from a unit production manager's berth; and Walter Macrae, shifted from the writing department. Their first assignments are as co-associate producers on the "Charlie Chan" and "Circus Kid" pictures. Usually these films would be in Hal M. Wurtzel's department, but in this case the three new producers are functioning as members of Zanuck's own staff.

Currently, the other associate producers on the list are Harry Joe Brown, Henry Duff, Raymond Griffith, Gene Markay, Kenneth Macgowan, John Stone and Nunnally Johnson. Stone is assigned to the Wurtzel unit and Johnson is on a month leave of absence in New York where he is writing a stage play.

IMPRESSIVE WELCOME TO ZUKOR IN CHILE

Repeating the welcome, accorded him in Great Britain and Australia last year, Adelph Zukor, chairman of Paramount Pictures, on his current trip through South America, with John W. Hicks, Jr., foreign chief, again is proving himself a welcome ambassador for the picture industry. Zukor, conferred with Pedro Aguirre Cerda, president of Chile, when he was in Santiago last Saturday (3), and his advent became a world news event.

Zukor, with the Chile chief executive followed a luncheon attended by 100 prominent Santiago citizens. Earlier in the week he had been honor guests at a dinner given by the Chile Board of Trade there.

Zukor, who is the head of the Southern Hemisphere, Benito del Villar is constructing the house.

Zukor, on their way south, Zukor was recorded similarly impressive welcomes in Colombia, Ecuador and Peru. Zukor and Hicks now are on route to Buenos Aires by the southern lake road, having left Santiago last Sunday (4). Trip will require a week.

Considerable ill-feeling against United Artists by Hal Roach because of the so-called "bumping" of the new Roach picture of "Of Mice and Men" was revealed this week. Roach contends that the edge has been taken off his film by the prior appearance on Broadway of another John Steinbeck film, "Grapes of Wrath," currently at the Rivoli.

There was undue debt, in his opinion, in failure to get "Mice," which opened Jan. 24. "Mice" has now been set for the Roach, N.Y. Feb. 18. United Artists contends that Roach's picture will profit by the publicity and strong word of mouth on "Grapes." And anyway, it maintains, it was not an anomaly. The picture was sold to the Roach, operated by 20th-Fox, and the latter company's picture was wanted to get its film in Manhattan first. It found insufficient reasons, therefore, for Roach's picture to be put on ahead by Frank Seltzer, Roach's publicity chief, it was disclosed Monday (5), was not to get an audience, but was a trouble-shooting, emergency call to try to cajole a better Roach for the film.

Roach's position is that a UA error in not selling the picture originally to the Music Hall instead of the (Continued on page 18)

JESSEL-HECHT SET TO SHOOT IN N.Y. MARCH 10

The first move to circumvent rumors that eastern production had hit a snag came yesterday (Thurs.) when the office of Jessel-Hecht project was announced to start shooting at the Biograph Studio on March 10. This will be the first of the films to be made in the east as result of Mayer L'Espresso's drive. Earlier it was reported that Jessel had run into difficulty with his financing.

The film may be released through Columbia, although Jessel says he may make another deal, depending on a strong male demand.

Trade Mark Registered
FOUNDED BY HENRY SILVERMAN
PUBLISHED BY SILVERMAN PUBLISHING CO.
205 Broadway, New York
14 West 40th Street, New York City

Subscription: Annual \$10 Single Copies 15 Cents

Vol. 121 No. 9

INDEX	
Band Reviews	32
Bills	30
Chatter	46
Dance Bands	32-36
15 Years Ago	38
Film Booking Chart	16
Film Reviews	8
Forum	47
Music Reviews	46-47
Inside—Music	32
Inside—Pictures	25
Inside—Stage	11
International News	11
Legislation	42-45
Music	32-36
Night Club	32
Obituary	47
Pictures	2-31
Radio	32-33
Radio Reviews	32-39
Vaudeville	37-38

+

WB Realigns Its Field

At Weekend Chi Now!

Under supervision of Lou Pollack, 32-page book in three-color litho photography graphically depicts production features of the 15 remaining pictures to be delivered this season.

It was reported that Chataigneux quit in disgust because he failed to get any collaboration from the higher military authorities and because of the criticism from those in the trade.

The following U. S. pix were tops:
 'Hurricane' (UA), 'In Old Chicago'
 (CMB), 'Too Hot to Handle' (M-G),
 'Can't Take It With You' (Col),
 'Carefree' (RKO), 'Professor Be-
 ware' (Par), 'Buccaneer' (Par),
 'Marion Polo' (UA), 'Bluebeard's
 Eighth Wife' (Par), 'That Certain
 Age' (U).

THREE GREAT STARS

surpassing all previous performances in the top dramatic sensation of the season...in the amazing story of one girl's heroic sacrifice and another's dramatic redemption in the tight-walled world of "women in white." Never before such realism on the screen...never before such a startling, such a revealing story of a woman fighting tooth and nail for love.

CAROLE
Lombard

BRIAN
Aherne

ANNE
Shirley

A. J. CRONIN'S

VIGIL IN

WITH JULIEN MITCHELL • ROBBE

Produced and Directed by the
PANDRO S. BERMAN In Charge



Private Nurse Speaks:

I know men
better than
their wives do!"

BY THE AUTHOR
OF
THE CITADEL

THE NIGHT"

NOTE • BRENDA FORBES • PETER CUSHING
who made 'Gunga Din' GEORGE STEVENS
Production • Screen Play by Fred Guiol • P. J. Wolfson • Rowland Leigh





WATCH THE MOVIE SKY !

When **CHARLES LAUGHTON** sings it! . . .

and **VIVIEN LEIGH** swings it! . . . **WOW!!**



Here Laughton recites
Kipling's "If" . . . as
only Laughton can!

"SIDEWALKS OF LONDON"

"A hit picture . . . literally spiced with 'good audience stuff.' Audiences should take to this picture as ducks do to water!"

—Hollywood Reporter

"Charles Laughton will easily clinch his hold on American theatre-goers through his shining performance. Vivien Leigh's artistry easily matches that of Laughton's!"

—Daily Variety

"The best performance of Laughton's career, backed up by the fire of 'Scarlett' in Vivien Leigh's great characterization!"

—Al Eden, United Press

**CHARLES
LAUGHTON
VIVIEN LEIGH**

A Heart-Stirring Drama of Peace-Time London!

"SIDEWALKS OF LONDON"



with **REX HARRISON** • Screen Play by Clemence Dane • Directed by **TIM WHELAN**
Produced by **ERICH POMMER** • A Pommer-Laughton "Mayflower" Production
A Paramount Release



Afternoon Flops Recalled

Even though the radio industry tends to forget the clubwoman's insatiable love of publicity and constant readiness to provide pat questions for the press (see adjoining column), the recent bombardment against the daytime weepers will not come cheaply. Broad-casters themselves brought up the question before the clubwoman did, network thought it known to be moving in the direction of breaking up the solid presence of serials on the air.

Meanwhile, however, the clubwomen will be reminded that 'A' and 'B' hour have seldom shown any willingness to applaud or support previous daytime flops, mistakes or other non-aerial entertainments. Several hitler flops are being recalled in this connection, notably Columbia's costly hour of some years ago.

Radio programs experimentally aimed at the higher levels of woman listeners may be anticipated presently.

War, Espionage Themes Barred As 'Superman' Goes on Transcriptions

Necker Products is putting its version of "Superman," newspaper adventure strip, in transcription form with 15 hours slated to start the first Feb. 15, 1940, program, which had been turned down days by the networks, will in its final production avoid anything resembling war or espionage. Erwin-Wanage, agency on the account, reports that the initial set of recordings were submitted to the Child Study Association of America and both the theme and the treatment were approved from the War's angle.

The stations on the list are WOR, New York; KABC, Los Angeles; WEEB-WBC, Boston; WFIL, Syracuse; WHAM, Rochester; WGR, Schenectady; WAB, Buffalo; WCAU, Philadelphia; and WTIC, Hartford.

HARBINGER OF SPRING

Benjamin Moore Interior Decorating Show Box Feb. 24

Benjamin Moore Paints returns to the NBC red Feb. 24 with its usual 15-minute program of interior decorating ideas at daytime serials.

Account has contracted for the Saturday 10-10-45, a period and 41 stations.

Sales Dept. Reorganized At WMBC by J. L. Booth

Except for complete reorganization of station's sales department, no important personnel changes have been effected since the arrival of John Lord, WMBC, senior of Booth & Company family, who recently bought controlling interest in WMBC for \$115,000. His closest assistant is a new manager, Eddie Clark as chief engineer. Charles Farrell as chief announcer and Al Gray as director of station band.

Considerable improvements are being made in the mechanical and broadcasting ends, however, chief changes being installation of a new quarter-wave radiator atop the Boulevard building and addition of new transmitter to take care of station's expanded 350-watt power.

Detroit's home station is now largely dependent to each station identity announcement, and emphasis is continued on newscasts, sports events and foreign-language programs. WMBC has been signed for International News reports and has added a couple new transcription services. "Old Opry House" show, along with its Happy Hour, is being carried in Providence. Butcherfield is doing a kids show and Regina Ruth, teacher, has a one-hour noon program.

TSN Cuts Hit KABC

San Antonio, Feb. 6

On Feb. 6, radio station KABC left the economic pressure put into effect on all Texas State Network stations in the technical department. In program department Lester Scott and Roy Clark, Jr., were dismissed and in the technical department, Herbert Hartman and Betty Agnes were fired.

Dave Young is new chief sport events and program director, Jerry Fisher is production manager and Walter Blanton chief announcer.

KMBC Shifted

Kansas City, Feb. 6

Bruce Cruth Fielder, Saturday night visual radio show, has been moved from the Vanover Theatre to the Memorial hall on the Kansas edge temporarily. As an added attraction, KMBC is offering party of round and square dancing following the regular broadcast.

First appearance on the Kansas side Jan. 27 was a sell out, 3,800 seats at two bits per head in concert from the side scale which prevailed in the 1,800-seat Ivanhoe Temple.

RAPS AT RADIO GET THE SPACE

Latest Upset Over Daytime Serials for Housewives Closely Follows Clubwomen's Victory in Kid Program Controversy—Women Sidestep Real Issues of the Day to Concentrate on Frivolous Crusades

RADIO IRKED

The radio industry is mildly annoyed that the organized women's clubs of the United States are starting another anti-radio campaign, the so-called "we're not listening" movement held at daytime serials. The agitation comes only a few months after the clubwomen imposed their will on the industry as regards children's programs. It comes with particular bad grace in the case of NBC which has liberally provided the National Federation of Women's Clubs with free time for their own use. And the publicity blots in this instance are considered largely irresponsible in the woman's superior financial and cultural advantages are assuming a crusading role on behalf of women in the 'D' and 'E' grade homes who show no desire whatever to be saved from the alleged menace of too much soft stuff in daytime broadcast.

The whole uproar against the daytime serials is seen as premised on a convenient forgetfulness of the fact that radio is for the mass, not the elite. Radio does not deny that there are too many programs all of one kind or that the daylight circuit is presently out of balance. But it does deny that the clubwomen are fairly representing the facts.

Avoid Red Menace

Radio is getting the impression that clubwomen who dare on political grounds, is contained in current issue.

(Continued on page 24)

Not Sophisticated, Easily Confused

In connection with the present discussions (see adjoining column) concerning daytime serials the radio trade is watching the growing tendency of such programs to seek added audience lure by injecting former hit stars. Sylvia Sykes, Jackie Coogan, Ruth Chatterton, Alvin Karpis, Zasu Pittman and Dorothy Gish are some of the stars who have been "written into" the serials for short periods. Although the case is not fully proved research has already gained strong hints that the bad effect of attracting persons from the daytime radio weepers is to confuse the housewives of the 'D' and 'E' homes where such programs are most avidly followed.

Some experts are of the opinion that Zasu Pittman will be extremely mistaken for an initiator of herself and not the original article. They premise this guess on previous audience reactions to her. The bad effect of attracting persons from the daytime radio weepers is to confuse the housewives of the 'D' and 'E' homes where such programs are most avidly followed.

The "hard-working women of such domestic are without leisure for reading, have seldom traveled, have few cultural opportunities and no background of familiarity with the literary world. It is sheer hubbub to talk about "book reviews and dramatic criticism" (as the clubwoman who was widely quoted in the public prints) as something women would like over the air.

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Culture-Laden Blue

Ad agency men score a point on the clubwomen by pointing out that for cultural and informative radio during the day, clubwomen have merely to skip over the stations carrying the serials and tune in to one of the NBC-blue outlets. Their choice of that class of program from 11:30 a. m. to 3:45 p. m. on that link couldn't be much more varied.

Following are some of the blue stations which are carried regularly during the work week and which have yet to receive any industry comment for being "different" for the effort and expense put into them:

"Between the Bookends with Ted Malone,"
"Adventure in Reading,"
"Gallant American Women,"
"Rebels of History,"
"Ideas that Come True,"
"Medicine in the News,"
"Alma Kitchell's Brief Case,"
"The Quitting Bee."

Banned Conghlin Speech Thought Blast Against Justice Dept.; Face-Saver Due This Week

Detroit, Feb. 6

Both Father Conghlin and Archbishop Coughlin refused to give their consent but it's appeared here that radio serial's blackout last Sunday was prompted by church censorship. Scheduled speech, believed to have dealt with Department of Justice's recent investigation of priest's shrift of "Christian Front" arrest, isn't thought to have been broadcast in toto but an excerpted by Archbishop Mooney's censors that Coughlin refused to give any part of Sunday's broadcast. Scheduled speech, believed to have dealt with Department of Justice's recent investigation of priest's shrift of "Christian Front" arrest, isn't thought to have been broadcast in toto but an excerpted by Archbishop Mooney's censors that Coughlin refused to give any part of Sunday's broadcast.

At that time both sides in controversy were silent and Coughlin refused to go on air. At that time both sides in controversy were silent and Coughlin refused to go on air.

Slaps His Superior

Further evidence that Coughlin's silence last Sunday was not a matter publicly said, to build a bigger audience for this Sunday's program, is contained in current issue.

(Continued on page 24)

of priest's Social Justice magazine in which an "anonymous" article attacks the late Cardinal Mundelein, Cardinal O'Connell of Boston, Major John A. Ryan of Catholic University and several other Catholic leaders, as being opposed to Coughlin and as traitors for big business, financial and other interests, and for "selling Jerry." There's also an attack on Justice Frank Murphy who was Attorney-General when the "Christian Front" was exposed. These points, plus the added trouble Coughlin has been causing in defiance of the Fronters, are also considered sufficient reason for a crackdown by the Church.

It is still unlikely, however, that Archbishop will face press of the air entirely, at least at present, but it's certain that closer scrutiny will be made of his speeches in future. Besides, with Sunday's program, Coughlin might WJR officials here of their guard with no in organization apparently knowing that priest wouldn't talk. Situation explained by fact that Coughlin manuscripts are usually checked personally by Leo Fitzpatrick, general manager of station, who has been in California and several weeks and it is supposed that Fitzpatrick's secretary went home sick Friday and no one checked whether the manuscript had come in.

Only Archbishop Coughlin to talk was Father Edward J. Hickey, Chatterton, who said he didn't know Coughlin had failed to make address until told by newspapermen. He didn't know reason for omission but suggested that perhaps Archbishop's recent forum (reviewer of writings) was being reviewed and deemed unsuitable.

Third of series of cryptic announcements by someone during the program of organ and choir music, which was substituted for Coughlin's speech by some of the radio, was not to be altered. In connection, please do not be alarmed. We currently expect Father Coughlin will return to the microphone next Sunday. By all means do your share to have his largest audience ready to hear his sermon.

POST-DROPS LHM ABER

Hollywood, Feb. 6

Post-Drop General Drops winds up its month of "Post-Drop" (CBS 7:15 p. m.) next month. The team has been on this account since Feb. 1938.

Prior to that they spent three years on the Horlick's payroll.

John A. Holman, a captain in the United States Signal Corps Reserve (who was a member of the "Christian Front" of NBC) has been appointed a major.

WORLD DUSTS OFF GOLD GROUP

World Broadcasting System has started off its Gold Group Network line and is back offering the station a recorded campaign which will handle for the Times Co. and the Charles M. Stern agency. The program involved is "Delight Harry's Household Hints." World previously used this program tied up with American washing machine manufacturers on a cooperative participation basis under the Gold Group proposition, which at its innovation aroused much antagonism among station tops. World collects 15% from the stepping stations, with the money applied in recording and advertising costs as well as World's service price.

Rockwell Has Separate Deal to Represent Feldman Clients for Air

General Amusement Corp. (Rockwell) has closed a deal with the K. Feldman, Inc., whereby GAC will represent the former's personal in radio and personal appearance bookings, and the Coast agency will be the talking for General Amusement talent around the film studios.

Alliance does not affect GAC's exclusive offer, since the latter conducts itself to band and radio business.

Toledo NBC's 183rd

WTOL, Toledo, makes the 183rd station on the NBC list. It joins Feb. 18 as a supplementary station to the basic blue.

Outlet operates full time at 230 watts on 1280 k.c.

FCC Soon to Further Investigate the Management Contracts of Stations

Washington, Feb. 6. Validity of management contracts, common in the broadcasting business, will be determined by the Federal Communications Commission as an aftermath of the chain-monopoly probe of last year. Licenses and contracts of 100 stations were told last week to demonstrate that they have not taken the law lightly, by refusing control without Commission consent.

Paul Fowle, about Westinghouse issues finally brought results with the order for hearings on renewal contracts. Stations with NBC operate as agent for the equipment, including: KTV, Philadelphia, WFLA, Tampa; KDKA, Pittsburgh; the licensee wants to know stations relating to operation of WFLA, New Orleans; WOL, Schenectady; WAFB, Birmingham; and WWSB, Miami.

Doubt about the regularity of arrangements under which the stations were voted two years ago at Congressional hearings. After the FCC heard the contracts and law, the FCC responded that there was nothing improper in the contracts, implying that the FCC of the Justice Department's anti-trust attack on the radio monopoly eight years ago.

Richard R. Wigglesworth, FCC Commissioner T. A. M. Craven on the FCC with inquiries about the contracts. The Commission shall penalize one or both parties to the deal by which the web site was sold.

Move to ventilate the situation will be carried forward in the future. The FCC Wednesday (20 Feb.) new renewal applications are filed, more stations will be put on the carpet. Apparently each station will be treated individually, and the FCC does not plan to lay down any rule of thumb for the FCC. The FCC is now reviewing on its property or hiring an operating agent without first receiving Federal approval.

Important Cases
The Westinghouse and G. E. stations are the most likely to be under attack, and whatever decision is reached concerning the contracts, which NBC will not be unduly influenced by the far-reaching effects. For the agreements have been a general pattern, a number of other instances. Roughly, the web agrees to pay a fixed amount of percentage of the gross receipts or profits and to handle all time sales and program details. The contracts are to be in control of their properties.

The decision to look into WAPI is of national interest because the Commission recently refused to approve an agreement between the station and its parent, which CBS would be an impact, although the majority stockholders. All the facts concerning the Birmingham plant, which was bought by three companies, were brought out on that occasion. The Commission also has a substantial interest in the case. It is likely to lead to the Gannett interests, and on WFLA, which is the largest of the stations. The FCC on the last two plants was obtained during the chain-monopoly probe.

BUGLER'S KTSB SHOW WITH ADOLPH HOFNER

San Antonio, Feb. 6. Brown & Williams Theater has placed through the station for a series of broadcasts to be presented locally over KTSB here in the interests of Bugler's Theater, to be shown.

Program is a quarter-hour across the board, featuring Adolph Hofner and his Boys. Group is popular in southwest as a string band combo. Program debuted on Monday (4).

WILLIAM BUTTS WINDY NEWS

Hartford, Conn., Feb. 6. WTC has received a contract from B. Williams Co. covering the station's 11 p. m. newscast. Glider will be a new series of news, and J. Walter Thompson, the agency.

Contract calls for five quarters a week.

Reciprocal

Last year Ralph Brewster, singer with Paul Whiteman's Modernaires, was operated on for cancer. He was currently taken by the quartet was temporarily taken by Jack McElhatton, of the Quartet. Last week Brewster was stricken the same way and Brewster's son, Fred Allen broadcast Wednesday and until he recovers.

Operation was performed at the Boulevard Hospital, Queens, L. I.

SPOT LOOKS UP AT THOMPSON

While its network business is just about well joined the spot, Alleen Thompson has developed into one of the most active spot agencies. Among the clients she has currently riding are Shell Oil, Planters Foods, Coleman's Mustard, Scott Tewel, Daniel Heintzelman and Fritman (Fischman).

It's also testing a daytime spot operation for Chase & Sanborn Coffee.

Aileen Pringle's Radio

Role a Finnegan

Aileen Pringle, former picture star and actress, has been recruited by Joyce Kaufman—girl intern over CBS, has on an on-again-off-again-Finnegan role in the serial. She plays the part of Anne Hill, a newspaper woman, and her next appearance will be on today's (Wednesday) stanza.

Active in now making her home in New York permanently, having rented her house in Hollywood.

Bill Furrow has resigned from NBC announcing staff to free himself. First new shows will be with Ed Bradley.

F. C. C.'s WASHINGTON DOCKET

MAJOR DECISIONS

Washington, Feb. 6. (1) Decision on a new station for Phoenix deferred until March 15. (2) Decision on a new station for Phoenix deferred until March 15. (3) Decision on a new station for Phoenix deferred until March 15.

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Clubuomen

Continued from page 23

circumstances have marked broadcasting as the country's number one good natured whipping boy. Radio has been ready promoted some sarcastic inquiries as to what these self-made ladies are doing, if anything, to help the really serious issues of the day such as unemployment, sharecropping, racial violence and so on.

1. Attacks can be repaid. 2. Newspapers will print anything they developed. 3. Radio doesn't fight back.

Some part of the original impetus of the "Let's Move" movement in Westchester County, N. Y. (high income suburb), apparently came from Ed Bailey Allen, a radio host and economics expert. Trade observers point out the irony involved in Miss Allen, by her type of program has suffered from the present preponderance of serials, etc. But the Westchester women did not spontaneously cry, "yes, we ought to have more household hints programs!" They developed them.

Clubuomen are complaining that the "Let's Move" program is "insulting their intelligence" but, radio answers, the women who like these programs are not the "Let's Move" women. The daytime programs are, in the opinion of radio, dragging down the "Let's Move" program. The programs open up new horizons of interest to underprivileged women in whose midst the main force of the movement.

Having no time for reading (women in general are notoriously poor readers) these programs are infusing some new social ideas, from radio programs, even if these ideas are not the best. The programs are infusing some new social ideas, from radio programs, even if these ideas are not the best.

Active in now making her home in New York permanently, having rented her house in Hollywood.

Get In Line

Paul Weston, CBS vice-president, is away for a week which in Canada. Upon his return, he will be in charge of the CBS radio network.

Director of Sales Promotion, will get a month's leave. Frank Stanton is also on leave for a month's leave.

Dean Cauter has returned from his winter trip.

Philadelphia, Feb. 6.

Dr. Louis Levy and Isaac D. Levy, president and vice-president of WCAU, are on tour in Miami Beach.

Gadgetsers Will Find Lots to Ah! About at CBS' 52nd St. Annex

More Pop Needed

Buffalo, Feb. 6. Big laugh at WGR-WHAT is club associate who has interviewed instructions along with the radio club. Came out like this: "I have been on 15 radio stations for 9 o'clock courtesy of the Soundwave Watch Company. Answerers will please put a little more pop into those time signals in the future."

MUTUAL WAX REPEAT IS OK

Check taken on the transcribed version of Lucky Strike's Kay Kyser program which goes over Mutual on Thursday nights (8-9). Upon his return, he will be in charge of the CBS radio network.

There are 19 stations in the Mutual hookup, which originates from WGR, N. Y., and includes the N. Y. State Network and the Max-Davis.

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Columbia Broadcasting System will occupy its 82nd Street station around the corner from the N. Y. Journal Square on May 15. The future of the station is still a question for a year in the remodeling. There will be seven new studios available. One of the new studios will be a studio for the production of television programs. The building will be striven with technical innovations and is expected to attract a "A" type of talent. The most embarrassing problems of the day operation at CBS with not much that can be done about it.

An underground passage will connect the office building and the new studio annex (now a guest house) from the late William C. Vanderbilt. The building will be striven with technical innovations and is expected to attract a "A" type of talent. The most embarrassing problems of the day operation at CBS with not much that can be done about it.

The staff has developed improved sound projection and other devices, among which is a revolutionary innovation for obtaining variable acoustics, which the experts expect will be a "A" type of talent. The most embarrassing problems of the day operation at CBS with not much that can be done about it.

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Portland, Me., Audience Sour on Dr. I.Q.

No Broadcast and Only 23 in Crowd of 2,500 Quizzed
—Ill-Temper Flares Up

Portland, Me., Feb. 6. Request to unofficial visit here last week of Marj' Dr. I. Q. (Lew Valentine) is giving thought-provoking delight on each prime type of air feature. Valentine made the trip from Boston on invitation of church group to stage a duplicate of his air show, with both of proceeds to go to charity. Upshot of event was that capacity audience went home over at everyone and everything connected with the affair, including possibly the candy-maker's "Purvey Your" item.

Some of the blame for unhappy ending is being attributed here to amateurish nature of preface exploitation by church group, which didn't bring out point that quiz person wasn't being broadcast. Gullible citizens were also misled by the fact that show was scheduled to open at 8 p.m., which is likewise the time for Valentine's regular airing on NBC-Red. Disappointment in announcing set-backers in sour mood which subsequent events did nothing to sweeten.

They Paid Tie

About 2,500 persons spent tie to attend the event; Valentine had a cash and candy supply on hand enabling him to quiz no more than 23 of them. Mike-runners for the evening were volunteers from the noncommercial departments of the lo-

cal readers. "Robbery," "bare-faced collusion," "all hand beforehand" were a few of the comments passed by the crowd on the work of the mikesmen. Cuckoo-ness was when one selection from down front jokingly supplied the announcer's name as his own, with the apparent frustration showing the lynch spirit throughout the gathering.

Seller's central viewers of the affair abhorred all official participants of any untoward activity, attributing the near-disaster results rather to bad luck and the dynamics of chance. These critics point out that the \$500 had paid approximately double the local cinema tariff to see a broadcast staged and to take a shot at some prize money. When the first didn't materialize and the odds on the second turned out to be intolerably long, there was bound to be rancor, the analysts assert.

Questions currently bemoaning local radio execs: The non-winners ever come away happy? Does the mere fact that a show is being broadcast make for tolerance? Is a tin-house quiz audience there to see the pie program or to get a shot at some silver dollars? And finally, what does an advertiser gain by associating his product with odds that are pitifully long, however much the presence of them may be concealed by quizoo trimmings?

Quiz About Quizzes

Philadelphia, Feb. 6. A quiz program to end all quiz programs will start next week on WDAS. The station will invite winners of question bees on other stations to answer questions regarding all quiz broadcasts on the air.

The winner will get a book on question bees.

HOME AND LISTENING WINS A RADIO SET

Des Moines, Feb. 6. To test radio listening on daytime programs, KRFI, Des Moines, is giving away a radio a day. "The radio gift man" will visit unannounced districts and if the radio is turned to KRFI when he makes his call the person answering the door gets a small Philco set.

The test will be made for one month.

St. Paul H. a Customer

St. Louis, Feb. 6. The L. Cohen Grocery Co., wholesale distributor locally of the Elco brand of canned foodstuffs, on its 15 min. once-a-week "Happy Housewife" program on KMOX calls three housewives by phone, the numbers being selected at random from the phone book. If they have a can of Elco products on hand they are awarded a \$5 bill. If they are out of the brand the sponsor sends a sample.

Names and addresses are given and the retailers are made happy by being mentioned.

New H's 'Flowing Gold'

Buffalo, Feb. 6. Another bush-league "Pot o' Gold" is called "Flowing Gold" and spotted Thursday nights at 10:30 on WKBF by Kelllogg-Tydel Petroleum. Show has quiz announcers handling quiz, lucky phone call and weekly stunt such as studio nail-driving contest.

Names for phone call taken from those deposited at sponsor's gas stations. If slip shows a purchase, amount is doubled. Recent stanzas (1) gave out \$27 in studio prizes and \$186 on the phone.

'Dr. I.Q.' on Coast

Hollywood, Feb. 6. Lew Valentine will do his "Dr. I. Q." program from the stage of Chinese theatre for six weeks beginning Feb. 28.

Similar audience show is broadcast by a petrol outfit from the downtown Paramount.

Robert B. Evans, sportscaster for WBEZ, Boston, resigned last week to return to baseball. He's son of Billy Evans, one-time umpire and present manager of the Boston Red Sox farm system.

Giveaways vs. Horatio Alger

Philadelphia, Feb. 6. Radio gimmicks were taken for a ride by Charles Fisher, Philly Record columnist, in his pillar, "So What," last week. Fisher called the giveaway fad the new method of success as contrasted to the Horatio Alger formula of working hard, rearing the boss's daughter from a runaway horse, etc.

"It is comforting to know how different the recipe for success is now," Fisher wrote. "For the major requirement is readiness to sit up nights listening to the radio and waiting for someone to mail or telephone you a fortune."

"Aside from the obligation actually to hear the programs, it is as pleasant a way of getting rich we know. We are enthralled at the idea of American gliding its ear to the loud speaker regularly and waiting for the news a thousand dollars is on the doorstep."

"What places us most is thinking how little chance Ragged Dick or Mark the Match Boy would have to cash in. Lots who arise with the winners are in no condition to sit up nights with the lucky numbers. The chances are that if Dick would try to brave it out he would be asleep in his chair long before his number turned up. Fortune would pass him by. In our opinion, it would serve him right."

BUSINESS INTERFERES

Pleasure Trip Ruined by Antisocial Start Spinner

Philadelphia, Feb. 6.

For three years, Allen Scott, WCAU gabber and news commentator, has been trying to get a winter vacation. Last week he planned to Miami with his wife. When he arrived there was a telegram waiting at his hotel demanding he return immediately.

The station has signed an account it had been dicker with for the past year. The program is to be a 15-minute variety show, six times weekly. The backer is the John Morrell, most packers.

SCHICK RAZOR RADIO MAYBE

Schick Razor has under consideration a believe-it-or-not idea based on theory on sports which NBC outlined for it.

Title of the series is "Miracles of Sports," with the material being furnished by the Bob Edgren syndicate which has a strip of the same caption.

Are You A Personality Announcer?

Are you a man who has run—or is running—a musical clock program?

Do you have evidence to prove your success?

Do you want to be associated with a network station in a major city?

There is an opportunity open for an alert personality who has ideas and ability to build a following.

It's an opportunity to start with a guaranteed salary—and percentage.

Write us—giving full details about yourself and your qualifications.

All information will be held in confidence.

Write to Box 562
Variety, New York

This is to announce that complete ownership of
the advertising agency,

Benton & Bowles-Chicago, Inc.,

has been acquired

by the principals, Stuart Sherman and Arthur Marquette,

and henceforth will be known as

SHERMAN & MARQUETTE
INCORPORATED

Thirty-fourth Floor, Palmolive Building

Chicago, Illinois

February 1, 1936

WE

WSM has one of the largest staffs of talent and technical experts of any single station in the United States. That is one reason why WSM tailor-made shows break response and sales records for one client after another.

And this is not the result of the work of any one "genius" but the close cooperation of a well knit organization and a talent staff in excess of 250 artists.

Ask your secretary to write us today for case histories. You owe it to your firm to have this information. It will be sent by return mail.

National Representatives, Edward Petry & Co., Inc.

WSM
NASHVILLE, TENNESSEE

McCann-Erickson Takes Out License With MPPA on Biscuit Programs

McCauley's Erickson last week obtained a license from Harry Fox, owner and trustee, in connection with the use of Martin Block's "Make-Believe Ballroom" idea on 17 stations for National Baking Co. (broad account). Fox had considered that the records of the 17 stations would be furnished to him to be transcribed. He pointed out to the stations the fact that a transcription was to be included in the batch of platters made the music used subject to special licensing, or the same as if this music was recorded on transcriptions. The stations, in the campaign, which began Feb. 13, have obtained the license required by Victor.

Frank Conrad, McC-E time buyer, and Jack Harrington, executive on the National Baking account, left Sunday (4) for a tour of the stations on the campaign's list to demonstrate how the programs are to be run off. The pair will be gone several weeks. Bill Spier, of the agency's radio department, will make the rounds in New England.

KOL ACCEPTS IBEW SHOP

Seattle, Feb. 6.

Strike of technicians, members of the International Brotherhood of Electrical Workers, Local 77, at KOL, Mutual outlet, which has been in effect for over two weeks, was settled Friday (2). Five technicians went back to work, when standard contract was signed by Archie Taft, vice-president of station and W. A. Kelly, Pacific Coast rep of the union.

The peo- linked agrees to basic \$42.50 for 44-hour week, closed shop, improved working conditions with new wage scale retroactive to Nov. 15. Also agrees to additional increase of \$13 a month six months after effective date of the contract, or May 15. Picket line in front of station offices was withdrawn Thursday (1) when Kelly was advised out- line was ready to talk turkey with him. Alier now back to its regular signed period and local musicians on report when called to work in strike. Pickets prevented musicians from reporting while strike was on.

Most of the contracts so far signed with the stations carry riders in the form of appended letters explanatory to the clauses in the pact and how far each party to the agreements can go each way on any disputed matters that might arise during life of the contract.

George Ogle to Newell-Emmett
George Ogle, formerly with the Ward Wheelock agency, joins Newell-Emmett in a general radio executive capacity next week.
He's currently on a short vacation trip.

For Results
in the
**INTERMOUNTAIN
MARKET**
it's
KDYL
ALL DAY LONG
POPULAR

NBC
CBS
NETWORK

Representative JOHN BLAKE & ASSOCIATES

Representative JOHN BLAIR & CO.

Bashfulness Cure

Des Moines, Feb. 6.
Dale Morgan, who marked his
fifth anniversary as 'the man
on the street' for KSO, Des
Moines interviewed his 50,000th
person. Curbside forum is in
front of the Register and Tribune
building each afternoon at 1:15.
Sponsored by Iowa Flour Mill-
ing Co.

RUPPERT BEER IS SPREADING

With Rupperts Beer expanding nationally, the Ruthrauff & Ryan agency is trying to work out some sort of a campaign that it can submit to the account.

While with Lennen & Mitchell the brewer used sports and musical programs.

MOON REAGAN QUILTS; TO TRY HOLLYWOOD

Des Moines, Feb. 6.

Neil (Moon) Reagan, brother of Ronald (Dutch) Reagan now of the films, has resigned his job as program director and announcer of WOC, Davenport, Iowa, to try his luck in Hollywood.

'Dutch' Reagan gave up job as a sports announcer with WHO here to enter pictures.

Ted Huning, CBS, is set to broadcast the Drake Relays in Des Moines in April. Deal was set by Gardner Cowles, Jr., president of Iowa Broadcasting System and a member of the board of trustees of Drake U. in New York last week.

AFM Attacks No-Orchestra WPEN By Injunction Demand to Stop Discs Based on WDAS Precedent

Philadelphia, Feb. 6.

Local 77, American Federation of Musicians, was shedded to file suit today (Tue.) in Common Pleas Court for an injunction restraining station WFEN from using phonograph recordings. The suit, drawn up by Attorney Maurice Speizer, was the union's retaliation against the station's dropping of its house band last month following a dispute over terms for a new contract. The court action is based on a decision by the Pennsylvania Supreme Court several years ago in a case of Fred Waring against WDAS which established the property right of a musician in recordings cut by him.

Since then, the following articles



AMERICA'S No. 1 RURAL RADIO SHOW



Every Saturday evening this great company of entertainers is packing them in at Cincinnati's Emery Auditorium for 2½ hours of fun and music. Every summer the WLW Jamboree attracts record crowds at State and County Fairs—last summer they played at 38 Fairs in five states. Throughout the year big crowds at theatres all over the WLW area see radio's Number 1 Rural Show. Over 225 times during 1939 the Boone County Jamboree played to enthusiastic audiences—a total of 370,453 paid admissions.

These enthusiastic crowds are representative of the vast and intensely loyal audience that regularly hears the Jamboree on the air. The good old-fashioned singin' school and huskin' bee entertainment of the WLW Boone County Jamboree has made this show the outstanding radio favorite of the nation's greatest farm audience.

...these things, too, we think are part of the story of WLW.



Recent golf showed Luke Ball and Rusty top flourish with Jamboree audience.

Known as the Canadian Cow Girl, Helen Miller's singing is always in demand.

and a guitar make
the Girls of the Golden
West bits of the show.

Amazingly prof-
ficient with the
harmonica, Lyle
Newson always gets
a "big hand."

Popular Happy
Ned O'Halloran
and the impossible
pair, Ma and Pa
McCormick.

home scene — that's the philosophy of "Larry Jim" Day.

THE NATION

WLW THE NATION'S
most "Merchandise-Able"
STATION

REPRESENTATIVE: TRANSAMERICAN BROADCASTING AND TELEVISION CORPORATION—NEW YORK—CHICAGO

Follow-Up Comment

Ann Southern, Melvyn Douglas and Robert Young starred on the Gulf-Screen Duxbury show last Sunday (6) on CBS, joining in a variation of "Joe Men in Paris," which the same pair of men did in the Paramount picture with Claudette Colbert. Her adaptation caught the same quality of deft comedy that made the picture a click, and it was nearly played by all three. Voices of Douglas and Young came out clearly and both conveyed the proper character, while Miss Southern again demonstrated the sharp touch Hollywood belatedly discovered not long ago. Roger Pryor is still strutting the chatty informality atmosphere this time admitting the listeners to a honey Hollywood scene by mentioning the rehearsal front of the Pryor-Southern director.

Paul Sullivan is handling part of the blurring for Raleigh cigarette, and Tuesday night it's turned from one used to the other like a skilled chauffeur that knows his gearshift. Sullivan trends more than the ordinary amount of news in his compact-edited show.

Hein Henes returned to the Campbell dramatic series Sunday night (7) over CBS, appearing with Owen Weles in a variation of "Lewesons Dan's backstage drama, "Broome Stage." As usual to the bluff, the piece was Miss Henes' own choice, but her part hardly indicated why. Her playing was as effective as the few vivid scenes allowed, but the part simply didn't offer scope to match her talents and she palpably suffered several times. Weles thundered away like a part of the dominating, scenery-chewing Shakespeare, but his part was chasing night on a Mississippi light delivery. John Howard's light delivery

was unsuited to Stephen as a youth, but was credible for the older man. Weles' word-picture introduction of the scene was a good one, but his delivery was not. His delivery was not. His delivery was not.

Stella Enger has been dueling out Hollywood gossip in the morning for "Borden," daily products locally on NBC, N. Y. This will be welcome to many, if only as a light intermission between the weepers. The Hollywood stuff is from the mouths, of course. It's gushy and silly and just like most of the screen fan magazines. Which is a nuisance in criticism, of course. Oddly of program has been the much of the morning "Borden" begins to describe the act of ringing a bell and awarding the best bill for recipient. Not in by housewives. This isn't going to be the whole thing to just old-fashioned are you listening. Testing it's a sign of the times that the name "bing" is thought to have been there when there's no hinge.

"Grand Central Station" last Friday night (7) started a murder mystery that was hardly characterful of the New York life that it supposed these of the show, but it made okay radio entertainment for the moment. It was a variation of the "Kind," was a fantastic yarn about a femme and three men, and it was a definite character turned out to be the culprit. Also the script commander the feature, presenting Rome and the most amusing scene on record, but little characterful.

Yves Krieger of the Air has been given a lot of credit, and it appears to speakers, low to audience questions. The show is a variation of the "Kind," was a fantastic yarn about a femme and three men, and it was a definite character turned out to be the culprit. Also the script commander the feature, presenting Rome and the most amusing scene on record, but little characterful.

veloping was possible in view of the amount of plot to be crammed into the 30 minutes. Florence Cummings and George Egan's script for "For some incomprehensible reason," was a case of applying the "rule" for the half-way commercial, maybe it is the computers in Grand Central Station and all in all the show is a satisfactory excuse for the latter-type plugs.

Edison Fadden equipped comedian V. J. "Boss" Russell, who dropped significance of number "113" in current news stories. Fadden's character, "Boss," was a variation of the "Kind," was a fantastic yarn about a femme and three men, and it was a definite character turned out to be the culprit. Also the script commander the feature, presenting Rome and the most amusing scene on record, but little characterful.

NBC Blue broadcast an "experimental" program for teen-age girls, "The Girl Next Door," which was a variation of the "Kind," was a fantastic yarn about a femme and three men, and it was a definite character turned out to be the culprit. Also the script commander the feature, presenting Rome and the most amusing scene on record, but little characterful.

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MOVIE SING
Bill New Center with Otis South, Earl Marston, Leslie Barclay, 30 min.
WOB-National, New York
This weekly 30-minute series debuted in 1942 as an interview program out of WGN, Chicago, using stage stars. It will be a variation of the "Kind," was a fantastic yarn about a femme and three men, and it was a definite character turned out to be the culprit. Also the script commander the feature, presenting Rome and the most amusing scene on record, but little characterful.

It's since been switched to a dramatic format. It will be a variation of the "Kind," was a fantastic yarn about a femme and three men, and it was a definite character turned out to be the culprit. Also the script commander the feature, presenting Rome and the most amusing scene on record, but little characterful.

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NATIONAL COLORED VOCAL SYMPOSIUM
Mixed Chorus of 25 directed by Llewellyn Wilson
10 min.
NATIONAL, (Franklin D. Roosevelt)
Tonight, 7:30 p.m.
The National Colored Vocal Symphony, directed by Llewellyn Wilson, will be a variation of the "Kind," was a fantastic yarn about a femme and three men, and it was a definite character turned out to be the culprit. Also the script commander the feature, presenting Rome and the most amusing scene on record, but little characterful.

Arthur H. Dreyer, president of the National Colored Vocal Symphony, who is credited with one of the outstanding musical groups since opened the marketing of high-priced Premium Records, will be a variation of the "Kind," was a fantastic yarn about a femme and three men, and it was a definite character turned out to be the culprit. Also the script commander the feature, presenting Rome and the most amusing scene on record, but little characterful.

Under the banner of Llewellyn Wilson, the group gives much of striking harmony and phrasing. The repertoire of songs is a variation of the "Kind," was a fantastic yarn about a femme and three men, and it was a definite character turned out to be the culprit. Also the script commander the feature, presenting Rome and the most amusing scene on record, but little characterful.



It's springtime at WJSV!

17 NEW quarter-hours a week brought on WJSV since January 1, plus exclusive play-by-play baseball.

WJSV last month that the mark usually reached during the first quarter has been passed!

Since New Year's Eve, WJSV added to its already sponsor-filled schedule *seventeen more weekly quarter-hours of spot business!* And that's not counting the play-by-play baseball broadcasts which will be again sponsored on WJSV!

With this year barely under way, WJSV is already well on the way to its sixth year of dominant leadership in the nation's capital. And next month, WJSV will be operating as Washington's only 50,000 watt station.

WJSV
Columbia's station in the Nation's Capital

Owned and operated by the Columbia Broadcasting System. Represented by Radio Sales: New York • Chicago • Detroit • St. Louis • Charlotte, N. C. • Los Angeles • San Francisco

THERE'S a half-of snow on the capital dome. But it's spring-time at WJSV! So much business was placed on

Caro Loma orchestra worked out a lot of business on the Fish Bay Wagon Sunday (6), when the various members began talking about their babies and drifted into a woman's sewing-circle line of gab that piled up some real guff. An expert in such circumstances, Program was long on biographical detail and made a point to mention probably to most fans, that the "Yuletide" group which this organization is named is now a cuber trap.

Barbara Jo Allen is creating one of radio's few robust female humor characters, Vera Vague, and it seems to be getting constantly better. Her change of pace in tone and mood is of the native comic of real humor. Sunday night, in her ping-pong with Edgar Borge and the Chase & Sanborn half-hour, this actress scored four mid-fifties and a lot of lower fifties, a handsome score for any radio comedian.

Bernie Taylor fired off several provocative observations about music criticism during his commentator period last Sunday afternoon (4) on the New York Philharmonic orchestra broadcast over CBS. Although his remarks apparently referred only to musical criticism, they might apply almost as well to any other form of critical judgment. Referring to classical records by anonymous names, Taylor mentioned Irving Kalmus' recent article implying that such an argument might show the critics. Taylor more to be concerned, then launched into a brief but pungent discussion of his own ideas on the subject. It was witty, entertaining and absorbing program comment.

"Show of the Week" over Mutual Sunday nights hardly equals its promising title. Instead of the delicate character and style notes that indicate, the program is rather a serious collection of remarks and show ingredients, without the variety highlights to make such a standstill click. It isn't downright bad, but downright anything. It has Bud Hulek, Al Gooding, a handsome "Lewie Dave Driscoll and, last Sunday (6), Florence Luce as guest. Like the rest of the lineup, the three commercials also fail to put over any particular slant or theme.

Announcer Al Taylor back at WBBN, Buffalo, minus his appendix.

"MIDLAND MINSTREL"
15 min.-Local
Sensational
KMBZ, Kansas City
This musical four-piece has been a mainstay of the KMBZ talent roster for some time, but last week a group was given 15 minute daily shot as a regular program. Calling program "Favorites of yesterday and today," which gives license to include almost any kind of selections. Top average K. C. man on his way to work via the auto radio and the housewife are the new levelers in today's marathon of arias. Competition is keen, but the group is steady through the artists' breaks.

Four contrives to be highly listenable, but some special attention to arrangements would put out in the line with network groups of quartets. Group works on several levels, and the group is steady through the artists' breaks, and have a local following. Making his morning quarter hour a smart move by the program department.

Edo Jorgensen built a solid and handles the vocals via his tenor pipes. Kenneth White on clarinet, Bill Galt on guitar and Charles Prior on vibraphone. Later introduction sets group apart in this group. And Anderson of the Rhythm Riders group obliges whenever work calls for piano tingling. Quite.

IN BALTIMORE ITS
WDRB
ON THE WDRB RED NETWORK

EDWARD PETER & CO.
ON THE WDRB RED NETWORK

ON THE WDRB RED NETWORK

WDRB
Baltimore, Connecticut

50-WORD

TO THOUSANDS of car owners (with auto radios) on Connecticut's well-traveled roads, billboards advertise WDRB's product — preferred programs and latest news.

Strategically located, they also remind both listener and driver that WDRB, Hartford, is Connecticut's station serving the best part of the state. Write for new rate card.

WDRB
330 ON YOUR DIAL
DAY IN - DAY OUT

Local Programs, Ideas, Tieups

WNAK's New Farm Service

Yankton, S. D.

Editor, VARIETY:

In attempting to study the rural market and the problems of agriculture, and how they might best be served by WNAK, Charlie Werence and myself have spent a considerable amount of time in surveying farm conditions in the Midwest. We came to this conclusion: that Agricultural Colleges, Extension Departments, the Department of Agriculture, and all of the other 101 agencies who attempt to help the farmer have overlooked one very important point, and that is this:

With respect to livestock, all of the various well-wishers can, and do, tell the farmer what kind of livestock to raise, what to feed it, how to take care of it, in fact how to obtain perfect results in the growing and sale of livestock, but not one of them tell him how to efficiently market his product.

Throughout the Midwest, cattle, hogs, and other livestock are sold by the farmer in various ways—either trading themselves or going to a local livestock sales barn where one farmer sells to another through an auctioneer, or direct to a stock yard in some distant city. With this thought in mind, we felt the need for a concerted effort on the part of WNAK to bring to the farmer proper marketing information for the disposal of his livestock at the greatest possible profit.

We approached the Sioux City Livestock Exchange Commission with our problem, and the results are most gratifying. Acknowledging this need, they interested the Chicago Livestock Exchange, which undoubtedly controls the majority of the stock yards in the Midwest, and together we have worked out a series of 15-minute programs, five days a week, to run during the noon hour from 12:30 to 12:45, giving to the farmer this vital and important information. The Sioux City Livestock Exchange Commission bought the time over WNAK and even formed a corporation to take care of the preparation and handling of this show. The name of the corporation is The Sioux City Livestock Market News and Educational Foundation.

The stock yards in Chicago are watching for the program with great interest as it is in the nature of a test, and if proven successful will be expanded to all of the major stock yards in the Midwest. This series begins on Feb. 12—Robert R. Tischer, Station Manager, WNAK.

For Farmers

Kansas City. Phil Evans, farm service director, has organized a participation program at KMBC designed to enhance station's already large farm service schedule and to insure a rural audience for early Saturday mornings, at seven. Series under way: "Tomorrow's Farmers" began last Saturday (5) with chapters of the Future Farmers of America invited to stage a ten minute dramatic skit based on a chapter program recently completed or now under way. Series is in form of a competition with KMBC donating a silver trophy to winner at end of school year. Twenty-four entries were in before series began, with Ottawa, Kansas, high group getting first shot. Judging for competition will be done by Evans, Felix Adams, program director and Kenneth Graham, of the Educational Department.

Farm Shows Sans Blue-Tag. St. Louis.

An early a.m. farm program, with hillbilly music complemented by its showbiz, has been inaugurated by

WTMV, East St. Louis, and is a Sunday morning trading show. Program Director George T. Case figures will capture the attention of the ruralites.

In addition to farm news, good music as requested by listeners, program includes lost and found articles as reported to the station and a swapping column through which traders of various articles may be brought together to exchange what they no longer want to possess.

Tie-up with Repraisers. Tucson, Arizona.

Editor, VARIETY:

Your publication is received here at KVOA and pursued from cover to cover, and we feel it is time this station contributed its bit to your pages. Enclosed please find our weekly schedules titled, "Action—by Tucson Radio Servicemen's Association." Here, in a nutshell, are the facts, which we think total up to a story.

J. KVOA, inspired by the policies of NAB, thinks there is much work to be done in improving the reception of radio programs in the home.

Nearly one-half of the sets in homes are over five years old and ought to be replaced or repaired.

2. In cooperation with the recently chartered Tucson Radio Servicemen's Association, the following month's campaign was outlined and is now in progress.

Names of Drive: "Radio Repair Month."

Slogan: Enjoy Your Radio Even More!

(a) Radio time signals stressing the importance of radio, publicizing the Radio Repair Month, and urging radio repair.

(b) Dramatizations. (1) Written by KVOA, the "Radio Repair Month" Adapted from scripts shot to us by the National Association of Broadcasters, Washington, D. C.

(c) Tie-in displays at business places of the members of the Tucson Radio Servicemen's Association.

(d) Newspaper publicity.

Final Punch: (a) On fourth week of campaign, the regular schedule of repair fee of charge the set of folks in need.

(b) In cooperation with civic and welfare groups, radio sets are collected and distributed to people who have no radio, creating more radio families.

This promotion began Jan. 8 and results of the first week have been particularly encouraging, and we hope that other stations can find time for similar promotions, with equal better radio.

Program Director, KVOA.

WVJ's Sports Quiz

WVJ last week added another quiz show to its program setup. New quiz set for 15 minutes every Wednesday night. Will highlight three of Detroit's sport figures—Gus E. A. Bletcher and Sam Greene.

Interviewer will be Paul Williams, who will question set in by listeners at \$2 per throw.

Don't Go Unnoticed

The difference between doing it the wrong way and doing it the right way is attracted to the response to WOW on the recent program "Don't Go Unnoticed—the Infinitely Paralytic Drive."

Except from a fan letter tells the

"After hearing all of the politicians' blather at great length and the orators' ramblers remain completely unimpressed by inserting their theme songs at every possible moment, it was a wonderful thrill to hear your group singing and playing 'Happy Birthday to You'."

"I love the country what we all need, and that is the humane side of the picture. When that little younger broke in at the end and wished the President a happy birthday, and you finished off by singing and playing 'God Bless America'—the whole group with whom I was listening was deeply touched."

Furnished Letters

St. Worth. New tri-weekly "Dorsey Mott" show for Universal Mifs, via KGGK and Lome Star Chain, is being promoted by means of an unusual letter written to dealers and salesmen throughout the state. Letter is written in light, perfumed and is a "biggest" a rendezvous with a certain "Miss" who gives her box number. The audience that she works in new program for Universal Mifs, but not all of the boys catch on to that, she had six sugar letters in return already, addressed to the KGGK box number.

Evans & LeMay, Fort Worth. Is agency for the program and father of the smelly idea.

Citizens' Tax Thoughts

Recherster, N. Y. WHAM aired start of Citizens' League's drive for lower state budget with League setting up a booth in front of Sagamore Hotel to let and sundry record their views on tax for transmission to Albany.

Station carried views of League officials as well as some of the funniest recordings.

The Teachers Are Good

San Antonio. Station KONO is remoting a quarter hour program each week from the "Music Center" in Juke's Department Store here. Program presents pupils, also various instructors.

Announced by Bill Laurie.

Ford Billings, WWOV-WGL. Ft. Wayne sales manager, has been named chairman of the sales managers' division of District No. 8 of the N.A.B.

From the Production Centres

IN NEW YORK CITY . . .

Ray Knyer has gone on a six-week layoff in Florida, with the idea of doing a half-hour radio series. Eddie Green is set on the Tommy Rign-Quaker show (NBC-red, Monday) for the rest of the season. Columbia last week auditioned "The Adventures of Ellery Queen" as a half-hour program. Maurice C. Drake is a "Talker" over the New York series, with authorities on national and international topics as guests. over WOV, N. Y. Monday nights 10:15.

Milton Lazarus, film and stage writer, has sold a script to Rialto and Ryan for Edward G. Robinson, Ben Turpin, Ben McLendon, and the announcer of "Adventures in Photography," has left to go on the road with the Theatre Guild's "Fifth Column." . . . Robert Kent, ex-director formerly with WLW, Cincinnati, has moved to New York and is with NBC. . . . Constance Ernst, daughter of Morris Ernst, is assisting Herman Corwin on "The Pursuit of Happiness."

IN HULLWOOD . . .

Al Pearce and Bill Wright put their Ed and Zeb turn on as new program. It's a half-hour rural comedy with Fred Rogers and Mervyn. . . . Ames "N" Andy did their scripts for three days in the hop awaiting new arrival in the Charles Correll household. . . . Jack Lescage took his "Marriage Club" over to CBS for a showmaning. Missing from the original crew is Ned Sparks. . . . Jack Benny's two paid broadcasts in Oakland netted FDR's parody fund around \$10,000. . . . Don Lee's Wilbur Kerkberg joined golf's enchanted with a hole-in-one. . . . Henry Youngson exceeding the Earl Carroll night extravaganza. . . . Ben Lee here from N. Y. to work with Tom Lewis on Screen Guild Theatre production, Norma Shearer, Claudette Colbert and Cary Grant have volunteered to do a second season on "Golf" show although the stars are asked to make only one appearance a year. William Powell and Myrna Loy team in John McLean's "Silent Crossing" on Relief Fund play Feb. 11. . . . NBC changed the title of their Keaton's dramatic series from "Saturday's Child" to "Crossroads." Fugate might conflict with play of similar brand. . . . Margaret Fisher and Ben Vinitet set up radio shop here. . . . WOR's Alfred McCracken and the music taking a number one in the winner of the Rudy Vallee billing man. . . . Tom Wallace here for a day on a quickie for Russell M. Soos on "Harry Smith due for the kick on the new Don Ameche-Old Gold program." He's developed an another Lennox & Mitchell show, Woodbury Playhouse. . . . George Fisher now airing his film chatter four times a week over Mutual. . . . Young & Rubicam took an option on Haven MarkQuarrie's "Marriage Club, Inc." now scheduled on NBC. . . . Herbert Karber booked for a week by the St. which seems to pick on easterners. . . . Bing Crosby passed a day in the hoop for a checkup and got on his feet all around. . . . Claude Lombard heading hoop on radio. Don a turn for Lax play last and a two-partter for Silver Theatre April 28-May 5.

IN CHICAGO . . .

Tom Wallace, who does "Uncle Walter" on the "Dog House" show (NBC-red, Tuesday) is commuting by plane to the west coast in connection with other programs for Brown & Williamson. . . . Most of his west coast stay this week will be divided between San Francisco and Los Angeles and Pearson will do a five-a-week five-minute news broadcast on WMCA for the Buco company. . . . Sid Smith, NBC Midwest chief, to New York for his control of "Letter 33" and "The Great Escape" reporting from WBBM-CBS to local spot ride on WIND each week night.

New Site for Boys CP

Victoria, Texas on Air. San Antonio, Feb. 6. Latest radio outlet to take to the airwaves is KVIC at Victoria, Texas. Station is operating on 1210 frequency with 100 watts power on day-time basis. Charles Shea is manager.

When you think of

you think of:

Mardi Gras

and

NEW ORLEANS

50,000 WATTS

The greatest selling POWER in the South's greatest city
CBS AFFILIATE • NATIONAL REPRESENTATIVE • THE KATZ AGENCY, INC.

every month - -

**HALF OF GREATER
CINCINNATI'S DRUG
STORES NOW DISPLAY
"WSAI-IDENTIFIED"
MERCHANDISE
IN THEIR WINDOWS!**

A happy merchandising agreement between WSAI and Cincinnati druggists results in obtaining for WSAI advertisers, window displays in over 200 drug stores—one week out of every four! A concrete promotion that moves merchandise. Details and proof of this free "extra" are yours for the asking.

WSAI Cincinnati's Own Station
Represented by International Radio Sales, New York, Chicago, Los Angeles, San Francisco

Expect Government to Take Initiative In Breaking Television Deadlock

Washington, Feb. 6.

Recent hearings, proposed television rules permitting "limited commercialization" seem likely to be adopted by the FCC. Formula for allocating bands on the seven exploited channels may be used as a device, also, however, not as a definite means of distributing facilities.

Consensus after a drawn-out session is that the Commission must act the pace, rather than wait for the industry. This is a major point, because a year ago the operators and manufacturers were being their sails over failure of the Government regulators to recognize how much progress has been made in the past four or five years. Disagreement between the Commission people and the station owners, with additional lack of harmony among members of the second faction, puts the Commission on the spot.

A quarrel is expected before final action takes place, which may come before the end of the month. A quarrel is expected before final action takes place, which may come before the end of the month. A quarrel is expected before final action takes place, which may come before the end of the month.

Except for Commissioners T. A. M. Cullen and Herman B. Case, the regulators junked over the weekend to see what they had been told about. First-hand knowledge was felt necessary, although last winter most of the report gathered at the various plants throughout the east and portable equipment of RCA has been often shown off locally.

Solution to the argument over equipment standards drafted by the Radio Manufacturers Association is the most serious stumbling block. While the Commission technically has no concern over the specifications of visual receivers, the discord picked up at the hearing cannot be overlooked. Best way out of the maze seems to be agreement upon performance standards—such as the degree of clarity, freedom from flicker, etc.—which might be imposed on license-holders, while leav-

ing every station free to decide what method it wants to employ.

Was Left Open

The report of the special television committee did not recommend any standards, placing emphasis on the need for "flexibility" in bottling the art. Room was left, though, for the Commission to specify what sort of service must be delivered in order to comply with public interest obligations. It is expected at such-and-such a distance, of this-and-that size, and distribution-free without declaring how many lines or frames will produce the desired result.

Removal of all restrictions on commercialization looks extremely remote. Nobody seriously turning eyes elsewhere, although the Commission held opinions that no limitation is better than the half-way policy suggested by the special committee. Looking back on the testimony, it appears there is more chance the FCC will say that no money can be collected from outside sources. Daviding vote adversely will be that of Chairman James H. Fly, who at various times leaned both left and right. The members—Commissioners Thad H. Brown, Cullen, and Case, who composed the television committee—feel licensees ought to be able to pass the cost of program experimentation along. Rejection of the vote has not been definitely shown, but observers expect Commissioners Paul A. Walker, George Henry Payne, and Fred Thompson to be stout. On general principles the last named normally would fight anything that might slow money making.

Biggest Month in 18 Yrs. Coincides With WDAF's Move Into Classy Studios

Kansas City, Feb. 6. Station WDAF, owned by the Kansas City Star, celebrated a dual occasion in a special broadcast via NBC red Sunday, 12 to 1 p. m., CDT. The program inaugurated the sale of studios which the station has just completed at an approximate cost of \$50,000. At the same time Dean Filer, station g. m., announced that January brought the station its greatest month's receipts in the history of its operation.

The new program was a special concert by the Kansas City Philharmonic orchestra direct from Studio A. Only studio in those parts large enough to house an 88-piece aggregation. Filer broke in with a three-minute talk, and reply was made from New York by Niles Trammell, NBC v. p.

Program also commemorated station's 19th year on the air. Early personnel of the station included Lew Fitzgerald, Filer, who announced the station's first commercial ("Betty Crocker" in 1920; Harry Kaufman, present president, distributor, who played violin in first program in 1922; V. S. Batton, assistant manager; and Joe Fisher, chief engineer, and member of the technical staff since 1925.

'Don't You Believe It?' Encored by Old Gold

Old Gold is returning the "Don't You Believe It?" series to the air. Program starts around the middle of this month on the Don Lee and McClellan groups.

Show will originate, twice weekly, from Los Angeles with Don Wilson as the announcer.

Vox Pop From Film Studio

Perks Johnson and Wally Boster, worth the "Vox Pop" to the Coast Feb. 15. Pair leave Friday (8). Program will be a tussle with Farslow's picture, "Seven," with broadcast from one of company's sound stages.

Jackie Cooper, one of players in film, will be guest.

KXOK TIME REVERED

San Antonio, Feb. 6. Radio station KXOK at Sweetwater, Texas, which took to the air several months ago, has been granted a change in license permitting the daytime 250-watt on 1310 kilohertz to go from daytime operations to unlimited.

Russell Bennett, co-publisher of the Sweetwater Reporter, is general manager of the station.

Pennsylvania Race Track Rules Are Circumvented by WHN, N.Y.—Beef

Philadelphia, Feb. 6.

Public Utility Commissioner Richard J. Beamish last Thursday (1) complained to the Federal Communications Commission that Station WHN, New York City, was broadcasting race track results to Pennsylvania bookmaking establishments and thus violating the State's campaign to wipe out gambling.

Beamish is a letter to the FCC said WHN was taking the place of late Amosberg's Nation-Wide System, which was dissolved following the crackdown by the Government on the Amosberg racing empire.

Beamish, who is a former newspaper editor, said WHN's race results were used by the William Armstrong racing service (a tip sheet). "I understand that WHN is connected with the race tracks by wires of the Bell Telephone System," Beamish said. (The Bell Company recently promised to cease allowing the use of its wires for disseminating race information.)

As evidence of WHN's tieup with racing, Beamish submitted copies of the Armstrong sheet which had on

its masthead the notation: "Dial to WHN—5610 on your radio and remain tuned in from 1:15 to 2 p. m." Beamish pointed out that there were the hours trucks were open. He demanded that Attorney General Robert H. Jackson take action against the New York station.

ROCHESTER MUSIC AS IS

Rochester, N. Y., Feb. 6.

WHAM and WHRC have signed new pacts with Rochester Musicians Protective Association, but both stations refuse to add two musicians to staff ensembles as demanded by the union.

WHAM and WHRC with 14 musicians and WHRC with 16. Terms are similar to agreements which expired Jan. 17.

Leonard Campbell, president, actor for the musicians' union, and Charles Silverman for WHAM and General Manager Gunner O. Wigg for WHRC.

FACTORS THAT MAKE
WNAX
A TOP STATION IN
LISTENERS PER DOLLAR

Farm Service Director

who actually knows his Farmers!

● Among all CBS stations WNAX has the **LABORET** rural audience—1,319,396.

WNAX's farm service director, Charles Worcester, knows his farmers. He's out in the field—day after day—meeting farmers, interviewing them, speaking at their meetings.

During the past six months, Worcester traveled 9,896 miles to appear at and speak before agricultural meetings, fairs and the like, attended by 161,565 persons. He knows his farmers—and they know him and have confidence in him. They listen to WNAX for his broadcasts.

WNAX, with 5,000 watts that do the work of 50,000, supplies a major part of the radio information and entertainment for 1,837,323 people in the primary area outlined by the 1935 CBS Listening Area Studies.

WNAX rates, of course, are based on 5,000 watts power—one more reason why it's an economical buy for you.

RADIO STATION WNAX 570 ON THE DIAL
Studios—WNAX Building, Yankton - Orpheum Building, Sioux City

WEED
THE O'NEILL'S

THE O'NEILL'S

AN ALL
NOW RADIO'S MOST POPULAR
FAMILY BRINGS YOU MORE
LAUGHTER TEARS & HEART THROB
LISTEN TWICE DAILY
NBC Red Network, 12:15 to 12:30 P. M. EST
IN...
5:45-6 P. M., EST
COAST TO COAST
BY COLUMBIA ADVERTISING AGENCY
MGT. 40 WOLF—RHO BLDG., NEW YORK CITY

THEATRE WORLD

WARNERS' NEW MUSIC SETUP ON COAST

New Coast setup has been installed by the Warner Bros. music Publishing group. Instead of heading off all WBS overseas operations, Arlie Schwartz will now confine himself to the Wilmette recording.

Benny Weiss takes charge of the Harms estate, while Eddie McCard will handle the Benmich publications. McCard was formerly with Leo Feist, Inc. in New York. Arlie Melhinger and Lucky Wilbur are no longer with Warners' Coast organization.

Merging in Cld Chicago, Feb. 6 Three Warner music firms, Harms, Benmich, and Melhinger, are being concentrated into one big office. Taking over the entire office of the Benmich relations with a single telephone switchboard being set up to handle all offices.

WILL COBB ESTATE LICENSED IN ALBANY

Albany, Feb. 6 Estate of Will C. Cobb, who has been chartered to conduct a business in the printing and publishing industry in New York City, Capital stock is 100 shares, no par value.

Harold Bire is the living attorney. When Will Cobb died he willed his estate estate, including all his copyrights, to his mother, and when she died last year she left it to him. The only son remaining is Charles Lang Cobb, and in order to perpetuate his mother's name and at the same time protect those copyrights Charles Cobb has set up this corporation.

Will Cobb was the co-writer of many G. K. Edwards' hits.

Caruso's Daughter Sues For Part of Inheritance

Glenn Caruso, daughter of the late tenor, died last Wednesday (31) in N. Y. Supreme court against the Estate of Caruso. The estate was divided into three parts. A sum of \$50,000 was left to the plaintiff and one-half of the estate for the plaintiff when she was 21. The estate was divided into three parts. A sum of \$50,000 was left to the plaintiff and one-half of the estate for the plaintiff when she was 21.

The plaintiff is reported to be planning to launch an operatic and concert tour of the U. S. in the near future. She has been living in Florence with her mother.

R. & K. Using Bands

Chicago, Feb. 6 Robinson A. Katz has been named as one of a number of bands for the next two weeks. Duke Ellington, who is currently in the States, will be followed, in that order, by Art Kars and Jimmy Dorsey.

Bands at the Box Office

(Presented herewith, as a weekly tabulation, is the estimated cover charge business being done by name bands in various New York hotels. Spots listed are only at the hotel in the town attraction for supper. Dinner business (7-10 P.M.) rated. Figures are total of hotel gate receipts and cover charge. Larger amount designates weekend and holiday price.)

Band	Hotel	Weeks Played	Covers Past Week	Total Covers On Date
Bob Crosby	New Yorker (400; 75c-\$1.50)	5	1,400	5,325
Everett Hingland	Waldorf (Empire) (400; 75c-\$1.50)	5	600	4,850
Sammy Kaye	Commodore (400; 75c-\$1.50)	14	1,275	19,800
Henry King	Plaza (350; \$1.50-\$2.50)	3	400	1,675
Paul McIntire	Luxington (300; 75c-\$1.50)	3	1,200	3,925
Glenn Miller	Peninsula (600; 75c-\$1.50)	4	2,775	9,975
George Olsen	Biltmore (300; \$1.00-\$1.50)	15	350	8,225

MILLER TOPS PENNSYLVANIA RECORD

Glenn Miller orchestra snipped all attendance records for dining rooms at the Hotel Pennsylvania, New York, last week, drawing over 2,700 covers. Included, too, was a new mark on one evening, band playing over 130 Friday (21) shows. The old mark was set by Benny Goodman, at the time in the Pennsylvania Room, which Miller's current Cafe Rouge replaced.

Mark set by Miller, however, is in a room much larger in capacity than the old Madison Room or the garden. The band, which played the Cafe Rouge last September and was followed by Bill Osborne, who continued engagement at this spot April 4. Pennsylvania hotel, N. Y., has entered into a new commitment with Glenn Miller, a contract which cloud Monday (5) through the General Amusement Corp. Miller is slated to return to the Pennsylvania hotel Oct. 8, for a minimum of six weeks. Miller concludes his current engagement at this spot April 4. His successor will be Jimmy Dorsey. Latter will stay until June 16. Nothing is set for between this date and Miller's return.

Ben Bernie at Tait

Ben Bernie orchestra replace the current Ench Night in the Tait hotel, New York, March 4. Room is open for luncheon and dinner only, of which Bernie is to play, leaving him free for one-night and other activity in the New York area. Bernie is currently contemplating following an apprenticeship.

Theatre Dates (Usually Sharing Terms) Very Nice For Early-In-Week Booking

One and two day theatre stands are becoming more and more popular and important to the road tour end of the band business. The list of theatres using name bands for one, two and three days has reached considerable proportions and is growing. The reluctance of most of the current ballroom operator to buy any but the most powerful big bands for certain days of the week.

MCA HEARS AND BUYS

Larry Folin, Jerry Folin Get Action After Follies Addition

Philadelphia, Feb. 6 Two local bands will play under the sign of the Music Corp. of America as the result of the many auditions held by MCA here last week. Those chosen for "big-time" bookings are the crews of Larry Folin and Jerry Folin. Folin's aggregation will follow Lang Thompson at the Benjamin Franklin Hotel, Folin's crew, a five-man setup, will be booked into cocktail lounges.

