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SCREENS CLIP FEATURES

FINLAND BALLY BARRED BY WEBS

Efforts of the Finnish Relief Fund to get an order 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 program fell within the same category as Czechoslovakia and Poland's. It is later believed the veto was due to the Russian invasion of their facilities.

Musical Caricature in Canadian Revue is Nixed by Government

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

Shortwaving a Fight

Trenton, Feb. 6. Standard Oil of N. J. and four of the Latin-American affiliates have sought the shortwave rights to the New York-Arturo Godoy championship fight Friday night (9) at Madison Square Garden, N. Y., and will contest the broadcast to South and Central America.

One Way to Put It
Spokane, Feb. 6. Chamberlain's foreign policy, according to speaker Glen Austin, is in the best waste transaction.
"We're giving 'em the old school routine in the business—the stop-wait and the blackout."

P.A. PUBLISHERS PEEVED AT PIX

Philadelphia, Feb. 6. Pennsylvania newspaper publishers are up in arms at the film program of members of the Fourth Estate. They feel that the showing of reporters continually stowed and editors publishers as hoodlums carries devoid of human feeling, has lessened the goodwill of the public toward the newspaper industry.
At the recent meeting of the Pennsylvania Newspaper Publishers Association at Harrisburg a resolution was passed protesting the portrayals of media pictures of newsmen as "false to real life."
The resolution follows: Resolved, that member publishers of the Pennsylvania Newspaper Publishers Association are incensed by the repeated production and exhibition of films by the leading motion picture producers portraying newspaper reporters, editors and publishers in false roles false to real life, and the NMPA asks all newspaper associations to unite in a renewed protest to the producers against such scandalous misrepresentations as have been noticed in recent months. It was reported the publishers were especially peeved at the portrayal of the crooked and unscrupulous publisher in "Mr. Smith Goes to Washington."

CROSBY FLIRTING A NEW PICTURE DEAL

Big Crosby is being quoted as indicating that he has had enough of Paramount and will not renew after completion of three more pictures. He may go either to 20th-Fox or RKO, with the provision he make one picture annually on the outside. He has done this with Paramount and currently is making his outside picture for Universal in "Hit My Way." Last season he made "East Side of Heaven" for U. Crosby recently completed "Road to Singapore" for Paramount, which will go on release March 22.

TELEVISION G.O.P. CONVENTION
In the event the Republican National Convention is held either in New York or Philadelphia, a new broadcast some part of the proceedings probably will be put on NBC's 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 Maestro's—Some, in Big Money for Years, Meet Current Expenses with I. O. U.'s

NON-STOP BANKROLLS

The world of dance music is noting with a cold-iron headache the deficits accumulated by the "sideline" of orchestra leaders. These sidelines range from enterprising operation of music publishing houses to playing bonfires in cafes and celebration spots. However, particularly, point out that music publishing is a business of peculiarly difficult skills, heart-breaking failures, and they add that the mortality among nitery is so high, and the whole act of putting one over so specialized, that playing angel for such a spot is more risky than Nazi bonds.
The constant fun of dancemen to go aluminous commercially strikes many observers in the amusement realm as more naive case of the Acrobat who (Continued on page 36)

LEGIT PROD. 20% BEHIND LAST YR.

Season of 1939-40 is running directly behind that of '38-'39 in productivity. Up to mid-January there were 27 new shows produced 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 current season will be 20% behind last year.

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 signing failed to win such backing.
Only Warners is not in the open with its show-business, having been more active in that direction than heretofore. The others turned thumbs down on the conditions imposed by the author's organization, which, they say, was done without (Continued on page 41)

Great for A. T. & T.

Miami, Feb. 6. Sid Silvers and Jack Yellen, who are subsidizing the book for the forthcoming Al Jolson-Ruby Keeler-Morley Easy musical by Harry Kaufman (Shubert), have an already daily telephonic session with Jolson from here. Comedian regularly phoned the writers, who are working in New York, and they set out any new material, songs or bits.
Richard Rodgers and Lorenz Hart are doing the score and Jolson is reportedly financially interested. Vacation freedom is no longer in on it, it being a Shubert-Kaufman production.

JACK BENNY IN NEW \$18,500 DEAL

Jack Benny's new deal with General Foods will most likely be closed this Friday (9). Several angles are still open for settlement, but the indications are that none of these will hold up the dealmaking. The agreement will be for two or three years, will bring Benny a lump sum of \$10,000 per week and make him the boss and direct employer of every one on the show.

Benny's program. The food producer tried to do this last season, but Benny objected, not because he was not getting behind anything different, but because he was inclined to the belief that the average listener would think he had lost his old sponsor for a new product.
The deal, it is said, is for a new lump sum of \$10,000 per week. Young & Rubicam is the agency.

RUTH DRAPER'S GIFT CAPTIVATES CANADA

Vancouver, B. C., Feb. 6. Ruth Draper turned over her \$18,500 gift to the Canadian Red Cross after her four-week tour of Canada closed here last night (Monday).
Don Eric W. Hamber, Lieutenant-Governor of British Columbia, was cheered by a standing-room-only crowd when he thanked her American cousin for her magnificent gesture.

FILM'S 'RADIO CAVALCADE'

Hollywood, Feb. 6. Concluding that "Cavalcade of Radio" should be written by one of the all-time radio stars, 20th-Fox has picked Ted Sherdeman from NBC for the assignment. Kenneth MacGregor produced the series.
Sherdeman was given permission to continue his scripting of "Broadway," NBC sustainer.

'GAY WHITE WAY' TO HIGHLIGHT N. Y. FAIR

With the Gay White Way, last picked for the Midway, already taking shape ahead of opening of the exposition, it will be nearly three months off, the M. Y. World's Fair last week revealed plans for more elaborate displays than in 1939. Displays are being handled by a newly-created department known as the Display Division, with Milton Reynolds, who was successful with a similar proposition at the Chicago fair, in charge.
One of the display lounges, all housed in exposition buildings already built under way, is the Parade of Homes, details of which were given by H. Y. Ross, editors at a luncheon at the fair last week. They will include 28 displays. Another will be the Scripps Ticket Office lounge, and a centrally located fair building between the transportation and main exhibit area. Seats for N. Y. light shows, picture strips, handled reserved seats, boat parties, guided tours in Manhattan, picture, sight-seeing buses, etc., will be handled.
Maynard Hill, of the fair's publicity staff, who spoke for Leo Conroy. (Continued on page 68)

Film Stars Avoiding London, Scared Off By Air Raid Threat

Hollywood, Feb. 6. U. S. film companies are halted by an unsuspected snag in their plans to mail their British coin by producing quality pictures in England for American distribution. They can't insure Hollywood case players' only across the ocean in wartime.
Only American air 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 shelter in the recent threats of air raids on London in spring.

Hesters' 'Autobiography'

Belle Livingstone, rival of Texas Guinan as a prohibition era producer, is in a slump, but has completed a book which she calls her "autobiography." Details her experiences, running her club, New York's east side and later in Reno. Also, her stay in the club, the coming out party arranged for her by customers and the risk of the hoopla of the period.
This is her second party arranged for her by customers and the risk of the hoopla of the period.
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Biofil Extradition Hearing Feb. 13; \$85,000 Tax Fraud Trial on May 28

Berkeley, Feb. 6. No further delay on the extradition of Willie Biofil, fugitive Hollywood gambler, official announced yesterday by Governor Culbert L. Olson, who refused to stall the IATSE man's return to the United States. Biofil, who is wanted by the state of Illinois to complete a six-month term under indictment on extradition matters on the ground the U.S. Government first wanted him to stand trial on an indictment charging income tax fraud of \$85,000.

Gov. Olson ruled that the controlling factor in ordering the hearing was a statement by U. S. attorney Benjamin Harrison, who said Biofil "shall not influence your extradition one way or the other, but I favor one option over the other."

Headline trial of Biofil set for May 28. Harrison was instructed by "Washington" to take charge of the case, attorney-general, who assist in the Government's case unless otherwise assigned.

Biofil's Pleadings
Michael Ludin, Biofil's attorney, in a brief replying to a motion for extradition, sought to delay the hearing until Federal tax charges against Biofil had been settled to refute the Illinois contention that Biofil has priority and cited a Massachusetts ruling that Federal tax compels a Federal prisoner to come to trial for an offense against a State law which holds him liable for punishment from justice, contending he lived in Chicago 14 years, worked there as a marshall there, before leaving for California.

It was claimed extradition is rarely, if ever, granted on misdemeanor charges, and insists 180 days' delay in prosecution requires satisfactory explanation. Biofil's attorneys at the proper time should establish ulterior motive actuating those proceedings. Then they should state that this respondent has become a political football, beset on all sides by rival political forces and parties in Illinois.

Document charged an effort is being made by Francis Kane, publisher of the Chicago Daily News, to embarrass Gov. Henry Horner of Illinois by the delay.

In reply to the Illinois brief, stating Biofil never worked in the craft, no payments, contact contacts he was a projectionist in small Chicago theatre while a boy. Attorney claims extradition labor recognized Biofil's achievement in talking the "foe" disgruntled Hollywood labor union of 145 members' out of the union in four years to 12,000 membership.

OUTDOOR PIX STALLED BY WEEK OF RAIN

Hollywood, Feb. 6. Outdoor shooting in Southern California was a complete washout as result of a week of rain. Western studios which had planned to do a studio, were hit particularly hard. Two Republic pictures, "Pioneers of the West" and "Dramatic Rancher," slated to wind up last week, were held over. Every other studio reported losses of time and money.

Kyser's 2nd RKO Pic Starts Next Month

Hollywood, Feb. 6. Kay Kyser starts on his second RKO picture last week, as soon as producer-director David Butler finishes his Bing Crosby-Gloria Jean commitment at Universal.

Band leader will broadcast from Hollywood while the film is in production. His first picture was "That's Right, You're Wrong."

Glorifying B'lynn Bridge

Hollywood, Feb. 6. "Brooklyn Bridge" will be produced by Arthur Caesar, will be screenplayed by Niven Busch, with Kenneth MacGowan as producer. MacGowan will work with New York film and public characters while the famous span was under construction.

PICTURES

Bruce Leaves N-G, Her Picture to Jean Muir

Hollywood, Feb. 6. Virginia Bruce obtained a release from her Metro contract after 10 years and stepped out of the top row of the One World Building.

Replacing her, on a one-picture deal, is Jean Muir, who resigned the Metro contract in favor of AGVA to return to the screen.

Much Pic Stock Dumping Shows In S.E.C. Report

Washington, Feb. 6. Heavy selling of principal pic stocks features the latest report by the Securities and Exchange Commission covering transactions for last December. Lending the list to a long list of sales of 200 pictures.

Film common by William Gust, Los Angeles official of the company, sold 100 shares and the company's Anglophone with holdings of 170-245 shares at month's end. Gust's holdings are 6,200 shares and he owns 284 shares of the company's \$130 cumulative preferred tickets on the first of the year.

Next largest film stock dumping occurred when J. Robert Rubin, New York officer and director of Loew's, sold himself 1,400 shares of his outfit's common stock, retaining 20,815 shares in Keith of Culver City, another company officer, hung on to only two shares, after dropping 750. Still larger was the sale of 100 shares was thrown on the market by Leopold Friedman, of New York, who sold 100 shares and was reported holding 713 shares on Jan. 1.

In addition to the 20th and Loew's sales, Columbia Pictures, Pathé and Warner, all suffered from heavy sales by their officers and directors.

Abraham Schneider, New York, resigned his home office position of a trust certificates for Columbia common to 504 shares. Warner Wolf, formerly director of Warner Bros., sold 500 of his 850 shares of Warner Bros. common and showed a proportionate increase, a trust fund of an additional 167 shares.

Complicated deal was revealed by Allen P. Kirby, Jersey City director of Pathé Film Corp. With direct holdings of 2,100 shares common listed at the end of the year, Kirby appeared to have sold 1,000 shares through Holding Company B and purchase of 100 shares through another company, B, which would not affect the listing and holdings quoted by the S.E.C.

Orson Welles Signed For 3d Pic at RKO Before Making First

Hollywood, Feb. 6. Orson Welles signed to produce a picture for RKO's 1946-47 program.

Production still unselected. He'll direct "The Sign of the Cross," which starts Feb. 15, and "Heart of Darkness," which was recently postponed.

Other News Pertaining to Pictures

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- U. S. sales recap in Brazil Page 11
- Hollywood pic big in Spain Page 11
- Alfred Hitchcock's "Spellbound" Page 11
- Louella Parsons links up endorses Page 22
- Beckwell gets Friedman clients on radio Page 23
- Alice Pringle's radio role Page 23
- Radio review: Simone Simon, Melvyn Frank, Alan Sothern Page 29
- Melvyn Douglas-Robt. Young Page 29
- Movie-Tennis week Page 30
- Barrymore joins Broadway Page 43

Biofil's Resignation May Come Up At Miami Convention of IATSE

Miss Carroll's Quickie Sailing, Just for Ride

Madeleine Carroll sailed for Europe Saturday (5) taking with her 1000 sweaters knit for French orphan children by girl employees on various Hollywood studio lots. She will proceed there to the island country, her chateau near Orleans. Star said there was no professional angle to trip and that she would come back on return trip of the Conte de Savoie after visiting her mother in Paris.

Next pic, she said, would be "Northwest Mounted Police," by Cecil B. De Mille, who had warned of opposition and other events of the policy had been cleared through Lloyd's.

UA Board Meeting A Quickie Due To Execs Heading West

United Artists board of directors made a quickie of their monthly meeting at New York headquarters Saturday (7) and then proceeded to action on all important matters until after Murray Silverman, chief of operations and other executives of the company returns from Coast funds for which they leave tomorrow (8).

"Disputed" were the UA-Goldwyn situation, the prospects of taking in additional producers and the touring markets. Silverman also gave a short report on his agenda for the week.

Lynn Farnel, publicity and advertising head, accompanied Silverman west.

Marion Greenhall, exploitation head, returned Sunday (4) from a quick trip out to view "Robbers and Raiders" about to be released.

Harry L. Gold, v.p. and eastern general sales manager for UA, left yesterday (Thursday) for the Coast. He'll stop on the way out at three of the company's southern exchanges, Charlotte, Atlanta and Dallas, and return to Hollywood next week to join Silverman and the other execs in production conference.

AGAIN NO FILM B.Y. EXHIBIT AT N.Y. FAIR

Film business again will duck participation as an industry in the N.Y. World's Fair this year for the familiar two reasons. One is that the showing of any picture in a theatre for admission would be regarded as competing with regular New York exhibitors. Attempt to use any specific production as a sort of World's Fair attraction would be regarded as dynamic because it would produce too much discussion among the competitors.

Another principal objection (which holds for the San Francisco fair) is that the "Smile" picture, which was regarded as too publicity because tipping off a bad movie behind-the-scenes. Public is also interested in a reproduction of a Hollywood studio, and the industry always has fought shy of sponsoring this.

L. A. to N. Y.

- John H. Auer Page 11
- Robert S. Benjamin Page 11
- John Balaban Page 11
- Isidore Bergman Page 11
- Stuart Buchanan Page 11
- Humphrey Bogart Page 11
- A. Ronald Butler Page 11
- Roger Fawcett Page 11
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- Robert Mitchell Page 11
- John Royal Page 11
- Joseph M. Schenck Page 11
- Robert Sherman Page 11
- Alkim Tsimidz Page 11
- Dakon Trumbow Page 11

With the Hollywood situation cleared to be much on the agenda and to be a major item on the agenda, it is possible that the resignation of Willie Biofil may come up this week before the meeting of the executive committee of the International Alliance of Theatrical Stage Employees in Miami. It was reported that the meeting will be a hassle for a week behind closed doors, George R. Brown, president, said. He said that he would accept resignation of Biofil may come up. He said that any motion that the Coast labor leader should be entirely out of the picture. They are scheduled to convene a year ago but to everyone's surprise shortly afterward rescheduled on the move for the IATSE. That was regarded as a cover-up move and a second negotiation, if put into the record, might be the same.

In addition to discussing the treatment of Biofil, various other matters of Coast union, the question of the temporary raise for studio employees, expiring Feb. 15, is also expected to be taken up. Biofil's pay increase last fall after threatening a strike, was reported to be \$12,000 per year, for a year or two, whatever terms is wanted, are likely to be agreed.

IA's relations to other unions such as actors, directors, musicians, etc., employed in the film industry, probably will be discussed; also whether the IA may invite the Screen Producers Guild to come in with it. The directors and writers' unions are strongly opposed to the IA. Television also will come up. It is said the IA is having various proposals for a temporary raise for studio employees, expiring Feb. 15, is also expected to be taken up. Biofil's pay increase last fall after threatening a strike, was reported to be \$12,000 per year, for a year or two, whatever terms is wanted, are likely to be agreed.

Although John P. Nick of R. Loews was acquitted of charges of embezzlement in the work, it is predicted his case may be aired and that the IA might go through the motions of accepting his resignation if it is thought that it is for the good of the union. On the other hand, nothing more is heard of his resignation.

In addition to Brown, among high officers who are in Miami for the week are Louis Krizan, IA's financial secretary-treasurer and chief aide to Brown; Harold Hough, president of the Corporation of N. Y., left Saturday (3) for Miami but is there merely as an observer, not a member of the IA exec board.

IA's session follows the annual meeting of the American Federation of Labor, for which Brown was on hand, together with William Hutchings, president of the Corporation, which is a member of the IATSE local union.

Hughes Ambulance

Toronto, Feb. 6. Howard Hughes is presenting a Canadian Red Cross with a completely-equipped ambulance for its use in the event of a disaster. The ambulance, announced Norman Summerville, K. C., national C.R.C. chairman, will be shipped overseas when completed, said Summerville.

N. Y. to L. A.

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- Ann Carr Page 11
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- Pat Moran Page 11
- Tyrone Power Page 11
- Salon Page 11
- Robert Patrick Page 11
- Murray Silverman Page 11
- Max D. Steuer Page 11
- Tom Walker Page 11
- Lucille Watson Page 11

MOTION PICTURE NEWS

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

Decision of Samuel Goldwyn last week to turn over "The Westerner" to United Artists for release is not a peace move in the traditional sense between the producer and the distributing company, James Mulvey, Goldwyn's rival. The picture, which came on his return from the Coast Monday (5), Mulvey declared that the one 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 deal with Goldwyn and UA kissing and making up.

Withdrawal of Goldwyn's suit to recover his producer's bonus and interest for 1939 will not be followed, as has been hinted in the past, by any concession. Continuation of the producer's battle otherwise, he said, will not necessarily take place in court although he gave no indication of what lines it might follow.

Max D. Sloner, Goldwyn's counsel, is based for the Coast Saturday (3), although his office persistently denies that he is in the picture. He is returning it is that, Mulvey made it clear about the program of Sloner's cross-country jaunt.

Peculiar angle to "The Westerner" which cropped up through reports that after all the stew to get it in circulation it may not be released until summer. Mulvey's explanation was that UA and Mulvey were both non-committal on the subject. Mulvey declared that the date has been set, carefully reading a denial of the possibility of a temporary shelving. He said it would be necessary to look over the situation before deciding on a new date which has already delivered three films this time.

No surprise

Decision by Goldwyn last week to release the picture through UA despite his announced "termination" of his contract with the company came as no surprise, but as a kind of courtesy to the inevitable. With the \$2,000,000 production completed and other company willing to assume legal repercussions by releasing it, it was figured too expensive to gather dust which makes the possibility of delayed distribution in a letter.

Goldwyn's knee-heat came in an interview to Murray Silverstone early last week and was followed by an announcement by the UA chief in his reply. Silverstone emphasized that the film was to be released on the same date as Goldwyn's picture and no strings were to be considered attached to which the producer agreed. Only thing was a kind of tacit agreement by UA not to publish the "acknowledgment" of the re-managing of Goldwyn by Charles Schwartz, UA counsel.

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

W. J. Merrill was elected treasurer of Radio-Katharine-Orpheum at the directors' meeting last Friday (3), after reorganization RKO was completed through subsidiaries have the assumed vice-president of the company at the top.

Merrill, active in RKO during most of the years of its reorganization, has been assistant to the president, George J. Schaefer, for the last year. Merrill had been v. p. and controller of RKO since the merger of Island Holding Corp. and W. J. Stone.

Serman III in Fla.

Frank R. Serman, new producer at RKO, is understood to be acquiring his office in Florida.

Serman was resting up before starting 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 the Harry Cohn, Columbia producer who is also in New York, on plays and other story properties under consideration for next season's program. Cohn goes to Palm Beach Feb. 13.

HAYS TALKS ON NEELY AND ITALO-U.S.

At the Producers' Assn. election and board of directors, E. J. Hays had considerable to say about the Neely bill. He also spoke of the English situation and United Artists' negotiations with Italians.

Reported some criticism was directed at UA for doing his best to the Italians after other companies had withdrawn.

President of the Association of Motion Picture Producers is Y. Frank Freeman, Paramount vice-president. UA for doing his best to the Italians after other companies had withdrawn.

Only change on directorate is addition of James Roosevelt, head of Globe Productions, elected to membership. Other directors are Harry Cohn, Samuel Goldwyn, Manolis Friedman, Hal Rosson, Walter Warner and Jack Warner. Fred Beston was re-elected vice-president.

Bridges Hays' report on foreign and domestic picture, remainder of session was devoted to studio labor problems.

FLU STALLS STAHL'S PROD. DEAL WITH UA

Illness of John M. Stahl has resulted in a delay in the negotiations by which he is to be added to the United Artists roster.

Stahl arrived in New York early last week and had two confabs with Murray 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 (5) with a double shift of medicine. When he is well he will have to continue the chafes on the Coast, as Silverstone hopes N.Y. tomorrow.

Stahl's contract with UA, however, is understood virtually set for linking whereby Stahl will produce one or two pic a year.

Joe Bernhard's Op

Joseph Bernhard, general manager of Warner Bros. Theaters, 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 delirium since late December, will get back into normal stride around March 15, by which time all makes will be started on their 1940-41 product. Current slump is motivated by two causes: (1) that most executives are far ahead on pictures for this year's program, and (2) coming of the personal report announced which says his annual visit to studios March 4 to lay assessment on exposed negative.

Word is in for a new deal in the matter of leasing sheds, with lot being currently devoting their efforts to working out plans whereby talk-making will be put on an even keel and kept there, with plant program being maintained on as near a permanent basis as possible. Behind these ideas are the executives, which have been raising havoc with the picture-makers for some time past.

Financiers have come on record through their representatives on boards of various picture outfits with the idea of the English situation, resulting from sudden switching from peak shooting loads of 10 to 15 features to what almost amounts to plant-shooting, he argued immediately. Wall Street's curbed grooves with that of certain more intelligent plant chairmen, who have been campaigning for level flow of employment for more or less fixed number of workers.

In fact, for next 15 months, holders of money have practically halted Hollywood's camera days for (Continued on page 6)

HAL ROACH BREAKS IN JUNIOR AS PRODUCER

Another Roach makes his bow as a producer in the Hal Roach organization. He is Hal Roach, Jr., who will produce one of his dad's pictures in United Artists release on the '40-41 circuit. With Gordon Douglas as director, young Roach will make "The Mad of the North," a tale backgrounded against the icy waters of Alaska.