MCA officials estimate that at least three other local bands may be signed up. About 25 crews were auditioned by Follies company. Bill and Manny Sachs of the MCA New York office at the WCAU studios last Tuesday.

Bobby Byrne, Quite New, Cops Coveted Booking At Glen Island Casino

Bobby Byrne orchestra gets the coveted Glen Island Casino, Westchester, N. Y. spot this summer. Season starts May 15. Byrne's band is comparatively new having played its first date as the band of the week at the Hotel New Yorker, N. Y. late last week. It followed with a 16-week stand at the Brooklyn Roseland Ballroom.

Before going into Glen Island the outfit may locate for a short time at Meadowbrook, Cedar Grove, N. J., the banking goes through J. J. Lang in April. Byrne was formerly in the Jimmy Dorsey trombone section.

Ken Baker's crew moved into the Paramount theatre, Los Angeles, for two weeks after finishing their engagement at the Casino Gardens in Ocean Park.

They're good bands but not strong enough to pull on those slack first night of the week. So bookers have turned to theatres, mostly in towns where there are no ballrooms or where, as a result, are hard on flesh hungry, to fill out working weeks.

Sharing Terms

Money arrangements vary more often than the band gambles with the house on the road. A 50-50 split from the first dollar is the most popular arrangement. Another is a lump guarantee and a split over a certain figure and a third is the set of theatres in the east, midwest and south operating in such a manner are located in Kingston, N. Y.; Asbury Park, N. J.; Sharon, Conn.; Portland, Me.; New Haven, Conn.; Wilkes-Barre, Pa. and Chester, Pa.

IF BAND PAYS OFF LINE, IT'S BYE-BYE

Punishment to be meted out to any bandleader discovered paying for his own broadcast wire and tax as set by New York local 602 of the AFM is immediate expulsion from the union. And in certain cases the master may apply to the men playing under his leader to cough. Billing is extended, too, to cover spots from which the wire emanates. They'll be placed on the unpaid list.

Local has been interrogating various personalities concerning the practice and means of stopping it during the past few weeks. Its task of determining those guilty is also being aided by the AFM. Billing a band's procedure of underwriting its own wire and tax is unfair competition for bands without financial backing to do likewise. It's also construed as working under duress.

SONNY WERBLEIN, MCA EXEC, TUNING IN ON SUN

David A. (Sonny) Werblein, Music Corp. of America exec., is in Tampa, Fla., on business for a week, and then goes vacationing for a while or so. Intends to follow the sun, re-emerging from recent illness. May take him to Cuba or Mexico. He may join MCA's Billy Stein as a Cuban associate 100 miles from Havana as one lap of the trek. Mrs. Werblein, the former Lash Ray, songstress, accompanies.

Force behind bands of lower caliber into theatres for playdates doesn't necessarily mean that there has been a sharp drop in the number of ballroom opportunities. There are less than there were a couple of years ago but not enough to make any appreciable difference. It's just that a sizable amount of the ballroom have found it more profitable not to operate at all in the early part of the week or have found that turning in one roller skating rink for three three days brings better returns than bringing in a band whose rep. of the night is sold out.

Bands look upon the theatre date as good opportunities to try out and perfect their act in the east on the stage of deluxe houses in key cities. The Newburgh house mentioned above is a wheeling and dealing rendezvous for the Paramount theatre, N. Y.

RADIO STEAMS UP ASCAP AT YACKS

Washington Experts See Move by Department of Justice Against Performing Rights Society—Broadcasters Call Revised Statute on Damages Unsatisfactory

BONE BILL DUE?

New attack of the Federal Government on the American Society of Composers, Authors and Publishers was in prospect this week, while introduction of still more legislation against old copyright statutes seemed possible at the Capitol. Developments on both judicial and legislative fronts are anticipated next month.

After duning of the shelved complaint against ASCAP, which received no attention for several years, the Justice Department recently assigned additional attorneys to review the squawks from music users and is playing with the idea of either another suit or amending the complaint pigeon-holed by the New York Federal District Court after only a few days of trial.

Up to this week, no decision had been reached about resuming the offensive on the grounds the copyright pool operates in violation of the anti-trust laws. But renewed activity may lead to some movement, it was admitted. The chance of a wholly new proceeding was suggested. ASCAP, however, who said the re-examination has been ordered in the light of additional protests and recently-unsettled facts that might be highly valuable as evidence.

Nature of the latest yelp was not disclosed. Gossip is that the NAB and individual broadcasters have swamped the department with additional, up-to-the-minute data, and (Continued on page 36)

WINCA HAS TEMPORARY OKAY FROM VICTOR

Though as yet unlicensed to play Victor records on its recorded program, WINCA, a radio station in New York, has been given temporary permission from the record manufacturer to play them while negotiations go on for a station license using Victor's output last week. Terms of the licensing is the point that has held up the deal. A plan under consideration may allow the station to play the okay with a few Victor dates for a few weeks. Orchestra is paid of income unit which has just been spotted for a few weeks dates in Brooklyn. It is managed by George Tyson, advertising head of Hartz theatre chain, who has been in the business since the annual Atlantic City point.

She'll remain with Cugat's only months, having already been loaned into Cleveland's Grotto circuit in March for two weeks. Max Baer, 15, is a few weeks dates in Brooklyn. For winning title last season, made her entry debut as a singing star last September at Old Star Gardens.

On the Upbeat

Harry Hess, MCA one-night booker, is Florida by vacation.

Johnny McLean's new band is set for a stand at the New York Strand theatre beginning March 8 and following Tommy Tucker. Also down for State, Hartford, April 19. Leave Donahue's, Mountain View, N. Y., Feb. 29.

Tommy Dorsey's Paramount theatre, N. Y., date will be deferred until after his Meadowbrook, Cedar Grove, N. Y., stand which begins Feb. 20 following the current Gene Krupa.

Glenm Miller, Feb. 18 and Larry Clinton, Feb. 21 are down for White Plains County Center's one-night stands which have been reported as coming after past Sunday (11). Benny Goodman date.

Jay King crew holds over at Pat's Cabin, West Orange, N. J., for another eight weeks.

Mary Lee Williams, Andy Kirk pianist, did three tunes with Louis Music. They're "Walkin' and Swingin'." "Mellow Bird of Rhythm," and "Tusdie Toddle."

Al Masters leaving Glenn Miller trombone section.

Each Light signed to play's contract for Bluebird Theatre, leaving girl vocalist Bessie O'Day out on way.

Duke Ellington dropped Billy Taylor's string bus. He'd been using them. Ben Webster added to sax section.

Ferry Livingston orchestra opened Feb. 5 at DuSable Wallack Hotel, Columbus, replacing Rudolf Friml, Jr.

Kay Kroy opens the summer season on Catalina Island Decoration Day.

Philadelphia Local (77) American Federation of Musicians, led Friday in behalf of its 2,500 members sent a letter to President Roosevelt asking him to run for a third term.

Joe Ambrosio returns to Los Angeles city center, taking up his stand at Beverly Wilshire in Beverly Hills after Larry Kent "two weeks after with each of Ray Noble, Sam Haysen, and Sam Haysen."

Wanda Sue to follow Herbie Holman at Century House, New Rochelle, N. Y., Feb. 10.

Benny Morison shifts from from.

home choir with Count Basie to Joe Sullivan's small group at Cafe Society, N. Y.

Buddy Rogers band opens a combo band and picture policy at the Marrietta, Marrietta, N. Y., theatre, Feb. 15-14.

Matty Maloney moved for another four week at Bouchamber, N. Y. night.

Barry James down for a Rinehart Ballroom, N. Y., stretch opening in April.

Josephine, Feb. 12 to March 12 has been designated as the period during which the 100th anniversary of the instrument will be celebrated.

Golden Gate Ballroom, New York, will have no less than five bands on Feb. 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31. Will have Les Hite, Coleman Hawkins, Claude Hopkins, Milt Hentley, and the band of Harry James at the Kansas City crew.

Will Bradley's Famous Door, N. Y., opening set for Feb. 21.

Bobby Byrne band makes three changes. Gabe Jolson shifts from arranging to playing, replacing Bill Davies. Dick Skinner comes in as an arranger. Sheldon Mason replaces Ben Deen on drums. Mason's father is drummer with Erno Rapier's Music Hall, N. Y., orchestra.

Benny Goodman left Boston headquarters but against doctor's orders to keep his hand in Providence last week. Scatists still painful.

Jimmy Dorsey charts an airline Feb. 18 to fly his band from a date at University of Tennessee, Feb. 18-19, to his stand in Providence last week. Scatists still painful.

George Hall band shifted to Wm. Morris management.

Leslie Hayles is the band of the week at the New Yorker Hotel, N. Y.

Johnny Long winds up 11-week stay at William Penn hotel's Charleston, Pittsburgh, Thursday (13) and opens following night at Caz Ami Ball. Planned by MCA.

Bowling Green into Casino, Pittsburgh, for two-week stay between Paul Levant and Benny Burion. Latter opens tonight (17).

Billy Morris, with June Collins as soloist, into Hotel Penn hotel's Charleston, Pittsburgh, Thursday (13) and opens following night at Caz Ami Ball. Planned by MCA.

Nita Norman, one-time vocalist with Herman Middleman, has joined Hughie Morton band at Anchorage, Pittsburgh.

Leslie Brown band at Harlem Casino, Pittsburgh, for indefinite stay, replacing Sonny Royale.

Duke Bailey band one-night Sunday (14) at Ritz ballroom, Bridgeport, Conn. Hudson Feb. 11 and Jan. 20, Feb. 13 at Ritz.

Pat Hoke band opens indef on payment Feb. 10 at Seven Globes Inn, Milford, Conn.

George Auld, Ben Cole, band's manager, and one or two other members of the band slightly injured.

last week in a head-on car crash in Merile, Ala.

Bob Shelley currently forming a combination of "Joe Young Men."

Deane Kaplan, bass player with the Will Bradley orchestra, leaving the music business to replace his deceased father-in-law in the latter's business in Pittsburgh. No replacement yet.

Stoney Hall may replace George Allen at Baltimore hotel, N. Y., about March 1. George Allen, drummer for Walder-Astoria about same time.

Chamney Bernstein, with Cub Callaway and Hilton Jefferson, with Ella Fitzgerald, switched sax in the hands. Sherry Hume, Chamney's brother, replaced Hot Story in the Fitzgerald trumpet section. Wayman Carter, sax in same band, relating to arrange only and run store in Harlem. Fitzgerald band goes into Brooklyn Ballroom, N. Y., Feb. 11, instead of the scheduled Famous Door, which it'll play later.

Margie Knapp opened Monday (13) at the Mount Royal hotel, Montreal. Vocalists closely with the Mill Bitter band unit.

Malcolm Sander, nephew of Arthur Michael, personal managing Central High, Philadelphia school band.

Jack Colby playing a three-week engagement at Hotel Texas Don in Chicago. Norman Waldman, formerly substituted.

Fanny Shapiro, Louis Bernstein Settle Alone

Bull between Fanny Shapiro and Louis Bernstein, who are sister and brother, has been a long time. Bernstein music publishing firm, was quietly withdrawn last week. Shapiro, N. Y., market. Withdrawal followed a complaint of differences between the pair. Mrs. Shapiro was given a more liberal interest in the business and at the same time recognized certain rights which Bernstein, the active head of the firm, claimed were his.

Bull grew out of claims by Mrs. Shapiro that Bernstein was taking too much power to himself and unfairly dividing up the assets of the company. Among acts which she named were trips to Europe at the company's expense and purchase of a mansion, which was charged to the Shapiro-Bernstein company. Bernstein brought the suit to establish that the acts to which his sister objected were rightfully his per agreement under the articles of incorporation.

Mrs. Shapiro is the widow of Maurice Shapiro, founder of the company, who died in 1912. He left the business, which had a good catalog and a heavy load of debt, he said. She called in her brother, Bernstein, a successful real estate operator, to head it. Bernstein gradually gave up his real estate business to concentrate on the publishing house, which now ranks as one of the biggest in the business.

Sons of the Purple Sage

Open at Greenwich Vil.

Sons of the Purple Sage, instrumental and vocal group, who had been playing for some months in the vicinity around Albany and broadcasting on a WOKO commercial, opened Feb. 4 at Greenwich Village Barn, with a three-week outlet arranged via WOR.

Leo Roberts is manager of the group, and Bob Wilbur is a sidestepper.

Jack Leonard at CBS

Jack Leonard, vocalist, who parted company with the Tommy Dorsey orchestra last month, will join the CBS "Concert in Rhythm" program with the Raymond Scott orchestra next week. He'll become a graduate with the show. It's Leonard's first work since leaving Dorsey's and his first shot at sustaining a job to establish.

Allen DuWitt replaced Leonard with the Dorsey band, he is in turn being supplanted by Frank Sinatra, who moved over from Harry James' orchestra.

15 Best Sheet Music Sellers

(Week ending Feb. 2, 1940)

Caroleen	Bertin
Indian Summer ("Gulliver's Travels")	Winmark
"Faithful Forever" ("Gulliver's Travels")	Famous
"At the Balalaika" ("Balalaika")	Feist
Oh, Johnny, Oh	Forster
All the Things You Are ("Very Warm for May")	Chappell
South of the Border	BVC
In an Old Dutch Garden	Shapiro
"Little Red Fox" ("That's Right—You're Wrong")	Harms
"Dare That Dream" ("Swingin' the Dream")	BVC
To You Sweetheart Aloma	BVC
My Prayer	Shapiro
"Chatterbox" ("That's Right—You're Wrong")	Chappell
Confusion Bay	Ottman
"Foliosed" ("Foliosed")	

Network Plugs, 8 A.M. to 1 A.M.

(Following is a tabulation of the combined plugs of current tunes on NBC (Wear and WJZ) and CBS (WABC) compiled for the week from Monday through Sunday (Jan. 29-Feb. 5). Total represents accumulated performances on the two major networks from 8 a.m. to 1 a.m. Symbols: * denotes hit song, 1, legit, all others are pop.

TITLE	PUBLISHER	GRAND TOTAL
Little Red Fox ("That's Right—You're Wrong")	Feist	40
"It's a Big World"	ABC	35
"At the Balalaika" ("Balalaika")	WABC	35
Dare That Dream ("Swingin' the Dream")	BVC	35
In an Old Dutch Garden	Harms	35
Indian Summer	Winmark	35
I've Got My Eyes on a Lady	Savoy	35
Faithful Forever ("Gulliver's Travels")	Famous	35
At the Balalaika	Feist	35
One Good Turn	Shapiro	35
I's a Big-Boy Happy Day ("Gulliver's Travels")	Famous	35
Bluesbirds in the Moonlight ("Gulliver's Travels")	Famous	35
When You Wish Upon a Star ("Pinocchio")	Bertin	35
"I'm a Little" ("I'm a Little")	Ayer	35
In the Mood	Shapiro	35
This Changing World	Shapiro	35
Chatterbox ("That's Right—You're Wrong")	Chappell	35
Confusion Bay	Ottman	35
Make Love with a Guitar	Remick	35
"My Back in 1938" ("That's Right—You're Wrong")	Shapiro	35
Give Your Heart Beat for Me	Miller	35
Little Smokey	Savoy	35
Little Street in Singapore	Shapiro	35
Did You Know What Time The Many Girls	Shapiro	35
Swingin' the Dream	BVC	35
My Back in 1938 ("That's Right—You're Wrong")	Shapiro	35
Ma, He's Making Eyes at Me	Miller	35
Say It	Miller	35
My Back in 1938 ("That's Right—You're Wrong")	Shapiro	35
On the Life of May	Famous	35
Swingin' the Dream	Shapiro	35
It's a Big-Boy Happy Day ("Gulliver's Travels")	Paramount	35
Yellow	Shapiro	35
Would It Mind?	Miller	35

MUSIC NOTES

Morris Stoddard cleared a streamlined wedding march for Columbia's "The Doctor Takes a Wife."

Ervin Talbot found the musical background for Harry Sherman's "Hidden Gold" at Paramount.

David Seidman finished his musical scoring job on "The Man From Dakota" at Metro.

Redolph Karp moved into Metro's music department to take charge of sound track stock in the library.

Brookhaven Kaper named musical director on "The Mortal Storm" at Metro.

George Stoddard doing orchestration for Metro's "Strike Up the Band."

Vivian Brown handling the musical score for "Buck Benny Rides Again" at Paramount.

Jack Schell and Moe Jerome doing numbers for "The Singing Duke" at Warner.

Albert Hay Malotte composing highlight music for "Dr. Cyclops" at Paramount.

Pubs to Florida

Winter vacations among the N.Y. music publishers will likely reach its peak by the end of this week. Many are expected to get back warmer climes this year than before because of the generally better music business this winter and next fall.

Louis Bernstein, of Shapiro, Bernstein, and Jack Miller's Famous Music, Inc., have been in Florida the past week. Said Bernstein, of New York, N. Y., said he is leaving this week on a cruise with his brother Ben, of New York, N. Y., and his wives, which will keep them away for a couple weeks.

Bobby Melin to N. Y.

Morrey & Morris has brought in Bobby Melin from Chicago to become the publishing arm's professional manager.

Milton Samuels succeeds Melin as manager of M&M's Chicago office.

SADDLE YOUR DREAMS

FEATURING BY BOY ROGERS IN HIS FIRST PICTURE "DAYS OF JUNE JAMES"

EXHIBITING AT

DOES YOUR HEART BEAT FOR ME?

BILLY

Just Released

MEMORY REMINDERS (A SURRENDER DEAR) MOONLIGHT

Music House

YESTERDAY'S HIT TODAY'S REQUEST

VICTOR HERBERT'S ROSE OF THE WORLD

Featured in the Film "The Great Victor Herbert"

For the most beautiful and romantic of the world's great songs, this record is a gem to be treasured.

M. WITMARK & SONS RCA Building New York

ONE OF OUR FINEST BALLADS

"THE SINGING HILLS"

SAXIE DOWELL'S NEW NOVELTY

"PLAYMATES"

STANDARD—AND A CURRENT HIT

"TO YOU SWEETHEART ALMA"

By HARRY OWEN (writer of "Sweet Lullaby")

JOHNNY MERCER'S CLEVER SONG

"HOLY SMOKE (Can't Ya Take a Joke)"

SANTLY-JOY-SELECT, 1619 Broadway, New York

Troublesome Social Security Tax, Who Pays It, Prompts New Union Clause

Band booking offices expect to encounter strong opposition from hotel operators and other orchestra users in the latest demand of the New Union musicians' union that all future contracts contain a social security clause. Hotel men in various parts of the country have refused to accept responsibility for the payment of social security taxes on the part of their own orchestra and this demand has been upheld in decisions handed down by the U. S. Internal Revenue Department.

In a letter from Local 802 last week band leaders were advised that the union will oppose any amendments unless this clause was inserted in the contract. The clause requires that the employer pay 10% of the gross salary of each musician. It is understood and agreed that the employer should named as entitled to the benefit of all Federal and State exonerations, constituting what is commonly known and designated as social security or, more fully, including old-age and unemployment insurance, and that the employer, during the term of this contract shall pay any and all taxes or payments required to be paid by employers under the provisions of said laws.

The national office of the American Federation of Musicians underwritten a similar stip similar months ago before the union was due to go to it was rescinded. The explanation that the AFM gave was that the requirement was financially unworkable.

At about the same time that the AFM called off its order of the Committee of Internal Revenue, the Third District, New York City, issued a memorandum setting out the status of musicians under the Social Security Act. The memo defined the difference between a same and non-same orchestra and stated where the latter "contracts with the members of his band for their services at a fixed salary, either by term or engagement, and makes himself responsible for the payment of such salary without reference to the discharge of the purchaser's obligation," it is the employer and as such is liable for the payment of the tax.

Another clause that the band offices are required by Local 802 to insert in their contract forms is as follows:

"As the musicians engaged under the stipulations of this contract are members of the American Federation of Musicians, nothing in this contract shall be construed as to interfere with any obligations or responsibilities due to the American Federation of Musicians by reason of their obligations to the American Federation of Musicians as members thereof; the Constitution and By-laws and regulations of which, and of Local 802 thereof, shall cover and govern and shall be deemed a part of this agreement."

PARAMOUNT, NEW YORK

(Starting Feb. 7)

and concurrently at

Memo Prosser's Semoniously Successful

BEACHCOMBER, NEW YORK

MATTY MALINECK

and His Orchestra

WALTER WINCHELL Says:—"Matty Malineck Orchestra is the big reason the Beachcomber is doing so well."

Pump Room, Ambassador Hotel, Chicago

Starting March 2

Direction—M. C. A.

Ina Ray Hutton Men Going on Under Sunneri

Pittsburgh, Feb. 6. All-male band which Ina Ray Hutton organized among members of Local 90 here and which she dropped short time ago is being taken over by Ed Sunneri, trumpet player and one of the men. He's adding a couple of new musicians, a gas vocalist and plans to invade the local dance field at an early date.

Hutton moves came quickly, with all of her crew returning to Pittsburgh immediately and deciding last week to stick together for time being under Sunneri's banner. Names for outfit still to be selected, however.

NOT HOT ENOUGH FOR N.C. JAZZERS

Charlotte, N. C., Feb. 6. Dean Hudson and his Florida Clubmen will replace Bob Sylvester's band on the Tuxedo Time radio commercial over WBT on Feb. 13.

Sylvester couldn't swing it enough to cut high grade jazzers, chief consumers of commercial product. Program, aired each Tuesday night at 9:30 for half hour, is carried on southern C.B. network.

NICK STUART JOINS FT. WORTH C.C. FOR \$60

St. Worth, Feb. 6. Nick Stuart, the band leader, a local favorite for past two years, wired in \$60 from San Francisco last week for membership in Fort Worth Chamber of Commerce.

Says this new his official residence.

MAX KERNER IN N.Y.

Bethel Beal, Operator Limiting Up Summer Bookings

Max Kerner, operator of the Eastwood and Westwood Garden, Detroit ballrooms, spent the past week in New York looking up band leads for the summer season.

Kerner made tentative price offers to the various booking offices and will probably put in a followup trip a few weeks hence to do some closing.

Band Bookings

Cab Calloway Feb. 13, Albany theatre, Albany, Ga.

Al Donahue, Feb. 13, Auditorium, Raleigh, N. C.; 15-16, Strand theatre, Cumberland, Md.; March 1, Washington U. A. R. Pa.

Clarence Williams, Feb. 22, George Washington Hotel, Washington, Pa.

William McGee, April 13, Ambassador Hotel, New York.

Bill Baran, Feb. 13, four weeks, Jack Thuermer, Henderson, Ky.

Larry Clinton, March 2-3, Castle Farms, Conn.

Tommy Dorsey, Feb. 16, 16 players, 111 Broadway, N.Y.; 16-17, Meador's Acres, Tusculum, Tenn.

14, Madison R. Louisville, Ky.; 23, Masonic Temple, Louisville, Ky.

Paul Page, Feb. 15-17-18-20-21-22, 23-24, Playmor B., Kansas City.

Carl Brubaker Feb. 8-11-12-13-14-15-16-17-18-19-20-21-22-23, March 3, Forthing B., Chicago.

Frankie Trumbauer, Feb. 16, 16 players, B. Des Moines, 11, Trison B., Terre Haute, Ind.; 17-18, Castle Farms, Conn.

Joe Venuti, Feb. 16, Castle Farms, Conn.; 11-12-13, Colonial theatre, Detroit.

Maureen Sherman, Feb. 11, Westport Beach Club, Los Angeles.

Don Bracher, Feb. 14, week, Tower theatre, Kansas City.

Latest good will builder for the American Society of Composers, Authors and Publishers is a scholarship offer to college students with exceptional talent in musical comedy writing. It is called the "ASCAP Fellowship Competition," and provides for the award of \$1,000 to a graduate or graduate authors of the winning play in each of eight regional divisions. All scripts will remain the sole property of their creators.

The score and book of each musical show must reach the chairman of the judging committee by May 1 for initial competition, and by March 15 in the successive years. The play must be a collaboration and have been actually produced and produced in a public auditorium before an audience of not less than 200 persons.

SYMPH. SINGERS, SWING COMBO BUFF CICKO

Buffalo, Feb. 6.

Symphony-swing combo drew 180 to 17th Army Saturday (13) for Foreman's 50th anniversary concert by 85-piece Buffalo Philharmonic-Symphony under Franco Antonic and 80-piece Polish Singing Circle was followed by Harry James' swing.

Fran Hines, James' new vocalist and a local boy, sang during concert.

CHICK WEBB MEMORIAL

First of a series of benefits to gather funds for the financing of memorial to the late Chick Webb will be staged in Baltimore Army Feb. 12. Memorial will be a community center, erected in Baltimore, Webb's home town. Leader died last summer.

All available colored talent, headed by Joe Louis, is expected to be on hand.

Phil Cohen Off ASCAP

Hollywood, Feb. 6. Phil Cohen, for more than 30 years Cab rep and attorney for the American Society of Composers, Authors and Publishers, leaves that post Feb. 15 as the result of the Society's new policy of separating its financial and collection departments.

Richard Powers takes charge of the west coast seat, with Murray Hays, Cohen's assistant, retaining his position as the Hollywood office.

Cohen and other ASCAP attorneys operated on a commission basis, and the new policy was instituted to effect substantial savings and obtain a closer co-ordination of licensing methods.

Hitz Chain of Dance Dates Ends

With His Death: All Booking Solo

Glenn Miller Series Repeated on WOR, N.Y.

Liggett & Myers Tobacco has begun repeating two of the Glenn Miller orchestra's CBS broadcasts for Chesterfield on WOR, N.Y. the same as it does with Kay Kyser's Lucky Strike hour. The program Sunday and Monday (4-5) to air cuttings of Miller's previous Tuesday and Wednesday performances on WOR. Miller also does a Thursday show for CBS.

Kyser repeat on WOR is done by Miller tape whereas the Glenn Miller tape is aired via r.t.s. Newell Emmett agency.

An indication of how much of a one-man proposition was Ralph Hitz's hotel management is seen in the dissolution of the Hitz Hotel Management, Inc., which had under its aegis the Belmont-Plaza hotel, New York; Brook-Cadillac, Detroit; Nicolet, Minneapolis; Congress, Chicago; Netherlands-Plaza, Cincinnati; and Adelphi, New Haven.

The Hotel New Yorker, popularly presumed to be the flagship of Hitz's hotel empire, was part of Hitz Hotel Management, Inc. as well as the Hotel New Yorker Corp., and v.p. of the Hotel New Yorker, with the passing of Hitz, became president thereof and HWT was dissolved.

Hitz's vividness in the band and talent field, although consistently a hotel operator, stemmed from his astute bookkeeping and buying of talent. Further, Hitz was always claiming a lot for both the hands and shows, as well as the hotels.

It was possible through Hitz and Hitz technique to spot some pretty good names into lesser keys like Minneapolis, but Hitz was not at the big spot in New York (theatricality, like the Hotel New Yorker, Baymore, West, Hotel, Hitz, Hitz, Orleans, benefited from the Hitz contract, it being a personal equation between Weiss and Hitz. H.W. hotel was otherwise non-HWT).

Band sellers, also, found it convenient. Hitz was a "hot" hotel; new it's an individual buying, market. True, in the past, local managers were often let or felt that they had some authority in the booking of orchestras and shows. It's strictly so from now on. Carl Snyder, of course, per usual, will be prominent in the Hotel New Yorker's talent bookings.

The dissolution of HWT came about through a specific death clause as regards Hitz. But back of it, also, inter-organizational angles which had been a bone of contention for the years. It's hotel history that Hitz was a post-Depression success. That's how HWT came about. But after Hitz's death, Hotel Management, Inc., pulled some of the weak-cider horses out of the red, some started counting down the number of feet to the outfit, now that they're doing all right.

Dallas, Feb. 6.

Retirement of National Hotel Management from active work held upholding to bring bands back to Century Room, Hotel Adolphine, here. Reason is that as bands will be booked by hotel officials, Manager Otto Schubert, who has been away.

Joe Schert doesn't like loud, blasty music.

DON HAYNES JOINS G.A.C.

Don Haynes has been brought in by General Amusement Corp. to head its one-nighter department. He replaces Harry Kyrus, who resigned several weeks ago.

Haynes joined the Cleveland office of Consolidated Radio Artists, Inc., when the latter was organized in Cleveland. Later he was assigned to head up Consolidated's San Francisco office and then was transferred back to Cleveland as manager. He comes to GAC from this post. Before joining Consolidated, Haynes was with the Frederick Bros.

2,000 NEGROES DANCE TO CAB CALLOWAY

Charlotte, N. C., Feb. 6. Cab Calloway broke house records here last four years for Charlotte Army when some 2,000 negro dancers and 500 white spectators jammed the winter.

Admission was \$1 a head for dancers and 75 cents each for spectators.

PROGRAM IN MOURNING

Death of David Ball, president of the P. Lorillard Tobacco Co., closed Sammy Kaye's Sensation cigger program down to a walk Monday night (13) and eliminated most of its features, including the Vase Family. Ball died Saturday (13).

Band was confined to walk stand, ards.

Follow Feist PARADE OF HITS

Nick and Charles Kenny's To-Coast Radio Hit LEANIN' ON THE OLE TOP RAIL

The Year's Biggest Novelty Success THE LITTLE RED FOX (Mya NYe Ya Can't Catch Me) from Kay Kyser's BKO-Radio film "That's Right—You're Wrong"

The Network's Big Repeat Success AT THE BALALAIKA Sung by Nelson Eddy and Hana Massay in M.G.M. picture "Balalaika"

A New Distinctive Ballad Marked for Hitdom GOTTA GET HOME

LEO FEIST, INC. HARRY LIND, Vocal Soloist. LON DORRIS, Prod. ALBU QUACKER, Radio Adaptation. 1430 Broadway, New York

Late Rush of Headliners to NVA Benefit In N. Y. Insures Capacity \$6,500 Gross

By JOE SCHENFELD

Annual benefit of the National Variety Artists, which last week looked like a flop because of almost complete neglect from headline performers, proved a bouncing performance Sunday (4) at the Alvin, New York, plus plenty profitable. On the stage and at the box, it was the most successful NVA benefit since the club's halcyon days and annual benefits at the Metropolitan Opera House. Gross at the Alvin was around \$4,500 in a capacity attendance, and program advertising and sales, leaving a net of over \$4,300.

A story in Variety last week, calling attention to the fact that actors were rushing to appear in the Finnish Relief Fund benefit, but ignoring the actors' own show, was credited Sunday afternoon (4), in a special broadcast over WOR, with putting the NVA benefit across. Several name performers volunteered their services and ticket sales jumped to the extent that the house was \$20 at certain time. Standing room was sold at \$1 a head, with over 30 takers.

The show was "dedicated" to a revival of vaudeville by Louis Handin,

lawyer-president of the NVA, in a speech opening the show.

From there on the "great" of vaudeville's better days dominated the stage, topped by George M. Cohan, who delivered a medley of his compositions, plus a dance routine to "Over There"; George Jessel, who introduced Cohan as the greatest personality in the American theater; Etta Jank, who ran through some of her topflight imitations to "The Good Old Days" despite being haunted by a role Miss Bluebell, introduced by Jeanette Dupree, who made a special trip to New York to do the honors for her "discovery"; who was one of the biggest names in the English music halls. Miss Bluebell's "Burlington Bertie" which she delivered the previous week at the Actors' Fund show, was one of the show's highlights.

Among the other headliners were Betty Gould, who, with Joe Verel, was in charge of the benefit; Markon Dixon, Joe E. Howard, Miss Juliet, Tom Patricia, Taylor Holmes, who also made a special trip to New York; Benny Roberts, one of two-day vaude's best known house mainstays. The Riviera Hotel lost the knack of handling a variety show was well demonstrated here.

James J. Walker was a listener; as were Molly Picon and Ella Fitzgerald, with the result that the final curtain drew off well after midnight. Up ahead, Harry Herzhfeld, as m.c., Clyde Hager, Bobby Black and three singing society dolls, Emory Deutsch's choir, Phil Rogan, Helene Davidson, Mary Small, Bobby Clark, Molly Picon, Willie Salzer, Will and Gladys Arnold, Warren Boden, Etelle Kew, Benny Baker, Lita Gray, Charles, Bailer Sisters, and Bert Jangle kept the show moving at a fast entertainment clip. Mrs. Walker (Betty Coleman) also took part.

Chi State-Lake Books

4th A. B. Marcus Unit

Chicago, Feb. 6.

State-Lake has another A. B. Marcus unit, "Night at the Monte Rouge," booked to open this Friday (8). Makes the fourth Marcus show for this house in six months.

Each Marcus show has broken the boxoffice record of the preceding Marcus unit, the last one having jumped the State-Lake gross to an extraordinary \$23,000.

Lynch's Philly Show

Philadelphia, Feb. 6.

Grace Barrie will head new show that will open at Jack Lynch's on Lincoln's Theatre (11).

Others on the bill will be Cardinal, Earl and Josephine Lash, Grace and Nibba, and Jack Waldron, all as m.c.

15 YEARS AGO

(FROM VARIETY)

Broadway legit business was better than it had been for some time. There were 27 boxoffice successes, 12 materials and 18 straight shows. The "New York Times" was topping the grossing with \$44,000.

Signing for \$3,000 per week on Keith time, opening at the Palace, Vincent Lopez was foregoing his concert tour. Figure unusually high though Paul Whitehead had a standing offer for New York's Hipp for \$2,000 a week, he had not yet accepted because of concert commitments.

Broadcasting of plays by some managers was splitting the London impression. A number opposed the conducting because of its unfavorable effect upon the play's box.

Will Rogers, addressing the group in Yiddish, provided the big laugh stunt at the Jewish Theatre Guild dinner in New York. Eddie Cantor was toastmaster. Other speakers were William Morris, prof. Martin Jaffe, Samuel Hays, and Martin Faby, among others.

In London, Jack Hulbert's review opened to fair response. His title was "By the Way," but it should have been called the "Hulbert Review." He pronounced, wrote, starred, damned, staged and sang. Wise Circuit Court record was also in the cast.

Warners offered Gloria Swanson a year's contract at \$17,500 a week. A Los Angeles bank was making the guarantee.

LEVY WINS LICENSE

CASE IN SEATTLE

Seattle, Feb. 6.

Test case involving employment agency license fees was stricken from the calendar by the court when Len Maxwell, local owner of Bar Levy office, was tried on charge of operating a theatrical booking office without license.

His attorney, Bernard Reiter, argued successfully that the ordinance was not cover booking offices. The city council is now expected to draft a new ordinance, or a amendment, which will include stage booking offices.

Susan Palmer Opening

Former 7-11 Club, N. Y.

Mrs. Susan Palmer, who operates a restaurant bearing her name in the Rockefeller Center section, is reopening the former 7-11 (15th avenue) Club, N. Y., as Chez Harry, named after Harry Hartwell, owner of the club, in private life Baron Hagar Oppenheim of Germany. Dignar Nordman, emcee of special opening, will be co-attraction. Proven dated for Thursday.

Policy will be semi dancing, in the Roman Blues style of intimate divertimento.

Saranac Lake

By Happy Benway

Saranac, Feb. 6.

Daniel P. Kennedy, who announces here and is a brother of Rep. Michael J. Kennedy, is now at P.S. Jack Edwards has conquered a lot of leading and operations.

Frank (Bud) Williams, burlesque and tap comedian who cured at Haybrook, Vet. hospital at Tupper Lake and here, now runs a newsstand in Cincinnati.

A card from "Doc" Baker, just received, says: "Just before Christmas I went to see 'Gene With the Wind.' The show just let out, so greetings to you and gang."

W. J. Callahan, who recently passed away, was the contractor and builder of the NVA sanatorium, now Will Rogers hospital.

Three top night spots shuttered, Florida, Dargins and Bink. Subzero weather cut down the box.

Maxine Miller and Harriet Emergen, both back the show the "Frankie Horne" or successfully from Dr. Warner Woodruff.

Thanks to Gene and Glenn for dedicating "We Met Each Other a Dream" to this Actors Colony. The writer, Eddie "Will Rogers" Dowd, is being topped up over it.

After about two years of that bed routine, Bode Fiddler got okay to take male downstairs twice a week. Write to those who are ill.

DECISION RESERVED IN HIRST'S \$60K PITT SUIT

Pittsburgh, Feb. 6.

After a three-year fight for \$60,000 damages against E. D. Hirst, Pittsburgh property owner and publisher of the "Pittsburgh Press," was finally heard in Common Pleas court here last week. There was no jury, Judge M. A. Munsterman hearing the evidence and reserving decision pending study of the briefs.

Hirst, operator of burlesque wheel bearing his name, claims State Attorney General has a lease on the old Variety theatre in 1933 which had two years to run, and is seeking remuneration on anticipated profits during that time. Hirst was losing money there by way for a parking lot, only two months after Hirst had purchased lease from George Jaffe.

Later, meantime, took over old Harris theatre, rechristened it the "Hirst" and in unit with Hirst, made of his agreement not to go in competition to Hirst. Since, however, Casino has gone in for a building of his agreement not to go in competition to Hirst. Since, however, Casino has gone in for a building of his agreement not to go in competition to Hirst. Since, however, Casino has gone in for a building of his agreement not to go in competition to Hirst.

Paradise Mitty Lists \$137,487 of Its Debts

The Paradise Catering Corp., operators of the Paradise restaurant and night club at Broadway and 23rd street, which on Jan. 22 filed a petition of bankruptcy in the N. Y. federal court, has filed a schedule showing assets of \$175,518 and liabilities of \$137,487. Unsecured claims total \$85,855 and secured claims \$5,964. Latterly the Paradise was known as the Ziegfeld Midway Club.

Wage claims of \$1,153 are divided among 106 individuals. The largest of these is by Leo Reisman, a local orchestra, owed \$853. Three of \$100 and over are by Alfred Mack, \$230; Samuel Feinberg, \$190; Oliver Curry, \$100; Robin Harris, \$100; Mike Ullrich, \$72; Louis Zaccari, \$120; Alvin Berman, \$112; Bernard Segal, \$100; Albert Berman, the headmaster, \$104; Jack Durand, \$384; Herman Hyde, \$308, latter two featured in the last show. Taxes total \$4,797, with the U. S. owed \$13,343. The State of N. Y. owed \$18,056 and N. Y. City, \$12,600.

Other creditors are the Novelty Scene Studios, \$237; Charles H. Keany Studios, \$208; Brooks Costume Co., \$419; ABCAP, \$1,304; the 1618 News, \$71,353; Professional Music Men, \$35; Blackstone advertising agency, \$1,182; Seymour Feltz, claim of the show, \$2,000; Harold Adamson, composer, \$700; Columbia Artist Bureau, \$100; Richard & Hanson Enterprises, Inc., \$1,024; Musiciana Inc., \$282.75; Nicholas Bink, \$7,767; Milton Adler, \$11,041; the latter two heads of the Paradise. Furniture, fixtures and stock are valued at \$175,000.

FOLIES TO TOUR AS 2-A-DAY VAUDE UNIT

Clifford C. Fletcher is sending an old headliner Phil Baker, his fellow idea of embellishing it into a headliner on a two-day vaudeville unit, shifting from its first week on Broadway into a tour. Boston, opening Feb. 10. He will be \$120 per act as a vaudeville, with Insignia Ceca, Herman Hyde and Raye and David added.

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Mills Bros. Hopping On South American Tour

Mills Bros., back from a tour of Scandinavia, England and Australia, will shore off for a tour of South America, leaving from New York May 1. Group arrived on the west coast last week.

On the way east they pick up theatre dates. Set for the State-Lake, Chicago, week of Feb. 23.

No Relief for Girls

Minneapolis, Feb. 6.

The city council here will not take any action to legalize the dance scene of '14 for night clubs and taverns, as requested in petitions gathered by more than 1,000 girls, employed as markers, who were thrown out of employment when a crusade against gambling and vice resulted in the closing up of gambling.

Aldermen contended they lacked power to act—that a state law would be necessary—and they tabled the petition.

WANT to buy vaudeville comedy skits which played the Palace, New York. Do not send material; send name of sketch to Box 141, Variety, New York.

**Best Coffee in England
QUALITY INN**

Leicester Square
LONDON, WEST-END

ST. CLAIR and DAY

HEADLINING
ROXY, NEW YORK
HELD OVER 2ND WEEK
(Weeks Feb. 2 and 9)

The THEATRE OF THE STARS

Marcus Bros.

BOOKING AGENCY

GENERAL EXECUTIVE OFFICES

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160 WEST 46TH ST. NEW YORK

Depend 9-7800

J. H. LUBIN

GENERAL MANAGER
SIDNEY H. PIERMONT

BOOKING MANAGER

THE

HIDSON WONDERS

RAY and GERALDINE
NOW PLAYING CHICAGO, CHICAGO

OPENING
HOTEL NEW YORKER - NEW YORK - FEB. 12

Thanks to MILES ENGLISH-MCA

JACK MARSHALL

ALL AMERICAN LEFT-BACK
Currently CHICAGO, CHICAGO

CHAS.

FENWICK and COOK

New CHICAGO, Chicago

Prod. Rep. J. W. ARNOLD

Prod. Rep. DAVEY GREEN

Plays Abroad

Violations of the provisions, which would set up local rather than a supervision of ticket agencies, made punishable by fines up to \$1,000 and imprisonment up to a year, or both.

Broadway

Frank Richardson out after influenza attack.

Thelma Houston's bid annual benefit March 17.

Harry Meyer left yesterday (6) for Florida.

Wayne Pomeroy arrived after month at home with grippe.

Robert Montgomery's on-and-off-again Coast trip is off again.

Peggy Lester, beauty, arrived in New York (3) from Los Angeles.

Lucille Watson left Monday (5) to do "Waterloo Bridge" for Met.

Benny Carter's return to Broadway Sunday (4) was a standstill.

Mary Martin vacated New York Theatre (1) for a vacation in Florida.

Red Armstrong's singing Chicago Town with Father, summary, Harry Kline back.

Joe Laurie, Jr., returned to his 14 to 15 hours after influenza, cough which he staged.

P. C. Flick turned down the Sam Levene role in the new company of "Margin for Error."

Ed and Julius Garden, Par partners in the Tanna, back to headquarters at Beaumont.

Frank Marshall, radio work, of RKO Latin America chain, arrived in New York yesterday (6).

Samuel Goldwyn and the film "The Sign of the Cross" arrived in New York with lead role cast, a bit making on "They're All in the Family."

D. L. Lillard, plans making Florida his permanent home, starting work in March, April.

Dorothy Kilgallen, Journal-American columnist, collaborating on scripts and work with Harry Meyer.

Ernest Lubliner to Puerto Rico tomorrow (Thursday), taking with him a lot of scripts which he wrote.

Carl Brandt, the history agent, and wife, Carol Hill, have been sent to New York for a play.

Parkes Levy and Alvin Epstein have signed to write "The Sign of the Cross" for RKO.

George Levey, of "The Man Who Came to Dinner" and "The Sign of the Cross" is on a Metro contract.

Oscar Levant is suddenly the new writer for "The Sign of the Cross" for the songwriting-comedian show.

Sidney Freedberg, with the Philadelphia Orchestra, will be seen walk the plank with Bernice Baker.

Gypsy Camp, Yorkville cabaret, filed a petition for reorganization, claiming a loss of \$100,000.

Plenty of grippe casualties early in the week, including Harry Kline, being being among the film execs.

Leo Harman named associate to Louis Freedman as p.a. on Dorothy Dandridge's "Fritz Lang's" story.

Ed Friedman, Metro's secretary, died of typhoid, Saturday (1) for a month of convalescence.

Maurice Goldwyn winds up a contract with the studio, a motion picture on his list made his head too ailing.

Production agents for a majority of the railroads based a luncheon at the Waldorf, Wednesday (4) at 10:30.

Walter Wanger, who's just finished the script of "Fanny for Paramount," due Monday (12) from the Coast for a reaction.

New York editors and their children will be looking for a motion picture showing of "Fanny" at the Center, Saturday (10).

Carl Laemmle, Jr., and Walter Wanger, in "Fanny" of the film, will be seen walk the plank with Bernice Baker.

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Paris

By Joseph B. Savetto

Harry Bue to North Africa for tour.

Louis Broun, 61, pianist, died.

Renée Fournier, French pit star, also leaves for America.

Cloning time for cinema at Tour Eiffel ended with a new play, "Don't France," for Harry Bue.

Georges Monnet, one of the oldest French pit directors and silent film player, died.

Recha Guitry on the Riviera, writing songs for the new play, "Don't France," for Harry Bue.

French press claiming for Charles Bue to return to Louis Le Corvaisier from Hollywood.

Yves Tanguy, 40, died in New York, with Gaby Morlay, Michel Simon, Jules Berry and André Lefevre, comedians.

Amateurs reopening now that dancing is open to amateurs.

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Murder interrupted by death of his mother in Nashville.

Yvonne Taylor, attorney, named as proxy of Memphis Open Air Theatre.

Replaces Charles Glavin at hotel of the city.

Albert Hanson now in Hollywood waiting for his new play, "Don't France," to be filmed by Charles B. Rogers.

St. Louis

By Sam K. Hurst

Tudor Cameron, addition local actor, in the Will Rogers Memorial Theatre, St. Louis.

Peggy Nash, former player singer, found guilty of stealing clothing from the St. Louis.

John P. Miller, born player with the St. Louis, has recovered from broken hip suffered in fall several months ago.

Larry Sabuck will produce a three-day radio-entertainment in Municipal Auditorium starting Feb. 17. Will be the last of the year.

Paul Pussell, violinist, will be seen walk the plank with Bernice Baker.

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Hollywood

Orin Witten divorced in Reno, Nevada, after three months.

Larry Kent on the job after illness, returned to hospital with grippe.

Cliff Crook hospitalized for one day.

Cliff Lawrence under doctor's care.

Louis Brumfield found a ranch in Louisiana.

Red Depinae battling flu at La Quinta.

John Dickson laid up by kick from a horse.

Lane to hospital for appendicitis.

Col. Jason Jay nursing a fractured shoulder.

Helen Eddy off on his annual con tour.

John P. Miller joined Warner publicity staff at Columbia.

Max Greenleaf, of U.S. in from Manhattan.

Willie Dietrich back in pictures after seven years.

Oliver Hughes joined Bill Leaver's publicity staff at Columbia.

Edmund Gosling in serious condition.

Jackie Cooper recovering from minor operation.

John P. Miller joined Warner publicity staff at Columbia.

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Kansas City

By John W. Quinn

In town on talent card.

Nealon Eddy due in February for "The Sign of the Cross" at the Pantages.

John Long had his Plaza theatre reorganized.

John Long had his Plaza theatre reorganized.

John Long had his Plaza theatre reorganized.

"I thought I needed a million bucks

to do a national sales job, but the NBC Blue Network made me change my mind...fast!" says **LEON S. GOLDBERG**

Advertising Director of Adam Hat Stores, Inc.



Adam Heller Goldberg shows during exciting moment of Coss-Copier fight. His company's business has boomed since using the NBC Blue.



In Adam Madison Square Garden Shop Light Heavyweight Champion Billy Conn, who night before, under auspices of Mike Jacobs' 80th Century Sporting Club, had defeated Henry Cooper, demonstrates punch to Sam Tash and Adam Store Manager William A. Wipman. "Billy," said Mr. Tash, "you certainly covered yourself with glory when you heard that punch last night." "Yes, Sam," agreed Mr. Wipman, "and the big Blue Network audience that heard the broadcast will soon cover their heads with the Adam Hat of the Month!" announced on the program. Adam Hat sales pure begin where the Blue begins."

NBC Sportsman Bill Stern grins over coffee as Sam Tash warms up verbal cords a moment before main bout begins. Field Bill, "I think the best proof that the Blue pays off is the fact that we've been doing this program for Adam Hats for three years—and in that time have grown from a 21-station network to 88 stations."

After the bout Adam Sales Manager Bill Flato (right) and Chief Window Decorator Irving Rubenstein sit hot dogs. "I just heard," said Mr. Rubenstein, "the boss plans to use the Blue for a 6th straight year." "That's swell," commented Mr. Flato. "The Blue has helped make Adam Hats available almost everywhere."



In a well-known setting, not long after the fight had ended, NBC Special Events Man Jack Hartley (left) and NBC Salesman Sam Tash (center) have a spot of refreshment. Milk-toasted Mr. Goldberg: "To the Blue Network, gentlemen. The best and most in-

expensive large scale ad campaign I've ever known." That, incidentally, is a sentiment shared by many other business executives...in one reason why 70% of the Blue's 1939 advertisers came back for more in '40...why seventeen new ones were signed up!

NBC BLUE NETWORK
Selling the air with the greatest of ease



Sold Head Adam Heller Eins Lustig: "One of the things I like about the Blue is the way it gives us and other advertisers bonus after bonus in the form of increased coverage—at no extra cost! The Blue does it by constantly improving station facilities!"



Published Weekly at 115 West 41st Street, New York, N. Y., by Variety, Inc. Annual subscription, \$10. Single copies 25 cents. Entered as Second-Class Matter December 23, 1924, at the Post Office at New York, N. Y., under No. 373,715. POSTOFFICE, 1924, BY VARIETY, INC. ALL RIGHTS RESERVED.

VOL. 137. NO. 10

NEW YORK, WEDNESDAY, FEBRUARY 14, 1940

PRICE 25 CENTS

THICKER - IN - THE - SUE - T FILMS

Sponsor Romancing Backfired

Head of the new regime in a company which rates among the most important network advertisers was telling how the previous agency came to lose the account.

The top men in the company, he said, were making lots of money but devoting most of their time to golf, while the top men on the account in the agency also were making lots of money and devoting most of their time to playing golf with the account's top men.

Radio Comes To

Rescue of Kids In Gt. Britain

London, Feb. 13. British Broadcasting Corp. has a neat gag to put up a weekly hour for the kids that will entertain them and also possibly provide occupation for the greater leisure hours they get under new conditions, when school is restricted and many of them have been evacuated to the sticks where they will be safe from the air raids which still may come. From that point of view, scheme, if a success, will also bring considerable relief to the grown-ups.

Idea is a series of programs titled "Mr. Cobbett and the Indians," and (Continued on page 34)

N.W. Ayer's Client Incog In Baseball Inquiries; Esty-Dolly Stark Deal

N. W. Ayer is making inquiries about the availability of play-by-play baseball broadcasts this coming season in various parts of the country. The agency is closely guarding the name of the account for which it is doing the quizzing, which has led to the impression that it's something not new in the house. On the other hand the agency's tactics may have (Continued on page 30)

Ex-Stage Juvenile's 20 Years in Pulpit

Rochester, N. Y., Feb. 13. Rev. Charles C. W. Carver, rector of Christ Episcopal Church here who quit the stage for the pulpit, is celebrating 20 years in the ministry. His last stage role was the male lead in "Girl of the Golden West."

Rev. Carver did not forget showmanship when he entered the new field, using pageantry, costumes and lighting effects in religious education. A new form of Church service which he introduced in new widely used in Episcopal churches and he has written a number of dramas, both religious and secular. He also starred in a series of radio programs over WJAM.

Vallee-Crosby-Powell Song Clearance Spree

Alton, O., Feb. 13. Dick Powell still gets plenty of headaches when he swings into the "Good News" show cast March 1. The Thursday night program will have three cronies in a row, Powell on "Good News," Rudy Vallee's new show, and Bing Crosby, hence the first-mentioned name is a scramble for the popular tunes.

"Whatever program clears a tune first will get it and it will be a matter of out-guessing the other fellow several weeks in advance," said Powell. Powell revealed he is signed with "Good News" for only four weeks.

Ministers Protest Screen's Allegedly 'Unkind' Attitude

Albany, Feb. 13. A squawk at "unkind" light in which Protestant ministers recently have been portrayed in books and motion pictures was made at a meeting of the Capital District Baptist Ministers' Conference in Oneonta Baptist Church, Albany. It was voiced in a discussion that followed a talk by Rev. M. Stephen James, of First Reformed Church, on lessons to be learned from "The Grapes of Wrath." From that point, the ministers went on to a consideration of "Drums Along the Mohawk" and other.

One Baptist pastor then inquired, "Why are priests portrayed on the screen as heroes and Protestant pastors as laughable or weak preachers?" Point to this was weak by fact. "The Fighting 69th," which glorifies Father Duffy, was being screened at the Strand and "Drums" (in which a minister is an important character), premiered here last fall.

Several of the round-tableists said they believed Protestant preachers should "protect such writing and such picturization" of them.

CHICK WEBB MEMORIAL DRAWS 8,000 AT \$1.15

Baltimore, Feb. 13. Benefit performance for proposed Chick Webb memorial recreational center was held at Armory here last night with 8,000 present at \$1.15. Credits on hand included Joe Louis, Ella Fitzgerald, Isham Jones, Nicholas Brothers, Peg Leg Bates, and others. Colored bandman Webb died last fall.

GOVERNMENT MACHINE MANUFACTURERS INTO NEW FIELD—Portable Soundfilm Projectors for 16 mm. Talker Shorts

Anti-Pinball and Slot Machine Legislation Forcing Manufacturers Into New Field—Portable Soundfilm Projectors for 16 mm. Talker Shorts

ELABORATE PLANS

Chicago, Feb. 13. Drop a nickel or dime in a slot machine, and see and hear sound film projected on the walls of bars, cafes, cocktail lounges, restaurants, and so on. But slotting and pinball are out-guessing the other fellow several weeks in advance, said Powell. Powell revealed he is signed with "Good News" for only four weeks.

That's the latest wrinkle in the motion picture business. It's an idea that carries great potentialities from the standpoint of income and aggregate groups, and due to the number of projection machines that can be placed around the country. Seemingly estimates of those interested in the distribution of at least 100,000 outfits (if that number can be turned out by the manufacturers) in the first year.

Soundfilm used would be 16 mm. (Continued on page 11)

AYLESWORTH TO DEFEND 'POT O' GOLD' FROM RAP

Black-Gobs, agents on the "Pot of Gold" and of the Tuna account, has retained M. H. Aylesworth, former NBC exec, to represent it in the lawsuit which the U. S. Department of Justice is making of the program. It's Aylesworth's first assignment from the trade since he quit as publisher of the N.Y. World-Telegram to become a combination of legal and public relations counsel. The agency last week disclosed that it proposes to make a bitter, last-ditch battle to keep the program from being forced off the air. Nor will it move the giveaway stunt elsewhere, as has been suggested by NBC.

Aylesworth was brought into the case after the Federal Communications Commission had announced that it had turned over the complaint received on "Pot of Gold" to the Department of Justice for an opinion as to its legality.

From Nitery to Opera

Rudy Madison, tenor at Billie's Gay Nineties, N. Y., will be auditioned Sunday (18) by the Metropolitan Opera. It's believed to be the first time the Met has ever taken in an aspirant from the nitery. Madison will sing on "Additions of the Air" on NBC.

Benny Burned at Proposed Reissue Of Old Pic; Allen, Rochester Takeoffs

Free Tax Service

The U. S. Internal Revenue Dept. again has stationed two agents in VARIETY'S New York office, 134 West 46th street, for assistance in preparing and filing tax reports of professional people. The service is gratis. Wayne Pearson and Eddie Rieger are the U. S. tax agents assigned.

Government officials' hours are from 9 a.m. until 4:30 p.m. every day but Saturday, when they leave at 1 p.m.

CBS' NEW LEGIT TOURING IDEAS

New idea in roadshowing is being primed by the concert bureau of the Columbia Broadcasting Co., which has a subscription system in operation in the hinterland. It is proposed to tour legit attractions for 10 weeks, six performances weekly for a total of 60 one-nighters. Plan calls for making the jumps in buses and the use of drops instead of heavy set-tings. Presentations would be restricted to one-act plays.

CBS would not produce the shows. A committee would select attractions desired and the manager would probably receive a flat sum for preparing the route sheet and the rights. Matter of royalties is yet to be agreed on. "What arrangements would be required from the stage unions is another phase which CBS has not touched on. Special rules for equity are possible, but the stagehands' scale will probably remain as is. Other unions which may be approached include the Theatrical Managers, Agents and Treasurers (Continued on page 30)

'CUTEST LITTLE NUDIST' BILLING 'WORTH' 25¢

Detroit, Feb. 13. It must be hard to think up flash billings. A month ago a pair of stripers clashed legally in Detroit over the right to be billed as "The Golden Goddess."

Last week, Flo Ash arrived at the Colonial and decided it was worth \$25,000 to be billed as "The Cutest Little Nudist." She filed a lawsuit for that amount in Circuit Court over Ben Davis, a competitor in the theatre and night club field claiming she had tried to swipe her billing.

The judge issued a restraining order on Miss Davis, instructing her to think up something beside "The Cutest Little Nudist."

One of Jack Benny's earliest pictures, "The Medicine Man," made by Tiffany in 1921, is now being dusted with additional scenes and will be released in about four weeks over the protest of the radio star. Astor Pictures will distribute the film, which is owned by Bob Goldstein, former agent, now operator of the Tavern, N. Y.

Lloyd Wright, Benny's attorney, has sent wires to Astor and Goldstein declaring that changes in the performance contrary to Benny's rights will be resisted in law and equity. Goldstein declares, however, that he has a copy of the then comparatively obscure player's contract with Tiffany and has had his lawyers comb it carefully. Benny recently was employed as the star and has no other rights in the film, attorneys said.

Goldstein declared that it is naturally impossible to change Benny's performance, but indicated that imitations of Bachner and Fred Allen to bring the picture up to date may be employed. General idea of the new sound track and dated production (Continued on page 34)

Moss Hart's Calif. Riot; Femmes Threaten Not To Come to His 'Dinner'

Los Angeles, Feb. 13. There is no law enforcing a visiting fireman to admire California, its climate or its women, although it is a tradition in these parts. Which may explain the high voltage of the daily papers when Moss Hart, bored by a cross-country trek from Broadway, flunked the exam on three counts. Hart, take it from the interviewers, registers zero in delight over the Southern States' climate and its glamorous gala.

Writer had come west for the opening of his (and George S. Kaufman's) "The Man Who Came to Dinner" at the Baltimore theatre last night (Monday), and particularly to observe Alexander Woolcott, which is a large job in any climate. (Re-Continued on page 30)

'Typed,' Says Prouty, In Post With 20th

Hollywood, Feb. 13. Twentieth-Fox yesterday (Monday) turned its cameras on the 17th in the series of Jones Family Pictures, "On Their Own," without Jed Prouty, father of the breed. Prouty is fondling with the studio over com, claiming his trip as Jones prevents him from getting other film jobs. Two scripts of the story have been prepared, and will be switched if and when Prouty returns.

FANS' H'S AFFECTION TIPS OFF THE U.S. PICTURE PROSECUTION

Atlanta, K. C., N. Y. and Philly the Keys of the Government's Case—Admits Will Naturally Have to Rely on Antagonistic Indies to Prove Its Case

An affidavit submitted by William Farnsworth, operating under a pseudonym in charge of the N. Y. prosecution of the Government suit against the major film companies, has disclosed much more clearly than heretofore what the Government plans to do in its action. The affidavit was in support of an application to force Columbia Pictures to accept the interrogatories submitted on the Government by the other major companies, or if Columbia refuses to accept them, to throw out the questions submitted by the company.

Farnsworth declares that Columbia has submitted a list of interrogatories requiring the U. S. to supply the names of all persons having knowledge of facts which relate to the charges made in the complaint against the company.

It is manifestly impossible, says the Government attorney for the U. S., to include within the scope of a lawsuit, evidence as to the practices in such companies. The Government's fundamental contention is that the business of production and distribution of motion pictures should be divorced from the business of exhibition, there being, under the existing law, no connection between the two.

The Government's next move is to have the industry divided into two camps, one to be controlled by the police of their own affiliates and studios, and the other of the control upon competition in the industry. In showing this effect, the practical result of a law of this kind is the Government to select what it regards as representative evidence, rather than cover the entire field of the defendant's activities for the period in question.

It is impractical to secure all of the data called for within a reasonable time. The Government, therefore, selects four cities, Atlanta, Kansas City, New York and Philadelphia, and limits its questions to those cities. In offering oral testimony, the Government cannot attempt to cover all cities, but will select those situations which it regards as representative.

The Government will furnish the defendants with a list of names and addresses of probable witnesses by February 1. The list will include the names of persons, who, it thought, might have knowledge of facts, but who the Government has determined to be of no value to the case.

It, in response to the defendant's interrogatories, the Government will state that it has no knowledge of facts, but who the Government has determined to be of no value to the case. The Government will state that it has no knowledge of facts, but who the Government has determined to be of no value to the case.

The U. S. witnesses will necessarily be drawn from independent exhibitors, distributors, and exhibitors, who have in the past, or now are engaged in doing business with the defendant. They are, of course, independent business men, over whose testimony the Government has no control.

(Continued on page 14)

SCHAEFER'S DEALS

Reels MGM Film For Colman-Bogers—Seems to N. Y. This Weekend

George J. Schaefer, RKO chief, heads east over the weekend for a month at the home office in New York after parlaying with studio execs and okaying player deals and story buys.

Among Coast deals was the signing of Ronald Colman to co-star with Ginger Rogers in "Good Luck," from Saatchi Guitry's "Bonne Chance." Picture will signal the take off of Harry Edwards as studio's executive producer. Deal is also in the works for Carole Lombard to do two pictures. Red Dwyer is already back in N. Y. Both he and Schaefer went west together two weeks ago.

Sam Katz Doesn't Think It's G-W's Cuts Program

Sam Katz, out for the first time in several weeks, left his night (10) for the Coast. He stated that he came on principally to "vacation" and was not at all concerned with the industry. He stated that he had no opinion on the matter of the industry's cuts program. He stated that he had no opinion on the matter of the industry's cuts program.

The Metro production executive stated that he did not think Metro would cut its program for the 1941 season. Schedule usually runs 55 a year.

One report was that Metro would reduce the number and make them all 'A's' at the budgets which the company usually sets for the top pictures.

Metro's High-Cost Series Hollywood, Feb. 13. Metro plans a series of high-budget films with plenty of big names during the next 12 months. First is "Beau Train," a \$2,000,000 production with Clark Gable, Spencer Tracy, Claudette Colbert and Hedy Lamarr as co-stars.

Plan is prompted by the success of "The Women," which had a big budget and a star-studded cast.

SCHULBERG MAY RETURN TO COLUMBIA STUDIO

Hollywood, Feb. 13. Sam Brickin, ex-Columbia, is talking a deal with B. P. Schulberg to return to the lot as a producer.

Schulberg was with Col. in 1935-36.

Wurtzel Feted

Hollywood, Feb. 13. Sol M. Wurtzel was guest of honor at a dinner at the Millerton Country club to celebrate 25 years of continuous work at 20th-Pay and its predecessor, Fox Film Corp.

Dinner was attended by biggies from all the studios.

Other News Pertaining to Pictures

Ben Miggins reports..... Page 15
French war film dictatorship..... Page 15
Paramount's return in Spain..... Page 15
Zuker and Hicks back March 18..... Page 20
Jimmy Walker's radio show..... Page 20
Sunday, Tuesday radio beats..... Page 20
Columbia keeps Screen Guild..... Page 20
Ernie Rhea's daughter signs for Republic..... Page 21
Radio review: Zane Pitts..... Page 26
New case set of AGVA..... Page 26
Alec Weill's "Mama"..... Page 26
Barrymore back in 'Children'..... Page 31

BROWN'S 'MANHATTAN' REMAKE FOR PAR IN N.Y.

Deal is understood to be virtually set for Paramount to remake "Young Man of Manhattan" which Rowland Brown plans to produce. Brown has been expected to begin work at Eastern Service Studios in Astoria, L. I., about a month ago.

Picture will be a remake of the Katharine Brush story first filmed by Paramount in 1928. Brown has top names Dea and Joel McCrea for top roles.

BIOFF HEADGIG LAST NIGHT (13)

Governor Culbert Olson presided at the hearing late today (Tues.) to extradite Willie Bluff to Illinois. He is wanted in that state to fulfill a six-month prison sentence for passing bad checks. The Governor has been here for the past few days to bring pressure on the Governor to delay decision until the conclusion of wage negotiations between producers and unions in Hollywood. Bluff himself denied being a fugitive.

Bluff's aides were claiming in their plea that Willie would waive extradition and return east voluntarily to serve his term in Illinois. It was reported, however, that Gov. Olson, who is personally conducting the hearing, is probably to have done his decision at the conclusion of legal arguments. There is also the possibility that he may delay the hearing a couple of days before announcing whether Bluff is to be sent back to Chicago. The decision is before Vanant's press time last night.

Charles Egan, Chi detective lieutenant, is here to attend the hearing and if Olson signs the papers he will fly to Hollywood and return to Chi before he works with Bluff. It was understood here before the hearing that the convicted labor leader attorneys would plead that was the only man who could save the 10% wage increase for studio technicians and that there was an "altruistic motive" behind the Chi requisition demand.

In Hollywood for the past few days, Bluff aides have been distributing pamphlets and sending mail to the governor urging to keep him from shipping Willie east. Illinois attorneys will contend that Bluff has already been convicted as a fugitive and the only question for Olson to decide is if requisition papers are in proper form. They contend that his indictment by the Federal Government for asserted income tax frauds, and frequent arrests by Chicago police, subsequent to his conviction, preclude any rehabilitation plea.

Report Steve Lynch Out of Danger Now

In Hollywood for the past few days, Bluff aides have been distributing pamphlets and sending mail to the governor urging to keep him from shipping Willie east. Illinois attorneys will contend that Bluff has already been convicted as a fugitive and the only question for Olson to decide is if requisition papers are in proper form. They contend that his indictment by the Federal Government for asserted income tax frauds, and frequent arrests by Chicago police, subsequent to his conviction, preclude any rehabilitation plea.

Bringing doctors down from New York, Lynch received injections from which a chemical reaction developed, seriously endangering his life. It is understood. He is believed out of danger now.

Staggering Choice Product

Film bookers for major and larger independent circuits are bottling distribution offices over setting some of the choice late winter attractions on a competitive basis in their towns. "Gone With the Wind," in every instance, is playing extended runs and the picture is dominating the "Grapes of Wrath" and "Pinocchio" to escape the "Gone" competition. Rearrangement of playing time will postpone dates of second and third circuit runs, but the theater houses are holding fast against the pressure from exchanges to get the sex attractions moving as soon as prints reach the branch office.

Business is being given earnest study in home offices which are in staggered bookings the necessity for reviving future income charts, although greater grosses are anticipated from individual films, but collections are being made at the time of the first run. The picture is the first run bookings again highlights the ineffectiveness of national magazine advertising for films when publication dates, in some instances, will be weeks ahead of exhibition dates.

UA's Resignation From Hays Org. on March 1

United Artists' resignation from the Motion Picture Production Code and Distributors of America, Inc., becomes effective March 1. Tenders last September, in accordance with Hays office by-law it became effective six months from that date. Resignation applies only to the Motion Picture Production Code and not to the producers who remain through it, most of whom are members of the Motion Picture Distributing Company to resign since inception of the MPDPA 18 years ago.

Par's for '40-41, Much Less Than The 58 For '39-40

Paramount will make at least 40 features for the 1940-41 season and probably more than this number through the year. It is expected that the reduction from the 58 and to be delivered this year. Exact number will not be made until next year, but it is expected to be around 40.

When Y. Frank Freeman was east a couple weeks ago, production plans were discussed for 1941 but nothing determined on except that the program will be smaller. No decision has been reached concerning the building of a new studio on the outskirts of Hollywood, although the property has been purchased. This matter was also taken up when Freeman was east.

Kohlmar at 20th

Hollywood, Feb. 13. Fred Kohlmar, who recently checked out of a producer berth at Columbia, joined 20th-Fox Monday (12) as aide to Harry F. Zerkow. Will work on production and function as talent liaison.

L. A. TO N. Y.

Fred Astaire, Charles Cullen, Ned DeGrip, Roy Disney, Dorothy Foy, John Garfield, Walter Graess, Kenneth Harlan, George Heller, Emily Holt, Charles Lester, Masha Lezhik, Margaret Lindsay, Donald MacBride, Robert Preston, George Raft, George Seaton, Randolph Scott, George Zucco.

N. Y. TO L. A.

Edie Brackman, Lawrence Lowmance, Sam Katz, George Langford, Louis B. Mayer, Frank Oratt, Charles Oakley, Joe Penner, Jack Renard, Fred Rock, Jay Seashook, Krongy Steved, Howard Strickling.

ARRIVALS

Liam O'Flaherty, Lethbridge Sted, David Phillips, Robert.

L&J-PAR TALK PERMANENT PARD DEAL

Hanging fire for several months now, the discussions concerning a permanent Paramount partnership with L&J Pictures (L&J) in the southeast is reported to involve a question of whether owned by L&J Pictures or Paramount. About 50 houses are involved in the proposed partnership.

The Par firm with E. E. Sparks, executive of the Florida theater, excepting those in Miami, has been amicably settled. It arose over reclamation of the Florida market. L&J Pictures began its discussions on a permanent partnership with Cooper about a year ago.

FILM BIZ 'WARNED' ON F.W. WOOLWORTH BIOG

Warnings were received by all film companies last week against disclosure of pictures or attempts to film "Dino Stone" biography of Frank W. Woolworth, entrepreneur, publisher, Saturday Evening Post. Letters from Rosenberg and Jaffe, attorneys for an undisclosed branch of the Woolworth clan, threatened to sue Barbara Hutton, F.W.'s granddaughter, Sol A. Hunsbatt, who signed the letters, which threatened "appropriate action," is former NRA code administrator in the navy, although no actual offers have been made, according to Maxwell Aley, agent for the authors. Edward G. Robinson has discussed it as a vehicle for himself and is attempting to interview Warner.