Picture goes in Technicolor.

Walker's Coast Huddle

Tom Walker, v. p. and eastern rep for Hal Roach, trained for the Coast Friday (3) for confab with the producer. He'll be gone about two weeks.

Up for discussion is a possible rearrangement of personnel resulting from the resignation recently of Roach's Coast manager, who is understood to be turning producer himself. There will also be talks on Friday (3) for confab with the producer. Walker handles for Roach, and on setting of forthcoming Roach picture.

John Stone Leaves 20th

Hollywood, Feb. 6

John Stone is making another major studio connection around April 1 after leaving associate producer in Hal Wartzel's unit at 20th-Fox since its inception.

He has two more pictures to finish out contract.

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 crew at 20th-Fox is on the way, as a result of Davy Zannuck's recent huddles with Joseph M. Schenck, Sidney Hill and Herman Webber in New York. Three new names have been added to the associate producer payroll and others are contemplated before the 1940-41 season hits its stride.

Added to the producer staff are Lucien Hubbard, who recently obtained his release from a Metro contract and moves into the Westwood studio; Marvin J. Ralph, District, who was upped from a unit production manager's crew at 20th-Fox to the way, as a result of Davy Zannuck's recent huddles with Joseph M. Schenck, Sidney Hill and Herman Webber in New York. Three new names have been added to the associate producer payroll and others are contemplated before the 1940-41 season hits its stride.

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Currently, the other associate producers on the lot are Harry Jay Brown, Henry Duff, Raymond Griffith, Gene Markey, Kenneth Macgowan, John Stone, and Nummy Kopp. Stone is assigned to the Wartzel unit and Johnson is on a month-long leave of absence in New York to leave off writing a stage play.

IMPRESSIVE WELCOME TO ZUKOR IN CHILE

Repeating the welcome accorded him by Great Britain and Australia last year, Adolph Zukor, chairman of Paramount Pictures, on his current tour through South America, with John W. Hicks, Jr., foreign chief, arrived in proving himself a most impressive visitor in the picture industry. Zukor conferred with Pedro Aguirre Corón, president of the Chilean film industry, last Saturday (3), and his advent became a world news event.

Previously, Zukor with the Chile chief executive performed a luncheon attended by 100 prominent Santiago citizens. Early in the week Zukor has been honor guests at a dinner given by the Chile Board of Trade there. The following day Zukor, in connection with the laying of the cornerstone for the projected Rex Theatre, Santiago, Chile, he is to be the first in the Southern Hemisphere. Benito del Villar is constructing the house.

Zukor is on their way south. Zukor was recorded similarly impressive welcomes in Colombia, Ecuador, 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 "stealing" of the New York release of "Of Mice and Men" was revealed this week. Roach considers that the edge has been taken off his film by the prior appearance on Broadway of another John Steinbeck filmization, "Grapes of Wrath," currently at the Rivoli. There was undue delay, in his opinion, in failure to get "Mice," which was ready on Dec. 13, released before 20th-Fox's "Grapes," which opened Jan. 24. "Mice" has now been set for the Roxy, N. Y., Feb. 10.

United Artists contends that Roach's picture will profit by the publicity and strong word of mouth on "Grapes." And anyway, it maintains that it will get an edge. The picture was sold to the Roxy, 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 pushing "Mice" into the Roxy, which by Frank Seltzer, Roach's publicity chief, it was dictated Monday (5), in the Music Hall instead of the Roxy (Continued on page 10)

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

The first move to circumvent rumors that eastern producer had hit a snag came yesterday ("Sun") when the George 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 Mayor LaGuardia'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 name deal.

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N. Y.'s Water Shortage Points Up Theatres Problem When Cooling Plants Consume Too Much Aqua

In the face of continued increase in the use of cooling systems among theatres, night clubs, restaurants, hotels and businesses of all characters, it is predicted that serious shortages will arise within 10 years in the obtaining as well as disposal of water. At present, while no immediate alarm is expressed, a threat of difficulties hangs over Greater New York due to a dwindling supply of water and urging by city fathers that it be conserved in every possible way.

The fact that there are no cooling systems which do not require water could create difficulties in the New York area in the event of an acute shortage except for those theatres and other establishments which re-use the water. This is possible where so-called recirculating systems have been installed in some sections of the country, the theatre maintenance men have been experimenting successfully with water economizers, and predict that mechanical means of condensing and re-using water, where disposal is heavy, will have to be relied upon to meet the increasing load.

Many theatres use ventilating systems. These are not in the routine of the art and do not require water, merely serving instead as a means of keeping air in circulation. Broadway theatres are partial to the ice-refrigeration system.

Territories which face the most serious problems are, for example, New Orleans, Arizona, other portions of the southwest and all of the south, including Florida. While in much of this territory the supply of sufficient water is a growing problem, in some sections of the south water is so scarce that it is as grave. In Arizona, in Naco & Richards territory, wells were dug and water was pumped back into them. This water used for air-cooling was being pumped back into them. This was done in Phoenix, for example, by Richards-Naco because the storm drains were becoming overtaxed. The situation in Phoenix is being met by an appropriation to enlarge storm sewers, but with the theatres and others taking water, each month in accordance with the water handled.

In Kansas City the Newman theatre has installed a new cooling system in order to cut down the requirements on water, while in other portions of the country water theatres are tight now wrestling with ways and means of handling the situation. In some cases this is due to the cost of present disposal of water through city sewers or otherwise.

Some cooling systems require more water than others, the likelihood of which will have to be taken into account to get down the need for water below what it now is, especially when such demands are upon water-competitive equipment.

IT'S 'CHICKADEE' MAY GO INTO B'WAY ROXY

Because no large-scale Broadway musical comedy is available, Universal probably will hold back general release of "My Little Chickadee," W. C. Fields' first starring. The Rivoli and Music Hall have tied up with product committees for the next few weeks or more. Universal may put the picture into the Roxy.

Theatre has been using product outside of 20th-F in recent weeks.

4 A's Coast Gambol

Howard, Feb. 6. Jean Harlow led the program committee in charge of "Gambol of the Stars," annual ball of the Associated Actors and Artists of America to be held Feb. 22 at Casino Grove.

Members on the committee are Clark Gable, Claudette Colbert, C. Aubrey Smith, Carole Lombard, Norma Shearer, Jeanette MacDonald and Betty Davis. Ralph Morgan is chairman of the general ball committee and George Murphy will emcee.

Hash It Up, Boys

Howard, Feb. 6. Walter Warner has six writers, including director Alfred Hitchcock, working on "Personal History," slated to roll Feb. 27. Contributing to Hitchcock, the scripters are James Hill, Robert Benchley, Charles Bennett, Sam Harris and Alvin Karpis.

Six Studio Players In Fidler's P.A. Turn, At \$7,500 Per and %

Howard, Feb. 6. Jimmy Fidler is set to take off with a unit of film players for a week at the Grand Hotel. Fred Ellis Parsons having returned, and with glowing reports of responsive audience and robust bit, the radio chatter taken off on his invasion Feb. 25, instituting a seven-week tour at the Stanley in Pittsburgh. For his tour starting have just him Cecilia Parker, Guyton Braden, Robert Taylor, Charles King, Whelan and Peter Lind Hayes, the latter an improviser, and son of Grace Hayes, yesterday vaudeville headliner.

William Morris agency booked the turn, with Fidler guaranteed a weekly minimum of \$7,500 and a percentage. Art will have a radio studio sitting so that audience can be taken through the air. He had a break-in at Terre Haute or South Bend, Ind., Hollywood's Fourth Street Pittsburgh, with Billmeyer, Harwood, New York, Washington, Cleveland and Chicago.

Joe Breen's next years Harold Lloyd's present agent, goes in advance, with Fidler carrying Walter Ramey as an offer to look after his syndicated column and broadcast material, which will be aimed at boys.

Tramps may get out longer than eight weeks if Fidler can get studio players, he signed for the consent of players.

RKO AND R.C. CENTER SETTLE \$164,751 SUIT

Although officially closed in the Federal court records until Saturday (3), settlement of the RKO contract with Radio City over pictures and film distribution rights at the Center theatre, N. Y., when it was in a pop grind film policy in 1934, was announced to be signed last October. There was no cash settlement of a suit for \$164,751. Agreement was made that RKO had agreed to in an effort to "forget about it" and to let the matter be closed at steady customer of RKO and also that time lined up five-year contract to make a year ago.

"RKO) paid. This deal has been three months to go.

Originally RKO had charged breach of contract since the Center, thrown into a grind film policy which didn't produce a year ago. Further, but played only 11, and on some of these had failed to pay the required minimum rental of \$5,900 a week.

John Balaban Continues Checking in at the Mayos

Chicago, Feb. 6. John Balaban making another trip this week to the Mayo Clinic in Rochester, to make a further physical examination.

He was at the Clinic two weeks ago, after a general checkup.

Val Paul's Hula O.O.

Howard, Feb. 6. Val Paul to Hawaii and Simon's "Hula O.O." with Edward Small's "Songs of Page Faye."

Most of the picture will be shot in the South Sea.

Curvey Quits Selznick Agcy.

Hollywood, Feb. 6. Noel Curvey, v.p. of Mirron Selznick agency, handed in his resignation on Feb. 13, after a year. He had been in charge of British travel.

Not receiving a vacation, Curvey plans his own agency.

EDUCATIONAL PICTURES FILES BKPTCY.

Educational Pictures filed in bankruptcy Wednesday (5) in N. Y. federal court, listed assets at \$54,423 and liabilities of \$577,823. The company lists its address as 50 Rockefeller Plaza, N. Y.

Secured claims total \$448,323, of which loans to the Collector of Incomes, N. Y., are \$100,000. The other secured creditors are the Electrical Research Products Co., \$241,873, and which holds as security a \$250,000 bond and mortgage on Educational Studio, Inc., 7200 Santa Monica boulevard, Los Angeles. Edmund V. Hally of Bayridge, L. I., is listed as the holder of \$250,000 of all the capital stock of Educational Films Corp. of America, with an unknown value attached. The U. S. Commissioner of Patents and Trademarks is owed \$907, and holds a second lien on the studio, and bankruptcy of Grand National Picture, Inc. is owed \$200,000, secured by 10,000 shares of preferred stock of GNP at par value \$10 a share, and 150,000 shares of common, par value \$1. This stock, the petition declares, is worthless.

Unsecured creditors are Jeremiah D. Maguire, owed \$28,000 on the bankruptcy's note, the Chase National Bank of N. Y., owed \$1,000 for transfer agents fees; Arthur Young & Co., \$25,000 for auditing; and J. P. Landis, \$12,000 for attorney's fees; Earle W. Hammond, \$50,000 for salary; and the National City Bank, \$182,500 on two notes, on which GIN is a co-maker.

Assets include 18 mm. prints, the bond and mortgage on Educational Studios of California, \$200,000; 15,000 shares of common stock of Educational Films Corp. of America, 5,000 shares of preferred stock of Educational Films Corp. of America, both with a par value of \$10, and with unknown value now. Also 1,200 shares of common stock of Educational Studio, Inc., 15,000 shares of preferred stock of GIN with a par of \$10 a share, and 1,000 shares of common stock of GIN with a par of \$1. Both the latter items are worthless.

There are two claims of action for the company pending, those being for \$60,821 against GIN for monies loaned, and one for \$12,770 against Educational Studios, Inc., also for monies loaned. The company is being held in receivership by the U. S. supreme court for waste and mismanagement. That action owes \$10,000 to James. Unsecured claims total \$100,233.

The company which started in business in February 1937, has seven officers. Earle W. Hammond is president. Ernie W. Wynn, v.p., Norman C. Nicholson is a director, as are John E. Munn and Hugh M. Kahler. Harold Saxe is assistant.

(Continued on page 18)

Studio Contracts

Howard, Feb. 6. Republic handed player contract to Lois Raven.

Warner's actor option filled by 20th-F.

20th-F signed Bob Conway to play a part.

Paramount renewed Philip Kahlan, Charles Strickland and Frank Zinner for its musical "The Sign of the Cross" led actor part at Warner.

Warner signed Janice Chambers, moppet.

Metro renewed scripting parts of Fred F. Frazee for 1937, has seven offers.

Cyril Hume drew new scripting list at Metro.

Warner renewed Lewellyn Felts Jackson's writer contract.

Metro contracted Robert Phoenix to write.

Indie Exhibs' High Hopes

Prospects for industry changes will be extremely bright for independent exhibitors and producers this year appear more promising than they have for the last six years. The indie exhibitor, especially the one without circuit connections, is filled on black-leading a continuation of the hands-off attitude in the industry and the cutting up of affiliated circuits via the Government's anti-trust suit.

Presently there are approximately 13,000 independent theatres in the U. S. operated by nearly 12,000 indie exhibitors. Latter figure does not include those who remain loyal to the major circuits, or those who are licensed, or definite written understandings as to product territories.

The independent, avowedly strong backers of dealers, were encouraged last year by high court rulings which upheld the right of an exhibitor to use double-feature program and forbid selling of product with any anti-trust provisions for 1935-36.

The sole threat to dealers, as viewed by indie, is the possibility that many major companies will go through with plans to curtail the number of features for their 1936-37 season.

Indie, materially curtail the present high number of dual bills.

Coast Scribes Frown on Neely, Especially 'Synopsis' Provision

Howard, Feb. 6. Vote on the Neely bill by Screen Writers Guild is expected to be a landslide. The bill, sponsored by Neely, would allow a writer to sue a producer (Thursday) after a month of the contract. It would also allow a writer to sue a producer if he were at that time a recommendation in a contract.

It would also particularly limit against the synopsis clause in the contract which would require that synopsis be prepared before the picture is taken to exhibitors before actual production gets under way. Screen writers are particularly concerned about the synopsis clause in the contract which would require that synopsis be prepared before the picture is taken to exhibitors before actual production gets under way.

Par Studio Coasting, 26 Films Completed, Only 4 to Go for '39-40

Howard, Feb. 6. With 26 pictures, representing close to \$12,000,000 in production cost, completed, and \$10,000,000 in estimated profits, Paramount plans to coast along at minimum speed for the next few months. Only four films remain to be made for the 1939-40 program. They are "Carnegie Hall," "The Sign of the Cross," "Jan. 16," "A Night at Earl Carroll's" and "Northwest Mounted Police."

Currently, one feature, "Destiny," is being shot for the 1940-41 schedule.

Par postponed shooting of "Earl Carroll's" for a month because of scripting difficulties. Kurt Neumann is slated to direct.

NAT'L. FILM CRUX ORG. POLLING THE COUNTRY

Minneapolis, Feb. 6. The newly organized Newspaper Film Critics of America organization has taken over the poll of film reviewers throughout the country, formerly conducted by the Minneapolis Journal. The poll is a committee's choice of the 100 best pictures, best performances by an actor or actress, best music and best supporting performances and the young actor and actress likely to make the big screen in 1936.

Marye Potter, now Times-Tribune film critic, who was in charge of the poll in 1935, has been named as director. The NFFCA will hold its first annual meeting a committee of 50 critics made the nominations.

Announcement of winners will be made in about three weeks.

The NFFCA was formed in New York in February 1937, has seven officers. As chairman of the organization committee which includes Mark Hellinger, Milwaukee Sentinel; Keith Wilson, Omaha World-Herald; and Potter.

Argyle After Lugosi
For Series of Chillers

Howard, Feb. 6. John Argyle, British producer who is transferring his activities to Hollywood in spring, is dickering with Bela Lugosi for a series of Edgar Wallace whodunits, to which he holds the film rights.

Currently Argyle has commitments for two pictures in London, after which he gets to the States.

(Continued on page 19)

CALLING ALL INGENUES

Inheritance Taxes May Be Solved If Doug, Jr., Becomes a UA Partner

Living publicity has arisen that the death of United Artists stock held by the estate of the late Douglas Fairbanks will have to be paid to provide sufficient cash to pay state and federal inheritance and estate taxes.

It was originally hoped by counsel for the estate and for the company named in Fairbanks' will that the stock would go to the heirs. However, an on-the-spot investigation by Dennis F. O'Brien, who is currently on the Coast, has revealed that there may not be a sufficient amount available in cash or other assets of the estate to pay the taxes. O'Brien was for many years Fairbanks' counsel and now represents the estate.

Fun of Douglas Fairbanks, Jr. as a producer-owner of UA, and as a member of the UA, is being revealed. They feel that he has the proper background, training and connections to handle the estate. He has not yet been suggested officially to the company, but inasmuch as it is a member of the UA, and one of the UA attorneys and carries considerable prestige and weight, it is felt that it will be carried through if Doug, Jr., decides that it is just to do so.

Fairbanks is said to desire to produce and star in "The Callahan Case" which his father was producing at the time of his death. It is said there is a chance Fairbanks, Jr., and Ray Fitzpatrick, who is preparing the production contract, will join forces in a single producing unit to make at least two pictures for next season. Fairbanks' share in the company is one-fifth of the total of UA outstanding, but he is being paid up for several dividends.

AHERNE'S LEGIT OFF

Unites Actor Agree to Continue Also in the Fall

Deal to appear in a lighter, for which Brian Aherne came to New York from the Coast last week, is set. Gilbert Miller, with whom Aherne was combining in doing "Beaux Stratagem," figures the cost of production too great unless the film project will commit himself to appear in the play next fall as well as during the coming spring. Aherne insists on returning to Hollywood around June 1.

Joan Fontaine, Aherne's wife, who was also to appear in the play, arrived in New York Sunday (5) night after her plane was delayed almost 24 hours by bad weather. She was prevented from coming with her husband earlier because of reticence on "Bebecca."

LONG PIX MAY MEAN FEWER PRODS.

The influence of "Gone With the Wind" on the future of the motion picture industry is the subject of much trade discussion right now. The extension of playing time, plus the possibility of other film cutbacks, also "Pinch" and "Gone" at Wash, suggest on probable diminution of film production in future years.

It is estimated that "Gone" alone, since "Gone" doesn't become available for general release until 1940-41, that that means a lesser number of films that season, according to trade analysts. This year's (1939-40) program is completed, but it considers next season get a few strong and long picture like "Gone," any continuation of the same number of program productions, as in the past, must mean the piling up of product. As it is, even now (see Philadelphia story herewith) a backing of product is piling up.

Exhibitors may find it very advantageous if the industry give them a series of overing, but very disappointing. They may have to give up 30-70% of the rental, but in the theatre-owner's view, the saving on weekly advertising and exploitation costs, with each new show, the saving of any No. 3 features (dualism); a possible upsurge in business to round out the week of show, requiring the bribes to stagger the time, as is currently being done, and the fact that they are (detailed elsewhere in this issue); saving on accessories, trailers, etc.

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Creditors Okay Plan Of Producers Operation

Hollywood, Feb. 6. Creditors of Producers Pictures Corp. approved a proposal by Robert C. Weisman, Pathe consultant, to work out plans to keep the indie outfit in operation. Company, headed by Weisman, has assets of approximately \$80,000, covered by first liens on seven completed pictures. Weisman, former Chicago C. Kelly Best's partner, with Anne Shilb, claims of \$40,000, appointed a committee to work with Benjamin.

More Coin for 'Anne'

RKO production execs upped the budget on 'Anne of Windy Poplars.' Picture rolls in March after C. Kelly Best's production, with Anne Shilb, featured.

INDIE CIRCUITS 35% UP SOME 7%

Theatre Circuits Dominate the Nation's B. O., Latest Survey Shows — 17,000 Cinemas Total 11,000,000 Seats — MAJORS TOTAL 25%

Theatre circuits dominate the nation's boxoffice, according to the latest survey of the Motion Picture Independent Circuit Operations during the last six years is credited with this swing, affiliated circuits up remaining nearly unaltered. This advance has been marked in the last month so that currently nearly 60% of the gross business is done by circuits. The remaining 40% is handled by independently owned theatres. Latest figures include individual operations covering three theatres or less.

Figures recently compiled reveal that about 25% of the picture theatre business is done by independent circuits, approximately 10% more than 18 months ago. Remaining 25% gross is attributed to major company circuit chains and to a producing-distributing company.

The spread of indie circuits is plainly indicated by the increase in theatre, with 4,150 houses being added to the country since independently owned by some 200 independent chains. This is more than the total number of affiliated theatres. The number of affiliated theatres has varied but little in recent years, with no more than 100 or 2,300 at the end of 1932.

The independent circuits account for approximately 3,500,000 seats of the national total of 11,000,000 seats (17,000 theatres), while 55% of the total seating capacity of affiliated theatres. Independently operated houses furnish the remaining 4,500,000 seats. While indie independently operated theatres lost capacity, independent circuits gained 300,000 seats.

Because of the ramifications of certain circuit operations in which major companies figure, checks on affiliation are being made to compile without running into overlapping. In certain spots, two major circuits may have the same area each and yet have all 16 houses operated by a pool.

Reasons for the considerable edge (Continued on page 11)

Leslie Howard Plans Joint French-British Film Prod. As a Contribution to Allies

Paris, Feb. 6. Leslie Howard is in France to study plans for common French and British production of full-length feature picture for both local and foreign distribution.

After the mobilization age and desiring to fit in the picture somewhere, the British actor revealed the production of "The Four Aces" in the production of two-verse films using bilingual actors. He shares the story "The Four Aces" would like to avoid it as much as possible in the making of Franco-British production.

He has already had talks with Jean Giraudoux, head of the French Bureau of Information; Noel Coward, employed in the British censorship office in Paris; Danielle Darrieux's and her former husband, Charles Glyer and others. He would also like the actors with draw name in the picture, but that the films could be exploited on the other side of the Atlantic. In this connection, and under the aegis of the French, a Villier's recent trip to Paris to discuss such the same plan with Giraudoux, the former French representative cinema division of the British Ministry of Information.

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MONO MAKING 'RIP' DESPITE 20TH NUDGE

Hollywood, Feb. 6. Monogram is going ahead with its \$250,000 production of "The Van Winkle" in spite of reports that 20th Century-Fox is going to produce the picture on the same title. Prozy W. Ray Johnston wired instructions from New York to put the picture into work next month.

February production schedule, under supervision of Sec. R. Dunlap, calls for three films, being "The Mirror" (Wed.) with "Midnight Love." Other starting dates are listed under the "11th and Covered Wagon Days" (19).

HOWARD SKIDES UP AT WB

Hollywood, Feb. 6. William K. Howard checked in at Warner's to start work on "The Patient Leather Kid," his first job on the set under his new directorial contract. Picture stars George Raft.

Exhibitor Livingston's Bill in Neb. To Speed Clearances; Priority Indies Beating Over WB's Piling Up of Pix

Lincoln, Feb. 6. Claiming backing of 18 of the 43 exhibitors, Bill proposed for legislative duty with the Nebraska legislature in 1941, R. R. Livingston's clearance bill proposal is being given priority re-voicing for submission early in the session.

When first announced, Livingston, who runs the indie subsequence-run Capital here, had the rough draft proposal allowing only 45 days from date of national release for a test run play. After 45 days, the contract was to be due and payable, and the film released for sale to subsequent runners.

Change has been to 60 days, instead of 45 in the present framing of the bill.

Livingston wants to stop the practice of two-pricing theatres in Nebraska; that priority indie films being played by major affiliated situations, and make him available in some relation to the studio's general publicity they are treated to.

He reasons this bill will do all these things, as you can see, and will want by more than he can safely play, because he'll be sticking himself in a hot line of fire. Most indie are as perishable as fruit, and must be played close to their companies. Also, most indie films produced here who submits to exhib sale of product under such advantages as liberty of choice, and the fact that the exhibitor, to compete with subsequent, is entitled to no clearance protection at all.

CALLING ALL INGENUES

Katherine Hepburn's Scouting for Howard Hughes

Katherine Hepburn, currently featured in "The Philadelphia Story," at the Shubert, N. Y., is still interviewing Broadway theatres regarding an unrecalled Howard Hughes picture. Understood Hughes seeks a number of unknown actresses, all of whom must be in touch with the idea of building one into another Joan Harlow, who was discovered by the producer's "Hell's Angels."

Hot news whether any girls have been selected by Hughes for the Coast testing, but a couple of hundred have been interviewed by the producer's office in New York in the last few months. All are asked to bring pictures, which may be sent to Hughes on the Coast.

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'WIND' BELLOWS ON SHORTS IN N. Y., ETC.

Decried to three screenings a day, the Broadway Capitol hypes many another by throwing in the first screening doesn't cover until 11:15 a.m. on hour is thus killed with shorts. The final feature starts at 2 p.m. Were it not for the shorts it would hit at 8 p.m., an obviously bad hour for the final show. The shorts are being given the credit of the time isn't utilized for a fourth showing.

On Sundays, in some towns, because of Sabbath restrictions, that day sees only two showings of the feature, and the shorts are given another curious opening angle at a house like the Capitol where when the theatre starts to take in more money it also starts to lose some. The pardons is explained by the 11:15 close coming at 3 p.m. However, standes from 3 p.m. on are given the advantage of the 7:15 afternoon price and should fare as well as 700 or 800 people in line—as is the average—than quite a differential gain in the theatre, by virtue of the waiters the benefit of the 7:15 scale.

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EASTERN BRANCH OF SPC SETTING BYLAWS

Working closely behind carefully selected doors so that their identity as members of the SPC may not be known, the Eastern Branch of the SPC is setting up a committee on drawing up a constitution and by-laws for the Eastern Branch of the SPC. Working on a constitution and by-laws for a publication who is said to have had had in mind is leading his aid in that direction.

One of the SPC on the Coast, with a signed contract (5), does not have any departments in the membership in the east the SPC is taking in this branch of publicity-aiding activity. On the Coast the SPC has minimum membership of 100 and junior publicists, plus working conditions.

Babalan's Conn. Home

Chicago, Feb. 6. A. Babalan, now inactive in the picture business, is going to live with his wife and family in Greenwich, Conn.

Was in town last week visiting friends and picking up some furniture which had been stored here.

WYLL HOLDS CREDITORS

Hollywood, Feb. 6. Irving Cummings' director option was being held by 20th-Fox. Currently he is producing "Lillian Russell."

Quartermen Headed Philadelphia, Feb. 6.

Indie exhibitor in Philly are beginning to show signs of worry over a threatened shortage of product in the near future because of the shortage of film with the West dates by two first-run houses. Situation, where every important indie-run theatre is controlled by a major force, hypes similar crisis in other spots, where the midtown Board and other big ones can be freed in the usual course. Emergency is evident from the fact that business of one house may be done through to the subsequent run, only two are now doing so.

At the Capitol, Berlin, Fox and Stanley were regularly turning over a combined average of about three-and-a-half first-runs a week. Now only the Fox and the Stanley are available with the "The Callahan Case." Aline is a regular UA show, normally playing extended runs. The picture is being run exclusively to first-run circuit staff and the Capitol slip-flops in policy.

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Fight Against Aemia Next of WB Medicals

Hollywood, Feb. 6. Next medical move of Warner's deals with the fight against aemia by three Boston scientists, Drs. James Whipple, Life of Louis and William F. Murphy. Hal Wallis' plans call for production on the film "The Life of Louis Pasteur" and "Dr. Ehrlich's Magic Bullet" and Dr. Ehrlich's Magic Bullet.

Wallis is negotiating with the scientific trio to get their clays on the story.

Blackouts Reverse London's Pic B. O. To Daytime Draw; Product Is 'Glory's 3d 17 1/2 G, Durban, 4th, 14G

The biggest outdoor draw this year... The picture drew a record for the B. O. last night... There were eight shows...

London, Jan. 25 (AP)—The biggest outdoor draw this year... The picture drew a record for the B. O. last night...

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'Gene,' \$36,000, Equals 1st Record Denver Wk

'Gene With the Wind' is so strong in second week as in first, which was as near capacity as possible... Film is slated for three weeks only...

Denver, Feb. 6 (AP)—'Gene With the Wind' is so strong in second week as in first, which was as near capacity as possible...

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First Run on Broadway (Subject to Change)

Week of Feb. 8: 'Aster-Globe With the Wind' (M-G) (9th wk.), 'Capitol-Gene With the Wind' (M-G) (9th wk.), 'Columbia-Congo Maie' (M-G) (7), 'Globe-British Intelligence' (M-G) (10).

Week of Feb. 15: 'Aster-Globe With the Wind' (M-G) (9th wk.), 'Capitol-Gene With the Wind' (M-G) (9th wk.), 'Columbia-Congo Maie' (M-G) (7), 'Globe-British Intelligence' (M-G) (10).

Week of Feb. 22: 'Aster-Globe With the Wind' (M-G) (9th wk.), 'Capitol-Gene With the Wind' (M-G) (9th wk.), 'Columbia-Congo Maie' (M-G) (7), 'Globe-British Intelligence' (M-G) (10).

Week of Feb. 29: 'Aster-Globe With the Wind' (M-G) (9th wk.), 'Capitol-Gene With the Wind' (M-G) (9th wk.), 'Columbia-Congo Maie' (M-G) (7), 'Globe-British Intelligence' (M-G) (10).

Week of March 6: 'Aster-Globe With the Wind' (M-G) (9th wk.), 'Capitol-Gene With the Wind' (M-G) (9th wk.), 'Columbia-Congo Maie' (M-G) (7), 'Globe-British Intelligence' (M-G) (10).

Week of March 13: 'Aster-Globe With the Wind' (M-G) (9th wk.), 'Capitol-Gene With the Wind' (M-G) (9th wk.), 'Columbia-Congo Maie' (M-G) (7), 'Globe-British Intelligence' (M-G) (10).

Week of March 20: 'Aster-Globe With the Wind' (M-G) (9th wk.), 'Capitol-Gene With the Wind' (M-G) (9th wk.), 'Columbia-Congo Maie' (M-G) (7), 'Globe-British Intelligence' (M-G) (10).

Week of March 27: 'Aster-Globe With the Wind' (M-G) (9th wk.), 'Capitol-Gene With the Wind' (M-G) (9th wk.), 'Columbia-Congo Maie' (M-G) (7), 'Globe-British Intelligence' (M-G) (10).

Week of April 3: 'Aster-Globe With the Wind' (M-G) (9th wk.), 'Capitol-Gene With the Wind' (M-G) (9th wk.), 'Columbia-Congo Maie' (M-G) (7), 'Globe-British Intelligence' (M-G) (10).

Week of April 10: 'Aster-Globe With the Wind' (M-G) (9th wk.), 'Capitol-Gene With the Wind' (M-G) (9th wk.), 'Columbia-Congo Maie' (M-G) (7), 'Globe-British Intelligence' (M-G) (10).

Holdovers Dominate B'way; 'Grapes' Juicy \$49,000 2d; '69th'-Whitman's 2d Big \$8G, 'Shop' 2d 70G, 'N.Y.' OK 40G

Sum total of business on Broadway... 'Grapes' (M-G) (10) is the top picture... '69th Street' (M-G) (10) is the second picture...

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'GONES' 4IG 2ND HITS REST OF IDPLS.

Indianapolis, Feb. 6 (AP)—'Gene With the Wind' is still the big item in town... 'Gones' (M-G) (10) is the top picture...

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'Gene,' \$28,000, Equals First Week in Toronto

'Gene With the Wind' is so strong in first week as in first, which was as near capacity as possible... Film is slated for three weeks only...

Toronto, Feb. 6 (AP)—'Gene With the Wind' is so strong in first week as in first, which was as near capacity as possible...

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Friday Cheery \$14,500 in Frisco, But 'Blue Bird' N.S.G. \$7,000

San Francisco, Feb. 6 (AP)—'Gene With the Wind' is so strong in first week as in first, which was as near capacity as possible... 'Friday Cheery' (M-G) (10) is the top picture...

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FILM SHOWMANSHIP

By John C. Finn

Film Theatres Join

Hoover Campaign For Finnish Relief Funds

Herbert Hoover, chairman of the Finnish Relief Fund, yesterday sent a letter to theater owners asking Feb. 17 and 18 as the days for collections to be made in theaters...

Before the Snow Melts

Universal is sending 'Pat' into the writing mill to cash in on the craze for the invasion of Finland...

SHILOH IS NEWS AGAIN AT PREEM OF 'EDISON'

Special edition of the Detroit Free Press with front page a reproduction of its initial issue carrying the story of the Battle of Shiloh...

Edison was carrying the story of the Battle of Shiloh, to have set a record by selling 1,000 copies of the paper with the Shiloh story...

'Young Tom Edison' will be shown in 16 new houses including at Port Huron Saturday night, the Desmond, Family and Majestic...

Attending the unveiling will be Mickey Roover, star of the film 'Norman Thomas,' directed by John Condon...

3 Reno Houses Will Preem 'Virginia City'

San Francisco, Feb. 6. Phil Phillips, Fox-West Coast ad-man, advertising and publicity case, is going to Reno, Nev., for the next few days...

Making It Official

Bridgport, Feb. 6. 'Fighting 69th' (WB) at the Warner, was opened by Capt. Remington, Kennard, Ward, War and city editor of Bridgport Post...

From the standpoint of economy and general effectiveness, film exploitation on the island of Tahiti, out in the South Sea, is said to lead the world in accuracy...

There is much to be said for the simplicity of the Tahiti campaign. There is never any confusion in the minds of prospective patrons as to the title of the evening's film...

Tahiti showmanship is mentioned here for the reason that thousands of American exhibitors overlook and disregard their best exploitation asset—the good character of their theatre...

Nat'l Screen Adapts Trailer-Made Which Goes Out of Business

Trailer-Made, Inc., has terminated a business started two years ago and turned over to National Screen Service...

The letter goes on to say that the service rentals from those who have given support have been insufficient to make it possible to continue...

NBS and Trailer-Made had been engaged in litigation prior to this settlement. RKO, V. G. NBS

RKO is in the process of shifting its accessories business to National Screen now, and Universal is moving out of the picture...

High-Pressure Bally 'Given Drunk Driving'

Murray Boggs, president of the Hanrick Theatre, here pulled the nearest exploitation stunt seen locally for many a moon...

Boggs overnight rounded up 41 dilapidated wrecks and placed them at strategic downtown corners...

Tragic Story of J. Kaufman issued a Traffic Safety Week proclamation and radio news and press gave it space with editorial...

Those who care are the operators of affiliated and important independent circuits who do business with distributors for most of their business...

NO STRINGS

They may be worn as many times as they are right, but that doesn't matter. Under the system of selective contracts, a very large group of exhibitors has privileges which are denied to another group...

Within the limitation of this brief presentation are contained nearly all of the reasons for the turmoil which has bedeviled the industry from its greatest period of financial and artistic development...

Which is a long way from Tahiti, land of enchantment, contentment and harmony. There's only one

'GONE' DIAPER SERVICE

Check Your Baby in Cleveland . . . New Nursery Being OK

Cleveland, Feb. 6. Cashing in on the silliest bit of 'Gone with the Wind' at Low's

Shillman, two tired nurses have taken a few minutes of their leisure time to put their babies some place while seeing the four-hour picture.

Rates for checking offspring are on hour scale, adding up to about \$1.75. The diaper and bottle also shown in with it.

Schools Hook Up With Par on 'Seventeen'

Paramount's search for typical 'Miss Seventeen,' in 17 key cities, got underway last week with the selection of the Kansas City winner, Virginia McGill, whose victory in a city-wide contest raised front page breaks in the Kansas City Star.

Winners will be the guests of the film company at the special press luncheon at the hotel in Hollywood on St. Valentine's day (14).

Intensive competition, tied in with newspaper coverage, is under way, the other 16 cities. In Pittsburgh high school girls are participating in a contest through the cooperation of the Pittsburgh Post-Gazette and Dr. Ben G. Graham and Dr. Charles Dickey, superiors of schools.

Similar campaigns are under way in Birmingham, Buffalo, Chicago, Columbus, Dallas, Denver, Detroit, El Paso, Houston, Kansas City, Memphis, Minneapolis, Nashville, Omaha, and Salt Lake City.

Contest for Am Screens Ballys 'Friday' in Seattle

Seattle, Feb. 6. Contest in co-op with Seattle Star, all centers in regional abilities, will be the highlight of the campaign for 'His Girl Friday' (Cal), current at Liberty, with Mike Newman in from Hollywood to handle the exploitation.

C. M. Topp in Det. Result in 'Hunchback'

Outdrawing 'Gone' Epic

In the race of the opening of 'Gone with the Wind' here, rival house, Fox, made a slick tie-up with General Motors the first time a film corporation has joined up on picture exploitation, with some amazing results.

Over the weekend, showing 'Hunchback of Notre Dame' (RKO) as a single picture, its customary features, and rounding out the bill with film of G.M.'s Putnam exhibit at the War Reliance Co. Fox pulled in 32,500 customers, more than the combined attendance at the entire Detroit and Detroit vicinity, where 'Gone' was in its opening.

One sheet was set up at all G.M. plants here, employing thousands of Detroiters. The same sheet went up all around the General Motors' Building, city's largest and full of other big offices.

But there was still more magnificence carried over the case. The theatre's name went up in the electric sign running across the face of the General Motors' Building. It named the Fox, Fox, the short and 'Hunchback.' It is estimated that the film got 300,000 people's eyes in one week.

Merchants' Tie-In Plugs 'Shop Around the Corner'

Bridgport, Feb. 6. Matt Saunders' expansion campaign for 'Merchants' The Shop Around the Corner' at Low's Fox, was featured by a full-page cooperative ad in the Post that was a national contact with neighborhood merchants, he arranged for a display, one day store in the city.

It is understood that I vivid Lew and Albert Lewin are busily searching for a new 'Lewin' star—to replace Lois Bainter, who was originally set for the particular picture. It is understood that Lewin may believe why sometimes nobody will return him.

WB Realigns Its Field Staff of Exploiters At Weekend Chi Meet

Chicago, Feb. 6. Realignment of the exploitation department for Warner Bros. studios highlighted the WB distribution staff meeting at Chicago over the weekend. S. Charles Kinfield had a special publicity and advertising meeting with most of the executives and Leo Blumberg in for the reason which blighted in all field exploitation men.

Sam Clark, who was the WB exchange guy in Chicago, shifts to the Los Angeles division. Immediately after Harry Harpel, replaced by Fred Harter, formerly with Metro Bros. Dick Hyland of the Dallas division is shifted to Washington, replaced by Bill Lewis who has been at the Baber Hotel in Dallas.

Otherwise, it was a general sales meeting of Warner Bros. exchange men with J. W. Grier, George C. Lowman, Ben Kalmanson, Roy C. Johnson, Paul Lehman, James Van Creen, John Henry Harpel and Fred Harter heading the get-together which brought in all branch managers and salesmen going over of the new program.

News confirmed the Frank Capra picture with most of the executives by saying the first release would be 'The Life and Death of John Doe' and 'The Life and Death of John Doe' is a comedy describing the company's production plans for the remainder of the 1946-47 season.

Norman Moray, Vitaphone sales subject sales manager, cited the department's record for the year and referred by the big response given his recent questionnaire. He said that the company's sales are better than their likes and dislikes, more than \$100 replied. Answers will be used to help in the marketing of the company's shorts said next season.

Miss Alpar, a Dallas, Feb. 6. Bobb & Bowley circuit, headquarter in Dallas, has announced that last week at Little Rock, Ark. Harold Bobb and Ed Rowley, chief, led the parade of the local circuit. Douglas, C. V. Jones, R. E. Ekin, Dale DeWernst, G. S. Reinhardt, R. G. Bell, Ben Boshard and Mike Kin

ANYWAY, IT SHOULD GET A PRETTY GOOD PRESS

Low-Lewin producing unit of United Artists Sunday (5) sent out a letter to exhibitors for the film 'Gitta Alpar. Letter, it is explained, was the object of the affection of Joseph Goebbels, Nazi propaganda chief, who came out in 1941 in a leaflety battle with her husband. Gitta Alpar, it is estimated, is about 36 months ago amidst most publicity.

Miss Alpar, an actress, came to America in November and hasn't been heard of since the distinguished actress was introduced to the well-known, L.-P., claim to last her for a film. L.-P. said the leaflety battle with her husband was her first picture, just for her.

In the event Miss Alpar can't be seen in the United States, she will accept another film star who has escaped from political or religious persecution and who has got into the role 'a depth of feeling arising from actual experiences that is not to be duplicated.

It is understood that I vivid Lew and Albert Lewin are busily searching for a new 'Lewin' star—to replace Lois Bainter, who was originally set for the particular picture. It is understood that Lewin may believe why sometimes nobody will return him.

Follock Lists New Films

Under supervision of Lou Follock, Fox's publicity director, the following features of the 15 recent pictures to be delivered this

Chi Pix Hit Fast Clip; West-Fields Torchy \$16,000, '69th's 2d Wk. Plus Lamour Hot 40G, Ellington Big 19G

Chicago, Feb. 6. General tempo of the week continued in excellent, and here and there a few spots of real film have been doing box business. The week gross is the exception this week, with most of the houses showing strong week-end drawdown.

Topping the town as it goes into second week is 'Come With the Wind' doubling at the Oriental and Grand. All shows are capacity, and the word of appreciation of the second afternoon show at the Oriental. This due to the novelty of living the customers on the street, and the line extends as much as 100 feet. The show is being shown in plenty of people away. After a smashing first session at the Chicago 'Fiddling Gigs' show, over currently and is again being shown at the Palace on its regular program. Notable were not hot, but it is not deteriorating in interest. The evening show. House put on a fine exploitation campaign.

Estimate for This Week
Asolo (B&K) (1,200; 25-35-45-75) - "Highly Honorable" (UA). Going for \$14,000. Last week, report of "Remember Night" (Par.) ran into a new frame, and the show is now in its second week.
B&K (B&K) (1,200; 25-35-75) - "Torchy" (WB) (3d wk) and stage show (1st wk). Dorothy Lamour stars in this one to headline. Last week, high take in the office again, with the first week of \$16,000. Last week, "Child in the Street" (WB) (1st wk) and "The Girl Who Came to Supper" (WB) (1st wk) were also strong.

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B&K (B&K) (1,200; 25-35-75) - "Torchy" (WB) (3d wk) and stage show (1st wk). Dorothy Lamour stars in this one to headline. Last week, high take in the office again, with the first week of \$16,000. Last week, "Child in the Street" (WB) (1st wk) and "The Girl Who Came to Supper" (WB) (1st wk) were also strong.

Estimate for This Week
Asolo (B&K) (1,200; 25-35-45-75) - "Highly Honorable" (UA). Going for \$14,000. Last week, report of "Remember Night" (Par.) ran into a new frame, and the show is now in its second week.
B&K (B&K) (1,200; 25-35-75) - "Torchy" (WB) (3d wk) and stage show (1st wk). Dorothy Lamour stars in this one to headline. Last week, high take in the office again, with the first week of \$16,000. Last week, "Child in the Street" (WB) (1st wk) and "The Girl Who Came to Supper" (WB) (1st wk) were also strong.

Key City Grosses

Estimated Total Gross
This Week \$2,110,700
(Based on 24 cities, 176 theaters)
First Friday report, 176 theaters (N. Y.)

Total Gross Same Week
Last Year \$1,984,800
(Based on 24 cities, 168 theaters)

LAMOUR-TRACY SOCK \$15,000 IN CINCY

Cincinnati, Feb. 6. Favorable weather and eve of Lenten season are having helpful effect in cinema center. Business by word of mouth is slightly above last week's.
Top take is 'I Take This Woman,' which is a Palace sketch despite advance reports to headline. Praise by reviewers. 'Remember the Night of the Wind,' is unknown, and the latter is being shown in its second week. Film Shubert is registering all right with 'Congo Mania' and the N. Y. 'World's Fair'.

Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

MARTHA RATE-MAISE' GOOD \$16,000 IN PROV.

Providence, Feb. 6. With 'Come With the Wind' leading Low's State into its second week, the picture is showing a strong week here at the RKO Albee. 'Remember the Night of the Wind' is showing them at the Majestic. 'Remember the Night of the Wind' is holding the fort at Fox's. Happy days are being enjoyed by the picture.

Consistently heavy advance sale for 'Come With the Wind' is showing Low's State into its second week, the picture is showing a strong week here at the RKO Albee.

Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

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Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

L.A. Rams Stop, B.O.'s Pick Up; Lincoln Fair 6 1/2 G. H.O.s Friday, \$21,000, '69th,' 18 1/2 G. Both Nice

Broadway Grosses

Estimated Total Gross
This Week \$20,700
(Based on 11 theatres)
Total Gross Same Week
Last Year \$20,200
(Based on 11 theatres)

BUFFALO PERKING; 'SHOP' LEVIS NEAT 17G

Buffalo, Feb. 6. Aggregate pull of art picture and stage shows is lifting the grosses at downtown wickets to lively levels.
'Come With the Wind,' at Lakes, is still 'flying' and 'suggar,' tallying another take after tremendous first semester. 'Shop Around Corner' with Ted Lewis on stage, at Buffalo is doing well on strength of strong advertisement.

Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

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Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

Los Angeles, Feb. 6. Clearing weather Sunday (4) helped the boxoffice and takes, with the picture strong at 90 per cent of days of the season, are showing 'Remember the Night of the Wind' (M-G) is piling up excellent grosses at the Warner downtown and the Palace. 'Remember the Night of the Wind' (M-G) is piling up excellent grosses at the Warner downtown and the Palace.

Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

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Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

'Blue Bird' at \$1.65 Drawing Fair \$14,000 In Det. 'Come', 2d, 67G

Detroit, Feb. 6. Hyped by plenty of word showing and exploitation galore downtown, 'Blue Bird' has taken a healthy box office. The Adams, with the 'Blue Bird' joined the road show group.

Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

'69TH MOPPING' TOP \$17,000 IN BALTO

Baltimore, Feb. 6. Some let-up in picture and stage show here and a decided lift noted all around. 'Taming the Tame' (M-G) is showing a strong week here at the RKO Albee. 'Remember the Night of the Wind' (M-G) is showing a strong week here at the RKO Albee.

Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

Another Lincoln House Closing; '69th' OK \$4,000

Lincoln, Feb. 6. 'Come With the Wind' is staying a second week, which will get it about half as much as the first show, but still a good box office. 'Remember the Night of the Wind' (M-G) is showing a strong week here at the RKO Albee.

Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

'Hell' Dual Good \$17,000; Sullivan-Stewart Forte \$15,000 in OK Boston

Boston Feb. 6. Satisfactory bill all over town, holdover. Green Hell surprisingly strong. 'Remember the Night of the Wind' (M-G) is showing a strong week here at the RKO Albee.

Estimate for This Week
Albee (RKO) (1,200; 25-35-45-75) - "Remember the Night of the Wind" (M-G) (1st wk) and "I Take This Woman" (M-G) (1st wk).

'Gone's 3d in Philly Better Than Second With Combined \$72,000 Take

Philadelphia, Feb. 6. Reversing the usual trend in Philadelphia, 'Gone With the Wind' gets its third week at the top...

Rooney, \$7,000, Best In So-So Montreal

Montreal, Feb. 6. 'Judge Hardy and Son,' at Palais, should be best of a not very attractive lot currently.

PAR'S IF-MONEY \$5,000 for Non-Fiction Seller, N A Story Sell

Bellamy Partridge, author of 'Country Lawyer,' has been lashed by Columbia's technical staff...

'Gone' Wows Millions for \$35,000; Cagney-O'Brien-Brent Nifty \$11,000

It's a veritable 'Gone' craze in Minneapolis, Feb. 6. 'Gone With the Wind' is currently the top picture...

Minneapolis, Feb. 6. 'Gone With the Wind' is currently the top picture in Minneapolis, Feb. 6.

Estimates for This Week: 'Light Filled' (M-G), 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G)...

Estimates for This Week: 'Judge Hardy and Son' (M-G), 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G)...

Henie P.A. Hurts Her Film in Pitt; Mediocre \$4,700

Pittsburgh, Feb. 6. Henie is holding up surprisingly well in face of the blow of the big wind...

Estimates for This Week: 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G)...

Estimates for This Week: 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G)...

'SHOP' - VAUDE WASH. NIFTY AT \$22,500

Washington, Feb. 6. 'Total take this cinema will be swell and all spots had to be covered...

Estimates for This Week: 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G)...

Estimates for This Week: 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G)...

'SHOP,' \$14,000, PROFITABLE IN CLEVELAND

Cleveland, Feb. 6. 'Gone With the Wind' is still showing in Cleveland with slightly meltdowns in advance...

Estimates for This Week: 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G)...

NIGHT, \$7,000, 'HAPPI' IN K.C.

Kansas City, Feb. 6. 'Gone With the Wind' starts its second week at the Midland at \$112 evening bill...

Estimates for This Week: 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G)...

Estimates for This Week: 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G)...

Estimates for This Week: 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G)...

Estimates for This Week: 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G)...

Estimates for This Week: 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G)...

Estimates for This Week: 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G)...

Estimates for This Week: 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G)...

Estimates for This Week: 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G)...

Estimates for This Week: 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G)...

Estimates for This Week: 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G)...

Estimates for This Week: 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G)...

Estimates for This Week: 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G)...

Estimates for This Week: 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G), 'The Girl Who Came to Supper' (M-G)...

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



ate 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



Dr. Ehrlich's Magic Bullet

Hollywood, Feb. 1. Warner Show review of William B. Franke's... Dr. Ehrlich's Magic Bullet... starring Edward G. Robinson...

Swiss Family Robinson

Hollywood, Feb. 1. This is a review of Swiss Family Robinson... starring John Wayne and Jeanette Goddard...

Minor Reviews

Dr. Ehrlich's Magic Bullet (WB). Excellent production... Little Old New York (MGM). With Charles Fox... Broadway Melody of 1940 (MGM). Meet-Gladys-Mary...

VIGIL IN THE NIGHT

Hollywood, Feb. 6. RKO Announce of George Brent... Vigil in the Night... starring George Brent and Jeanette Goddard...

Here is a splendid production in which much care and attention to detail has gone in the making. Historical biography is based on the life of Dr. Paul Ehrlich, famed bacteriologist...

The writing team of Gene Towne and Graham Baker has been consistently successful around Hollywood for the past decade. Last year, RKO signed the doc to a producing contract...

Jack Randall, not at his best, turns in a fine-voiced gallery. Married and in Love (RKO). Inconsequential program for lower half of double...

Impressive on the production side, Vigil in the Night is too narrow and depressing in dramatic content for general audiences. It's strictly limited in appeal for class patronage...

The best disease, discussion of which has been the subject of the movie, is, intelligently handled, effective in its own right. It is a dramatic story of the most dramatic of human progress...

Picture of the Wyns tale of a family shipwrecked on a South Sea island recently was a rather high school production with a few technical touches...

Long on its display of corking dancing, the picture of Fred Astaire, Eleanor Powell and Gene Kelly, mounted against elaborate sets, is a superbly entertaining Broadway Melody of 1940...

It is difficult to reconcile this edition of the classic Old New York fact that Grapes of Wrath, a masterpiece of straight storytelling...

Edward G. Robinson's portrayal of the doctor, Ehrlich is one of the most distinguished of his career. His story's lengthy career in the scientific world is well outlined...

From that point, it's straight to the heart of the matter. The picture is a family picture with a few technical touches...

The story is a typical backstage picture with a few technical touches. The picture is a family picture with a few technical touches...

It is not light and snappy and they make the most of their material. The picture is a family picture with a few technical touches...

Dr. Ehrlich is introduced as a young doctor in the Kaiser Wilhelm hospital in Berlin. He is a brilliant medical genius who is able to do things that other doctors cannot...

Thomas Mitchell provides a vigorous performance as the doctor's assistant. The picture is a family picture with a few technical touches...

This is the first screening of Astaire and Powell in a year. The result is as to be expected, both performers are in top form...

It is a classic of the genre. The picture is a family picture with a few technical touches. The picture is a family picture with a few technical touches...

Supporting cast is well rounded with both for extra and first-class capable performers. Ruth Gordon is a most sympathetic and understanding presence...

Episodes in which Kilburn is bit more convincing. The picture is a family picture with a few technical touches...

The Cole Porter song will not do better than posing stereotypes. The picture is a family picture with a few technical touches...

Run-of-mill western action is provided by "Days", a script plot that never gets going, although only 50 minutes in the run-time...

Monogram production and release. The picture is a family picture with a few technical touches...

Adapted from Dr. A. J. Cronin's novel, "The Citadel", the picture is a family picture with a few technical touches...

It is a classic of the genre. The picture is a family picture with a few technical touches...

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It is a classic of the genre. The picture is a family picture with a few technical touches...



WATCH THE MOVIE SKY !

When CHARLES LAUGHTON sings it! . . .

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



"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*



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

**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



Civil Liberties Body in Intensive Campaign to Revise Chi System of Film Censorship; Blasts Setup

Chicago, Feb. 6. Battle is brewing over the status of the Chicago Code of Censorship. Civil Liberties Committee is preparing a bill to revise the present censorship system. The bill is a relatively new deal in the censorship of pictures. While at the past, the problem of censorship has been brought into focus mainly occasionally when certain pictures are banned or given "adults only" permits, the present drive is intended to end, once and for all, the haphazard indeterminate banning and slicing of pictures at the whim of a single censorship board.

Civil Liberties committee is publishing an eight-page brochure for distribution throughout the territory, looking into the activities of the various workings of the censors in banning and cutting pictures during the past couple of years.

Especially is much made of the original banning of the March of Time reel, "Inside Nazi Germany" in 1938. This brought about a general row of disapproval throughout the city, and local districts in Chicago. Just ten days after the original banning of the reel, Police Chief Edward Allester, the head of the film and gave it a permit.

Other pictures which have been first banned and then okayed are "Red Handed," "I Was Born in Nazi Germany," "Concentration Camp" and "The Oppenheim Family," which all cut through the censorship and took up the cudgels against the censorship and added in obtaining permits.

Currently on the list lay the censors in "Gone With the Wind," "The Sign of the Cross." This picture has been banned because it is propaganda against the German government and features a Hitler. It also features a picture of the Nazi regime and which, the censors feel, since the U. S. is neutral, they are not to appear. Pictures have been twice and twice rejected, the board issuing a number of reasons why a permit would not be granted.

Group's Objectives

Civil Liberties committee is asking for a new censorship system. The ordinance provide for the review of motion pictures for sale purposes. It is generally held that the picture may be seen by children and that news-reels and educational films should be exempt from such review. (2) that the board consist of five persons with a limited term in office but re-appointable on the basis of experience in education, psychology and other such fields. (3) that the board be independent of the police department, which now has the final say on exhibition. (4) that (1) that the board be required to make public an annual report of all actions.

Drive by the Civil Liberties committee has no connection with the exhibitors or major distributors who have generally been friendly to the board with the general actions of the censor board. While there have been a number of exhibitors who have paid only tags on pictures, in the main the distributors have found the going in Chicago not very easy. More than it was five or six years ago when pictures were being sliced in ribbons and the censor board "adds only" showings were common.

Bert Bloch, Teacher

Bert Bloch, eastern story editor for Samuel Goldwyn, will begin teaching a course in motion picture writing next October in the Dramatic Workshop of the New School for Social Research in New York. Associated with him are Walter Wulfsberg, author of "Five Star Final" and other stories. The course was conducted last year, "Dark Victory" and other legends.

'MAYLAND' TO KING

Hollywood, Feb. 6. Starting date for "Mayland" budgeted at 20th-Fox, has been slated at Feb. 15, with Henry King as director.

Background shots have already been filmed in the eastern state.

'Gone's' Comeback

Hollywood, Feb. 6. "Gone With the Wind," an all-Neuro answer to "Gone With the Wind," is being repackaged by Clarence Brown as a double feature and star. Picture will show another phase of Negro life during the period covered by "Gone With the Wind."

Production is budgeted at \$30,000.

P-Assn's Drive To Cut Matinees For Kids to 2 Hrs.

Philadelphia, Feb. 6. Thirty parent-teacher associations in this city, with a membership of more than 8,000, have started a campaign to cut the length of the current three and four-hour children's matinees on Saturdays at movie picture houses to two hours or less.

In addition the group is advocating the removal of the current matinees, and frightening sequences; war pictures and "pointless" action pictures. The ideal length of the current three and four-hour children's matinees on Saturdays at movie picture houses to two hours or less.

The campaign has the blessing of the Philadelphia County Federation of Women's Clubs. The ideal length of the current three and four-hour children's matinees on Saturdays at movie picture houses to two hours or less.

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Oboron Gets Bette's Pic

Hollywood, Feb. 6. Merle Oberon gets the star spot; "The House of Wax" is currently slated as a star for Bette Davis.

Production of "Bill" has been moved ahead of "The Constant Sinner," which was to have been Mimi Oberon's next job.

NEB.'S 2 FIRES; LOSS AT \$80,000

Lincoln, Feb. 6. Two Nebraska blazes have done three properties of the state nearly \$80,000 worth of damage in the last two weeks. First to go was the Empress, Kearney, Neb., which was gutted and wrecked by a \$22,500 conflagration.

The Palace in Gordon, Neb., went up in smoke, estimated loss, \$20,000. George O. Johnson operated the Empress, and Charles Pace owned the Palace.

\$14,000 Fire Loss

Alvareza, Texas, Feb. 6. At a loss of \$14,000, Alvareza theatre was destroyed by fire last week. Cause unknown. Damage covered partially by insurance.

Boothman Burned

Tom Warner, 66, operator at the Garden here, was severely burned when a fire broke out in the projection room. The fire was limited to the projection room and it is believed was caused by a spark which hit the film.

Warner is being cared for at the hospital. He was recovering from second degree burns. Police claim Warner jumped from the projection booth to escape after being—about 10 feet—paved the flames, but this was denied by the theatre management.

Metro Not Responsible For Salesman's Auto Crash; Litter Appeals

Minneapolis, Feb. 6. A district court jury, returning a verdict for the defendant and refusing to place any blame, found that Metro here was not responsible for the permanent injuries sustained by Harold Klugman, former Republican salesman, while he was riding in northern Minnesota in a car which was struck and driven by Walter McKee, late M-G salesman, in the course of business. McKee was killed in the accident.

Klugman, who had sued for \$50,000 damages, was appeal. It was reported he had refused a \$10,000 settlement offered by the company assuring Metro.

Weak Heart Via. Holdup Is Fatal 9 Years Later

Lincoln, Feb. 6. A theatre holdup in Norfolk, Neb., nine years ago resulted in the death of A. J. Teak, former manager of the Gramma, last week, in excellent health. He had been shot during the holdup, the scare weakened his heart.

Surviving numerous attacks in the past nine years, the list one brought on his death.

Lellaire Agenting

Hollywood, Feb. 6. Rufus Lellaire has started in the agency, his end will operate John A. Teak, former manager of the Gramma, last week, in excellent health. He had been shot during the holdup, the scare weakened his heart.

Currently he has deal on for an Italian subject on that basis.

Andy Gets a Dusting

Par's Commercial Dept., 13 Licensees Close Behind Disney's

Inconsistent

Detroit, Feb. 6. Detroit police have banned gambling devices for theatres and even have been called upon to enforce them. Although licensing of characters from Walt Disney's police film censor here and also newly chosen.

Par's Commercial Dept., 13 licensees Close Behind Disney's

Church Bingo Vs. Theatres; Law in Middle

Blackett of bingo as ordered in Wisconsin supreme court decision recently has been the subject of conflict between state and church some imminent. Dependence on the state's right to theatre interest, on which the high court was based, have served to bring the issue to a hearing, even though the ruling against it was unanimous; and they are keeping right on with the play.

Three Madison Catholic churches announced cancellation of their weekly games, and Dist. Atty. Norris E. Parnell, of Dane County, has presented immediate action against any games that were in progress after this date. From 10 to 15 establishments in the capital city were sponsoring bingo, with an estimated 500 people a night playing the game.

Action of the Madison churches had an echo in Milwaukee, however, though they're in the same division. For a while the churches here announced they would continue their games, and several private halls are still open for play.

Some of the churches are attacking the churches editorially for their defiance of the law and urging the public prosecution action.

Milwaukee churches evidently are taking their cue from Archbishop Mundelein's post in Chicago and has been out of touch with recent rulings of the archbishop. Mundelein may be passed to his successor, the Rt. Rev. Mons. E. Kiley, due here shortly from the East.

Pitt OK's Charity Bingo

Pittsburgh, Feb. 6. Okay for bingo is granted by the proceeds go to charity or some other benefit, was announced here by the United States attorney, Albany county. However, private parties staged by promoters and holders of bingo tickets would be allowed, adding that latest bingo status in this state arose as a result of a case brought by the state games promoted by "out-of-town" sherpas.

It was stated he had an "understanding" with District Attorney Andrew F. Park that neither county department would require the state to interfere with bingo games held by churches, fraternal organizations, fraternal women or veterans' organizations.

TITLE CLOUD LIFTS

Hollywood, Feb. 6. Hal Roach bought back "The Sign of the Cross" from Turner, British owned by Thornton Smith, slated to roll Feb. 13.

The movie "The Sign of the Cross" on stage rights granted to two English playwrights.

Paranormal, which set up a commission to investigate the "Gone With the Wind" licensees. It is expected to continue this kind of business as will Metro, which followed in the lead. The only the stamping ground of Walt Disney's characters. Although licensing of characters from Walt Disney's features have not been set by Par, the state has already set up the "Gone With the Wind" licensees as a short-term license.

To the end, Max Fleischer will schedule a series of shorts around Goby for the 1940-41 season, with a minimum of \$100,000 in all likelihood. It is very probable this season, Fleischer will have a number of features which will lead itself to feature films on the side, maybe for the tail end of the year. The "Gone With the Wind" licensees are expected to be a success. Organized only six months ago, Par's licensing department has negotiated contracts with 13 commercial firms, as against Disney-Kamew's 12, in "Pinocchio," according to the last figures. Licenses mailed out by that organization.

Of Disney-Kamew's 12 accounts, seven are in the same division, are duplicating on certain items, such as being four companies on manufacturing of "Pinocchio." However, Fleischer, on the other hand, has issued licenses exclusively to one company, the British company Breakdown, which that Par has broken down 18 different items of merchandise. It is very probable that while Disney has the same number of items that aren't licensed by Par, the latter has a much larger number of items that aren't licensed by Par. Harry Royster, former theatre department executive, under the direction of Len Diamond, also deals with shorts and music departments.

While decision on what the second round of licenses will be, it will be has not yet been settled, a story may be determined on before February 15, when the second round of licenses will be issued. G.M. leaves for Miami, Florida (28). During the past two weeks Par has been in contact with the British company that deals with complete foreign coverage on the licensing of "Gulliver" characters for feature films. Par has made arrangements with J. Walter Thompson for the British firm.

Under new parts made, Press Alliance, with headquarters in Paris, will handle the distribution of Par's films in all countries excepting the Scandinavian group, South America and the British Empire. The deal was made, together with the previously concluded British contract.

Sweden, Denmark and any business that may be done in Finland. John Handke takes over for Australia and New Zealand. All deals were set in New York through Len Diamond's office, following negotiations by letter and cable.

Johnny Jones in N. Y. Setting Cit On Critical

Chicago, Feb. 6. Johnny Jones (Lynch & Scott) is in New York City at present to negotiate for the possible first-run showings of special pictures at the U. S. office of "Gone With the Wind."

Jones is particularly endeavoring to get "Pinocchio" since the Oriental has considerably more seating capacity than the RKO Palace. Jones is also interested in "Grapes of Wrath" and "Lincoln in Illinois" and "Bill of Gera."

Col.'s Title's Cartoon

"The Tuller," comic strip by Russ Westover, will be transferred to the "Blondie" cartoon. Similar to those which the company has made from "Blondie," another strip created by the same artist.

Termer was asked last week by Joe Connelly, press of King, and Ned Spingold, of Cossack, which will begin production as soon as casting is worked out. "Tuller" has been a part of the work done by Westover published in book form by Westover in 1935.

Louella Parsons Lines Up Endorsees For Woodbury (Magazines, Radio)

Charles Boyer's program (NBC-Red, Wednesday) will probably have as guests most of the famous film names that Woodbury facial cream has tied up for testimonials in a magazine campaign which starts with the April issue. The testimonial here consists of Betty Loomer, Joan Bennett, Linda Darnell, Jane Lang, Anita Louise, Annabella, Claire Trevor, Andrew Leeds and Anne Shirley.

The job of lining up the screen celebs was handled by Louella Parsons, gossip columnist. Miss Parsons was reported to have received \$10,000 for the chore, but Loomer & Mitchell, agency on the account, stated last week that half that figure would be closer to the actual price.

RADIO PROJECT TO COLUMBIA UNIVERSITY

Publication of a report by Hazel Cancell on the CBS time 'Miss Patti' incident will be the final act of the Princeton Radio Project, which through Cancell's report, supported by Rockefeller funds, the Radio Project, which looks into things scientifically, will reappear at Columbia University.

Paul Learsfeld and Frank Stanton, who were on the Princeton Project committee, will move to Columbia, but Cancell will not. Loomer, Bryson and Robert S. Lynd, of the Columbia faculty, will also serve on the new setup.

Princeton University itself was not particularly enthusiastic about the Radio Project.

SALES STAFF SHIFTS AT NBC, CHICAGO

Reassignment in Chicago, Feb. 6. James J. Neale, commercial sales traffic manager, additional duties as regional manager for the Midwest. Neale's previous job while Frank Goldner's previous assignment in charge of night traffic.

With Neale taking on extra duties, the bulk of sales traffic will be handled by Floyd Van Etten who has been in charge of local and spot sales traffic. E. A. Stockman takes over Van Etten's previous job while Frank Goldner's previous assignment in charge of night traffic.

Can Serve CBS Via KIRO

Seattle, Feb. 6. In a decision handed Friday (5) by the State Supreme Court to review its previous decision that the Columbia Broadcasting System can be served with commercialism in a damage suit through service on CBS, KIRO, as its agent and affiliate. CBS had contended that Seattle station was an independent contractor rather than its agent.

Straight Quits WHB

Kansas City, Feb. 6. M. H. 'Mouse' Straight leaves Station WHB this week after seven years of service in the sales and publicity departments. He joins the Ferry-Nixon agency as continuity and ad writer, taking a vacancy left by Newton Cross, who goes to the McCann-Erickson office in the east. Ben Caldwell and Frank Hamilton of the news department will split Straight's publicity work at WHB temporarily.

Nor Columnists

Yeva Vague quipped on the Chase & Sanborn program Sunday: "Television will never replace the old-fashioned keyhole."

GENERAL MILLS' BIBLE STORY

General Mills will broadcast a new dramatic strip beginning March 18, probably over NBC red (WFAZ). Called "The Light of the World" it will be sub-titled, "The Day-By-Day Story of the Living Bible" and will feature modern dress and modern characters, although retaining the Biblical settings, dress, customs, etc. It will plug Gold Medal Flour, replacing the 'Betty and Bob' dramatic series, which goes off of the air and carrying the General Mills label for eight years.

Transcribers will produce it. General manager, writers, cut and so on not set.

WMBC M.C. Loses Injury Suit Based on Claim of Smartalec Driving

Detroit, Feb. 6. Chuck Stanley (Charles O'Rourke), m.c. of WMBC here, must pay \$5,000 damages to Helen Louise Slong, radio and night entertainer, for facial injuries suffered when Stanley's car idled into ditch on road, Feb. 2, while on way to fill engagement at Milford, Mich. Stanley is m.c. of the 'Happy Hour Club' at WMBC.

In the circuit court case, Miss Slong and Ethel Verley, another performer, were riding in car, testified that Stanley tried to pass lanes by applying brakes suddenly and throwing them from rear seat. On one occasion, they said, he looked back to see what happened and missed curve in the road, the car hitting a tree. Medical testimony revealed that Miss Slong's nose was almost broken. The suit was served only through plastic surgery. The court held that, since Stanley had looked the Mirror on stage, he was Miss Slong's employer and therefore responsible.

Miss Verley also injured in crash, plans to sue Stanley also. Miss Slong had sued for \$25,000.

Orth Bell's Bait Gets Him a Banking Sponsor

Publicity in the trade and lay press has been a boon to commercial for Orth Bell, the fugitive from Jersey City who does a radio-spectacular as Uncle Junior. Bell was started a daily session for Madison Personal Loan over WJCA, N. Y. Klinger agency, and heard on radio with Mike Fink, Bell's manager.

Former singer on CBS mid-afternoon washed up last week.

Opera-on-Tour Decision Evokes Much Discussion in Business World

Council for Opera-on-Tour, Inc., has not decided whether an appeal will be taken from the Appellate Division's decision holding that the motion picture (AFM) and studio (LATSIE) union had a right to join in refusing to service a change in labor relations to further unemployment. Opera-on-Tour has 60 days in which to file an appeal. It is understood that the employer group are interested in having the case carried to the highest court, if necessary, for a more favorable adjudication of the issues involved.