Two years of research on the story were done by John Winkler. It is being published in book form under his name by McBride in April. Story version was rewritten "indignantly" by Boyden Sparkes, the piece carrying the names of both men. Most of the material, pictures were obtained by Winkler through the cooperation of Woolworth's brother, Charles, and Woolworth, and the Woolworths, each of whom approve of the biography. No other pictures, however, are not pleased with the airing of the family ghosts. Documentaries in the history of the E. C. McCann, who was married to Miss Woolworth's sister, Lema, now dead, are being made by the family before publication was started.

No specific objections are raised to Hunsbatt's letter to the film companies.

SAILINGS

Feb. 10 (West Indies Cruise) Ed Wolf went to Europe.
Feb. 10 (New York to Genoa) Bernardino Molinari.
Feb. 10 (New York to Genoa) Jo Davidson, Mrs. David E. Rose, A. C. Brown, B. E. Reisman, Drew Middleton.
Feb. 9 (New York to Chile) Miss Skinner, Bluma De Beaulieu, Carl W. Jones, (Alma Loria).

THE PICTURE LINE

Anti-Trust Trial Case Will Take Full Yr.

The pre-trial conference, which will start March 1 before Federal Judge Henry W. Goddard in N.Y., will shorten the actual trial of anti-trust-trial case of the film industry by over half a year. The Government expects to conclude its case about the end of July. A second trial will then be taken which should extend for one to two months. The defendants will take about six months following the action. The entire trial should end by this time in 1941.

It has also been learned that the Government intends to present its evidence on a state-by-state basis. Each independent exhibitor in each state will be brought to N.Y., and his side of the action will thus be presented. It is probable that the majority of the complaints will come from the eastern center of the country, with only a representative group from the middle and far west.

Gouldyn to Make No More Films Until A Accord; Staff Layoffs

Samuel Goldwyn will make no more pictures, it was disclosed Monday (12), until his battle with United Artists is settled. Producer is said to be in a showdown with the company, which has threatened to sue him in two months or more, until his complaints have been thrashed out in the courts. Goldwyn has an amicable arrangement permitting him to withdraw from the UA contract is arrived at sooner.

With the completion of "The Winner" last week, Goldwyn's UA contract, which had already been pared to a minimum, was virtually dissolved entirely. Eastern employees of the production department have indicated they are through with Friday (10). They are Bert Block, story editor, and Helene Manich, his assistant.

Although Murray Silverstone, operating chief of UA, Charles Schwartz, counsel for the company, Goldwyn and his attorney, Max D. Brewer, are all on the Coast now and will perhaps conclude a truce in the only as an outside possibility. Difficulty lies in the fact that Goldwyn's complaint is not one that can be easily compromised or on which UA can make concessions.

His reason, he says, for his desire to terminate his producing contract with UA, of which he is 25% owner, is the fact that the company is selling away from its original reason for being. It was organized as a matter of convenience to be the distributing mechanism of the work of a select number of top-grade producers. Goldwyn objects that it has taken in too many additional producers in the past few years.

Schwartz, before his departure for the Coast last week, summed up Goldwyn's best differently. "He wants to be the boss," Schwartz declared, "and we won't let him have any more than his fair share of control of the company's policy. So he wants to pick up his dolls and get out."

Gold of Block and Miss Marned in the New York office was not unexpected as Goldwyn owns at least 50% interest in the picture, which could start work immediately were the UA difficulties solved. They are "The Boys" (Black), "Tahiti and Seventh Cavalry," Gertrude Unger, secretary in the story department, will be retained, will be working up to date on new plays and books.

Block's plans for the future are primarily the production of a play of which he is co-author.

Stahl Recovered, Will Complete UA Deal West

John M. Stahl, who came to New York two weeks ago to talk to a producing deal with United Artists, and who has been bedded with influenza most of the time since, will be permitted to leave his hotel room for the first time today (Wednesday). Stahl, to Murray Silverstone, UA chief, has gone to the Coast. Stahl will have to return there to his deal.

He'll stay in New York a spell before viewing the Broadway location of "Here attempting the cross-country trek."

EITHER COST OR LOW BUDGETERS

Joe Schenck Can't See the \$500,000 to \$600,000 Cost Pictures—These Need the Foreign Market Hype to Come Out, But Don't Rate Anything Abroad—\$1,000,000 Pix Only Command Foreign B.O.

300G CHEAPIES OK

Twentieth Century-Fox program for 1940 will consist of 41 top budget productions, a number of other pictures to be made at about \$200,000, and as few pictures as possible in the lowest of \$100,000 (500,000) classification, according to Joseph M. Schenck. Schenck has been of New York since Wednesday (7) confabulation with President Sidney R. Kent, sales director and other execs, on the general outlines of new studio policy.

Fox chiefman declared that the plan of producing more big-budget and more low-budget pictures, with a minimum of medium grade product, had been decided upon as the best method of meeting the exigencies caused by loss of income as result of the war abroad.

Prior to going into the production studios, Schenck and Kent went over possible sales policies for 1940. They discarded all ideas of roadshows or other exhibitors at raised admissions in favor of distribution in regular theaters. This conclusion was reached, Schenck said, in fairness to exhibitors, as the picture has already been said to them on that basis. Under terms of the contract, he explained, it could be withdrawn on condition that it not be allowed to go into second and subsequent runs for a year and that admission for original screenings be no less than \$11.00.

Schenck leaves New York tomorrow (Thursday) for a week in (Continued on page 20)

WORK SHIFTS PRD. STAFF

Hollywood, Feb. 13. Shakeup in the production setup at Universal placed Milton Schwartz in charge of medical picture, with Jack Gross taking over supervision of the studio's 'idea' or top-grade pictures in addition to his supervision of how operas and serials.

As a result of the new alignment, Don Brown, Cliff Work's executive secretary, becomes assistant to Gross; Greg Dowling, sec. to operations manager David Garber, moves into story left open by Brown, and Elmer Grether steps over from the property department to succeed Dowling.

Other shifts: umpire Marshall Grant, story editor, to associate producer; and Leonard Cripps, Grant's assistant, to story editor's chair, under supervision of Don's father, the University of personnel follow the Elmer Grether steps over from the ranks.

Hughes Prod. Delayed

Hollywood, Feb. 13. Howard Hughes is shoving off for two-month vacation in Florida, postponing his re-entry into film production until summer.

Meanwhile, Howard Hawks, who is committed to direct two pictures for Hughes, is in the east handling matters.

Mayer Tells Detroit Civic Leaders There's No Red Taint on H'wood

Dies Riles H'wood

Hollywood, Feb. 13. Bitter resentment is sweeping Hollywood at the all-inclusive charge made by Congressman Martin Dies that the film industry is pervaded with Communism. Dies blows his steam, at a reportedly fancy price, in two articles in Liberty, last week and this week.

Stories are bandied—and this is what has the film capital riled—on whether by his Congressional committee, but on the work of two investigators and a short stay in Hollywood by Dies earlier in May, 1938. First article claimed that 43 prominent members of the Hollywood film colony either were self-declared members of the Communist party or active sympathizers and fellow-travelers, and that Hollywood had contributed large sums of money to the Communist party.

Top home office theatre department executives of Paramount and other studios are also being asked from various parts of the country in Miami for an important powwow with Barney Balaban, vacationing there on Stanton L. Griffler's yacht.

Parley will continue to the end of the week, most of those present then returning to New York or their respective territories, but Balaban remains until Feb. 25.

In addition to general theatre problems, the Neely bill and other legislation is being discussed.

More influential partners called to Miami include E. V. Richards, R. B. Wiley, N. L. Nathanson, A. M. Blane, while others now in Florida a week or longer are Sam Pinesnick and Martin J. Mullin, E. J. Sparks, and Nate Kristof.

Leonard Goldenson, h. a. theatre executive close to Balaban, left for Miami in advance Wednesday (11), while Sam Denbrow, Jr., Montague Gwathorne and Leon Hettler trained out Friday (13). Arthur Kopp, v.p. and legal counsel for all of Par, left Saturday (10).

HENRY GINSBERG AIDE TO FREEMAN AT PAR

Hollywood, Feb. 13. Henry Ginsberg, former v.p. of United-Republics, has just become assistant to V. Frank Freeman, v.p. in charge of studio operations at Paramount. On Feb. 26 he was closed over the weekend at Palm Springs, and Ginsberg will remain in the resort until taking his new post.

He resigned from Selznick at the end of December and shortly thereafter that time spent several weeks in New York in an attempt to organize a union of his own. He was considered one of the ablest estimators of production costs in the industry, and his ability to handle budgets down to his estimates. He was, with Hal Roach for a number of years before joining S-I.

Hugh Huber Now a V. P.

Hollywood, Feb. 13. Hugh Huber, assistant secretary-treasurer of the Hal Roach outfit for seven years, as used to executive V. P. is accused Frank Ross, resigned.

In addition to the new job, Huber will carry on his old chores.

Detroit, Feb. 13. There's no Communist taint on Hollywood and its films.

Charges that the motion picture industry in Hollywood had a leftist taint, it is almost prosaically, exclusively at Fanatic and Nazism and avoided Communism, have no foundation in reality, Louis B. Mayer, Metro-Goldwyn-Mayer head, said here. In Detroit for the premiere of "Young Tom Edison," a nearby Port Union, Mayer was guest of honor at a civic luncheon sponsored by business and industrial leaders as well as Detroit motion picture theatre executives.

Such charges are stupid, he said. "As a matter of fact our studio has made one picture to devastate Communism, "Winning Way." After all that has been said in the picture, there is nothing more to say on the subject."

"You see, in the motion picture business we are concerned with drama, tragedy and comedy, the elements of a story that will be entertaining as well as possessing a moral message, "Winning Way." After all that has been said in the picture, there is nothing more to say on the subject."

Look at the scores of books written about the industry of the film about their decoration of churches and their treatment of priests and nuns as well as the laity. There is drama in that.

But Communism is different. We know little or nothing about it. We can't get into Russia to find out about it.

So far, most of the criticism leveled at Communism and the Soviet regime has been political, analytical and economic. It has not been a book, a good book, dealing with the drama in the Communist regime and the way it has paid good money for it."

He also saw no immediate possibility of surrendering the nation's motion picture capital from Hollywood to New York, but there was a veiled threat under the statement. "It's utterly impractical," he declared. "The millions we have invested in California in real estate, in studio buildings, in the homes of executives and employees, cannot be transferred without a loss. Of course, if in the trend of events anything is done in California that would force (Continued on page 20)

Variety
Trade Mark Registered
PUBLISHED WEEKLY
Published Weekly by VARIETY, Inc.
154 West 60th Street, New York City

SUBSCRIPTIONS		
Annual.....	\$10	Foreign.....\$12
Six Months.....	\$6	Foreign.....\$7
Vol. 137.....	No. 19	

INDEX	
Advance Productions Chart.....	40
Band Reviews.....	40
Bills.....	40
Dances.....	39-43
15 Years Ago.....	40
Picture Chart.....	41
Picture Reviews.....	10
Picture Showmanship.....	5
Foreign.....	50
Home Reviews.....	40-47
Inside-Legal.....	35
Inside-Music.....	35
Inside-Pictures.....	27
Inside-Radio.....	31
International News.....	32
Literati.....	32
Legitimate.....	30-33
Musik.....	35
New Acts.....	40
Night Club Reviews.....	42
Obituary.....	35
Pictures.....	39-43
Radio-International.....	30
Radio Reviews.....	30
Radio Shows.....	30
Vaudeville.....	44-45

SCREENPLAYWRIGHTS

Screen Playwrights Terminate 5-Year Pact With Producers; Gives SWG Edge

Hollywood, Feb. 13. Producers have accepted the offer of Screen Playwrights, Inc., for immediate cancellation of its contract with the Major companies. Agreement terminating the pact was signed by both groups. Move was believed to have paved way for an early settlement between producers and the Screen Writers Guild, in the future all disputes involving monetary credit will probably be passed on the SWG for arbitration, although the latter has no agreement with producers.

SP several months ago adopted the policy of referring disputes to the Guild when SWG members were involved. Situation was discussed at a meeting last night (Monday) of the Board of Directors.

John Lee Mahin, proxy of the SP, said the following reasons would justify the decision of the board to terminate the contract which became effective April 18, 1937, and was to have run for five years.

SWG Points

Hollywood, Feb. 13. Heads of Screen Writers Guild admitted that cancellation of the Screen Playwrights, Inc. contract removed the major obstacle in the way of an agreement with producers and the Guild. They pointed out that the three important points in the SWG appeal to the NLRB were (1) cancellation of the SP terms; (2) agreement by the studio to post a notice that they will not engage in unfair labor activities; and (3) agreement by the studios they will not refuse to bargain.

With the voiding of the SP pact, it is stated that a great deal of notice was not important and the way is cleared for either side to seek bargaining negotiations.

SP PAVES WAY FOR BROADER ACADEMY

Hollywood, Feb. 13. With the Screen Playwrights out of the picture, a meeting of the Inter-Talent Council of Actors, Writers and Directors in Guild form, at luncheon tomorrow (Wednesday) to discuss ways and means of making the Academy of Motion Picture Arts and Sciences more democratic in generalship by throwing open its membership to all those actively engaged in the creative and of the industry. An endeavor to bring the writers into production of screen writing, from which it stayed at the time the producers and writers differed.

It was then stated that the Academy was open to membership by invitation only heretofore.

Frank Lloyd has been made chairman of a membership committee to study plan for bringing in people of the Academy. It is the Inter-Talent group which has been making a survey of the Academy and is now proposing to discuss the probability of coming into the organization providing there is a revamped setup that would give its members a solid belief it is not strictly a producers organization. The opening wedge toward the meeting was brought about when Walter Wanger requested Sheridan Gilney, president of writers, to have a joint Inter-Talent group upon the Neely Bill through the Academy. Gilney then told Wanger that his organization was no part of the Academy and could not do it. Expected that possibly, if a decision is reached by the Inter-Talent meeting Wednesday for writers to come in, there will be joint action to discuss the Neely, to the bill. This would naturally be okayed by the Guild board at its meeting next Monday.

THIRD TRIP TO CAMERAS FOR 'DULCY' (SOTHERN)

Hollywood, Feb. 13. Ann Sothern gets the name role in 'Dulcy at Metre, the third filming of the picture in 14 days. Location Talmadge played it in 1934 and Martin Davies in 1939 under the title 'The Girl in the Sun'.

Producer is Edgar Selwyn.

20th Mobs 'Russell'

Hollywood, Feb. 13. 20th-Fox is in the process of making extra call of 1940 this week for scenes in 'Lillian Russell,' requiring from \$300 to \$400 for a scenario. Ross Roderman directs the scenes, while Irving Cummings handles the principals.

JAN. JOBS DROP TO ONE PER CENT

'No Request Rule' Is Abandoned by Plants in Move for Better Types—Weeding Out Seen by Guild

WHITE-COLLAR UNION

Hollywood, Feb. 13. Thousands of film extras have started a drive to crash major studio casting offices. Move followed an announcement that producers had abandoned the 'no request rule' in placing calls for atmosphere players and were submitting preferred lists to Casting Caster Corp. Addition of new system sent job placements for January to lowest figure in past six years.

Move arose by major companies were a majority of extra jobs in future will be set by studio casting offices. Companies will continue to place calls through Central Casting but furnished by a studio will be called before other players are called for jobs. If calls are completed from studio lists, extra who is not on studio list will be out of luck.

If plan becomes general Central Casting officials estimate that as high as 70% of extra jobs passed out to be set by studio casting offices, with extra being only a clearing house for calls from Central Casting designated extras.

Studio activists are reported to feel that abolition of 'no request rule' will enable producers to get more experienced and better class of extra. It was also pointed out that studios would be able to clear more work extra by the regular extra list. The casual player and frank extra would gradually be forced out of the industry, enabling regulars to earn a livelihood.

While Screen Actors Guild officials have been silent on move, leaders are understood to take position that the rule will react favorably to regular extras and against the Guild in getting rid of the occasional player.

System is similar to that used years ago when all extra jobs were hired directly by studio casting directors. Contrary to old system, however, actor employment will be made by Central Casting, although producers to be hired will be made upon the extra list.

Records disclosed by the Screen Actors Guild show that only 12,914 extra jobs were handed out by Central Casting during the month of January. Total expenditures for extra for only \$104,004. The average number employed daily was 535, divided between 328 men, 181 women and 26 children. The daily pay was \$11.85. The total placements were 1,239 under the same plan. The plan was introduced in the month since 1935 that job placements have fallen below the 15,000 mark.

Everyday Hopper, executive secretary of the Associated Actors and Artists of America have announced a new agreement between Four A affiliates on 'one' industry' and completion of reorganization of the industry.

Following a meeting between a committee from the SAG and the Associated Actors and Artists of America and the American Federation of Radio Artists, the following was agreed upon:

The representatives of the several branches of the Actors, International, the Screen Actors, and the Screen Writers, have reached an accord on all points which had appeared to be in dispute. The conference established that the differences were more apparent than real.

The conference was so successful in finding a basis for accord, that, in submitting our report for ratification to the members, board and actors, we recommended regular inter-union conferences of representatives from the SAG and the A.A.A. (Continued on page 25)

Still Many Angles to Be Ironed Out in 4A's Peace: Reis Report Will Decide Much; Overheard, Etc.

Yes, Where?

Detroit, Feb. 13. Those who caught the bill at the Fox here Feb. 8, stating that shaking their heads over one of the difficult occurrences to come along on the screen and never will have the plots clear in their minds.

They were watching 'The Invisible Man Returns' A character was fleeing through the woods, the transparent character after him. It was the end of the reel. The pursued lit out a torch and a door.

The operator had missed up his reel. He threw on one from the incomplete picture, 'The Married Man'. It showed Joel McCrea coming a doorway.

'Where are you?' McCrea responded, picking up the dialing and adding to the scene on the mings.

Most important result of the conflict between representatives of the Screen Actors Guild, Equity and the American Federation of Radio Artists is regarded as the decision of the castors and to send a delegation to the Coast from time to time for an exchange of views on the situation. However, it is understood that SAG has made no plans to send spokesmen to the Coast, but the decision of the castors and to send a delegation to the Coast from time to time for an exchange of views on the situation. However, it is understood that SAG has made no plans to send spokesmen to the Coast, but the decision of the castors and to send a delegation to the Coast from time to time for an exchange of views on the situation.

IATSE EXEC BD. Q. T. SESSIONS STILL ON

Meeting behind closed doors at the Everglades hotel, Miami, the executive board of the International Alliance of Theatrical Stage Employees is holding what is regarded as one of the most crucial and far-reaching sessions of its career, with its future beset by a mass of disturbing elements, not the least of which is the Willie Wolfe situation. While it is believed there has been no action on a turn that would mean Wolfe's resignation in the face of the attacks against him—and also the IA—is likely to have been discussed in the meeting and withdrawal from the IA might come later.

The whole Hollywood situation was on the agenda for the executive committee sessions, together with consideration of demands to be made upon the industry for the duration of the temporary 10% increase granted last fall or further upping. The temporary pact, obtained by Buff after threats of a countryside strike affecting theatres, expires tomorrow. The IA is in a position whether he will conduct the new negotiations. The IA is in a position whether he will conduct the new negotiations. The IA is in a position whether he will conduct the new negotiations.

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BOYS TOWN SEQUEL WITH TRACY, ROONEY

Hollywood, Feb. 13. Sequel to 'Boys Town' is under preparation at Metro, with Spencer Tracy and Mickey Rooney repeating in the leads. John W. Costello is producer and Norman Taurog as director.

Studio contracted to pay Father Edward J. Flanagan \$100,000 to be applied on the debt of the boys' institution near Omaha.

Although the recent furore in the affairs of the Associated Actors & Artists of America (Four A's) was ostentatiously couched on the Coast last week as the various factions behind the campaign, the settlement is regarded in informed circles as more theoretical than real. Substantial progress toward mutual understanding was made, but several of the sharper issues involved have been merely glossed over, not entirely removed.

Most important result of the conflict between representatives of the Screen Actors Guild, Equity and the American Federation of Radio Artists is regarded as the decision of the castors and to send a delegation to the Coast from time to time for an exchange of views on the situation. However, it is understood that SAG has made no plans to send spokesmen to the Coast, but the decision of the castors and to send a delegation to the Coast from time to time for an exchange of views on the situation.

Statement that SAG will organize in the American Guild of Variety Artists organizing drive on the Coast is regarded as a move to 'pull' advice is not taken too seriously. The fact that the AGVA organizing campaign is being conducted in a more discreet manner as really being two problems—on one hand and a well-known as an aggressive move on the other.

Terms of the accord reached by the SAG and the Equity-AFTRA delegates were not announced, but it's understood that SAG announced its intention to send a delegation to the Coast from time to time for an exchange of views on the situation. However, it is understood that SAG has made no plans to send spokesmen to the Coast, but the decision of the castors and to send a delegation to the Coast from time to time for an exchange of views on the situation.

Even East Coast. Though the SAG has been thought of as a temporary head of the AGVA for the duration of the crisis precipitated by the SAG's refusal to accept the 10% increase, it is not clear whether the executive-secretary of the SAG, H. H. Haddock, newly appointed as secretary of the SAG, is familiar with the AGVA affairs. Despite the sweetness and light and the friendly statements issued after the Coast conflict, there's no evidence that the Coast is taking any active part in the AGVA's affairs in the future.

On the contrary, several intangible factors are likely to be a permanent SAG policy of staying aloof from the Coast and attending strictly to its own affairs.

As things stand now, the question of whether there is to be a re-organization of the Four A's and the line of 'one big union' and, if so, what form that consolidation is to take, remains open. The SAG is in a position whether he will conduct the new negotiations.

However, the whole problem appears to be a temporary one. The organization is to be carried out. It's believed the Coast end would favor (Continued on page 25)

* At his writing, paid-up account. (Continued on page 25)

St. Louis Appeals Court Chies

Nick and Weston's Ad Domination

St. Louis, Feb. 13. Efforts of John P. Nick and Clyde A. Weston to keep control of IATSE Local No. 143, which was ousted last April, were still being fought last week when the St. Louis Court of Appeals, the city's highest tribunal, rendered its decision in which it upheld the action of circuit judge Ernest F. Oakley, who issued a temporary injunction restraining them from carrying on the affairs of the local and appointing two co-receivers. In an earlier decision, Judge Oakley's refusal to revoke his appointment of William M. Braun, president of the Central Trades and Labor Union, and James A. McKenna, pres. of the John O'Brien Boiler Works, the high court has now ruled for a permanent injunction against Nick and Weston.

In its decision the court stated that C. E. Browne, pres. of IATSE, into the picture by asserting that the union enjoyed local autonomy from 1935, when it was chartered, until 1937, when it was placed under the strict domination of Nick and Weston, advised of George E. Browne, international president. Another shaft of criticism was aimed at Nick and Weston, who the court said, "no agreeable had the affairs of the local been conducted, that prior to 1937, when the local had been preferred against it by the international, nor had it ever been a democratic organization. The court furnished the pretext of taking over the local once late in 1934 or early in 1935, when one member, a member, preferred charges within the union against the business manager and several others, and a permanent injunction which had been made by such officers with the local exhibitors' action to waive and remove the back wages alleged due certain members, but without having obtained the consent of the members involved.

"It appears that when Browne and the international executive committee of IATSE met in St. Louis in 1935, the same complaints were made of the situation as those which detail, who, at that time, merely advised the officers and members to go together and make their differences in a friendly fashion. Such would seem to have been the basis of any action taken, as is pointed out by the international officers so far as this record discloses, notwithstanding the recommendations of Browne and the general executive board, which were intended to leave the members in the amiable disposing of the conditions complained of, only one month later, in 1935, Nick and Weston suddenly appeared at the office of the local union and forthwith took charge of the office and all the affairs of the local union."

Barker's statement of a reference by Weston to a "new racket in which Nick has his money invested." The statement is stated in the opinion, was to a sound service which Nick Weston organized himself to become the business manager of Local No. 143. Nick's headquarters were described in the opinion as a "place of business" and "a place of business."

After Judge Oakley ousted Nick and Weston and installed the co-receivers, the defendants immediately appealed to the state supreme court but the high tribunal shunted the matter to the St. Louis Court of Appeals for judicial review. Defense counsel in their arguments before the court took issue with the fact that the circuit court lacked authority to appoint receivers for a labor union, a voluntary association, and that those who seemed to assist Nick and Weston had failed to exhaust all remedies within the union and that no property rights were involved.

The court of Appeals commented on the failure of Nick and Weston to present evidence in opposition to the receivership order brought by 68 members of Local No. 143. It stated: "It is with poor grace for the appellants to insist that the court should substitute and remove the great mass of convincing evidence submitted by the plaintiffs. On the record before us, the appellants' arguments to be had by the plaintiffs by appeal to tribunals within the organization." The appellants stated that Nick and Weston were "either powerless or unwilling" to do so. Evidence was presented that Nick bent one extension rack several weeks ago when circuit judge

Singing Titles

St. Louis, Feb. 13. "Ma, He's Got the Blues" was picked as the title for Universal's musical show, currently being filmed at the studio. Moore and Tom Brown in the top spots. Member comes from old song used in the picture.

U'Oh Johnny, How You Can Love a similar musical showing.

PATTERSON, AIDE TO JOE BERKHARD, DIES AT 63

Willard C. Patterson, 63, widely known as the man who spent most of his years in the picture business, died Sunday (11) in Palm Springs, Calif., where he had come recently in an effort to forestall a lingering illness. He had been under doctor's care for many years, and in 1937 had obtained a leave of absence from Warner Bros., returning in greatly improved shape after spending about six months in the mountains.

Patterson of late had been assistant to Joseph W. Bernhardt, g.m. of the WB theater. He originally came to Warner Bros. in 1930, being appointed special relations director, including labor matters, etc. He later shifted to Paramount, taking charge of all its theatrical division, then returned to WB.

Born in Atlanta, "Pat" started in legit show business as an advance agent. He was a theatrical manager, and later took over operation of the Criterion and Metropolitan theaters, Atlanta. In 1934 he became division manager for Universal, in charge of theaters it then had in the south. He was a district manager out of Atlanta.

Patterson is survived by his widow. Burial will be in Atlanta.

Selznick Wants Ingrid Bergman to Do a Legit

Ingrid Bergman, back in New York after a short visit to the Coast for confab with David O. Selznick, to whom she is under contract, is seeking a legit play in which to appear from now until early summer. Her latest commitment is "John Arct," which will probably go no before the cameras until July, and Selznick is anxious that the star appear on Broadway in the meantime.

Film producers believe that a legit role will improve Miss Bergman's English and also give her additional theater background which will further round out her popularity. Whether or not a play is found for her, she will remain in New York until called to the Coast.

Pert Kelton Bankrupt

Pert Kelton, unemployed actor, filed a voluntary petition of bankruptcy in N. Y. federal court Wednesday (12), listing assets of \$200 and liabilities of \$4,676. In 1939 the actor earned \$2,300 and in 1939 \$750.

Largest creditor is Jeannette Hughes, of St. Albans, L. I. \$4,500, for services rendered. Creditors include 1931-1939. Others include Marieje Morrison of Hollywood, \$416; Harry Albert of Hollywood, \$319; Charles Beyer of Hollywood, \$310, and Paul Connel of Hollywood \$30, all for services from 1935-1939.

Thomas Rowe found that the state's evidence was insufficient for submission to a jury but he and Weston are sketched to go to but an another extension of the judgment. In this case they are charged with having extorted \$4,500 from local exhibitors during a wage increase parley in 1937. Nick was jointly charged in the other case with State Representative Edward M. Brady, who has asked for a dismissal of his case. That decision is pending.

'Ben Franklin' For Dieterle at Warners

Hollywood, Feb. 13. William Dieterle goes to director assignment on "Benjamin Franklin," high budgeted slated for spring release at Warners. Picture stars Edward G. Robinson.

EXHIBITS BEEFING ABOUT REELS 'SAFENESS'

Duplication of story coverage, particularly on the European war news, in the American newsreels is causing squawks from newsreel theater operators, and also from other exhibitors taking three or four reels each week. Complaint is especially loud from the newsreel house operators because they claim it adds to their overhead, necessitating that they purchase strong shorts in order to fill out an hour's program.

Some newsreel exhibite charge there has been so much story duplication lately that often it is impossible to get more than 20 to 30 minutes of correctly selected newsreels or even scenes are repeated from other newsreels. Thus, instead of using one or two single-reel shorts, some have been forced to get three and four short features to make a 30-minute show. Matters worse, they claim that the caliber of short subjects is lower than it has been in the past, even years, excepting possibly in the "trunk" or traveling field.

Another exhibitor said that the war coverage is controlled by the "biggest national censorship," Reel One, which is obtained from the European front has same news. Exception has been a little relief obtained from the European front has same news. Several of the more interesting reels, notably Paramount, which had the first action fighting scenes obtained by its own cameraman, Arthur Monahan.

25c Wrestling, Orbits In Civic And Bar-Top For Cleveland Exhibits

Cleveland, Feb. 12. Cut-rate ranking bouts are now worrying theater impresarios, who are being given such opposition as multi-screening, "rough" roller-skating, boxing alleys and more competitive events at civic auditoriums to view the same.

"Trying to pull grossers out of the dairy zone arenas, they were well-watched, especially under the eye of Al Sutphen's experiment of grand-grand-grand circuits at 12,500-capacity Arena for the admission. Since pulled in 12,500 fans so easily that it will become a weekly feature. Rural promoters at 4,000-seated arenas now are also chopping their tickets down to two-bits, directly encroaching upon the clientele and take of local film houses.

Downing exhibitors are going into the arena this week to combat it. Framing a protest to boxing commission against price-cutting war that is being felt at theaters. A demand is for a minimum of 75c a ticket for all athletic events.

Should Keep His Busy

Hollywood, Feb. 12. Errol Flynn, with a busy spring and summer, faces four starry lined up to be produced in the studio in which he is currently in "The Sea Hawk."

In preparation are "O.T. of Gai," "Captain Hornblower," "Bolivar," and "The White Rajah."

WELKER GOES NATIVE

Hollywood, Feb. 12. Alfred Werker goes the director assignment on Edward Small's tropical production "South of Pago Pago." Location unit sails for the South Seas shortly for background shots.

N. Y. Has 3 Tough Anti-Show Biz Bills On Tap; Other Legislation

Is This a System?

J. J. O'Connor, chief of the N.Y. theatre circuit, declared last week that he and his associates failed to estimate within a few hundred dollars the gross of the "Gone With the Wind" in any of the company's houses in which the Selznick picture has opened.

His method, he said, is to multiply the normal gross of the house by four. It never fails.

DENBOW'S SURVEY OF P.A.R.'S NETCO CIRCUIT

During the past week Sam Denbow, Jr., made a complete survey of the Metro circuit, embracing Paramount's theatres in upper New York state operated by George Walsh and Eugene Levy out of Poughkeepsie. This is one of the northern tier of P.A.R. circuits and changes of ownership Denbow is in charge of theatre operation and film buying.

He will make similar additional trips in the territory, which is under his jurisdiction from the home office and may next look in on the Detroit circuit, in charge locally of Earl Harlan.

'Jan. 16' Par Co-Starrer For Stanwyck, Ameche

Hollywood, Feb. 13. Barbara Stanwyck, and Don Ameche, starred in "The Night of Jan. 16," slated for early filming at Paramount. Story was bought from Mitchell Leisen directed under Anthony Veary's production supervision.

H'WOOD AT SEA

Back Lot Oceanography Cycle of Movies

Hollywood, Feb. 13. Hollywood is going in heavily for sea pictures since producers discovered that they could shoot marine films on their own back lots. Practically every studio has naval tales slated for next season or is searching the literary market for suitable material.

20th-Fox shot water scenes in "Little Old New York" for the first time. The picture is being shot on a special lake and is readying "Down to the Sea in Ships" for the 1940-41 season. Warner built a new marine stage for "The Sea Hawk," "The Sea Wolf," "Captain Horatio Hornblower" and "John Paul Jones." The old scheme of going to sea was too expensive.

Metro's 2 Sequels

Metro has two "vaque" pictures in the air, or about to go into production. "Edison the Man," starring Spencer Tracy, is all set as a follow-up to the about-to-be-released "Young Tom Edison," starring Mickey Rooney. However, M-G-M is still undecided about the second "Northwest Passage," made from Kenneth Roberts' best seller. Only half the book has been turned in a high-budgeted color production, and b.o. returns will have to determine any follow-up. "Panic" is being rushed through the printing process to take care of 450 day-and-date openings. Feb. 23.

Olivia's WB Peace

Hollywood, Feb. 13. Olivia de Havilland has made peace with Warner Bros. and will report to the studio in a day for the lead in "Flight No. 8."

Her refusal to play in "Saturday's Children" drew a suspension a short time ago.

TAYLOR WITH A MUSTACHE

A new Robert Taylor is being molded by Metro, to which the star is under contract. "Panic" is being reported about to carry out plans that would put a mustache on him.

Three bills introduced in the N. Y. state legislature during the current session are causing theatre men concern. Two of them are tax measures, one aimed specifically at circuits, and the third regulates billboards and advertising on state-controlled thoroughfares.

Other taxes have been introduced in the Assembly by Representative Louis Bennett of the Bronx. It is a chain circuit, theatre being specifically mentioned as included in that category. Tax is \$50 each on two to five theatres, \$100 each on six to 10; \$250 on 11 to 20, and \$1,000 each in excess of 20.

Other taxes the Brevity-Whitely bill imposing a sales and advertisement levy. It would put a 10% tax on advertising, and 20% on theatricals. A joke involved, however, which might react to the advantage of the theatre, is that the state would collect the fee and remit the major portion of it to those municipalities which reduce their realty tax rates at least 10%.

Bill limiting advertising signs was introduced by Representative George of Kingston, in the senate. It would principally affect theatres in unincorporated areas, and would require signs on highways run. It provides that a permit must be obtained for every sign, and that a sign must be placed and a superintendent shall be named who may refuse a permit for any sign which is not in accordance with the contents of the signs are also subject to approval of the superintendent.

Two other bills, both by Representative Harold Ostberg, of Westchester county, will be introduced in the Assembly to control bookers' advances. They would affect the Long Island City, and in Long Island, to artists bureau of the major radio nets. Details are in the veto schedule.

Ky's Commercial Van

Louisville, Feb. 13. General Assembly, in session in Frankfort, Ky., will consider a bill prepared for introduction by Representative J. F. Fitzpatrick of Covington, which would set up a State board of film censorship, to be composed of representatives of a moral, educational or scientific and harmless character."

Under terms of legislation, plan would be subject to attack by censors before subject to exhibit, and a \$1 fine for each violation, not exceeding 1,000 feet would be levied. A \$1,000 fine would be levied on each additional 1,000 feet or fraction of 1,000.

Three-member censorship board would be appointed by the Dept. of Education, with members appointed by the Governor "to serve during his pleasure," receiving salaries, but no salary. One section of bill would allow the board to work with such boards in other states. "With a congress," and the congress' action would be taken as that of the State board.

An official leader of "stamp of approval" five feet long, would be approved by the board. The bill lists still fees for violation of its provisions.

Legislation affecting the theatre, Senator Rodman W. Keenon, Lexington, Ky., has outlined proposed legislation to amend existing "cash price rights."

Day-Dating for 'Becky'

Hollywood, Feb. 13. "Rebecca," currently in the final editing stages at Selznick-International, will be released through easily throughout the country by United Artists instead of being sent out on a roadshow, as originally planned.

Picture co-stars Laurence Olivier and Joan Fontaine.

But Can He Croon?

Hollywood, Feb. 13. Don Barry gets the top job in Republic's new sugarbush series, to be produced and directed by George Stevens. Barry, 28, has made four studio discs had six to 11 screen tests.

One of the series is in "Ghost Valley Rider," slated to roll tomorrow (Wed.).

OUTSTANDING
 JUST
 WONDERFUL
 CRITICS
 HAIL!
 EXCELLENT
 BRILLIANT
 GRAND
 GAY
 GREAT
 Walt Disney's
newest full-length feature in technicolor
 Pinocchio

The most enchanting film ever brought to the screen. Will appeal to all types and ages of people. Far superior to anything Disney has ever done. Hurry over to the Center Theatre — pronto! —Kate Cameron, News

succession of humorous incident... sure touch of comic genius. Another Disney masterpiece.

—Howard Barnes, Herald-Tribune

As brilliant as was his Snow White... Disney's PINOCCHIO is twice as inspiring... he has accomplished the astonishing feat of out-Disneying Disney himself.

—Rose Pelwick, Journal-American

A compound of imagination and craftsmanship, beauty and eloquence to be found only in great works of art... endless

—AND ALL RECORDS GO TUMBLING A

very bit as fine as we had
 ayed it would be, if not finer
 . Superior to Snow White ...
 e best thing Disney has done.
 —Frank Nugent, Times

ing out the news! ... Walt
 isney has not only matched
 ut has outdistanced Snow
 White. Recommended unre-
 servedly for young and old
 like. Will leave you amazed
 at Disney's timeless genius.
 —Wm. Boehnel, World-Telegram

... When you go to see
 NOCCHIO forget all about
 Snow White... it is far superior
 to its predecessor. You are go-
 ing to leave the theatre singing

its praises. Don't miss it! Really
 grand and happy stuff!

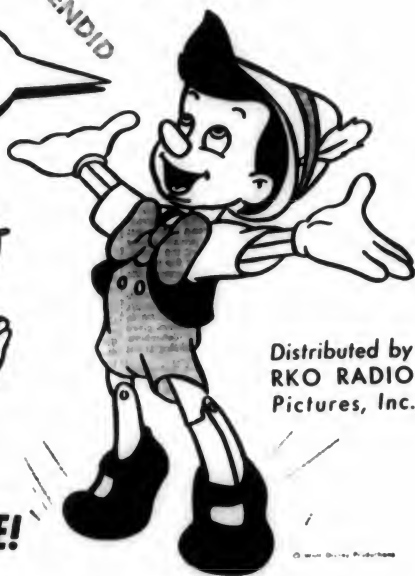
—Lee Mortimer, Mirror

Absolutely perfect and a work
 of pure, unadulterated genius.
 Has a higher percentage of
 pleasure for adults than any-
 thing Disney has ever done.
 No excuse for not seeing it
 will be acceptable.

—Archer Winsten, Post

It is hard to think of anyone who
 wouldn't like to see it twice at
 least... A screen classic for adults
 as well as juvenile audiences.
 This twentieth century still has
 reason for rejoicing ... it has
 Disney! —Eileen Creelman, Sun

**JIMINY CRICKET!
 IT'S HAILING ORCHIDS!**



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 Pictures, Inc.

NEW YORK'S CENTER THEATRE!

SWITZ TO HOLD 'GONE' FOREIGN PREMIERE

With prints of "Gone With the Wind" now on the way to Australia, South Africa and other foreign markets, the foreign premiere of the picture to be held in Sydney some time next month. The picture will be arrived in either dubbing in foreign tongue or superimposing foreign titles, prints will not be shipped to non-English countries for two months.

Arthur Low, head of Metro's foreign department, and David O. Selznick presently are negotiating on the necessity of setting terms in Great Britain and France. Contract reads that Selznick may hold back release of foreign countries having no flow of currency to the U.S. This is the sole hitch to the immediate release in European countries presently.

Great Britain currently is fronting 50% of the net rental on American distributing companies. Consequently, only a complicated deal would bridge the gap, since Metro would be able to withdraw only about \$4,000,000 per year and "Gone" would be equal merely to its proportionate share. Presently it seems likely that Metro will wait for a month or two to ascertain the prospects of peace in Europe and the trend at the boxoffice in England, where the coin circulation in France is even worse and the b.s. prospects not considered as favorable as on the British Isles.

Metro expects to have "Gone" prints in every English-speaking nation except England within the next few weeks.

Lange's Spain Survey To Determine Whether Par Will Produce There

Paris, Feb. 13. Fred W. Lange, Paramount's manager in continental Europe, left here for Spain last week to conduct a survey of the distribution there. Among other things he will check will be the availability of going to a modest-scale feature producing in order to partially infuse coin held there shortly after the civil war began.

Lange just completed a thorough survey of the film business in Spain from which Par withdrew along with the other U.S. major companies the end of 1936.

When he finishes his work in Spain, Lange probably will hop the train to El Rocio to report his findings to homeoffice officials.

BEN Miggins Reports ON EUROPEAN PIX BIZ

Film houses in Finland are open whenever the bombs aren't falling, according to Ben Miggins, contemporary-film guy, who arrived in Stockholm for conference last week. Miggins said, "Improving every day, film biz in Paris is now 80% to 70% of what it was before. Although the provinces, swelled by evacuees, is better than last year."

Attitude toward films in government circles has changed in recent months," Miggins said. "No longer pictures considered a luxury. Government officials now realize they are a necessity for entertaining the troops and maintaining morale of the civilian population."

He said that restrictions on theaters are relaxing but that in Paris houses are now permitted to stay open until midnight. Local production is also waking up. Central Europe was bad, he declared. The Prague office of 20th-Fox is open, but only old films are being distributed. No word has come from Warsaw since the war started.

"Lights Up" Looks Like New Click in London
London, Feb. 13. Charles B. Cochran's revue, "Lights Up," opened Friday night (9) at the Strand and was enthusiastically received by the press. Advance ticket sale is reported to be good.

Joins Tivoli Board

Following upon the tragic death of Frank Tivoli, former director of Tivoli Theatre, after being hit by an auto, Eddie McDonald, formerly general manager, joins the board of directors, and Wallace Parrott, who came to be known as "Tivoli" in the shows for the chain, becomes a member.

Parrott, however, will continue to act as producer.

Improved Spanish Pix Increase Competition For U.S. in Venezuela

Caracas, Feb. 13. Increasingly improved Spanish-language picture, particularly from the Argentine and Mexico, has proven to be a factor in the rising competition to American films in the Venezuelan capital and in the interior.

American films, of course, continue to do excellently at the boxoffice, but the name value of Libertad Lamarque has risen to such heights that she is distributing her own picture almost name their own playing time.

Particularly competitive to American companies are the Spanish-language pictures playing in the interior. However, their popularity still hasn't exceeded that of films in the capital, where the Shirley Temple are the principals.

Presently, the annually recurring headache, the bullfight, are giving local distributors and exhibitors a strain. So enthusiastic are the locals for the contests that they shut out as much as 50 for a seat and the drain quite considerably their pouches wherein the cinema are concerned. However, general business conditions have been quite favorable and as the film theatres have not been so hard hit as they would normally.

STAR'S PAY TIF BRINGS REORG OF BLACK REVUE

London, Jan. 26. It seems incredulous for a show to be taken off in the height of its money-making career, but such is the case with "Black and Blue," George Black's Broadway revue, which Tom Arnold is presenting on tour.

James Houston was called in to replace Francis Day, who quit for a trip to America. Miss Houston was to be paid \$10,000 a week, but refused. As a compromise, she accepted \$100 per week as expenses, plus 15% of the gross, which, for six weeks, gave her around \$2,000 per week. She has now been asked to leave at a guaranteed salary of \$1,250, which she's turned down.

Hence the closure and reopening with a cheaper cast.

'Pinech' Will Reopen New Gallery, London

London, Feb. 13. The New Gallery theatre, closed since the start of the war, reopened shortly with "Pinech".

The Tivoli, the other Gaumont London house has been taken over as a heady for colonial troops.

Odeon Exec in S. To Study Visio, Exhibition

Richard Ford, executive of American product in South America, arrived in New York last week for a looksee of American exhibition methods and developments in U.S. television.

Odeon pioneered in television.

REPRESENTATIVE SET UP FOR FOREIGN PC DIRECTORSHIP

HUDDLE ON CROWN YARN

Goldsmith talks with Arthur on his new.

I. Goldsmith huddled last week on the Coast with Dr. A. J. Cronin, author of "The Stars Look Back," regarding the story for a new picture in Great Britain. Goldsmith completed "Black," adapted from the Cronin story, shortly before the European war broke out. Cronin also wrote "The Citadel."

Goldsmith took a print of "Stars" with him to the Coast. He U.S. director had been asked to go. There is a possibility that he may make the next Cronin story in New York if he can secure a suitable releasing agent.

FOR EXECS RAP FOR METRO'S ON REVIEWS

Sydney, Jan. 25. Australian Broadcasting Commission, controller of national non-commercial stations, has been making the pic execs for taking heavy loads at film field in general.

Apparent to be a number of the opinions expressed by members of ABC staff as regards celluloid film marketed in this country. The air unit has been advised to stick solely to its own field and leave the pic biz to those who know the game. Trouble hotted over when a news commentator stated that "girls rave about male screen stars who, when their makeup, are just lustful young ladies." To escape the realization of the cinema park movie palaces in the afternoon, and rush home with ready-made excuses for their husbands. People would not go anywhere to fight. They shirked the obligation of life and refused to accept self-discipline and self-sacrifice.

Charles Munro, managing director of Herts, informed ABC moguls that their method of film reviewing over the air was brutal, and the western scene spotted by the ABC had gotten into a groove of general condemnation of life and death in the cinema chains. Munro pointed out to officials that when the audience was not moved, the ABC asked the men for their co-operation and station there was no intention of "criticizing" pic, but really to provide a general guide to air fans of what product was on tap in the pic theatre.

Munro also told ABC officials that radio, together with the picture industry, provided the public with entertainment, and to accuse them of excess expense of the arts was unethical and most unjust.

The attitude that if further unjust slaps are taken at the pic field by the ABC, the matter will be taken to the U.S. neutral, this was the Motion Picture Exhibitors' Association will press for an ease in the film program and the criticism prevailing in pic reviews by the ABC.

Zukor and Hicks Due Back in U.S. March 18

Adolph Zukor and John W. Hicks, Jr., head of Paramount's foreign department, are expected to return to the U.S. on March 18. They are scheduled to arrive in New York on March 18 and shortly after arrival Zukor will go on to the Coast.

Both Zukor and Hicks, Zukor and Hicks will visit Rio de Janeiro before returning.

Chicago, Feb. 13. Mrs. Adolph Zukor, who has been here the first time in a year, leaves for New York Thursday (15) to await arrival of her husband, who is studying in South America. She has been visiting her sister, Mrs. Louis DeWitt.

(11) Mrs. Zukor talked to her husband in Buenos Aires by short-wave radio, for which special arrangements were made.

American Interests, Which Would Be Particularly Hit Due to Rental Coin Control, Among Strong Protestants—Setup Similar to Germany, Italy

Paris, Jan. 26. A bill heading over control of the entire French film industry to a new, non-censorship group controlled by the Society of Authors and Composers of Music through obligatory collection of pic rentals by this body, has already been drafted and is ready for passage, according to most reliable American and French trade sources. Setup would be similar to government monopoly groups in Germany and Italy.

Those who fear that the bill has been sponsored by the Ministry of French Arts and is already on the agenda of the National Assembly, only requiring his signature before it appears in the Official Gazette to become a law.

Strong protests have already been made by French and American film interests here, who object to "confiscation of our money and decisions made by a group of our leaders on an outside, influential group." Fear is expressed, however, that the group will be a baron of the industry. Dadaism may have been convinced that passage of the bill falls in with his own wartime aims. The opponents of the bill feel that they would have had a chance of defeating it in the National Assembly. Instead of being rushed through as a decree law.

Went to France Midterms

At the present time SACM is entitled to 2% of all film theatre grosses (as well as theatre, cinema, variety, etc.) and is to be paid, however, would authorize the new group to control all of midweek and weekend business, and to control proportion of American pic distributed locally. U.S. firms would be affected considerably.

From the rentals collected from exhibitors, the group would be required to make a number of deductions. Other deductions would include setting up of reserves to guarantee the completion of the production of documentary and propaganda films, tax and poor tax deduction, and any other contribution the government might deem necessary. It is estimated that between 10 and 15% would be deducted before distributors would be able to collect their rentals.

The wording of this part of the bill is to read: "The percentage (2%) to be deducted by the cinema organization would be increased by an additional percentage to be increased later by proceeds to be used into a fund to encourage production of documentary, scientific and national propaganda films."

The meaning of this is that American film interests do business in France would be obliged to contribute to the production of propaganda films. Since France is presently a belligerent power, this is a U.S. neutral, this might have far-reaching effects. Another American objection to the bill is that it would be made by this group would make quasi-public distributors earnings and contribute to the public treasury. At the present time, the competing American houses in Paris keep the aspect of their business very secret.

Bureaucracy and Redtape. Other objections are that it would be a complete financial transaction between distributors and exhibitors through extra bookkeeping, bureaucracy and expected reduction in profits that it would pass control of the industry to a group that has no investment in the industry.

Those in the industry maintain that if such a collection agency is to be formed it should be composed of representatives in and not outside the trade. Arguments are made that the formation of this group would bring cohesion and unity to the industry and enhance its reputation. They say that it will be necessary to find bankers and investors to help in the production of films with loans guaranteeing.

In his first interview since being named to head the committee of the Bureau of Information, Henry Torres, French lawyer, said that the French industry needed reorganization and that it was necessary to put it

on a solid and enduring foundation and to authorize a spending up of production. Steps to be taken to assure this, he said, would be the placing of the law before a legislative body. In this connection he would revive a number of clauses of the obsolete 1929 law, which was passed in 1929, and create an Interministerial Committee to act as a liaison between the law before a legislative body.

Torres' allusion to the Zay bill recalls that one of the latter's clauses was a failed resemblance to the projected collection group. The Zay bill specified that all individual exhibitors taking part in the collection of films were deemed to be exhibitors and as such were guaranteed salaries and deductions from rentals even before they were paid over to distributors. This meant that directors, cameramen, etc., received their cuts before the distributors. The Zay bill was a disaster, a terrific howl will be set up by the group if SACM is given control of the projected collection agency.

LOOK FOR HOLDS FOR MUSICALS

London wants musical shows, night clubs and more musical shows than wartime days and nights, says Frank Day, British musical comedy star, upon his arrival in New York. Every theatre in the U.S. has a musical, he says. In London, however, night clubs are opening up all over town. Non-musical shows are not going as well as musicals.

New musicals doing top business include Ben Lyon and Bobe Daniels at the Hippodrome, and "The New Revue," by Oliver at the Hippodrome and a new Ben Little and his company at the Embassy and the 400 Club and other venues open. British radio is quiet, according to the Mus. Day, with only one BBC program for Home Service for all-issues in the British Isles. Broadcasts emanate from the North British transmitter, located "somewhere in England." Listeners to Radio Athens, in Ireland, for a change from the BBC programs.

Paris and Rome are phony for show business, she said. She's here for four weeks in Florida after a long series of shows for the British soldiers behind the Maginot Line. "Tommy" favorite song in "Dear Barbara," which is quite a success.

LADY LYLE LOOKING TO BUY U.S. DISTRIB OUTFIT

London, Feb. 13. Lady Yule, who is American, is British National Films and the Anglo-American film company, is looking for a distributor for films in the U.S. She's said to be looking into the possibilities of American distributing organization.

J. M. Amadio, Fox Mgr. In Venezuela, Dies

Caracas, Venezuela, Feb. 4. J. M. Amadio, long-time manager of Fox Film, died here after a long illness. He is survived by his widow and two children.

Amadio, born in Spain, entered Central American show business in 1910, and was in charge of Fox's 20th-Fox in 1923, he acted as manager of its office in Colombia and Venezuela until a new manager is appointed.

The Mighty Magnet of
SHOWMANSHIP
Now Adds the Magic Names of

* **CAPRA** and

To All the Other Great Reasons

WARNER

*THEIR Production

RISKING s for the Supremacy of ER BROS.

"The Life and Death of John Doe" begins April 15



NOW—

with the word of the all-time record-breaking New York run spreading the country over...

...with big-space news breaks hitting top-circulation newspapers and magazines to reach every man, woman and child in the land...

...with the greatest reviews ever written landing "The Grapes of Wrath" as the greatest entertainment of all time...

...with the ace columnists and radio commentators voicing their highest praise to their vast personal followings...

...with the Rivoli manager reporting: "The Grapes of Wrath" surpasses anything in my entire experience," and predicting a "ten weeks' to three months' run"...

...with such radio programs as "Information Please", "We the People", "Pursuit of Happiness" featuring "The Grapes of Wrath" from coast to coast in response to unparalleled public interest...



THE KEYSTONE OF YOUR FUTURE

while the whole nation is talking... with the millions asking when they can see it...

"THE GRAPES OF WRATH IS YOURS!"

LOUIS-GODOY FIGHT

(Continued from page 18)

Running time of the Louis-Gedeon affair is less than half the fighting minutes and as every round is shown that is explained by the speed of projection and probable cutting.

Iber.

Calling Philo Vance

Academic drudgery of the process
into is occasionally relieved by com-
edy lines and business from Edward
Brophy as the dumb detective. Al-
though the film is not the rapturously
coarse as the other two, it is the rap-
id-fire, over-the-top, over-the-top
Comedies as the medical examining
room men are constantly being
interrupted by calls to duty. James
Cagney, in the title role as a
cerebral, money-hungry doctor,
cocks up at every step of the way
that the operator in quick time be-
gin to feel that what he is witness-
ing is more of a guided tour through
a madhouse than a comedy. But
Margot Stevenson makes a pretti-
swept and Bu Ling happens a Re-
cife accent. The performance

Saint's Double Trouble

Even the polished performance George Sanders as 'The Saint' can wipe out the silly sequents of even here. There's a diamond smug-

Sanders does one of those clown character stunts but this succeeds

Yarn dale with a young traveling salesman who carries his samples about in a truck and picks up spoiled young heiress who has smashed her car on her way to Europe. After the usual script complications, there is a musical number featuring robbers, plus a wacky touring company, the salesman and heiress do the expected clinch. Only connection with the title is when the song is sung expertly by Betty Jean Rhodes at a auto-camp jammer.

A professional picture-gore man, I feel embarrassed to see such trash with a name like Allen. I hope the name Horace McMillan, Allen Jewell, or Allen Jewell, is not the same Jewell credited in slushy jobs.

Public Health

There are traces of reality in the plot. For one thing, the hero is not a tough hunk who's not afraid to pick a fight. And he orders, hears the cowboy canteen, something heard of in western thrillers. He is not convicted of cattle-rustling tossed into the local bastille. The chase is between cowboys on horse back and a stagecoach, with the coach finally halted without being smashed into pieces.

Pioneers of the Frontier

Pioneers of the Frontier

Return to Yesterday
(BRITISH-MADE)

Annotated British release of Capri-Michael Balcon production. Directed by Michael Balcon. Main title: The Great Escape.

Clive Brook, playing the Hollywood star employing a stunt to recapture his carefree days, hardly makes real the characterization of the "lonely and desolate man." He then again he gets little help from script. Idea, anyhow, is contrary stage theme, although happy-end formula forces the change. Lattin, however, isn't done smoothly.

Production needed little mount-
due to conventional sets. Camer-
jerky and harkground music oc-
sionally off-key with dramatic the-
John

Drums of Fu Manchu

Republic release of Hiram S. Brown, production. Directed by William Witte. John English. Screenplay. Franklin Ad.

this type of serial is aimed. The little for the adult here, which is like Rohmer's stories serialized in the better mags, which in that case are considerable adult reads.

(FRENCH-MADE) Paris, Jan. 27.
New films release of the wife and the
production. Directed by Edmond T. V.

viele, ihre Stellung zum Volk von Ströben, seitiger Jean Keller (Ludwig Lecher, Henri Ror, Adolphe)

Pic's somewhat along the lines 'Grand Hotel.' It recounts the anguish of his trying days between September, 1938, and September 1939, and its effect on the clients of a hotel for foreigners in Paris. La has a private drama of his own which merges into the great picture of a nation on the verge of war.

DR. O'DOWD
(BRITISH-MADE)

Featured: Shaun Glenville, Doug, Cam
Mary Morrell. Directed by Herbert M
Screenplay: Doug Truitt. Austin, Tex.

theme, via rehabilitation of old-time medicine branded as a tippler. St. Glenville carries well this O'Driscoll role. He is cursed by his son being drunk at time of operation; latter's wife; her death sees the doctor hounded from the profession; fever outbreak among dem. war-

VIVE LA NATION
(FRENCH-MADE)
Paris, Feb. 1940
Atlantic Film release of "Les Destinées"
Francisco Paris Film Interest in M.

by the change from such of Upper Mer-
Bona, James and Henry, Mer-
Bona, James and Henry, Mer-

Brecourt is shot and killed by Prussian patrol after he gives

Acting is uniformly excellent, with great attention to detail and nuance in character. Madeleine Stora, of *Comedie Francaise*, as the mother and Jean YVES, as the abbot, are in particularly first-rate performances. Although a newcomer to screen, drummer-boy Breckart shows great restraint and complete absence of self-consciousness. Comrades Lataux and Hara give him excellent support. Aimes appears as more what of a buffoon in playing a lecherous patriot. Photography is top with dialog hard to understand in spots. **Recomm**

HORRORS OF WAR

War. Has long lapses of so-called bottle action sequences, where nothing is said and narration ceases, only the dubbed-in sound of firing guns and clanking machinery breaking the silence. Climax is when Yanks lumber up the hill to the trenches and silence the liquid

Endless scenes of battle scenes difficult to follow, and the over-

Miss. Charles Stiller	Martha
ETHEL Morgan	Iris
Miss Ed Morgan	Pauline
Miss Ed Morgan	Anna
Miss Jane Morgan	Kathleen
Mark Morgan	Robert

A fast-talking salesman, player Barry K. Barnes sells himself to

China, putting over big deals for
with the financier ultimately re-
nizing the fellow as his son.
when first; wife ran away from
(Continued on page 28)

THEY
WANT
TO SEE
THEM
AT
POPULAR
PRICES!

Play them at
 popular prices
 and CASH IN!

**CHARLES
 LAUGHTON**
VIVIEN LEIGH

They quit the sidewalks of **MIAMI** in droves for the "SIDEWALKS OF LONDON" to see Charles Laughton and Vivien Leigh (famous for her Scarlett O'Hara performance) when this Paramount release of the Pommer-Laughton "Mayflower" Production the whole country's waiting for, played Miami Beach.

They quit the sidewalks of **LOS ANGELES** for the "SIDEWALKS OF LONDON" to see these famous screen personalities in this emotion-packed drama of peace-time London when it opened in Los Angeles.

In other words, this is the picture they want to see because it's got the stars they want to see... **NOW**... at popular prices.

CHARLES LAUGHTON and Vivien Leigh
 in "SIDEWALKS OF LONDON"

with REX HARRISON • Screen Play by Clemence Dane
 Directed by Tim Whelan • Produced by ERICH POMMER

A Pommer-Laughton "Mayflower" Production

A Paramount Release



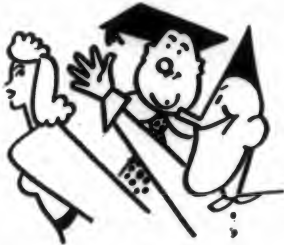


LAUREL & HARDY



.... win their Varsity letters, in
Professor Hal Roach's full-length
blast of uproarious fun!

Opening soon at the Rialto, New York City;
Shea's Hippodrome, Buffalo; the Uptown,
Toronto; the Capitol, Salt Lake City; the Park,
Richmond; the Albee, Providence.



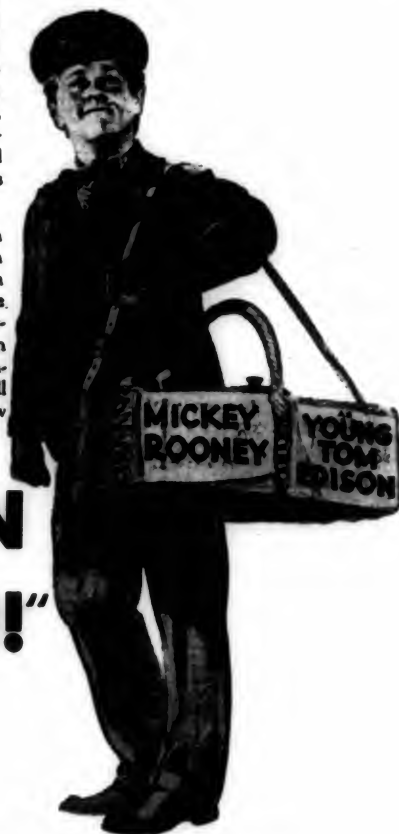
ACHUMP AT OXFORD

ALL ABOARD!



THE FAMOUS TRAIN ON WHICH THOMAS A. EDISON AS A BOY WORKED AS A "TRAIN BUTCHER" FOR THE GRAND TRUNK WESTERN RAILROAD . . . Including a restoration of the baggage car young Edison nearly burned down as a result of one of his youthful experiments, the train once again traversed the route between Detroit and Port Huron on Saturday, February 10, when "Young Tom Edison," first of two Metro-Goldwyn-Mayer pictures dramatizing the life of the celebrated inventor, had its preview in Port Huron, where Edison passed his childhood. The train is now owned by Henry Ford.

Mickey Rooney, who portrays Edison as a boy in "Young Tom Edison," made the trip in his film character and acted as "train butcher" for Edsel Ford, Governor Luren D. Dickinson of Michigan and many other dignitaries of the political and business world were also aboard the train. On their arrival in Port Huron, they participated in a mammoth Edison Day celebration. Men and women of the city wore costumes of the 1850 period as part of the celebration. [Continuing the story of the great inventor, Spencer Tracy will be seen as "Edison the Man" in the M-G-M picture of that title now in production at the Culver City studios.]



BIGGER THAN "BOYS TOWN!"



"Let There
Be Light"

Inside Stuff—Pictures

Passing of Lord Tweedsmuir, Governor General of Canada, in Montreal Sunday (11) after a brain operation, recalls "The 39 Steps," which was based upon his novel. Film, starring Madeline Carroll and Robert Donat, focused attention of the industry on the Alfred Hitchcock technique of direction and was more or less responsible for the cycle of films which followed in a similar vein.

Though a prolific writer with an extraordinary capacity for work, none of his other novels was believed to have been made into films. "Steps" was written in London during the World War when he was serving as Director of Information. In addition to the many biographies, essays and other books, Lord Tweedsmuir also wrote a 1,500,000-word history of the World War.

One of the most encouraging things yet to David O. Selznick was the untimely prison picture received last week from the Pittsburgh Courier, the country's leading Negro newspaper. Critic admitted he went to see "Gone With the Wind" with "this old, old troublemaker" in mind. He had a copy of the book in his hand he had choked off at least 100 places where the novel "libeled" his race. However, he found none of them in the film and wrote that, although some of scenes pictured were distasteful to his race, the film had satisfied the colored people in making clear that those who were "gone with the wind" were scoundrels, cranks, madmen, and crackpots. He cracked down on film but wide influence of Courier, it's believed, will carry a greater weight.

'Timberland Terror,' Cinesound production current at the Central, N. Y., also under the title of 'Paid to Kill,' was made more than two years ago in Australia, having been reviewed in *Variety* Oct. 27, 1937, from Sydney. Original title of the picture was *Tall Timbers*. It was adapted from Frank Hurley's novel of that name. Film is being released in the U. S. by J. N. Hoffberg, indie distributor in New York.

Lowest cost picture ever made by Ernst Lubitch since his early days at Warners is "Little Shop Around the Corner" for Metro. Film, with Margaret Sullivan and James Stewart in the leads, stands the studio only \$479,000. Yarn, however, wasn't a costly item, as Lubitch brought it to the studio with him after he had abandoned his plan to make it in association with Myron Selznick.

It was a relief to William Powell when Metro's choice for 'Cyrano de Bergerac' fell to Spencer Tracy. So dead set against playing the role was Powell that he refused to sign his new M-G contract unless a clause was inserted protecting him against such an assignment. Studio had Powell in mind for the same part when it purchased the play.

Leaving for the Coast Monday (12), Harold Rodner, Warner Bros. home office executive and v.p. of the Will Rogers Memorial Fund, will lay arrangements for the making of the annual short to be shown during Will Rogers National Theatre Week beginning April 18.

Continued from page 4
as its purposes a lot.
pathy would still exist

Monogram has cooled on the idea of producing "Rip Van Winkle" on a \$350,000 budget and is likely to drop it altogether. Chief reason is Derryl Zanuck's announced plan to film the same story on a huge scale at 20th-Fox.

New York Theatres

THERE'S A BETTER SHOW AT THE

THERE'S A BETTER SHOW AT THE
RKO
THEATRES

GONE WITH THE WIND **BETTER COME NOW—IT'S THE**

THE WIND
While these engagements are limited,
G.W.W. will not be shown except at
advanced prices...at least until 1941.

ASTOR Daily 12:15, 8:15. Prices:
WATKINS (Ker. Ast.)

[illegible]

Post-
Production
by
The
Brent
Studio

State **Times**
Last Times Wed.
Starts Thurs. Feb. 13
"SUNDAY"
DAILY
Northwest
Fighting 60

Nelson Eddy in
"Balalaika"
in Person
Charles Hays

MADDO MUSIC HALL

"I TAKE THIS WOMAN"

"THE GRAPES

"THE GRAPES OF WRATH" **"SIDEWALKS OF LONDON"** Dean Murphy
Dick Stabile
and Orr

AMTINTS **RIVOLI** **PARAMOUNT**
 Doors Open 8:30 A.M. **NIGHTS SHOWS** **TIMED SQUARE**

THE GREAT SHOW

Sunday, Tuesday Are Radio Bests

Thursday night now appears on the way to catching up with Sunday as the occasion for the delivery of radio's top audience of the week. About a month ago Thursday night had Tuesday night in the percentage of sets tuned into network programs. According to the latest C.A.B. survey this situation has now reversed.

Sunday night remains the high point of the listening week through the 55.3 points garnered jointly by Chase & Southern Coffee and Campbell Soup. Right behind it is the total of 52.1 points which *Tot of Gold*, *Information Please* and *Court of Missing Heels* compile during the Tuesday 8-9 p.m. period. Thursday's top listening combination occurs while Major Bowes and *Good News* are on, at a tally of 43.3 points.

Friday night takes fourth place with the total 34.7 derived from the Kate Smith, Clifton Stevens and Carmen Robinson programs (9-9:30 p.m.). Sunday night comes next with 36.3 which Fred Allen and the *Texaco* show draw between them (9-10).

SING, GAG, SPIEL IN 60 SECONDS

Radio's One Minute Burlesques Currently Enjoying A Spurt—Nearly Only Type of Radio Show Where Freelance Talent Now Rolls Its Own

10-SECOND CHORUSES

With quiz, audience participation, bing and whatnot programs taking up the slack between the big established pop entertainments at the top and the serials in the bottom, the radio pop, this season is witnessing a smallish boom in music-related, dramatized, novelty-led one minute recorded announcements. It becomes one of the few types of 'creative' merchandise which freelance talent can peddle to advertising agencies with a good chance of making a sale and with a minimum of the hawking and having that must precede all more pretentious—and costly—quizzes.

In particular, the one minute announcements are free of the haunting influence of the C.A.B. percentage charts.

One team of announcers, Allen Kent and Benny Johnson, has a successful commission system in the field of the one-minute 'productions' which they prepare and produce under the World Broadcasting's studio. They now are able to demand, and get, a minimum commitment of 10 seconds of time for each, or \$2.00 per advertiser. Their current series for a paint company include 10 seconds of song from the *Tub* no longer. Phil Ford, National Bureau has been among their recent accounts.

Minerals candy paid Edwin C. Hill \$1,500 for 10 one-minute spots and topped this with an offer to Gabriel Heister, who was released, of \$4,000 for about the same number. Jack and Lovetta Clemens have been scoring on similar commercials for Jack, a subsidiary of Ex-Lax. Ed and Polly East have been recording for Rued Hesters.

Mentioning the Street & Finney agency turns 'em out in gross lots for Carter's Little Liver Pills. Pop-Cola also is big user.

Radio Biz Alert, Public Is Not

Columbus, Feb. 13.

Broadcasters should receive credit for the great advances made by radio in 1939, and listeners the blame for much of the trouble, according to Erwin A. Johnson, director of developmental programs for WINA, speaking before the annual radio institute of Central Ohio before a packed house of radio executives.

"Great impetus was given to public service and educational broadcasting by the industry itself," Johnson declared, adding that "apathetic audiences permitted the distortion of program scheduling by a plethora of so-called dramatic serials." As principal speaker at the institute, conducted by the Council of Parent-Teacher Association of Central Ohio, Johnson pointed out that the broadcasters showed far more constructive activity in the promotion of cultural programs of a non-commercial nature than did the listening groups which criticize the commercialism of radio.

Jimmy Walker Will M. C. WHN Am Show From Loew's State, N. Y., Stage

The former mayor of New York City, James J. Walker, will be m.c. of an entertainment program to originate station Feb. 24 every Monday night, 9-10, from the stage of Loew's State Theatre in Times Square. The program will be sponsored by Vincent Fox Companies and be part of the regular vaudeville entertainment at this house, the audience getting the amateur player along with regular vaude that night.

The deal which was set up through the Frank R. Steele advertising agency of Chicago, re-establishes an amateur hour for WHN New York, the Loew-owned station, at which the present Mayor Brewer program continues.

GOODKIND, JOICE & MORGAN

New Agency Includes Men Widely Active in Radio

Chicago, Feb. 13.

Clyde Joice has left his radio-television agency here to join Lewis Goodkind and Raymond Morgan, both well known in radio world, in new agency to be called Goodkind, Joice & Morgan.

Joice came in as proxy of the new combo with Goodkind as v.p. and treasurer. Best of the personnel remains as was when agency was simply Goodkind & Morgan.