Lawyers for important manufacturer interests have since the handing down of the Appellate Division's finding voiced the opinion that the Opera-on-Tour case should not have been brought on the basis of a labor question. They hold that the action should be based on breach of contract anti-trust laws. It would, they say, have more of a chance for permanency if the employer group were protected from having to hire unemployed labor and that unions should be stayed from raising such means the march of technological progress.

'Cavalcade' Moving To Big Chi Opera House for Lincoln'

Dupont's 'Cavalcade of America' will use the Chicago Civic opera house with 1,500 seats for the special Feb. 13 broadcast with Raymond Massey as Lincoln and other members of the 'Abe Lincoln in Illinois' cast. The light play will appear in costume, coming directly from the theatre. Radio script will be based on Carl Sandburg's 'The War Years'. It was published some weeks ago in completed form.

Over 1,000 school teachers will attend Chicago broadcast, for which B. B. D. O. is putting on a big ballroom. Talbot and Booth Barry, of the agency ballroom staff, have made several trips to Chicago. For the broadcast, William A. Hart, of Dupont, Arthur Fryer and Henry Fickert, of the agency, will go west.

CBS' EUROPEAN REPS STILL BIG TOURISTS

Mary Marvin Breckneridge, CBS 'revving reporter', recently has been on broadcast tour of Europe. Previously, Miss Breckneridge did some milking from London, with Edwina Dagnall, who is now in the European staff, and from Ireland. William L. Shiver, CBS' top man in Europe, was away from New York his transatlantic originating at a winter sports center in Southern Germany. He and Miss Breckneridge has been ill and for whom Brian Eckard has been substituting in London were together in Holland for a time.

Max Jordan, NBC's European boss, is back on the job in Berlin, returning there from Switzerland. Warren Ryan and John Raleigh punch hit for him.

FLU HIT NBC

Niles Trammel Out—Martha McGrew in Hospital

Personnel in the top executive offices of NBC was hit last week by an epidemic of influenza. Lonnie Lohr's program staff felt it the hardest. Each of his subordinates, with one of them, Martha McGrew, being transferred to the White Plains hospital.

Niles Trammel, executive v. p., was kept away from his office the past week also because of a flu attack.

Chas. Horn to KPFO

San Francisco, Feb. 6. Lincoln Dollar, new general manager of KPFO, has appointed Charles E. Horn as station's sales manager effective Feb. 12.

Horn moved from CBS where he has been sales representative in Fresno. Dettler contemplates no other changes in KPFO sales staff.

Dollar was given his intro to local radio and advertising men at a luncheon in his honor at the Mark Club last Friday. Over 100 persons were present, including Merford Runyon, Herbert Alford and other members all of CBS as well as Wesley Dunn, owner of KPFO. Thornburgh acted as toastmaster.

Chain Income From Time Sales

Table with columns for COLUMBIA, MUTUAL, NBC-RED, NBC-BLUE and rows for January and February 1940 with dollar amounts.

'LUNCHEON AT WALDORF'

Camel has 'Flurry Program With the Class as Hostess'. Camel cigaret is going in for the event association angle as far as advertising is concerned. The program has been tagged 'Luncheon at the Waldorf' and will make its debut on the NBC 'Class' program on a Saturday matinee spot, 1:30-3 p.m., and involves a luncheon of 64 stations. Ideas the program is to be given which is described as 90 prominent persons and have the legit screen. The 'Class' not only serve as m.c. but interview some of the pre-designated guests. There will also be a orchestra. William Eddy is the agency.

'ELLERY QUEEN' UP FOR GOLF

It was reported yesterday (Tuesday) that Columbia was on the verge of selling his Sunday night outdoor 'The Adventures of Ellery Queen' on Gulf Oil as a half hour spot to replace the Screen Guild session in April. The Guild program started on CBS in January, 1939.

Young & Rubicam is the agency on the account.

Marcella Burke Writing On 'Sister'; Zasu Pitts Joins Cast of Serial

Marcella Burke, film and legit writer, has joined the 'Buttrud & Ryan' studio as one of the writers working on the 'Big Sister' daily serial. She wrote the Deanna Durbin serial, and once on Vaudeville, and collaborated on the recent Ruth Chatterton play, 'Tonight We Dance'. Zasu Pitts joins the cast of 'Big Sister' next Monday (13), playing a character part, not herself. Alice Froon, co-star of the serial, has signed for another year, but gets a couple of vacations to go to. Robert Foulk, Warner Bros. director.

Theatre Man Billy Elson Doing a Radio Spell

Billy Elson, inmate of the Seventh Street Jail, will conduct Vaudeville Chicago staff, will punch-hit for Marie Pottier, Times-Tribune music critic, on the Alwood coffee program while the letter takes his usual Hollywood trek.

Menjou-Teasdale Offered

Plattewood version of the French sluttish tale, 'Arsene Lupin', with Adolphe Menjou and Verree Teasdale, is making the rounds of agencies. Oscar Bradley directs the music. 'Ma Brown' on WNAJ-WFT-KRNT. De Munnis, Feb. 6. 'Meet Ma Brown' billings, plus contact series, has been sold to WNAJ-WFT-KRNT for Occident Films. The series will be produced by Mitchell agency of Minneapolis handled.

1940'S START BRISK FOR WEBS

NBC and Columbia established new all-time highs with their time sales income for last month. NBC's earnings were \$4,000, while CBS' were \$2,500,000. Compared to the same month of 1939, CBS' time had a margin of 25%, NBC was up 8% and actual, 8.8%.

The NBC-red's share of the \$4,000,000 was \$2,000,000 and the blue line's \$2,000,000. These figures represented a boost of 8.3% for the red and 8.8% for the blue when compared to their allocated billings of January, 1939.

NBC is using a different system in distributing between red and blue income. Under the previous arrangement the credit would go to the head network used even though most of the supplementary were handled with the sister link. Now the accreditation goes to how the individual station is identified on the network's radio. Under other words, the allocations will be treated on the basis of individual stations, with the figuring credit for the local stations used and the red being assigned the billings on stations listed as red in the rate cards. In the event a station is listed as optional the credit will go to the red network. Columbia's practice has introduced a change in its billings compilation. From now it will deduct from the gross figuring credit for new broadcast, such as the Elmer Davis program. These rebates amount to about \$50,000.

AGOR SPOTS THREE PLAYS IN ONE WEEK

Hollywood, Feb. 6. Arch Oboler, the one-man literary factory, has three plays on the radio big-time this week. Spotted 'Happy Feet' on Monday, 'The Man in the Hat' on Wednesday and 'Group Theatre does his 'Wedding Present' on the Kate and Perry Jackson. He is also performing three rounds out the week's third, 'Special to Hollywood,' on Tuesday.

Haydn Evans in N. Y.

Haydn Evans, general manager of WHBY and WTAQ, Green Bay, making his first N. Y. trip on behalf of the Wisconsin state.

Evans until recently was commercial manager of WNAJ, the Cowley state radio station. He is also part-owner of the 'Pot o' Gold' station and is peddling a couple of new programs.

P. & G. Show on WMAQ

Procter & Gamble, through Klacket-Sample-Hummert agency, will broadcast a new program on WMAQ here starting March 4 at 11 a. m. It will be a five-week actual program to plug the Duff product.

AGOR not yet an actual program for the spot, and has not been under consideration.

Afternoon Flops Recalled

Even though the radio industry tends to resent the clubwoman's insatiable love of publicity and constant readiness to provide pat questions for the press, few adjoining columns recall the recent bombardment against the daytime weepers which came about because the clubwoman did not color them thoughtfully in the moving before the clubwoman did. Network thought it known to be moving in the direction of breaking up the solid segments of serials with music or other entertainment variations.

Meanwhile, however, the clubwoman will be reminded that 'A' and 'B' home show serials showed an unwillingness to applaud or support pretentious daytime revues, musicals or other non-serial entertainments. Several historic flops are being recalled in this connection, notably Columbia's costly hour of some years ago.

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

RAPS AT RADIO GET THE SPACE

Latest Uproar Over Daytime Serials for Housewives Closely Follows Clubwoman'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 work. The agitation came only a few months after the clubwoman 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 Council of Women and the General Federation of Women's Clubs with free time for their own use. And the public blasts in this instance are considered largely irresponsible in the woman's superior financial and social advantages are assuming a crusading role in the women's club. 'E' grade homes who show no desire whatever to be saved from the alleged menace of too much radio stuff in daytime broadcast.

The whole uproar against the daytime serials is based upon a convenient forgetfulness of the fact that radio is for the mass, not the classes. Radio does not just reach those too many programs all of one kind or that the daytime serials are generally not believed. It does deny that the clubwomen are fairly representing the fact.

Avoid Book Problems

Radio is getting the impression that clubwomen who do not open (Continued on page 24)

Culture-Laden Blue

Ad agency men score a point on the clubwoman by pointing out that for cultural and informative radio for during the day, clubwomen have merely to skip over the stations carrying the serials and tune in one of the NBC-blue outlets. Their choice of that class of program from 11:30 a. m. to 1:30 p. m. on a 15-40 p. m. on a choice that club couldn't be much more varied.

Following are some of the blue stations which are carried regularly during the work and which have yet to have bags of laundry comment for being "different" for the effort and expense put into them.

- 'Between the Bookends with Ted Malone'
- 'Adventures in Reading'
- 'Gallant American Women'
- 'Rebels of History'
- 'Ideas that Come True'
- 'Medicine in the News'
- 'Alma Kilbuck'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 Sheen refused to appear at St. Paul's but it appeared here that radio priest's broadcast last Sunday was prompted by church censorship. Scheduled speech, believed to have dealt with Department of Justice's present investigation of priest's activities, was cancelled by Archbishop Sheen's censors that Conghlin refused to give any part of same and would deliver several years ago when local church officials deleted personalities from a scheduled broadcast. Archbishop Sheen and Conghlin refused to go on air. At that time both sides in controversy revealed almost nothing. Conghlin's broadcast when Conghlin was permitted to save his face with approved explanation. A similar explanation is expected this coming Sunday.

Sheen His Superior

Further evidence that Conghlin's silence last Sunday was not a master publicity stunt, to build a bigger audience for his Sunday as master content, is contained in current issue

of priest's Social Justice magazine in which an "anonymous" article reveals the late Cardinal Mundelein, Cardinal O'Connell of Boston, Miss. John A. Ryan of Catholic University and other both Catholic and Protestant, as being opposed to Conghlin's "fronts for big business, financial liberalism, radical socialism and left-wing Jewry." They are also on Justice Frank Murphy who was Attorney-General when the "Christion Front" was exposed. These points, plus the added trouble Conghlin 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 force press of the front, at least at present, but it's certain that closer scrutiny will be made of his speeches in future. Studies written in Sunday's magazine also caught WJR officials here of their guard with no in an organization apparently knowing that priest wouldn't talk. Situation explained by fact that Conghlin manuscripts are usually checked personally by Leo Fitzpatrick, general manager of station, who has been in California since he was in New York. Fitzpatrick's secretary went home sick Friday and no one checked whether the manuscript had come in. "Only Archdiocesan official to talk was Father Edward J. Hickey, Chardon, who said he didn't know Conghlin had failed to make address, until told by newspapermen. He'd know reasons for omission but suggested that perhaps Archbishop's censor liborum (reviewer of writings) had found something deemed undesirable.

Third of series of cryptic announcements by Conghlin during the program of organ and choir music, which was substituted for Conghlin's speech by some to make sure that Conghlin was making a good impression on last Sunday's broadcast. "The message may be pertinent, please do not be alarmed!" He subsequently explained Father Conghlin will return to the microphone next Sunday. By all means do your share to save his largest audience ready to hear his message."

POSTMAN DROPS LETTER AT ARNER

Hollywood, Feb. 6. — Postman (General Foods) wins a 15-40 p. m. next month. The team has been on this account since Friday, 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 (retired), was in charge of ABC's (Boston, for NBC) has been appointed a major.

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

Necker Products is putting out its version of "Superman," newspaper feature strip, in transcription form, with 10 stations slated to start the serial Feb. 20. The program, which has been turned down by the networks, will in its final production avoid anything resembling war, espionage, or espionage. Erwin-Wanzy, agency on the account, reports that the initial set of recordings were submitted to the Child Study Association of America and both the same and the treatment were approved from the Child's angle.

The stations on the list are WOR, New York; WIAR, Providence; WBZ-WBZA, Boston; WOL, WOL, Syracuse; WHAM, Rochester; WGT, Schenectady; WEEI, Worcester; WCAU, Philadelphia, and WTIC, Hartford.

HARBINGER OF SPRING

Benjamin Moore Interior Decorating Show Due Feb. 24

Benjamin Moore Paints returns to the NBC red Feb. 24 with its usual 10-minute program of interior decorating ideas at daytime work.

Account has contracted for the Saturday 10:30-10:45 p. m. period and 42 stations.

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

Detroit, Feb. 6. — Except for complete reorganization of station's sales department, no important personnel changes have taken place at WMBC (for 151,000). H. Stoddard Clark as chief engineer, Charles Farrell as chief engineer and Al Gray as director of studio band.

Considerable improvements are being made in the mechanical and broadcasting ends, however, chief station engineer, J. L. Booth, has installed a new quarter-wave radiator atop the Boulevard building and addition of a new transmitter to take care of station's expanded 330-watt power.

Detroit's home station is now again appearing on each station identity announcement, and sports is continued on newscasts, apart from news and foreign-language programs. WMBC has just signed for International News reports and has added a couple new transcription services. "Old Opry" hour show, along with his Happy Hour, is being featured on the station. Temple to director a kids show and Regina Ruth, teacher, has a one-hour show program.

TSN Cuts Hit KABC

San Antonio, Feb. 6. — First appearance of KABC (at the Embassy) put into effect on all Texas State Network stations in the San Antonio Temple in program department Lester Scott and Roy Clark, Jr., were dismissed under the technical department of Herbert Hartman and Betty Agnes.

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

KMBC Offers Shifted

Kansas City, Feb. 6. — Bright Court Follies, Saturday night visual radio show, has been moved from the Yankee Temple to the Memorial hall on the Kansas side temporarily. As an added attraction, KMBC is offering party of round and square dancing following the regular broadcast.

W. J. H. is appearing on the Kansas side Jan. 27 was a sell out, 3,000 seats at two bits per head in connection with the 25¢ ticket which prevailed in the 1,800-seat Ivanhoe Temple.

WORLD DUSTS OFF GOLD GROUP

World Broadcasting System has done all its Gold Group Network line and is back offering the stations a recorded campaign which will handle for the Times' Co. through the Charles H. Stone agency. The program involved is "Helpful Harry's Household Hints." World previously has this program tied up with American washing machine manufacturers on a campaign of participation sale. Under the Gold Group proposition, which at its innovation aroused much antagonism among station tops, World collects 15% from the selling stations, with the money applied to recording advertising costs as well as World's service grade.

Rockwell Has Separate Deal to Represent Feldman Clients for Air

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

Alliance does not affect GAC's Chicago office, since the latter continues 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 line.

Outlet operates full time at 230 watts on 1290 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 operating permits of transmitters were told last week to demonstrate that they have not violated the law, without interfering control without Commission consent.

Past joints about Westinghouse leases finally brought results with the order for hearings on renewal applications of plants with NBC operation as agent for the equipment companies, Pittsburgh, Pa., Westinghouse; K.W. Philadelphia, and KDKA, Detroit, the licensee cops want to be heard on the company relating to operation of WJL, New Orleans; WOL, Schenectady; WAPL, Birmingham, and WESG, Elmore, Ala.

Doubt about the regularity of arrangements under which the stations were voted two years ago at Congressional hearings. After a year of renewal applications are filed, more applications will be put on the carpet. Apparently such cases will be handled individually, and the FCC does not plan to lay down any rule of thumb but to try for an agreement on renewing out his property or hiring an operating agent without first receiving Federal permit approval.

Important Cases

The Westinghouse and G. E. stations are the most important under attack, and whatever decision is reached concerning the contracts which NBC renewed, will undoubtedly will have far-reaching effects. For the agreements have been used as a general pattern for a number of other instances. Roughly, the two agree to pay a fixed amount per percentage of the gross receipts or profits and to handle all advertising contracts, and to share in the operation of the station in control of their properties.

The decision to look at WAPL is of unusual interest inasmuch as the Commission recently refused to approve an agreement under which the station was taken over by a new corporation in which CBS would have an important, although minority, stockholding. All the facts concerning the Birmingham plant, however, by three of the stations were brought out at that occasion. The Commission also has a substantial file on WJL, owned by the Gannett Co. and leased to the Gannett interests, and on WOL, which is the station of Loyola University in New Orleans. On the last two plants was obtained during the chain-monopoly probe.

BUGLER'S KTSB SHOW WITH ADOLPH HOPNER

San Antonio, Feb. 6. Brown & Williams Tobacco has started through Houston, Tex., for a series of broadcasts to be presented locally over KTSB here in the interests of Bugler's KTSB Tobacco.

Program is a quarter-hour across the border, featuring Adolph Hopner and his Boys. Group is popular in southwest as a string band combo. Program debuted on Monday (5).

WILLIAM BUTTS WYTS NEWS

Hartford, Conn., Feb. 6. WTC has received a contract from W. R. Williams Co. covering the station's 11 p. m. newscast. Glider is a new cream in the news business. Contract calls for five quarters a week.

Reciprocal

Last year Ralph Brewster, singer with Paul Whiteman's Modernaires, was operated on for cancer of the throat. The operation was taken by Quirt McArthur, of the Macy's. Last week Dr. Michael was stricken the same way and Brewster substituted for him on the Macy's on the Fred Allen broadcast Wednesday and would be recovered.

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

SPOT LOOKS UP AT THOMPSON

While his network business is just about back to his own, J. Walter Thompson has developed into one of the most active spot agencies among the radio networks. Last week he was riding as Shell Oil, Plasters Plaster, Coleman's Mustard, Scott Terry, Henry Hand Lotion and Fivitan (Fischbaum).

He is also testing a daytime spot program for Chase & Sanborn Coffee.

Aileen Pringle's Radio Role a Finnegan

Aileen Pringle, former picture star who has left the screen, is currently riding as Shell Oil, Plasters Plaster, Coleman's Mustard, Scott Terry, Henry Hand Lotion and Fivitan (Fischbaum).

He is also testing a daytime spot program for Chase & Sanborn Coffee.

Bill Farrow has resigned from NBC announcing staff to free himself. First new shows will be with Ed McHugh, Chappell Klingler.

Clubwomen

(Continued from page 23)

encouraging her marked broadcasting as the country's number one good natured, whipper boy. Her own inquiries as to what these self-made ladies are doing of everyday life in serious lanes of the day such as unemployment, sharecropping, child disease and child labor. It is proved that the clubwomen are picking their spots and favor anti-racism, anti-lynching, anti-foreignism, attacks can be repeated.

1. Newspapers will print anything she says.

2. Radio doesn't fight back.

Some part of the original impetus of the "Let's Live" movement in Westchester County, N. Y. (high income suburb), apparently came from Ida Bailey Allen, a radio hostess and economics expert. Trade observers point out the irony involved in Miss Allen, 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 as a byproduct of a "boyce" against the serials. Radio sees this as the lipoff. The clubwomen who have been so interested in rallies and spectacular titling with windmills. They trail it in the streets. They have seized the opportunities for oratory, questioning and agitation than for something else. All the responsibility that involves.

Clubwomen are complaining that the radio is not "listening" to their intelligence! But, radio answers, the women who like these programs are not the clubwomen. The daytime programs are not in the opinion of radio, dragging down the program. The radio has had to open up new horizons of interest to underprivileged women in whose behalf the majority of clubwomen have no time for reading (women in general are notoriously poor readers) while these programs are imbibing some new social ideas from radio programs, even if these ideas are not more than the pathos of a "boyce" against the serials. Radio writing may be crude but, say the clubwomen, it is better than the pathos of a "boyce" against the serials. It is the only kind of writing this kind of the population could understand. They are not "illiterate" if it knows. The crux of the argument is that 10 years from now the clubwomen will be able to be achieved. Right now the money of upper crust ladies are arguing that they are not "illiterate" if it knows.

Philadelphia, Feb. 6. Dr. Leon Levy and Isaac D. Levy, president and vice-president of WCAU, are no longer in Miami Beach.

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

More Pop Needed

Buffalo, Feb. 6. CBS' 52nd Street Ah! Annex is a big laugh at WGR-WGR is a radio station which has been a year in the remodeling. There has to be seven new studios available. One of the main reasons for the remodeling is a reduction in the lead of passenger traffic on the elevator at the station. This is one of the most embarrassing problems of every day operation at CBS with not much that can be done about it.

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) disclosed that the program is doing better listening quota is 40% of the rating which the original show gets over the NBC-red Wednesday night program. The program is also being carried by some areas presumably covered by the original broadcast, and Kyser's show is being carried during the first 15 minutes (Glenn Miller-Chesterfield).

There are 10 stations in the Mutual hookup, which originates from WOR, N. Y., and includes the N. Y. State University and the Mason-Dixon.

Get in Line

Paul Keaton, CBS vice-president, is away for a week which in Canada. Upon his return Vice-President, CBS Director of Sales Promotion, will get a month's leave. Frank Stanton is also expected to be away for a week. Doug Cautler has returned from his winter loaf.

F. C. C.'s WASHINGTON DOCKET

MAJOR DECISIONS

- 1. **Alabama:** Char for a new station for Phenix closed but no construction of a new station to be operated on 1210 by the request of M. C. Brown. Transmitter will be operated on 1210 by with 100 watts output, 24 hours per day.
- 2. **Pennsylvania:** (1) Competition for WJEF, Erie, located within a sensitive grant of the application of the Erie Electric and Gas Co. for a station on 1210 by with 100 watts output, 24 hours per day. (2) Competition for WJEF, Erie, located within a sensitive grant of the application of the Erie Electric and Gas Co. for a station on 1210 by with 100 watts output, 24 hours per day.
- 3. **Virginia:** Clarence N. Gray and Robert O. Greer, Inc. for a new station to be operated on 1210 by with 100 watts output, 24 hours per day.

SET FOR HEARING

- 1. **Florida:** Miami Broadcasting Co., Miami, new station to be operated on 1210 by with 100 watts output, 24 hours per day.
- 2. **Michigan:** WTOP, new station to be operated on 1210 by with 100 watts output, 24 hours per day.

NEW APPLICATIONS

- 1. **Florida:** WJEF, St. Petersburg (Chamber of Commerce), St. Petersburg, voluntary assignment of license to WJEF, St. Petersburg, 1210 by with 100 watts output, 24 hours per day.
- 2. **Michigan:** WTOP, new station to be operated on 1210 by with 100 watts output, 24 hours per day.
- 3. **Virginia:** Clarence N. Gray and Robert O. Greer, Inc. for a new station to be operated on 1210 by with 100 watts output, 24 hours per day.