'Information Please' Mag Reappears, Coleman Injunction Suit Fails

Injunction plea brought by Daniel and Ann Coleman, owners of the radio program, 'Information Please,' against Information Publishing Corp., was denied last week by N.Y. Supreme Court Justice Aaron J. Levy. Plaintiffs had charged that 'Information Please,' a magazine published by the defendants, caused confusion and constituted unfair competition. Defendants claim that when the radio series was launched they notified the Colemans by phone and letter that they had prior right to the title.

Two copies of the magazine were published in 1939 but the periodical has been dormant since then due to lack of finances. New coin has recently been obtained, however, and a third issue is to be published late this month.

Stanley S. Bornstein is president of Information Publishing and Peter R. Payne is managing editor of the magazine. It is stated that Walter Reuther and Shelley Braverman, who were named in the Coleman suit, were never connected with the magazine. Recent additional financing was supplied by James C. B. Koenig, sells for 25c and is 'dedicated to the advancement of cultural recreation.'

Aleshire Due in N. Y.?

Ed Aleshire is slated, according to reports in the agency field, to join the New York office of Benton & Bowles in connection with a new business man. Aleshire was an officer in Benton & Bowles' Chicago organization which was recently dissolved in the Stuart Sherman and Arthur Marquette.

Aleshire rates as a radio pioneer among agency men. His last assignment was radio head of Blackett-Sample-Hummert's Chicago division.

LULL BEFORE THE STORM

Frederick Miller will stay on the *Frederick*. Birthday Ball committee until March 1 to wind up her affairs as radio director. Then will take a month or more.

Expecting offered to return for the summer to the N. Y. World's Fair under John Young's radio division.

LAW DRAMAS ON NBC

Follows 1935 Century Fund Playlets of Executives With 60-Second Phases

In addition to the Twentieth Century Fund drama series, which is continuing in dramatic montage technique, NBC will, starting March 4, present 'Youth in the Trench' under the sponsorship of the American Law Institute. Will be on the box.

Raymond Rich Associates handles the public relations end.

Van Dine's High Price Is Cut by His Estate, Radio Philo Vance's Up

Phillips Lord estate is preparing a Philo Vance dramatic series 30 minutes, once-weekly presentation, with a name lead. Show is still in the outline stage, with no script actually completed and no players set.

Rights to the Vance character and detective stories were recently acquired from the R. S. Van Dine (Willard Huntington Wright) estate. Van Dine's estate had always claimed rights to his works but always stymied a deal, but since his death the managers of the estate have broadened the deal. Instead of \$2,500 a broadcast, which Wright wanted, the price is now to be determined on a sliding scale, depending on the production cost.

Show will be budgeted around \$1,000 or so.

Station men from various parts of the country poured into New York last week and the thing that brought most of them was concern over the situation of the station's additional spot business which Blackett-Sample-Hummert has been dangling under the trade. The broadcasters had become jittery over the slowness of action on this potential dividend, and they were anxious to get out of the situation as soon as they could. They were told that 10 to 15 hours a week to get away from them, if only because they weren't on the spot to see the deal conclusion, compromise or denial.

Among station reps the week was the toughest they had in a long time. By the end of the week they were lurching out from having to deal with the pressure of the B-S-H matter in addition to conducting their routine business. From leaving the station men sitting in their laps at all hours of the day and entertaining them after office hours.

Some of the reps complained they were so worn out that only a vacation in Florida could give a recovery.

CBS EARNED \$2.93 A SHARE

Preliminary report of Columbia Broadcasting System, Inc., for the fiscal year ended Dec. 31 last showed earnings of \$2,930,000, or equal to \$2.93 per share on both claims of stock as compared with \$2,641,000, or \$2.64 a share, for the year ended Dec. 31, 1939. Report was of the nature of preliminary, and the actual figures will be mailed them around April 1.

CBS statement mentioned that operating income of the parent company, Columbia Broadcasting System, Inc., and its subsidiaries, acquired in full during 1939, were included in the annual figures although not materially affecting the consolidated earnings.

The company's prelin earnings statement followed the meeting of directors last Wednesday, directed voting a cash dividend of \$1.00 a share on Class A and B stock. Dividend is payable March 2 to stock on record Feb. 23. Previous dividend distribution was the same amount. CBS paid \$1.70 last year.

Edgar Guest on Discs

Edgar Guest, Editor of *Country Club* and author of *Country Club*, will appear on a show for Land O'Lakes creamery through the Campbell-Hillman agency.

Will be recorded for spotting around some big markets for a start. Talent set here through Biggie Levin.

For Creamery Locals

Minneapolis, Feb. 13.

Edgar Guest, Editor of *Country Club* and author of *Country Club*, will appear on a show for Land O'Lakes creamery through the Campbell-Hillman agency.

GUID AWARDED KNX SCRIPTERS

Hollywood, Feb. 13.

A deal has been completed for Los Angeles Chapter of the Federation of Radio Artists to surrender jurisdiction over CBS staff writers to the Writers Guild. The deal was notified CBS heads that RWG claims to have a majority of the staff writers and that if this is correct AFRA is willing to accept the two-year contract which AFRA negotiated for KNX writers.

RWG has already mailed to radio officials copies of its proposed deal for its scripters. The deal places a ban on speculative writing unless provision is made for the payment of the scripter the day of the delivery of the material, the remainder to be paid upon acceptance.

The proposed agreement calls for a minimum of \$50 a week for staff writers, and \$30 minimum for 15-minute program for free-lance writers. All rights except transcription are retained by the writers. Deal calls for recognition of RWG as bargaining agent for all purposes to write or sell material or ideas to be used in making of transcription for radio broadcasting, and that they will reference to staff writers.

Constance Bennett and Bob Zurke are offering offered to *Parade*. Deor, N. Y., to follow Will Bradley than which opens Feb. 21.

Transcontinental Financing Pends

Boice and Sutton In—No Vestige of Elliott Roosevelt Group Remains

Investment firm of Merrill Lynch Co. was reported last week as being in the process of a loan of \$1,250,000 to the Transcontinental Broadcasting System picture but this was denied by Charles Merrill, head of the Wall Street house. Another report had it that the new top officers of Transcontinental, Washington, had been in to see if they were able to meet certain requirements.

Several weeks of dormancy the network project suddenly came to trade attention last week through disclosure in the *Wall Street Journal* that Boice had been named a v.p. and director and that George Sutton, Washington attorney, had been installed as president. Boice, who was for eight years CBS' v.p. in charge of the network, had been at the *Boice* house he has since early 1939 been in the new business development.

Under TBS' revamped setup no vestige of the Elliott Roosevelt legacy remains. John T. Anderson, who was with the post of chairman of the board which he filled. H. B. Brennen and Robert Thompson, of

WJAB and KQV, Pittsburgh, consulting engineers and secretary, respectively. Brennen is reported to be in on the project to-date for \$100,000.

Wisconsin Group Starts

Milwaukee, Feb. 13.

Wisconsin's new regional network, salvaged from recent Transcontinental Sins, went into operation Monday at 11:15 without a single commercial to break in on its program, for the present at least.

There are six stations in the chain covering southern and eastern part of state—WEMP, Milwaukee; WISN, Madison; WISN, Madison; WHB, Sheboygan; WHBY, Green Bay, and KFZL, Fond du Lac. Shows, arranged at WEMP under direction of C. J. Lauffer and Charles La Force, include most of that station's regular program schedule, and organ music, news broadcasts and Riverside theatre stage shows.

Some of the new outfit has been changed from American Broadcasting System to Wisconsin Broadcasting System.

INSIDE STUFF—RADIO

Inside Stuff—Radio

There seems to have been considerable confusion within the theatrical and advertising spheres of the vast number of the proposed radio series of the Playwrights Theatre of New York. This aggregation of playwrights and Playwrights stage shows has no intention of writing for radio. The pending deal is a sales proposition covering radio adaptations to their former legitimate productions. Playwrights will handle the radio version, if and when sponsored. Henry Beaumont is the promoter involved. The original impetus of the idea broke last year with the Transamerican office then located at 115 to 114.

The five name playwrights involved have some 50 plays behind them. This is the source material of the proposed radio series. Elmer Rice has 14 scripts, Maxwell Anderson 15. The pool includes nine from E. Y. Borah, five from Robert Sherwood and 13 by the late Sidney Howard.

Writers whose reputations are primarily radioque are mentioned as adapters of the Broadway show.

J. P. McVey, Arch Oboler, Henry Robinson and Irwin Shaw are mentioned. Directors may include Dwight Coats, Norman Corwin, Carlo D. Amico, George Frazier and Clyde North.

Kurt Weill, who has been associated with the Playwrights, is quoted as a musical director for the radio end.

N. W. Ayer agency is here in "The History of an Advertising Agency," which has been published by Harvard University as one of its "Studies of Business History." The author, Ralph Hawes, has been exhaustive in going through old (somehow neatly) records and the later phases of the development of the business. On the whole, the book is well written and enlightening, although it is not in the second rank. Without degenerating into the tyro-puffing blarney that is typical of so much "business literature," the book is a swell bit of institutional publicity for Ayer. There are interesting references to radio.

This book was published some time ago. Reason for delay in reviewing: finding "Gone With the Wind."

When Podley & Ryan, agency on the Georgia-John-Bittore-Vitalis program, was informed at 6 p.m. last Wednesday (?) that Jean Barrymore wouldn't, because of hospitalization, he able to bill his booking on the show for the following night, P. & R. first thought was to get his sister Ethel to pinch-hit for him. The agency tried but Miss Barrymore, considering the circumstances, it is believed, that led up to the hospitalization, turned down the approach. The next move was to contact a number of talent agents and after much scurrying around, assignment went to Phil Baker.

WSB, Atlanta, is expected to receive a new sparkie under the James M. Cox regime. J. L. Reinach is expected to take over. In the trade the reputation of WSB has never been too bright, it being widely held that the ultra-conservative former newspaper ownership, with its pinch-penny attitude toward the station, had hopelessly retarded the station whose prestige was almost exclusively by virtue of NBC and its \$60,000 units. Up-to-date management is expected to reverse the course.

Despite Fred Allen's reported urge to get into a half-hour show, Young & Rubicam is of the opinion that when next September rolls around the comic will be back in his 15 (and current) Bristol-Meyers hour on the CBS "Fiberglass show." The urge to reduce his stand to 30 minutes is a peroxide one with Allen.

Born it Hal Hastings were detached from the program the account would link another one of its products with losses and maintain the full hour.

Some mild criticism has been heard in Catholic circles and noted in Catholic publications, of "I Want a Divorce," Sunday afternoon half-hour broadcast over NBC and the film rights to it have been purchased by Paramount, with the idea of using title only. Implications of the arresting tag probably are at bottom of Catholic complaints, although stories actually point strong no-divorce moral.

Martin Block, conductor of "Make Believe Ballroom," was once off boy for Owen D. Young, of General Electric. This fact was publicized as Block's half-hour program of records began a run on an early afternoon spot over GE's WGY, Schenectady, for National Biscuit.

Andrews Sisters are co-entured with Glenn Miller in the Chesterfield series (CBS) which are repeated via discs over WOR, N.Y. Their names were inadvertently omitted in a recent VARIETY story.

Ernie Hare's 16-Year Old Daughter Signed To Republic Contract

Marilyn Hare, daughter of the late Ernie Hare, was signed last week to Republic to make a picture deal with options. Girl, 16, was shown into show business just about the time when her father became ill and she took her place in the show on WMCA, N.Y., to continue the continued right to her father's death last March and the program has been broadcast on the radio.

3. He'll leave for the Coast two days later.

4. Has no pie set for her yet. In lieu of a screen test, it is understood, she will be handed a minor role in a picture with a building to follow if she registers.

5. Began last Saturday (16) to accept open auditions for a new studio to replace the old one. She was one of a jury of four sitting in to do the picking.

VA OF FACTY CHANGING UPS, DOWNS BY %

Elimination of Dollar Volume, Dilkied by Many Stations, Believed Way to Circumvent Previous Difficulties

NOW ORGANIZING

A general gain in network commercial time amounting to about 4%, and an upswing in local commercial pure of round 2% has taken place in eight key cities during the past two weeks, according to a new survey of advertising stations being inaugurated by Vannoy. During the same interval, national spot business fluctuated in six-city group, with cities showed tremendous gains, while others showed drop-offs amounting to as high as 12.5%.

A barometer of station business in key cities has for some time been Vannoy's mind (this paper having pioneered in barometer reports for months and nights). Obstacles in the way of reporting radio volume, however, have been pretty tough.

A pure dollar-volume report (such as used for films and legit) was deemed inadequate for two reasons: (1) rise in rates would cause inflated dollar volume without any material increase in actual business; and (2) stations would be so quick to change dollar-volume too high for comparative reason, whereas in the film and legit picture is clear and in actual figures, since somebody else owns the product, anyway.

The language between above has recently been broken by a bright suggestion from Ed Franklin, who manages John Brant's KJRH in San Francisco. Ed, himself has been using a system of figuring commercial volume which is based on points, or units—measured in actual units being allotted to so-and-so much time sold.

Vannoy, in modifying this system, has made some revisions in the interests of simplicity. The whole scheme now amounts to a quick one for each minute of time sold, a unit of one point is assigned. Chain-breaks and announcements also count one space. Stations themselves simply total their week's business by network, national-regional spot, and local categories. These figures in totals are separately aggregated for all stations in any given city, and the average picture is obtained.

For each minute of time sold, a unit of one point is assigned. Chain-breaks and announcements also count one space. Stations themselves simply total their week's business by network, national-regional spot, and local categories. These figures in totals are separately aggregated for all stations in any given city, and the average picture is obtained.

Using De Moines as an example, it should be that the total for the week (WHO, KNTV, KXO) had 7,530 units (or minutes) of network business for the week of Jan. 29 to Feb. 4, 1940. This was a gain of 12.5%.

In the same city, national-regional spot business rose from 2,841 units to 4,004 units, a gain of 41% for the two-week period. Local business similarly rose from 1,555 units to 2,002 units, an upward push of about 25%.

No Negation Weights

Vannoy is now in the process of selecting its test cities, and training its correspondents to help in the test process. These correspondents (as films and legit) are offered per centum commission on local advertising, etc. It is pointed out that, since attention has been paid to selecting only those which are sure to be in the same line as regards outside competition, and have about the same number of stations.

Radio Audience Still Way Up

Though the past has shown down, radio listening continues its upward trend, according to the latest C. A. B. report. The report states that that went off was that of the half-hour program and even at that the slip amounted to only three-thirty of a point.

Charles Gaines, program impresario at World, accidentally overheard C. A. B. announcement, and encouraged the announcer to develop a singing salesman routine which finally caught sponsor attention.

Whipple of Lord & Thomas Establishing Mail Order School for Would-Bes

Chicago, Feb. 13.

James Whipple, production chief of the Lord & Thomas agency here, is establishing a general radio production and acting school to be known as the Academy of Radio Arts. Whipple, who has been in radio since its inception, has conducted many radio courses, including a current course at the University of Chicago, and is the author of the book, "How to Write for Radio."

Whipple's radio school, which will be conducted by correspondence, will be backed by actual demonstrations on live radio, with the pupils to be tested regularly through individually made recordings.

Whipple has full permission from the L. & T. agency and the okay of the American Federation of Radio Arts leaders here.

Among the courses to be offered will be those on acting, directing and writing.

GATE TAYLOR NOW ON 'VARIETY' N. Y. STAFF

Gale Taylor, for eight years advertising manager of Broadcasting magazine, on Monday (12), joined the staff of Vannoy to handle radio advertising.

Taylor will work out of the New York office.

JUNIOR LUTWICH OFF WYTC

Alexander Lutwich, Jr., for the last eight months dramatic director of WYTC, New York, has resigned to go to work for another station for his variety show, "Musical Mysteries." Possibility he may take it to WYTC or WJZ, if he can't get a satisfactory deal at either of those outlets, to a New Jersey station.

Comments and assistance will be welcomed in establishing this barometer. It should emphatically be noted that the barometer will be free of outside influences, or other competitive angles which might destroy its accuracy or impair its usefulness.

25% T L T IN RADIO COST OF REDS

Broadcasting rights this season for the Reds, 1939 National League champs, have risen 25% over last year's \$250,000. Showing the cost are Crosby's WSAI and the script-Harvard WPCO, which will, as for the past several years, do the airing under joint ownership of General Mills and Sterling-Gelich, Inc. of Detroit, is agency for Boston's Red Sox.

Baseball club, of which Powell Crosby, Jr., is president, clings to its old rule of excluding home Sunday games from the other schedule. All local and out-of-town ball games will be only minor major league items that have not fallen in line as yet with radio.

Roger Baker and Dick Bryer will be the play on WSAI for their second season together. Harry Hartman, dean of big league broadcasters, will be pulled in his 12th season for WPCO. He will be assisted by Red Therberg for the fourth year.

Both stations will broadcast all of the Reds' exhibition games, for which will be different from the regular season.

Film Men on Kansas Side Styne KMBC Artist's Use Of Big Memorial Hall

Kansas City, Feb. 13.

Independent theatre owners of Kansas City, Kan., called upon for former court ruling to stymie a staging of KMBC's Night Crash Folies version of "The Great Dictator" by Jimmy McConnel, KMBC artist bureau chief, took his Folies to the Kansas State Fair for one night stand last Saturday. Regular hour program was wired in from Chanote.

Stalling the outcome of the controversy, Jimmy McConnel, KMBC artist bureau chief, took his Folies to the Kansas State Fair for one night stand last Saturday. Regular hour program was wired in from Chanote.

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WIOD Fall of Celebs

Miami, Feb. 13.

WIOD is holding up nicely under sudden faze. The station describes back as "a new and exciting program" as the new network shows originating locally.

As for the pointed out by the "Key Keyser," Walter Winchell and Milton Berle are all enjoying sunshine and glory here and broadcasting each week from beneath southern skies. Since the above announcements, Berle has died his "Key Keyser" comedy, "See My Lawyer," which is left several weeks ago for the Miami vacation.

'TREASON' SCARE IN CANADA

Son of Witmark Partner Joins BMI As Miller Declares 'Open For Biz'

Neville Miller, as president of the project, announced last week that Broadcast Music, Inc., has become operative and that starting April 1 it would issue licenses for public performances. As yet the general manager and a staff of music men have not been selected. BMI has stock subscriptions and license fees pledged to the amount of \$1,160,273. Income from anticipated contracts will raise the assured minimum collections to \$1,200,000.

Miller reported that cash and con-

tracts are in from 348 stations, representing 80% of the broadcasters who attended meetings held all over the country to gain support for the plan. This consentality is to furnish the broadcasting industry with a musical reservoir which might prove an effective bargaining instrument in future license negotiations with the American Society of Composers, Authors and Publishers.

The statement did not make it clear whether the broadcasters would license this proposed catalog to

outsiders. What it did say was that the broadcasters expected to work in the closest co-operation with all other users of music, including film producers and exhibitors, theatre owners, orchestras, recording companies, hotels and restaurants.

Sydney M. Kaye continues as general counsel for BMI and takes the title of v.p. The project's head publicist is Russell Clevenger, who used to be a v.p. in charge of publicity at Albert Frank-Gunther Law, and before that on the New York Times. Also on the payroll is Julius Witmark, son of one of the former partners in the M. Witmark & Son catalog, which is now part of the Warner Bros. publishing group.

Key Burkhardt, traffic manager at WEBB, Buffalo, recouping from ap-

FLETCHER WILEY SET

Lord & Thomas Option Lingo Opens Way for Campbell Deal

Chicago, Feb. 13. Lord & Thomas agency here having permitted its option to lapse, Fletcher Wiley has sold his Housewives' Protective League Campbell's Soup. Starts next Monday (16) over a split Columbia hook-up out of L.A. talking in CBS Pacific coast and Mountain time.

Wiley also remains on KHX (L.A.) local spot for Cudahy product.

Harry Bayal, formerly of WJAY, Cleveland, team of Joe and Harry, has joined Mary DeLoane for daily half hour, 'Sing and Smile' program at WJW, Akron.

LANDRY PLACES BURDEN ON RADIO

**Broadcasters Must Carry
Responsibility That Political
Speakers Don't Injure
Government's Prosecution
of War**

OFFICIAL EXPLAINS

Toronto, Feb. 13. Caught in a political dilemma, bewildered managers of Canadian radio stations are up in arms regarding the forthright announcement of Col. R. B. Landry, Chief radio censor, that they will be responsible if any political broadcast is made during the coming campaigns of the four parties participating in the forthcoming Federal election if such editorial opinions divulge information useful and beneficial to the enemy powers or are prejudicial to recruiting or 'affection to His Majesty'.

Censorship has on political broadcasts, as instigated by the Prime Minister, had been generally condemned by press and public, irrespective of their political leanings, on the premise that this was a step in march with totalitarianism. It is apparent now that someone has suddenly seized upon the radio industry as the patsy.

Staunchly fighting back, Harry Boldewick, president of the Canadian Association of Broadcasters and general manager of CFTB, Toronto, wants the burden of censorship shifted to the unwilling shoulders of station managers. Still quivering indignantly at the unexpected government regulation, Boldewick said: 'Censorship is hardly a job that a station manager can assume; and politicians will not be keen to have the station manager censor their talks. The manager has no leeway. Even the remotest reference that might tend to violate the Defense of Canada Regulations will have to be stricken out. We have had 48 wires from the Censor Board referring to definite items that must not be broadcast and it will be almost impossible for us to determine whether certain statements do or do not contravene the Regulations. Furthermore, it will be impossible for a station manager to delegate his authority to any junior official and that means the station manager will have to be at the station at all hours. As far as is practicable, I believe we (the members of the Canadian Association of Broadcasters) will ask candidates to submit their speeches in advance and refer them to a government censor for approval; but radio stations are not in a position to assume authority for censorship of political speeches.'

Vigorous defender of the new regulations is Col. R. B. Landry, chairman of the Radio Division of the Censorship Co-ordination Committee which embraces the press, radio, film, and such media for the disseminating of news. With only the rare and occasional exception, Canada's daily newspapers have refused to present his explanation, thereby leaving themselves wide open to that charge of indiscriminate censorship which they are leveling at the Government—and, mistakenly, at the Canadian Broadcasting Corp. which is Federal-appointed and -controlled.

Landry's Arguments

Vainly trying to emerge from the political and whipped-up prejudicial smoke-screen that has been thrown around the entire issue, Landry is attempting, if his voice can be heard in the din, to explain that the censorship restrictions come under the aegis of the Defence of Canada

them both...

people with money to spend... the continuing market which kept the persistent pulse of American economy alive through the desolate years.

Now are the years of the Optimist...

Radio, depression-tested, has been tested again by prosperity. As the continuing market of the country spreads and deepens, radio's audience spreads and deepens, too. Today, radio reaches everybody everywhere; today, 28,000,000 families in the United States use 45,000,000 radio sets in their homes, in their cars, in their camps; take them along at play and on picnics.

Radio has taught the optimist that here is impact... undreamed of even a half decade ago.

Every radio index is now at the highest point in its history. More people bought new radio sets in 1939 than in any previous year. More people listen longer, with greater interest, than ever before.* And industry, great and small, invested more money in radio advertising in 1939 than ever before.

Ten exacting years have taught the pessimist and optimist alike, what radio is and what radio can do.

Columbia Broadcasting System

Attack Proposed Law Requiring Okay From All Before Off-Air Recording

Albany, Feb. 13. Henry Fortnow, counsel for Audio-Script, Inc., an off-the-air recording service, has filed a brief with the rules committee of the N. Y. state assembly attacking the re-introduction of the Perry bill which seeks to prohibit recordings without advance written permission of all participants of the broadcast. The American Federation of Musicians and the National Association of Performing Artists are understood to be among the advocates of the measure.

The brief states that the legislation would not only fail to protect radio actors, musicians, etc., but would prevent the recording of historic events and general matters of public interest. Also that in actual operation the measure would give a monopoly of such recordings to the large broadcasting companies since they would be in an easier position to get the necessary consents. Brief likewise attacks the proposal as a serious infringement upon the freedom of the air.

NAPA directly was responsible for the introduction of the bill in the previous session. Later passed the senate but failed of passage in the lower house. Similar measures have been introduced in the Pennsylvania general assembly and the House of Representatives at Washington.

'GO TO CHURCH TODAY' SHOW IS SPONSORED

San Antonio, Feb. 13. New regional program heard through the Lone Star Radio Network on the air Sunday (11). Sponsored by Mrs. Baird's Bakers of Texas. Program is a half-hour show and is titled 'Go to Church Today,' and was led by Carol Quarty. KGKO, Fort Worth, originated.

Placed through Trans-Loke-Dawson, Dallas.

The Clincher

Hollywood, Feb. 13. After signing NBC's Ted Sherdman to write the story for "Cavalade of Baden," Bob-Fox looked around for a collaborator. Someone tipped them off that J. Andrew White was around and available. When asked to describe his radio background they were told he founded CBS and was its first pres. He got the job.

Don Cunningham Does Live Stock News, WNAX

Yankton, S. D., Feb. 13. Don H. Cunningham, who has been in and around the live stock business for 30 years, is doing a daily broadcast from the Sioux City stock yards over WNAX and KTRI, Sioux City. The series are underwritten by the Sioux City Live Stock Market News and Educational Foundation in cooperation with the Central Public Markets Bureau.

Charles Worcester, WNAX Farm Service Director, has been designated by CBS as its regional reporter for the Central Northwest area and to furnish a weekly letter for Saturday matinee broadcast over the network.

Red Staff Off WADC

Akron, O., Feb. 13. After only two broadcasts the Communist party's 'Work in Review' program has been yanked from WADC's schedule. Material taken from 'The Daily Worker' was used. Station is silent on the removal of the program which cleared Saturday at 4:45.

WHN's Sales Spree

Flock of Signatures Obtained by N. Y. Station

Lower-owned WHN, New York, topped 13 new accounts in three days last week. Included was the analog program of Princess Pat (see story on Jimmy Walter). Other signatures being in: Potter Drug & Chemical Corp. (Cottolera) announcements, placed through A. R. B. and Currier; National Livestock Co. (Hops) announcements for 13 weeks.

Baritone spots, placed by Erwin Weagy; Manchester-Matton of Jersey City, through A. R. B. and Currier; Pines Brothers and Klein Clothing of N. Y., station-breaks, through A. R. B. and Currier.

Boxy Theatre took spots through Kayser-Looney Company; Coast Guard 15-minute periods of transcribed music for Lathrine; Thomas Leeming & Co., participating announcements for Pacific's Hand Cream, placed by William Ely & Co.

Cardinal Murphy five-minute talks on plants, placed by the Northwest agency, Seattle; Ford Dealer Advertising Fund of Edgewater, N. J., station break through McCann-Kricken; and Gardner Nursery five-minute talks on plants, placed by the Northwest agency, Seattle.

Record Phone Talks

With Tex. Housefairs, Repeat on Air Later

San Antonio, Feb. 13. A new idea is being used in the Light Corp. Doubtless broadcast heard daily through the Texas Quality Network group. Parker W. W. and his telephone numbers are picked at random throughout the state and telephones the housewife. Various other things are going to be of the hour is asked and each of the hour is sent gratis. The conversation is recorded and permission is asked to use it on a later broadcast of the Doubtless.

WNCA Drops Sales Hypo Dept.; Rose May Be Out

WNCA, N.Y., is eliminating its sales promotion activities and Al Rose, with the station for six years, will probably be off the payroll. Donald Flann is away on a trip to the Coast.

Still some possibility another niche will be found for Rose.

Jack Hammond Sales Mgr. At WCAU; Street in N.Y.

Philadelphia, Feb. 13. The sales department of WCAU has recognized last week with the transfer of Robert A. Street, commercial manager for the past seven years, to the New York office where he will be in charge of New York and New England sales.

Jack Hammond formerly of KYW, was named to replace Street. He joins the staff on March 11.

Lee Fitzpatrick to N.Y.

Detroit, Feb. 13. Lee Fitzpatrick states that although he has been thinking of separating himself from his New York for WJR and WQAR for a long time he has nothing definite on matter and doesn't expect to for some time, if ever. Says his main concern now is promotion for the new radio station KMPG in Beverly Hills.

Fitz left Monday night (11) for east with that as one of his objectives. He pointed out that his Peary contract runs till Dec. 31, 1940.

Arthur Church to Hawaii

Kansas City, Feb. 13. Arthur Church, president of KMCB, departed last Saturday for a six weeks' vacation sojourn in Hawaii. Station affairs will be under the wing of Karl Koepfer, v.p., in the interim. Church has spent two weeks under doctor's care battling a persistent cold.

Clare Allison, publicity director for the station, has likewise been under doctor's care post week suffering an attack of flu. Dave Partridge and Betty Lever are handling in his absence.

Penny Gum Using WLW

Cincinnati, Feb. 13. Exclusive airing of "Don Winslow of the Navy," a transcribed serial for the Friday 12:15 P. M. program, on WLW, started Monday (12). A 15-minute program, it is to air every day, except Saturdays and Sundays, at 8:30 p.m. N. W. Ayer & Son is the agency.

Blushing in on Double Double chewing gum and, according to Bob Dunville, WLW's general sales manager, it is the first major broadcasting effort by any firm on a penny item.

Press Wireless Finds Scant Newspaper Need For Shortwave Analysis

With the New York newspapers admittedly showing no interest in buying the service, Press-Wireless states it proposes soon to drop the experiments it has been making in monitoring the broadcasts of European stations from 10 a.m. to 1:15 a.m. Press-Wireless, whose regular business is to receive regular press telegrams via its shortwave equipment in Baldwin, L. I., recently went for the monitoring idea after the N. Y. Times and N. Y. Tribune had required the efficiency of P-W reception of European broadcasts.

Press-Wireless thought it saw in this inquiry a chance to build up a supplementary business from newspapers. It put out a monitoring schedule with stipulated foreign capitals and after a week found out that most of the New York newspapers had their own shortwave equipment and monitoring setup and considered these sufficient for their needs. Press-Wireless had meanwhile found out that practically all the material broadcast from abroad was propaganda and a real spot item from these sources was more than a rarity. It never happens.

Press-Wireless does send a list of actual shortwave relaying from Europe.

WPEN Labor Tiff Spills Into New York; Balova Absent in Switzerland

Philadelphia, Feb. 13. The American Federation of Musicians is getting set to call out its members in all stations owned by Balova, who is in Switzerland on strike at WPEN, the latter's local outlet. WOVI, N. Y., has been advised that unless WPEN comes to a settlement with the Philadelphia local by this Saturday (17) the house band at WOVI will be ordered to walk.

Attempts were made over the week-end to communicate with Balova, who is in Switzerland on business. Trans-Atlantic phone calls failed to reach him. In his absence no member of the organization is willing to make any commitments.

WPEN has been picketed since Dec. 1 when the station denied its ten-man house band following disagreement over terms of a new contract. The station is based at the station street approximately \$27,500 for its annual music bill, while the outfit has made a counter-offer of \$15,000.

Last week Local 71 filed a suit in Common Pleas Court for an injunction restraining WPEN from playing any records made by its members. The action is based on a decision of the Pennsylvania Supreme Court in a case brought by Fred Waring against WPAAC, where an artist's property right of a musician in recordings was cut by him.

Orson Welles' Status

Philadelphia, Feb. 13. Officials of Ward Network advertising agency yesterday said there was no question at this time regarding the continuation of Orson Welles as director of the Campbell Playhouse. They said the contract had "some time" to run, but would not specify the date of its expiration, (reported to be March 8). "We'll cross our fingers there's some time," a spokesman for the agency said.

A
\$2,242,690.00
MARKET

Power
WHERE IT COUNTS
50,000 WATTS
AT 820 ON THE DIAL

WHAS

BASIC CBS OUTLET
NATIONALLY REPRESENTED
BY EDWARD PETRY & CO.

Owned and Operated By
The Courier-Journal
THE LOUISVILLE TIMES



BRINGING IN THE SHEAVES

With its entire advertising appropriation concentrated on a program over WKY, beginning last September, Local Federal Savings and Loan Association of Oklahoma City sent 13 New savings and investments for the September-December period up 28.1% over the same period in 1938; (2) Number of new savings accounts up 65% for the same time; (3) 1939 earnings per year since 1929.

Prior to September, 1939, various types of media were used by Local Federal. A once-a-week national program had been aired with only moderate response. Then WKY was given full responsibility for the job. It recommended "Odds and Ends,"

a quarter hour of poetry and homely philosophy with organ background, part 1 to the same spot five days a week. Local Federal accepted the recommendation. Things began to happen. New accounts were opened from counties throughout the state. They ranged in amount from \$5.00 to \$100.00. They received for Local Federal memories of the dash and activity of 1939.

It is in the habit of proving. It is the kind of result-producing history belongs. WKY's power to move advertisers, local and national spot, to spend more of their money with WKY. It is the kind of result-producing history belongs. WKY's power to move advertisers, local and national spot, to spend more of their money with WKY. It is the kind of result-producing history belongs.

WKY Oklahoma City
NBC Affiliate — 900 Kc.

OWNERSHIP: NATIONALLY BY THE RADIO BUREAU INC.

CBS Rate Up, A Year Later, Chilled Acct.

One of the things that induced Postmaster General F. C. Murphy to drop the *Lum and Abner* show and the time strip they fill on CBS (7:15-7:30 p.m.) is that the rate increase which the network put into effect last fall will by September have caught up with the current. This increase, the account figured, amounted to around 10%.

As is the customary practice, advertisers are permitted to protect themselves against effectiveness of the new rate by working up for an additional 13 weeks.

JUNIOR LEAGUE EXEC ON STATION'S BOARD

Troy, N. Y., Feb. 13.
Mrs. Peter L. Harris, president of Troy Council of Social Agencies, past president of the Association of Junior Leagues of America, Inc., and active in many local organizations, has been elected a director of the Troy Broadcasting Co., which will operate WTRY. Selection of Mrs. Harris, perhaps Troy's best known woman, is considered smart move by Harry C. Wilder, who controls new station.

She is wife of a leading Troy surgeon.

CHICAGO BASEBALL

WGN Enters the Situation for First Time

Chicago, Feb. 13.
Chicago's baseball outfit set for the coming season, with WGN again to have Old Gold play-by-play, WGN tied up with Tenace and WJZD with the Walgreen combination. WBBM has General Mills for half the ownership, but the second client to replace last year's co-sponsor, Seacay-Vernum, which this year is retrenching considerably due to world oil situation. WIND will pass up baseball this year and continue its present policy of covering all sports with regular periods throughout the afternoon. NBC's blue outfit, WGNR, is taking \$120,000, including rights. WGNR has never before carried baseball play-by-play.

Re: Finnish Relief

New York.

Editor, Varsity:

The page one story in *Varsity*, captioned, "Finland Bally Barred By Weta," is somewhat misleading. The item no doubt referred to a plan proposed by the amusement division of the Finnish Relief Fund which was that a two-hour show on the stage of the Radio City Music Hall, PAUL DE FUR, and a "H.A.N.E." BICKLAND, show combined efforts are responsible for the success of many of WLB's educational programs.

The idea further stipulated that there was to be no appeal for funds. In turning the offer down, neither of the networks made any mention of "controversial issues." The Finnish Relief Fund has been receiving excellent co-operation from the three nets and from local stations throughout the entire country. Each network has extended its facilities on several occasions since the Fund's drive has been under way. There have been broadcasts made by Mr. Herbert Hoover, our national chairman, over each of the networks, from the Madison Square Garden Rally and, on several occasions, our representatives in Finland have participated in network transatlantic broadcasts.

G. W. Johnson,
National director, radio division,
Finnish Relief Fund.

Cowgirls on Tractors

Kansas City, Feb. 13.

KMBC Artists Bureau has had unusually good luck in booking Kiki and Kay, cowgirl singing twins, through the territory because of the girls' ability at driving farm tractors. Dan has been booked in over 20 International Harvester Co. dealer showrooms, and as part of the act drive the dealers models for the benefit of the customers. Two learned the jobbery stuff while employed by an implement house in St. Joe. Jimmy McConnell, a.b. chief, is finding the gas a natural for the water truck-showroom circuit.

Merle Tucker to El Paso

San Antonio, Feb. 13.

Merle H. Tucker has been named manager of KROD, El Paso, Texas, the Dorrence D. Roderick station, which will take to the air in May. Edward P. Talbot will be chief engineer.

Tucker left management of KSAI, Salina, Kansas, to come to El Paso.

Percy Deutsch Back

Percy S. Deutsch returned to New York last week from Phoenix, Arizona. He is much improved in health, but still under doctor's care. Head of World Broadcasting had a bad siege of pneumonia at Harkness Pavilion last summer.

OHIO STATE RALLYING EDUCATORS APRIL 29

Columbus, Feb. 13.

Ohio State University's 11th annual Institute for Education by Radio will be held April 29, 30 and May 1. During the past week, 2,500 entry forms were mailed to radio stations, education groups and transcription companies interested in the American Exhibition of Recordings of Educational Radio Programs. The exhibition is held in conjunction with the institute.

Eight different program types, classified into two groups, will be judged. The two classifications, based

WMCA Not Authorized By Victor

Right to Broadcast Pending License Not Given New York Station—Phone Talk Only

Poise

Toledo, Feb. 13.

While Toledo residents were facing a gas strike, with the threat that their fuel for cooking might be shut off at any moment, there was no mention of the strike crisis which lasted more than a week, on a news broadcast given by Edward C. Ames each evening over WSPD.

The broadcasts are sponsored by the Gas company.

on program resources are: 1. Networks, national organizations and clear channel stations; 2. Regional and local stations and organizations. Entries must be received by March 15.

David Mackay, RCA Victor counsel, declared yesterday (Tuesday) that notice has been served on WMCA, N. Y., that if the station continues to use that company's phonograph records without obtaining the required license it would make itself liable to an infringement suit. WMCA had been airing Victor records under the impression that there was an exchange of authorization for plugs on the label.

Mackay stated that WMCA had orally suggested this arrangement to Frank Walter, v.p. in charge of RCA's recording division but that the station put its proposition in writing. Since the disclosure of the WMCA situation Victor has been flooded with bids for similar arrangements from stations throughout the country.

PRODUCTION... another reason why they Listen.....

Supplementing WLW's galaxy of outstanding network programs is its own array of productions . . . vibrant with showmanship . . . sparkling with listener-interest . . . radio entertainment at its best . . . because WLW's production men are skilled workers . . . doing an outstanding job day after day . . . another reason why so many millions listen regularly to the Nation's Station.

CHARLES LAMMERS WLW Production Men, direct the production of the Nation's Station, Feb. 13. The radio production men of this station, who are skilled workers, are shown here in a behind-the-scenes look at the production of a program. The production men are shown here in a behind-the-scenes look at the production of a program. The production men are shown here in a behind-the-scenes look at the production of a program.

The PRODUCTION of a forthcoming program, "The Nation's Station," is shown here. The production men are shown here in a behind-the-scenes look at the production of a program. The production men are shown here in a behind-the-scenes look at the production of a program.



ARTHUR RADKEY, Educational Department production man, is responsible in a large measure for the success of many of WLW's educational programs.



CHARLES LAMMERS directs while **GORDON WALTZ** assists in the production of WLW's great new program, "This Land of Ours." The theater and air experience of these two men plus that of **CHESTER HERMAN** (top picture), who was stage director with the Shuberts and associate director of the St. Louis Municipal Opera, means they are capable of handling every type of program efficiently . . . brilliantly . . . and distinctively.

WLW THE NATION'S most "Merchandise-Able" STATION

REPRESENTATIVE: TRANSAMERICAN BROADCASTING & TELEVISION CORPORATION - NEW YORK - CHICAGO

ARGENTINE RADIO STATION DO-NO-THING ERA; SLOW TO ATTENDANCE THE KNOT

Over a Year Since Need for Reforms and Mergers
Was Underscored—Chiding Excessive Use
of Records, State's Own Station Is Worst Offender

By FRED MARLEY

Buenos Aires, Feb. 1. In many reports 1939 can be considered the most uneventful year in Argentine radio history. Since the big blow in July 1938, when local broadcasters were told by the Postmaster General, Dr. Adrian C. Escobar, that their programmes were detrimental to Argentine culture, practically nothing has been done to

improve the quality of local radio shows. The broadcaster has been sitting back, marking time, and expecting the result of the investigation to be a complete reorganization. Since all concessions for commercially operated stations in Argentina are temporary—with the exception of Radio El Mundo (LR1)—and can therefore be withdrawn from one day to the next, it was understandable that the operators of the local stations were not willing to spend money for any artistic or technical improvement at a time when they faced dislodgement from their business. Their peculiar situation was recognized by the public and more or less accepted, especially as it was supposed that this would go on for only a few months, i.e. until the commission, headed by Dr. Adolfo T. Cominetti, chief supervisor of the radio-communication section of the Argentine G.P.O., and Benjamin Gieba, partner in Radio Splendid (LR4), had given their report to the government.

Unfortunately for everybody concerned, and not the least the public, the commission took their time to investigate. While their report was expected for November 1938, they kept everybody waiting and waiting, and when they finally produced their findings another year had gone by. What the commission reported was recorded in a copious volume which, although not made available for publication, it is an open secret that the commission, that a merger of all the 16 commercially operated stations in B.A. into the "Radio 5" to improve the artistic and cultural qualities of Argentine radio.

Radio El Mundo (LR1) and its two short waves, LRU and LRE, have been left alone in the report, owing to the special situation of this station. Its owner, the Haynes Publishing Co., secured a permanent concession some years ago, when they agreed to build the plant of the State Station LRA at a cost of about \$50,000 pesos (\$8,000).

The commission's conclusions did not surprise the local broadcasters as they themselves had already considered similar projects, shortly after the government investigation started some 17 months ago. There was talk at that time of a voluntary get-together, but every serious suggestion went to the racks when the local broadcasters, specially the smaller ones, asked such a large indemnity for their stations that the required capital to satisfy everybody would have been in no proportion to the future benefits which were anticipated.

by a scheme in which all but four or five stations would fade.

In the case of talent Argentine radio has produced nothing new or better during the last year. No one in popularity is still Miss Marshall, an Argentine girl, who created two very different programmes, "Candida" and "Celia". She has also become a beautiful attraction in local films during the past year produced from radio to screen. Others are Jose Marlowe, Angulo Codon and Sabino Olmos. It is interesting to note in this connection that Curran Miranda never on Broadway, started her career some years ago before the migration of Radio El Mundo, Buenos Aires.

BBC Model

The government commission also came along with another idea to solve the Argentine radio problem: abolish the entire operation on a commercial basis, institute State Radio, and finance the system through a fee of 25 pesos (\$6) yearly to be collected from every radio listener in the country. This was published as a part of the commission's findings, it is known here, that it was for a long time the favored idea of the P.M.G. himself, who thought of establishing something like a national broadcast system similar to the British BBC. It is not likely, however, to have any success, as not a single newspaper supported the scheme. It was not only the serious difficulty of collecting the money from Argentine radio listeners, but recent experiences in other business fields have shown that government intervention has in no way proved to the benefit of the taxpayer.

Final word about the reorganization of Argentine radio will be given by the Minister of the Interior, Dionisio Thomas, who is at present studying the report of the local circles. It is well to make a decision in this matter before the meeting to the Argentine Congress. There is no special radio law existing in this country. Radio has hitherto been solved by decrees and by-law. Local broadcasters are more rather victimized than helped by these problems and business discussed public.

The "Gravissimo" report not only criticized the Buenos Aires stations, but it also deplored the allocation of the frequency in the interior of Argentina. In this connection, some districts up to present time do not have telephone lines and communication is limited to two Argentine provinces, Salta and Jujuy, were opened only a couple of weeks ago. The lack of telephone lines has importance in connection with the network transmissions of B.A. programs. It is an old claim of local broadcasters that there are not enough telephone lines available and this has directed a certain handicap to the network business. LRI uses its DXers for a Buenos Aires and White Network, while the other existing network, the Primera Red Argentina, Buenos Aires, owned by a Radio Belgrano (LR3) affiliate, is likewise using its short wave station, Radio Bol de San Carlos (CXAS), at Colonia Uruguay. While LRI is entitled to use its short wave stations instead of telephone lines for network purposes, owing to its special concession, the same thing done by LRI is "illegal," as government regulations forbid the use of foreign short waves for rebroadcasting in the interior of Argentina. Belgrano's CXAS comes from Uruguay. Though LRI has been violating the regulations for more than two years, no government intervention has ensued.

There have been several claims the year from artists and musicians unions in the interior of the country that the growing network transmissions from B.A. put these artists in a serious spot, as their possibilities of finding jobs decreased. They measure network airings increased. LRI and LRE, however, claim that this objection is not valid. It is generally agreed that network shows, sponsored by the big companies, give the stations in the interior more publicity and financial setting to give these artists a chance in sustaining program. A more serious claim by the same

Good Gag, Anyhow

London, Feb. 1. Transfer of British Broadcasting Corp. officials to emergency headquarters "incurred no expense" on the outbreak of war provides the background for a story recently told by the BBC. The BBC heads entrusted from London with several orders stating their destination. Only the very top men in the Government knew their destination.

Hardly had the BBC advance guard arrived when a long distance call came through from Buenos Aires, asking for the head of the BBC. The BBC had been hoping that the shift had been carried through easily.

Others who have during the past year produced from radio to screen. Others are Jose Marlowe, Angulo Codon and Sabino Olmos. It is interesting to note in this connection that Curran Miranda never on Broadway, started her career some years ago before the migration of Radio El Mundo, Buenos Aires.

What about the State station, especially in B.A., are on the air with programs made up of 90% recordings. There is a government regulation which allows only 50% of the complete air time to be used in records. When the intense pressure upon the government to do something about the matter, Cominetti, as the man responsible for all air affairs, called the manager-director of one of the stations notorious for use of records, and reminded him of the regulations. Whereupon the manager was said to have answered:

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Allege American Radio Sets Night Jeopardize Insurance Policies

Toronto, Oct. 11.

Toronto Better Business Bureau is the instrumentality through which the radio set-makers of Canada are launching their latest drive against the cheaper American sets which the United States. BBB would like to see the Canadian government take American sets off the market as they are not met Ontario fire laws.

While not daring to try this stand as the basis for an absolute prohibition of American imports the Canadian manufacturers suggest that radio sets not conforming with the regulations might jeopardize the payoff on fire insurance policies.

Some 60,000 York sets were brought over the border by returning Canadians during the past year, were valued by the \$100 allowance of each tourist.

WILFRID THOMAS SAILS

Australia Goes Home—War Ended
Career as Narmadale

San Francisco, Feb. 11.

Wilfrid Thomas, former BBC writer, producer and entertainer in London, and until the war with Radio Narmadale (Dick Heyer, Frank Lane) has sailed for Sydney to fulfill a six-month radio contract in Australia. He is an Aussie by birth.

Accompanied by his wife, a former English actress.

(Thomas was in New York City some time before the holidays. He originally came here to sell either Canada or the United States a contemplated IBC transcription series from England dealing with civilian life in wartime. Fear of belligerent "propaganda" chilled the deal immediately.)

Gene O'Haire has started a 10-minute breakfast hour sports broadcast and over WCY for W. Clothes.

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5000 WHITS DAY

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John M. G. & Co.

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Canada's Fiscal Year Report

No Shortwave While War Lasts Except by Special Appropriation

Toronto, Feb. 13.

Canada is the only major trading nation in the world not represented on the short-wave band, and she has been unable to reduce radically the offers of exchange programs with France, Sweden, South Africa, Australia and the New Zealand because this dominion has no adequate short-wave facilities. The immediate need for a high-power Canadian short-wave transmitter is anxiously and frantically stressed in the annual report of the Canadian Broadcasting Corp.

With all capital expenditures suspended for the duration of the war, these including the much-needed erection of two 575,000-watt administration centers in Toronto and Montreal, plus the contemplated intermediate stations necessary to the government's present Trans-Canada national network, the likelihood of the immediate establishment of a short-wave transmitter is remote unless the government decides that the propaganda possibilities of the short-wave band are worth the expense of the initial and maintenance costs.

The CBC income from licenses and advertising is estimated at \$2,311,440.55, the direct cash revenue into the ruling channel no doubt accounting for the considerable disinterest exhibited by the major Canadian press in failing to devote space to the CBC report, which stresses its inherent importance to license-paying citizens who currently are maintaining a national radio network.

The CBC has paid off \$500,000 on government loans which covered the construction of CBC stations, and CBC, Montreal, received approximately \$500,000. Other revenue has been derived, according to the report, to the production of programs and the improvement of the upkeep of existing facilities.

The operating costs show that, during the year, 50.7% of the budget was used for program, 20.4% for wire lines, 14.7% for the operation of CBC stations, 1.8% for representation, 4.9% for administrative expenses, 5.5% for interest on loans. Comparison with figures of the previous year shows a general decrease in all charges, but an increase in program expenditure.

The continued co-operation of CBC, NBC and Mutual is acknowledged in hand-to-hand border relations. Canadian radio-listeners endorse that, despite the publicity "black out" imposed by the department of Defense, the CBC has increased its broadcasting hours 42%, its number of programs 45%, its number of hours of broadcasting per day has increased from 15½ for the previous fiscal year to 19½. Private stations carried a greater number of CBC continuing programs than ever before.

VALLEE'S FOUR WRITERS

McMann, Panama, Frank, Field, Handling Studio, Andrews

Hollywood, Feb. 13.

Scripting crew for the new Radio Valley show for Sealant was set last night. Herbert Kershall of McKerr for years with Vallee, will be assisted by Norman Panama and Melvin Frank, brought on from New York, and Sidney Fields, comic and writer with Eddie Cantor. Panama and Frank are one-time radio-toppers for Bob Hope and Phil Baker.

WMCA Wins Power Boost

FCC last week granted the request of WMCA, New York, to boost its output from 1,800 to 1,600 watts coincident with a shift in transmitter sites from Flushing, L. I., to the H. J. O'Neil will begin immediately the construction of the new triple towered directional radio.

Station was forced a short time ago to rip down one of its two towers in Flushing and lower the second to a 100 foot height because of its proximity to the city's new airport, less than a mile away.

Mosley in U.S.

Sidney A. Mosley, former London radio editor and television promoter, is back in the United States. Stopping in Manhattan.

A third trip in as many years.

Historic Footnote

Kansas City, Feb. 13.

Mulling old newspaper files for publicity on the dedication of new studios, Dean Finer of WDAF, found this pitiful item re the broadcast of the station's first program:

"Success of the venture hinges upon absence of static and that the amateur reader at Independence (Mo.—13 miles east) will refrain from broadcasting phonograph records during the concert."

FLJ BROADCASTER LOOKS OVER CANADA

Montreal, Feb. 13.

Robert Charles Farguehar, engineer from the British Post and Telegraph Department attached to station ZJV, Suva, Fiji, was here last week to give Canadian broadcasting a globe-trotting since June, Farguehar has been making survey of international broadcasting conditions for possible modernization of service in the Southwestern Pacific. Station ZJV at Suva is under supervision of the British Government but controlled by the Amalgamated Wireless Association, Australia.

Leopold Houle P. A.

For Quebec Province

Montreal, Feb. 13.

Leopold Houle, publicity director for the CBC here, has been appointed Director of Public Relations for the province of Quebec.

Houle will aim at friendlier contact with the press.

As a vehicle of political appeal, radio in the province of Quebec will be donated on the CBC national network on the basis of jury to all centers. Representation of the four major political parties have met in conciliatory and have agreed on allocation of 15% hours free time. Based on the standing of the parties at the recent dissolution of Parliament, the division of time is as follows: Liberals (4% in power), 1½ hours; Conservatives, 4% hours; C. F. 1½ hours; and Credit 1½ hours. Dissolution time, therefore, hours the Communists and the New Democracy Party led by W. D. Herridge, former Canadian Ambassador to Washington and brother-in-law of the B. B. Bennett, former Prime Minister of Canada, who went down to defeat in '35.

First test of the extent of the Federal Government's rigid censorship of political broadcasts was the Hon. J. A. Mathewson, Treasurer of Quebec, here to address a joint luncheon at the Empire Club and the Canadian Club, at which address was to have been carried over all Toronto stations including the Broadcasting Corp's stations (CBC and CBY) and the indie CPBB and CKCL.

Last-minute announcement of the ban came to F. J. Gaby, president of the Empire Club, just before the Quebec visitor was about to be introduced. He apologized. Due to Mr. Mathewson's prominence in political life, the CBC has refused to broadcast his address, but offered to make a recording of the speech and broadcast it after the election of March 26. Need I tell you that this offer was politely declined. Incident has added fresh tinder to that blaze of indignation which has swept across Canada since word of censorship was announced by the Prime Minister, and which has been generally condemned by press and citizenry irrespective of their political leanings.

New Acia. at WEBB, Buffalo

Buffalo, Feb. 13.

Cy King's western roundup at 6:30 p.m. on WEBB gets Bend Clothing Co. sponsorship March 4. Deal through Neff-Rogers Agency 10 for 26 weeks.

Believe Ballroom 20-minute table parties for National Blue-Club Co. start Feb. 12 via McCann-Erickson, and F. C. Tripp Co. starts weekly 20-minute transcribed show on Feb. 11.

William T. Kirker is a new name recently heard on some NBC short-savers from Berlin. Kirker, who seems to follow the German official line quite closely, pronounced President Roosevelt's name incorrectly on one broadcast.

International Wavelength Adjustment Due on Aug. 1, Though Not Guaranteed

Washington, Feb. 13.

Change-over for most U. S. broadcasters in conformity with the North American Regional Broadcasting Agreement has been set for Aug. 1. Mechanical and legal difficulties may make it impossible to achieve this objective, but the FCC hopes to complete the process of grinding out papers for new births before daylight saving ends next September.

As a preliminary step, the Commission decided Wednesday (31) to cut all outstanding tickets at the end of July and to renew permits of several dozen operators until that date. In the meantime, each operator will be told officially—know now but not late has to be completed with what place on the spectrum he will occupy in the future.

The maneuver was taken blindly, for the Commission still does not know positively whether Mexico attached any conditions to its ratification of the Havana treaty. Lakediplomatic diplomats have failed to inform the State Department as to what happened when Mexicans rubber-stamped the document at New Year's, and the Mexican government has been dilatory about transmitting formal notice of its decision.

Whether the shuffle will take place on Aug. 1 is problematical. Shaping doubt if there is sufficient time to go through all the clerical rig-marsh, including the process of drawing emergency single times to complain about the spot he is to be given and then holding hearings, deliberating the testimony, making

findings, waiting for complaints, and having done final rulings in the case of squawks. Few objections are expected, since there was no move to block ratification of the pact by the U. S. Senate and new rules, carrying out the theory of the agreement, have been promulgated. Situations which would leave coveted positions may be penalized severely, for the FCC holds a very potent club and can deny renewals to anybody who demurs at the orders to move over.

Just how the re-assignment will be handled clerically remains a puzzle. The Commission announced it did not state whether all stations must file renewals for their present assignments or ask for the frequencies they are supposed to use. Whether there will be a general hearing, at which any disgruntled operator can register objections, or individual proceedings on specific protests, also is not sure.

SMART, SHAW AIDING TROOPS

Montreal, Feb. 13.

Campbell Smart, Cechfeld-Brown Agency, and J. A. Shaw, manager of Canadian Marconi station CPFC, have been drafted to serve on Radio Committee for campaign of Canadian Legion to raise coin to provide for logic and entertainment for Canadian Active Service Forces overseas. Plan is to devote portion of funds to equip men educationally and otherwise for taking up civilian duties when they return from the wars.

Smart and Shaw both vets of the Great War.



WOR offers ten minutes immediately preceding Brooklyn Dodgers home and away game broadcasts. Also 100-word announcement time immediately following all games, day and night.

A proven-to-pull buy on time that clocked top audiences last season.

Wire, phone today for cost, audience data, other facts — NEW YORK, 1440 Broadway, (PE 6-8383); BOSTON, 80 Federal St.; CHICAGO, Tribune Tower; SAN FRANCISCO, Russ Bldg.

WOR

Inside Story—Music

'All the Things You Are' from the defunct Jerome Kern-Oscar Hammerstein, 2d, operetta, 'Very Warm for May,' and 'Darn That Dream' from 'Babes on the Beach,' prove again that you can't keep a good song down, even if it shows age.

Two recordings by Joseph Jefferson (1829-1905), perhaps next to Edwin Booth, the best known of all American actors, have been turned up by the U. S. Caidin's record shop in New York. Both are from "The Wild West," which Jefferson originated in this country in 1880, and which was his most famous role. The recordings are from cylinders made in late 1899.

Busby-Jay-Bleek will publish the full score of Bing Crosby's forthcoming Universal release, "If I Had My Way." The writers are Joe Burke and Jimmy McHugh. Robbins Music has a tieup with Universal, but the writers were in copyright because of the legal contractual obligations of Crosby, Burke and Monaco to Busby-Jay.

Current issue of Fortune magazine—a 16th anniversary special devoted to America—has a full-page photo of the lobby of the Paramount theatre, N. Y., to illustrate its section headed "The Culture of Democracy." Advertising blarney heralding the coming of Bob Chester's work, Cam Doley and the Job Shop stand out in the background. There is no identification of the scene, the only caption being a quote from Walt Whitman: "Remember that has not always been as here today so completely unrepresentative."

Bruce Hawking, who wrote "Tuxedo Junction," the tune his band now uses as a theme, found himself in the position of being barred from playing his own music because of the writing and recording it. Hawking is now planning to sue for the right to publish. When he wanted to begin using it as a theme HBC, which runs his band from the Savoy Ballroom, N. Y., told him that Lewis had restricted the playing of the number to Glenn Miller's band. Burs was lifted.

Hawking band the number on a C record at the Savoy Ballroom to signal to alternate bands to take the stand for a set.

For Bob Crosby's preem in the Camel Saturday spot recently the William Ray agency commissioned its new band to contact brother Bing for a song. Later contact was made, and the agency was told that Bing would not buy him a present. The festivities were made much of, including the presence of Mildred Bailey on the show, as an all-Spokane week-offer. Bing and Mildred both called from the show.

Everett Crosby, who's an agent in Hollywood, called his brother Bob after the broadcast and wanted to know what Indian sign he has on Bing being able to do it, whereas Bing does it better. For Camel, the Crosby program.

Warner Bros. publishing group has arranged to represent Mrs. Charles K. Harris on the handling of the Canadian rights to the score of "How to Succeed in Business Without Really Trying." The Harris firm was the score's original publisher, but on the copyright renewal the rights were obtained by Warner Bros. from the estates of Victor Herbert and John McDonough.

The reassignment to W.B. however, only applied to the United States. Canada, the British and other countries, grant the right of first right owner control over his work for life and 50 years. In the U. S. the original copyright expires at the end of 28 years and on renewal the copyright is good for another 28 years.

Leota M. Bryan, administratrix of the estate of Vincent Bryan, filed suit in Los Angeles against Paramount Pictures, Inc., claiming that the company, charging fraudulent acquisition of the rights to the late composer's work. Plaintiff claims the rights were obtained for \$1 when the composer was unable to transcribe business.

Paramount and Warner are named in the suit because of the song, "My Merry Oldsmobile," was used in "The Star Maker" and "Three Men in a Boat."

Promotion department, headed by Roy Topper, of the Chicago Herald-American, in five days received 48,000 replies in a contest in which the readers supplied new last names to the lyrics of "Oh, Johnny." Dole was put back by Topper as a circulation builder in a contest with music publisher Fred Funtzer and with Al Fuller, a. p. for the Palmer House where Orrin Tucker band and Benjie Baker are currently appearing.

Barbers on Parade: Some announcers seem to have the idea that it isn't necessary to let listeners in on what band they're handling. Often a crew can go through several or more numbers in a row without the speaker telling listeners just what crew is airing... Charlie Barnett's first pickup from the local Lincoln was a classic of poor balance. Band seemed to comprise all brass... "Darn That Dream" as sung by a vocalist with Gray Gable, whose name was on a night club in a night club in a night club from California others in a much too relaxed manner, almost lethargic... Similarity of two current songs, "Careless" and "Angel," is confusing... The air "The Star Maker" instead of "Man Who Comes to Our House" in the Tommy Tucker tune "Man Who Comes Around"...

Jimmy Lunceford's arrangement of Beethoven's "Sonata Pathetique" for semi-opera, an unusual piece that shows what that band can do outside of pop... Wondy Herman gets a better pickup from the Sherman Hotel, Chicago, though it still doesn't give an accurate musical picture of the band... The "Star Maker" is a good arrangement in the books of Johnny Mesner.

Close-to-Scat Spots Get Particular Eye From New York Union Hotel and case operators are now required by Local 665, N. Y., to make a separate form agreement which makes them liable for the payment of the brackets for 13 per man. The union appears to be particularly interested in having this form signed by those who have the weekly pay from the band just before the start.

The local is determined to stop the leaders of these scale bands from making their own pockets for the payment of the brackets. The union is in the event such a case might the union will be in a position legally to sue the accumulated broadcast fees from the weekly operator, after he had by contract obligated himself to pay the tax to the union.

Band Bookings

Mal Hallett, Feb. 24, Warner theatre, Westchester, Pa.
 Al Dosey, Feb. 27, week, Orpheum theatre, Los Angeles; March 6, Howard theatre, Washington.
 Al Dosey, Feb. 28, Empire 8, Allentown, Pa.; March 7, Essex House, N. Y.; April 20, Army, Troy, N. Y.
 Jimmy Dorsey, Feb. 24, Hotel Cleveland, Cleveland; 25, Valley Dale, Columbus; 26, Hotel Cleveland; March 1, week, State theatre, Chicago; March 6, United States, Iowa City.
 Pat Waller, Feb. 16, week, Hippodrome theatre, Toronto.
 Joe Venuti, March 1, week, Toney theatre, Kansas City.
 Chuck Foster, April 8, Sweet's B. Sacramento; 7, Sweet's B. Oakland, Calif.
 Hal Kemp, Feb. 17, Tolson U. N. Orleans; 18, Opinions, La. 10, Jackson, Miss.; 20, Mobile, Ala.; 21, Montgomery, Ala.; 22, U. of Alabama, Tuscaloosa; 23-24, Vanderbilt, N. Nashville; 27, Johnson City, Tenn.

GIVE UP OUR ORCHESTRAS

Penn Wayne, pianist-arranger, and Maury Cross, who doubles all instruments, arrange and sing, are two of the best of the Billmore hotel, N. Y. is slated for Feb. 19.
 Benny Strong band extended to March 28 at Park Plaza hotel, St. Louis.
 Buddy Beebe dropped his new band after Feb. 10 to shift to Val Valentini as personal manager and singer.

Shy Guy in Charge Of Girl Orchestra Is Theme of Stage Play

Band leader is being sought by Harold Orisk for the lead in a new musical will go on this spring. Show, for which Orisk has written the book, music and lyrics, will go into rehearsal to be staged at the topliner. It is labelled "Spunk the Bride."

Instead of a chorus, musical employs an all-girl orchestra of 20 on the stage. Femmes not only to play, but also to sing. Fred Orisk wants someone for the part who more or less fits it in real life. That's why he's looking for trouble. He's considering Charlie Barnett.

REGENT (NEW) STARTS

Goodman Brothers Behind It—Sham Jones Back in Bit

Regent Music Corp. is the name that Harry and Gene Goodman, N. Y., and George Goodman, N. Y., band leader, have selected for their newly organized music publishing company. Goodman Brothers are members of the American Society of Composers, Authors and Publishers through its purchase of the old Book Co. catalog, which holds 20 availability points.

John Jones has returned to the publishing business with a new set, the Good Song Music Co. Dick Abels, formerly with Charlie Barnett's band, is prof. mgr.

WLW Talents' Dates

Sylvia Rhoads, WLW's earlier, opened a three-week engagement with Benny Wells' band last week in the Hotel. The band is a 12-man combo staff, heads a 12-man combo staff that started an indoor set Friday 22: in the Hotel. The band is a 12-man combo staff, heads a 12-man combo staff that started an indoor set Friday 22: in the Hotel. The band is a 12-man combo staff, heads a 12-man combo staff that started an indoor set Friday 22: in the Hotel.

Larry Taylor, ex-Charlie Barnett vocalist, turned songwriter. Filed for bankruptcy with WLW and Hotel. In collaboration with Jack Erickson.

On the Upbeat

Milt North trio phones out of New York tomorrow night (Thursday) to replace the Carlton Hotel orchestra, L. 1, to reach scheduled opening at Palace, Cleveland, Friday morning.

Hal Kemp will replace Orrin Tucker at the Palmer House, Chicago, when Tucker moves on to New York's Waldorf-Astoria.

Claude Thornhill has added another trumpet and trombone to his new group. Brings instrumentation from four to five pieces, plus brass and three rhythm. Thornhill plays.

Sidney Victor turned out four sides of Victor with himself on soprano sax and clarinet, Milton Hyman, bass; Charles Howard, guitar; Benny White, piano; Kenny Clarke, drums. Two "Indian Summer" and one "Clock Jump" were pops. Other two originals.

Bob Rabin, sax, temporarily out of the Tommy Dorsey band due to illness. He's currently in New York and will return to Dorsey when the band returns to the hotel. Dorsey's band is scheduled for Feb. 20, Tommy Dorsey.

Cab Calloway scheduled for four weeks at Stratford Ballroom, Boston, after finishing his current tour.

Steezy Hall's replacement of Guspy at the Billmore hotel, N. Y. is slated for Feb. 19.

Benny Strong band extended to March 28 at Park Plaza hotel, St. Louis.

Buddy Beebe dropped his new band after Feb. 10 to shift to Val Valentini as personal manager and singer.

Gray Gordon added Del Victor to his vocalists. Band is currently at Arcadia Ballroom, N. Y.

Gene Krupa has been renewed on Columbia Records for another year.

Ned Brunstedt, ex-band leader; Walter Gross, pianist; Benno Rabinoff, concert violinist; Wally Mayo, who conducts Capitol Theatre radio program; Johnny Williams, who recently side-tracked a new band built around his drum; Easy Waters, another ex-band leader, and Vladimir Selinsky, another concert violinist, are members of the band. Warner Bros. Parade program band on CBS.

Bobby Byrne band goes into Raymor Ballroom, Boston, for one week (Friday 18).

Charlie Barnett now using his hit arrangement of "Cherokee" as a new song theme, closing with usual "Make-Believe-Ballroom."

Mary James has given up the idea of adding four violins to his band.

Babe Herman, another Abe Lyman success, now at Fiesta Danceteria, N. Y., on a 12-piece group under name of Dave Dennis.

Richard Himber, replaces Ben Bernie at Palermes's Valentine Ball, Rochester, N. Y. Bernie's illness prevents trip.

Junior Fenn of Remonopol Polytechnic, New York, Trip, March 8, using Dick Himber.

George Hamilton's orchestra moves over to Florentine Room at Beverly Wilshire, in Beverly Hills, tomorrow (Thursday).

John Kirby's new crew opened at the Trocadero in Los Angeles after the departure of Bob Crosby.

Bill Roberts' band booked into the Hilton hotel, Long Beach, Cal., Feb. 21.

Ardon Wilson made enough of a click at Akron university military ball last week to rate an indefinite engagement. He's going to stay downtown side and dance spot.

Garwood Van's orchestra replaced Jan Garber at the St. Francis Mural Room, Pines, Feb. 9.

Sal Galiciano replaced Edie Herm on trumpet with Ted Lewis.

Joe Bechman returns to the Mark Hopkins hotel, San Francisco, Feb.

17, replacing Nick Stuart. Following eight weeks Bechman will be replaced by Charlie Tucker and his orchestra.

Ray Noble into the Blue Room Ballroom at the Palace hotel, San Francisco, Feb. 17.

Lang Thompson opened last Friday (18) at William Penn hotel's Chatterbox, Pittsburgh, for indefinite stay. Replaces the Long, who went into Cies Ann, Buffalo, Monday 12).

Berbert Fritzsche band into New Penn, Pittsburgh, Monday 12) for two weeks with options, succeeding Ralph Allen and Jim Detrolers.

Edie Nevels has left Dick Barrie to join Herman Middleton band at Yacht Club, Pittsburgh, as first sax man and vocalist.

Tommy Reynolds and Tony Pastor bands set for spring stands at Paramount, New York.

Count Basie one-night Sunday (18) at Hamilton Park, Waterbury.

Ray Martone, drummer with Johnny Marston band, recovering in St. Thomas hospital, Akron, after appendicitis.

Glenn Thompson's all-girl band, on WJW, Akron, for three nights a week.

Bill Wadde after six years of hillybilly on WJW, Akron, is home in Tennessee.

Jack Leonard to do CBS entertaining shows as well as working with the Raymond Scott band each week.

Charlie Spivack's new band debuted last night (Tuesday) as relief band for Glenn Miller at the Pennsylvania Hotel, N. Y. while Miller did his Chamberfield broadcast. He'll continue to play the club for three nights each week. Claude Thornhill's new group did some thing.

Benny Burke band signed by MCA and cutting Columbia records.

Red Freeman exchanging his small Benma Cum Laude cum laude for full size.

Fiesta Danceteria Warns Emulators Its Title Is Not in Public Domain

Fiesta Danceteria, New York ballroom, which has been the center of jazz and dancery, currently has its lawyers on the jump notifying imitators that the word "Danceteria" is copyrighted and as such can not be applied elsewhere. In the past few weeks the spot's legal department has advised copyists in Wilkes-Barre, Pa., and Fort Worth, Texas, cease using the title. Another opened in New Haven, Conn., Saturday 10).

Golden Gate Exposition, a New York syndicate and backers of the New York original will co-operate if and when the plans materialize. New York spot played to over 200,000 admissions in its first nine weeks.

ORRIN TUCKER CAN'T HIT N. Y. C. BEFORE APRIL

Orrin Tucker orchestra, currently riding the crest of the wave of popularity generated by its vocalist, Benny Goodman, is expected to be probably won't reach New York's Waldorf-Astoria hotel until early in April. The 12-piece band is under Tucker's contract with the Palmer House, where he is currently, includes an orchestra which is holding the band over until the last week in March and it intends holding him.