Columbia Broadcasting System will occupy its 52nd Street Annex around the corner from the N. Y. State University, Feb. 10. The former Julliard School building has been a year in the remodeling. There has to be seven new studios available. One of the main reasons for the remodeling is a reduction in the lead of passenger traffic on the elevator at the station. This is one of the most embarrassing problems of every 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 for the late William C. Vanderbilt). The building will be strewn with technical innovations and is expected to attract a lot of attention from technical and broadcasting gadgeters. To quote some of the innovations: A new type of engineering staff has developed improved sound projection and other devices, among which is a revolutionary innovation for obtaining variable acoustics, which the experts explain, is the idea of a structure built of sound quality. A further progression will facilitate manipulation of the sound quality. The new studio annex, supervised by J. Vernon, supervisor of construction and maintenance for WABC, conceived the idea of a structure built within which is mounted all the apparatus necessary for the complete control of the sound quality of the studio. A. B. Chamberlain, chief engineer of CBS, declares that this is the first time that a structure built from the former method of having amplifiers and various types of control devices has been developed.

"For the variable acoustic effects, resonant wood panels will be installed in a tray designed to absorb three feet from the walls of the two larger studios, which incidentally are covered with a material of a hard, resilient, acoustic surface, the ceilings having a spongy construction. The ceiling is 10 to 12 inches thick and 20 inches wide. They have something of the appearance of an airplane wing. The ceiling is in the center than at the edges.

"This acoustical idea owes its origin to a study of the principles of violin. In developing the notes which culminated in the panel, the idea of a structure built of the CBS Orchestra, and C. R. Jerome, manager of CBS construction, were given a general pattern for a number of other instances. Roughly, the two agree to pay a fixed amount per percentage of the gross receipts or profits and to handle all advertising contracts, and to share in the operation of the station in control of their properties.

RAINEY OFF TRANSMCKER

John Young, Graham Newscaster-Schwartz Also Out

John Young, formerly of Chicago, has joined the writing staff of Transmacker. He hasn't yet been a general, according to Schwartz, the director of radio, but the general turning of the panel!

JACK AMLING AT EXPO

Jack Amling and his orchestra heard five times over WFAP on the radio. They have been particularly busy in a variety show sponsored by Crutcher Water Co. of Minnesota. The show was presented at the Northwestern Exposition and Fall Stock Show's night spot March 5-11. The show on the radio show, will have some role in the Stock Show's disc-and-tape em-

MINOR DECISIONS

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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 unconditional visit here last week of Marj' Dr. I. Q. (Lew Valentine) is given thoughtful consideration, as the station's audience is not in the mood for a quiz program. Valentine made the trip from Boston on invitation of church groups to stage a duplicate of his air show, with both of proceeds to go to charity. Uproar of excitement was that capacity attendance 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 unattractive nature of prefatory exploitation by church group, which didn't bring out point that quiz session wasn't being broadcast. Guide-line 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 at non-airing set next-bepers in poor mood which subsequent events did nothing to sweeten.

They Paid Tie
About 2,500 persons spent 75c to attend the session; Valentine had a cash and candy supply on hand enabling him to quit so much ahead of time. Mike-runners for the evening were volunteers from the noncommercial departments of the lo-

cal readers. "Robbery," "bare-faced collusion," "ill faced beforehand" were a few of the comments passed by the crowd on the work of the microphone. Cuke-taker 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.

Other central viewers of the affair abusive all official participants of any untoward activity, attributing the near-dance 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: Do non-winners ever come away happy? Does the mere fact that a show is being broadcast make for tolerance? Is a film-house quiz audience there to see the pic 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 painfully long, however much the presence of these may be concealed by quaint trimmings?

Quiz About Quizzes

Philadelphia, Feb. 6. A quiz program to end all quiz programs will star next week on WDAE. 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, KRRT, Des Moines, is giving away a radio a day. "The radio girl man" will visit unannounced districts and if the radio is turned to KRRT when he makes his call the person answering the door gets a small Philco set.

The set will be made for one month.

St Paid Hi a Customer

St. Louis, Feb. 6. The L. Cohen Grocery Co., wholesale distributor locally of the Elco brand of canned foodstuffs, on the 12 min. once-a-week "Happy Housewife" program over 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 Hi's 'Flowing Gold'

Buffalo, Feb. 6. Another bush-league "Pot o' Gold" is called "Flowing Gold" and spotted Thursday nights at 10:30 on WKWB by Kellogg-Tyrol Petroleum. Show has three 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 stunts (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. 22.

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

Robert B. Evans, sportscaster for WBE, 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

Radio gimmicks were taken for a ride by Charles Fisher, Philly Record columnist, in his pillar, "So What," last week. Fisher called the giveaway bad the new method of success as contrasted to the Horatio Alger formula of working hard, receiving 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."

Philadelphia, Feb. 6. "Aside from the obligation actually to hear the program, it is as pleasant a way of getting rich we know. We are enthralled at the idea of American giving his 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 Matchi they would have to cash in. Lots who arise with the readers 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 Banned by Antenna-to-Radio Sponsor

Philadelphia, Feb. 6. For three years, Allen Scott, WCAU gambler 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 was being dickered with for the past year. The program is to be a 15-minute variety show, six times weekly. The bankroller is the John Morrell, meat packer.

SCHICK RAZOR RADIO MAYBE

Schick Razor has under consideration a believe-it-or-not idea based on stunts on sports which NBC auditioned 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.



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 Peery & Co., Inc.



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 11, 1940

McCann-Erickson Takes Out License With MPPA on Biscuit Programs

McCann-Erickson last week obtained a license from Harry Fox and the MPPA, in connection with the use of Martin Block's "Make-Believe Biscuits" trade on 17 stations leaving National Baking Co. (bread concern). Fox had contended that records were to be furnished to the various stations the fact that a transcription was to be included in the package of masters made the music used subject to special licensing, or the same as if this music were recorded on transcriptions. The stations taking the campaign, which was Frank H. Heavens, who had the license required by Victor.

Frank Conrad, McC-E time buyer, and Jack Harrington, executive on the National Baking Co. 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 Teft, vice-pres of station and W. A. Kelly, Pacific Coast rep of the union.

The pact linked agrees to about \$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 outlet was ready to talk turkey with him. After new look to its regular staff period and local musicians on report when called to work in studios. Pickets prevented outsiders from reporting while strike was on.

Most of the contracts now 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 now on any disputed matters that might arise during life of the contract.

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

For Results in the INTERMOUNTAIN MARKET it's KPD POPULAR NBC 610 NEWARK Representative JOHN BARR & CO.

MOON REAGAN QUITS; TO TRY HOLLYWOOD

Des Moines, Feb. 6. Neil (Moon) Reagan, brother of Ronald (Dutch) Reagan now of the limo, has resigned his job as program director and announcer of WOC, Des Moines, Iowa, to try his luck in Hollywood.

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

Ted Haring, 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.

Bashfulness Cure

Des Moines, Feb. 6. Dale Morgan, who marked his sixth anniversary as "the man on the street" for KSO, Des Moines, interviewed his 18,000th person. Curtnone forum is in front of the Register and Tribune building each afternoon at 11:15. Sponsored by Iowa Flour Milling Co.

RUPPERT BEER IS SPREADING

With Rupperts/Beer expanding nationally, the Rutherford & Ryan agency is trying to work out some sort of a campaign that it can submit to the account. While with Lennon & Mitchell the brewer used sports and musical programs.

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 shocked to see suit today ("Tue.") in Common Pleas Court for an injunction restraining station WPEN from using phonograph recordings. The suit, drawn up by Attorney Maurice Sporer, 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 versus WDAS which established the property right of a musician in recordings cut by him. Since all recording artists are

members of the AFM, the union feels it can force WPEN to stop using discs entirely. Such a move would seriously cripple the station as most of WPEN's commercials are recorded broadcast.

Legal experts believe there is a good possibility that the case may be shifted to the Federal Court because owners of the outlet (the Arde Hulzer interests) are residents of New York, while the plaintiffs are Philadelphians.

The station has been picketed since early last month when the house band was eliminated. The station has offered to spend \$15,000 for its music budget while the union is asking \$77,500.



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 2 1/2 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 235 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 singing 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.

Collage of photos of performers with captions: Recent call from Harry Fox... You must value... Popular Happy... Cheer millions... WLW THE NATION'S most Merchandise-Able STATION

Follow-Up Comment

Ann Sothern, Melvyn Douglas and Robert Young starred on the *Confession*. *Confession* did show last Sunday (6) on CBS, joining in a tradition of "the Mel Hein in Paris," which the same pair of men did in the Paramount picture with Claudette Colbert. Fiber adaptation caught the same quality of deft comedy that made the picture a click, and it was nearly played by all three. Young as Douglas, and Young contrast clearly and both covered the proper character, while Miss Sothern 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 in front of the Pryor-Sothern fireplace.

Paul Sullivan is handling part of the burning for Raleigh cigars, and another night of the same from one side to the other like a skilled handkerchief that knows his general. Sullivan crowds more than the ordinary amount of news in his compact-edited each.

Hein Hayes returned to the Campbell dramatic series Sunday night (7) over CBS, appearing with Owen Wetton in a variation of "Loveless Dana's" backstage drama, "Broome Stage." Adding to the work, the pace was Miss Hayes' own choice, but her part hardly increased why. Her playing was as effective as the few vivid scenes she offered scope to match her talents and she paidly fluted several lines. Wetton thundered through the part of the demagoguing, scenery-chewing Shakespearean star as if it were chewing nigh on a Mississippi light delivery. Jack Howard's tight show-

was unmissable to Stephen as a youth, but was credible for the older man. Welles' word-picture, introduction on CBS, joining in a tradition of "the Mel Hein in Paris," which the same pair of men did in the Paramount picture with Claudette Colbert. Fiber adaptation caught the same quality of deft comedy that made the picture a click, and it was nearly played by all three.

Melva Enger has been dishing out Hollywood gossip in the morning for *Borden's* daily products locally on NBC, N. Y. This must be welcome to many if only as a slight bit of information between the weepers. The Hollywood stuff is not so much of course. It is gushy and silly and just like most of the *Arden* fan magazine. Which is no hindrance in reception, of course. Oddly of program has been the emphasis on the name "Arden" bins to describe the act of ringing a bell and receiving sent in by housewives. This isn't being at all and the whole thing is just old-fashioned "are you listening, listening." It's a sign of the times that the name "bins" is thought to have been even there when there's no bins.

"Grand Central Station" last Friday night (7) anchored a murder mystery that was hardly characteristic of the New York life that it supposed those of the show, but it made okay radio entertainment for the Hollywood stuff. It was a sort of "Kind," was a fantastic yarn about a femme and there was a subplot of a definitely colorless female who became involved in a murder. There was a touch of masculine espionage and of course the only suspicious character (because he was definitely colorless) turned out to be the culprit. Also the script contained the fastest - promotional Rome and the most amusing damn on record, but little character-

veloping was possible in view of the amount of plot to be crammed into the 30 minutes. Florence Compton's "The Green Eyes" script was somewhat unimpressive. A number of scenes of applied plot just before the half-way commercial, maybe it is the computers in Grand Central Station that all in all, the show is satisfactory excuse for the *Latter* program.

Miss Fadden equipped concerning where "Honest" (disputed significance of number '13' in current news stories. Fadden was a member of the Chicago Council on "Capt. Van".

NBC Blue broadcast an "experimental" program for teen-age girls. The program was presented by an older, spoke in a personal vein about a college social, clothes and sports. After she had finished monologued and answered a few questions by announcer Howard Peters, he said: "It seems to us the teen-age girl has been neglected in radio; if you could be writing me and I could see Fitzerald will be brought back to the program. I'm sure you'll get a mail or a sound one, but first installment of prevent one

"Town Meeting of the Air" has been given the same time apparently to speakers, long to audience questions, and to the program. The program is not too low. In some recent weeks there has been a program of the kind (program) has been disappointing brief, with only a hand-picked number of speakers. Even when the latter are small orations they are interesting. Shorter main talks, or more time from NBC (prevented) would be greatly appreciated when there is lively, not interested.

"Perry Faith of Toronto continues with the series of these subjects, as heard Wednesday on Mutual. Here he has been inserting in an effort to make program sound "unofficial" in the manner of the "Waltz King" series. This effort is showmanly and not altogether commendable. It is a pity that words-for-their-own-sake seldom mean much to a radio program. There is some tendency at

At and Les Baker's cross-breeding of "Two Goss the Women" and "Dance with a Dream" is a good example of two-panels harmony. This pair, plus Alice Remson, are the only ones who are heard in the NBC blue morning shed stand forth as a glistering episode among the rest. Miss Remson's handling of the "Musical Evening" series is not entirely a last act.

Caro Loma orchestra worked out a bit better on the "Fife and Drum" Wagner Sunday (8), when the various members began talking about babies and drifted into a woman's sewing-circle line of gab that piled up some real guff. It is expected in such circumstances, program was most long on biographical notes and a point to be made probably to most fans, that the "Yoruba" orchestra which organization is named is now a cubing trap.

Barbara Jo Allen is creating one of radio's few robustious female humor characters, and she is getting constantly better. Her change of pace in tone and mood and the use of a more direct humor. Sunday night in her ping-pong with Edger Bergen and the Chase & Sanborn half-hour, she let us score four mid-airfalls and a lot of loud "Giddy," a hand-stand, and few radio comedienne.

Beams Taylor fired off several provocative observations about music criticism during his commentator period last Sunday afternoon (4) on the New York Philharmonic radio broadcast over CBS. Although his remarks apparently referred only to musical criticism they might apply almost as well to any other kind of criticism. His judgment is based on ethical records by anonymous sources. His criticism of Irving Kolodin's recent article implying that such an argument might show a character, Taylor more or less concurred, then launched into a brief, somewhat disjointed, but interesting, idea on the subject. It was catchy, convincing and absorbing program comment.

"Show of the Week" over Mutual Sunday nights hardly equals its promising title. Instead of the delicate character and style music it indicates, the program is rather a series of variations of the same few ingredients, without the variety that might make such a standu click. It isn't downward but not downward anything. It has been "Lucky" at Gooding. It has been "Like Dave Driscoll and, last Sunday (4), Florence Lake as guest. Like the rest of the line-up, the three commercials seem to put over any particular slant or theme.

MOVIE SHOW
"Six New Centers" with Dean Jagger, Ed Marston, Louis Berkson, 30 min.
"Continuing" 15 min.
"WOB-Melham, New York" 15 min.

This weekly 30-minute series devoted in 1945 as a review program out of WGN, Chicago, using state-of-the-art news items. It has since been switched to a dramatic format, still using the same news items, though playing Chicago. Edition tonight was an uncharacteristically romantic bit of lady called "Madame Prince", starring Simone Simon, who was with the Chicago Council on "Capt. Three Air Three." It was scripted by Ned C. Corman, of WGN publicity staff and was just too sweet even for radio.
A girl's personal news program, Parisian model who poses as a princess to evade France's post-war rationing. The visiting Wall Streeters and a life-and-death love for good old Hollywood. As seems inevitable in these sentimental outbursts, the hero was a reporter, and he was in a way wearing a new hat - probably a derby. And if her brother or small son weren't drawing out the program with rude remarks, it would have been found it all enormously emotional.
As a radio trapper in a certain episode of the U. S. B. Miss Bennett's program was not so much as she was really liked on the program. It was a program of the kind (program) has been disappointing brief, with only a hand-picked number of speakers. Even when the latter are small orations they are interesting. Shorter main talks, or more time from NBC (prevented) would be greatly appreciated when there is lively, not interested.

"MIDLAND-MINSTER"
15 Min.-100
Sensational
Bally, 145 min.

This musical fourpiece has been a mainstay of the KNBC talent roster for some time but last week group was given its 15 minute daily shot as a regular program. Calling them "Favorites of yesterday" today, which gives license to include most of favorites of yesterday. Top average, light classics, Irish ballads, and a variety of other material. The group, K. C. man on his way to work via the auto radio and the beautiful music of the group. Competition in this part is mostly of musical choice.

Four contrive to be highly listenable, but more special attention to arrangements would put out in the class with network groups. Top quartets. Group works on several sides. K. C. man on his way to work steadily through the artists' bureau, and have a local following. Making this morning quarter hour a smart move by the program department.

Edgar Johnson built fiddles and handles the vocals via his tenor pipes. Kenneth White on clarinet, Bill Galt on guitar and Charles Prior on vibraphone. Later instrument set group apart in the group. And Anderson of the Rhythm Riders group obliges whenever work calls for piano tingling. **Out.**

NATIONAL COLORED VOCAL SYMPOSIUM
Sponsored by CBS directed by Llewellyn Wilson
30 Min.
NATIONAL (Franklin D. Roosevelt)
Tuesday, 1:30 p.m.

Arthur H. Desser, president of the National Association of Negro Musicians, who since repeated in his speaking radio of his Negro choir in putting it on the air under the name of "The Negroes of the South" by leaving a bit too far back in getting the top end of what should be a highly entertaining and beautiful brief and merely sponsorship report. There is certainly no necessity for having an extra hour of the morning product happen because the sponsor might possibly cause the lifting of a critical eyebrow here or there.
Under the banner of Llewellyn Wilson, the radio group gives much promise of striking home and playing. The group is not so much as she was really liked on the program. It was a program of the kind (program) has been disappointing brief, with only a hand-picked number of speakers. Even when the latter are small orations they are interesting. Shorter main talks, or more time from NBC (prevented) would be greatly appreciated when there is lively, not interested.

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If program is to continue in half-hour slots, without the intervention of instrumental or orchestral interludes, more advance planning is strictly entertainment rather than musical story should be considered. The experience of such organizations as the Hall-Johnson group and the Don Cosack' choir of Serge Jaroff, ought to be a helpful tip-off. There seems to be too many who even a modern working out of a pop tune shouldn't have a place in the layout.

As it is Deute has made an ambitious and new departure in both commercial radio and should attract considerable good-will to his product, a difficult one to commercialize via radio at its level. Production in the studio of Ed, by Paul Cirigliano, and announcing of Walter Landmann a decided case. **Burn.**

IN BALTIMORE ITS

WDRB
BALTIMORE, CONNECTICUT
EDWARD PETER & CO.
ON THE NBC RED NETWORK

It's springtime at WJSV!

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

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

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 sponsored-fiche 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

WDRB
BALTIMORE, CONNECTICUT

50 WORD

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

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

Edward Peter & Co.
3330 ON YOUR DEAL
DAY IN - DAY OUT

Announce Al Taylor back at WBN, Buffalo, minus his appendix.

QUEST TO HAPPINESS
 With Milton Saperstein, Ruth Bailey, George Young, and Fred Allen
 7:30 P.M. Tuesdays
 WJZ-NBC, New York
 15 Min.
 WJZ-NBC, Chicago
 15 Min.
 (Continued)

How much longer can shows of this type last? Even the beginning of radio this has been the most questionable. Just as the national system began to get as much sickening sweetening as comes from it, they show to prove that the act has not yet been ruined there is a program which is the loudspeaker for the undercurrent and go that the daytime script is not so good as (1) romance for the actress and (2) she acts.

'The Right to Happiness'
 While this is listed as a new show, there are many who believe that it is a good reason that this isn't a new show at all, but is really "Helen's" life of Mary Martin, "Romance of Helen Troy" and "Valiant Lady" and so on and so forth.

'In Right to Happiness' (which is really "Helen's" everybody worried about how to be happy, or, as the announcer says, "to be happy" below. Then there is the girl's mother and her secretary. And the girl's love will be the one who never gets his no juvenile. But even at that, it is a right to happiness. It's pretty much of a social struggle all around and in between the characters all down for discussion about happiness and life.

Most of the time the act talks as if they can't catch their breath, as if life is too much for 'em. Announcers and announcers have even stated that this sort of stuff is the best answer to the day's radio problem and are content to go along with a three or five point rating. This show that something that will garner a fair enough slice of listeners due to favorable circumstances of radio daytime script broadcasting, but that is all. *Goid.*

'BRENDA JOURNAL'
 With Alma Kitchell, Irving Miller's Orchestra
 12:30 P.M.
 WJZ-NBC, New York

Alma Kitchell's "Brenda Journal" is an NBC blue color program in which she not unlike Helen's "Magazine of the Day" CBS several years ago, but without the latter's "name" connotations. Miss Kitchell, vocal was conducted and sung on NBC after her show for women. Here, as "ella," she introduces famous guests who "go over" on fashions, sports, books, cars of babies and other subjects of special interest to listeners of that sex. Miss Kitchell also announces numbers by Irving Miller's Orchestra (those orchestras) and her own contralto voice. "Brenda Journal," coming off the press at 1:30 p.m., should find favor with women interested in something besides the serials which clog the networks during daytime. Great like the General Federation of Women's Clubs—with which NBC blue works closely—undoubtedly.

Comments are a mixture of the heart and the head, and the manner of presentation bright. Also very naive and sweet. *Jean.*

TOPS IN CENTRAL OHIO

5000 WALKS A DAY
 10000

JOHN BLAIR & CO. Radio-Advertisers

WBAI
 means business in Baltimore

'DO YOU WANT THE MONEY'
 11 Min.
SWARTZ & LEVISON SHOW
 WOV, Albany
 Station loaded a new account with a program that has a twist to usual quiz and the telephone call is used to interrogate listeners at home. Ideas was better than its execution opening week and No. 3 shot was just as good as No. 1. No cash prizes and dialers did not receive a chance to phone an answer to second party either person at called number failed to reply correctly. Too much time spent in phrasing, explaining and waiting; too leisurely a pace in studio. At best, quarter-hour is short for anything of interest. Clear should be cut and a method of putting calls through faster devised. A concept of no request for a new program completely; accept broadcast material on "out," thus saving immediately. Transcribed music file in the papers.

Both Howard, reported to be daughter of Congressman Tom Howard and pleasant of voice and manner, delivers two spots. *Jean.*

BUCKY CLARK
 15 Min.—Local
BEVERLYWICK BEVERAGES
 WJZ, Bridgeport

Local editor Bucky Clark is a veteran news maker, having briefed his paper's contents on each night before Jack Shepard started his Yankee net news service. Current series in behalf of Beverlywick and also serves to supplement WJZ's own local coverage and the use of material in Clark's radio column. Broadcast caught, for instance, finished with report of Jack Benny's salary argument with sponsor.

Clark's delivery is smart and listenable, even with laudatory trouble of press stories. Bill Elliott's comment was of some length. Clark also got in plug for his paper. *Alan.*

DICK GILBERT QUZE
 30 Min.
 1:30 P.M.
 WJZ, New York

Dick Gilbert, known around the Broadway sector, is coming to the program based on the crowd-quiz type of question. Gilbert has a nice radio voice, considerable poise and presence of mind without being a wit.

First program had two faults, easily avoided. First, the questions had all been selected for a publicity payoff. The public itself would provide better subjects and not require the over-done puffing, as with the milk form of Bob Trilling's similar show from which came actress Lena Horne. Since the prizes are theatre tickets, it is a pity that the commercial post-buck stuff.

Second fault was the absurdly early questions chosen for the first session. They were practically self-announcing.

MAURICE DREICER
 'Talking Over the News'
 15 Min.—Local
 10:30 P.M.
 WOV, New York

Dreicer's idea is a variation on the news stuff. Selecting a different aspect of the complex and messy problems of the times, and a different guest speaker, the routine is to sit down and examine one particular problem each night from all sides. How it's domestic politics, and night European diplomacy, and so on.

Who heard Dreicer & Co. discuss Roosevelt's third term campaign in a way that lighted up the political situation. Program suggesting that Dreicer either must be well informed or start with, or who have serious research on his hands if he, as the permanent member of the job seems, has to go up against different experts on different subjects every week.

WOV should pick up some new circulation with this one. *Lead.*

Harold Lasswell 1st Professor To Use Showmanship on Air

By **BOB LANDEY**
 A professor of social psychology, Harold Lasswell, has disclosed the well-known but little-known 'educational program' and is proving on Friday nights at 10:45 over the NBC that a touch of showmanship will transform the potentially dull into the vividly engaging. Lasswell is probably the first tonight intellectual to devote real thought and ingenuity to the technical problem of 'getting over' on the radio. He has evolved the lecture-with-dramatic-flashbacks.

And it's highly stimulating as an authentic advance in the art of radio. The formula is as flexible as an Arabian acrobat. The Lasswell series is called "Human Nature in Action" and deals with problems of neurons (quarterly to you, maybe), which is the subject that can get lost in the fog of big words in no time if the professor lets himself go. Lasswell not only keeps his theme in sharp focus all the way, but by the use of professional actors to illustrate his points is able to make the jump from the academic to the specific and, better than that, the dramatic fast-in and fast-out into human sympathy and compassion into a subject that is often discussed as if sensitive human souls were so many pieces of porous skin.

Mr. Druidge, a gal with a tangled personality, was examined by the professor from the standpoint of what she is outwardly, privately, subconsciously, and, in retrospect, what influences minister her. The actress who played Mrs. Druidge was excellent, and the whole effort

stacked up as basic drama, viz., putting the human ego under a microscope and then magnifying it for the whole radio world. In his way it was as stimulating as the best from Finland.

And his listeners, Lasswell has, with Confucian-like wisdom, omitted both 'professor' and 'doctor' from his billing.

'AMANDA OF BOREHORN HILL'
 With Joy Hathaway, Boyd Crawford, Mack Erwin
 11 Min.
 8:15 P.M.
 WJZ-NBC, New York

(Buckett-Simplic-Hummer) Report commercial writing for the smart housewife listeners. If, as the commercial says, "Haley's" will cure headaches and acid indigestion, the U. S. it is going to be healthier and healthier, if also drier and drier. Yarn deals with a pretty young doctor's inability who eventually is forcing her to wed a coarse mountain hunter. But she runs away and before being dragged back to the altar, she finally meets THE man of her dreams, handsome and rich. Well, it looks as if there's no pity of patients and the likelihood the ensuing woe.

Joy Hathaway manages to achieve a remarkably wif-like quality to the girl, while Boyd Crawford is an understanding hero. Feasibility is a tooth-bleaching beauty. Mack Erwin is comical and fits the woe of the script. It's acceptable diapras. *Hohe.*

"... One of the Best Buys we have ever made"

Says G. W. JOHNSON, General Manager, KTSB, Columbia affiliate in San Antonio

It's simple... easy... economical to add the Novachord's Brand New Appeal to your musical production.

You'll find the Novachord to be one of the best buys you can make — because it gives you a vast, entirely new opportunity for showmanship.

Hear and try the Novachord just once! Discover all for yourself how this fascinating new instrument does more things... fills more needs... adds more appeal... to more kinds of music... than any other way to make music you can even imagine!

For you merely play the Novachord's single keyboard, as you would a piano. You produce piano-like tones. You turn the tone selectors — then things happen! You hear musical effects of: clarinet, cello, flute, violin, muted trumpet — and actually dozens of others!

Hear — and try — the Hammond Novachord at your local Hammond dealer's. Or write TODAY for complete



Beatrice Maria, Novachord Artist and G. W. Johnson, General Manager of KTSB

information about the Novachord on your programs: Hammond Instrument Company, 2947 N. Western Avenue, Chicago, Illinois.

HAMMOND ORGAN STUDIOS:
 New York — 50 W. 57th Street
 Los Angeles — 3328 Wilshire Blvd.

You just turn the Tone Selector you play, And the Novachord adds musical effects of French horn, violin, guitar — and actually dozens of others.

See...Hear...Play...
THE HAMMOND
Novachord
 of the HAMMOND ORGAN STUDIOS in the Hammond Building, 33 West 57th St., New York

HAMMOND NOVACHORD PAYS PROFITS FOR KTSB... AND HELPS STATION WIN VARIETY AWARD FOR SHOWMANSHIP IN COMMUNITY EXPLOITATION

★

Mr. Johnson writes: "We consider the Novachord one of the best buys we have ever made in the history of our station production. . . . I understand we were the first radio station in the Southwest to purchase one of these instruments. "We used this fact in presenting material to Variety recently in pointing out our attempts in showmanship. Undoubtedly this was taken into consideration when we were selected as the national showmanship winner on Community Exploitation among all radio stations in the United States and Canada."

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 Wercester 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 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 marketing of livestock, but not one of them tells 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 among themselves, or 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 had 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 immediately 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 Chicago 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 followed up as all the major livestock centers in this series begin on Feb. 12—Robert R. Fischer, Station Manager, WNAK.

For Farmers

Kansas City. Phil Evans, farm service director, has organized a participation program of KMBG designed to enhance station's already large farm service schedule and to insure a rural audience for early Saturday mornings at seven. Series under the title of "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 KMBG donating a silver trophy to winner at end of school year. Twenty-four entries were in before series began, with Otisih, 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 Bass Blue-Jag St. Louis.

An early a.m. farm program, with hillbilly music companions by its absence, has been proposed.

WTMV, East St. Louis, and its a number of things that 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 local found articles, news reports, 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 Rephrasee
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 one of 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 local 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 set in motion.

Theme of Drive: "Radio Repair Men's."

Slogan: Enjoy Your Radio Even More!

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

(b) Dramatizations: (1) Written by KVOA, the "Tucson Servicemen's Association" has 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 radio servicemen repair fee of charge the sets of folks in need.

(b) In cooperation with civic and welfare groups, radio sets are collected and distributed to people who do not have them, creating more radio families.

This promotion began Jan 6 and results of the first week have been particularly encouraging, and we hope that other stations can find time for similar promotions, which would lead better radio.

Program Director, WVOA.

WVJ's Sports Quiz

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

Interviewer will be Paul Williams, who has questioning sent in by listeners at \$2 per throw.

Donny's Go Unmistaken

The difference between doing it the easy way and the hard way, some showmanship has attracted a steady response to WOW on the recent program of "Donny's Go Unmistaken." Excerpt from a fan letter tells the story.

"After hearing all of the politicians' blather at great length and the oratorical ruminations, I consider myself commended 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 crowd broke in at and and wished the President a happy birthday and you finished off by singing and playing 'God Bless America' for the whole group with whom I was listening was deeply touched."

Perfumed Letters

New tri-weekly "Dearest Mother" show for Universal Mills, via KGKO and Loma Star Chain, is being promoted by means of letters to our writers to dealers and salesmen throughout the state. Letter is written in perfumed diction and is assigned a rendezvous with a certain "Miss" who gives her box number, and sends that she will be in our program for Universal Mills, but not all of the boys catch on to that. They had his sugary letter in their return already, addressed to the KGKO box number.

Robert A. 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 LeMay setting up a booth in Sagamore Hotel. LeMay and sundry record their views on wax 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 remodeling 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 Larius.

From the Production Centres

IN NEW YORK CITY . . .

Ray Knyer has gone on a six-week layoff in Florida, with the idea of directing both his Hollywood Broadway. Eddie Green is set on the Tommy Rigg-Quaker show (NBC-red, Monday) for the rest of the season. Columbia last week outlined "The Adventures of Ellery Queen" as a half-hour Mystery. Masterpiece to CBS for a showmaning. Missing from the New York, with authorities on national and international topics as guests, over WOV, N. Y. Monday nights 10-11:30.

Millon Lazarus, film and stage writer, has sold a script to Broadway & Ziegler for Edward G. Robinson. Big Tom. Don McCall, a member of "Adventures in Photography," has left to go on the road with the Theatre Guild's "Felix Colson." Helmut Kent, ex-director formerly with W.L. Cincinnati, has moved to New York and is with NBC. Coma Ernst, daughter of Morris Ernst, is assisting Norman Corwin on "The Pursuit of Happiness."

IN HOLLYWOOD . . .

Al Pearce and Bill Wright put their Ed and Zeb term on wax for quarterly interview. Ed a half-hour rural comedy with Steve Rangers and Mervyn. Amos 'n' Andy did their scripts for three days in the hoop awaiting new arrival in the Charles Carroll household. Jack Lescoube has left his "Keweenaw Club" over to CBS for a showmaning. Missing from the original crew is Ned Sparks. Jack Benny's two paid broadcasts in Oakland netted Ford's paralytic fund around \$10,000. Don Lee's Wilbur Kerkberg joined gang's ex-cited with a halo-in-one. Henry Youngman entered the Earl Carroll story extravaganza. Bas Lee here from N. Y. to work with Tom Lewis on Screen Guild Theatre program, Norma Shearer, Claudette Colbert and Gray Grant have volunteered to do a second hour late on Gulf show although the stars are asked to make only one appearance a year. William Powell and Myrna Loy team in John McLean's "Sinecure" on Relief Fund program Feb. 11. NBC changed the title of their Keweenaw's dramatic series from "Saturday's Child" to "Crossroads." Fugate might conflict with play of similar brand. . . . Margarette Fisher and Ben Vinitz set up radio shop here. . . . WOR's Alfred Mucken and the music taking a musical sista in the center of the Rudy Vallee hitlist name. Tom Wallace here for a day on a quickie for Busset M. Seeds outfit. Harry Smith due for the stick on the new Don Ameche-Old Gold program. He's downbeat on another Lennox & Mitchell show, Woodbury Playhouse. . . . George Frazier now airing his film chatter four times a week over Mutual. . . . Young & Rubicam came up on option on Haven MacQuarrie's "Marriage Club, Inc." now scheduled on NBC. . . . Herbert Karchel booked for a week by the St. which seems to pick on outsiders. . . . Bing Crosby passed a day in the hoop for a checkup and got an okay all around. . . . Tom Wallace here for a day on a quickie 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. . . . Pearce will do a five-a-week five-minute news broadcast on WMAQ for the Banco company. . . . Sid Strick, NBC Midwest chief, to New York for his possible promotion to New York. . . . Bill Wright reporting from WBBB-BBC to local spot ride on WIND each week night.

New Site for Boyls CP
Victoria, Texas on Air Rochester, N. Y., Feb. 6 Edward J. Doyle has announced application to FCC for new radio station in Rochester, shifting proposed site of transmission to Rochester, outside city limits. Now asks for 150 kilocycles band, unlimited time. **Stacy site to be determined.**

Latest radio info to Feb. 6
The station is KVIC at Ft. Leno, Texas. Station operates on 120 kilocycles with 100 watts power on daytime hours. **Charles Shea is manager.**

every month . . .

HALF OF GREATER WSAI CINCINNATI'S DRUG STORES NOW DISPLAY "WSAI-ADVERTISED" 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

When you think of



you think of:

Mardi Gras



and

WVUE

NEW ORLEANS

50,000 WATTS

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

THEATRE WEEKLY

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 those where the band is the main attraction for supper. Dinner business (7-10 P.M.) rated. Figures at end of name of hotel give room occupancy and cover charge. Larger amount designates weekend and holiday price.)

Band	Hotel	Weeks Played	Covers Past Week	Total On Date
Bob Crosby	New Yorker (400; 75c-\$1.50)	1,400	5,325	6,725
Everett Houghtland	Waldorf (Empire) (400; 75c-\$1.50)	5	4,000	4,850
Sammy Kaye	Commodore (400; 75c-\$1.50)	14	12,725	19,400
Henry King	Plaza (350; \$1.50-\$2.50)	3	400	1,675
Lani McIntire	Lexington (300; 75c-\$1.50)	3	1,800	3,925
Clara Miller	Veneziana (600; 75c-\$1.50)	2	2,775	9,475
George Olsen	Biltmore (300; \$1.00-\$1.50)	15	400	8,225

WARNERS' NEW MUSIC SET UP ON COAST

New Coast setup has been instituted by the Warner Bros. music publishing group. Instead of heading up all of W.B.'s recording operations Arrie Schwartz will now confine himself to the Wilmarc catalog.

Sammy Weiss takes charge of the Harms catalog, while Eddie McCord will handle the Bernick publications. McCord was formerly with Leo Feist, Inc. in New York. Arrie Melinger and Lucky Webster are no longer with Warners' Coast organization.

Merging in Cld Chicago, Feb. 6 Three Warner Bros. music firms, Harms, Bernick, and McCord, are being concentrated into one big office. Taking over the entire W.B. operation of the Harms catalog with a single telephone switchboard being set up to handle all offices.

WILL COBB ESTATE LICENSED IN ALBANY

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

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

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

Carson's Daughter Sues For Part of Inheritance

Gloria Carson, daughter of the late Sam. died Sat. Wednesday (12) in N. Y. supreme court against the Fifth Ave. Bank of N. Y., Merritt Lane, Dorothy Holder, her mother, Gladys Phillips and her sister, Arthur, brother and two sons of the deceased. The 20-year-old daughter is suing for \$100,000, the part of the Fifth Ave. Bank, and represents the last monies left in this country from the late's estate.

When Carson died Aug. 2, 1931, in Naples the estate was divided, one-half to the plaintiff and one-eighth to each of the other relatives. A sum of \$50,000 was made a trust for the plaintiff with the same of law. This approximately \$10,000, and it is asserted that money never received this money. Repetitive are being retained from the RCA Victor Talking Machine Co.

R. & K. Using Bands

Chicago, Feb. 6 Babylon A. Katz has booked a number of name bands for the next few weeks. Duke Ellington, who is booked at the Statler-Lake, will be followed, in that order, by Art Kars and Jimmy Dorsey.

MILLER TOPS PENNSYLVANIA RECORD

Glen Miller orchestra snipped all attendance records for dancing rooms at the Hotel Pennsylvania, New York, last week, drawing over 2,700 covers. Included, too, was a new mark for one evening, band playing over 170 Friday (21) alone. The old mark was set by Benny Goodman, at the time in the Manhattan Room, which Miller's current Cafe Rouge replaced.

Here set by Miller, however, is in a room much larger in capacity than the old Manhattan Room or the garden. Arrie Shaw opened the Cafe Rouge last September and was followed by Will Osborne, who is now engaged at this spot April 4. Pennsylvania hotel, N. Y., has entered into a new commitment with Glen Miller, March 4. Room is closed 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 the date and Miller's return.

Ben Bernie at Exit

Ben Bernie orchestra replaces the current Emoch Light in the Tail hotel, New York, March 4. Room is open for luncheon and dinner only, both of which Bernie is to play, leaving him free for one-night and other activity in the New York area. Maestro is currently contemplating following an apprenticeship.

MCA HEARS AND BUYS IF BAND PAYS OFF LINE, IT'S BYE-BYE

Larry Folin, Jerry Pinto Get Action After Folin Addition Philadelphia, Feb. 6 Two local bands will play under the sign of the Master Corp. of America, officials estimate that at least three other local bands may be signed up. About 25 crews were booked in the city for the week of Feb. 15-21. The crews of Larry Folin and Jerry Pinto, Folin's aggregation will follow Lang Thompson at the Benjamin Franklin Hotel, Pines' crew, a five-man setup, will be booked into cocktail lounges.

Bobby Byrne, Quite New, Caps 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 10-week stand at the Brooklyn Roseland ballroom.

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

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 a notable proportion and is growing each week. Bookers of one-night stands in the various agencies ultimately expect a complete circuit to be built up to absorb the overflow of bands from regular single date hallrooms. They see in the theatres a fresh source of revenue and the means of taking up the slack left by the reluctance of most of the current ballroom operator to buy any but the most successful one band for certain days of the week.

Monday, Tuesday and Wednesday have become a regular date for anything less than the cream of the band circuit. It's comparatively simple to get a band of the caliber of Glen Miller and Kay Kyser (the most potential today) and some of the other big acts on

Covers	Total
Weeks Played	On Date
1,400	5,325
5	4,000
14	12,725
3	400
3	1,800
2	2,775
15	400

Punishment to be meted out to any bandleader discovered paying for his own broadcast wires and tax as set by New York local 908 of the I.R.A. immediate expulsion from the union. And in certain cases the master may apply to the men playing under a leader to cough. Being 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 during the past few weeks. Its task of determining those guilty is obviously not recently unworked. Facts in a band's procedure of underwriting its own wires and tax as unfair competition for bands without sufficient financial backing to do likewise. It's also construed as working under a

SONNY WRBLEIN, MCA EXEC, TUNING IN ON SUN

David A. (Sonny) Wrblein, Music Corp. of America exec., is in Tampa, Fla. on business for a week, and then goes vacationing for a month or so. Intends to follow the sun, re-emigrating from recent illness. May take him to Cuba or Mexico. He may join MCA's P. J. Billy Stein as a Cuban seaside 100 miles from Havana as one lap of the trek. Mrs. Wrblein, the former Leah Ray, singer, accompanist.

Wheeling, W. Va.; Albany, Ga.; Cumberland, Md.; Ann Arbor and Lansing, Mich. Morrison's theatre manager, N. J. starts similar policy with the Buddy Rogers band Feb. 12-14.

Four bands of lesser 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 was a couple of years ago, but not enough to make any appreciable difference. It is just that a sizable amount of the ballrooms have found it more profitable not to operate at all in the early part of the week or have found that turning in one or two name bands for those three days brings better returns than bringing in a band whose rep. don't even hold tomorrow.

Bands look upon the theatre date as good opportunities to try out and perfect acts to be used on the stage of deluxe houses in key cities. The Newburgh house mentioned above is a break-in stand for shows headed to the Paramount Theatre, N. Y.

RADIO STEAMS UP ASCAP ATTACKS

Washington Expects Some Move by Department of Justice Against Performing Rights Society - Broadcasters Call Revised Statute on Damages Unsatisfactory

BONE BILL DUE?

Washington, Feb. 6 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 reviving old copyright statutes seemed possible at the Capitol. Developments on both judicial and legislative fronts are anticipated next month.

After dusting of the shelled copyright statute, 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 revising or amending the Copyright complaint pigeon-billed by the New York Federal District Court after July 15.

Up to this week, no decision had been reached about reexamining the statute on the ground that copyright pool operates in violation of the anti-trust laws. But renewed activity by music users, however, it was admitted. The chance of a wholly new proceeding was suggested by D. Prokerman, who said the re-examination has been ordered in the light of additional proffered, recently-unworked, facts that might be highly valuable as support for a new proceeding.

WINCA HAS TEMPORARY OKAY FROM VICTOR

Though as yet unlicensed to play Victor records on its recorded program, WINCA, which has received permission from the record manufacturer to play them while not licensed to play on a station, has begun playing Victor's output last week. Terms of the licensing is the point that was held up for a few days. A plan under consideration may allow the station to play for the okay while the licensing is in the hands of the playing of Victor plates, a \$100 full credit, and Victor's increasing advertising bill for a few \$100-\$200 monthly depending on the closing rating of an outlet.

Prize Beaut Warbles With Girl Band For a Month

Pittsburgh, Feb. 6 Patricia Dannelly, 'Miss America' of 1939, last week joined Colette's, Pittsburgh, as vocalist for 10 weeks. Orchestra is part of income unit which has just been spotted for a few weeks date in Erie, Pa. Girl is managed by George Tyson, advertising head of Harris Theatre, Erie, Pa. She has been booked into Cleveland's Grotto cruise in March for two weeks. Max Denny, who has a band in Detroit, is fore winning title last summer, made her entry debut as a singing star in Erie in September at Old Swan Gardens.

On the Upbeat

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

Johnny McEwen'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 Donohue's, Mountain View, N. J., Feb. 29.

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

Gleason Miller, Feb. 18 and Larry Clinton, Feb. 23 are for White Plains County Center's one-night stands which have been reported as selling after past Sunday's (14) Benny Goodman date.

Ray King organ holds over at Pal's Cabin, West Orange, N. J. for another eight weeks.

Harry Lee Williams, Andy Kirk piano, led three times with Louis Houder, "The Walkin' and Swingin'" "Mellow Bit of Rhythm," and "Tusdie Toddle."

All Masters leaving Glenn Miller trombone section.

Each Licht signed to new contract for Bluebird club Friday in Jersey. Ben Webster added to sax section. Vocalists Bonnie O'Dare only on wax.

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

Jerry Livingston orchestra booked Feb. 5 at Dasher Wallack Hotel, Columbus, replacing Rudolf Primi, Jr.

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

Philadelphia Local (7), American Federation of Musicians, led Friday in behalf of its 2,000 members sent a letter to President Roosevelt asking him to run for a third term.

Gen Arbanovs returns to Los Angeles military center, taking up his stand at Beverly Wilshire in Beverly Hills after Larry Reed's two-week stint with cast of Ben Hibbs, New Albany, Dallas.

Benny Merwin shifts from trombone.

YESTERDAY'S HIT TODAY'S REQUEST

VICTOR HERBERT'S ROSE OF THE WORLD

Featured in the Film "The Good Victor Herbert"

Ph. Red created the first American record of this kind in 1916. It has since become a standard for a program to come.

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 ALOHA"

By HARRY OWEN (writer of "Sweet Lillian")

JOHNNY MERCER'S CLEVER SONG

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

SANTLY-JOY-SELECT, 1619 Broadway, New York

bums 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 Murray, Harrison, N. Y., theatre, Feb. 12-14.

Matt Matlock moved for another four week at Boucherbeim, N. Y. city.

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

Josephine, Feb. 12 to March 13 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 its 14 day booking Saturday (16) till Feb. 15. Will have Leo Hino, Coleman Hawkins, Claude Hopkins, Milt Hentz Trio, and debut of Harlan Leonard's Kansas City crew.

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

Bobby Byrne band shifts three changes. Gabo Julian breaks from arrangement. Bill Davis, Dick Skinner come in as arranger. Sheldon Mason replaces Bill Davis on drums. Mason's father is drummer with Erno Rapee's Music Hall, N. Y., orchestra.

Benny Goodman led Boston hospital bed against doctor's orders by leaving his band in Providence last week. Scitica still painful.

Jimmey Dorsey charts an airline Feb. 16 to fly his band from a date at University of Tennessee Feb. 18-19 to be held in Providence last week. western U. Evanston, Ill. Feb. 17. Plays U. of Missouri Friday (19).

George Hall band shifted to Wm. Morris management.

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

Johnny Long winds up 11-week stay William Press hotel's Chatterbox, Pittsburgh, Thursday (6) and opens following night at Casp Am. Planned by MCA.

Boward Beem into Casino, Pittsburgh, for two-week stay, Pitts. Lett. opens tonight (7).

Billy Weeks, with June Collins as vocalist, taking up his stand at Grille, Pittsburgh, succeeding Bill Aikin outfit.

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

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

Duke Baby led one-night Sunday (6) at Ritz ballroom, Bridgeport, Dean Hudson Feb. 11 and Jan Savitt, Feb. 13 at Ritz.

Pat Hebe band opens indef. on payment Feb. 10 at Seven Goblets Inn, Millford, 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 Marble, Ala.