Another contract to either be fulfilled or adjusted before Tucker can appear in New York is with the Phoenix theatre, Minneapolis, made before the "Oh, Johnny" waning interest in RCA, which Tucker wants him out as soon as possible as does Lucky Strike, which sponsors the band on the air.

30% of ASCAP Points May Be Issue

Any Attempt to Alter Availability Method Will
Provoke Opposition

Publisher group on the board of directors of the American Society of Composers, Authors and Publishers is due for a stiff battle from various quarters in the music industry if an attempt is made to return to the old system of classification. The opposing forces have heard that such a move is in the making and it is their idea to recruit sufficient support for an effective protest in the event the proposal is brought out into the open.

The opposition would come from more than the music publishing industry. The Metro-Rabbin group is aligned with them, since spokesmen for the group have already advised ASCAP that the continuance of the present method of classification would be made a condition of any renewal of membership contract.

While the smaller publishers have always claimed that they have never been really represented on the availability committee, they still want this classification instrument preserved. The committee holds authority over the disposition of 30% of the publishers' royalties. Another 30% is based on metering, while the remaining 50% is determined by accomplished performance. The last two devices are handled strictly by ASCAP's bookkeeping department.

Under the old system the allocation of each publisher's share was left entirely to the discretion of the publisher contingent on the ASCAP board, a system which still prevails for the writer ranks.

Music Notes

The Three Suns, novelty instrumental trio now in sixth month at DeWitt Clinton hotel, Albany, will act series for Varsity Records. Artie Dunham, leader and pianist, is the organ player of the threesome, is formerly of Nels and Dana, vaudeville act. Morris and Al Berlin, recordist and guitarist, respectively, are co-composers of Dunham.

Ray Connolly, London music publisher, drew signs on bus.

From Waxman owned to do the musical score for 'Boon Town' at Metro.

Adolph Bruckner doing the musical score for 'Three Cheers for the Irish' at Warner.

Jack Schell and Mae Jerome wrote three songs for the Warner Technicolor short, 'The Singin' Dudes'. Ditties are 'Night on the Prairie', 'Heads' for the 'Roundup' and 'Honeymoon Hayride'.

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IN BERNARD'S PICTURES
"DAYS OF ARCADE JAZZ"

THE SINGING HILLS
SANTLY-JOY-SELECT

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Week Ending Jan. 13
711 Remember.....Campbell
694 The Merry Men.....H. K. Hall
18 Century Drawing Room
.....Clapham
.....Clapham
Always Be An Englishman.....Dash
Goodnight Children.....Harris
With Me Look.....Chappell
Luv, Rabbit, Run.....Hoot Gray
Love Never Grows Old.....Chappell
With Me Look.....Chappell
Burr Barri Polka.....Keith Provost
Apple for the Teacher.....Crawford

Old American Record In New Legal Tactic To Thwart Crawford

Crawford Music Corp.'s \$100,000 action against the American Record Co. is now being met with a new tactic. Counsel for the Herbert V. Yate interests, which brought the suit, has filed a new (3) applied to the N. Y. supreme court for a dismissal of the last four causes in Crawford's action. These causes deal with the fraud and conspiracy allegations in the complaint. Crawford recently defeated the defendants' efforts to get a court order directing Crawford to file a separate complaint for every one of the 68 actions.

The progress of this suit is being watched very closely by a number of the other larger firms in the music publishing industry because they intend to bring similar actions against the same defendants. Shapiro, Bernstein & Co. filed a suit of its own.

Crawford, acting also as charges that Max Dreyfus firm, charges that ABC furnished a faulty royalty count over a period of years, concealing the number of records made and destroying books showing the number of records sold. The other Dreyfus firms involved are complainants are Campbell & Co., Music Corp., and the T. B. Harms Co.

CONCERNING DURUM

Curiously Answered—Timken Has Returned—Machinery Was Sold

Return of prosperity to the phonograph disc industry has inspired inquiry from several sources as to the ownership of the old Durium process and the whereabouts of the machinery which was used in turn out these coated paper-plate records. The Durium Co., which for a while disposed of 1,000,000 records, printed at 16¢ a week, went into the hands of a receiver in 1931.

The Timken Roller Bearing Co. recently has furnished said and it was, while part of the Durium machinery was sold in Europe and another portion in South America. When the Durium enterprise was riding high it was guaranteeing music publishers as high as \$10,000 a side.

Durelle Alexander Sings On Fl. Worth Sustainer

Fl. Worth, Feb. 12.
Durelle Alexander, former Paul Whiteman vocalist now married to P. Van Zandt of Fort Worth, is appearing over WBAP as soloist for "Melodic Moments," a Sunday afternoon hour of concert and popular music.
Not sponsored.

Irwin Barge's New Job

Chicago, Feb. 12.
Continued shifting of music firm personnel since Irwin Barge's departure from the Berlin office here, to the management of the Music Chief firm replacing Lyman figure.

Milton Samuel has become chief of the Music Chief firm, and is, with his place at the Piffle office being filled by Billy Steinham.

'Josephine' Case An-Important Tm Pan Alley Test

Argument has been set for March 1 by the U. S. district court in New York in the copyright test case brought by Shapiro-Bernstein in opposition to the American Record Co. "Josephine" is the song being fought. Suit, which is of wide import to the music publishing industry, was argued Thursday (1), but was postponed because of the absence in Florida of Louis Bernstein, S-B chief.

Defendants in the case are Al Bryan and Fred B. authors of "Josephine"; Famous Music Corp., to which the authors maintain they assigned their rights following copyright renewal, and the Fred Fisher Music Publishing Co.

Point at issue is whether or not rights after renewal revert to the authors, if at the time the work was written they were in the district of the publisher. It has been well established that ordinarily in renewals taken out during the 35th year of original copyright, rights revert to the author, the publisher having no more to do with them unless the author resigns them to him.

S-B maintains, however, through its attorneys, Hume, Green, Van Housen & Hensley, that a provision in the copyright law makes the renewal of copyright in the year 35th theirs are in the employ of the publisher. It is maintained that Bryan and Fisher were working for Famous Music Corp., predecessor of S-B, when they created the tune.

ASCAP's Pacific Reorg

American Society of Composers, Authors and Publishers has completed the reorganization of its Pacific and Rocky Mountain divisions and the designation of personnel in that area. All the offices in the division are now directly operated.

With Dick Powers as supervisor the new managerial staff will consist of Harry Levinson, San Francisco; Harry Bragg, Los Angeles; Harry Bergham, Denver. Samuel Rooder will be west coast counsel with Hugo Anderson as associate in Salt Lake City, while Frank Nitzky will be the Society's legal rep. in Denver.

GEORGIE JOY UNDER KNIFE

Took Bing Crosby to Get Him To See Doctor

Georgie Joy, of Santly-Joy-Select, will enter a hospital this week to have his appendix lifted. He found what was wrong with himself while on the Coast the weekend before. Bing Crosby told Joy that he was going into a hospital for a thorough checkup and Joy realizing that he had been suffering indigestion for months, decided to go along with him. Crosby came out with a medical stamp of approval. Joy got an X-ray with some tell-tale marks.

Joy's partner, Lester Santly, intends to enter a hospital for like reasons within the next two weeks.

Sigmund Spaeth Tells Business Men ASCAP Is Songwriters' Poverty Cure

Musical Stock

San Antonio, Feb. 12.
A cattlemen at Jackboro, Texas, Lewis Johnson, who traded his cows for everything from beefed cows to saddle horses, but he got a shock recently when a buyer handed him a royalty check on the works of the late Victor Herbert.

The buyer was C. V. Herbert, son of the composer, who has turned poetical farmer, and is sending the stock to the Defiance (La.) Parish plantation where he is using blooded animals to stock his land.

Mrs. Kramer's Promise Launches New 16-Man Crew Under Hy Jason

New band composed of 16 pieces, three vocalists and four arrangers, one of whom plays piano in the crew, is currently being built to take a promised spot in one of the Radio City hotels in New York. Mrs. Kramer controls the Lincoln and Edison and has been reported dickering for the Essex House.

Band is headed by Hy Jason who until recently directed a group in South Africa. It's named by Art Kari, Monty Hayes, Frankie Gallo, Tony Castellano, Frank Unter, sax; Al Stern, Tommy Tompkins, trumpet, with a third still not set; Frank Bracco, Charles McCombs, Murray Gold, trombone; piano, Frank Schumann; guitar, Rudy Walker; bass, Tiny Bernard; drums, Jack Mielke. Shumone, Edgar Bottel, bass; Frank Jackson and Benny Bennett are arrangers.

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Lyrics by Al Lomax

Music by Jimmy Mundy & Eddie White

DAY DREAMS COME TRUE AT NIGHT

Words and Music by Dick Rogers

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STANDARD SONG SUGGESTIONS FOR WELL BALANCED PROGRAMS

AFTER I SAY I'M SORRY

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THE SING-ING HILLS (mm) (mm) are singing to - night (mm) (mm).

SANTLY-JOY-SELECT • 1619 BROADWAY, NEW YORK

Upstate N. Y. Committee Asking For Vaude Return via Paid Ads

Troy, N. Y., Feb. 13

A "Committee for the Return of Vaudeville" ran a large advertisement last week on the theatrical pages of the Troy Record and Times Record, urging local residents to support the movement. A three-fold reason for bringing back variety shows was given: "Increased employment for localities; stimulating business by bringing more people to the city; and providing a change of entertainment."

The advertisement asked Trojans to sign the petition when they are approached, or send a letter or postal card to the committee at Hendrick Hudson hotel.

"Help Troy Move Forward" brought Clark Clon Vaudeville as the captain on the ad. It contained the name of Troyans to work. Help means business by bringing more people to the city. Vaudeville will provide a change of entertainment now presented to Trojans.

The city has been on an all-pierce diet for more than a year. In fact, no vaudeville is being presented through the Capital District this season. Half-week enders at Proctor's were the last played here by Trojans, naturally gave work to stagehands, musicians, etc.

Committee for return of vaudeville in Troy consists of representatives of business, labor and fraternal groups. Ralph Kychelheimer, president of musicians union local, is active in the background.

Committee intends to strongly pressure Police circuit to play stage shows at Proctor's. Mayor Frank Hogan is reported to have pledged his support.

A vaudeville show at the Music Hall, concert spot, is planned next month, with artists and musicians donating services to raise personnel fund for the committee.

Singing B'way McGinnis' For Cartoon Plagiarism

McGinnis' Broadway eatery features a huge series of trivializing spoofs above the bar, enticement of usually saucy cartoons and captions from popular magazines.

Country Press, Inc., which publishes For Men mag, objects to such commercialization of its contents and on Saturday (18) started a N. Y. federal court injunctive suit against McGinnis' restaurant for copyright infringement, citing one copyright infringement and demanding \$40,000 total damages.

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Shivering Memoirs

PL. Worth, Feb. 13.

Sophie Tucker spent her life time when here propped up her bed, scribbling on her memoirs which are soon to be published in book form, she says. It was too cold to get out of the hotel, but visitors equipped with Soph on her the weather's effect on her.

"Don't kid me about being a Red Hot Mama," she said, "I'm as cold as anybody."

Liquor Tangle Reveals L'ville Nitory Owner As Fugitive From Illinois

Louisville, Feb. 12.

Joseph Sacarino, operator of the Neon Night Club, and known here as Joe Cann, while awaiting a hearing by liquor control authorities for selling beverages after hours, was revealed by Chicago police as a fugitive from a 15-year prison sentence in Illinois. He jumped a \$50,000 appeal bond in 1924 in a highway case. Louisville authorities were advised.

Sacarino fled Thursday (8) for Joliet, Ill., to serve the 15-year term for robbery.

Another night club, Greenwald's, in the same section of the city's West End, obtained an order restraining the liquor control board or the police from picking the place or revealing the license, pending a court hearing. Both clubs, which featured floor shows, have been in frequent tangles with the police.

Laurysen Sees Leisen On New St. Regis Show

Gordon Laurysen, executive director of the Hotel El, Regis, N. Y., is budding with James Leisen, Paramount director, in Hollywood, on a new show for the hotel's Vivienne Road, opening the summer season on May 1. Leisen has been designing and producing the N. Y. Leisen's comedy and floor shows the past two years, using a Hollywood production as the model.

Laurysen went west over the weekend to acquaint there for a few weeks on combined business and pleasure. Last winter he journeyed to Honolulu to look the latest prior to transforming the Maunaloa Room in the hotel into the Hawaiian Maunaloa, which has just been shuttered for the London season.

Saranac Lake

By Happy Newmy

Saranac, N. Y., Feb. 13.

Peter Kruger, once with the New York City and other benevolent organizations, is now connected with the WHI Rogers in expert in the mountainous desolation.

Carlton Reed, who shares a moon moon of recreation playing, is an addition to the Byron Levin crew. Actors Colton Lamont found.

Thanks to Lucile Tris and White for the dedication of the new theatre to this column and Actors Colony.

Dr. John R. Murphy wanted to be a dramatic actor in his younger days. That's reason for his self-suited for the acting profession.

Marjorie Fisher, who acted for 15 years and now owns the Packard Motor Co. agency here, dug up his old White Rat card, she says, that was a bona fide actor.

At the monthly meeting of the Saranac Medical Society, Dr. George Wilson, its president and chief medical officer of the WHI Rogers, held Dr. A. Meyer, of New York.

Harold Rodner came in for a look-see.

Margie Meredith took the first stage of the 'fry' operation and came out with flying colors.

At the monthly meeting of the Boston, Mass., for his timely gifts to the bunch here: ditto to Al Bornner, of Chicago.

Write to those who are ill.

Town is rife with rumor plans for a straight vaudeville house following success of the Maunaloa Hotel. Life Co. in the city.

Following the success of the Empire-Mitchell Corp., Inc., and the B. & S. Amusement Co., Inc., the latter has been advised.

Although names of backers have not been revealed, currently operating story is that the 1,800 seats will be opened after extensive remodeling with a program of three-day vaudeville film shorts as fillers between shows.

Empire has been operating and will continue to operate until end of month Jan. 1, 1936, when the house featuring nightly bings.

Flo McConnell's Suit

Florence McConnell (and Moore) fled suit in the N. Y. federal court last month Jan. 1, 1936, when she slipped over a mat.

The injury allegedly occurred at the Capital Theatre, Pascale, N. J.

Ruby Lynn, who made her debut as Ruby Lynn with the Sandy Time Lynn at the Merry Go-Round, Detroit, Monday (12), is the daughter of Dave Rumbold.

15 YEARS AGO

(FROM VARIETY)

The Shubert's theatre invasion of the south was precipitating a war with Famous Players.

The war was pretty well tied up by the pic concern. Latter named Shuberts leaving theatre for legit in Palm Beach and Miami.

Balmy weather enabled Coney Island to draw its first big crowd, 150,000. Dancehalls cleaned up.

Harry Houdini, at the New York Hippodrome for five weeks, was to be held over for a sixth, establishing a record for the theatre since it was under the management of Keith-Albee.

Jack Benny, with his chatter and violin, with more of the former than the latter, clicked at the 5th Ave. theatre, N. Y. He followed Frances Williams.

A theatre boom for Times Square was anticipated. Down legions slated to go up within the next year.

Many Broadway show people planning to go in for Florida real estate in a big way, taking advantage of boom there.

As far as tourists were concerned, Havana was experiencing its worst season in years. Miami taking the rap.

Headlining the Menu

Dallas, Feb. 13.

Red commotion on the stable of entertainment.

Nick Paulsen, manager of El Teatro, gave top billing last night to his chief, Raymond Scott, pushing Lloyd Snyder's arch and manner team down to supporting roles.

Benny the Bum Calls Off His One-Man War Against Waters' Union

Philadelphia, Feb. 13.

Benny (The Bum) Fogelman's blithering against the Waters & Barndorff Union ended "Thursdays" (8) almost as suddenly as it began.

Although "The Bum" vowed all sorts of revenge against what he called "labor racketeers," and said charges of shugging, gun-toting, etc., he walked into the office of Mr. Albert F. L., attorney for the union, and announced he would be delighted to work a contract with the A. F. of L.

The contract, affecting all 61 employees of the Waters & Barndorff for a year, provided a closed shop, security, a week's vacation with pay, no strikes, arbitration, a 48-hour week, and pay increases averaged about \$1 weekly, which will be increased gradually.

Fogelman dropped all charges against Harry Amen and Ray Turchi, his agents of the union, whom he had accused on the accusations they had beaten him severely during a meeting at Lynn's office Feb. 3. He later Amen and Turchi dropped their counter-charges that Benny had threatened to kill them. The strike was called off by the union.

Previously Benny had dropped charges against Lynn that the latter had "stuck a gun" in his stomach at the meeting. Later and he had been "laboring under a misapprehension." He said that Lynn was not even present when the row started.

5 Lions Attack Beauty Fla. Farm Employee

Miami, Feb. 13.

Five of Clyde Beatty's lion Thursday (8) attacked and critically maimed Chester Cajas, 21, of Kingsbor, Mass., an employee at Beatty's Lion Farm at Fort Lauderdale, before a trainer leaped among them and saved the man's life.

Why Cajas entered the enclosed ground, protected by a moat, no one could explain. The retired showman brought trainer Joseph Arcaia rushing into the arena. Picking up a stick, he beat the lions and drove the protruder man, while another trainer, George Erickson, hopped in and lifted Cajas to safety.

The injured man is in the Broward County hospital.

Nick, N.Y. Astor Hotel Vet, to Be Feted On 36 Years in One Spot

Nick, vet maître d'hotel at the Hotel Astor's (N. Y.) Hunting Room, is being feted by the hotel and restaurant industry Feb. 27 with a \$25.00 per person banquet.

For 36 years, the occasion of occasion has been the "best and consecutive service in one hotel establishment." He has been successively dining room waiter, captain and headwaiter in his 36 years at the Broadway hotel, which will be the scene of the bi-centennial dinner in the Riverside Room.

Michael Levinsky to give him his full name, as major dame of the Astor's famed Hunting Room, probably than any other restaurant man in the business. During the halcyon days of Broadway, the Astor was the capital of social activity and later Nick Levinsky gave theatrical presentation to the Hollywood, during their Broadway days.

The White Executive Assn. of America, the International Geneva Assn., Societe Culinaire Philadelphique, the American Hotel and the Portridge Club of N. Y., Society of Restaurateurs, Club de Cuisine and the Hotel Executive Club of N. Y., and the Hotel Executive Club of N. Y., are among the sponsoring organizations. Bob Charney, Jerry, and g.m. of the Astor, heads the dinner committee as honorary chairman; Joe Froberg, head of the banquet service at the Astor for over 16 years, is active chairman.

NEW CAFE REPS UNIT COMPETES WITH ARA

The new Artists Representative Assn., organization for New York agents, is getting some competition. A group of multi-state industry leaders and agents is trying to promote what it calls the American Council of Theatrical Artists.

Carlina claims, however, that his group only wants to enroll industry leaders. He says he can't understand how letters have rejected virtually every agent in N. Y.

The ARA is practically fully organized now, with its governing council currently working on a code of ethics.

ALWAYS WORKING "WHITEY" ROBERTS

"Gold Star" Whitey Roberts, appearing on the show of the Coney Island in the New York Journal-Jobless.

223-5 West 46th Street New York City

We wish to publicly express our sincerest gratitude to the artists and the many others who had so devotedly volunteered their efforts to make the National Variety Artists Annual Benefit, held at the Alvin Theatre, New York, Feb. 4 the splendid success it was.

Signed,
NATIONAL VARIETY ARTISTS, Inc.

P. S. NOTICE—For reinstatement of membership or others who wish to join the N. V. A. communicate with the Membership Committee.

Woolcott's 'Dinner' Shocks Plush Coast Set Into Delirious Evening

By ARTHUR ENGEL

Santa Barbara, Feb. 13

Staid, dignified, proper and socially elite Santa Barbara was given first glimpse of very different "The Man Who Came to Dinner" at the Lobster Terrace Friday night. Sam Hinton, a professional comedian and Moss Hart took a desperate chance of igniting a firestorm of controversy by introducing his and his associate players to the town's conservative and socially proper residents of this community to unlearn the verbiage that is so often heard in the Broadway and Hollywood clan of sophisticates but quite closed to the folks who center by the sea where the sidewalks are taken in at 11 inches.

It was during the audience was plunk shocked during the first act. The second act, however, was in the other two stanzas, from the initial scenes to the end. The audience is repulsed by the obnoxious labeling of the acts by New York and Chicago, settled down to the play, enjoyed themselves while Woolcott and the other characters in the play tossed about themselves that three disciples of Emily Post laughed at, and then, closed. The audience was a capital evening for social life in Santa Barbara, and the first audience at a premiere dress rehearsal, came out triumphant at the end.

But regardless of the Santa Barbara reaction, the social elite of Hollywood and its environs. There was a source in an hand from Hollywood to get first-hand information on the play, and the reaction, rather odd, for Hollywoodians, and the fact that the play is not so far from the coast as they can be to the home folks. But the Santa Barbarians had their own reasons for being there prior to public acts, the Hollywood crowd, being the first to see the play.

A second source, however, "Dinner" will tell the story in Los Angeles and prove the best of the best of the year. It is a play that is very hard to find in its genre to meet Hollywood on the coast. The play is a character study and a play that will make the talk of the town for a long time.

Also Woolcott is Woolcott. No one can deny the comedian's talent. He is a man who is not only a comedian but a playwright. He has as much to say as any man in the world. He is the motivating factor of the play and does not lose sight of the fact that the comedian is the star. He is a man who is not only a comedian but a playwright. He has as much to say as any man in the world. He is the motivating factor of the play and does not lose sight of the fact that the comedian is the star.

Woolcott's scenes with the principal characters in the play proved the fact that he has broadened his range. He is a man who is not only a comedian but a playwright. He has as much to say as any man in the world. He is the motivating factor of the play and does not lose sight of the fact that the comedian is the star.

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PASSENGER TO BALI

New Haven, Feb. 8

Woolcott to live with some of the most famous of the world's great comedians, the play "The Man Who Came to Dinner" is a play that is very hard to find in its genre to meet Hollywood on the coast. The play is a character study and a play that will make the talk of the town for a long time.

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HIT AND RUN

Los Angeles, Feb. 8

Barry in two acts (1936) produced by the American Film Company, Inc. The play is a character study and a play that will make the talk of the town for a long time.

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profound. Certainly it is no play of comedy and relaxation. Serious-minded persons should like it. It is a play that is very hard to find in its genre to meet Hollywood on the coast. The play is a character study and a play that will make the talk of the town for a long time.

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Two for the Show

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Current Road Shows

(Week of Feb. 12)

"Any Lincoln in Illinois" (Raymond Massey)—Grand Opera House, Chicago.

"Gay Virtue" (Constance Bennett)—Fifth Column (Franchot Tone)—Columbia, Boston.

"Hansel" (Maurice Evans)—Englewood Theatre (12-14); Hays Theatre (14-15); Taft Auditorium, Cincinnati (16-17).

"Ladies and Gentlemen" (Helen Hayes, Philip Morris)—Capitol Theatre, Los Angeles.

"The Man Who Came to Dinner" (Walter Hinton)—Capitol Theatre, Los Angeles.

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Ticket 'Authority' Concentrating On Acme Curb: More Charges Against Newman, Code's 'Bad B.O. Effect'

It is no secret that the code enforcement authority in N.Y. is concentrating its efforts on Acme tickets from reaching the Acme agency, which has steadfastly refused to operate under the restrictive regulations of the control system. The board frankly admits that the Acme people are checking on Acme principles and it is argued that if the supply is stopped, enforcement would be effective.

Ten brokers are skeptical that it can be done, because there is no way to control where tickets are obtained. This particularly applies to special events and shows for which there is a heavy demand and against a limited supply. There are some diggers, with a system they insist shows who when to issue tickets they can secure possession of tickets for almost any situation.

Little doubt but that the board would welcome fewer brokers and Broadway is wondering whether the larger ticket is a better deal than the smaller one going. Such agencies cannot obtain the amount of tickets to fill their orders and are heavy overhead. They continue to warn managers that under the present rules patronage is being lost and that the Acme agency is forcing a valuable clientele out of the theatre-going habit. They declare that the regulations are such that there is no incentive to build up patronage. Items about the ticket situation in the press is harmful, too, they aver.

Brokers also point out that the rule has created a new type of psychological reaction, not alone in agency circles but in boxoffice. The "one ticket" rule has caused treasurers cannot be expected to display the same energy in handling tickets. They are being satisfied with increased salary, but their relations with agency people have become strained. Claims that agency people would rather have a moderate sum more than a smash because the job is too difficult.

More charges by Newman. Around 15 fresh charges of code violation by the Luntz agency were considered by the board Friday (8), and it was again called to explain. Newman is being shown the sale of tickets for "The Man Who Came to Dinner" (Music Box) and alleged to be selling the tickets at a price below the \$2.50 retained by the theatre for direct sale.

Enforcement board adjourned the Newman matter until Thursday (15) for further evidence. How such tactics will be handled is not entirely explained by h.o. people. It is known that Newman's tickets at the Music Box are being sold at a price offering a large turnover and disposing of many tickets not calling for a large commission. It is said that the agency is regarded as a valuable aid to the boxoffice.

Enforcement board will pay a fine of \$500 imposed by the enforcement board, nor is it a \$500 compliance with the code. The board will attempt to operate outside the code. Any idea that there has been a liaison between Newman and the Music Box is discounted because of the disappearance of Lee. Another inference by at least one source concerns the absence of proper stamping of the sales price, as required under the administrative code. It is reported that the matter has been called in the attention of federal authorities by the League of New York Theatre and Equity, both of which termed the code, but no action has been taken.

Despite the supposed control of ticket sales, it is known that tickets are still being sold on the last minute. How that business is being run is not one explanation, but some hand regularly acquires tickets on tickets which somehow become available on the day of performance, and a few tickets are sold at a time. Many such tickets are not sold in large quantities and the patrons who accept what they can get are Method of filling last minute orders is known as "short sales."

Desk Shares

After making the Broadway rounds walked into a 44th street office where a new manager was supposed to be coming. Little rubbered at the player's profile and gave him careful scrutiny, then puffed: "I cannot use you in any of my first three productions." (He has not yet done one show.)

Producer is described as having dinner space with another showman who has desk room.

Barrymore Back In 'Children' But Matinees Are Out

John Barrymore, whose return to the Broadway stage as "The Children of the Beldane" was so sensational that it was accorded vast press coverage, attracted further attention when he was taken ill last Wednesday (7) and entered Mt. Sinai Hospital. Performance for the balance of the week was cancelled, in entering the hospital he used the name of Strang, pen name of a previous wife, Michael Strang. Star reappeared Monday (13), with the show going on a six-performance run. The theatre management insisted so that he may conserve his strength. This arrangement applies for two weeks, matinees being inserted thereafter, it is expected.

Anonymous diagnosis was vituperative, but it was stated that he was in a run-down condition as the result of being forced to greet a horde of people and family connections of himself and wife Elaine Barrie, with whom he was reunited. Barrymore said the management was contributory to his recuperation. At the hospital it was said that Barrymore had sustained no need rest and nourishing food.

Beldane boxoffice was continuously busy with the advance, and making exchanges on tickets for the missed performances. Claimed that there was about 30% refunds on tickets, balance being refunded. During the period that matinees will be resumed, the boxoffice will be about \$2,500 under expectations and takings should be around \$14,500.

Barrie started rehearsal this week and will be ready for Doris Dudley in the cast Thursday (15).

TINS AND NEEDLES IN SUIT WITH FRIEDMAN

Suit of Labor Stage, Inc. against Charles Friedman was revealed Thursday (8) in N.Y. supreme court, where the plaintiff sought an order compelling Friedman to arbitrate the dispute to arbitration, and to hold up his action against the plaintiff from proceeding in N.Y. court. An agreement was made between the two parties in April, 1933, agreeing to submit any dispute to arbitration, but when this one arose in November, 1939, Friedman started his suit.

Friedman was receiving 14% of the gross of "Tins and Needles," a musical comedy written by Friedman, "Economics I" and collaborated in the lyrics to "First Impression," and was producing "Tins and Needles" to receive 3% of any film sales. When the new "Tins and Needles" edition was produced the plaintiff claimed that Friedman was not entitled to any monies, and offered to have the matter submitted to arbitration. Friedman refused, and started action in municipal court.

Mill Monti Has Piece Of Ed Dowling's Play

Mill Monti, Indo-French singer, is going into the forthcoming Broadway production of "The Equity Council," a play about baseball. An alien performer, she was yesterday (Monday) granted permission by the Equity council on the ground that she's a co-producer of the show. In applying for a waiver of the Equity restrictions, Dowling revealed his Monti has a financial interest in the production.

N.Y. TICKET BILL PASSES STATE ASSEMBLY

The so-called Mitchell bill, fixing a legal limit of \$2.50 premium or surcharge on theatre tickets in the state of New York, was adopted unanimously by the Assembly in Albany yesterday (13). That would mean that Paul Moss, commissioner in New York City, would have over the head the bill before the Assembly for the switch is that under the present setup there is no mandatory whereby a license holder's regulations may be enforced.

There is a law on the statute books of New York limiting the premium on tickets at \$2, but it is unenforceable because of the U. S. Supreme Court decision in 1934. However, that decision was made 14 years ago and the completion of the act, which has greatly changed since then.

MUSICAL FARCE TO BE BOYAR-MAYBOHN'S 1ST

Ben Boyar and Col. Fred Mayhew have formed a managerial partnership and their first production will be a musical farce, "The Captain's Outrageous." Piece isn't written but contracts have been signed for a score by Franz Steininger and book by Johnny Pierce and Charles Sherman. No lyric writer is set, but Boyar, who formerly was general manager for Max Gordon, was recently associated with Erik Charell and Fred Loeb in the production of "Swingin' the Dream." At the Center, N. Y. Steininger, a former Viennese composer and musical has composed several operettas that were presented on the Continent. He has been included in Philby's recently touring in "Streets of Paris". Sherman wrote several of the "Streets of Paris" and also the play "Pierce is a dance director and sketch writer."

Abbott-Costello to Quit 'Paris' After D.C. Date

Abbott and Costello will continue with "Streets of Paris" only until the end of its Washington engagement, which follows the two-week Philadelphia booking and will be Monday (11) at the Forrest. Comedy team will not be in the show Friday night in Philby's Washington, coming back to New York three nights to work in Kale Smith's "The Great Dictator."

Replacing Abbott and Costello the one night a week, and for the duration of the Philby's Washington, are Sid Marion and Cliff Langtry.

Equity Hotly Denies Interference With One Big Union Idea, Insisting No Feasible Plan Has Been Put Up

Suburbs' 'Donation'

The Suburbs, who have been receiving criticism for their plan of "The Philadelphia Plan" for nearly a year for rental of the Theatre Guild, producers of the show, \$2.50 for express in connection with a two-hour rehearsal of "Taming of the Shrew" at the home Feb. 1. Rehearsal was a last-minute time-up for last week's engagement at the Alvin, N. Y., for the benefit of the Finnish relief.

Expenses listed in the bill included such items as a day's pay for workmen, men light and heat, etc. Larry Parrell, company manager for the Luntz, said that the bill was not a subsidy with a notation, "Would you like to donate this amount to the Finnish relief fund?" The answer has been received to date.

Lunts May Do Empire's 23G Gross For Firms

Alfred Lunt and Lynn Fontanne may appear in a play called "Empire," which was submitted to them through John Golden, and it is proposed that Golden present the show in association with the Theatre Guild. The play was written by Turner, one of the recipients of the Golden Fellowship when the latter donated a fund to encourage new playwrights last year.

Turner on original form was a six-hour play, but has been revised to average length. Another attraction planned for next season by Lunt is a comedy by Frederic Londale, which is expected to star Gertrude Lawrence, currently under contract to the theatre in "Sharky," Morocco, N. Y.

The Lunts departed for their country home in Wisconsin Saturday (10) night after playing at the theatre at the Alvin in "The Taming of the Shrew" in aid of Finland's non-combatant soldiers. Although there was a repeat appearance for the show in the Shakespearean park, the attraction on original form was a six-hour play, but has been revised to average length. Stars were urged to remain, but explained they were away after touring for the past two seasons, during which they journeyed 30,000 miles. Miss Fontanne, who has been under contract to the theatre since 1931, is expected to appear in the Alvin.

At the Alvin, "Shrew" played to standing attendance and grossed \$22,000 for the benefit work, largely due to the fact that the theatre was funded by a single attraction. There were expenses, with some players being paid. The theatre is expected to donate their pay. Additional cost was raised through the sale of souvenir books for the theatre by an actress, that amount plus donations totaling \$22,000.

Sunday night's (11) benefit for the war was a repeat of "Shrew" at the Alvin, with a new dramatic high with a gross of \$2,300. "Tommy Girls" got around \$2,300.

Although the Lunts have been receiving criticism for their plan of the state every night during the tour, apparently no one was able to get the theatre to enter the front row center, about halfway through the first act, and the theatre was not able to fail to draw a laugh and applause from the audience and was met with a nearly all the New York reviews.

After repeated curtain calls at the final performance Saturday night (10) and a short speech by Lunt, the long engaged couple is now "Auld Lang Syne."

With some luck, Equity refuses charges that it has interfered with the "one big union" idea of the stage unions grouped under the Associated Actors and Artists of America. It is declared by association leaders that "we favor the plan, if it be in the best interests of our members." Stated, too, that not one of those who have planned the active in the "one union" idea has come in touch with a plan whereby it could be achieved.

It's predicted that players, who have been questioning the length of time around without results, are due to a rule establishing a plan becomes known that Equity does would probably be raised to \$20, as compared to the present amount payable to a "Gilded Actor" union. A complaint is the requirement for different cards when a player from the stage enters radio or picture, and vice versa, plus partial additional dues. Demand is for one card permitting players to work in any field with the Four A's.

Scrapping of the present affiliates has been a constant problem. It is known that Bernard Bell, accountant and efficiency expert, was called in. His report was that the plan was not offering a means of solution. Equity had committed working on the plan for some time, but the recently turned back reports that they could not discern a way out and it is to be referred to the assignment.

Equity's Principal Quarter. Actually, Equity claims that Equity wants militantly against the plan. Subscribing to the "one big union" idea, the plan is to have Four A's union which can be dissolved, and what disposition will be made of the plan. It is known that Equity is not an affiliate which is solvent? In the letter category are Equity, Screen Actors Guild, American Equity and the American Federation of Radio Artists. That these memberships would be a source of trouble, though one got has already been issued, is instanced by the protest over paying a special assessment to the Four A's.

One of the principal reasons why the plan of Equity could be broken or more, are the sliding scales of other affiliates, such as SAG and the Screen Actors Guild. It is not as difficult as expected is the difficulty of checking up on the amount of earnings. In the screen players' union the dues scale goes as high as \$100.

SAG's Minority Power. Actually SAG's voting power is concentrated in a few hundred players of class A rating, although the union has a membership of 10,000. Those in control are picture artists who earn big salaries and it is questionable if they would ever serve open to damage suits. They are not liable now, but would be if they were. SAG's minority power is a voluntary membership association, such as Equity. One of the main reasons for the plan "one big union" was decided on, is the disposition of the 10-year post contract period. SAG's plan may largely prevent dissolution of the corporate set-up.

Equity granting the leading Four A's affiliate, having successfully waived jurisdiction over films and radio, is expected to have charges of hampering the formation of the single union, but insists it is required by the union law and means to effect a settlement that would be equitable to the various memberships, not the least its own.

Yokel, Herman Bernie To Produce 'Living'

Alex Yokel and Herman Bernie are setting financing to put a new musical, "The Living," into production in about two months. Yokel and Bernie, ex-partners of Ben Bernie, will be responsible for the production. Play is tagged "Pardon Me for Living."

ACTIVE-LATHER FACIALS for her smooth, soft skin !

I'M DEVOTED to ACTIVE-LATHER FACIALS with Lux Soap," says charming Edna Best. "They're so quick—easy! You just pat ACTIVE lather lightly in; rinse with warm water, then cool, and pat to dry. You'll find these facials a wonderful beauty aid!"

Lux Toilet Soap gives skin a protection it needs for beauty. Its ACTIVE lather removes dust, dirt and stale cosmetics thoroughly. It's foolish to risk the pore choking that causes Cosmetic Skin: dullness, little blemishes, enlarged pores. You can use cosmetics all you like! But begin your ACTIVE-LATHER FACIALS today.

**EDNA
BEST**

Edna Best

in the

RKO-RADIO PRODUCTION

"Swiss Family Robinson"

Now Showing Locally

I NEVER NEGLECT
MY DAILY
ACTIVE-LATHER FACIAL
WITH LUX SOAP.
IT'S A WONDERFUL
BEAUTY AID

TRY THIS ACTIVE-LATHER FACIAL
FOR 30 DAYS—IT WORKS!



9 out of 10 Screen Stars use Lux Toilet Soap

THE FAIR

Published Weekly at 121 West 46th Street, New York, N. Y., by Variety, Inc. Annual subscription, \$10. Single copies 10 cents. Entered as second-class matter December 12, 1920, at the Post Office at New York, N. Y., under the act of March 3, 1879. POSTMASTER, 1940, BY VARIETY, INC. ALL RIGHTS RESERVED

VOL. 137. NO. 11

NEW YORK, WEDNESDAY, FEBRUARY 21, 1940

PRICE 25 CENTS

VOTE FEAR OF THE FAIR

600-Seat Vaudefilmer Pays Up to \$2,500 For Name Acts; Grinds 21 Hrs. a Day

Flint, Mich., Feb. 20. One of the most unusual and smallest vaudevilles in the U. S., if not the entire world, is this town's indie Rialto, a 600-seater. With an admission top of 40c, house nevertheless is paying as high as \$2,500 a week for name acts, plus percentages, and grinding seven and eight stage shows a day.

Current week, one of the Dead End Kids troupe, including Billy Halop, Bobby Jordan, Florence Hapley, Billy's sister, and the Philharmonic 14, are in for the \$2,500 guarantee for a full week, plus a split on overage.

Besides the fact that a house as tiny as this can afford stage shows, another unusual feature is the theater's split-policy. First vaude show goes on at 9 o'clock in the morning and the last some time before 11 at night, but the house remains open with straight films until 6 a.m., which means a 21-hour operation daily. The stage, pit band and stagehands all included in the doll's house theatre.

When playing big acts, the house does not book any supporting troupes, norque attractions being set only once a month. In between the variety shows are booked locally. The Dead Enders are the first name turn this year.

Home is booked by Lawrence Golde, of the William Morris office in New York.

Great Lester's Billing Puts Bergen's Name In Equal Size Type

Albany, N. Y., Feb. 20. The Great Lester, who is head of Walley's Gay Nineties Show Bar 47 (12) as headliner, is privileged to "feature" Terrence Stranquist and Teacher of Edgar Bergen. Bergen's name is printed in same size newspaper type as Great Lester's.

Gay Nineties Bar is changing headline lures weekly. Virginia Primrose, granddaughter of George Primrose, of Primrose & West Minstrel, is a dancer in current floor show.

Kaltenborn, Long On CBS, Shifting to NBC

Chicago, Feb. 20. Hans Von Kaltenborn's long association with the Columbia Broadcasting System is about to terminate. Probably this week. He will move to NBC for a combination sponsor, sustaining deal to cover the whole country.

Representative of the Leo Burnett agency is leaving today (Thursday) for New York to close deal. It is believed the client is Paul Orl.

Miscued

Maidenform Bransies Co. frequently makes advertising tie-ups with Broadway musicals through which it ad copy in playbills and newspapers reads: "The chance to be-and-be weary Maidenform Bransies." Explication of this type last week with the latest Broadway musical had all copy prepared when someone raised an eyebrow, necessitating complete revision of the ads.

Musical was "Two for the Show."

POLITICIANS' OWN VAUDE UNITS

Minneapolis, Feb. 20.

Fred F. Bays, Democratic state chairman of Indiana, is carrying a streamlined vaude show on his current speaking tour. Vaude portion consists of 10 acts and runs around an hour, but there's no admission charge.

This year, for showmanship by politicians is becoming a general practice in the Midwest, several candidates for office now carrying some (Continued on page 46)

BRITISH TO MAKE FILM ON ALTMARK INCIDENT

Recuse of British sailors from the German boat Altmark is to be made into a propaganda feature picture by a British producer, at the suggestion of the Ministry of Information. Admiralty officials and Commander B. T. Turner, who led the boarding party from the destroyer Council, will cooperate in reconstructing the scene, it is reported.

The setting of the Great Escape is also being produced, by General Film Distributors, for propaganda purposes. It will be called "For Freedom."

SEEKS POLITICAL 'SAFETY ZONE'

Note, Striving for Neutrality, Don't Want to Become Football Between GOP and Democrats During Presidential Campaigns—Expect Trouble, Anyhow, From Some Bureaucrats

FREQUENT TARGET

Washington, Feb. 20. In a determined effort to prevent themselves from becoming it victim of Democratic opposition daylight in 1940, the radio network are devising some of their policies. This may bring the broadcasters ad of certain strong-minded bureaucrats who see radio opportunities for themselves as "rights" to be demanded rather than as "privileges" to be accorded them by networks or stations. Radio has found itself recently subject to a constant fire of criticism from the Republican side, which claims that many of the radio broadcasts inspired by Government agencies in Washington are not "impartial" explanations of statehood made to the citizenry, but angled and slanted propaganda in favor of the incumbent political party, and with an unblinking eye fixed steadfastly on (Continued on page 34)

Railroads Squawk Air Comics Kidding of Cal. Climate Hurting Biz

San Francisco, Feb. 20. Radio comics are giving sunny California a bad name and the railroad men are saying that it is hurting the rail biz. What lets the big choo-choo men most is that their kidding of the inclement elements is out of all proportion to their severity.

NBC is feeling the first effects of the railmen's reprisal, that of discontinuation of studio tours in the tourist folders. Claim is made that Bob Hope's exaggeration of cold weather and Charlie McCarthy harping on his gaiters make out a bad case for California's climate and resultantly rail travel from the east and midwest is hard hit. Travelers agree they're just as well off where they are as if the Coast is storm-tossed, which it hasn't been. At least not the way the Hollywood fellows would have you believe.

B'way Due for Strongest Array Of Male Comedians in Musicals

Onus—Both Ways

During a press conference last week, Harvey D. Glazer, N. Y. City's Fair chairman, prefaced his announcement of "American Jubilee," new revue for the mid-way, with the half-jesting statement, "I hope you won't leave the impression that I have become a circus owner, because it might get back to my bank clients."

Conor Hammerstein, 34, who will co-author the Fair's musical, cracked back, "Well, I wouldn't want my friends to get the idea that I had turned hawker."

Broadway is due for the strongest showing of comedians of any season within 10 years, to appear in musicals which are scheduled to open before or during the early period of the 1940 World's Fair. Last spring was enhanced with the presence of famous stars who provided strong headliners but this season the male comics will come to the fore in force.

Emerging from two years on the sidelines is Ed Wynn whose last appearance was in "Honey For What," shed of marital and other worries, the comic talks enthusiastically of a revue that he has started to write. With Wynn in the running are Al Jolson, Jimmy Durante, Joe Cook, Jack Haley, W. C. Fields, Ray Bolger, Victor Moore, William Gaxton, Sid Silvers and Bert Wheeler.

First of the musicals is "Higher and Higher," with Haley, which Dwight Brown Wynn has in rehearsal, slated to arrive on Broadway early in April. The return of Jolson to the stage is variously dated and may hold over until next fall, yet is likely to come along during the season.

"Keep On the Grin," which will have Durante and Bolger on the top (Continued on page 46)

NBC'S LEGITERS INTO FILM THEATRES

Columbia Broadcasting System plans touring legit shows in 60 cities next season, but National Broadcasting Co. has already entered the legit field through its article bureau, thus getting the jump on its rival, Ellen Spooter, by arrangement with Brock Pemberton, will present Clara Boothby's "Kiss the Boys Goodbye" for one week starting today (21) at the Palace, Stamford, booking having been made by NBC, with other dates pending. Stage play will go on in conjunction with a feature film, there being no change in admission prices.

Kiss' will be performed in (Continued on page 46)

'STINKY' OK'D ON AIR WITH SOME QUALMS

After several days of cogitation, CBS' lyric scrutinizers last week decided to permit the broadcasting of "Stinky." Even though Edgar Bergen's Charlie McCarthy often refers to a pal by that name in his Chase & Sanborn programs (NBC-rd.) the acceptance staff at Columbia was leery about listener reaction to a song which had been inspired by this self-named frequent mention.

Besides the title itself there is a line in the lyric which caused the hesitation. The thought conveyed by that line is that the subject of the song need never worry about being hit by his pal.

Condensed Features In Practical Usage For Visual Education

Rochester, N. Y., Feb. 20. Rochester high schools are using condensed versions of feature films in social science classes. Board of Education has contracted for 10 pictures, including "Four Daughters," "Captain Courageous" and "I'll Give a Million."

Films are edited down to from 40 to 30 minutes. Teachers use pupils in social relations. These pupils discuss it. Idea originated when teacher overheard pupils discussing character in "Four Daughters" who believed he had been born to fail. Kids offered suggestions for changing the attitude. So teacher decided this could be used to increase class interest in variety of such problems.

Europe's Circuses OK Despite War—North

War hasn't stopped European circuses but, according to John Ray, North head of Ringling Bros.-Baron & Bailey, who arrived in New York Thursday (15) after a trip through France, Belgium, Switzerland, Spain, Portugal and Italy in search of customers and talent. "All the circuses are playing," North said. "Their only trouble is in (Continued on page 46)

RADIO BOXOFFICE REPORTS
NEW THIS WEEK—PAGE 20

Gov't Examinations of Film Excess So Far Elicit Nothing Startlingly New; Pre-Trial Quiz Continues

Despite several weeks of gathering testimony from major company officials, the Department of Justice has not yet received any information, or disclosed any facts, which would lead to the Government's prosecution of its anti-trust net. A good deal of the answers are informative in general way, but no facts have been revealed to date which are of general knowledge outside the film world, and all part of a day's or year's work is necessary to a layman.

The Government may have some specific reason for testing the film, and that of the defendants' executives to conducting these examinations, but it is not to be disclosed.

Cliff Wurt, v.p. and general manager in charge of production and the studio of Universal Pictures, Inc., was examined before trial in New York yesterday (Monday) in connection with the Government's trust suit. As heretofore, a special examiner, in the Department of Justice, conducted the examination of the U.S.

At an examination, while not as lengthy as some of his predecessors, covered more ground and was far less explicit. It is probable that Wright received more information from this one witness than from the others. The Government was conducted in an informal atmosphere, and Work interpreted many questions.

The executive declared that he first entered the industry in 1905, then he joined the Orpheum Circuit. His first association with a major company was in 1910, when he handled the road show of "The 360 Leagues Under the Sea" for Universal.

From that until May, 1920, he was in various official capacities with Orpheum, and then he joined the Universal in his present capacity. Then, followed a protracted and interesting discussion of the company's business.

What's an AT? Asked what defendant a double-A, from an A. Work scratched his head, and declared, "Well, that's been a question for years."

He explained that Universal had a pretty good idea of what a picture will return in gross, and it is made it up and the cost that determines a top bracket film, he said, because many pictures are made on a double-A cost and wind up A-minor. The films that are A's would have more stars than the B's. The idea pictures are made on the strength of the idea back of them, as are the exploitation pictures.

Universal also lends anything that is connected with pictures, such as advertising, to its exhibitors. It is a \$5,000,000 investment, company, directors, etc. To borrow a street from the company, the double-A cost, a day, and the street is loaned to him with the \$1,000. Universal has one producer, one distributor, one and one director, Henry Koster, under contract.

When the examination shifted to production, Work declared that cost does not determine an A's as "Little Caesar" (Cory) was the best, grossing seven times its negative cost. Others have failed to make half the negative.

Work refused to answer the question as to whether a producer should own a theatre.

It was decided that RKO, scheduled to go on tomorrow, would be the last. The testimony of Ned E. McLean is unavailable, and William Mellard's father-in-law is dying. The examination will be over March 4 at which time Neil F. Agnew and Barney H. Hirsch of Paramount will testify. Other Paramount officials to testify will be William F. Frankenstein, and Adolph Zukor, the latter will attempt to secure information from the home office by examining records, contracts, and other testimony.

Answers to the first 24 interrogatories filed by the Department of Justice on the major film companies were filed Friday (16). Saturday (17) and Monday (18) the Federal grand jury court. The majors will answer queries number 25-46 by Saturday

(19) and the balance of them by March 1.

The first 24 queries, dealing with organization setup, financial structure, and methods of business are not likely to help the Government much. A great many of the facts listed are already known.

Those were not so well known are as follows:

United Artists—This company was the only major not to stop at question number 24, but answered the entire group. UA declares it is incorporated in 1919, has 28 officers, 55 directors and nine offices. Total stock outstanding 30,000 shares, with authorized issue being 35,000.

The stock is divided with 4,000 shares belonging to Harry Lloyd, Charles Chaplin, Douglas Fairbanks, Charles Chaplin, Samuel Goldwyn and Alexander Korda.

UA's first year was derived exclusively from distribution in 1920 was \$1,000,000, in 1921, \$1,200,000, in 1922, \$1,350,000, in 1923, \$1,500,000, in 1924, \$1,650,000, in 1925, \$1,800,000, in 1926, \$1,950,000, in 1927, \$2,100,000, in 1928, \$2,250,000, in 1929, \$2,400,000, in 1930, \$2,550,000, in 1931, \$2,700,000, in 1932, \$2,850,000, in 1933, \$3,000,000, in 1934, \$3,150,000, in 1935, \$3,300,000, in 1936, \$3,450,000, in 1937, \$3,600,000, in 1938, \$3,750,000, in 1939, \$3,900,000, in 1940, \$4,050,000, in 1941, \$4,200,000, in 1942, \$4,350,000, in 1943, \$4,500,000, in 1944, \$4,650,000, in 1945, \$4,800,000, in 1946, \$4,950,000, in 1947, \$5,100,000, in 1948, \$5,250,000, in 1949, \$5,400,000, in 1950, \$5,550,000, in 1951, \$5,700,000, in 1952, \$5,850,000, in 1953, \$6,000,000, in 1954, \$6,150,000, in 1955, \$6,300,000, in 1956, \$6,450,000, in 1957, \$6,600,000, in 1958, \$6,750,000, in 1959, \$6,900,000, in 1960, \$7,050,000, in 1961, \$7,200,000, in 1962, 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\$33,300,000, in 2136, \$33,450,000, in 2137, \$33,600,000, in 2138, \$33,750,000, in 2139, \$33,900,000, in 2140, \$34,050,000, in 2141, \$34,200,000, in 2142, \$34,350,000, in 2143, \$34,500,000, in 2144, \$34,650,000, in 2145, \$34,800,000, in 2146, \$34,950,000, in 2147, \$35,100,000, in 2148, \$35,250,000, in 2149, \$35,400,000, in 2150, \$35,550,000, in 2151, \$35,700,000, in 2152, \$35,850,000, in 2153, \$36,000,000, in 2154, \$36,150,000, in 2155, \$36,300,000, in 2156, \$36,450,000, in 2157, \$36,600,000, in 2158, \$36,750,000, in 2159, \$36,900,000, in 2160, \$37,050,000, in 2161, \$37,200,000, in 2162, \$37,350,000, in 2163, \$37,500,000, in 2164, \$37,650,000, in 2165, \$37,800,000, in 2166, \$37,950,000, in 2167, \$38,100,000, in 2168, \$38,250,000, in 2169, \$38,400,000, in 2170, \$38,550,000, in 2171, \$38,700,000, in 2172, \$38,850,000, in 2173, \$39,000,000, in 2174, \$39,150,000, in 2175, \$39,300,000, in 2176, \$39,450,000, in 2177, \$39,600,000, in 2178, 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WARNER BROS. PICTURES

Gloria, B'klyn Babe, Trial vs. Majors And Randforce Seen as a Pre-Test Of Issues in the Gov't Suit in N.Y.

Major film companies will have a chance to rehearse their defenses in Government anti-trust action when, by virtue of an order issued in Brooklyn federal court on Saturday (17) by Judge Cropper in *William Fox v. United Artists*, in denying motion for a preliminary injunction against seven major exhibitors accused of violating the anti-trust act by refusing to grant first-run films to a local house, court stated issues must await trial.

Because of clear condition of court records, trial is expected to occur next month, fixing of the exact date being left to await filing of answers to cross motion filed by the exhibitors' counsel.

Suit was filed by M.G.M. Corp., president of the Circuit Theaters, a 600-seat house in the Red Hook section of Brooklyn, N. Y. Defendants are: M.P.A. Inc., Warner, Paramount, United Artists, United Artists, and Randforce. Nat. Corp., Samuel Rindler, Louis B. Mayer, William Fox. The same issues was discontinued against Columbia, RKO Radio and Republic.

Issue of a preliminary injunction is a drastic remedy which should not be granted unless the proof is clear and convincing. The plaintiff claims that the defendants are engaged in a restraint of trade. This is vigorously denied by the defendants. Both sides agree that the suit should be decided upon the merits but must await trial when the merits may be determined. Due to the condition of the calendar the case can be tried immediately.

The specific motion denied by the court required an injunction directing the defendants to cease and discontinue their agreement, conspiracy, combination and understanding, as aforesaid, and allow and effect plaintiff a free and open market for current season films, and that all contracts entered into in violation of the anti-trust act be declared null and void and canceled, as well as allow plaintiff the right to sue to contract for film pending the hearing and determination of this case.

William Gold, of counsel for the M.G. Corp., said the early trial will be the testing of the legal defenses of the major companies which are now resulting trial in the Southern District of New York on charges of violating the anti-trust laws.

He said that the recent ruling of Judge Cropper in the *Warner Theatre* case in Baltimore, in his opinion, had no bearing on the present case because the Maryland case concerned the refusal of companies to grant first-run films to a new theatre, but had no effect on the recent first-run for several years, and was denied them by the same new Randforce theatre was opened under immediate neighborhood.

Suit was filed by M.G.M. Corp., Columbia, RKO and Nap because they, the practice complained of, was to grant first-run films to the M.G.M. Corp. All defendants are required to answer to the complaint by March 10 and trial date is set for March 10 following receipt of those documents.

Newark Indoor Suit
Suing \$200,000 damages from the eight major picture distributors combining companies, the Hays office in Newark filed suit on Monday (19). Bringing the claim against the Sherman and Clayton circuit acts, are: M.P.A. Inc., Warner, Inc., and Janbent Amn. Corp. Connection with operation of the *Wheaton*, *Wheaton*, N. Y. J. J. charges a monopoly exists in motion picture industry to the disadvantage of independent exhibitors. It alleges that 90% of better and others are turned out by the major and others. Among complaints is that exhibitors take considerably more profit

Efficiency?

An efficiency man was called in by one of the largest independent circuits in the New York territory to determine if some economy could be worked out.

He recommended a weekly cut of 25c. for everyone from theatre men down to scrubmen for a saving, which it is understood, runs about \$15 a week.

PIX BIZ MAY BE AT N. Y. FAIR AFTER ALL

Participation of the picture industry in this year's New York World's Fair is under consideration, but what form it will take remains unsettled pending an investigation to determine the most desirable steps to be taken. An exhibit is also dependent upon agreement by the major producer-distributing companies and, presumably, the Hays office.

Samuel Griggs, chairman of the executive committee of Paramount, is a prime mover in connection with representation of films on the fairgrounds this summer and confirms that the work on a plan. He said no more at this time than that the situation is under advisement and that steps are being taken to determine just what to do. Meanwhile, it is understood, the heads of the major producer-distributing companies are being contacted, which may mean a mass meeting later on to discuss proposals, each, etc. The work on last year's industry attitude against any fair representation either in N. Y. or in France.

HAYSIANS CLEAR 'SUSAN' SCRIPT, CAMERAS GRIND

'Susan and George' at the gun at Metro after several postponements, with Joan Crawford and Fredric March co-starring and George Cukor directing.

Delays were the result of script conflicts with the Hays office.

Pat O'Brien as Rockne Launches Howard at WB

'The Life of Kente Rockne' is William K. Howard's first theatrical production, as deal with Warner. He relinquished the 'Patent Leather Kid' remake.

Howard starts March 23, with Pat O'Brien in the title role.

Rainer-MG Part

Louise Rainer's contract with Metro has been cancelled by mutual agreement.

She previously has a deal on the way with another major film company.

act than they need in order to compete with their work. Clause in the Clayton and Sherman acts permitting suit for triple damages is employed, as actual injuries are stated as \$75,000 for Warner, which operated the *Windsor* until last July, and \$15,000 for Janbent, which took it over at that time. Sixty-five cents are listed.

AFM LOCAL WALKS OUT OF WORKING TO CIO

Alleged 'Dilatory Tactics' of National AFM Over WB Theatre Music Situation in Quakerstown—Urge Strike Call Against WB Strand, N. Y., Stanley, Pitt, and Earle, Washington

WB STUDIO ALSO?

Philadelphia, Feb. 20. Local 77, American Federation of Musicians, is threatening to secede from the AFM and possibly join with the Congress of Industrial Organizations unless the national officers of the union take immediate steps to call and meet members of the houses owned by the Stanley-Warner chain in support of the 'Philly local.

The threat was embodied in a resolution yesterday (Mon.) signed by nearly 1,000 members to help and will be voted upon at a special general membership meeting scheduled for Friday (23).

The resolution, drawn up by the rank-and-file membership, stated that they were fed up with the 'dilatory tactics' of the national body in failing to issue a strike call to Warner-owned theatres to help and the four-month deadline. It called upon the local officials to demand that the national body take immediate steps to call and meet members of the houses owned by the Stanley-Warner chain in support of the 'Philly local.

In the failure to heed their demands, the local officers are instructed to return the threat to the national body and consider the possible affiliation with CIO.

The local members demanded that first the musicians at the Strand, N. Y., the Stanley, Pittsburgh, and the Earle, Washington, and the Warner-owned vaudeville houses be called out. In the event that the without fail to bring a settlement, then the national body must pull its members from the Warner Bros. lot in Burbank, they said.

The secession threat was the climax of an undercover movement among the members to force their officers to bring the Warner situation to a head. Since Dec. 1, when Warner dropped all its musicians following failure to agree on terms of a new contract, there has been insistent back-pushing between the national and local body.

At first the national officers called the situation a 'local issue'. Then, after pressure was brought to bear, the international donated \$7,500 to the strike and the local body.

This donation is an admission by the national AFM body that the local men by Warner is a national issue, a leader of the secession group pointed out.

'We can't see either union to be used in this fight if our own national officers refuse,' he said. The American Communications Association, refused to pass an AFM picket line at W.P.N.

Before Seiner's Hays Details
With negotiations between Local 77 and Warner stalled because of alleged 'dilatory tactics' of the local manager of WB theatres, the union inaugurated a new tactic to force the chain.

Independent theatre exhibitors are being enticed to add orchestras to their bills to compete with Warner theatres in their area. The union is offering to allow its members work on a permanent basis in view of the fact that up till now the union has been strictly adhered to. Some exhibitors are reported mulling over the union's offer. They find

(Continued on page 18)

Move to Bring Film Agents Under AFL Granted Nitory Bookers; May Cause Jurisdiction Clash

Taking no Chances

London, Feb. 20. Jules Bachler, the former Omaha showman now winding up his murder sentence in the Nebraska penitentiary, declares he's afraid to sit 'Gone With the Wind' for the prison theatre.

'They are afraid,' he explained, 'that it's so long their time might be up before the picture finishes.'

Cost bookers' agents are now carrying union cards. Group organized as the Amusement Agencies Employees Union No. 1222 has secured a charter from American Federation of Labor covering jurisdiction over agents in the Los Angeles area. A majority of the agents already affiliated are engaged in booking arts into radio and state spots, but it is understood jurisdiction is not limited to that field.

Leaders believed that their drive would be made to bring film agents into the fold. At the present time most of the film bookers are associated with the Artists Managers Guild, which operates under a licensing agreement with the Screen Actors Guild. Members of the guild are not permitted to do business with an unlicensed agent. SAG, however, is affiliated with the AFL and may run into a jurisdictional tiff with the newly chartered agency group.

Walter Trank is proxy of the new organization. Al Wager was elected president. The group has elected a secretary and business representative; Norman Marsh, treasurer; Wright Lee, hall treasurer; and members of the executive board, in addition to the officers, are Katherine.

An early deal between the producers and the Screen Writers Guild was awarded by the undersigned studio executives by 20th-Fox executives. It was reported that a similar deal was made by the undersigned studio executives by 20th-Fox executives. It was reported that a similar deal was made by the undersigned studio executives by 20th-Fox executives.

The letter was formal notice that the Screen Agreement, as amended, between the Screen Playwrights Guild, Inc., has been terminated. It further stated that 'uncredited' credits in the future would be awarded by the company until such time as arrangements have been made with the SWG for the future.

The letter was accompanied by a detailed explanation of plans to be used in making credits.

Letter handed to writers at 20th-Fox follows:

'You are hereby notified that on Feb. 8, 1940, the Basic Agreement, as amended, between the Screen Playwrights Guild, Inc., (the company is listed), was terminated.

That from and after the date of this notice and until further notice, screenplay credits for screen writers employed by the undersigned will be awarded by the undersigned in accordance with the provisions of Exhibit A attached hereto or until further notice, the undersigned through their duly authorized representative for collective bargaining, will be in a position to make arrangements with the undersigned for the determination of the future of the industry to both the Screen Writers Guild and the undersigned.'

Three-Step Plan

Unusual case awards for credits would be limited to two writers, and never more than three. Exhibit A stated that a regular assigned writing team is employed the work will be listed as one in awarding credits.

A move also has been launched by the producers to bring the Screen Writers Guild back into the Academy of Motion Picture Arts and Sciences. Plan was started by a letter to the Academy signed with Sheridan Gibney, head of SWG.

Johnny Gardner will be elected president of the Los Angeles Chapter of the American Guild of Variety Artists at a meeting in Los Angeles scheduled for March 4. No candidates were named to oppose Gardner since, which was selected by a vote of the members of the committee. Other unopposed candidates are Edna Davis, first

(Continued on page 18)

'Cup of Coffee' For Sturges at Paramount

Hollywood, Feb. 20. Preston Sturges is preparing a 'Cup of Coffee' as his next directorial job at Paramount, with Betty Field and William Holden assigned to the leads.

His first piloting job was 'Down With McGinty,' recently completed.

(Continued on page 18)

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(Continued on page 18)

Chi Mild; Friday-Withers Fair

30G, 'Remember' - Apollon Nice

\$16,000, 'Geronimo' OK \$10,000

Chicago, Feb. 20. Nothing outstanding in grossing picture on the run here. The theatres are making any records, neither is any picture showing any promise for the future. Inclement weather over the city has kept the picturegoers from coming to the theatres. Theaters continue to be led by "Gene With the Wind," which is in the latest entry in the loose picture. Showing reserved seat shows for the first time. "The Wind" is the Oriental and Woods. Only the second grand show in the city. "The Wind" is the Oriental and Woods. Only the second grand show in the city. "The Wind" is the Oriental and Woods. Only the second grand show in the city.

"Light Bulbs" (M-G) (1st wk.) is in the second entry in the loose picture. Showing reserved seat shows for the first time. "The Wind" is the Oriental and Woods. Only the second grand show in the city.

Chicago will pour fair money with "Cliff Frisby" and "Joe Withers" on the stage, good picture on the picture, perking the picture, perking the picture, perking the picture.

Estimates for this week: "Cliff Frisby" (M-G) (1st wk.) \$16,000; "Joe Withers" (M-G) (1st wk.) \$10,000.

Chicago (B&W) (1st wk.) \$16,000; "Joe Withers" (M-G) (1st wk.) \$10,000.

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(41) "Swiss Family" (RKO) and "Invincible" (Warner) (WB). Not helped much by local publicity, under-performing. "Swiss Family" (RKO) and "Invincible" (Warner) (WB). Not helped much by local publicity, under-performing. "Swiss Family" (RKO) and "Invincible" (Warner) (WB). Not helped much by local publicity, under-performing.

'SWISS FAMILY'
GOOD \$3,300
IN LVILLE

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Estimates for this week: "Swiss Family" (RKO) (1st wk.) \$3,300; "Invincible" (Warner) (WB) (1st wk.) \$3,300.

Chicago (B&W) (1st wk.) \$16,000; "Joe Withers" (M-G) (1st wk.) \$10,000.

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First Run on Broadway

(Subject to Change)

Week of Feb. 21
Admiral "Come With the Wind" (M-G) (10th wk.)
Capitol "Come With the Wind" (M-G) (10th wk.)
Columbia "Pioneers" (RKO) (M-G) (1st wk.)
Debut "Pioneers" (RKO) (M-G) (1st wk.)

(Reviewed in Current Issues)
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Blitz and Driz Fizzle Broadway Biz

But Mice Big \$53,000; Disney 2d, 37G,

'Sidewalks' - Lamour Snag \$41,000

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GOODMAN 'WOLF N.Y.'

GOOD \$12,000, INOPLS.

Brooklyn, Feb. 20. Two major magnets in the downtown district are "Wolf N.Y." (M-G) (1st wk.) and "Invincible" (Warner) (WB) (1st wk.). "Wolf N.Y." (M-G) (1st wk.) and "Invincible" (Warner) (WB) (1st wk.). "Wolf N.Y." (M-G) (1st wk.) and "Invincible" (Warner) (WB) (1st wk.). "Wolf N.Y." (M-G) (1st wk.) and "Invincible" (Warner) (WB) (1st wk.).

NEW YORK 'CHAN DUAL FAIR \$14,000 IN B'KLYN

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20th's Hula Film

Hollywood, Feb. 20. Fox has Hawaiian in "Song of the Islands," a drama of Waikiki. Lane Markley is assigned as associate producer, Jules Furthman developing the story.

SNOWS SLOUGH PITT: WOMAN N.G. \$14,000

Pittsburgh, Feb. 20. Weather's still the best, even if it's the last show of the boys' week. "The Girl Who Came to Stay" (M-G) (1st wk.) and "Invincible" (Warner) (WB) (1st wk.). "The Girl Who Came to Stay" (M-G) (1st wk.) and "Invincible" (Warner) (WB) (1st wk.). "The Girl Who Came to Stay" (M-G) (1st wk.) and "Invincible" (Warner) (WB) (1st wk.).

Plas Under Way to Form Yank Co. For French Film Production in U.S.

Film Alliance executives announced last week that they would form a new producing company in Hollywood, incorporated in the long-ago idea of employing French name stars and producers in U.S. producing. Not Wachsberger, Film Alliance v.p., is on his way to Europe to perfect plans for transfer of stars and producers for the new project. The features are contemplated for the initial spring-summer shooting schedule, with producing actually start about April 15, 1954.

The company plans to continue its lineup of 15 foreign pictures this year but will be via Film Alliance. The company plans to continue its lineup of 15 foreign pictures this year but will be via Film Alliance. The company plans to continue its lineup of 15 foreign pictures this year but will be via Film Alliance.

Anip Federal Backing May Be Sought Should U.S. Wales Prod. Click

Sydney, Feb. 26. If the first batch of pictures made in New South Wales under the \$300,000 Government loan program is successful, the Australian federal government may be asked to underwrite the production of a second batch. Under the New South Wales arrangement, the state government is guaranteeing 60% of the cost on production of certain pictures.

By this arrangement Argon Pictures, Ltd. will produce two, Cinecittà, the one, and Famous Features, Ltd., in conjunction with Hoyts Theatres, the other. The latter is tentatively titled "10,000 Horsemen". About 2,500 feet of the picture were made last year.

Cinecittà is working on "Raid," a U.S. government guarantee film with Bert Loyal, a boxoffice favorite here, in the lead.

STUDIOS' TAKEOVER STALLS ANGLO PROD.

London, Feb. 6. With Pinewood studios occupied with evacuees and EMI taken over by the Government, there is a shortage of good studios. As a result the Elizabeth Beranger picture, scheduled for release in March, has been delayed. The shortage has also stalled other production.

Word ahead of Miss Beranger is a Korda picture, to be done in co-operation with the British navy, which is the Government's first feature. A G&S epic, which is modern version of Captain Jack Baimard's "Old Bill," is also being produced. Bernard Shaw's "Major Barbara" with two others to follow, and British National's "Countdown," starring Conrad Veidt.

Polish Producer's First U. S. Film, in Yiddish

Prod. American-made Yiddish picture by Joseph Green, a Polish producer, will go into work at Ideal studios in New Jersey in about two weeks. It will star, there, a Yiddish actress, who has appeared in numerous Jewish films, and menasha. The picture, which is being produced by a man making his celluloid debut, is from a story by A. Kalmanson, and is titled "The Yiddish King".

Distinguished Dummies

Paris, Feb. 26. Municipal wartime policy governing the safety of theatre audiences by restricting capacities has not deterred the production of a play, "The Royal from playing to good-sized audiences regarding, albeit questionably, the third balcony.

Fashioned of plywood and paint, and lined up in a solid row, the three balconies, in effect, such notables as Mistinguett, Elvire Pagnon, and other actors, such as Paul Raymond, Chamberlain, etc.

SNIDER-DEAN IN NEW YORK HOVS-GIT

Sydney, Feb. 26. Snider-Dean's theatre circuit, which covers the distribution, with Hoyts' chain after the latter bowed out of General Theatre on a number of lines. This long-proving merger of Hoyts and Greater Union would be accomplished through reviving the theatres for 30 years as their joint board. Greater Union directors also have approved the deal, with only an okay from Hoyts' directorate standing in the way of consummation of the deal. That's been expected almost momentarily.

Current contract obligations of Snider-Dean circuit is believed to be the reason for the move against the merger. Snider-Dean, which includes a number of legit theatres, was signed with Hoyts when the latter discovered it had no more product contracted for from U. S. companies that additional outlets were needed.

It was reported that Snider-Dean is looking the setup because Sam Snider and George Dean fear new competition might hit some of their operations.

MAGYAR-ITALO TIE ON PICTURE MAKING

Budapest, Feb. 26. Close political understanding between Italy and Hungary is also bringing about an approach in the picture field. First tangible result is that Luce newswires, official Italian news agency, are now publishing in Hungary and shows in nearly every theatre.

Italy is also going for making three features in Italian and Hungarian versions simultaneously. They will include two by the Italian director Garibaldi and another of Franz List. A third Italian-Magyar picture will be made, a comedy feature of a few years back.

Hebinksi Film Distrib's Home Completely Wrecked

Hebinksi, Finland, Feb. 7. Home of Nils Dahlström, managing director of Suomi Film, Finnish distributors for Monogram and other indie producers, was bombed and almost destroyed by a Soviet air raid this week. Dahlström is at the front in command of a "pill box".

His family was not injured in the bombing which wrecked his home. Suomi Film some time ago moved its headquarters to Helsinki, Finland, and is continuing business as far as possible from that point.

35 PAMPAS PIX FOR MEX.

Mexico City, Feb. 26. Thirty-five Argentine pictures have been booked for Mexico this year by distributor Felipe Mier, former Warner manager here.

The first of the lot is on exhibition here now.

20th-Fox Execs Huddle

Ben Miggins, 20th-Fox manager in continental Europe, currently on a visit in the U. S., has gone to Florida where he is conferring with W. J. Hutchinson, 20th's foreign vice president, who was recently on a vacation.

Miggins expects to be back in New York early next week.

Fred Lange Back From Italo-Spain Survey for Par

Fred W. Lange, Paramount's general manager in Europe, who has been making a survey in Spain, arrives in U.S. tomorrow (Thursday) on the Clipper.

Lange hoped off for this country from Lisbon. He will make available first-hand information on both Spain and Italy for home office executives.

JAPAN BANS 'Gunga' AS GESTURE TO INDIA

Tokyo, Jan. 24. After much deliberation by officials, "Gunga Din" (RKO) has finally been banned in Japan.

Step taken in order to prevent undesirable reactions in Indo-Japanese relations, since film is held to be opposed to the best interests of India. Simultaneously, Three Smart Girls (U. S.), with Deanna Dorn, has been disapproved for juvenile attendance on account of the love interest. This measure is in accordance with the new picture law which became operative Jan. 1. Other film falling under the same category are "Cowboy and Lady," "Little Tough Guys in Society" and "Angels With Dirty Faces."

French M. P. Corporation Discharged From Bkptcy.

Federal Judge William Bondy in N. Y. has discharged the French Motion Picture Corp. from all debts and liabilities and tossed out all claims against the company. The estate of the bankrupt was then closed.

On Oct. 28, 1939, the court had approved a plan of reorganization which, since that time, has been fully consummated. The plan provided for secured creditors 15% on claim, and paid reorganization expenses, wages and taxes in full.

In order to consummate operations, \$5,000 was borrowed from Albert Kesselring, a Philadelphia banker, who distributes French films in the U. S. The bankruptcy petition was filed over a year ago.

McConville to Eye Spanish Pix Prodn Argentine; Col's S. Africa Expansion

Possibility of lining up an Argentine producer to turn out Spanish pictures for Columbia release will be investigated by J. A. McConville, foreign manager for the company, during an eight-week South American tour, which he will leave New York Friday (23).

McConville declared there are several producers in the Argentine making high quality films and it is possible that a personal investigation, he may reach an agreement with one of them to produce a series of pictures. Columbia is now obtaining from Mexico, Argentine pix have never been distributed by a U. S. major. The foreign circuit has also revealed that Columbia has sent a representative to South Africa to look into the possibilities of expanding distribution and selling facilities there. Columbia now has distribution through Schneiderman circuit in South Africa, McConville said, but may open offices there to get release.

U.S. Films' Cooperation With Australia As War Aid Would Help Unfreeze Coin

Yes' Democratic

London, Feb. 6. The King and Queen went to see "The King's Rite" at the Royal Albert Hall. The royal couple, accompanied by the Queen's mother, the Queen Mother, and the Queen's sister, the Princess Alice, were seen by a large crowd of people.

PAR AGAIN MAY BACK PICTS IN S. AMERICA

Paris, Feb. 26. What Paramount Pictures Inc. production in Latin America countries will be decided March 1 on the return to New York of Adolph Zukor and John Hays, Jr., from a tour of the continent.

Paris studio last year abandoned making Spanish language with Tito Guizar, after the company had concluded any profit. Par execs have the idea of Latin-American production as a wedge to get better prices for Hollywood product in the South American countries.

YUGOSLAVIA ADOPTS FILM NATIONALISM

Belgrade, Feb. 4. There has been no national film production in Yugoslavia so far, but now the Government has decided to build a studio and boost local production.

As a start, it has laws making compulsory for all theatres to show Yugoslav newswires in every program. Until such time as necessary technical arrangements can be made, there will be dubbing of foreign films in the Serb, Slovene or Croat language, one of the three variations of the country's language.

Although in Turkey women go unveiled and mix freely with men in public, Mohammedans in Yugoslavia mostly keep to the antiquated restrictions and keep away from "mixed" districts. Plans are now afoot to hold special performances for women in towns where in public places in Mevlana and Mohammedan population, thereby opening up films to quite a new class of picturegoers.

Through additional houses by having sessions on the scene. Surveying the country for Columbia is Sigurd Krumpholtz, Mexican manager, who left for Africa about a month ago. Keeping an eye on the situation in Mexico City is one Charles Roberts, company's South American manager, who is presently in Mexico City.

McConville returned from Mexico only about 10 days ago after negotiating with several producers in the Green-Gro productions, which is making four pictures for Columbia in the next several months. The plan will make the same schedule for 1940-41. However, while Columbia has been distributing right in these pictures in Mexico since last year, it will distribute two of next year's pictures in that country, as well as the rest of the world. It is also probable, McConville said, that Fernando Puentes, who has not produced for Columbia before, will make one picture for the company in Mexico next season.

Melbourne, Feb. 26.

Although a permanent policy of freeing a certain amount of foreign film money in Australia seems certain, the present prospect is that the plan will be more liberal than presently in force in England. If U. S. distribution companies and their Australian representatives, who are mostly concerned, adopt an attitude of cooperation locally in consideration of Australia's war needs, much more liberal freeing than originally expected is likely.

New Zealand, which adopted a policy of keeping 25% of all coin in the country about a year ago, still is undecided on future policy.

In connection with representations made by Yankee distributors, it is reported here that the policy of rotating chairmanship of the Motion Picture Council, which has been not working out as well as had been anticipated.

Sir Victor Wilson, who quit post as MPPA president last summer, as an Australian carries much weight in Government circles, but such is the attitude of the American representative of a U. S. distributing company has in place the name of the MPPA. Present policy is to allow different managing directors of American districts to serve as chairmen. However, Wilson was the first one picked because of his comparative local popularity and familiarity with Australian problems.

No Case in N. Z.

Auckland, N. Z., Feb. 1. Though assurance of rental commission had been granted by American distributors at the time the 75% unfreezing ruling went into effect, reportedly, distributors have been increasing difficulty in the application of the ruling, due, supposedly, to "cartage" conditions.

Distrib reps have complained to the local government and the Ministry of Finance but promises to give the matter early consideration.

ROME SETS UP FILM COLLEGE

Rome, Feb. 6. The Experimental Center of Cinematography, a film college designed to teach film making, is a recent innovation here. In line with the Government's policy to expand the picture industry in Italy.

Males, whose age limit is 30 years, aren't limited in their capacity for study, while girls, who are not, are limited in their curriculum. They are restricted to study acting technique, make up, costume and hair.

Courses are free for the first year, after which these students who have shown an aptitude for the work are permitted to remain at a cost of \$5 for the semester, plus pointing of \$30 for maintenance and board.

Course is divided in two two-year periods.

'CHOPIN' WITH DONAT METRO'S 3D ABROAD

Hollywood, Feb. 26. "Chopin," Robert Donat starring, is slated as Metro's third picture to be made in England since the revival production there, "Victor Saville," producer, sails for Europe next week.

Written, directed "Chopin" on Metro's British schedule are "Bismarck's Heroism" and "I Had a Command," both starring Robert Montgomery.

Nares in 'Rebecca'

London, Feb. 6. Owen Nares will play the lead in the forthcoming London stage version of "Rebecca" by Daphne Maurer's novel. John Gielgud was originally mentioned for this role.

SEVENTEEN

Hollywood, Feb. 14. (Continued from page 11.)
 "Seventeen" stars Jackie Cooper and Betty Field. Directed by Louis King. Distributed by Paramount Pictures.
 "Seventeen" is a story of a young girl who is orphaned and is taken in by a family. The story is told in a simple, straightforward manner. The acting is good, especially by Jackie Cooper and Betty Field. The film is a good example of the type of picture that Paramount Pictures likes to make.

It has taken Paramount a quarter century to do a remake of this Booth Tarkenton story of a young girl who is orphaned and is taken in by a family. The story is told in a simple, straightforward manner. The acting is good, especially by Jackie Cooper and Betty Field. The film is a good example of the type of picture that Paramount Pictures likes to make.

"Seventeen" will hit better than most in the picture market. The picture is a good example of the type of picture that Paramount Pictures likes to make. The acting is good, especially by Jackie Cooper and Betty Field. The film is a good example of the type of picture that Paramount Pictures likes to make.

The story has been neatly set up to provide plenty of entertainment. The picture is a good example of the type of picture that Paramount Pictures likes to make. The acting is good, especially by Jackie Cooper and Betty Field. The film is a good example of the type of picture that Paramount Pictures likes to make.

Script is a well-modulated job all around. Script has much infectious good humor and wholesome sentiment. Direction is the type of thing that is needed for a picture of this kind. The acting is good, especially by Jackie Cooper and Betty Field. The film is a good example of the type of picture that Paramount Pictures likes to make.

"Seventeen" lightly handles the theme of orphanhood. The picture is a good example of the type of picture that Paramount Pictures likes to make. The acting is good, especially by Jackie Cooper and Betty Field. The film is a good example of the type of picture that Paramount Pictures likes to make.

THE MAD EMPRESS

Warner Bros. release of "The Mad Empress" stars Jeanette MacDonald and Maurice Chevalier. Directed by George Fitzmaurice. Distributed by Warner Bros. Pictures.
 "The Mad Empress" is a story of a young girl who is orphaned and is taken in by a family. The story is told in a simple, straightforward manner. The acting is good, especially by Jeanette MacDonald and Maurice Chevalier. The film is a good example of the type of picture that Warner Bros. Pictures likes to make.

Though the tragic life of Grand Duke Maximilian and his wife Empress Carlota is a vital chapter in the history of the late nineteenth century, the picture doesn't mean much excepting in double costume. Warner Bros. did not produce a picture which apparently is being distributed by Warner Bros. Pictures.

Latin-American market but only in the U.S. Chief interest is focused on the life of Maximilian while Juarez is virtually a voice, coming seldom catching Juan Rodriguez, who has the role of Maximilian's opponent. It proves that the Grand Duke and his wife were not the only ones to be executed. The picture is a good example of the type of picture that Warner Bros. Pictures likes to make.

Charlie Chan in Panama

Paramount release of "Charlie Chan in Panama" stars Warner Oland. Directed by George Fitzmaurice. Distributed by Paramount Pictures.
 "Charlie Chan in Panama" is a story of a young girl who is orphaned and is taken in by a family. The story is told in a simple, straightforward manner. The acting is good, especially by Warner Oland. The film is a good example of the type of picture that Paramount Pictures likes to make.

This latest Chan whodunit is a real chiller and racker. Warner Oland plays Sidney Toot as worthy of carrying on the role that the late Lester Oland made a screen feature. There's a lot of action in the picture. The acting is good, especially by Warner Oland. The film is a good example of the type of picture that Paramount Pictures likes to make.

Exhibitor should not overlook the fact that the picture is a good example of the type of picture that Paramount Pictures likes to make. The acting is good, especially by Warner Oland. The film is a good example of the type of picture that Paramount Pictures likes to make.

Scripters John Larkin and Lester Kroll have written a picture with a plot to destroy part of the Panama canal and trap the big gang boss. The picture is a good example of the type of picture that Paramount Pictures likes to make.

"Toys" dominates every scene once the picture seems to lose its effect in the well-conceived cliffhanger when the destruction of the Panama canal seems to be the end of the picture. The acting is good, especially by Warner Oland. The film is a good example of the type of picture that Paramount Pictures likes to make.

Honeycomb Deferred

Universal release of "Honeycomb Deferred" stars Jeanette MacDonald and Maurice Chevalier. Directed by George Fitzmaurice. Distributed by Universal Pictures.
 "Honeycomb Deferred" is a story of a young girl who is orphaned and is taken in by a family. The story is told in a simple, straightforward manner. The acting is good, especially by Jeanette MacDonald and Maurice Chevalier. The film is a good example of the type of picture that Universal Pictures likes to make.

Miniature Reviews

"Seventeen" (Par.). Turning to the picture, story underlined for good entertainment as bill topper in regular run.

"The King's Man" (W.B.). Merck's Maximilian in slow-moving tragedy; double combo only.

"Charlie Chan in Panama" (19th). Sidney Toot again victorious in the picture, identified with rich settings and extensive wardrobe of smart fashion.

"Honeycomb Deferred" (U). Jeanette MacDonald in the husband-wife detective category; for reserve doubling.

"The King's Man" (M-G). Wallace Berry drops it. A week's story, which starts it to mild good picture.

"Knights of the Range" (Par.). Action western of better class will satisfy generally.

"The King's Man" (W.B.). "The King's Man" (W.B.). Merck's Maximilian in slow-moving tragedy; double combo only.

"Sidekick" (M-G). Dull double of embryo gangsterism.

"The King's Man" (W.B.). Merck's Maximilian in slow-moving tragedy; double combo only.

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conclusionism and lack of main line conclusion. Faust can be either in the script, or too deep rooting in the story to be so. In any event, it is a splendid story that fails to tell its story in a convincing manner. The picture is a good example of the type of picture that Warner Bros. Pictures likes to make.

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and shows more shilly than the direction provides. Faust carries roles while Judith Barrett hits a high note as the Jewish man whose beautiful face is sprang into the picture. Play can have several Paramount credit in its setup.

A CHUMP AT OXFORD

Lashed article review of "A Chump at Oxford" stars Jeanette MacDonald and Maurice Chevalier. Directed by George Fitzmaurice. Distributed by Warner Bros. Pictures.
 "A Chump at Oxford" is a story of a young girl who is orphaned and is taken in by a family. The story is told in a simple, straightforward manner. The acting is good, especially by Jeanette MacDonald and Maurice Chevalier. The film is a good example of the type of picture that Warner Bros. Pictures likes to make.

With "Yank at Oxford" whipping up interest in the old English school and its tradition, Stan Laurel and his comedy team, "A Chump at Oxford" is a comedy without offending.

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Watch Broadway on Friday for

ANOTHER "ZOLA!"



Showmen! For Your Advance Campaign!
These raves belong in your ads and lobby—just
the way they're doing it at the M. Y. Strand . . .

"Advance talk is that
it's a walloping hit.
New Yorkids to Rob-
inson's performance!"
says WINCHELL

"It's the most compell-
ing movie ever made!"
says JIMMIE FIDLER

"Robinson's is a truly
great performance!"
says PAUL MUNI

"Robinson's perform-
ance should make au-
diences stand up and
cheer!"
says BETTE DAVIS

"Robinson hits the
bull's-eye for an Acad-
emy Award!"
says ED SULLIVAN

"It's even greater than
'Louis Pasteur'!"
says LOUELLA PARSONS

EDWARD G.
ROBINSON
THE STORY OF
**DR. EHRLICH'S
MAGIC BULLET**

with
Ruth Gordon • Otto Kruger
Donald Crisp

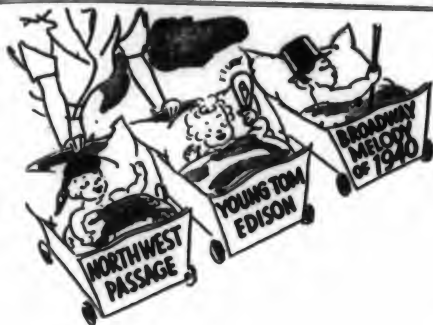
Directed by WILLIAM DIETERLE

"Greatest performance
Robinson has ever
given!"
says SID SKOLSKY

"Robinson is terrific!
As important a per-
formance as I ever
have seen!"
says JOHN GARFIELD

WARNERS delivered "Zola" . . .
deliver its successor!





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TRIO

of Great New Hits!



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N. Y. SUNDAY NEWS MAGAZINE • N. Y. SUNDAY MIRROR MAGAZINE • BOYS' LIFE OPEN ROAD FOR BOYS • THIS WEEK (NATIONAL SUNDAY NEWSPAPER SUPPLEMENT appearing in these 25 Big City Newspapers: Atlanta Constitution, Baltimore Sun, Birmingham News & Age Herald, Boston Herald, Chicago Daily News, Cincinnati Enquirer, Cleveland Plain Dealer, Dallas News, Detroit News, Indianapolis Star, Los Angeles Times, Memphis Commercial Appeal, Milwaukee Journal, Minneapolis Tribune, New Orleans Item-Tribune, New York Herald Tribune, Omaha World-Herald, Philadelphia Record, Pittsburgh Press, Portland (Oregon) Journal, St. Louis Globe-Democrat, San Francisco Chronicle, Seattle Times, Spokane Spokesman-Review, Washington Star).

Simplification of U.'s Corporate Structure Reported Near Completion

Progress is being made on Universal's contemplated plan for simplification of its corporate structure, as outlined in the annual report to stockholders. Indications this week that the recap plan might be ready within the next two weeks. Proceeding to drawing up a plan for revising the company's setup has been to nullify several possibilities and to get together on one agreeable to all types of stockholders. Two groups of preferred shareholders, common stockholders and holders of voting trust certificates for the common all must be satisfied.

Some arrangement for taking care of about \$500 due on each share of first preferred may be incorporated into the revamped recapitalization although conservative board opinion is strongly against such action. Universal executives recently have been more inclined to look after repayment of bank loans and building up cash reserve than trying to clear up these dividend arrears. However, it is understood that part of the arrears on this stock will be paid off as part of the recapitalization setup. Earnings currently are reported to be even better than a year ago, and inclination of one group is to reduce all carrying charges where logically possible.

Although several U. officials have been in favor of simplifying the corporate structure for some time,

the admission in the annual report was the first intimation that such proposal was being seriously considered.

As presently constituted, U. has four classifications of stock with two different corporations identified with the different shares. Universal Corp., the parent or holding corporation, is represented by the new certificates for the common issued shortly after the present management took over. Universal Pictures, the operating company and subsidiary of Universal Corp., is represented by the first preferred, listed on the N. Y. Stock Exchange and by the common, listed on the curb. Idea would be to do away with different classes of stock including the second preferred, which occasionally is traded in the big board. One proposal is to place everything under a single corporation.

Wronged by Bandit Pic Say 2 Suing U for 100K

Los Angeles, Feb. 20.—Two damage suits of \$100,000 each were filed against Universal by Dolores Parks and Joan G. Janofsky, widow and daughter, respectively, of Ray Gardner, bandit.

Plaintiffs charged their rights of privacy were invaded by the pictures, "I Hate a Million."

Film Agents

Continued from page 8

vice-pres; Patsy Darr, second vice-pres; Fred Mitchell, third vice-pres; Bert Essinger, fourth vice-pres; Lucile Gleason, fifth vice-pres; Pauline Brooks, recording secretary, and Helene Heller, treasurer.

Following members will be elected to the executive board: Kenny Gardner, Patrick O'Brien, Fred Krating, Eleanor Walker, Ann Allison, Helene Heller, Joe Brooks, Lillian Randolph, Prince Leland, Dorothy Gross, Lucile Gleason, Fred G. Johnson, Cliff Harris, Frank Evers, Clark Brown, Roy Rogers, Bert Essinger, Beth Reynolds and Jack Mitchell.

Deal has been set for a working alliance between AQVA, International Brotherhood of Theatrical Stage Musicians, Culinary Workers' Union, and barbers, waiters and cooks. Commented has been made by H. L. McMurtry, of the Central Labor Council, to draft a resolution, which Carl Cooper, C. J. Burch, C. J. Hyman and Jack Arnold.

A demand by union leaders for concrete figures showing major companies cannot continue payment of \$100,000 a year. The union is not satisfied with the results in recent negotiations between producers and unions. Commented has been made by H. L. McMurtry, of the Central Labor Council, to draft a resolution, which Carl Cooper, C. J. Burch, C. J. Hyman and Jack Arnold.

Another meeting will be held this week at which time the producers will submit a breakdown of figures pertaining to expenditures, earnings, salaries, etc. Producers are represented by Y. Frank Freeman, E. J. Morris, R. B. Kahane, Walter Warner, Fred Patton, Paul Coney and M. B. Silberberg.

Willis Bliss, who has been ordered returned to China to serve a six-month jail sentence, has been acting as chairman of the labor group. Other members of labor committee are J. W. Bunzel, executive secretary of the Central Labor Council; Walter Henderson, international representative of Studio Planners; and A. H. Peterson, organizer for the American Federation of Labor.

Ralph MacDonald has been elected business representative of Moving Picture Operators' Local 66 of the IATSE. He succeeds R. L. Hayward, who resigned soon after being elected to a third term.

Goldwyn Sues

Continued from page 6

of Alexander Korda Productions, Ltd., and objected to Korda releasing his own film nationally in Spain. Goldwyn also objected to the formation of the Elton Corp. by Korda and Warner.

The Silverstone Plan Details of the "Silverstone Plan," another bone of contention, are intricate. Under the plan, revenue to producers such as 25% up to \$750,000, and a refund as high as 25% on \$1,750,000 in the U. S., up to 25% up to \$300,000 in a 10% refund on \$700,000 in English distribution, or one-third of third point.

Another point listed by the producer in the \$45,500 due him under the Silverstone plan.

The complaint mentions that on Dec. 18, 1939, Goldwyn wrote U. terminating the distribution contract. He received a letter in reply from Silverstone refusing to accept the suggestion on the grounds that UA had not in any way breached the agreement. Goldwyn mentions his statement deals with Paramount and Warner to secure a releasing deal for "Westerner," but says that, after he had secured better deals, UA warned the other two majors of legal action, and they dropped matters. UA then as a result was forced to go back to UA for distribution. Until Jan. 30, the complaint declares, Goldwyn tried to negotiate with others, but they were all afraid.

Hearings on an application by Stuart to examine Korda before trial has been set for Tuesday (27).

Reis Directs at RKO

Hollywood, Feb. 20.

Irving Reis moved yesterday (Mon.) from Paramount to RKO for a director post under Leo Marx.

Par. exec. Fred Reis, brother of a writer on the Par lot, coming from Radio.

Ex-Abbott Man, Now An

MCA Agent, Handled Both 'Girls,' Syracuse

"Ten Mary Girls." George Abbott's production of the Rodgers and Hart musical comedy, at the Imperial, New York, was finally booked by RKO last Thursday (18) after several weeks of lively negotiations. The contract was \$100,000 and up until the contract was actually closed Metro, Columbia and Warner were doing the running for the rights.

Deal calls for Abbott to produce. He may also direct, if he chooses. George Marion, Jr., author of the book, will do the screen treatment. Production is to start in the late spring-early summer, with probable release early in the fall to capitalize on the year's football theme. Considered likely that several members of the legal team will be signed to do the same parts in the film, but that will await huddles between Abbott and RKO, and then negotiations with the actors.

Abbott yesterday (Tues.) denied that most of the cost would be used in the production. "There is no such thing as no cost," he said, "and neither Ginger Rogers, Shirley Temple, Charles Chaplin, nor any of the numerous actors mentioned, have been signed. As for transporting the entire company, principals and chorus, to Hollywood, at several newspaper and radio commentators have predicted, it would be fairly impossible, unless it was discovered that every member of the company was a twin. We expect the musical to continue at the Imperial theatre (N.Y.) through the summer with the same cast and to abort playing."

Contrary to expectation, there is nothing about the deal about further production by Abbott at RKO. He is expected back on Broadway from his current tour, readying his lineup of shows for the next season. "Girls" deal was again by the house of George Marion is understood to have actually used his connections in the various Hollywood story departments to stir up interest in the show. MCA also negotiated the recent sale of "The Three Graces" to Paramount season's Abbott-Rodgers-Hart musical, to Universal. Martin Jurin, who had been in charge of the deal, is credited with Abbott before joining MCA.

KORDA HELD EAST BY 'PRIVATE BUSINESS'

"Private business," which he refuses to discuss, is holding Alexander Korda in New York this week, following his somewhat surprising arrival from London on Tuesday (18), about a week earlier than expected. English film producer held a reservation for Hollywood, but a plane leaving several hours after his departure to Hollywood (19) was found to be a cold and weathered from the rough sea voyage. Monday he said he would leave in about a week.

Although United Artists, of which Korda is a producer-member, has announced that "Jungle Boy" directed by Korda's brother, Ezzion, both of whom are now on the Coast, could be made by UA in Hollywood, the producer said his plans are not definite. He will probably work on the Coast for some time depending on outcome of confab with Miramax Studios, UA chief, and other executives in an eventuality return to England in six or eight weeks. If possible, he declared, he would like to see the production company started and actually make "Jungle Boy" on a return to Hollywood after first going back to London.

Korda also said that he will finish writing "The Three Graces" for UA. He is currently staying in Arizona during his current stay. Shorts were originally scheduled for Korda to be completed in the fall. It is impossible to take the company there. Footage of "Bagdad" already completed will arrive in a week or so.

Producer revealed also that "Hunt-

Sweeping Curfew Would K.O. Juvenile B.O. Biz in Clev.

Cleveland, Feb. 20.

A sweeping curfew ordinance designed to regulate the attendance of minors in theatres and other amusement spots, proposed by city's assistant police chief, John J. McLaughlin, will be vigorously opposed by Cleveland exhibitors' association when it is brought up at its city council of this week for a vote.

Recommended by Capt Arthur Rath, superintendent of police juvenile bureau, to curb possibility of late-night street assaults against children, measure is being patterned after Detroit ordinance. The latter sharp-toothed "must-nots," which worried exhibitors claim would not stop the current wave of attacks, theaters and minors would have to follow drastic rules.

Employment of minors under 17 as costars, with exception of youngsters in roadshows approved by state authorities, would be barred. Another section of ordinance calls for posting of these rules in all picture houses, cafes and theaters. Violations, if made, could be punishable by a maximum fine of \$100 or 30 days or both. Cleveland ordinance is reversing Cleveland Motion Picture Exhibitors Association, of which he is secretary, which made this a condition that the proposed law would be far from a cure-all. Juvenile court reports show that the law would be hands kept full by cases of children lured from theatres and molested by parents.

See Pix OK for Kids In Montreal Shortly

Montreal, Feb. 20.

End of the hearing of P.S. to meet after Jan. 18 in this city. There has been in force here since 1927, was lifted last week by Hon. Wilfrid Girouard, attorney-general of the province, made this a condition, he said, was not looking ahead of the proposal that a censorship board composed of religious and other community leaders interested in the educational development of children, would be set up to pass on films that would be suitable for children. The board would be made up of a Catholic priest, a Protestant minister and one or two others with the right background.

There have been permission to view films such as the Royal Vitrol last year. "The White Slave's Travels," but the government stepped outside the law in giving these permissions.

Jimmy Starr's P.A.

Hollywood, Feb. 20.

Jimmy Starr, picture of L. A. Herald-Express, is going on an eight-week personal tour to appear himself with a levy of young players loaned by the studios.

Opens at Loew's State in New York.

Heaven Mark Joan Fisher Pittsburgh, Feb. 20.

Heaven Mark Joan Fisher, replacement for Cecilia Parker in Jimmie Fritter's Hollywood unit, which opens an eight-week tour at the Stanley Frier (23). Miss Parker was yanked at last minute by Hollywood studio required to make a new "Hardy Family" picture which goes into production shortly.

Otherwise, Fisher, personal secretary of the same lineup including Mary Hely, Michael Whalen, Fritz Levy, Olympia Bratina and Ethel Lynn Hayes.

ing the U-Boat will probably be made. Fisher was to be replaced by "The Lion Has Wings" propaganda picture for the Royal Air Force.

Jane Hughes, star of "Bagdad," arrived on the same boat to participate in the Arizona sequence for Hollywood last night (Tuesday) by train. She will be tested, while there, for the lead in "Personal History," which will be filmed by Walter Wanger, another UA producer.

It's NEW—
It's VALUABLE—
and simpler—
It's FAST!

It's P.S.

Sales and distribution forces must have a quick slant of the public box office reaction to new pictures . . . especially from those people who have the opportunity of seeing the picture before it is generally released.

Information like this aids them in selling and is invaluable . . . but they want to know fast—they need this information on their desks the morning immediately following the preview showing.

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*It's a
Hap-Hap-
Happy Day
at LOEW'S
...they're
playing
3 BIG
PARAMOUNT
PICTURES!*

P.S. It's a Hap-Hap-Happy Day at the NEW YORK PARAMOUNT too, for they're playing through snow-drifts on the sidewalks of New York to pile in to see the "SIDEWALKS OF LONDON" starring CHARLES LAUGHTON and VIVIAN LEIGH with REX HARRISON. Screen play by Clemence Dane • Directed by TIM WHELAN • Produced by ERICH POMMER • A Pommer-Laughton "May-Flower" Production • A Paramount Release

Today's a Hap-Hap-Happy Day at **LOEW'S!**
All over town movie fans will be shouting the good news that this week's Loew's entertainment is the town's top! There's fun for everyone at the Loew's Theatre just around your corner!

FIRST R.T. LOEW'S STATE TODAY

ON 11
8
AND
PITCHES HEY!
HEY! WITH THE
CITY SLICKERS!
"PLUCKER"
THE FARMER'S DAUGHTER
See Paramount's new fun panic
with
MARTIN CHARLES GERTHIE
RAYE RUGGLES MICHAEL

IN Person
The popular movie, musical
comedy and radio star!
JOHN BOLES
FRANK GABY
CIRO RIMAC
PAN-AMERICAN REVUE
CHARLEY BOY JUANITA & CONCHITA
FRANK CONVILLE
FREE CARDS

Come and witness
all sorts of
by "Toby"
in the "Horseplay"
using his handker
in the "Horseplay"
Can you imagine a top who's
kisses his bride for an
wedding night?
The
Amazing
MR. WILLIAMS

TECHNICOLOR
GULLIVER'S TRAVELS
A PARAMOUNT PICTURE • PRODUCED BY BOB FLAHERTY

MELVYN DOUGLAS
as the fish, queen who
won't lose
Joan BLONDELL
as the kidnapping bride who has her fate
The
Amazing
MR. WILLIAMS

METROPOLITAN **THE GREAT VICTOR HERBERT**
Nelson Eddy
Victor McLaglen
Mary Martin
Walter Connolly
The BIG GUY
The SECRET OF DR. KILDARE
Low MYERS • Lloyd DANNYMORE • Helen GILBERT



G. S. Harrison Becomes Harris Amus. Co. Treas.; Theatre-Exchange Briefs

Pittsburgh, Feb. 20. After 27 years as auditor for Harris Amus. Co., George S. Harrison has resumed to become the circuit's treasurer upon his return next month from a vacation in Florida. George Harrison, formerly with Main company of accountants, replaced him. Harrison went with the audit in 1912 under his original foreman, the late Senator John F. Harris and later under his brother-in-law who died here just a few weeks ago after being recalled for 14 years.

National Screen Service's new subsidiary, Advertising Associates, is describing several of the ad sales employees at those two exchanges. Harry Irving, with Golda Mandell, Parshaw, and Paul Steinfeld, of RKO, Indianapolis. Bob Clark, an ad sales manager for Par and son of Duke Clark, Par is Cleveland, will be getting elsewhere in the branch. Perry Lane Wayne, of Par, hasn't seen taken care of. Jack Judd and Jerry Nathan are the local reps for NSE, with John Scott in charge of office.

Second annual "Good Will" Get-together of Main Line film exhibitors and exhibitors of that district will be a stag at Puma Hotel in Albany, N. Y., April 5. Convention charges include F. D. Moore, WB, New York; Carl George Elmer, Par and Jack Judd, NSE. But Bishop, Jr., M-C exchange manager, will be absent.

Andrew J. Mayer elected president of M-C-P organization of Pitt employees for 1940. Other officers are: vice-president Ted Tolney, secretary, Beverly Seaman, treasurer, John Feinstein.

Sam Brownson, indie exhibitor who died couple of months ago, left estate of \$10,000. Brothers, Leo and Harry Brownson, also exhibitors, named executors. Ruth Kane, wife of A. B. Kane, veteran Philtrix exhibitor.

hls, is a candidate for the State Legislature from his district....Joe Smith, local realtor....Monsieur salesman, is now a distributor for a shock manufacturer....Ernest Foss, local distributor for a theatre, sent to Indianapolis as treasurer at Low house there during run of "Gone With the Wind".

WB, Lamore, Buys Theatre. Johnstone, Pa., Feb. 20. After a spirited fight for control during which the bids rose from \$20,000 to \$100,000, State theatre here was sold last week to Warner Bros. production line. Only other bidder was Mike Mann, indie chain operator in western Pa.

Purchase of the property by WB also involves the assumption by them of a mortgage for \$100,000 held by William A. Cook, trustee of the Baltimore estate. Warners previously had paid \$100,000 for the building at an annual rental of \$22,000, which would have expired in May, 1931. Building which houses theatre has two storefronts on first floor, apartments on third and fourth stories.

Neanderhubs Active. Johnstone, Pa., Feb. 20. Felts Neanderhubs, theatre manager of Metro here, comes out of a three-year retirement to enter the business of the theatre with Murray Bask.

James J. Freeman, will concentrate on Chicago and midwest service for time being.

Bonds Behind Suit. Johnstone, Pa., Feb. 20. Attorneys have been ordered to file briefs in the action of a stockholder of the theatre, brought by Murray Bask, Co. to compel an inspection of the books of the theatre.

Declarations that Walter Rouse of New York and Arthur Park, operator of a chain of Jersey and N. Y. theatres, was behind the suit were aired Saturday (17) at a hearing.

ing before supreme court Justice Joseph P. Verrill. Mr. Havin R. Pratt, of Arthur Park, holder of 50 shares of Toms River stock, sought a writ of compulsion to force the books. Justice Verrill reversed decision and ordered brief filed.

The Toms River company operates the Trace theatre, Toms River (N. J.) territory. It is in company with the Community in that municipality. Arguments between the Toms River company and Mr. Pratt, and Howard Ewart, counsel for the company, were heard by Justice Rouse was behind the suit to pry into the company's local affairs.

Rebels Old House. Huntington, Ind., Feb. 20. The Huntington, which stage Maude Adams appeared in its 1934 opening in the "Lovers' Progress" and other famous actors, is closed for rebuilding of the entire interior. The stage, measuring 1,000-pounds asbestos curtain, the balcony and the first floor, including the stage and adjoining staircases, will be ripped out. New floor, new arched roof, new lighting and other features will be installed. Pictures billed for the reopening, which will be held by May 1, will appear at the Jefferson, owned by the same corporation.

RKO's Buys
Continued from page 1.

in it. It will go before the cameras in about six weeks.

Another \$50,000 purchase was Carl Van Doren's biography of Benjamin Franklin, one of the best known on the subject ever written. RKO had put \$5,000 down for an option on the same time when it was to lift it last week. Warners, several months ago, announced it would do a Franklin picture, based on an original script, with Edward G. Robinson in the title role.

Charles Laughlin is the writer of the RKO version, with Erich Pommer producing, to reunite the pair who were formerly together in the "The Sign of the Cross". It was RKO's original intention to split the cost.

There were two purchases at \$40,000 each. One was "Tales of the Arabian Nights" by Theodore Dreiser published about 20 years ago. Edgerton has long been interested in this and took an option on it while he was in Universal and the picture has been considered at one time or another by virtually every company in Hollywood, but consistently raised by the Hays office because of improprieties by the central figure character. The picture was written, however, with the Hays staff last year by D. A. Dorn, now with Columbia, and Edgerton's version, Miss Lombard will probably be in it.

Another original drew the second \$40,000. It's "Half a Hero", by George F. Gammon, who has the rights for Laughton and which Pommer will also produce. Novel published last year, "The Unforgettable Miss Dill", by George Prentiss, cost \$25,000, although it never reached the publisher's edition. It will be Miss Lombard's second for RKO.

Novels
Two other novels were also bought. A new one, published just last year, is "Hondo" by Louis L'Amour. RKO paid \$15,000 for it. It was published in England some time ago. Laid in Burma, Paramount showed some interest in it for Dorothy Lamour, but it laid pass. The last novel is "The Sign of the Cross", which will be the last of the "Water Gypsies", published about 10 years ago. It has been talked of by Paramount and during the last year and held for a time by Hal Roach. RKO handed over about \$10,000 for it.

Purchases by RKO make it appear certain that RKO has now reached, at least for now, and that it has spent a total of \$550,000 in 1939, topping all other companies. Among the purchases was \$50,000 for "Kitty Foyle", which will be on next week's program; \$250,000 for "American Way", for which a treatment is now being prepared, and \$250,000 for "Abel Lincoln", now in release. Couple years ago it paid \$250,000 for "Rosa Service", highest figure ever paid for a play in recent years.

STORY BUYS
Hollywood, Feb. 20. Frank Capra purchased "Son of the Frank" by Jeanne Benoit. RKO bought "Three Way Justice" by Jack Roberts and Arnold Beland.

20th-Fox acquired "I Married a Nazi", written by Oscar Schmagel as story, but based on alternate story. Republic purchased "The Comp-De-Boy Girl", by T. R. White.

Inside Stuff—Pictures

Despite the offers and interest by virtually every studio, the few people who own the production of "Life With Father" refuse to entertain any thought of selling it at this time. The studio is waiting for negotiations. DeMunnich is to write all the profit from an \$800,000 production for several years before cutting its life short by a big sale. Serialization of "Father" characters for radio, for which producer Oscar Berlin has been selected, has likewise been stated because of the possible big sale.

Owners are Howard Lindsay and Russell Crues, who wrote it; Oscar Berlin, the producer, and Mrs. Charles (Peg) Day, widow of the author of the scenario from which "Life" was adapted. Lindsay and Crues, not desiring to sell, as he and his wife, Dorothy Blitchey, have the top roles. In addition to their royalties, it is understood they are getting \$500 a week salary.

Part played by Verree Teasdale in Metro's just retaining "I Take This Oath" was originally done by Sam Chalmers and the ending change was made to have cost the studio nearly \$100,000. When the picture was rescheduled after being on the shelf for about a year, Miss Chalmers was asked to do the scene. When she asked for \$25,000 to do the scene, Metro execs considered bringing charges with the Screen Actors Guild.

However, it was figured that even if the actors were forced to do the scenes for nothing she could deliver production by substituting some one else. She wanted to make trouble. So rather than give in to the \$25,000 demand, Metro turned over the part to Miss Teasdale and rushed all the scenes in which Miss Chalmers had appeared.

The Grace Moore School of Singing, Inc., has been chartered in Albany to operate educational institutions for music, etc., with principal office in New York. Directors are Grace Moore Purvis and her husband, Valentin Purvis, Hollywood; attorney Milton Diamond, N. Y. City.

Plans which have been made by 20th-Fox for some time to do a picture on the life of George Clemenceau, French premier during the last war, have been dropped. Studio decided it is too fraught with political complications at the moment.

Edward Small had Charles Vidor on an instant from Columbia under such advantageous terms for "My Son, My Son", that the producer voluntarily brought the fee up to \$10,000 as reward for the job Vidor did.

Steiner Sees Morris
On 'We, People' Deal
Hollywood, Feb. 20. Ralph Steiner filed suit yesterday (Tues.) in N. Y. supreme court against Berni Morris Productions, Inc., for breach of contract. The charging breach of contract where he was engaged Dec. 1, 1939, to direct "We, People" for Morris.

The employment contract called for a period from Dec. 1 to May 31, 1940. It was to receive \$10,000 a week, plus \$10,000 for the first 60th and sixth month, when he was to get \$20,000. Steiner was also to receive 10% of the net profits, but not in excess of \$10,000.

It is alleged that he received \$500, and was paid more than that, and that expenses were not taken care of. A warrant of attachment on Morris' property has been applied for.

TITLE CHANGES
Hollywood, Feb. 20.

"There Were the Days" is release as Paramount's "Good Old Days". "Rings From the Big House" new Paramount rewritten from "The Power of Hell" "The Sign of the Cross" is now "The Sign of the Cross". "The Sign of the Cross" is now "The Sign of the Cross". "The Sign of the Cross" is now "The Sign of the Cross".

Philly Crisis
Continued from page 1.

It attracts less than some of them find it difficult to compete with the chain with straight pic because of the lack of interest in the value of the names have over their heads. The Helms, an indie in the extreme market, has the city, has added four titles to its present five-movie operation on the percentage basis. The new plays made on Saturday afternoon and may extend it to the whole weekend.

Musicians' League has been picketing Warner's Earle and Fox, towns, and six key names, since the chain dropped his hands. The union claims to return its members to all eight of these houses, while Warner wants to hire musicians any where it intends to follow a vague policy.

NEW Indictment
Chicago, Feb. 20.

Michael J. "Umbrella Mike" Burke, v.p. of the International Brotherhood of Electrical Workers union here, was indicted last week and charged with violation of the Sherman Anti-Trust law. Burke union has control of all electrical appliances man working around theaters in Chicago.

However, the present indictment has no association with show business, but is based on alleged connection with the building industry.

FORD'S ARGOSY PIC VIA WANGER FOR UA

Hollywood, Feb. 20. Deal has been set by newly-formed Argosy Corp. for production and distribution of "The Argosy" by Walter Wanger as one of his releases on the 1940-41 schedule of United Artists. Film will be directed by John Ford, who has an important interest in Argosy.

Wanger is in negotiation of Eugene O'Neill's novel, "The Long Voyage Home". Screenplay is being prepared by Dudley Nichols, with production set to start in April.

Admissions

Continued from page 1.

an advanced admission price, Metro executives consider the low price would tap a hitherto untapped source of revenue and cultivate a new following. Metro executives, who declared, have not attained the maximum of circulation in this picture. They want to do so if the admission charges were within the reach of all.

The two new outstanding attraction at an advanced admission, the Labor Secretary asserted, would be the headline from the theatre for a couple of weeks. As proof, she pointed out that Jim Henson playing opposition to "Gone" had suffered at the boxoffice. Her belief, she said, was that lower prices would increase the number of patrons and increase the frequency of their attendance.

Disunion. The question of foreign actors in Hollywood, Mexico explained to Min Perkins that the picture industry uses only such talent as is in the headlines, following the old example of the opera, concert and legitimate theatre. "You have to go the way," he said, with the use of suitable American artists, writers or directors. "Film picture."

AUCTION

By Order of U. S. District Court, Southern District of New York.

Will sell the entire contents of

GRAND NATIONAL PICTURES, Inc.

7250 Santa Monica Blvd. Hollywood, Calif.

To be sold by public auction, under the supervision of the undersigned, the following property of Grand National Pictures, Inc., consisting of:

— Motion Picture Equipment —
— Office Furniture and Equipment —
— Automobiles —
— and other personal property —
on **WEDNESDAY at THURSDAY, FEB. 22nd, 23rd, at 10:00 A.M.** at the residence of the undersigned, 645 West Eighth Street, Los Angeles, California.

JOSEPH HARRINGTON, Jr., Auctioneer.

New York Theatres

THERE'S A BETTER SHOW AT THE

THEATRES

WALTER WINCHELL SAYS

ROBINSON

DR. EHRLICH'S MAGIC BULLET

GONE WITH THE WIND

With these magnificent new musicals, the A. S. W. Co. will be showing something new and different from anything else in the city. The A. S. W. Co. will be showing something new and different from anything else in the city. The A. S. W. Co. will be showing something new and different from anything else in the city.

CHAS. LAUGHTON and VIVIAN LEE
"SIDEWALKS OF LONDON"

PARAMOUNT

State

MUSIC HALL
"ABE LINCOLN IN ILLINOIS"
with RAYMOND MASSEY
Spectacular Stage Productions

"THE GRAPES OF WRATH"

FOUR SONS' AGAIN

Your first is up for remake at 20th-Fox. It goes to Archie Mayo for direction if script shapes up. Fox first made it in 1928 with sound.

BIGGEST WEEK-END BUSINESS ON BROADWAY IS PUBLIC'S ANSWER TO GREATEST OVATION FROM CRITICS FOR ANY PICTURE IN 10 YEARS!

Takes first rank among cinema's
melodramas."—Howard Barnes, *Herald-Tribune*

"A splendid film. New York will endorse it heartily."
—Frank S. Nugent, *New York Times*

"A memorable, beautiful, vivid film. Must be seen
without fail."
—William Bushnet, *World-Telegram*

"A most vivid and powerful picture!"—Kate Cameron, *Daily News*

"A forceful picture. Vigorous drama told with absorbing
intensity!"
—Rose Pelwick, *Journal-American*

"Fine picture. Excellent drama!"
—Eileen Creelman, *Evening Sun*

"Excellent! Highest rating! Fine quality...
directed in brilliant fashion!"
—Archer Winston, *New York Post*

YOU CAN'T MAGNIFY
ITS IMPORTANCE
TOO MUCH....

and, of course, with
crowds like these it's
HELD OVER
FOR 2nd WEEK!

HAL ROACH presents
**OF MICE
AND MEN**
by JOHN STEINBECK

with
BURGESS MEREDETH • BETTY FIELD • LON CHANEY, Jr.
Produced and Directed by LEWIS MILESTONE
Associate Producer Frank Ross • Screen Play by Eugene
Solow • RELEASED THRU UNITED ARTISTS



BOX OFFICE REPORTS

—Introduction—

As announced in last week's issue of VARIETY this publication is making an effort to set up and organize a radio equivalent to 'box office reports' which VARIETY pioneered years ago for the stage and screen. VARIETY clearly recognizes there is only a superficial resemblance between the radio index, imperfectly begun, and the text, but the introduction, and the stage-screen reports. The purpose is different and the circumstances even more so. Whereas b.o. estimates (see pages 7-9-10, also 45), for pictures or legit reflect the direct, measurable response of the public to individual entertainments (an analogy to the U. A. B. would be clever), the radio department is an attempt to give an introductory division method of measuring city-by-city, week-by-week contract placement activity.

Frankly VARIETY has no way of knowing how valuable this service may be. If it is not worthwhile it will be dropped. If it clicks, it will be continued and expanded. The reaction of the broadcasters on the one side and of the sponsors and advertising agencies on the other will be the determining factors.

However, it has been felt, by others as well as VARIETY, that some workable box office system could and should be very vital to the industry with bread and butter. This then is a trial balloon. All flaws are cheerfully confessed in advance. All suggestions will be gratefully considered. This first compilation should be looked upon merely as a working sketch of what VARIETY has in mind.

CHICAGO

(WAAZ, WBBM, WCFL, WENR, WGN, WIND, WJJD, WLA, WNAQ)

Network	Local	Nat'l-Regional	Total
Units	Units	Spot Units	Units

Last week..... 5,100 10,600 30,800

Chicago, the New York City, is dotted with stations that are purely local. The gross figures above are inclusive of the network's gross and such purely local broadcasters as WAAZ and WCFL, but there are, and will be, omissions. These first figures are of no great significance since they exist for the moment in a vacuum without comparative basis with time alone can provide.

Next week will include a bird-eye view of the town in terms of placement.

CINCINNATI

(WCPO, WCRW, WLW, WRBI)

Network	Local	Nat'l-Regional	Total
Units	Units	Spot Units	Units

Last week..... 4,800 1,251 5,125 13,906

Frequently rated 'America's best radio city' (claim Harlow, St. Louis, Kansas City and Newark might dispute Cincinnati is important to time-buyers—with emphasis. The

HOW UNITS ARE FIGURED

The system of computation followed, in place of dollar value, is to credit every commercial minute at one unit. As hour is thus 60 units, a half hour 30 units, and so on. Call hours, time signals, spot announcements are credited at one unit each. The unit is considered as up to and inclusive of Saturday.

figures given above for the week ending Saturday, Feb. 17, do not include WCKY, due to the absence of L. B. Wilson in Florida. It is expected that this station will be included hereafter.

In Cincinnati, as in the other markets reported, there will be appended to the unit figures each week a running commentary on the commercial activity in town. This will occupy the space of this present explanation.

DENVER

(KFEL, KOA)

Network	Local	Nat'l-Regional	Total
Units	Units	Spot Units	Units

Last week..... 2,585 1,897 1,000 6,490

Due to the shortness of time and the newness of the present survey, VARIETY has not received figures from the other Denver stations at press time. All the present tabulations are tentative, and the charting of the curves will not begin in earnest until the permanent terms of the index reports are set.

DES MOINES

(KENT, KSO, WHIO)

Network	Local	Nat'l-Regional	Total
Units	Units	Spot Units	Units

Last week..... 1,770 2,433 3,300 14,703

Des Moines is a pre-eminent radio city in the farm country and enjoys a prosperity stoutly reflected in the above totals. A detailed commentary on the placement situation will be included hereafter. This Des Moines report is entirely complete, and a comparison with the previous week's business this city (see last week's VARIETY, page 31) shows trends in all business categories.

HARTFORD

(WHTT, WTIC)

Network	Local	Nat'l-Regional	Total
Units	Units	Spot Units	Units

Last week..... 1,994 1,460 1,500

Long the classic 'test city' of radio, the inclusion of Hartford was a first thought. WDBR has stated that it will cooperate, but is not included in the above figures, as the deadline arrived before Bill Malt's broadcast.

KANSAS CITY

(CKCN, KCMO, KITE, KMBC, WDAF, WIB)

Network	Local	Nat'l-Regional	Total
Units	Units	Spot Units	Units

Last week..... 3,555 2,697 3,600 17,135

Another lively radio town where the barometer will, it is

hoped, be an even watch. Meanwhile, the new barometer report on radio station bill based on the power-unit system shows time almost evenly divided between the three departments—local, sponsored, and commercial, and overshadow the others, as it is gathered from only four stations, almost all from the city.

Summary shows total point lead to network stations, and greatest share of their volume comes over the chains by more than two-to-one against any other one division of their own.

In tallying, stations reported that weekly totals are more or less constant figures within each individual station, and that the weekly totals of 100 points per week is not likely at all seasons of the year.

By coincidence, Jack Stewart of station KCMO disclosed that the week ending Feb. 10 netted the station its best single week's revenue in the history of the station. This followed the station's jump to 5,000-watt power Feb. 3. Clarence Brazill, business manager, also stated that business for December, 1939, was an increase of 44% over December, 1938, and that January, 1940, stepped up 35% over the same month of 1939.

KCMO has the Jones Store Co. on a 25-week contract. The store, tied-in with Frigidaire, is sponsoring a 15-min. newcast at 9 a.m. six days per week. In addition, store gave a commercial spot announcements distinct from the Frigidaire tie-up.

Peck's department store also signed for a 500-announcement contract to be used within the year. These are going for store promotion in the country. Club has secured a baseball scoreboard for 26 weeks. Canada Dry bought half hour Sundays 32 times.

LOUISVILLE

(WCRC, WHAS)

Network	Local	Nat'l-Regional	Total
Units	Units	Spot Units	Units

Last week..... 1,600 1,840 4,491

Another important market which is included in this tentative sample, although one station, WAVE, was absent at press time. It is hoped to have the missing station included.

NEW YORK CITY

(WJW, WMCA, WNEW)

Network	Local	Nat'l-Regional	Total
Units	Units	Spot Units	Units

Last week..... 100 6,948 7,008 14,052

This is a mere corner of the New York City story. As with the other reports in this issue the station's sample.

ST. LOUIS

(WEW, WLW, WTVN)

Network	Local	Nat'l-Regional	Total
Units	Units	Spot Units	Units

Last week..... 7,607 1,000 1,000

None of three stations reporting to date has network affiliation. Hereafter the agencies are expected to cooperate. If not, St. Louis will probably have to be disregarded by the index.

The number of cities and the final form of these reports is in no doubt determined.

Comment and criticism is invited.

Sinclair Oil Co.

Sponsors News From Europe

For the first time since Columbia Records' European Sound-Up last September, the network has agreed to have a commercial directly identified with the sponsor. The European Sound-Up is taking over sponsorship of the 6-7-11 p.m. period three weekly, and will get a plug at the beginning of each of the program. There will be 60 stations in the hookup.

Come is currently being used in the foreign correspondence period on the basis of five days a week. This program expires in a couple of weeks.

While Camel pays for the full 15 minutes it has never been identified with the sponsor of the European broadcast and has been limited to a minute and a half plug prior to the above plugs.

Sinclair's sponsorship schedule consists of Monday, Wednesday and Friday. A domestic sale will be included.

ROTHAUFF & RYAN PREPARE BIG ONE

Rothauff & Ryan is working on a new and expensive half-hour show for presentation to Lever Bros. Agency states that it's just the usual scouting and has nothing to do with Swan, the new Lever product which is pointed to compete with Ivory.

Jerry Smith, producing Cowboy, has a new program on WOL, Des Moines, for the Stellar Music House of Ottumwa, Iowa, for Regal guitars.

MUZAK ADDS 73 MORE OUTLETS IN NEW YORK

Muzak, wired broadcasting system, last week assumed the servicing of 73 outlets in New York city formerly supplied with piped in music by its competitors, Tele-Musik and Tele-Programs. Latter company had been reported as absorbed by Muzak but the above arrangement is the only answer to query put to Muzak. Tele-Musik and Programs had been using an estimated \$5,000 per month. Drop-out of Tele-Musik leave the World Broadcasting, Inc. library without a wired outlet in New York. Muzak is a subsidiary of American Records and of old and new radio stations have had the latter's output. Wholesale Muzak has been operating Tele-Musik.

Tony Martin, Casa Loma On Liggett Store Discs

Walter Craig, of Street & Finney, is recording another series of quarter-hour transcriptions for use by three drug stores, in connection with their semi-annual f.e. sales. Series consists of one disc to be played every night before the sale starts and one each day for four days it continues. About 300 titles.

Glen Gray Casa Loma orchestra provides the music and Tony Martin the singing. Basil Baurdel, who goes with the team, having been on all previous series, will be flanked by a Boston musician, Fred Cole, who fronts the Liggett firm, which headquarters in that town.

This series is being recorded at NBC, not Woburn, as heretofore. Also, Benzel is giving a credit line to Ethyl Gas for the borrowing of Tony Martin. Never did that before.

Outline 2 Series For Playwrights' Radio Programs

According to tentative plans of the Playwrights Radio Co., there may be several different programs using the works of Robert B. Sherwood, Max Anderson, Elmer Rice, & N. J. Library without a wired outlet in New York. Muzak is a subsidiary of American Records and of old and new radio stations have had the latter's output. Wholesale Muzak has been operating Tele-Musik.

As theoretically outlined, the series of separate 15-minute units would include Sherwood's 'Road to Rome' and 'Queen's Husband,' plus an original work by a writer, specified as being Anderson's 'High Tor' and 'Both Your Houses,' plus an original work being written by 'Counselor-at-Law' and 'On Trial,' 'Behman's 'Biography' and 'Masters,' Howard's 'Late Christopher Bean,' Eugene O'Neill's 'The Straw' and an original by Arch Oboler. Figured there are plays by five Playwrights Co. members, which should last at least a full year.

According to Henry Sherwood, who is handling the radio series, the material, the series of 40-60-minute units will be priced at around \$1-500 per play, but the actual production time. Authors of the original plays will get a flat sum for the use of each work and will be paid a larger amount for all scripts written especially for the series. Outside

writers and directors will also be paid per script or production, rather than a lump sum.

Four surviving Playwrights may serve as much control of the radio versions as they wish. It's stated, in some cases may pay amount to a percentage of the script or the production, or the show in question is an original or an author's part work, he may maintain direct supervision. Primary aim, the dramatists explain is to have a feasible script. Members are also determined not to let their radio activities interfere with their work in the theatre. All have agreed not to release any of their work to outside agencies pending conclusion of the present plans. That decision stemmed a proposition by Elmer Rice for the serialization of his 'Counselor-at-Law.'

Medicine is reported not interested in authorship for radio. Rice says he doesn't know anything about air play and apparently doesn't care much. Anderson has written a new play, 'The Road to Rome,' and is understood ready to present his first radio script for 'Cavalade of America' and is slated for an original for the proposed Playwrights series.

SHIRLEY TEMPLE'S DAD PROMOTES RADIO IDEA

Hollywood, Feb. 20. Correspondents and the mag writers will hash over pictures in bits in a half-hour program now being framed for a local broadcast. Temple's father, John, and Jack Sherrill hatched the idea. Vic Knight produced the series. The program will be devoted to roundtable discussions on whatever makes news along the cinema front, with questions from films and a literary called in for the weekly changes. In the regular lineup will be Bob Wagner, United Artists; Guy Herrick, Look; and Marilyn Cooper, fashion writer.

Vic Lindlahr Draws Rebuke From Commish

Washington, Feb. 20. Misrepresentation in radio advertising is charged to Purity Products, Inc. of Newark, in the case of a popular program known as 'V-Bee.' Federal Trade Commission has charged the company, which publishes the 'Journal of Living'—on a complaint that Lindlahr had been charged with advertising, was guilty of misleading the radio and press public.

Medicine is reported not interested in authorship for radio. Rice says he doesn't know anything about air play and apparently doesn't care much. Anderson has written a new play, 'The Road to Rome,' and is understood ready to present his first radio script for 'Cavalade of America' and is slated for an original for the proposed Playwrights series.

Commission granted the Newark firm 30 days in which to file answer to the lawsuit.

Bill Lewis to L.A.

Bill Lewis, CBS v.p. in charge of programs, has given up his contemplated vacation in North Carolina and instead will leave this week for the Coast.

It's a program that is to be auditioned for a network account.

GREEN BAY UNIT MAY SIGN AFRA'S ORGANIZATION OF SMALLER TOWNS

Meantime Actor's Union Wins Arbitration in Chicago, Holds Pledge to Elective Method, Harmonizes Chapter Differences

Green Bay, Wis., Feb. 20. Unionization of announcers, production staffers, and a number of executives at WTQA-WBBM into a Green Bay-Affiliate unit of the American Federation of Radio Artists occurred last week. The management asserted there was no previous knowledge of grievances and the unionization movement appeared without warning in the absence of the station's general manager, Hayden Evans. There were some 11 employees involved and the vote to set up an AFRA unit was reported to have been 10-1.

Beyond its immediate significance as a local event, the impetus laid here is that this is the first of the invasions of smaller cities by AFRA. As such it will attract wide attention in broadcasting circles and in labor circles. It bears out the draftless line reported a year ago when AFRA was organized out of the networks and advertising agencies in N. Y. Unionization of the engineers at WTQA-WBBM is expected to follow this development.

David Ray, an itinerant who was fired by the station as a result of a mail strike in November and later graduated into an announcer (also handling a radio show), was the one who was brought here from WGGY.

AFRA's 1st Year

Under the AFRA commercial code, which has been in effect 13 months this week, or the sustaining code, which is 16 months old, there hasn't been a single violation of individual contract dispute. Very difference between the two forms of contract has been amicably settled, usually by telephone.

According to the union, this is conclusive evidence of the fairness and practicability of the code which was originally proposed by the networks and agencies during negotiations.

Minneapolis, where he was an announcer, organized the local unit, calling upon an AFRA field man to set up. Question immediately arose concerning the status of the five members of the billings group called the Elmer's Sales Agency and a former act. The Two Rangers, both of which were brought here from WJAZ, Yankton, where Hayden Evans formerly was commercial manager. Foster Stan, head of the group, was ruled eligible under the status of an m.e. Others were left outside the unit.

Stations have an eight-place orchestra, the Farmhands, directed by Herman Daumler, under its agreement with the Musicians Union.

Arbitrate Chi Triangle

Dispute between the American Federation of Radio Artists and the networks over the status of local announcers in Chicago will be arbitrated within the next week in New York. The case was filed last Friday (16) by the American Arbitration Award tribunal which arbitrated the question of whether the issue was arbitrable. Ruling was a victory for the union.

The dispute grew out of a question of interpretation of the AFRA commercial code, under which the networks and stations agreed to a postponement establishing the Chicago rates pending further negotiations. The network proposed that the origin point of the rates be the network's rate. AFRA has sought to establish a special rate for Chicago announcers, but the network had argued that the matter was one for negotiation, while AFRA claimed it should be arbitrated. The AAA decision calls for arbitration before the board consisting of Wesley Karpas, George Z. Medall, Nathan Isaacs.

Referendum on Elections

Meanwhile, all votes in AFRA national referendum on the proposed amendment to the constitution, covering nomination and election of

members of the national board, are due in today (Wednesday), with the return slated to be announced Feb. 28. However, because of the recent emergencies which have delayed the mail dates may be set back a few days.

There are two amendments under consideration, either one of which may be selected, or, if both are rejected, the present method of nomination and election will stand. The proposal calls for nomination and election of board members by the local units with the number of members determined according to the numerical strength of the locals. Second calls for nomination of the local and election by the delegates to the national convention. Present method is nomination and election by the delegates.

This week's national board meeting, which was held in Chicago, the past transcription code will be considered, will be held Friday (23), instead of tomorrow (Thursday), the usual day. Expected that, following his huddles with officials of Columbia, General Electric, and RCA executive-secretary, will present the board with terms agreeable to all chapters. There had been objections by certain local groups to some provisions of the code previously approved by the organizing committee, but Heller is understood to have ironed out the details during his recent trip west.

Expected that when the revised code is passed on by the national board it will be recommended to the co-ordinating committee, after which the board will present it to the various local units. The code which will be made the basis of negotiations with the networks, agencies and stations, is expected to be passed by some weeks before that takes place.

The AFRA's San Francisco local unit signed a contract with Station KQW, San Francisco, subject to approval by the union's legal department.

KATE SMITH STOPS USE OF HER NAME

Kated Corp. and Kate Smith won a stipulated judgment on the first day of trial before supreme court justice Samuel I. Hofflander in N. Y. Friday (16) and another day in N. Y., doing business as Smith Co., agrees to use the name of Kay Martin Smith, in her business connections.

The singer had protested the defendant's selling of women's wear as a stipulated judgment on the first day of trial before the public, and an indication that the singer was getting the enterprise. At the junction and an accounting of profits had been used for. Both of these actions of the action were dropped in the settlement.

Writers Guild Win Closed Shop in Pact With Los Angeles Disc-Makers

Hollywood, Feb. 20. Transcription companies last week agreed to 100% full payment for radio writers' work, approved by the Basic Agreement as drafted by Radio Writers Guild committee. Few not in the pact.

The agreement of RWG as exclusive bargaining rights for all persons who write or sell material or ideas in the radio field, and the use of transcription is provided in the instrument. Also inserted is a clause providing that every writer, freelance, staff or otherwise classified employed by the company shall be a member in good standing of the union.

Sale of material will be presumed to be a leasing of transcription rights only unless additional payment is provided for either right. Speculative writing is banned unless writer receives a minimum of \$500 per week. Minimum rate for open and shows for each quarter hour is fixed at \$20. Rate for closed shows will be 10% of gross cost of production unless it is less than open-end rate, in which event latter rate prevails. Minimum of \$50 a week is fixed for staff writers. The open-end rate is contingent on number contracted for. All differences and disputes will be settled by arbitration. Writers were represented in the contract drafting and signing by Forest Barnes, RWG lawyer; John Boyer and George Aubrey Fink and George Bodla.



VADEBONCOEUR

Twelve years of newspaper experience give WBFR's news commentator, RadioNews, an extensive background for interpreting news of the day. His "New Slants on the News," sponsored six days a week, is rivaled in popularity only by an evening spot built along the same lines and available for sponsorship.

U.S. RADIO DELEGATION BACK FROM SANTIAGO

Five U.S. delegates to the Inter-American Radio Communication Conference held in Santiago, Chile, returned to N. Y. Wednesday (16). They are Gerald C. Green, chief of the International Section of the FCC; E. K. Jett, FCC chief engineer; Lloyd Simpson, of the Civil Aeronautics Authority; Captain Wesley T. Guest, U. S. Army, and Arthur L. Bunting, assistant secretary of the American Radio Relay League.

Delegates said the conference took on a decidedly commercial broadening, but concentrated on a re-allocation of bands for aircraft transmission.

Martin Block's Ballroom Has Pittsburgh Rival

Pittsburgh, Feb. 20. WWW now airing Martin Block's "Make Believe Ballroom" on six mornings weekly for 18 minutes, with bakers of NBC brand broadcasting. First contract is for 13 weeks, with McCann-Erickson agency spot-billing.

Trammell Sun-Baking

Niles Trammell, executive v.p. of NBC, left last Thursday (15) for Mexico City to try to shake off the remnants of an attack of flu he suffered several weeks ago.

He expects to be back next Monday or Tuesday (27).

From the Production Centres

IN NEW YORK CITY

Haydn Evans is town last week secured sponsor option on his new show, "Add 'Em Up" ... He collects \$100 a week from West India office. Office has two contracts set, which he probably closes within a day or two after his return ... Carl Bush, former's closing writer of the "Evening Window" series for Black-Hill-Sampson-Hummert, is now scripping "Woman of Courage" for Benton & Bowles.

Charles Stark has the commercial assignments on "Strange As It Seems" (Palmolive) (Shirley Green) ... Bill Stewart becomes assistant to Young & Rubicam's publicity head, William Jenkins, on his return from the Coast in April. Stewart's been directing the show and show series.

NBC's recording division dropped biggest E. Y. order in history, Bureau of Census' "Uchka Sam Cullings," which will be turntable on 600 station, as they plan has Dorothy Lanner produced in for Radioactive ... Feb. 20. Bill Kotha over supper ... Mutual's "Cash-on-Delivery" program delayed from Feb. 14 to Feb. 20.

Henry Franklin set Charley Kasper for another seven weeks on the Tommy Riggs Quaker Oats show ... Fritz Block, of Chicago, was in town last week to see Ann Hummert ...

Albert Weiss has Dorothy Lanner produced in for Radioactive ... Feb. 20. Bill Kotha over supper ... Mutual's "Cash-on-Delivery" program delayed from Feb. 14 to Feb. 20.

IN CHICAGO

Raymond Massey's "Lincoln" did not employ actors from legit after all ... Henry Franklin set Charley Kasper for another seven weeks on the Tommy Riggs Quaker Oats show ... Fritz Block, of Chicago, was in town last week to see Ann Hummert ...

Albert Weiss has Dorothy Lanner produced in for Radioactive ... Feb. 20. Bill Kotha over supper ... Mutual's "Cash-on-Delivery" program delayed from Feb. 14 to Feb. 20.

IN HOLLYWOOD

Danny Devito to Chicago for confab with P. K. Wrigley and Les Allen for Gene Autry renewal. Meets John J. Barry, comes from N. Y. to see Amos-Archie AGO program. In contention are George McGarratt, Herb Pollock, Ken Niles, Sam Moore and Harry Conn ... Anne V. And's announcement ... Fritz Block, of Chicago, was in town last week to see Ann Hummert ...

Albert Weiss has Dorothy Lanner produced in for Radioactive ... Feb. 20. Bill Kotha over supper ... Mutual's "Cash-on-Delivery" program delayed from Feb. 14 to Feb. 20.

Henry Franklin set Charley Kasper for another seven weeks on the Tommy Riggs Quaker Oats show ... Fritz Block, of Chicago, was in town last week to see Ann Hummert ...

IN SAN FRANCISCO

Pitch Bandwagon will air from here March 3 with Ray Noble on board ... Ward Ingram, Sales Manager, and Bill Point, Manager of KFPC broadcast ... KFO-KGO-Comstock Diamond Jubilee Show will be repeated at the Auditorium ... Fritz Block, of Chicago, was in town last week to see Ann Hummert ...

WOR'S NEW LAUGH TRY

"Comedy Boy" Lines Up Several Gags for Top-Time Show

WOR, N. Y., which has had a pretty big comedy show for years, is trying again with its new "Friday Comedy Boy" ... Fritz Block, of Chicago, was in town last week to see Ann Hummert ...

Sun May Use 2d Show

Sun Oil is again reported to be in the market for a new show ... Fritz Block, of Chicago, was in town last week to see Ann Hummert ...

Music Librarian's Accident

Buffalo, Feb. 20. Foot operation resulted in loss of two toes ... Fritz Block, of Chicago, was in town last week to see Ann Hummert ...

CBS STAFF DIRECTORS AND THEIR PROGRAMS

Edmond Cashman
"Concert in Rhythm"
"Ray Broadcasts"
"Al Bernard's Merry Minstrel Men"
Alton Barker
"Gay Nineties"
"The Pretence"
"March of Fools"
"Tales From Far and Near"
"American School of the Air"
Norman Corwin
"Pursuit of Happiness"
George Jessel
"Elmer Queen"
"Toll Music Program"
"American School of the Air"
Brewster Morgan
"Frontiers of Democracy"
"American School of the Air"
"Human Adventure"
Earle McGill
"American at Work"
"This Living World"
"American School of the Air"
George Allen
"New Horizons"
"American School of the Air"
William N. Robson
"Big Town"

CONGRESSMEN'S CALLERS' FCC

**Archeson Committee's Report
Suggests FCC Conceals
Rather Than Reveals True
Reasons Behind Decisions—
Ditter Asks 1934 Law
Amendments**

McNINCH'S FAILURE

Washington, Feb. 23. (By the Associated Press.)—A report just issued by the advisory committee headed by Dean Archeson, the FCC's first chairman, was set up by Frank Murphy during his tenure as attorney-general shortly before leaving office. The report, which was set up by Murphy during his tenure as attorney-general shortly before leaving office, was set up by Murphy during his tenure as attorney-general shortly before leaving office.

The report by congressmen has been increasing criticism in radio regulatory matters; and is charged as being one of the most vicious aspects of the Washington radio lobby which operates incessantly via back doors.

Publication of the Archeson committee report has not, however, stopped the drive in Congress to impose restraints on quasi-judicial government officials. The House Rules committee has cleared the way for the Logan-Walter administrative reform bill—under which every FCC regulation would be subject to review by the courts—and action has been promised in the senate on the same measure.

In surveying the FCC, Archeson advised very sternly warned the radio regulators to restrict their actions, voice fear that off-the-record evidence is given consideration in deciding controversies, apparent abolition of the old examiner system, but saw much room for further improvement in the industry by limiting the number of parties in contests over radio facilities, saw much room for further improvement in the industry by limiting the number of parties in contests over radio facilities, saw much room for further improvement in the industry by limiting the number of parties in contests over radio facilities.

Shaped language related to fact that FCC laterators were lobbying. Several pages were devoted to consideration of this subject, which inspectors made possible throughout the government, but particularly important in the FCC.

Not Better Than Reveal
"So long as it is primarily supposed (as, rightly or wrongly, is the case today) that the Commission is to be a body of decisions rather than reveal the true determinants of official judgment, it will be perpetually subject to individual members to political pressures."

"If the Commission is to avoid imputations that it is in fact subject to the influence of such pressures, it must pursue a definitely courageous course. It must be permitted to refuse to receive information or opinions concerning same such

Social Notes

Radio Sales, Inc., recently located its offices at 1110 N. of the radio exec at R.R.D. & O. of that the new BS contract on the agency, Edwin (Red) Reynolds, could see in advance. On the other hand, the table also was Eldon Hazard, who also was ago was assistant to Ned Midge, R.R.D. & O.'s time holder. Also in attendance from R.R.D. & O. was Arthur Pryor, Jr., and Midge's two new assistants, while the third R.R.D. delegate was Howard B. Meighan, eastern sales manager.

Midge remarked during the lunch that he was glad to see that his former associate had graduated to a glitzy desk and a desk-adjunct with 14 buttons.

Justice, volunteered off the record, even when the volunteers are members of Congress." Rules adopted by former Chairman Frank H. McNinch to the back-door approach were ineffectual, in that the Commission's Attorney General's advisors, who noted that "not unusually, according to available information. Congressmen will upon themselves the Commission in their offices in order to present a plea in behalf of or against the granting of a license, and the Commission is forced for using their official position as an excuse for special pleadings and the rule of 'expanding peculiarities of local situations'."

While the new method of obtaining a license is a commendable one, there still are serious defects in FCC procedure, according to the report. It is not to let even the Commission's attorney have access to outside-the-record information, and communications, right to deny basic police employees; prejudicial that the hearing might well make findings of fact, records

should be reduced, with saving of money for everyone involved, by requiring parties to state basic facts and by taking judicial note of undisputed material.

Either a complaint is sufficiently serious to justify immediate action by the Federal Communications Commission, or a case, the committee observed, and has been subjected to harmful publicity and malicious whispering campaigns by the custom of issuing temporary licenses. Greater use of the revocation process was urged, although the experts doubted if there is anything more than a psychological difference between the relative position of defendants in renewal and revocation hearings. The committee suggested the FCC might delay issuing press releases on revocation orders until ticket-holders have received formal notice of the action to minimize embarrassment and avoid injury to persons in the event they finally are found not guilty.

The lengthy discussion of FCC procedure in the report, however, is not in the fall on possible establishment of uniform system under which the Commission might be required to be compelled to employ similar routine and standards. Administrative action is to be taken until this committee has prepared recommendations and then the Commission is to be required to straighten out confusion by uniform action.

Would Change 1934 Law
The committee's recommendations on licensing and licensing powers of the FCC would be imposed if Congress were to act on the bill. The bill just introduced by Representative Ditter (Republican) of Pennsylvania, would change the back-door ownership and political juggling. Proposed amendments to the bill are expected to be introduced Friday (18), are in accordance with ideas voiced at frequent intervals by the committee.

Licenses running from three to five years, instead of the present 15-month papers; a decision hearing

Kids Chet La Roche

During his Bristol-Myers show last week Fred Allen panned out a few ribs to the radio advertiser, but he wasn't a comedian about an executive driven to hysteria by constant repetition of such cliché words as "check," "contact," etc. At one point the comedian slipped, in a glib reference to Chester La Roche, president of Young & Rubicam, which handles the show.

"I once knew an advertising man, named Chet Somebody-or-other," ad-libbed Allen, "who was as nervous as I had to wear lead weights in his cuffs."

before any revocation takes place; and recommending the Council does not like certain programs would be accomplished under the measure sponsored by the chairman of the Republican Congressional Campaign Committee, in existing circumstances, carry out ideas advanced by the National Commission to Uphold the Public Interest, as suggested by Frank Connell, publisher of several New York newspapers and operator of a group of radio stations.

Recalling the Constitutional promises of free speech and the Congressional intent to deny the FCC any censorship powers, Ditter declared that the public interest, convenience, and necessity "jurisdiction is being used as a shield in existing circumstances, particularly when licenses are granted for a relatively brief term, this standard is defined according to 'what the regulators, he insisted. Power to punish operators for what they pay out to listeners should be severely limited, with Congress and the Federal Courts being the persons to take action in order to uphold the public interest.

Praising the FCC minority which has been steadily attacking radio stations in a way that might seem to involve censorship, Ditter said the custom of holding hearings on re-

newal applications to see if past operations have conformed to the public interest, convenience, and necessity is without any doubt "a far more dangerous form of censorship than the law itself would promulgate standards to administer that it concedes it does not have power to do. He sided with Commissioner T. A. M. Craven, who has argued that FCC is trying to accomplish 'a post facto censorship,' protesting that the procedure constitutes no potential weapons to be entrusted to any such agency."

To prevent abuses of power, Ditter proposed amendments to the law that would specifically forbid the FCC to "sue programs and advertising on its own account. Conviction for some offense in a Federal Court would be an indispensable preliminary to any such action. Ditter also charged that a ticket-holder offered the public interest by airing some particular advertising, entertainment or propaganda. He conceded that there are unavoidable limitations on the Commission's power to investigate, but he said he certainly never intended to delegate to this Commission the power to impose such limitations on the radio programs and what are bad programs.

Feature of the bill would amend section 308 of the present law by denying the FCC the right to conduct a hearing on the basis of renewals until violation of the law or a positive regulation has been demonstrated. Conviction for some offense in a Federal Court would be an indispensable preliminary to any such action. Ditter also charged that a ticket-holder offered the public interest by airing some particular advertising, entertainment or propaganda. He conceded that there are unavoidable limitations on the Commission's power to investigate, but he said he certainly never intended to delegate to this Commission the power to impose such limitations on the radio programs and what are bad programs.

The law, which would require issuance of tickets good for at least three years and a maximum of five, would require the licensee to be renewed should be granted and limited to the power to revoke papers. Ditter said that the facilities available to radio stations are not to take without "good cause" and that constant censoring court decisions violating the FCC's right to favor a voice.

War Powers Lessened

Another important feature of the proposed amendments is the unmistakable curb on the far-reaching powers of the President to take over radio stations in times of emergency. Ditter would add a section stipulating that no transmitter should be taken over or controlled in whole or in part because of the character or contents of any program or other communications transmitted or proposed to be transmitted by such station, or in order to permit the government or any department or agency thereof to engage in or conduct any propaganda or to communicate with the public or for any cause other than imperative military or naval operations. He also proclaimed by the President that there actually exists war in which the United States is engaged, or a state of insurrection within the United States equivalent to war."

Under the present law, the government ownership or operation is suggested by the Pennsylvania. He would also require that radio station licenses whenever frequencies are commandeered by the government, the licensee must be notified, a channel is matched and given to a government transmitter any private operator must be notified of any other frequency assignment of substantially equal or superior desirability, and the licensee is notified before the existing transmitter finally is awarded another berth.

Griffin Shoe Muds Ue Of Spot, Net Network

Griffin shoe polish is considering more aggressive advertising. The shoe polish, as has been its practice during the past three years, has been advertising on the radio, through the agency on the account, has a program that it figures on trying out the "Griffin shoe" advertising, suggesting to a platter reader.

Don White is back on the announcing staff of KGVY, Olympia, Wash., after a three-month absence getting his throat treated.

'Cute of Distribution Probe by FTC Not Warning To Broadcasting

While expecting to get its share of attention, the radio industry at this time is not particularly disturbed by the proposed Federal Trade Commission "investigation of the methods and costs of distribution." It is expected that the salaries of radio stars may be given considerable publicity, but broadcasters do not see how they did out in wages as a matter for serious political disapproval. And as for the cost of network time, the industry that radio is cheap circulation and therefore reduces rather than increases the cost of advertising is cured. All the evidence of the years is that lower prices follow mass production—distribution for radio is no exception.

Not Nothing's Impossible?
While admitting that "nothing is impossible these days," say the industry, it is not to let even the Commission's attorney have access to outside-the-record information, and communications, right to deny basic police employees; prejudicial that the hearing might well make findings of fact, records

Although it is superficially damaging to business to point out and over certain increases in spot rates, the advertising-baiters are, it is thought, conveniently overlooking the labor and taxation items. Radio industry. Fanatics on advertising, like fanatics on any subject, will usually reveal their own desires, and Radio more feeling than fact. At least this point of view now prevails.

To go to the radio is concerned it has tended to welcome, rather than to demand, Government policing of advertising rates, as such claims and that a medium should not attempt to be judge and jury of consumer

values beyond an obvious responsibility to prevent obvious, self-evident dishonesty. Radio stations have incessantly sought to get the Federal Communications Commission to rule on points of equity that the stations felt it was unequipped to judge. When the FCC would not or could not rule, the fact that the Federal Communications Commission would was frequently very helpful.

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Another stated, "it may be a nuisance to business men to be summoned for the unrepentant time overheard, and I imagine that I will refuse to reveal certain distribution data on the grounds it would be useful to my competitors, but there's no reason to suppose this is a whip-suit unless a lot of things are far rather than they are right now."

The "economic waste" conception of advertising is considered by one national advertising man who is overheard in the scuttling of status quo to receive wide support in a country basically conservative, despite all statistical evidence to the contrary. Broadcasters are inclined to feel that the Government has been generous rather than they are imposing regulations upon various patent medication that have flagrantly been made available on occasion, have carelessly used dangerous ingredients. If today the

typical medical product has to have a lawyer, a chemist and a doctor-lobbyist, and is obliged to prove every claim in order to get "what they had coming."

It has been implicitly noted that the steps of the medicine has become "this may help you."

Official Representatives

Washington, Feb. 23. In its forthcoming investigation of "Methods and Costs of Distribution" in the broadcast industry advertising will not be singled out as a special case for the Federal Trade Commission.

Broaders were assured by a statement that the investigation of animation of distribution methods and "the more important items of cost" would be more to the point will be placed on advertising costs than was done in recent inquiries into electrical licensing, farm implements and motor vehicles.

With \$50,000 to spend on the survey, commission intends to produce equally into various financial aspects of industry.

There are numerous general inquiries conducted by the commission and in the many thousands of cases in which "what are the investigations and what corrective action the commission has never made any declaration or taken any action in order to protect the public, the FCC declares.

Now, no such action is contemplated. Its action with respect to this subject has been to issue orders to cease and desist from the use of false and misleading advertising under the Federal Trade Commission Act. The Federal Trade Commission has also taken action to prevent the granting of such allowances provided that when of false and misleading advertising on proportionally equal terms, to all customers.

MUTUAL'S 50% DISCOUNT ON 99 OR MORE LEAVES STATION'S SHARE UNMENTIONED

NBC Blue After Closely Scrutinizing New Mutual Tactic Decides There's Little Need for Alarm of Blue Disadvantage

NBC doesn't consider the new sales policy of the Mutual Network, namely, the offer of a 50% volume discount when a booking of 99 stations is used, as an outright case of undercutting the price of the blue link. While there are eight stations likewise affiliated with the blue on this list of 99 stations, Mutual's new proposition does not stipulate the price of each of these outlets, but rather lumps them all together in a lump sum basis. What rate prevails for each individual outlet is not dictated by Mutual in either the presentation or the sales contract.

NBC's original reaction to the 50%

angle of Mutual's new proposition was that it might put NBC at a competitive disadvantage. With each of these eight stations part of the blue network, they were allowing the scales, possibly, to be tilted in Mutual's favor. Whereas NBC's maximum discounts made such stations available at 60% of the rate card, Mutual was permitted to offer them at a 50% discount, so long as they were part of the 99-station hookup. While it doesn't think the variable arrangements fair, NBC is letting the situation take its natural course.

Some of Mutual's co-blue affiliates, such as WBAL, Baltimore; WFIL,

Dentists Please Note

Just before he was in *go on Joe Penner's* program (NBC-blue) as a guest a week ago, Edward G. Robinson broke a rug off a front tooth. A lawsuit that he had been chewing was the cause.

So that the studio audience wouldn't be aware of the aperture Robinson kept a cigar stuck in his mouth throughout the broadcast.

Philadelphia, and KWK, St. Louis, have declined to have themselves added to this house. For them Mutual has substituted, respectively, WGB, WIP and KKKK. Only three blue-base outlets remain in this special 99-station hookup. They are

WKH, Cleveland; KSO, Des Moines, and WEAN, Providence. The other blue outlets included in this 99-station group are WICC, Bridgeport; KFTZ, Houston; WBOC, Charlotte; WRDQ, Augusta, and WMPA, Memphis. All these are subject to removal on 30 days' notice, exception in the station option periods.

On a 52-week basis the 99 outlets can be bought as follows:

Five Times One Week	
4 hr. daytime.....	\$4,740 a wk.
4 hr. nighttime.....	\$3,094 a wk.
4 hr. daytime.....	\$2,691 a wk.
4 hr. nighttime.....	\$2,218 a wk.
1 hr. daytime.....	\$1,023 a wk.
1 hr. nighttime.....	\$859 a wk.
One Time per Week	
4 hr. daytime.....	\$4,882 a wk.
4 hr. nighttime.....	\$3,239 a wk.

'Heir's' Show Renewed

Ironized Yeast has renewed its Court of Missing Heir's on CBS Tuesday nights through the Ruth-tuff Ryan agency.

The current, and 84th, 13-week cycle expires March 26.

JOLSON AD LIB NOW A LEGAL CLASSIC

Belief that a more liberal legal slant on defamation by radio is gaining momentum, with the Summit Hotel, New York City, acting as bellwether in this direction, is expressed by Stuart Sprague in the latest Contemporary Law magazine, issued by New York University's Law School. Sprague has his thesis on the fact that four states have special statutes covering defamation via the radio while in the Summit Hotel case the Court held that John's remarks "constituted a statement of fact which, termed 'defamation by radio'." Under this definition NBC was not forced to pay any damages.

Sprague asserts that the existing laws of defamation were largely framed to cover the printed media only, and that cramming radio under this type of legislation is awkward since remarks made on the ether are frequently not subject to advance control, as in the case. NBC, for instance, had no control over the remarks John made when the Summit Hotel, since John ad-libbed his statements. The Court therefore held that the doctrine of liability without fault should not be invoked in radio defamation cases but rather the doctrine of liability through fault.

What constitutes "fault" (negligence) need not necessarily be failure to read script or to speak in advance, says Sprague. He claims that few stations would ask the President for an advance copy of his speech, hence "if it is not negligence to fail to secure a copy of the President's speech, it should be negligence to fail to secure the speech of a governor of a state, a mayor of a city, or, in fact, any official or candidate for office. It would seem, therefore, that the failure to procure an advance copy of a speech is not in itself negligence although its procurement or non-procurement may be considered along with other facts in determining whether a broadcaster exercises due care."

The same rule—negligence—is likewise applied by Sprague to network affiliated stations who broadcast a defamatory program not originated in their studios. He contends that if they exercised whatever precautions can be taken to avoid offending network fodder, the affiliates are not subject to damages for defamatory remarks.

The four states currently having special statutes to cover radio libel are Indiana, Iowa, Montana and Florida. None of this legislation has as yet gone through the wringer of a court test. The Indiana statute provides that a station must be notified of an impending suit three days in advance, and if the station thereafter retracts in 10 days and shows that its original remarks were without malice, the suit must be limited to actual damages. Iowa, which holds the station liable only in the event of actual negligence, in Montana stations are not subject to damages payments unless they maliciously allowed defamatory broadcasts to go on; and in network broadcasts, only Florida stations are not liable in any event, unless they made defamatory remarks in their own behalf.

Sprague's opus, entitled "More Freedom of the Air," is the 26th in NYU's series of pamphlets. They sell for a back page.

Lisa Sergio Sponsored

Botany Worsted mills has contracted to sponsor Lisa Sergio "Column of the Air" over WQXR New York, Tuesdays and Thursdays for 13 weeks beginning March 12. Alfred J. Silverstein agreed.

Radio Wire Television, Inc., has increased its time over WQXR from 15 to 30 minutes daily to play Latin radio. Commercials will be on the "Just Ahead" recorded series. Reiss is the agency.

Ford dealer advertising fund is using two spot announcements daily over the same station, through McCann-Erickson.

Plant Your Pennies For A BILLION DOLLAR HARVEST in "Americas Money Belt"

Billions dollar harvest? You bet! More than a billion-and-a-half dollars are spent annually with retailers in the primary area blanketed by The Cowles Money Belt stations.

It's spent by radio listeners. Ninety-one per cent of the families in the area own radios. And they listen to them, as proved by our steadily mounting mail returns.

Singly, any one of the four Money Belt stations will do the job for you in the sections you choose. But a combination, spotted at strategic points, entirely blankets this rich area.

So, we have a special combination offer... WMT and WNAX with either of the Des Moines stations, KRNT or KSO—a triple threat lineup—at a rate that's attractively low.

Let us help you get your share of the rich harvest of sales in America's Money Belt. For rates and details on how we promote and merchandise your program, write today to The Cowles Stations, Des Moines, Iowa.

The Cowles Stations
WMT • KRNT • KSO • WNAX
KEOSAUQUO WATERLOO DES MOINES YANKTON

As listed with THE REGISTER AND TRIBUNE, Des Moines, Iowa
Represented Nationally by THE KATZ AGENCY

NOT AN AVALANCHE, MR. WILLS.
JUST A MILD IDEA OF THE EXTRA
SALES RESULTS WE'RE GETTING
SINCE PUTTING OUR PROGRAM ON
THE NBC RED!



Cereal advertisers in 1939 invested over \$3,350,000 in the Red Network — two and one half times as much as in the next network.

Any way you look at it— NBC Red is tops!

Whether you judge a network by box top returns, top sales figures, top program ratings, or any other "tops"—the NBC Red comes out on top!

CEREAL makers, too, are Red Network enthusiasts! And their enthusiasm is shared by the majority of leading advertisers. That's why, in 1939, more advertising dollars were invested in the Red than in any other single advertising medium. That's why, again in 1940, radio-wise advertisers are placing the major share of their network selling on the capable shoulders of the Red.

In 1939, advertisers endorsed the Red Network to the tune of \$34,982,163! The reason for this overwhelming preference of experienced radio advertisers for the Red is no mystery. It's found in NBC's fascinating story of "The Other Half." A story that clarifies network time-buying and takes the guesswork out of network comparisons.

Combining the Country for Facts

"The Other Half" of the national radio audience—the 51% of the U. S. radio-owning families whose listening habits had never before been probed by radio researchers—told us this story. To get it, we went "whole hog"

—into every city of 25,000 and over... and into one out of every five rural counties in the country!

The facts we learned are of profitable interest to every advertiser and agency. They show why the Red Network produces extra sales. They reveal a new picture of comparative network circulations and values. They prove that a *CAB* rating on the Red means a greater nationwide audience for a program than the same rating on any other network!

How to Make More Profits in 1940

Here's a sure plan that will give you those extra sales and profits in 1940. Every advertiser on the Red knows how it works. We'd like to tell you about it. You'll see why the Red—with the majority of leading day and night shows ever since broadcasting began—is the advertising medium that can deliver the greatest audience for your selling message. National Broadcasting Company. A Radio Corporation of America Service.

NBC Red NETWORK

The network most people listen to most

Not Clear Yet What Happens To Whom in 'Stage Money' Mystery But FCC Is Locking the Barn

Washington, Feb. 20.

Without deciding what to do about punishing the various individuals, the FCC last week showed it meant business in undertaking a check on deceptive applications and backed up a revelation order against six Texas transmitters by affirming to the Commission the papers for WBAI, Salisbury, Md. The latter station is the one involved in long drawn-out and mystifying hearings about the source of cash with which construction was financed.

Even though the plant has received satisfactory service, the franchise must be withdrawn because of misleading and untruthful statements which induced the Commission to grant the construction permit and license. The decision said that in the final order indicated that the regulators have closed their books, while reliable sources indicated a strong possibility that some court penalty will be required.

The Commission, which did not place responsibility for the deception, still is undecided whether to ask the Justice Department to charge the persons who are held to have obtained and operated a transmitter in violation of statute and regulations. Citation for perjury and subornation of perjury is very likely, it was underlined in industry circles, while disbarment of attorneys who were involved in the case is entirely possible. Until the revelation matter is finally settled—there still is a chance the question will be laid before the District of Columbia Court of Appeals—and technicians are compelled with, nothing will be done regarding the persons who by implication have been found guilty of testifying falsely and conspiring to obtain a franchise by supplying incorrect information.

The Commission was careful not to render any direct verdict for or against the several individuals in the matter, while the final order committed no statement as to the real source of the \$100,000 of "stage money" displayed as evidence that Frank M. Stearns, license-holder and

former gasoline station operator, had ample resources. There was no reference of any kind to James W. Gurnee, who represented him at the original hearing; or ex-Senator Clarence C. Dill, who as Gurnee's law partner was dragged into the mess in an attempt to trace the cash. Glenn D. Gillett, consulting engineer and holder of a mortgage on the plant, was mentioned, without any positive finding whether he does exercise control of the plant.

TEXAS CASE

The WBAI decision came soon after the FCC had ordered six plants to surrender their papers on the ground that control has been shifted without official consent and that true ownership never was disclosed. These are KJBA, Laffin, KYBC, Austin; KNET, Palestine; KRAM, Mustang; KAND, Corsicana; and KCKR, Tyler. In each instance, the FCC declared that Dr. James G. Ulmer is the hidden wire-puller, being associated in the first five enterprises with Roy G. Terry.

The FCC said that investigation of ownership and control resulted in discovery of evidence that papers were issued "upon false and fraudulent statements and representations" and because of the failure of the applicants to make full disclosure to the Commission concerning the operation of station construction and operation, as well as the ownership, management and control—and that had the actual facts in this connection been made known to the Commission it would have been warranted in refusing to license those stations.

Brown, KCMO, Better

Kansas City, Feb. 20.

Dave Brown, continuity and public relations man, has been removed from the hospital to his home following his recent appendectomy. He went under the knife last Christmas week, and was confined to the hospital until last week by complications.

He is still confined to bed, but his condition is described as improving.

Go on Again Levy

Philadelphia, Feb. 20.

Isaac D. Levy, vice-president of WCAL, flew up here from Miami Beach last Wednesday afternoon to resume business. He arrived at Camden airport at noon just as the blizzard hit. Unable to get a cab to his office because of the heavy drift he got on the telephone, dictated a couple of letters to his secretary and took the next plane back to Florida.

Special \$5,000 St. Louis Day Show From N.Y.

St. Louis, Feb. 20.

The Associated Press from St. Louis has posted \$5,000 from its bankroll for one 30-minute program to play "St. Louis Day" the biggest downtown retail event of the year Saturday (21). Through Joseph B. Gurnee, a local advertiser, the retailers, a galaxy of former natives who have served in New York on the radio, stage and screen, will be heard on the program which originates in NBC's New York studio Friday (20). Guy Harnisch who learned his music at Washington University will conduct.

Betty Grable, of "Dorothy Was a Lady," Annamary D'Arcy, of "Mystery Men," and Mary Wickes, a former Little Theatre player and currently in "The Man Who Came to Dinner" cast; Audrey Christie and Guy Robertson also are on the program.

Gov. Lehman of New York state has been invited to greet St. Louisans and Mayor Bernard F. Dickmann is being treated to make sure. Graham McNamee will make the program. The program will be broadcast live to KSD and piped to KMOX, KWKW, WL, KXOK and WTVY. Only 15,000 tickets will be sold for the 7 p.m. The program will be heard only in the St. Louis area.

Payroll Traffic

Ph. Wayne—Fred Fischer, technical supervisor for Washingtonu WGO, switched to the engineering staff of Washingtonu's radio division headquarters at Baltimore.

St. Louis—Bob Lyle, formerly a gabber at KXOK, has joined KMOX on some shift.

Salt Lake City—Thomas M. Anderson, publicity director for KML, leaves radio to become a member of the R. T. Harris agency.

New Orleans—Jack Kelly has joined the sportscasting staff of WFL.

Portland, Ore.—KGIN added Bud Henderson, formerly of KORE, Eugene, to its announcer staff. Henderson fills vacancy left by departure of Bob Colvig, who, with his wife, tripped to Panama and South America.

Kansas City—Frank Barshad, publicity director of WCAU-Camden, N. J., has been appointed assistant program director and publicity chief of WIP. He replaces Murray Arnold who was upped to program director.

San Jose, Cal.—Howard McCouley has replaced Robert Nichols, resigned, as chief engineer at KSRB.

St. Louis—Myron J. Bennett news gabber at KWK. Comes from WDAL, Duluth.

Philadelphia—Robert Horn, production director of WCAU-Camden, N. J., has been appointed assistant program director and publicity chief of WIP. He replaces Murray Arnold who was upped to program director.

Fairbanks, Alaska—Irene Richards has returned to the States after several months with KFAR as program director.

Philadelphia, N. Y.—Bob Stapling now with WMFF, with Max Miller's H-Boys. He previously aired over WEEI and WHDL, Boston.

Inside Stuff—Radio

Walter Lee, who used to be eastern advertising manager for the Women's Home Companion, and before that was with J. Walter Thompson, has joined the CBS time sales department.

After a few weeks of advising he will replace a member of the sales staff who is quitting to go into another business which is located in Chicago, but because he is in the throes of several legal suits the network has elected to withhold announcement of his resignation.

Frank Williams, announcer at WJLB, New York, now at Barstow for his health, continues receiving his weekly check for programs he was produced prior to his sickness. Members of the radio staff have volunteered and are doing all of his radio work given to him by the station for forwarding his check. WJLB also is keeping his spot on the station open until he returns, rating that he is on leave of absence.

Williams announced shortly after a broadcast several weeks ago.

John L. Grimes, an advertising manager of Wheeling Steel, does not view with delight the threatened spread of the factory talent idea to other corporations, having originated this trend and broadcast of home town news on Mutual for three years. Grimes isn't sure what, if anything, he could do legally to protect his program formula.

Henry Selinger, former WGN, Chicago, exec. and Blackett-Sample-Hammet account exec., is reported about to join the New Marquette Co. Sherman agency, Chicago, successor to Bestin & Bowler-Chicago, Inc.

Amateurs—Remember? HEINIE ON WAX SPLICED INTO GRANIER SHOW

Albany, N. Y., Feb. 20.

Rockwood Candy Co. (Pecan Feast) is now sponsoring half-hour Amateur Night, broadcast from Grand theatre over WABY. In addition to awards for winners, each contestant receives a box of candy. Fabian Theaters had been presenting program without a sponsor this season—a jewelry firm aired it for two years.

Winners will be taken to New York soon for an appearance at Fox's Broadway, with entries via WMCA.

Olay 'Mose' a Negro Fave

Cincinnati, Feb. 20.

WCY received a request from the Rev. B. A. Herrington, pastor of a Negro church here, to have "Mose," who is heard on the station's Moon Patrol series, do a personal before the congregation. Al Bland, who does the mythical "Mose" character, obliged.

He's white.

SHOW FACSIMILE TO SCHOOLS

Dallas, Feb. 20.

Facsimile receiving units are being moved by WFAA into six high schools this week as students are to observe operations at first hand. Sets are being placed on exhibition at Highland Park, Sunset, Woodrow Wilson, Forest Avenue, North Dallas and Dallas Technical high schools. These sets, plus half dozen in downtown department stores and other prominent places, constitute the largest number of receiving sets the station has had or public view since it began facsimile operations over WXXG last September.

Milwaukee, Feb. 20.

While Heinie and Hu Graniers continue as usual on their daily half-hour broadcast over WTMJ, Heinie is in Florida. He records his bit in a wax which is sent by air-mail. When the disk reaches the studio the band has a rehearsal with it for timing and coordination, and the program goes on the air quite as if its leader were there in person.

Testimonies to whom Heinie's music is as important as their beer and bratwurst, and who know he's in Florida shake their heads unbelievably and murmur "Ach, Gott, He's a trick," even telephoning the station for verification of the fact that Heinie isn't really there.

Accounts Set by WQAI

San Antonio, Feb. 20.

WQAI new contracts include Union Leader (Arthur Godfrey) waxes, Through Lennox & Mitchell, Grayson, Pa.; "This Amazing America" waxes, Through Braunmiller & Hehman.

St. Paul, Minn., 48 announcement for Mounds Candy and 10 Crum Charcoal Gum. Through Platt-Fortune.

Alamo Park & Walpole Co., local 13 announcements every Feb. 24 to May 18. Direct.

Chattanooga Medicine (Black Draught), 1 min. at 4:15, 4:45, 5:15. Through Nelson, Chasman Co.

Babbitt Co. adds station for David Harum's across the board through NBC.

The Hit of the 1940 Concert Season

"WINGS OVER"

Famous 40-Voice Negro Chorus—Sensationally successful when introduced over Radio Station WGAR, Cleveland; now an outstanding sustaining feature of CBS. Every Sunday 9:30-10 A.M.

2,000 in Concert Appearances—Nine packed-packed concerts in New York area during January; 14 big-time stops through the South in February; 12 Middle West dates already set up for March.

"Chalk up another success for Cleveland's WGAR as the Wings Over Jordan, program. Manager Paul again proves himself right as a showman."

BOOKINGS NOW BEING MADE FOR APRIL-MAY CONCERT AND RADIO GUEST APPEARANCES

Management—Concert Division, The WGAR Broadcasting Company, Hotel Statler, Cleveland, Ohio

NEW YORK
DETROIT
CHICAGO
SAN FRANCISCO
★
RADIO STATION REPRESENTATIVES



THE BAND OF THE GENERATION!

PAUL WHITEMAN

HIS ORCHESTRA AND HIS RADIO REVUE

"everything new—but the Rhapsody in Blue!"

....concluding the fourth week at the

STRAND THEATRE

BROADWAY, NEW YORK

where he has broken

4 RECORDS IN 4 WEEKS!

- 1st week record broken with \$55,300!
- 2nd week record broken with \$48,000!
- 3rd week record broken with \$40,000!
- 4th week record broken with \$33,000!

an all-time record for one, two, three
and four weeks!

\$176,300—
AN ALL-TIME RECORD
FOR 4 WEEKS!



AMERICA'S NO. 1 STAGE ATTRACTION
NOW BEING BOOKED FOR A LIMITED
THEATRE TOUR!—

Direction: ARTISTS MANAGEMENT, INC.
17 East 45th St., New York, N. Y.

Philly Nitery Ops Revive 'Mutual Protection' A'ssn

Philadelphia, Feb. 20. Tired of being panned around by the city police and the State Liquor Board's agents, night club operators have revived the defunct Philadelphia Cafe Owners Ass'n "Mutual Protection." Meeting recently at the Walnut hotel last week, they agreed to raise a war chest of \$5,000 to lobby for favorable legislation at the next session of the State Assembly.

In recent months the State Liquor Board has handed out stiff suspensions and fines for selling liquor before hours and violations of the Saturday night curfew. One club was forced to pay \$500 on two counts within a year, for late opening and selling liquor after Saturday midnight.

To add to their troubles the new City Administration two weeks ago served notice that it, too, wanted that the lid was kept on night spots and closing hour ordinances were strictly enforced. The city police and a squad of detectives was formed to make the rounds and order restaurateurs to leave night clubs after midnight Saturday—usually the best time in the week for business.

When the PCOA was in operation before only the small elite joined, the bigger fellows relying on their political clout to keep them out of their political fray. Now big-time operators like the Kallinger Bros. and Frank Paltrow are taking an active part. All told some 30 operators attended the first meeting.

N.Y. Small-Time Nitery Reps to Elect Officers

Associated Agents of America, formerly called American Council of Theatrical Agents, now org of small-time New York nitery, agreed to elect officers next Monday night (28). It was decided at a fourth meeting of the group Saturday night. While there were only about 15 at the last meeting, it's claimed 25 agents have either paid dues or indicated their intention of joining. Newcomers will be admitted as charter members next Monday's election and will not be subject to the \$5 initiation fee which will prevail during March.

Prize aim of the AAA, according to Barney Gliman, temporary chairman, is to better conditions for the agents and acts and establish a code of ethics.

O'Keefe to Chaz Fero

Walter O'Keefe, top comedy headliner on next Chaz Fero show, opening in April.

It will be the first appearance for O'Keefe in this city.

Allow Ice to Melt

Room in the Brunswick Hotel, Boston, where George Hall's band started Sunday (18) but a surprise method of serving patrons. Each table is equipped with a dictograph-like apparatus which allows patrons to transmit orders to the bar through a central operator, simply by pressing a button signal whenever they're ready for the next round.

Conductors manually transmit the order to the bartender and a waiter serves it. The purpose is to make patrons think that they are never upset by hovering waiters to drink up and order the next round.

UNION GRADES NITERY ACTS

Philadelphia, Feb. 20. The United Entertainers Ass'n, this week sent word to all nightclub and night club operators that hereafter all performers who have played in at least three local spots will be classified as "known acts" and would be protected by last week's ruling of the city police.

"Unknown acts" (those not having played three local spots) could be off after the first night if they are found to be unsatisfactory by the club owner.

This means that a "known act," hired by a 10-percenter, would have to be paid the full value of his contract in the event he is fired by the operator in being unsatisfactory.

"Unknown acts" (those not having played three local spots) could be off after the first night if they are found to be unsatisfactory by the club owner.

Defining acts by the union is an answer to club-owners, who claimed they had no way of gauging the ability of an act before it is signed.

Astrology Can't Forecast Own Illness

Conrad, the Hollywood astrologer, didn't figure his stars right on his date here at the Lincoln theatre, or perhaps he was just a little off.

Bob Hoffman, the manager of the theatre, said a correct reading of the stars would have saved him \$100 on his off budget.

Dick Henry Doubles

During the hull in European show business because of the war, Dick Henry, foreign booster for the William Morris office, is doubling in the cafe department with Paul Small. He's taking over the duties of Joe Bully, who left to join Moe Corp.

Most of the office's foreign business is now south America and Australia.

Harry Tate Dies at 67 In London of Injuries Suffered in Nazi Raid

London, Feb. 20. Harry Tate, 67, who resigned for years as one of England's top vaudeville and musical comedians, died here last Wednesday (16) as the result of a head injury received from a shell splinter during a German air raid on the Scottish coast. He was wounded in a head injury during a German air raid on the Scottish coast. He was wounded in a head injury during a German air raid on the Scottish coast.

His real name was Ronald MacDonald Hutchinson, was a headline star for nearly 40 years, his humorous career, in which he worked with a dwarf, being well known to two generations of Britons. He was one of the first stars to own an automobile and his most famous work was a sketch titled "Mothering." The sketch, incidentally, enabled him to satirize the vagaries of "Mothering" by British performers. Instead of being limited to two spots a night because of their treatment in Tate, via his own driving, often worked as many as six musicals in one evening.

Another of Tate's spotlight sketches was on golfing, and it is believed that he was killed while on a similar routine. They were close friends. Tate toured the United States, Canada, Africa and Europe, and gave four royal command performances, the first one in 1912. He is survived by his widow and one son.

•15 YEARS AGO•

(FROM VARIETY)

"Dirk" shows throughout the nation were stirring the comers. Representative Dullinger, Massachusetts, was asked Congress to take steps to alleviate the situation.

Taking his word for it, creditors waived all claims in London on C. B. Cochran, the theatre manager, in his bankruptcy when he said he would say when he could.

Reps of William Randolph Hearst, who had been contacted by the New York, Law and Social Service Bureau, said that they had no objection to his establishment of a club in New York with Hearst's money.

Antonio Moreno was seized in Spain for military duty. The film player supposedly left Spain 10 years before without serving his committed period in the army.

The Italian government presented to D'Annunzio, the playwright and poet, the German Emperor's palace near Rome for services rendered in enabling Italy to save France.

Sarracac Lake

By Happy Newbery

Sarracac, Feb. 20.

Actors' Colony comeback tonight. Tootie Coleman, after a long absence of strictly abroad routine, now up for one downstairs meal with mild exercise; Pauline Russell, vaudeville single of long ago, best person; Edgar (Buddy) Miles, musician and songwriter, now an officer in a C.C. camp; Chris Higgins, who soon market his own new puzzle-card; Eddie Vogt and Jimmy Mason are the new appointed bachelors at the Will Rogers; Rudolph Plank, X-ray expert of the Will Rogers, voted top for his philanthropic work; Francis Dee, who was here, now a dancing instructor in Waterloo, N. Y.; Paul Dean staged a comeback that now enables him to do the downstairs shopping for his own owners.

Over the years, the comedians at the Will Rogers have joined the clowns of the Sarracac Lake. Buddy and Crut Gault, taking up shorthand, trying, bookkeeping and Spanish. Thirteen years ago this month this writer took to bed weighing 88 pounds and more.

Catherine Keenan (Lambie Club) lives at Putt's Memorial Hospital, Livingston, N. Y.

Frank Huff, who packed a mass of Illinois and licked it here, now battles his own orch on Florida way.

Thanks to Paddy Jenkins and her Paddy for the greetings and nice things to this Colony; ditto to Jerry Vogel for the carload of novelties and more.

Write to those who are ill.

Bank Night in Vancouver

By Bill Halligan

Back in 1907 George Silver's cafe at the corner of Randolph and Chestnut was the center of the risqué night life in Chicago. The theatrical bigwig frequented the place, and the local saloon bistro to which he was entertained. Willie Weston and George Annas, both of whom were in the variety, could always be prevailed upon to sing a duet or two at George McKay's cafe. They never failed to ask him.

The gang called themselves the Schomach Club. Tom Hannon, Billy Corbett, Will J. Davis, Harry Powers, Louis and Willie Hannon, Dan Cohen had a show at the Colonial called "10 Miles to Boston."

There were two good songs, "Harrison, That's Me" and "A Small Town Gal." The gang used to call on me to sing once in a while and those were the only ones.

One day I met Silver on the street. He told me that Bill Pinkerton wanted to see me. I hadn't broken into any banks that I knew of, so I wondered what the old guy had on his mind. I was bustling with curiosity as I waited in his outer office to see the great man. I didn't even know he knew me. I was ushered into the private office and the old guy asked me to sit down. He had heard me sing "Harrison" once or twice, he said, and wanted to know if I would like to go to France to work for a friend of his. I told him I would be glad to go.

He dictated the following letter to me. I was in the office of the Pinkerton, right at the entrance to Golden Gate Park, and he was in the Santa Fe west with my ticket and \$100 expense money. He had left San Francisco, and he was a great waste and all the last gang had moved out to Filmore. Proft & Turner's, Eddie Granger, and the others were all a stone's throw from the New Orpheum. The name of the spot I was to be doing in was called Tom's Cafe, and a piano player named Hart had been working there but were moving out to the bank in the new Big Manhattan spot, "The Breakers." I got a room at the old "Big" hotel and went over to report. I met the general, Billy Gallagher, a tough Irishman, who couldn't hear a word I said, and Australia McManera, a big red-headed man from the Antipodes.

I was to start the following week, and all over town for a piano player and finally settled for Joe Hall, the name had to be new a diamond agency on Broadway. Joe played by ear, mostly cutlifter. We were there for three months and made a lot of money. The customers would throw the gold on the floor and we would pick it up. If they didn't throw enough Gallagher would come in and throw some himself.

Before Arrived for Burns Fight

We had a Chinese cook and we had had most of the kitchen when we saw Billy Rogers's "Chinatown." Bill Rogers, the heavyweight fighter, arrived from Melbourne to fight Tommy Burns at Colma on July 4, 1912. He made his headquarters with us. Nat Goodwin and Jimmy Britt and myself were the only ones in town who had no Burns. We saw Burns work out and we had the loudness. Burns knocked him out with one punch. Jeffries was the referee. I was back in the dressing room with Jeffries and he took off his collar and handed it to me. It was size 18. I wondered how a man could ever get a neck that big. (I wear an 18 1/2 today.)

We came back from the fight in a big limousine and stopped at Proft & Turner's for a few drinks. Artie McElhenny was singing a song when we came in. The Primrose Kid, Billy Clark, Harry Armstrong and Ed Williams joined the Original Jinks at Al White's. We saw Sam Taylor were working across the street at Granger's. George McKay and Johnny Cantwell were working at Shift Bros, picking up a week or two while laying out on the Sullivan & Cosmopolitan. Gus Grimes was on the box. We had a great time with the money. We had won on the fight and a week or so later I decided to return to Chicago. Gallagher and McManera were reluctant to see me go. They gave me a pouch of gold coins and bought me a ticket to Chicago. I didn't see McManera, naturally mine.

Three nights later I was playing for Pinkettes in Seattle. One night Mike Miles, the Panhandle manager, came back and told me a big fellow was outside and wanted to see me. It was my old boss McManera from Fian. He told me he was broke and had to get to Vancouver to meet his girl who was coming from Australia on her way to London to the Coronet. I got him two \$20 gold pieces from Miles. He told me the place had been closed by bad business, that Gallagher had been shot in a street fight and that he was going to try and open up a new place on West 58. I didn't go back and went back to work. A few weeks later I picked up a paper and across the top was blazoned the following:

Million dollar robbery solved. Pinkerton detectives arrest Australian McManera, notorious bank robber, in Manhattan. \$1,000 Canadian bills found in suitcase.

They brought McManera back to the town of Westminster. There's a penitentiary there not far from the bank he robbed. He died serving his sentence of 10 years. He had been a bank man in Australia. That's how Pinkerton knew where to start his hunt for the man who had kept his string but when things went bad he fell from grace.

Bill Pinkerton never knew that I had given him the \$40 that took him to his last job.

Dancer Pleads Guilty To Bigamy Charge

By J. J. Feb. 20.

Joseph Peters, 45-year-old Philadelphia dancer, is languishing in the Atlantic county jail pending disposition of bigamy charges brought against him by Gertrude Peters, also of Philadelphia, who claims to be wife No. 1 and father of Peter's 17-year-old son.

Arrested at West Road last in Minnesota, where he had been employed as an entertainer, Peters was brought to Philadelphia on charges of bigamy. He was arrested after being charged by magistrate Joseph Smith last week.

Wives No. 1 and No. 2 got together after the hearing and pleaded with magistrate Smith for Peter's release in jail. They were refused.

THREE WILES

"America's Outstanding Novelty Act"

HELD OVER

2nd WEEK

PARAMOUNT, NEW YORK

Thanks to CRA

Paramount, Adams, and John B.

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STRAND THEATRE - NEW YORK - FEB. 23

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Philly Probe Discloses Most Niteries Are Not Paying Gov't and State Taxes

Philadelphia, Feb. 20. Philly niteries face a severe financial straitening, if not total bankruptcy, says the Government and state departments go through with the plan of collecting delinquent taxes on property and Unemployment Insurance taxes.

Investigators have been quietly at work for the past week scrutinizing the books of night clubs in the Philly area. They claim that with the exception of three small spots, no taxes have been paid by niteries up for entertainers or musicians hired by them in the past four years.

As soon as the investigation is completed the Federal State agents are going into a head-to-head with legal advisers to see what action should be taken to bring the niteries, which total almost eight percent of the total payroll for the past four years, into line.

Most of the agents who were virtually everywhere at one time, the back taxes are said to total nearly \$100,000.

Buddy Starts Investigation

The investigation started when a leader, whose partner was Arthur Chalkley, was asked to investigate. A checkup was made of his own and it was found that he had worked had paid any contributions for him.

The Government was informed of every story in Philly. As soon as this prior is completed in western Pennsylvania and the coal regions.

Chalkley's current business always appears to be engaging an act does not constitute "employment" under the act of the Government.

They claim, they are purchasing talent, a commodity, for a show and as such, they are not subject to the act.

Investigation is completed their responsibility ceases.

It was believed that a test case will be made in Federal Court soon to clear up this question. If the Court rules adversely against the niteries, may never curtains for most of them.

Ross Wyse, Sr. Laid Up With a Fractured Leg; Can't Contact Jr.

Ross Wyse, Sr., vaude comic-carryall whose son, Junior, is currently in jail with Cedric W. Brown, "the kid," is in the Inhabita Home, Bronx, unconscious from a fractured leg following a fall on the stairs of the RKO Madison, Brooklyn, night of Feb. 18. Friends, the Will Rogers and the Fund in the NVA have been caring for him.

Following the accident, a friend was taken to a doctor, where it was found that Wyse, Sr., was in a distressed condition, to a city hospital, from where he was moved to the Inhabita Home. The NVA paid the initial expense incurred by the accident with the Will Rogers Fund through Harold Rodner, taking over upon arrival of Wyse's circumstances.

Wyse, Sr., and his son formerly worked in vaude together. Letters to Ross about his father's condition have apparently failed to reach him.

Robitschek Legit Revue To Be Staged For Vaude

"Hit and Run," Kurt Robitschek, legitimate revue, who closed his first 101-day circuit, will start his new 101-day circuit after nine days at the Regal, Los Angeles, will be continued into a vaude circuit through Harold Rodner, taking over upon arrival of Wyse's circumstances.

Charles H. Allen looking out of New York. A name will be added to the list of artists unknown for the picture-hour dates.

Allen is now also booking the Circuit Detroit and Chicago for a name personalities and bands.

Agents Draw Up Code

Governing board of the Artists' Representative Assn., organization of New York H-performers, met last night (Tuesday) to draw the final draft of a code of ethics.

It was expected that the board would set a date for the next leadership meeting of the agents to study the code.

Stanley, Pitt, Hoidal Vaude Through Lent

Pittsburgh, Feb. 20. Stanley, Pitt, Hoidal, isn't short of vaude through Lent. The stages of Lenten period, as it did year ago, but will ride straight through. In March, it is booked solid through March, first time in some months that situations have been so far ahead.

Following Benny Davis unit, current, Stanley gets first glimpse of Jimmie Fidler unit, which will be followed in turn March 1 by Clyde McCoy crew; Maurice Spitzing band, with comedy of 1940, set still to come; Buddy Rogers crew, and week of March 21, Phil Spitzing outfit and Connie Barrett.

G-M MEN CURIOUS ABOUT FLA. 'PA' FATES

Miami, Feb. 20. J. Edgar Hoover and a special agent of FBI agents planned in from Washington last week and immediately plunged heading into tracing "PA's" here, particularly the issue of income tax prosecutions.

Among those paying social calls on Hoover last week were Arthur Chalkley, general manager of the Royal Palm Club; Jack Ann Decker, Solomon, who replaced the late Ed. The Ed. Chalkley; Eddie Puffer, who presides over The Spur; and Charlie Coleman and Paul Brown, sporting agents.

Children in reminiscing over his visit said they asked Hoover for light reports of gambling in the Royal Palm were true. He denied their charges. He agreed that this little social gathering was most informal and was conducted on a casual basis. "You first, Gaston," with the prelude, "If you'd like to cooperate with us, etc."

Coleman, with Hoover's arrival, the Blackstone hotel on Miami Beach, which was celebrating the anniversary of the late Ed. Chalkley, is using that title at the Hippo, Baltimore, currently.

Justice Levy's opinion stated in the case of the circumstance here disclosed, the similarity of the title "Hellsfire" to "Hellsfire" is not to be confused and to deceive the public. The defendants may not in this manner appropriate the established goodwill of the plaintiff's enterprise."

Damages of \$250,000 and a permanent injunction are sought.

Downey's Tonks Take A Cut in Clevel. Hoop; Gertrude Nissen Subs

Cleveland, Feb. 20. Three hours before his first show at the RKO Palace Friday (18), the RKO Palace was ordered by Dr. H. L. McChesley to St. Vincent's hospital for an immediate operation to remove a cancerous tumor. His condition was reported good yesterday (Monday).

Downey was thrown into such a turmoil by Downey's last-minute cancellation that Nissen, who was booked to check into a hospital bed next to Downey's to recover from the removal of his SGB cancer, Gertrude Nissen, artist and radio singer, flew in from Chicago's grandstand to bring Irishman. Missed two afternoon shows, but the get in on time for first day's evening performance.

RKO staff not ungrudging bouquets from even rival managers for lightening-quick work in covering up the emergency. With only three hours notice, boys had in from Chicago's grandstand and new ad, lobby posters and marquee set in Nissen before her plane landed at Cleveland airport.

New Clevel. Spot

Cleveland, Feb. 20. Harry (Pony Boy) Korman, who Avon was one of the first clubs in Cleveland, is moving to a new location, a new restaurant as an intimate niterie.

Although selling hard, Korman is keeping it going with Capt. Kidd's crew and Harlan talent.

Cold Waves

Los Angeles, Feb. 20. Cold vibrations from refrigerating machines in Pan Pacific Ice building drove residents to a hot legal retreat in Superior Court.

Hugh Military, a neighbor, demands \$1,500 damages because the vibrations of the motor make him search in bed.

MOVIE TO PLAY VAUDE AT N.Y. FAIR

A variety revue policy that would include top names is being adopted by Michael Todd for the Hall of Music at the New York Fair.

A variety revue policy that would include top names is being adopted by Michael Todd for the Hall of Music at the New York Fair.

This is going the distance along this time, and his revue will be a musical variety show, which will run four weeks with provisional dating of names when they would be available.

Two other spots on the Fair, which he would use for other type shows, are expected to be booked by Todd to be contracted for this week.

'Hellsfire' Unit Goes Along Waiting for N.Y. Judge to Sign Inj.

N. Y. supreme court Justice Aaron J. Levy last week (14) granted a preliminary injunction to the "Hellsfire" unit, restraining Benny Meroff, Al Borge, Ben Weber, and the "Hellsfire" unit, from the use of the title "Hellsfire" in connection with their show.

Justice Levy's opinion stated in the case of the circumstance here disclosed, the similarity of the title "Hellsfire" to "Hellsfire" is not to be confused and to deceive the public. The defendants may not in this manner appropriate the established goodwill of the plaintiff's enterprise."

Damages of \$250,000 and a permanent injunction are sought.

AWARD MRS. HODGSON \$7,200 IN MATE'S DEATH

Mrs. Jack Hodgdon, widow of the late Jack Hodgdon, who was killed in a crash landing by a New York City sanitation department truck, was a mid-air collision, which occurred on Thursday (15). Justice McGowan called the trial and the compromise phase was arranged in his chambers by the city's counsel and John L. Becker, attorney for Mrs. Hodgdon.

Hodgdon, who was the son of S. K. Hodgdon, for years lived in the Keith-Albee-Union Booking Office, was struck by the sanitation truck, which was carrying a load of home. Police tests were defective. The truck's brakes were defective.

Canadian Singer Held

Buffalo, Feb. 20. Charge of illegal entry was placed Friday (18) against Hilda Murray, 28, of Stratford, Ont., who was held in custody at the Hotel Elgin, Buffalo, by the city's counsel and John L. Becker, attorney for Mrs. Hodgdon.

Hodgdon, who was the son of S. K. Hodgdon, for years lived in the Keith-Albee-Union Booking Office, was struck by the sanitation truck, which was carrying a load of home. Police tests were defective. The truck's brakes were defective.

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4 A's Board Asks Affiliates to Back AGVA Organizing Drive; N. Y. Local Election Stated for Sunday Next

Move to enlist the active support of its affiliate unions is the drive to organize the "vaudeville niteries" was taken last week by the American Guild of Variety Artists, of the AGVA board of directors, the Associated Artists and Artists of America (Four A's).

Under this ruling picture or stagessmen would be barred from making vaudeville or niterie appearances all those currently in the show belong to AGVA. Understood the intention of the board is to be applied at once, but exceptions may be made where contracts for such dates have already been signed.

In addition to the vaude-niterie appearance resolution, the Four A's has adopted a resolution to cover agents in AGVA's jurisdiction. According to this ruling, the affiliate unions are asked to instruct the members not to sign wage or salary contracts unless the agents involved have been approved by AGVA. This resolution is also due for quick passage and immediate application by the various unions.

As in the first ruling, exceptions will be made covering existing contracts. The resolution will be applied to all new contracts or renewals expiring ones. There's a time limit of 30 days for the agents to be expected to reach agreements with the union, but period of 30 days for the union to determine how long that period will be.

To handle with Ross, N. Y. The first step in the vaudeville campaign will be the start of negotiations this Friday (21) with the Actors Union, the first of the unions. The union will lay particular emphasis on the problem of the actors, so there were several complaints and disputes in that regard when AFA held the Four A's meeting last week. The union's Lerner will represent the management in the disputes.

The national board has no direct knowledge of reported meetings on the Coast between the organization's officers and some of the musicians, stagehands, cooks, bartenders, waiters and culinary workers' union. According to word from Hollywood, the disputes between the various groups are aimed toward a working agreement between them. AGVA's national board generally favors such local groups, but it's feared that such agreements must be approved by the national body.

Meeting and election of officers and board of the New York local will take place Sunday (21) at the Hotel Elgin, N. Y. In addition to the heads of several affiliate unions, speakers will include Paul Irving, president of the New York Hotel Trades Council, and Michael Carrigan, of the Hotel and Restaurant Employees' International Alliance, who are expected to pledge their organizations' support to the drive.

Unopposed slate of officers for the local election includes Billy Irvine, president of the New York Hotel Trades Council, Michael Lewis, and Helen Sanford, vice-president; Billy Irvine, president of the New York Hotel Trades Council, Michael Lewis, and Helen Sanford, vice-president; Billy Irvine, president of the New York Hotel Trades Council, Michael Lewis, and Helen Sanford, vice-president.

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tion of the ballot, could recognize only two names, adding that one of them was "the only one who was union of 'actors run by actors'." Referring to the Bowen letter, members of the AGVA board of directors said that every candidate on the slate is an active performer, most of them veterans of the vaudeville circuit. Kramer is not the agent of the same name.

Thomas E. Kelly, business agent of the United Entertainers' Assn., local vaude-niterie performers' union in Philadelphia, will handle today (Wednesday) with Hoyt S. Haddock, AGVA executive-secretary, about the union's new constitution.

AGVA. According to Haddock, a quick agreement is likely. UEA, which was formerly active with the American Federation of Actors, but previously refused to join AGVA because of disagreements over autonomy and handling of its own time.

Niterie Deals Set

AGVA last week signed a contract with Murphy's Agency, Brooklyn, setting a minimum wage for the management of the act. Accorded before several niterie unions and stipulated that the union's State Labor Board charges against the management be handled by the union.

Ryan Colahan, who for some years has been compiling an index of leg, vaudeville and night club acts, was contacted by AGVA to conduct research about the number of performers in the field. He was contacted by AGVA to conduct research about the number of performers in the field. He was contacted by AGVA to conduct research about the number of performers in the field.

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Variety Bill

**NEXT WEEK (February 23)
THIS WEEK (February 16)**

Numeral in connection with bills below indicate opening day of show, whether full or split week

Loew

NEW YORK CITY
10th Mar
Patricia Curran
Jeanne Devienne
Arthur La Plante

Paramount

NEW YORK CITY
10th Mar
Patricia Curran
Jeanne Devienne
Arthur La Plante

JAY AND LOU

**COPACABANA CASINO
RIO DE JANEIRO**
10th Mar

RKO

NEW YORK CITY
10th Mar
Patricia Curran
Jeanne Devienne
Arthur La Plante

Warner

NEW YORK CITY
10th Mar
Patricia Curran
Jeanne Devienne
Arthur La Plante

Independent

NEW YORK CITY
10th Mar
Patricia Curran
Jeanne Devienne
Arthur La Plante

NEW YORK CITY

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Broadway

Bobby Bush in Miami.
Bob Preston back to Hollywood.
On Shiner on a cruise to Chile.
Joe Kelly's "V" general sales mgr. in Florida.
Miss James Thurber recuperating from pneumonia.

It's a love in Cleveland for a club coach.
Bill Pass went back to Hollywood from Florida.
Joe Lawrence, for really executive, back from N. Y. World's Fair.
Leo C. Barry, for M. Y. World's Fair, back to Miami for next.

Joe Edwards back from South American tour to Waco.
Sam Manners in town from the Coast on a short vacation.
Earl Wagnor back to 20th h. a week with gripper.

Harry Harris in Hyderabad house on the Coast.
Joe Peter Tushy, 31 at home for past several weeks, reported better.
Alvin Collier, back from Hollywood, back from a Manna vacation.

Fredy Wing, Paris theatre in New York.
Earl Wagnor, arrived in New York.
Joe Harris, RKO foreign chief, back to his desk after a vacation in Florida.

Joe Harris is revue of Madison Avenue.
Joe Harris, RKO foreign chief, back to his desk after a vacation in Florida.

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Paris

Jack Forrester back from Mexico and to Italy.
Preparations underway for Cannes Film Festival.
Maya reached 30th performance at the Alcazar.

Shakespeare's "Richard III" now holding boards at the Alcazar.
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London

Law Jackson planning trip to America in May.
Charles Maynard has joined the "The London Express".

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Australia

Heist no setback to pic biz.
War of '01 - G-M-G still stocks all centers.

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Hollywood

Louis B. Mayer laid up with cold.
Joe Lerner celebrated 50th birthday.

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Miami Beach

Mary Martin lecturing at the Miami Women's Club.
Tom Camara, Continental Club owner, back from Europe.

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Minneapolis

A. Selby Carr, Paramount office manager, confined to home by illness.
Edna Rubin and the wife leaving this week for a stage appearance.

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New Haven

Lawrence Tibbitt at Woolsey Hall last night (Thursday).
Ray Shipstead baptizing during Joe Kelly's stay here at Woolsey.

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Memphis

Monroe Hiley has taken over Warner exchange management.
Allen Jones grounded overnight on charges of State Teachers College.

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Kansas City

"The Vanities of 1940" pencilled for Feb. 19 on the P. M. rail March 1-2.
Verona Brown, Chief, starting out on tour.

Verona Brown, Chief, starting out on tour.

Verona Brown, Chief, starting out on tour.

Verona Brown, Chief, starting out on tour.

St. Louis

Valentine Hall sponsored by local chapter of International Association.
John Bryan packed opera house for first time.

John Bryan packed opera house for first time.

John Bryan packed opera house for first time.

THIS IS *The* BAND OF 1940!

WILL BRADLEY

"The Boy With The Horn"
AND HIS ORCHESTRA
FEATURING **RAY MCKINLEY**
"The Kid With The Drum"

★ **OPENING TONIGHT AT
THE FAMOUS DOOR IN
NEW YORK, FOR 6 WEEKS!**

George Holland says: "No band this year was so heartily received! When they return next year (here is a prediction) the names of Bradley and McKinley will be in the top-flight!"

★
Victor Davis says: "— the best crew musically the room has housed this year. Here is a band with an idea and better musicianship than usually comes this way — definitely destined to go places!"

★
Ken Gormin says: "Bradley, rated as one of the best trombone players in the dance field, has a solid outfit. Keep your eye on this band in 1940 — it is a comer!"

★
Here is a band which has youth, musicianship, dependable performance, an excellent style, a fresh, inspired spirit — the first orchestra ever chosen for two successive Sunday nights as "the band of the week" at the Hotel New Yorker!

★
It is significant that this young band, after its first few recordings, was **PROMOTED** from the 35 cent Vocation label to the 50 cent Columbia label, solely on the merit of terrific sales!

★
Broadcasting Sundays (12 to 12:30 a.m. E.S.T.) NBC Red; Wednesdays (12:30 to 1 a.m. E.S.T.) NBC Red; Fridays (12:30 to 1 a.m. E.S.T.) NBC Blue.



WILL BRADLEY



RAY MCKINLEY

Hotel Carlton
BOSTON

Hotel Baker
DALLAS

Hotel Jung
NEW ORLEANS

UNIQUE

COLUMBIA
RECORDS

RADIO

EXCLUSIVE

WILLIAM MORRIS AGENCY, INC.
NEW YORK • CHICAGO • HOLLYWOOD • LONDON

MANAGEMENT

SCREEN

RADIO

BANDS

STAGE

THEATRE

Published Weekly at 154 West 46th Street, New York, N. Y. 37 Variety, Inc. Annual subscription, \$10. Single copies 25 cents. Entered as Second-class matter December 28, 1925, at Post Office at New York, N. Y., under No. 387,072. POSTMASTER: Send address changes to THEATRE, 154 W. 46TH ST., NEW YORK, N. Y. 10036.

VOL. 137 NO. 12

NEW YORK, WEDNESDAY, FEBRUARY 28, 1940

PRICE 25 CENTS

RAY LEGIT AT ITS PEAK

Gene Tunney Joins Lecturing Boom, Maude Adams' Comeback, Others

Lure of big box for lecturing is attracting many new names—including a host from show business—to the platform next season. The 1934-35 list from the major booking bureau reveals. Topping the newcomers on price asked is Gene Tunney, with \$1,250 quoted for a single engagement. That exceeds demands of all show business personnel, who will include Miss Hart, Shelia Barrett, Geraldine Farrar, Jane Crowl, Lotie Lefmann, Vyvyan Danner, Josephine Gibson Gable and Frank Crumit, the Dallas dancer, who will be Maude Adams (no a team).

Returning to the platform after an absence of two years will be Maude Adams, while being offered again, as before the past season, are John Mann Brown, John Anderson, H. V. Kallenbach, Orson Welles, Agnes Waters, Clifton Fadiman and Helen Hays.

Hitting boom proportions early this season, the platform industry has continued on the upgrade and is expected to be even higher next year. Evidence of the increasing public interest have been stories about the industry in February issues of both Readers Digest and Vogue, while the (Continued on page 47)

Coast Names Work Oboler Shows For \$21 AFRA Minimum

Hollywood, Feb. 27. Arch Oboler's sustaining career in attracting talent here for its ability to get names at AFRA minimum, \$21, that usually command big fees. NBC writer-director has lined up for successive weeks in March such names as:

Elia Lanchester, Joan Crawford and Jimmy Cagney, with perhaps one by Ronald Colman.

Oboler's selling to the Hollywood players is that he gives them the chance to sink their teeth into the usual rabby stuff of the commercial stage.

Oboler, a marathoner, has done 400 radio playlets in five years.

Actor-Salesman Uses Stage As His Showcase

Worcester, Mass., Feb. 27. Doyle and Danner played the Plymouth here last week and Doyle, who is a ladies' hat salesman in a Boston retail store, to combine show business with business on the stage.

First, he arranged with department store buyers to attend the theater; then he got permission from the store to use the hour days of girls as models. To give the salesmanship more showmanship, he sang "Enter Parade" while the manager passed his chapeaux as part of the stage show.

Helen Kane's Comeback; From 'Boops' To Operetta

Helen Kane, out of show business a number of years, is mapping a comeback. She's taking vocal instruction for a switch from the "boop-boop-a-doo" style to light opera.

Aside from the "booping," Miss Kane is generally credited with pioneering the type of baby-raved warbling now associated with Bonnie Baker (Orville Tucker's band).

May Ship 'Hellz' To Columbus For One-Show Benefit

Columbus, Feb. 27. Most ambitious plans for an out-of-town benefit showing by a Broadway standstill are in formation, ideas being to send "Hellzapoppin'" here for a Sunday night showing for charity. Proposal comes from an Ohio newspaper publisher and philanthropist who is a close friend of Olcott and Johnson, owners of an equal interest in the show with the Shuberts. Latter are said to have assented to the unusual engagement, as have the supporting players.

Understood that the cost of sending "Hellz" from the Winter Garden, where it is running, to Columbus and back will be around \$7,000 even though the entire production would not be used. Plan calls for staging the revue in an armory, where it is possible the gross would exceed \$15,000. Hereafter, Sunday benefit (Continued on page 45)

REFUGEE CANTOR TO CONTINUE IN SHOW BIZ

St. Louis, Feb. 27. Jacob Hosenemmer, 39-year-old German refugee cantor who scored several weeks ago on Maj. Edward Bowser's program, is going to continue his operatic and concert career from here. After his New York debut, Hosenemmer was invited by Rabbi Ferdinand M. Iserman of Temple Israel to assist the temple choir. The cantor says he is the first Jew to receive the British consular diploma. Before receiving permission to leave Germany, Hosenemmer and the entire male congregation of the Munich synagogue spent six weeks in a concentration camp.

He sang on the radio and concert stage in Germany.

3 MUSICALS AT \$30,000 MARK

Four Straight Shows See \$30,000 or Better—Fewer Plays Open Than Year Ago, but Bix OK

24 ON BOARDS

Broadway is at the peak of the 1939-40 season. There are fewer shows than at the same time last year, but the weekly gross takings approach the impressive \$300,000 mark for 21 shows. Three new ones bow in this week.

In the straight play division four attractions flirted with the \$30,000 level last week, two passing that figure, while another is plenty prosperous with takings of around \$14,000. Of the musicals, three are in close competition for top honors, grossing \$30,000 each or better.

Of the latter "Dulcary Was a Lady" leads, with the Washington's birthday holiday, went to a new eight-performance high, better than \$20,000 being recorded. "Hellzapoppin'" is still away up in the money at \$30,000, while "Too Many Girls" approaches the same pace. "Girl's Got to Have It" led before "Dulcary" arrived. New musical, "Two for a Shilling," appears set for a day. It's (Continued on page 45)

STRAWHAT WITH FILM NAMES; 4-6 WEEK TOUR

Strawhat circuit of from four to six weeks with legit units, headed by film names, playing one-week stands at each theatre is being molded by Music Corp. of America. The circuit of the New York office heads to the Coast tomorrow (MCA's) in an attempt to line up the picture people.

MCA's idea is to set up four to six companies in different plays, each one to have a strong h's film name as a lead. They would tour around a circuit of houses which would be run by the regular operators but under a special arrangement with MCA.

Plan is a frank attempt on a large scale to duplicate the success of Edward Everett Horton in "Springtime for Henry" in the strawhat last season. Difficulty with it is in getting proper vehicles. Plays are needed with small casts, single sets and light in nature. Only a few acceptable ones are available.

With a flock of film people itching to try the boards, MCA is of the opinion that lining up casts will be the simplest part of its venture. Mary Jurvo, who was formerly with the George Abbott office and now handles legit for MCA, is leading the Coast trip to set the names and will follow through on the idea to sign the houses.

S.A. and Public Petting Park' Evils Of Drive-Ins Decried by Theatres

Beating the %

Cost of "See My Lawyer," at the Adelphi, N. Y., is on a sliding scale arrangement calling for a raise if the gross reaches \$7,000. With receipts nearing that mark last Saturday night (\$6), John Shellie, one of the principals, set in the headline until certain time.

When it looked as if the week's take would fall just short of \$1,000, Shellie bought \$25 worth of tickets, the cost being shared by the cast. Re-salutary value increases totaled \$405.

H'wood Sees Red, Tells Off Dies On Communism

Hollywood, Feb. 27. Hollywood's answer to Representative Martin Dies' blanket charges of Communism in the picture industry was conveyed in no definite terms at a mass meeting in the Philharmonic Auditorium, in downtown Los Angeles. Orations were delivered by Donald Ogden Stewart, Mary McCall, Jr., Hugh Sorell, Fred. Frank Davis and "Bim" Connolly, and a dramatic act, enacted by Dorothy Stewart and David Curwood, added punch to the oratory.

Sorell, head of the Painters' union, said that Dies was performing a cheap political trick by getting people prejudiced and frightened. He is to know what they are prejudiced about. He added:

"Another labor leader here blames (Continued on page 21)

ACADEMY'S OWN FILM RILES NEWSREELERS

Hollywood, Feb. 27. Newsreel outfits are doing a burn because the Academy is burning them from the awards dinner Thursday. The reason given is that the Academy is making its own two-reeler of the shindig for sale to exhibit.

It was pointed out that newsreels would be a showpiece within an hour after shooting, while Acad film won't be ready for two or three weeks and will have edge taken off by delay.

Newsreelers are perved because they are called on throughout the year to aid in explaining big stars and when a legitimate news break comes along they are kept out.

Midwestern, Feb. 27. Drive-in theatres were characterized as "looking more than public petting parks," entering to a new appeal audience, at a regional meeting of the National Theatre Protective Association of Wisconsin and Upper Michigan held last week in Beloit, Wis., with heads up from 18 neighboring cities in attendance. Discussion was precipitated by Wisconsin's first nuclear cleanup now under construction on the Blue Mound road just west of Milwaukee, and it was reported this is only the first of several similar enterprises to be undertaken over the state.

Petitors cannot park along the roadways because of fear of the roving highway police," explained Harry Perlovitz, business manager of the indie group, "and the drive-in shows give them a protected spot free from all interference. Then, too, lights on all the cars on the lot have to be extinguished for the proper projection of the picture on the screen, and the darkness is ideal for the love bugs."

This new competition has exulted throughout the state worried and Perlovitz was instructed by the meeting to contact theatre groups in all cities where drive-in theatres are located in a fact-finding survey to (Continued on page 21)

Boake Carter Thinks The Eastern States Are Part Of Europe, Not America

Portland, Ore., Feb. 27. Boake Carter made a flying trip through Portland on route to a lecture date in Seattle. His principal crack while here was that the Atlantic seaboard states were mostly a part of Europe anyway and that the country is a very bad case of itself off if the Atlantic coast states were dumped into the ocean.

Asked if he'd heard that this territory had been dubbed the "Lost Horizon," Boake Carter said that the best candidate for advancement for President by any party was Senator McHenry of Oregon although he didn't have a chance for election.

What Happened On Friday, Saturday?

Catherine Turner, co-author with Jerry Horwin of "My Dear Children," starring John Barrymore in New York, had a very bad case of it last week.

She was married on Sunday (1st) to George Reynolds, understudy to Barrymore, the took sick on Monday, got worse on Tuesday, and on Wednesday an emergency appendectomy was performed at Wickenham Hospital, N. Y. Thursday she started recovering.

Selznick Looks Like Big Acad Winner

With Thalberg Award, Gone Entries

Hollywood, Feb. 27. With only two days remaining before Hollywood puts on its best dress for the annual ceremony of the Academy of Motion Picture Arts and Sciences, smart money has been on David O. Selznick to bring home the Oscar. The winners will not be announced until tomorrow night (28). Selznick's *Gone With the Wind* is the most of the achievement prizes have already gone to *Gone With the Wind*, which is expected to carry off top honors in from three to six classifications. What is left will be pretty well divided among the other studies.

Selznick-International has the inside roll in the race for having produced the most outstanding production during 1939. "Goodye Mr. Totten," "Tuttering Heights" and "Mr. Smith Goes to Washington" will get away fast, but before the home crowd is crushed, they'll be "Gone With the Wind."

Selznick-International is generally considered another victory in the act. Selznick's *Gone With the Wind* is the best actress award. Vivien Leigh, who made her American debut in "Gone With the Wind," is expected to win it, although Bette Davis will get a lot of support for her work in "Mark Twain's War." Clark Gable is the 1-2 entry in the best actor classification, but the odds are on Paul Henreid, who on James Stewart to top the achievement honors for his performance in "Mr. Smith Goes to Washington." Stewart also is popular with the critics, and the atmosphere here is that he will win. The odds are on Gable to win the best director prize, but the odds are on Howard Hawks to win it. Hawks' *Go With the Wind* is the best picture, but the odds are on Hawks to win it. Hawks' *Go With the Wind* is the best picture, but the odds are on Hawks to win it.

NOW, CHILDREN

SOUND YOUR G

Washington, Feb. 27. Enthusiastic endorsement has been given by the Federal Communications Commission of the new radio program, "The Sound of Music," which will be broadcast on the University of Kentucky for an estimated total of 100 weeks on an educational basis. The program, which will be broadcast on the University of Kentucky for an estimated total of 100 weeks on an educational basis. The program, which will be broadcast on the University of Kentucky for an estimated total of 100 weeks on an educational basis.

Lawyers Search For

Ruling on Leans

In Amecio Suspension

Hollywood, Feb. 27. Suspension of Don Ameche by 20th-Fox for his refusal to take the top role in Paramount's "The Night of Jan. 1st" is causing Hollywood lawyers to search for a ruling on the suspension. The suspension is causing Hollywood lawyers to search for a ruling on the suspension. The suspension is causing Hollywood lawyers to search for a ruling on the suspension.

Small-Time Class

One small-time agent in New York, who shares an office and co-telephone with several others, has devised a new way of putting on a front.

His, a month the telephone company provides him with a class hand set hooked to the coin box. It can be used for incoming calls, but not for outgoing calls.

Barrymore Film

To Be Made East via Selznick?

Discussions have been held, but still in the vaguest stage, whereby David O. Selznick may produce a film version of "My Dear Charlie" in the East during the summer. John Barrymore and most of the other members of the cast of the hit feature, "My Dear Charlie," came to New York after more than six months in Chicago, where he is the film.

Barrymore, it is understood, is against going to the Coast to make the picture. It would also, of course, permit the price to continue its Broadway run. Show is figured to be a big attraction for Selznick's Fairview.

There has been some mention of perhaps eliminating Monday performances, but doing the picture on Sunday and Monday to speed up the picture making.

Although the price for the screen rights is as much in the air as the rest of the idea, talk has been of around \$100,000.

WELLES AND HIS AGCY.

SCRAP OVER SCRIPS

Hollywood, Feb. 27. Orson Welles and his radio agency, Ward Wheeler, are understood to be in a dispute over a contract. The dispute is over a contract. The dispute is over a contract.

Stoky's 9G, H'wood

Hollywood, Feb. 27. Grammy better than \$2,000, Leopold Stokowski moved up first half of Philadelphia Orchestra concert at the Waldorf, Milton H. Thompson, New York, and Friday afternoon.

New six concerts will be conducted by Albert Coates, British conductor, with the series running into April.

Other News Pertaining to Pictures

Auntie mauls freeling 50% of U. S. com.	Page 14
Complete merger of Greater Int. Theatre	Page 14
French influx to Italy for bilingual pic	Page 14
Germany's film hit OK	Page 14
Attempt to make a big screen	Page 14
George Jessel's radio jump	Page 22
Claire Trevor proves for Old Gold	Page 22
Paul Robeson's "Bobo" in Army	Page 22
At the Waldorf, Milton H. Thompson, New York, and Friday afternoon	Page 22
Andy, James J. Walker	Page 30
Paul Robeson's "Bobo" in Army	Page 30
New Act: Peter Lind Hayes, Luis Alberni, Arturo Godoy	Page 41
Equity's six new permits	Page 43

Dragging His Cables Behind Him

Production and engineering staffs at NBC are looking forward with much interest to Cal Kuhl's performance when the Chase & Sanborn coffee show takes up its three-or-more-week stand in Studio 8H of the Radio City plant. Kuhl is the program's producer, and while he has been speaking through to the local NBC head office, Kuhl's performance is at all conducting a broadcast of the Edgar Bergen-Charles McCarthy program has begun to gain him quite a few disciples in Hollywood and has put Bill Butler in a shadow.

Kuhl, as they hear, covers lots of yardage while the show is on the air. With receivers clamped to his ears and a long strand of wire trailing after him, Kuhl is not only all over the stage but also up and down the aisles of the Radio City building, where he is constantly checking the local NBC gang wants to see if he Kuhl manages to keep him off from getting tangled up in those yards of trailing wire. It's the network's largest local studio and to work out front Kuhl will require a much longer wire than he's been accustomed to in Hollywood. Kuhl got his original training on a program produced in New York. He's been with J. Walter Thompson from away back.

Record-Jockeys on Small Stations

Hurt Bandmen With Idle Gossip

Confidential Canned

United Artists decided to give an ultra-exclusive cocktail party for William Wyler last week. It was a very exclusive affair. The guests were more press agents from U. A. than from the Wyler studio.

Band bookers are currently a bit burned over unnecessary comment by broadcasters who remove programs of phonograph discs in smaller stations. Spinners put out bits of news about personalities, who, however, get up, but which often are bum stunts. Claim that Benny Goodman's comparatively recent appearance in the New York recently was result of one broadcaster's comments that he wasn't playing in the band due to an attack of arthritis.

Goodman drew a small crowd of about 100 people to the show. Two ago and didn't do as well as expected at the County Center, White Plains, N. Y., recently. The latter claim that they had numerous phone queries whether Goodman was still playing. That they were still playing, they've often been heard giving wrong counts on recordings, etc.

MEXICANS RAP

S.O. RADIO SHOW

Mexico City, Feb. 27. A regional branch of the Federation of Workers and Farmers, a powerful Mexican labor organization, has protested against the radio-broadcasting of the Spanish-language version of the radio program from the United States.

Federacion is radical about foreign oil companies which have "seized" of Mexico's oil. The organization is protesting against the radio-broadcasting of the Spanish-language version of the radio program from the United States.

Wirtz Has Hime, All-Star

Ice Shows For Next Year

Chicago, Feb. 27. Art Wirtz will again present both the Santa Monica ice show and the All-Star European show next season, and in addition has been negotiating for the production of the "World's Fair" show for the season of March 1 in Omaha, and which will be played to approximately \$150,000 in 10-week season, with new grosses of \$240,000 in seven days in New York's Madison Square Garden and \$210,000 in six days in the Chicago Stadium. They will have covered 11 towns, with stands of from 50 to 100,000.

All-Star European show in New York, yesterday and today (Tuesday) played to \$80,000 in six days in Chicago last week.

ARTIE SHAW DEAL

Peppi-Cole Countess, the Wandersong Son of Swing

Artie Shaw is being offered to Peppi-Cole through the Newell-Emmett agency for a program which would combine a big modernistic string orchestra with concert stars who would be routine to do mixed music and pop numbers in the numbers Shaw would exchange musical chit-chat with the guests.

Attempts are also being made on the part of CBS to sell the beverage.

MADEIRINE CARROLL BACK

Madeline Carroll returns from abroad tomorrow (Thursday) and immediately plans to go to the County Center, White Plains, N. Y., today (Wednesday).

L. A. to N. Y.

Irma Lee, Geraldine Fitzgerald, Cal Kuhl, Mr. and Mrs. Albert Lewis, Mary, Mrs. Silva, Jack Murphy, Bernard Schubert, Fina, Sylvia Skouras, Sam Spewack, Arthur, Glenbel Taylor.

ARRIVALS

Herb Ward, Trude Burg, Taw Rufford, Malcolm Ames.

EDWARD G. ROBINSON

RADIO RENEWAL UP

Rothsuff & Ryan has denied the report current in the broadcast trade that Edward G. Robinson has been asked to take a 35% cut on his salary of \$4,000 a week preliminary to re-signing with the CBS. Also to waive a stipulated 10% increase for next season.

Agency explained that when Robinson was in New York several weeks ago it went over next season for the series with him but there were no discussions to final money details.

SAILINGS

Feb. 26 (West Indies cruise) Mr. and Mrs. William W. Marple (Atlantic) (Newport America).
 Claire Luce, Philadelphia (Newport America).
 Frances Day, Harry Harn, Jack Kennedy (Manhattan).
 Feb. 27 (New York to Naples) George A. Strickler (Vladivostok).
 Feb. 28 (South American cruise) Joseph A. McNeville (Santa Elena).
 Feb. 29 (New York to Chile) George T. Cameron, Dean Barker (Santa Elena).
 Feb. 30 (New York to Buenos Aires) Hanna Lefkowitz (Argentina).

>>> INCIDENTALLY !

Just as audience attendance is the gauge of a play's success,

—readers make newspapers.

In his widely syndicated newspaper column, Damon Runyon recently (15) declared:

"We would as soon go without our Saturday night bath as miss our weekly Variety. In fact, sooner."

It might be an exaggeration to state that every Variety reader is as enthusiastic as Runyon,

—but most newspaper men are.

The Saturday Evening Post, for instance, two weeks ago cited Variety as authority for latest news regarding Orson Welles and his RKO contract.

Things like that happen right along.

A publication whose news pages are so intensely read (and copied) possesses unique advantages to advertisers.

No trade publication can offer you more.

We don't happen to know of one that can offer as much.

VARIETY

NEW YORK
154 West 45th St.

CHICAGO
54 West Randolph St.

HOLLYWOOD
1708 No. Vine St.

Northwest Passage World Premiere Sensational in Boise, Idaho!

FLASHED TO THE NATION!

Postal Telegraph
Special Preview
Service sent the
rave comments
below to leading
publications.

THE GOVERNOR OF IDAHO said:

"The finest I have ever seen.
Outstanding picture of the age!"
—Gov. C. A. Bottolfsen

THE POSTMASTER said:

"Perfect portrayal of Rogers'
Rangers. Marvelous."
—Harry L. Yost

THE EDITOR said:

"One of the grandest shows I
ever saw."
—Irving Hart, *Daily Statesman*

ANOTHER EDITOR said:

"Spencer Tracy's strongest role.
Most beautiful Technicolor
job ever."
—Max G. Funke, *Capital News*

THE MAYOR said:

"Wonderful. Real treat for all."
—Mayor James Straight

SENATOR CARL BROWN said:

"Inspiring. Wonderful."

THE PUBLIC said:

"We'll tell the nation—it's a sensation!"



It was noisy in Boise—
stars, celebrities, parades.

Thousands came from
far-distant towns—

Another big M-G-M
Showmanship Premiere—

To launch another socko
box-office attraction!

The National Ad Campaign
is starting. Get ready!

NORTHWEST PASSAGE
SPENCER TRACY



Take it from the critics, Paramount's "ROAD TO SINGAPORE" is the coco-NUTS!

JERRY COLONNA
The Terror of the Tropics

"One of the funniest pictures Hollywood has turned out in many a moon. The teaming of Crosby and Hope is a master stroke of showmanship. Dorothy Lamour is swell, too—so make a note in your little black book to see "Road to Singapore!"

—Janice Fidler, famous newspaper and radio columnist

"Crosby and Hope don't make the rafters ring—they tear them down. This is one grand motion picture!"

—Hedda Hopper, syndicated Hollywood columnist

"Paved with enough laughs to cause an actual ache in the ribs. Crosby-Hope comedy team tops any yet seen!"

—Ralph Jordan, L. M. S.

"The most successful pairing of comedy talents brought forth upon the screen since Hollywood memory runneth not to the contrary. All the other extreme variants of the adjective 'good' apply directly and redoubled to the slap bang entertainment delivered by Bing Crosby and Bob Hope!"

—M. P. Harold

"Rich in entertainment, especially in comedy. Everything that a studio could ask for!"

—Edwin Schallert, Los Angeles Times

"A sock. One of the most hilariously and colorfully entertaining pictures to come up in many a moon. Crosby and Hope one of the greatest comedy teams in film history. A cinch to be one of the big grossers of the year!"

—Hollywood Reporter

"As hilariously funny a romantic comedy as has been turned out by any studio in a long time. Will certainly be a heavy money-maker!"

—Daily Variety

"The comedy team the screen has needed for a long time. One of the best comedies Hollywood has turned out in many a day!"

—George Fisher, famous radio columnist

"Top-Right fun should do heavy business at the box office. Bing and Bob make up a swell team!"

—Film Daily

BING CROSBY

DOROTHY LAMOUR

BOB HOPE

"ROAD TO SINGAPORE" Bing Crosby • Dorothy Lamour • Bob Hope

Charles Coburn • Judith Barrett • Anthony Quinn • Jerry Colonna • Directed by VICTOR SCHERTZNGER

Screen Play by Don Hartman and Frank Butler • Based on a Story by Harry Hervey • A Paramount Picture

RADIO CITY MUSIC HALL

Showplace of the Nation • Rockefeller Center

Triumph!

"**BREILANT**... a grand picture. We have no hesitation in calling the film the play's superior, in calling Raymond Massey's screen Lincoln better than his play's Lincoln."

—Frank S. Nugent, *Times*

"**SUPERB**, all of it... all the superlatives which were justifiably lavished on the stage production of Robert E. Sherwood's 'Abraham Lincoln in Illinois' may justifiably be heaped on the screen version of this memorable drama."

—William Boehnel, *World-Telegram*

"**UNFORGETTABLE** screen impersonation... Massey's acting transcends mere make-believe... a profoundly stirring motion picture experience." —Howard Barnes, *Harold-Tribune*

"**RICH IN HUMOR**, as any true picture of Lincoln should be... Massey makes the character a shining figure... a picture that can be seen again and again." —Eileen Crookman, *Sun*

"**MASTERPIECE**—Such beauty, such simple honesty and truth, that 'Abraham Lincoln in Illinois' joins the small company of American films that merit the label of masterpiece."

—*Life Magazine*

"**A SCREEN TRIUMPH**... a picture with a heart and soul... Massey gives one of the greatest performances we have ever seen on the screen... the great play greater as a film." —Kate Cameron, *News*

"**GREATER** than the play... no matter what degree of anticipation is yours, it will not be too much for this masterpiece... the one great movie which should be seen by every American." —Arthur Winter, *Post*

"**INSPIRED** performance... in its movie version 'Abraham Lincoln in Illinois' is every bit as fine and beautiful as the Pulitzer Prize winner... fashioned from the flesh and blood of Lincoln."

—Lee Mortimer, *Mirror*

"**IMPRESSIVE**... reverent picture, directed with straightforward simplicity." —Ross Patric, *Journal-American*

**Held Over!
Second Week!**



ROBERT E. SHERWOOD'S

ABRAHAM LINCOLN IN ILLINOIS

starring

RAYMOND MASSEY

with Gene Lockhart, Ruth Gordon, Mary Howard
Produced by Max Gordon • Directed by John Cromwell
An RKO Radio Picture

ON THE GREAT STAGE

"Curtain Time"—all the magic of the world across the footlights... produced by Russell Markert, settings by Nat Karson... featuring Paul Haakon, Loper and Barrat, Three Oxford Boys, Nicholas Daka, Hilda Eckler, Leda Anchutina, Louise Fomaca, Robert Regent, Earl Lippy, with the Music Hall Rockettes, Corps de Ballet, Glee Club, Symphony Orchestra, under the direction of Erno Rapee.

Doors Open Today and Tuesday 10:30 A. M.

Picture on 10-45, 1-43, 4-34, 7-35, 10-32—Stage Show on 12-39, 3-32, 6-27, 9-30

FIRST MEZZANINE SEATS RESERVED • Phone Circle 6-4400

Ample Parking Space Rockefeller Center Garage, 40th to 49th Sts., between 5th and 6th Avenues

Chief Engineer Loses Executive Status If Only Doing a One-Day Relief Trick

Washington, Feb. 27.

Legal status of chief engineers under the wage-hour law was cleared up considerably last week by an informal ruling on hypothetical cases submitted to the Labor Department bureau by the National Association of Broadcasters. Previously the answer of the labor standards act gave an interpretation under which small stations will be forced to pay overtime to announcers.

Question of when are chief engineers "executives" and exempt from the limitations of the law depends largely upon circumstances in individual cases, but each individual does not lose their "executive" rating when they occasionally take over operation of the apparatus. No blanket opinion was issued regarding instances when such technicians regularly relieve subordinates in emergencies—such as on account of sickness, vacation, etc.—but the Wage-Hour Administration did say they can fill in at lunch time without coming into the category which deserves time-and-a-half for working more than 42 hours weekly.

Demoted

If a chief engineer fills in for a subordinate regularly for any considerable period of time, such as one day weekly, he would be doing a "substantial amount" of work and accordingly lose his executive status, being entitled to extra compensation if his week exceeds 42 hours, NAB was told. But when he takes a hand at actual operation irregularly, the legal question depends on the particular facts in each instance and no uniform interpretation is possible.

Operators who try to make sponsors share part of the burden of announcers' pay cannot deduct the wage-hour law, under a ruling by Milton C. Denno, chief opinion attorney of the Government agency. When stations assess advertisers

"talent charges" that are turned over to radio-men, the amount must be regarded as part of the regular compensation, he told Joseph L. Miller, trade body's labor expert. Miller submitted an inquiry about a mythical talent charge which pays \$100 weekly and then gives him a \$5 talent charge paid by the sponsor whose program he handles. In such situations, the actual stipend is \$42 weekly entitling the announcer to over-time pay at the rate of \$1.50 hourly, Denno said.

"It appears that, in this situation, the increased hourly rate can be avoided only if the sponsor or his advertising agency hires and pays the announcer directly," NAB was told. This would involve payment of social security taxes by the sponsor or advertising agency."

The Wage-Hour outfit was not particularly sympathetic to Miller's observation that it would be unfair to penalize the station on its overtime rate charges because it gets more money for its employee or announcer than the deduction which advertising agencies make from their pay when the advertising agencies handle "talent." Miller thought the extra \$5 should be considered a "bonus," not part of the regular compensation.

KMBC UNCLEARED FOR KANSAS CITY GAMES

Kansas City, Feb. 27.

Broadcasting of the Kansas City Blues American association, baseball games has not yet been set although General Mills has rights. Problem of outlet has arisen, as KMBC, one of stations used last year, appears unlikely to be able to clear necessary time.

General Mills has Walt Lockman, sports announcer, under contract to the broadcast. Blues leave for training camp next week, but Lockman is yet undecided whether to accept. Settling of broadcast outlets doesn't appear likely for several weeks yet.

Jax Beer Expands

Austin, Texas, Feb. 27.

Jackman Brewing Co. of New Orleans is adding to its 11 stations carrying the program "Enjoy Life" and spot announcements in behalf of Jax Beer throughout the southwest. New stations are KTCB of this city; KRIS, Corpus Christi; KFDM, Beaumont, KLCB, El Paso; KFLC, Lake Charles, LA and KRDM, Shreveport, LA.

Admission to the Jax Beer Advertising agency of St. Louis and New Orleans.

PRE-SEASON GAMES

WON WILL FIGHT UP N. Dodge Warm-up Season

WOR, N. Y., will this year carry the longest string of pre-season baseball games ever aired, picking up 34 Brooklyn Dodgers games for arguments' sake. March 8. It's supposed to be a trial to train baseball followers to automatically dial to the Blue Sox games when the full 'n' season and opposition airings start.

At Heller with the reconstruction from wire reports filed by Red Barber, with the team. Barber's first play-by-play will be an extra hour. Decker-Tucker pre-season series from New York. General Mills and Procter & Gamble sponsor.

NO CONVENTION FOR WHEATIES' SPIELERS

San Francisco, Feb. 27.

When the Pacific Coast Baseball League resumes play on April 1 the games will again be sponsored by General Mills and the B. F. Goodrich Company. R. W. Stafford, general manager of Western Advertising, the General Mills agency, stated that the Decker-Tucker pre-season series have not yet been signed it is probable that at least 18 games in California, Oregon and Washington will carry the sponsored games.

Wheaties is now lining up the large crew of sportscasters. There will be general announcers' conference this year, such as has been the case in the past. Indeed Stafford and other executives of General Mills and Goodrich will conduct a traveling "school," going to Los Angeles, San Francisco, Portland and Seattle to instruct the announcers and commentators on the procedure of handling the games, the commercial, and other merchandising points.

Last year the chosen sportscasters were gathered for a yearly school session in San Francisco.

San Antonio Baseball

San Antonio, Feb. 27.

KABC will air all home as well as road games of the San Antonio Missions (Texas League), with sponsorship split between General Mills Wheaties and Goodrich Tires. Dave Young will announce all games. Deal starts on April 15. Arrangements are being made at the present time to broadcast exhibition games as well as training games of teams wintering nearby. St. Louis Browns, with which the local team is affiliated, the Giants, and possibly the Yankees, may pass through.

Anders, WGAR, O. O's Flounders Cleveland, Feb. 27.

Sidney Anders, WGAR sportscaster for Glaxo Brewing, has on for Hollywood where he will transcribe a nightly program and airmail direct to home.

Arrangements have been set with film studios for interviews.

One Department Store's Idea

Minneapolis, Feb. 27.

Program to tie-in with the city's industrial plants is being sponsored by the Hudson Store over WEMP, and while the first couple of test broadcasts were more or less of an experiment, they have already been extended to 15 weeks, with probably another like number to follow.

Each week the station will feature a different industrial plant, where each day from 10 to 12:15 a factory department head is interviewed by Charley LaFro on the product being manufactured there. On the last day of the week the president of the concern is interviewed as a grand dramatic climax. Advance interest in the broadcast is drummed up by circulating the workers and their homes when payroll checks are given out for the proceeds of the concern's sale.

The Allen-Bradley Co., Milwaukee, W. Va. has had a week of this radio publicity, and currently the Miller Brewing Co. is telling how its beer is made and sold. Idea was originated by Samuel J. Cohen, of the Hudson Store, and worked out with Byron Burrows, sales manager of WEMP, the department store taking the entire expense, besides contributing space to the exploitation in its newspaper ads.

WGAR Scores a Double

Cleveland, Feb. 27.

WGAR has received the Safety League of Commercial Industries Trust for the second consecutive year. It's awarded to the station that has done most to promote traffic safety during the previous year. John W. Darr, trustee of the C. I. Safety Foundation, will present the plaque to WGAR at a special program tomorrow night (Wednesday).

Miami Crosstalk

Miami, Feb. 27.

Ted Long, Doug Storer, B. A. Rolfe, and Linda Lee in town for Ripley's. Bill Penwell and Bill Hightower, WIOD announcers, splitting the local mite assignment on Ripley's. Kay Kyser will play one dance date between broadcast commitments in Miami. Checks in at Club Browne, Port Lauderdale, for Saturday night night.

WKAT signed daily hour airing for I. J. Fox. Don Butler, WIOD continuity director, dabbling for his wife on "Jane Reminders," while she's out of town.

WQAM's Uncle Mac celebrated eighth anniversary. Biggest spender for air time in Miami this season is Ethel Willette, evangelist, airing over WQAM, Bill runs 5500 a week.

Walter Winchell winds up his WIOB-NBC feeds from Miami this week.

WEAT will feed Con-Lamewich brawl to NBC with Bill Stern and Sam Teub coming to Miami for event.

George Chirch back on air over WIOD with a late night remote from West Florist Kennel Club.

Elmer McAllister has returned to program staff of WQAM after season in New Orleans.

Bill Dyer, WCAU sports speller, guesting over WQAM on Bob Elmer's dramatized sports show.

Henry Andrews came from Villa Venice added to WKAT remote set-up.

"The Bells of New York" is being adapted for a broadcast, with Tessa Deane in the Edna May role.

Dept. Store Sponsors

KTSA Amateur Program With Bowes Unit Tie-Up

San Antonio, Feb. 27.

KTSA has "search for talent" special series sponsored by J. C. Bowes, department store on air for a quarter-hour daily with one-half hour Sunday station.

Winner, to be determined by audience mail vote, will appear with the Major Bowes' 36th Anniversary Show which will open at the Majestic Theatre here week of March 2.

Robert Haver, musical director for the theatre, conducting the auditions.

P.S.—The Team Is Rotten

Toledo, O., Feb. 27.

Possibility of baseball broadcasts in Toledo this year is considered slim. The Toledo Mud Hens, which carried the games for Wheaties, has declared itself and Connie Desmond, baseball announcer, out because of too many previous program commitments. WTOL for the same reason has a somewhat pessimistic view.

Besides, the Toledo Mud Hens (American Association) is not rating much enthusiasm among the fans, so their prospects are n.h.

WGAL's Improvements

Lancaster, Pa., Feb. 27.

J. H. Stronman, owner of station WGAL, here, has awarded a contract to N. Whitten's Sons, builders, this city, for improvements to cut 50 per cent.

Does not include new portal equipment.

IN BALTIMORE ITS

ON THE NBC RED NETWORK

DAVID MCNEER

DAVID MCNEER

DAVID MCNEER

DAVID MCNEER

DAVID MCNEER

DAVID MCNEER

DAVID MCNEER

DAVID MCNEER

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DAVID MCNEER

DAVID MCNEER

DAVID MCNEER

DAVID MCNEER

DAVID MCNEER

BUY WISE

THE WISE BUY

WBNS

COLUMBUS, OHIO

All you need in Columbus is WBNS

JOHN BLAIR, S.O.A.

5000 WATTS DAY

1000 WATTS NIGHT

GOING SPECIFIC

on which to put your finger

201 Sales at \$3.95 each from KLE

"We know, in a general way, that the four new periods we have sponsored over KLE for the past year have been profitable, but before putting for an other year you can show us something specific in the way of results."

Darryl B. Gresham, Manager

Rogers Jewelry Company

KLE answered this request with two announcements, placing an article for home use price \$3.95, one an announcement was made between 10:30 and 10:45 Thursday night, January 4th

and another between 8:00 and 8:15, Sunday afternoon January 7th. A total of 261 sales amounting to \$793.95, were made in direct response to these two announcements over Denver's top station.

KLE Denver

CBS Affiliate—560 Kilocytes

AFFILIATED IN MANAGEMENT WITH THE OKLAHOMA PUBLISHING COMPANY AND WKY, OKLAHOMA CITY—REPRESENTED BY THE KAYE AGENCY, INC.

It is such power to create direct response for sponsors that has caused local advertisers to spend more money with KLE than with any other station in the Denver-Rocky Mountain area.

Would You Buy This Combination... If You Could?

"INFORMATION PLEASE"

"KOLLEGE OF MUSICAL KNOWLEDGE"

WELL . . . ?

Here is ONE Radio Attraction That Combines The Best Features Of THE TWO Shows

It's The Warner Bros. Half-Hour Radio Show

STARRING

AL JARVIS

(Originator of "Make Believe Ballroom")

IN

"FACE THE MUSIC"

FEATURING

The Nation's Outstanding Band Leaders

You Can Have This Show TODAY By Phoning

DAVID MCNEER

Warner Bros. Broadcasting Corp. Representative

At The Barbican Plaza, New York

IF YOU'RE LOOKING FOR SOMETHING NEW, SOMETHING

GOOD, HERE IT IS!

Radio Daffodils

New York City—Gaid Nick Kenny of the Mirror in his radio column: 'I wonder—whether the true test of the greatness of radio won't be when commercials are more interesting than programs?'

Dr. Mahoney—Dorsey Quilpatrick Drake, now featured on Col. Lem Stoopnager show, has been adopted as the mascot of Drake University.

Sa Francisco—'World's Fair Party,' a quizzer sponsored by Roma Wine Co., was broadcast over the Don Lee Network from a United Air liner enroute to Los Angeles from the Golden Gate area. Art Lohlester, m.e., seated in the plane, interviewed the oldest citizens in various communities, with the latter exchanging potter from the ground.

Radioite—Organist Leon Cole leaped from bed to make his early morning session on WGM. Found his false teeth frozen in a glass of water, his automobile also frozen. He made the studio on time but was handicapped in handling the ribbers.

Philadelphia—Small tots who formerly boasted they could spell C-A-T or dog are now according to J. A. Aull, boasting they can spell K-Y-W.

Brocklyn, N. Y.—Publicity style from beyond the East River: 'The Honorable Mr. Havin Chas wishes to advise that he has been appointed to the high position of director and announcer of Chinese programs for radio station WARD, Brocklyn, and that he will present the first of these programs on Tuesday afternoon at 3:40 P.M. Mr. Chas will look with much delight on a recitation of this fact in the press.'

Labor Jams Originations From Miami

Miami, Feb. 27.

Bob Ripley's 'Believe or Not' program got in the middle of a union controversy last week but extricated itself in time for the broadcast over CBS. Announcers on WQAM, the originating station, refused to take out permits from the American Federation of Radio Actors to work the show, with the result that the assignment went to announcers from WIOD, local NBC affiliate. The union engaged locally for the Ripley broadcast complied with the union's request and took out the required permit.

WIOD is organized, while WQAM is an union throughout. B. R. D. A. O. agency on the Ripley show, has a preferential working agreement with AFRA.

Program run in another union jam when the musicians refused to play the show from the ballroom of the local Columbus hotel because of a labor dispute in the spot. This situation was solved by engaging the University of Miami's auditorium as the originating studio for the broadcast.

PHILCO NET-MINDED FOR WYTHE WILLIAMS

Philco plans to move Wythe Williams, news commentator, currently on WOR, New York, to a network lineup, five quarter-hours a week, if it can get a desirable spot.

Radio-refrigerator manufacturer had a bid in for a CBS spot but it didn't pull.

Benny-Welles Swap

Hollywood, Feb. 27.

Jack Benny and Oren Welles are to swap roles on each other's programs.

Jellie comic will do 'June Moon' with the bearded boy on the Campbell Playhouse.

LOCAL QUARTET SPONSORED

Pt. Worth, Feb. 27.

Bel Canto Quartet, local singing group, is on KOGO and Lone Star Chain for Mrs. Baird's Bakery at 5:30 a.m. Sunday.

Quartet includes Fred Shelton, Martin Thomas, T. K. Johnson and Marcel Jones. They are the official National Shrine Quartet.

WBAL

means business
in Baltimore

Flashes From Boston

Boston, Feb. 27.

WBZ takes 'Massachusetts on the March' sponsored by Mutual Savings (banks) to Springfield for next Thursday's broadcast.

WEET's studios and offices in the Edison Electric Building are being renovated and rearranged.

Boston Transcriber inaugurated a special weekly radio supplement last Saturday (Feb. 17).

Manager Harold E. Fellows of WEET did his business over the telephone from his suburban home during the storm because transportation was cut off.

WBZ and NBC Blue broadcast Rakov and studio orchestra to England last week via BBC.

Carleton Dickerman celebrates 15 years at WEET this week.

'Glimmer Girl' authorized by WBZ-WBZA announcer Keyes Perrin, will have its premiere on the Jordan Mac hour.

Ralston Darley, of WBEE's 'Traveling Gardens,' is having his spot on the serial filled by Al Erison while the former recovers from an appendicitis operation.

Big Budget Talent Shows Look Doomed by No Sales Talk Rule

Montreal, Feb. 27.

With Fridolin, the outstanding French-language comic, scheduled to go off the air for Black Horse Ale shortly, the J. Walter Thompson Agency brings to a close the last of its costly musical shows for brewery sponsors. Fridolin's show, 'Train de Plaisir,' is limited to sponsor identification only due to the stringent Government ban on beer commercials.

Policy of J. Walter Thompson Agency in spending in the neighborhood of \$2,000 weekly for a one time musical program which offers the sponsor absolutely no sales talk, has been questioned in radio circles ever since agency picked up the comic last year.

Biggest vote, according to common opinion, Thompson Agency has developed for a brewery account in Black Horse commentator Walter

O'Hara, where sponsor gets three plugs in space of five minutes. Value of newcasting for brewery sponsorship was first demonstrated by the Cockfield-Brown Agency with Mason Newscenter Chris Ellis, who still leads the field locally with four years on air to his credit. British-American Oil (J. Walter Thompson) has also discovered inherent value of newcasting with Post Robinson program on Canadian Marconi station CFCF.

AUDITION CLICK AT LAST

Salt Lake City, Feb. 27. Bill Beckman is first would-be announcer to get job through audition on KQVL. Announcer's School, a program which has been running since a week for some three months. Position landed is with KVVU, Logan, Utah.

.... of MIKES and MEN

'Friendliness' . . . that's the outstanding characteristic of WLW's staff of 16 announcers . . . Each one capable, each one top-rate, each one a vital part of the Friendly Voice of WLW that strengthens the bonds of loyalty between the Nation's Station and its vast audience. Affection has no place at WLW, whose announcers hail from all parts of the nation . . . each one carefully chosen to make a staff as complete and versatile as that of any independent station. Because of the warm, friendly voices of Peter Grant, Michael Hian, Gordon Shaw, Bill Brown, Jimmy Leonard, Ed Mason, Harvey Miller, Ken Peters, Roger Baker, Dick Bray, Paul Allison, Charles Woods, Paul Jones, Fred Foster, Bill Frost and John Cornell, WLW listeners make it a point to hear them regularly . . . consider them their friends.



PETER GRANT, Chief Announcer, has been a favorite of WLW listeners for more than 8 years. Both sponsors and listeners like his distinct news programs, his friendly and sales-powered commercials.



CHARLES WOODS is chosen to announce more WLW commercial programs than any one else because of his friendly voice and down-to-earth technique.



GORDON SHAW year-after-year gets the spot-spot of many of WLW's better shows because of unassuming, human type of announcing.



PAUL ALLISON, an ordinary fellow with an extraordinary voice, is one of WLW's most popular announcers because of his genuine sincerity and lack of affectation.



JIMMY LEONARD'S spontaneous chuckle and enthusiastic good humor are as familiar to WLW listeners as his famous identification—The Nation's Station.



ROGER BAKER, one of the nation's best liked sports announcers, is no popular because his sport shows are authentic, real, spoken in friendly words that everyone appreciates.



REPRESENTATIVE THADDEUSMEHAN BROADCASTING & TELEVISION CORPORATION
NEW YORK CHICAGO

NEW JERSEY ATTACK ON ASCAP

Trenton, N. J., Feb. 27. A bill which would tax the earnings from copyrighted music was presented for introduction today in the New Jersey assembly by Assemblyman J. Stanley Herbert, Monmouth County Republican. Herbert said in a statement that the bill was aimed particularly at the variety show as the American Society of Authors, Composers and Publishers, which is controlled by radio.

Bill would impose a 5% tax upon ASCAP income derived from fees collected from New Jersey taverns, restaurants, radio stations and other amusement places which must pay for the privilege of playing copyrighted music.

In addition Herbert said: "Individuals and associations controlling copyrighted music would be required to publish a schedule making public lists of copyrighted pieces in ten-minute groups to each of the state's 21 counties."

Herbert said he had received complaints of arbitrary licensing practices by ASCAP and other groups.

WOMEN MUST WAIT

Two American Home Sorels Move To 3:30-4 in Afternoon

American Home Products is moving its serials, "John's Other Wife" and "Just Plain Bill," from their present morning spots on the NBC-red to the 3:30 to 4 p. m. slot on the NBC-blue, effective March 26.

Both serials will have a hookup of 15 minutes, and will give the advertiser a full hour, 3 to 4 p. m., on the blue.

Ala. Bevelville, musical director of KUG-XXX, Portland, Ore., okay following operation at Emanuel hospital.

ASCAP Reprisal

Continued from page 31

casting industry to the effect that they were not in sympathy with Croney's tactics and that his clients were becoming more and more convinced that Neville Miller and his associates in the National Association of Broadcasters were behind ASCAP court and legislative moves.

In contrast with Frohlich's assertions there were countless arguments within the broadcasting industry which indicated the belief that Croney's tactics might, unless curbed, result in serious damage to the broadcasting cause in their country with ASCAP.

A radio industry lawyer, who refused to be quoted by name, described the arrest as stupid, as meddling with the basic issue of the controversy between ASCAP and its licensees as giving the public a distorted picture of how broadcasting carries on its business affairs.

A network vice-president frowned on the tactics saying there is no American tradition for issuing criminal warrants as between one group of business men and another group between which a buyer-seller argument is in progress.

The Montana group has an unhappy impression of our methods of doing business. Every day we find that we have accused ASCAP of new falls under the cloud of that dubious moral argument.

OLD SUIT SETTLED

Body Value Wins Action Began During 1935

Albany, Feb. 27. Court of Appeals handed down a decision today (Tuesday) favoring Body Value and the NBC in the suit which Ruvali, Inc., started against them in 1935, alleging breach of contract.

Charles Ball, hotel man, headed Body Value, Inc., which had represented Value.

BROADCASTERS SEE N. Y. PERRY BILL AS SMOKE-SCREEN ON NEW COPYRIGHT SLANT

Making Off-the-Air Recording Without Consent Would Be a Larceny—Agreement With NAPA and AFM on Matter Looks Improbable

National Association of Performing Artists and the American Federation of Musicians propose to get for passage of the Perry bill in the N. Y. state legislature even though the two groups do not yet get together with Sidney M. Kaye, as counsel for the National Association of Broadcasters, on a common measure. NAPA and the AFM will themselves urge that the bill be so modified as to exempt religious, political and educational broadcasts.

The Perry bill seeks to have the recording of off-the-air broadcasts by the performers of the performers involved treated as an act of larceny.

Joint senate-assembly committee which held a hearing on the bill last week urged that the proponents and Kaye, who appeared as an opponent, try to get together on a compromise. The indications from broadcaster ranks are anything but favorable toward a compromise. This quarter has become convinced that the NAPA and the AFM intend to use the Perry measure as a "smokescreen" to get over the fact that only the performer is entitled to recognition as having a property right in a recording of his interpretation of work.

While broadcaster sources are willing to concede that there is justification for trying to stop them in their own ranks who may have been recording, without proper compensation, a legality, the broadcasts of their house orchestra for future use, they feel that the bill should recognize the employer as well as the performer as the lawful owner of the content. The proponents of the Perry bill refuse to accept this view, holding that if any one is

wronged it's the performer and that the broadcasters themselves are amply protected by the provision in the Federal Radio Act which makes a station which rebroadcasts the programs of another station without the permission subject to revocation of its license.

The Music Publishers Protective Association has declined to take any stand on the bill because it cannot see where the copyright owner is especially affected. Every form of musical piracy is covered by the federal copyright law.

PACKAGE PROGRAM SET UP AS N. Y. CORP.

Albany, Feb. 27.

Stellar Radio Enterprises, Inc., has been chartered to conduct a general radio broadcasting business in New York. Capital stock is 300 shares, no par value.

William Morris office set up the above corporation as a channel for its package programs. Figures that it will be used to handle its radio presentations that way.

ASCAP WINS IN TENNESSEE CASE

Knoxville, Tenn., Feb. 27.

Special statutory court of three judges last week handed down its findings and decrees for a permanent injunction against enforcement of a state law which would have virtually made it impossible for the American Society of Composers, Authors and Publishers to do business in Tennessee. The decision upheld ASCAP's attack on the statute in every one of its three points. The act sought to compel copyright owners to register with the secretary of State, file lists of their numbers and fix fees for each performing right.

The three-man tribunal held that every part of the statute was invalid and unconstitutional, that it constituted interference with a copyright owner's right to do business and that ASCAP had every right to serve as the exclusive licensing agency of its members' compositions. The court also took the view that ASCAP functions are valid and constitutional and that it performs a service that is valuable to both copyright owners and users. Also, the Tennessee statute deprives such copyright owners of the services of an organization that performs a service as necessary under the modern system of mercantile pursuit.

Florida Next

After obtaining a sweeping permanent injunction last week against the state of Tennessee enforcing its anti-ASCAP law, Schwartz & Frohlich, ASCAP legal counsel, are preparing to press their suit for a similar court order in Florida. The Tennessee victory comes on the heels of the society's successful fight in Nebraska for a permanent injunction against a local anti-ASCAP statute.

ASCAP feels that armed with such high court decisions it will be able to stymie more effectively the spread of anti-ASCAP legislation among the various states. It has been customary for ASCAP counsel to be asked at hearings on such state legislation whether they could effect any upper court finding deriving from a thorough thrashing out of the issues involved, or trial on their merits.

Camel's Baseball Bill

Camel's overall bill for the broadcasting of the N. Y. Yankees and Giants games over WABC, N.Y., the coming season will amount to \$200,000. Rights themselves figure \$100,000, the time around \$100,000.

Best going for lines, announcers, etc.

Jim LeGate at WHIO

Dayton, O., Feb. 27. James LeGate has been transferred from KGOB, Miami, to become manager of WHIO, Dayton, O., succeeding Leonard Reinisch, named manager of WHIO, Atlantic City.

Dave Brown has been appointed assistant manager and sales director of WHIO.

WBT spans 25 years in 3 seconds

To the first broadcast of WBT's new "Missing Persons Bureau" (Monday and Wednesday, 1:30 P.M.) came a first too hopeful plan from a listener in Greer, South Carolina. It was 25 years since she had seen or heard from her sister. Would WBT kindly broadcast her description? Some- where, someone might hear...

Sure enough, "somewhere" turned out to be Lenoir, North Carolina—109 miles from Greer, but right in WBT's primary area. The sisters were reunited within the week. And inquiries about missing persons roll into WBT from all over the Southeast.

It's just another instance of the part WBT plays in the lives of its listeners. They turn, naturally, to WBT for what they want—for what they need! Your products advertised over WBT become a part of the daily lives of 3,000,000 Carolinians throughout WBT's Listening Area. Ask your Radio Sales representative about it.

WBT CHARLOTTE, N. C. • 50,000 WATTS

Owned and operated by Columbia Broadcasting System. Represented by Radio Sales: New York, Chicago, Detroit, St. Louis, Charlotte, N. C., Los Angeles, San Francisco.

**DON'T TAKE OUR
WORDS FOR IT...**

Hourly Periods in Which Each Station Ranked First During the 124-Hour Period Surveyed

Station	WHAS	2	3	4	5	6	TOTAL
	BLANK WATTS	BLANK WATTS	BLANK WATTS	BLANK WATTS	BLANK WATTS	BLANK WATTS	
HOURS RANKED FIRST	74	39	-	9	1	1	124

These findings reflect the listening habits of both urban and rural audiences and demonstrate the predominant listener preference for Station WHAS.

WHAS
50,000 WATTS
BASIC CBS OUTLET

REPRESENTED NATIONALLY
BY EDWARD PERRY & CO.

Owned and Operated by
The Courier-Journal
THE LOUISVILLE TIMES

Ask the WHAS representative for the detailed breakdown of the WBT and 25 other stations survey.

Inside Stuff—Music

On the Upbeat

RECORD REVIEWS

Oscar Levant's book, "A Smattering of Ignorance" (52; Doubleday-Dorsey) puts off some old songs in Hollywood music men, producers, etc., in a unceremonious manner. He brushes off some of the studio music execs quite unjustly and manifests, amidst the caustic humor and a generally bright style, that the Max Dreyfus-Harmon-Chaplin stable of tunesmiths (with a Broadway background) command his greater respect than the soundfilm-cultured music artists.

Xavier Cugat headed for Studio Hotel, Detroit, speaking March 24. New at Chase Hotel, St. Louis.

Bob O'Hare, Chicago bandleader, is a distributor for Waukegan Waters, charged water outfit, and a record reviewer for Tavern Weekly News, on the side.

Vincent Lopez and Don Redman recorded themes "Nola" and "Chase of the Weed" for Victor and Bluebird, respectively.

Bill Kemp orchestra set into the Empire Room of Palmer House, opening March 21. Also on the show will be George Form, Ray Brown and Roy Davis. In addition to regular Mortini Abbott dancers.

Karl Traxler's WCAE Airlines, fronted by Stewart Braden, vocal alumnus of Tommy Dorsey, called, to Bill Green's Carina, Pittsburgh, Monday (20) for two-week run, replacing Howard and Smith.

Carmen Krumpholtz, pianist with Peppé's, Pittsburgh, picked by Max Adkins, conductor of Stanley theatre orchestra, to succeed late Mike Samano at keyboard.

Organist Johnny Mitchell looked into Yacht Club, Philadelphia, but ran to provide music at dinner and between dance sessions at supper.

Maurice Spillane into Stanley theatre, Pittsburgh, week of March 4, and his brother, Phil Spillane, follows him in fortnight later.

Stanley Krull replaces Steve Ward on stage, George Strava vice Eddie Shemer, sax, and Bob Alderson, who comes from Don Bestor's band, takes Harry Garry's trombone chair with the Johnny McGehee band when it pulls into the Strand theatre, N. Y., March 4. Milton Deutsch has become McGehee's road manager. Cecil Gully replaces McGee at Donmour's, Mountain View, N. J., March 4.

Don Ladino, sax, and Geo Riviera, sax, and Ted Pendergast, piano, will replace riv. Powell's outfit will change to a more sweet style.

Ted Strasser band, now at Monte Carlo, N. Y., signed for Columbia Records. Cut first four sides last week. Has never been on air or records before.

Ray Foster band set for a stretch at Barney Rapp's spot in Cincinnati, opening either March 8 or 9. First stand with a wire for the new band.

Barry James may sit down for a stretch at Blue Gardens, Armonk, N. Y., McFarland Tunes current.

Jack Crawford into Plantation Club Club, Dallas.

Jimmy Stewart's crew, ex of tipped Ciro Club at Dallas, in at White Rock Showboat, same city.

Warren Harrison, violinist, added to Jack Lee's orchestra at Eighth Avenue Club, Dallas.

Bobby Peck, trumpeter from Bobby Byrne's band, replaces Eddie Wade with Bob Crosby.

Blue Barrow may shift from the Edison hotel, N. Y., to the Blackhawk hotel, Chicago.

Key Foster, who recalled for the defunct Georgia Auld band, replaces Elton Cooper with Tony Pastor's outfit.

Al Donahue goes into the Brunswick hotel, Boston, March 23-April 3.

Bob Burke, whose tag is "Ole Tumbler of the Keys," call his vocalists "The Cat's Canary."

My James's new crew, will have its first showing at the Hotel Lincoln, N. Y., within next two weeks as a smooth night relief for Charlie Barnett.

"Woodpecker" Song, which is rapidly gaining novelty popularity, was written in Italy under the title "Reginella Campagnola" by E. Di Lazzaro and C. Bruno Di Lazzaro. It was recorded in France by the Czechovalkan band of Will Glabe, which originally brought "Beer Barri Polka" to attention. Harold Adamson wrote the English lyric.

Kate Smith was forced to do the time two successive broadbands because of the demand for it following the first, and it is recording it for Columbia. Glenn Miller on Bluebird and Andrews Sisters on Decca have also made Robbins Music is publishing.

Shapiro, Bernstein & Co., which recently acquired the full copyright renewal to "My Melancholy Baby" from Mercer & Morris, will play the royalty payments three ways. Miss Barrett will get a half, his former wife, Myrtle K. Bergman, a quarter, and the heirs of George A. Norton, the remaining quarter. Mrs. Bergman and Norton will be credited on the title page hereafter as the co-writers of the lyric. Arrangement settles a suit which Mrs. Bergman had brought in the N. Y. federal court against the Joe Morris Music Co., from whom Mercer & Morris had obtained the "Melancholy" copyright. It will make the first royalties she has collected on the number and the first time that her name has been on the title page in 23 years.

Barbadores on Parade: There can't be much that can be done about it but many band broadbands are knocked out of kilter by extremely noisy parties of rooms from which the crowd of it seems especially loud at times, suggesting it may be the fault of mike setups or the type of mike used—Will Bradley surprises with programs of fairly good balance from the Famous Door, N. Y., a tough nut for most bands to crack. Tommy Dorsey carried on a snappy bit of crescendo in an informal half-hour chat with the all-night record-changer on WAAT, New Jersey, at 3 a.m. Monday (21). Dorsey's band got up with a real taste of "Bliss" on its earlier remote from Meadowbrook... Leonard Koffler's violin and band come up with some nice stuff and make good listening... Something different in the somewhat gravel-voiced singer with Dan Gabor doing "When You Wish Upon a Star," and other tunes along that line usually reserved for higher pitch singers... Francis Craig's "Devil Dance" is a brief writing.

Speaking of pictures: Imagine the facial expressions in the howling and eating joints at Stan Hoar's night club about those "utterly lovely breath-taking" firsts at 200 West 10th... Just as you brace yourself for that last brass George Hanson double-exposed picture, the band is delivering it via records and a celeste. A welcome switch... Phil Harris himself comes in with his late hour material, but a tendency to repeat, as plug, tunes is not helping... In case you don't realize just how good is Tommy Dorsey's rendition of "Indian Summer" (there's a lyric, man), be sure and listen to some of those other tremendous squeeze it into a lesson.



UPSTAIRS

IT WAS PLANNED IN NEW YORK AND AN AMERICAN...
BIGGER EVEN THAN 'RANCHO GRANDE'
AMERICAN...
YOUNG MEN... GRAHAM PRINCE

Two Cute Novelties and Two Lifting Waltzes

I Was Watching A Man Paint A Fence

Recorded by Clyde McRae on Decca Records No. 2028

Kissy Face

New Baby Recorded by Broadway

EDWARD B. MARKS MUSIC CORPORATION
RCA BUILDING • RADIO CITY • NEW YORK

The Nation's Newest Novelty Clerk!

"MA!"

(HE'S MAKING EYES AT ME)

—And Now Watch for the New Universal Picture of the Same Title!

Your Most Romantic Request Tune

DOES YOUR HEART BEAT FOR ME?

BILLY

(I ALWAYS DREAM OF BILL)

Morton Gould's Modern American Classic

PAVANNE

The Season's Most Haunting Melody

CORAL SUNSET

A New Ballad

AND LOVE WAS BORN

By Carmen Lombardo and Gladys Shelley

NOEL GAY gave you the LAMBETH WALK... Now he gives you the New English Czar from the London HIT Show "The Little Dog Laughed"

RUN, RABBIT, RUN!

Watch for Record Releases!

MILLS MUSIC, Inc. • 1619 Broadway, New York, N. Y.

Jack Mills, Pres.

NICK and CHARLES KENNY'S NEW COAST-TO-COAST RADIO HIT!

LEANIN' ON THE OLE MOLE RAIL

LEO FEIST... HARRY LING... P... LON MOONEY... RIF M...

San Antonio Cafe Op In Drive to Hit Music Setup, Seeks to Curb ASCAP

San Antonio, Feb. 27.

J. N. Crasnick, owner and operator of the Glenside Club here, states he is trying to start a petition to Congress to contain some of the features of night club owners and others interested in trying to change the present setup of the copyrighted law governing the ASCAP. His object is to have additional legislation passed to give less power to the American Society of Composers, Authors and Publishers. He cites his experience recently as well as other night spot owners with the representatives of that organization and he believes that a concerted action will bring results.

Owner of a medium sized night spot using an orchestra ranging in size from three to six musicians, Crasnick advertises the fact he has a dance band. He has many times in the past several years by ASCAP for performance fees. Crasnick told them that he had no intention to pay the license due to the fact that the price asked was too high. He reports ASCAP asked for \$500 and he was willing to accept a smaller amount which he thought still too high. He offered them but to no avail.

On Jan. 18, 1934, ASCAP filed suit in the Federal district court here. Two days prior to the trial two representatives of the ASCAP together with their lawyer arrived here. They immediately began checking the property values, the holdings, credit rating of Crasnick. He owns the building in which his night club is operated, a restaurant, a group of houses and other holdings. At the trial they claimed infringement on two songs—"You Must Have Been a Beautiful Baby" and "Between a Kiss and a Sigh"—on which they asked judgment of \$500.

In the testimony offered by ASCAP, it was stated the two numbers were played by the orchestra on a certain night in April, and there were 11 other guests present besides the representative of the ASCAP.

In his testimony Crasnick showed court records that there were not that many people present and he seems to the fact that the numbers were not played, due to the fact that the orchestra did not even have the music for the two selections.

Verdict favored Crasnick with ASCAP footing the bills for the trial.

ALSO A HARBORER CASE
A New York milk company has installed a Nightclub Club at its plant on 14th street near 10th avenue, where milk is in a tank and beverage dispensed along with a milk and dairy products for visitors. It is all on the house.

Project is a come-on to induce visiting the plant and see how the dairy prepares its products for the N. Y. market.

Morgan Dancers Return

To Palm Is. Casino, Miami
Shuart Morgan Dancers, who only recently closed a four-week stay at the Palm Island Casino, Miami, have been rebuked for two more weeks.

The adjudicating court reports at the club tomorrow (Thursday).

'CHANGE HELLZAPIRE' TITLE PENDING TRIAL

Pending trial to determine Olsen and Johnson's claim, the title of "Hellzapoppin'" will use the title of "Tumbador" instead. It is being offered currently, but opens with the substitute monicker tomorrow (Thursday) at the Capitol, Wilkes-Barre, Pa., for three days.

They used the name and its owner, Al Barde, of Chicago, and Benny More, claiming the title was unfair competition to the "Hellzapoppin'" revue currently at the Winter Garden, N. Y. Barde and More, through Attorney I. Robert Broder, have demanded that the title be enjoined was handed down in N.Y. supreme court. Last week O. & J. paid up a \$10,000 bond pending trial.

Starline Lake

By Harry Barney

Starline, N. Y., Feb. 27.

A. B. (Tony) Anderson, aged 45, a N. Y. specialist regarding his gun, back on the job with his under-pins in a cat.

Local Thomas mulling the gang at Lake Placid between chats during the two-day Sun-Bloom-Sunshine New York act.

The Ed Riddle, in Florida the past few weeks, are back here enjoying mild spring weather and arranging the reopening of the Florida nightery.

Boy Gaudier here for checkup and vacation.

Among those scheduled for that long looked-for "on-hone" party are Sam, Paul Putnam, Dorothy Meacham, Carmie Hartley, Paul Dean, Eddie Vogt, Lester Carter and Betty Johnson.

The new movie at the Will Rogers is Dr. Harold Krantz.

Celebrating his fourth year as an owner, Jack Edwards got the get-up and exercise act. He is a crying time table for that go-home routine.

Into the hands of the publisher that new ballad written by two Will Rogers, Eddie Dowd and their Cameron, "A Little Cottage for Two."

Write to Star who are ill.

YACHT CLUB'S CLICK PIT'S BIG SURPRISE

Pittsburgh, Feb. 27.

Talk of to in silver stars is big click of Yacht Club this winter after number of different management had failed miserably over the winter season. Spot never got back on its feet after 1929 when, it was closed for a season. The club was then sold to a new owner, but it never recovered, among them Freda Pope, now operating Plaza club, and Magnificent, sailing ship, owner of Old Bay Breeze currently, with each sinking lot of coin into it and losing their shirts. Month ago, against advice of everybody, Ed Heller, with no previous experience in night club owning, took a chance and did a look over the issue, redecorated it a bit, changed the name to the Yacht Club and have been posting.

Figured at first just a flash in the pan, due to imperfect lighting, but by week's end, Heller, owner's brother, and all-star name show he recruited to good results. After four months, click has continued since then.

Operator was granted a state nightery permit last Nov. 1, spent \$5,000 on redecoration, but he was disappointed in a court battle when state's attorney Charles A. Carron returned to give him a city license. Heller was also shown through, closing neighborhood night clubs in force. Brennan was given the decision by judges, who ruled that new zoning ordinance could not be retroactive and that suburb could not have rights accorded Brennan by state.

Harlem Apollo Gives in Quick To AGVA's Call

After a one-day strike, AGVA signed a contract Sunday night (28) with the management of the Apollo theatre, Harlem, N. Y. Agreement, effective at once and expiring next week, calls for AGVA's \$50 a week minimum for principals, \$30 for chorus, plus various regulations for the own production.

Strike was called just before the first show Saturday night (26) and the colored members of the chorus walked out. House brought in a few replacements, but with a heavy picket line in front of the h. a., attendance fell sharply. Reported a couple of performances were missed entirely, the management turning the picture inside.

New rates of \$30 for chorus members is a raise of \$5. In addition chorus must be paid an extra \$5 for doubling in bit parts.

Number of performances weekly is limited to 30 and rehearsals to 14 hours, with additional pay for extra shows or rehearsals. Chorus must be supplied with regular wardrobe and are guaranteed four weeks' work out of the season.

Following a brief get-together last Friday (25) with Irving Lester, rep. of the Boy, N. Y., the AGVA negotiating committee agreed to postpone further action regarding adoption of the vaudeville code until a meeting with the managements of all Broadway vaudeville houses could be arranged. No date for such a had die has been set and indications are that some may be scheduled until after the union reaches an agreement with the agents.

Members of the AGVA committee that conferred with Lester included: Hoyt Haddock, AGVA executive secretary; Florence Marston, of the Screen Actors Guild; Ruth Richmond, of Equity and Chorus Equity, and Jo Tunge, of the American Federation of Radio Artists.

Members of the parent union has asked the affiliates to give such support, but the various boards haven't had time to act on the matter.

Chicago, Feb. 27.

Walt Platt, booking manager for Balaban & Katz, has set a string of headlines for the State-Lake, starting with Jimmy Durante's ork week of March 1.

Edgar Kennedy comes in March 3, Edmund Lowe on March 13, Buddy Rogers' ork March 20, and Little Jack Little's band March 26.

State-Lake Sets Names

Dante Putting Up His Tricks, But Sees Magic Coming Out of Blackout

Hollywood, Feb. 27.

Dante the magician, after his fourth world tour, is putting up his tricks and going into retirement. He's building a home at Riverside, on the beach, and he's planning to stay in the black art, but no more shows across the watery span. A farewell, perhaps, in this country if the fifth tour is profitable.

Dante, or more likely, Harry Jensen, isn't folding up because he's lost his touch with the world's populace. "As long as there's life there's mystery," he was quick to explain. "It's the war and its ravaging effects on the show business that prompted him to forego his tricks and devote a company of 20. He was on the continent when the hostilities broke out and his spread seemed to catch him on his every move. First it was Italy, then London. Up to that time he was doing turnaway bill.

The English are still the most enthusiastic about magic, says Dante. Russia and Japan also are very much interested in magic. He is a native born in this country. However, he's going to go far in a bigger way, as they expect to play the States.

Dante believes that recent misfortune of his in Europe and on radio has proved a stimulant to magic rather than producing an injurious effect. It created a new interest in the art and brought out a fresh crop of amateur magicians. This had happened before and is a natural and no part of any professional's repertoire. His book, "Tricks for Everybody," has sold more than 1,000,000 copies.

Magie is ripe for revival in the country and with the right kind of leadership, psychology and showmanship should really enjoy a vogue such as was created by Keller, Houdini, Herrmann, Thurston and the other masters. Dante ventured some of his own ideas on the subject and he'll be no stopping it. Of the present crop there isn't an amateur capable of bringing such a renaissance, he said as he shrugged off the contemporary magic.

Dante is a protégé of Thurston and for years built his contraptions and acted as assistant. Just before Thurston died he named Dante as his successor. Dante expects to continue to work on his own and to travel with Thurston.

1 Dallas Nitory Closes; Big Plans for Others

Dallas, Feb. 27.

After a short career, City's first new nightery here, has been opened. Meanwhile, plans were discussed last week for remodeling Peacock Terrace atop the Baker hotel to form a suburban spot by Nick Br. George and associates; a small suburban spot by the name of the J. J. Schenck; an outdoor dancing pavilion for the White Rock Sherwood; and the enlarging of the Plantation Club to 1,500 capacity.

TRIO GOES DARK

Los Angeles, Feb. 27.

Travelers shattered until April 1, when Jack Steinberg, who has four name attractions for the summer.

Understood Al Lyman and his ork may be featured during the autumn period.

Second summer around the pillars is booked at Rosevelt hotel's Blossom Room until October.

Best Coffee in England

QUALITY INN

Leicester Square LONDON, WEST END

G. O. P. Bonanza

Continued from page 1

at the prospects and curfew restrictions are expected to be lifted during the summer.

The New York World's Fair is also expected to get a chunk of extra business from the convention.

Officials have announced they will run special excursion trains from the Ship to the station, within the scope of Convention Hall, to the Fair Grounds.

There will be about 2,000 delegates and alternates. They are expected friends. At least 25,000 political followers are expected in addition. Visitors that normally attend to convention cities are expected to swell the total of out-of-towners up to 1,000,000 mark.

Warner charged Famous Players and Metro with collusion, and that was the end of the picture. The J. J. Schenck had to settle in meeting with the Association of Motion Picture Producers. Now involved actress Pauline Star.

G. O. P. Bonanza

Continued from page 1

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SIBYL BOWAN

STRAND THEATRE -- NEW YORK -- MAR. 1

The THEATRE OF THE STARS

BOOKING AGENCY

GENERAL EXECUTIVE OFFICES

LOEW BLDG. ANNEX

160 WEST 46TH ST. NEW YORK

Byng 9-7800

J. H. LUBIN

GENERAL MANAGER

SIDNEY H. PIERMONT

BOOKING MANAGER

Plays on Broadway

Engagements

Inside Stuff—Legi

NIGHT MUSIC

[illegible]

Jane Wyatt, who joined the Grosvenor players for this occasion, gives a fine performance as *Queen* and on the

'Night Music' has the makings, but seems to have a lacking element.
Ibsc.

Reunion in New York

can theatre. 'I'm Going Crazy with Strauss' is the typical discourse of her preference for Yankee swiftness instead of which she is given nothing but Strauss waltzes, Vienna eclairs and kindred homeland products, a nostalgia with which she hasn't patience in her new world surroundings.

Fred Lorenz, who is promoting

ANOTHER SUN

Drama in three acts, four scenes.
Dorothy Thompson and Frits Kortner
staged by Frits Kortner, acting. Ben Re-
werts; costumes. Paul du Pont, pro-
duced by Cheryl Crawford at National, N.
Feb. 12, '66; \$5.50 top.

George Bernard.....	Have You
Marie.....	Calcutta Hi-

ANOTHER SUN

ly suggests the problem and fails to express it in dramatic terms. As a boxoffice prospect, it is negligible.

The two incidental plots frequently overshadow the central theme. Jeffrey Brandt, who always wanted to paint, had to be content with it as recreation from his school-teaching chores: his wife Mimi

Play Out of Town

The two incidental plots frequently overshadow the central theme. Jeffrey Brandt, who always wanted to paint, had to be content with it as recreation from his school-teaching chores: his wife Mimi

Play Abroad

LIGHTS UP

The outstanding hit among the players was Evelyn Laye. Her numbers are, as usual, well fewish, but her rendering of the comically pathetic ditty, a housewife's swaggering Prince Charming in a Cinderella burlesque and nervous assistant to a conjurer place her in the front rank of character actresses.

It is worth visiting the show and to watch her characterization of Cora Pearl, a famous courtesan whom history tells us was the mistress of Napoleon III. The choice of the number is plenty off color, but Miss Laye's excellent interpretation marks it particularly for its entertainment merits. Possibly the more of a humorous attack is the pantomimic performance of the

FATHER A LULU IN C. L. A.

\$16,700

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FOXES', \$21,000, TOPS FIRST PHILLY WEEK

Philadelphia, Feb. 27. — Both legit offerings in town last week, running the first week of the season, higher in some cases than the previous week.

The Streets of Paris' topped to hit \$27,000 in its second week of the season, easily justifying decision to hold review for third week. Even more spectacular was upward curve for "The Little Fawn" at the Lyceum, to \$24,000 from the first week's \$17,500. Monday room and extra chairs were the rule after Tuesday. Bank-vehicle would have been a cliché for another week.

This week's newcomer, "Key Largo," which opened last week at the Lyceum, topped to hit \$27,000 in its second week of the season, easily justifying decision to hold review for third week. Even more spectacular was upward curve for "The Little Fawn" at the Lyceum, to \$24,000 from the first week's \$17,500. Monday room and extra chairs were the rule after Tuesday. Bank-vehicle would have been a cliché for another week.

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Scandals' Gets Big \$28,000 in St. Louis

St. Louis, Feb. 27. — George White's "Scandals," with a top of \$23,000, rung up the banner high for the season, easily justifying decision to hold review for third week. Even more spectacular was upward curve for "The Little Fawn" at the Lyceum, to \$24,000 from the first week's \$17,500. Monday room and extra chairs were the rule after Tuesday. Bank-vehicle would have been a cliché for another week.

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ROAD'S 5TH BALTO VISIT FINE \$14,500

Baltimore, Feb. 27. — Very top opening in legit district here, the Fifth Annual Road's 5th visit to the city, as part of the AFB-Gold subscription season, getting a mail order for \$14,500 in the week. The play, which was written by George Abbott's latest pre-Broadway effort, "Daddy in the Night," is set for March 3 in the first and second runs of the Franchet Theatre, commencing the Franchet Saturday (12:30) and Sunday (2:30) matinees.

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CORNELL FINE \$23,000 IN 9 WASH. SHOWS

Washington, Feb. 27. — Town turned out as always to see the Cornell University play, which was written by George Abbott's latest pre-Broadway effort, "Daddy in the Night," is set for March 3 in the first and second runs of the Franchet Theatre, commencing the Franchet Saturday (12:30) and Sunday (2:30) matinees.

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Gertie Lawrence 11th

No performance of "Shall We" played last night (Tuesday) at the Morosini, N. Y. Gertrude Lawrence, who is starring in the play, is in the city with a cold. At the theatre it was said she would appear at today's (Wednesday) matinee. Monday nights were dropped recently so that Miss Lawrence could be in the city with a cold. At the theatre it was said she would appear at today's (Wednesday) matinee. Monday nights were dropped recently so that Miss Lawrence could be in the city with a cold.

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Current Road Shows (Week of Feb. 26)

"Abe Lincoln in Illinois" (Raymond Masony)—Grand Opera House, Chicago.

"The Streets of Paris" (monologues)—National, Washington.

"The Streets of Paris" (Franchet Theatre)—Franchet Theatre, Baltimore.

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B'way Legit At Peak

Continued from page 1

putting more than \$18,000 in a small theatre (Booth). "Life With Father," which has been running since the play, but all ways drawing standing, went into first place by virtue of an extra My Child's and was doing better than \$21,000. "Man Who Came to Dinner," normal leader, again got a boost from the extra My Child's, and was doing better than \$21,000. "Man Who Came to Dinner," normal leader, again got a boost from the extra My Child's, and was doing better than \$21,000.

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"Dinner" Strong \$17,500 IN L. A. 2D

Los Angeles, Feb. 27. — "The Man Who Came to Dinner," with Alvin Karpis, topped the list of profitable weeks of the Billboard, with a gross of \$17,500. The play, which was written by George Abbott's latest pre-Broadway effort, "Daddy in the Night," is set for March 3 in the first and second runs of the Franchet Theatre, commencing the Franchet Saturday (12:30) and Sunday (2:30) matinees.

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Castello's Illness Also Exits Abbott From 'Paris'

Philadelphia, Feb. 27. — Abbott and Castello are out of Streets of Paris here this week due to Castello's illness. Letter from New York Friday (11) in time for the first week of the season.

Team rejoin Paris in Washington next Monday (14), Sid Marston and Cliff Sharkey's Hall meanwhile substituting.

'Yankees' Red Ink in Pitt

Pittsburgh, Feb. 27. — Not much news for the Red Sox, but "Yankees" Vantier here last week. Billed up only an estimated \$18,000 in March, most of that coming in last few performances.

Started slowly but drew fairly good reviews, most of the criticism pointing out that it wasn't as bad as Broadway reviews predicted. With reviews, the play is doing well in developing a fair bit, drafted down the home stretch. The hit, however, to get out of red.

EDDIE GARR

American's Exclusive Entertainers Now Playing HOLLYWOOD BEACH HOTEL Hollywood, Florida

Mr. WM. KENT 1776 Buena Vista, New York





Something
Big is
going on!

Once the drum-roll was the signal that something **BIG** was going on....

Advertising is the drum-roll of **TODAY!**

Something big IS going on... and the Prize Baby is behind it!

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