Benj. Shelton currently forming a combination of 7 "Young Men."

Dezner 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.

Steep Hill may replace George Olsen at Biltmore hotel, N. Y., about March 15. Olsen's band is booked for Waldorf-Astoria about same time.

Chamney Porter, with Cab Calloway and Hilton Jefferson, with Ella Fitzgerald, switched sax in the hands. Shorty Rogers, Chamney's brother, replaced Nat Shyrie in the Fitzgerald trumpet section. Wayman Carter, sax in same band, relating to arrange only and run store in Harlem. Fitzgerald band goes into Belmont Ballroom, N. Y., Feb. 13, instead of the scheduled Famous Door, which it'll play later.

Margie Knap opened Monday (5) at the Mount Royal hotel, Montreal. Vocalists joined club with the Mill Bitter band unit.

Maxwell Smart, nephew of Arthur Michael, personal managing Central High, Phila. school band.

Jack Colby playing a three-week engagement at Hotel Texas Dan in Cleveland. Norman Waldman, formerly scheduled.

Fanny Shapiro, Louis Bernstein Settle Account

Bull between Fanny Shapiro and Louis Bernstein, who are sister and brother, music publishing firm, Bernstein music publishing firm, was quietly withdrawn last week. N. Y. City. Shapiro Withdrawal followed a composing 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 Shapiro, the sister, owned of the firm, claimed were hers.

Bill grew out of claims by Mrs. Shapiro's great brother, taking too much power to himself and unfairly drawing on the assets of the company. Among acts which she named were trips to Europe at the company's expense and purchase of motorcars which was charged to the Shapiro-Bernstein company. Bernstein announced the suit to friends that the acts to which his sister objected were rightfully his to perform 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 rating as a heavy band of dots, to her. 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, and 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 New York area, recently are broadcasting on a WOKO commercial, opened Feb. 4, at Greenwich Village. The act will be their only outlet arranged via WOR.

Leo Roberts is manager of the group, and Bob Wilbur is air coordinator.

Jack Leonard at CBS

Jack Leonard, vocalist, who parted company with the Tommy Dorsey band a month ago, joined the CBS "Concert in Rhythm" program with the Raymond Scott orchestra last week. He'll become a graduate with the show. It's Leonard's first work since leaving Dorsey's first work as a sustaining radio artist.

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)

Carolees	Berlin
Indian Summer	Winkler
"Faithful Forever" ("Gulliver's Travels")	Famous
All the Balalaikas ("Balalaika")	Famous
Oh, Johnny, Oh	Forster
All the Things You Are ("Very Warm for May")	Chappell
South of the Border	Harms
In an Old Dutch Garden	Harps
"Little Ben Cro" ("That's Right—You're Wrong")	Foist
("Dare That Dream" ("Swingin' the Dream"))	BVCC
To You Sweetheart Always	Bancly
My Prayer	Shapiro
"Chatterbox" ("That's Right—You're Wrong")	Chappell
Confusion Bay	Oman
"Famous" Productions	

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

(Following is a tabulation of the combined plugs of current tunes on NBC (WFLA and WJZ) and CBS (WABC) compiled for the week from Monday through Sunday (Jan. 29-Feb. 4). Total represents accumulated performances on the two major networks from 8 a. m. to 1 a. m. Symbol + denotes hit song, ! legit, all others are pop.)

TITLE	PUBLISHER	GRAND TOTAL
Little Red Fox	"That's Right—You're Wrong"	62
"It's a Blue World"	"Music in My Heart"	43
"All the Balalaikas"	"Balalaika"	25
Dare That Dream	"Swingin' the Dream"	25
In an Old Dutch Garden	Harms	20
Indian Summer	Winkler	20
Carolees	Santly	20
Faithful Forever	"Gulliver's Travels"	20
All the Balalaikas	"Balalaika"	20
One Good Turn	"Swingin' the Dream"	20
It's a Map-Hop Happy Day	"Gulliver's Travels"	20
Bluebirds in the Moonlight	"Gulliver's Travels"	20
When You Wish Upon a Star	"Pinocchio"	19
I Got Love	"The Boatman Was a Lady"	19
In the Mood	"In the Mood"	19
Chatterbox	"Chatterbox"	19
This Changing World	"This Changing World"	19
Confusion Bay	"Confusion Bay"	19
Make Love with a Guitar	"Make Love with a Guitar"	19
One Good Turn	"One Good Turn"	19
Does Your Heart Beat for Me?	"Does Your Heart Beat for Me?"	17
Carolees	"Carolees"	17
Little Street	"Little Street"	17
Hey! Hey! Sing in Singapore	"Hey! Hey! Sing in Singapore"	17
I Got Love	"I Got Love"	17
Me, Myself and You	"Me, Myself and You"	17
Switzerland	"Switzerland"	17
Mr. He's Making Eyes at Me	"Mr. He's Making Eyes at Me"	17
Say It	"Say It"	17
Swingin' the Dream	"Swingin' the Dream"	17
On the Isle of May	"On the Isle of May"	17
Swingin' the Dream	"Swingin' the Dream"	17
It's Warm for the Moon	"It's Warm for the Moon"	17
Confusion Bay	"Confusion Bay"	17
Would It Mind?	"Would It Mind?"	17

Music Notes

Morris Steloff cleared a streamlined working march for Columbia's "The Doctor Takes a Wife."

Ervin Talbot guided 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 Kapp moved into Metro's music department to take charge of sound track stick in the library.

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

George Seidman doing orchestrations for Metro's "Strike Up the Band."

Vicior Foss handling the musical score for "Buck Benny Rides Again" at Paramount.

Jack Sebrell and Moe Jerome doing numbers for "The Singing Dude," at Warners.

Albert Jay Hakala composing background music for "Dr. Cyclops" at Paramount.

Plugs to Florida

Winter vacations among the N.Y. music publishers will likely reach its peak by the end of this week. Here 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 of MCA Music, Inc., have been in Florida the past week. Saul Bernstein, of Berlin, Inc., was in Miami from that state, and is leaving this week on a cruise with his brother Ben, led by singer, Yelba & Bernstein, and their wives, which will keep them away for a couple weeks.

Bobby Mellin to N. Y.

Mercer & Morris has brought out Bobby Mellin from Chicago to become the publishing firm's professional manager. Milton Samuels succeeds Mellin as manager of M&M's Chicago office.

SADDLE YOUR DREAMS

EXHIBITED BY BOY ROGERS IN REPUBLIC'S PICTURE "DAYS OF JIMME JAMES"

EXHIBITED BY BOY ROGERS

DOES YOUR HEART BEAT FOR ME?

BILLY

Just Released

MEMORY REMINDERS

(SURRENDER DEAR) MOONLIGHT

Miss Mamm...

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

Band booking offices expert to encounter strong opposition from hotel operators and other orchestra users on the local demand of the New York 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 for the services of some orchestras and this social 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 such action will not approve any contracts entered into this clause was inserted in the contract. The clause is significant in the fact that it is now being urged by the union. It is understood and agreed that the employment above named are entitled to the benefit of all Federal Social Security laws, constituting what is commonly known and designated as the Social Security Act, including old-age and unemployment insurance, and that the employer, within the scope of this act, 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 undertook a similar step several months ago but were the same due to its failure to effect 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 to the Chief of Internal Revenue, the directors of the Third District, New York City, issued a memorandum setting out the status of musicians under the Social Security Act. The memo defined the responsibilities for the payment of such taxes and stated where the burden of contracts with the members of the 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 to the employer and such income liability for the payment of the tax.

Another clause that the band office 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 so as to interfere with any obligations that the musicians owe to the American Federation of Musicians by reason of their membership in the American Federation of Musicians as members named; 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."

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 15 members, trumpet player and one of the men. He's adding a couple of new musicians, a g'd vocalist and plans to invade the local dance field at an early date.

Notice 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 baton. Name for outfit still to be selected, however.

NOT HOT ENOUGH FOR N.C. JIVERS

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. 15.

Sylvester couldn't swing it enough to suit high school teachers, church consumers of sponsored product. Program, aired each Tuesday night at 9:30 for half hour, is carried on southern CBS network.

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

Ft. 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 Chapter of Commerce.

Says this now his official residence.

MAX KERNER IN N. Y.

Detroit Ballroom Operator Lining Up Summer Bookings

Max Korner, operator of the Eastwood and Westwood Garden, Detroit ballrooms, spent the past week in New York lining up name bands for the summer season.

Kerner made tentative price lists and offers in 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.
- All Danaher, Feb. 13, Auditorium, Raleigh, N. C.; 15-18 Broad theatre, Cumberland, Md.; March 1, Washington U. A. F. A.
- Billie Holiday, Feb. 23, George Washington Hotel, Washington, Pa.
- Johnny McGehee, April 13, Ambassador, N. Y.
- Billie Holiday, Feb. 13, four weeks Club Thruway, Henderson, Ky.
- Larry Clinton, March 2-3, Castle Farms, Conn.
- Jimmy Dorsey, Feb. 14, Madison Park City; 11 Broadway, New York, N. Y.
- Tommy Kanon, 14, Playfair B. Louisville, Ky.; 23, Masonic Temple, Louisville, Ky.
- Paul Page, Feb. 15-17-18-20-20-24, Playmor B., Kansas City.
- Carl Schrober, Feb. 8-11-15-18-22-23, March 3, Forzing B., Chicago.
- Frankie Trumbauer, Feb. 16, Tremor B. De Motier, 11 Trison B., Terre Haute, Ind.; 11-16, Castle Farms, Conn.
- Joe Venuti, Feb. 16, Castle Farms, Conn.; 11-12-13, Colonial theatre, Detroit.
- Sherman, Feb. 11, Westport Beach Club, Los Angeles.
- Don Berch, Feb. 14, week, Tower theatre, Kansas City.

\$720 ASCAP Award in Eight Zanes for College Lads With Creative Yen

Latest good will builder for the American Society of Composers, Authors and Publishers is a scholarship offer to college students with creative talent in musical comedy writing. It is called the "ASCAP Fellowship Competition," and provides award of \$720 to each graduate or graduate author 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 consideration (1940) 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.

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Max Korner, operator of the Eastwood and Westwood Garden, Detroit ballrooms, spent the past week in New York lining up name bands for the summer season.

SYMPH, SINGERS, SWING COMBO BUFF CICKLO

Buffalo, Feb. 6. — Symphony-swing combo drew 13, 800 to 17th Army Stadium (8) for the February 6th concert by 85-piece Buffalo Philharmonic Symphony under Franco Antonic and 80-voice Polish Singing Circle was followed by Harry James' swing.

CHICK WEBB MEMORIAL

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

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

Phil Cohen Off ASCAP

Hollywood, Feb. 6. — Phil Cohen for more than 30 years Court 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 record and collection departments. Richard Powers take charge of the weekend setup, with Murray Strickland, Cohen's assistant, as a manager of the Hollywood office.

Cohen and other ASCAP attorneys operated on a commission basis, and the new policy was instituted to effect substantial savings through 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 is done with Kay Kyser's Lucky Number 14 hour. WOR began Sunday and Monday (4-8) to air cuttings of Miller's previous Tuesday and Wednesday quarter hours on CBS. Miller also does a Thursday show for CBS.

Kyser repeat on WOR is done by Miller tape whereas the Glenn Miller hour is aired via c.t. Newell Emmott agency.

DON HAYNES JOINS G.A.C.

Don Haynes has been brought in for General Amusement Corp. to head its one-night department. He replaces Harry Murray, 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 G.A.C. from this post. Before joining Consolidated, Haynes was with the Frederick Brey.

2,000 NEGROES DANCE TO CAB CALLOWAY

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

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

PROGRAM IN MOVING

Death of David Ball, president of the Lorillard Tobacco Co., closed Sammy Kaye's Sensation cigger program down to a walk Monday night (3) and eliminated most of its features, including the Vass Family. Ball died Saturday (3).

Band was ordered to wait stand-ards.

An indication of how much of a one-man proposition was Ralph Hitz's hotel management is seen in the transfer 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 York.

The Hotel New Yorker, popularly presumed to be the flagship of Hitz's management, however, was part of N.H.M. Hitz was president of the Hotel New Yorker Corp. as well as N.H.M. Frank Andrews, gen. and v.p. of the Hotel New Yorker, with the passing of Hitz, became president thereof and N.H.Y. was dissolved.

Hitz's withdrawal in the band and takeover of the Hitz Hotel Management, Inc. hotel operator, stemmed from his ardent bookings and buying of talent. Further, Hitz was being accused of a lot for both the bands 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 for some better of the big spot in New York (incidentally, like the Hotel New Yorker, says New York Hotel Records, New Orleans, benefited from the Hitz contact, it being a personal equation between Weiss and Hitz. \$10 hotel was otherwise non-N.H.M.).

Band offers, also, found it essential to have some continuity a hotel operator, stemmed from his ardent bookings and buying of talent. Further, Hitz was being accused of a lot for both the bands and shows, as well as the hotels.

The dissolution of N.H.M. was an individual buying, market. True, in the past, local managers had other Hotel Management, Inc. authority in the booking of orchestras and shows. It's strictly no from new. Carl Snyder, of course, per usual, will be prominent in the Hotel New Yorker's latest bookings.

The dissolution of N.H.M. came about through a specific death clause as regards Hitz. But that of it, also, other Hotel Management, Inc. intra-organizational angles which had been a bone of contention for '29 the years. It's hotel history that Hitz was a post-1938 man about. That's after Hitz's Hotel Management, Inc. pulled one of the weak-cider houses out of the red, some started operations in the suburbs of New York, but that they're doing all right.

Dallas Echo

Retirement of National Hotel Management from active work held opening door to spring bands at Century Room, Hotel Adolphine, here. Reason is that as bands will be booked by hotel officials, Manager Otto Schubert, will have say-so.

Band Schubert doesn't like loud, blabby music.

PARAMOUNT, NEW YORK
(Starting Feb. 7)
and concurrently at
Memo Prosser's Seasonably Successful
BEACHCOMBER, NEW YORK

MATTY MALNECK
and His Orchestra

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

Pump Room, Ambassador Hotel, Chicago
Starting March 2

Direction—M. C. A.

Follow Feist
TRADE OF PROFITS

Nick and Charles Kenny's Top-Cast Radio Hit
LEANIN' ON THE OLE TAP RAIL

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

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

A New Distinctive Ballad Marked For Hitdom
GOTTA GET HOME

LEO FEIST, Inc.
1430 BROADWAY • NEW YORK
HARRY LIND, Gen. Dist. Mgr.
LOU BONEY, Prod. Mgr.
BUCK RINKER, Radio Representative

SHUFFLE THE DECK

During the Four A's stag-hands' battle last summer for control of the variety actors' union, the fear was expressed by some professionals that everybody was playing poty with a paty. That now appears to have been at least partially prophetic.

In the place of the American Federation of Actors, the Four A's set up the American Guild of Variety Artists. The Ralph Whitehead organization, it claimed, was being mismanaged. After the revocation of its charter and the setting up of a substitute. Now, nearly six months later, those directing the destiny of AGVA haven't yet uncovered the key to better management of a vaude and nitery performers' union.

Within the brief duration of AGVA's existence thus far, the union had four 'appointed' executive secretaries. First was the late Mada Reade, from Equity's council; second, Mrs. Dorothy Bryant, formerly executive secretary of Chorus Equity; third, Jean Muir, film and legit player; and now, Mildred Roth, once a clerk in the office of Paul Turner, Equity counsel, and only recently admitted to the board. The last two were and are only temporary in charge, it's true, but it's notable that not one of the executive secretaries was or is, of, from the variety actors' profession.

Maybe it's about time the heads of the Four A's other affiliates turned AGVA over to the actors for whom the union was set up. There's no doubt it's now that there are too many outsiders in the pie—and that if a vaudeville and nitery performers' union is to exist, it best be directed by some one who knows that particular business.

It's taken for granted that there is much labor pain and confusion in the setting up of a new union, especially one emerging about a house and date of affairs as existed last summer. However, AGVA's chaotic condition, plus its non-variety-performer-management, has been lasting much too long.

Belief should come quickly, or else the patient may never get well.

Benefit Gag Hitting New Highs (Lows) In Philly: 'Invite' TA to Intervene

Philadelphia, Feb. 6.
The Theatre Authority may extend its jurisdiction into the Philly circuit as a result of an R.C.O. decision out-of-court, in that the Nitery actors, who are being subjected to appear before at numerous benefits and banquets here, are, under their terms, subject to the United Entertainers Assn. inside nitery union, which poses on the audience of so-called benefits. If it is found the affair is not strictly for charity the union turns thumbs down and the entertainer can refuse to appear.

But traveling performers, most of them from New York, have no such protection. Since most of them are 'amen,' they are greatly in demand for banquets and the Nitery performers who are beholden to politicians for favors, cannot refuse requests for labor. Performers have been subjected to appear for as many as three benefits a night in addition to their regular acts.
The wave of cuffs laid exhibiting reached a high last week with a rash of political dinners and a group of citizens at one of them. Nitery actors on sight staged a 'sit-down strike' and refused to appear at the event. Their act had already played two benefits that night. One of the actors telephoned the TA in New York and two requests to come here might check on the situation.

It is believed that night club operators, like Jack Lynch, Frank Plumbie, Benny - the - Bum, and others who have been frequently called upon to appear for a cause, will welcome the TA's clamping down on the evil. It will give them a perfect alibi and enable them to get rid of a headache.

Some of the helping business, nitery operators complain, is that sometimes they show kids patronage. One of them said of bringing his entire house to one of the Nitery Club's parties recently. After the show he brought a group arranging a party.
"Let's remember that the Nitery really mean this guy's show," was the remark.

Benny Fields to Fla.
Benny Fields left Saturday (5) for Florida on a two-week tour of Miami, Miami Beach spot, the Carousel Club, and other places. After getting that fashionable tan, he returns to New York to work at the Famous Door, opening Feb. 21.

CAFFO COFFEE

A Broadway press agent walked into one of the two Maxwell House coffee shops in Manhattan with an order for 100 cups of coffee. The order was filled and the press agent paid for the coffee. The order was filled and the press agent paid for the coffee.

Understood the firm has distributed most of the coffee. The order was filled and the press agent paid for the coffee.

COPS CLASH CURFEW IN PHILLY

Philadelphia, Feb. 6.
The city's night spots, already harassed by the State Liquor Board's agents, received another blow over the weekend when the newly-formed Broadway Squad of the Detective Bureau made the rounds and announced that the Saturday night curfew would be strictly enforced.

Although the city has had a Saturday midnight closing ordinance on the books for many years, it has never been enforced and has not bothered niteries as long as they didn't create a nuisance. But with the induction of a new City Administration things have changed.

The Broadway Squad appeared at every midnight spot and asked all customers to leave. Inebriated gentlemen, who tried to assert their rights, were gently but firmly cased outside by the cops. Proprietors were warned that any repetition of the offense would bring arrest.
With niteries hit already on the last legs here, due to strict supervision of after-hour liquor sales and general police control, some observers gloomily predict that the latest move by the police department will drive the cafe trade in N. Y. out of town. Saturday nights have been their only salvation until now.

Police officers explained their action as a 'preventative' against gangsters congregating in the early hours of the night. Patrolmen indignantly remarked the City Fathers were doing their best to drive the cafe trade in N. Y. out of town. No arrests were made in midtown, but the cops grabbed two wagonloads of furniture from a Broadway honky-tonk, the Dipsey-Doobie Club, in an attempt to set a couple of hold-up artists straight when the suspects weren't found.

SLAPSIE MAXIE TO SPAR WITH VAUDE FOR \$1,750

Slapsie Maxie Rosenblum, former hold-up artist, will stage a show in the films and a Coast nitery operator, will make his first vaude appearance last night at the Nitery in New York. It's his only other time on a stage was a one-show personal at the Nitery in New York.
Rosenblum, set by Jack Curtis, will get \$1,750 net at the State, and will tour into the State with Chicago, the week following for the same coin.

Artie Louie, film player, also agreed by Curtis, will appear in the same show as Louie's. This will be her first personal in a New York theatre.

Nitery Op Asks \$20,000 Because of Cash Brawl

Midwaukee, Feb. 6.
Grover H. Smith, proprietor of a midtown nitery known as the Four Aces, has brought a \$20,000 lawsuit against the Nitery because of a cash brawl. The Nitery, which has a long record of being a hot spot for the mob, was the scene of a cash brawl which resulted in the death of a man. The Nitery, which has a long record of being a hot spot for the mob, was the scene of a cash brawl which resulted in the death of a man.

AGVA Drops Outdoor Organizing To Avoid 'Black-Jacking' Stigma; Non-Pro Now Exec. Sec. Pro Tem

St. Louis, Feb. 6.
Henry Fries, circus and vaude acrobat, will desert his profession because the graft as Democratic candidate for the Illinois State House, Illinois District. From his home in Belleville, Ill., near here, Fries announced he will resign his position on the Townsend old-age pension plan.

Several years ago Fries suffered a stinking at the hands of the voters which he sought the majority job in his home town. He will bring two opponents in his current race.

WB, TOOTERS NO CLOSER IN PHILLY

Philadelphia, Feb. 6.
Warner Bros. and local 7, American Federation of Musicians, were reported as wide apart as ever following a conference Friday (3), the second since negotiations were resumed.

The boom of contention was still the number of houses in which musicians are to be used, and the setting by his guns that it will hire musicians only where it follows a vaudeville show. The union seeks to get houses heads in at least one downtown theatre and four or five niteries. The union also wants to see the chain niteries, which have been picked since Dec. 1, when musicians were to be hired to do a number. Another meeting between chain and union officials is scheduled for the end of this week.

Benny the Bum Gets Struck on the Chin And Strike at Nitery

Philadelphia, Feb. 6.
Benny "The Bum" Fogelman is nursing a pair of black eyes and a first-class strike at his niteries here as the result of a little fracas Saturday (3) with a business agent of the Hotel & Restaurant Workers' Union.

The brawl, which ended in a quick knockout of "The Bum," was staged in the office of M. Herbert Syme, prominent labor attorney and counsel for the union. It started during a conference at Syme's office, by which Herbert Ames and Jack Tarbell, business agents of the union, and Wallace Mosier, Fogelman's lawyer, were present.

The union was seeking recognition in behalf of the waters, largely because of the fact that during the course of the confab, Fogelman allegedly started pushing Ames and Tarbell around. The union was seeking recognition in behalf of the waters, largely because of the fact that during the course of the confab, Fogelman allegedly started pushing Ames and Tarbell around.

Fogelman arose gruggly and leaped across the street to the Hall. He was followed by a patrolman. Fogelman arose gruggly and leaped across the street to the Hall. He was followed by a patrolman.

Magistrate Thomas F. Conroy, Fogelman took an affidavit that Syme and Ames took a gun in his ribs; that Ames beat him with brass knuckles; that he had a practical citizen seeking to articulate a labor dispute and was set upon, beaten and injured. He was held in jail for 24 hours.

To avoid the possibility of 'black-jacking' circus and vaude performers into its ranks by making deals with the management in advance, the American Guild of Variety Artists has discontinued organizing activity in the theatre and vaudeville. The union is returning all dues and initiation fees collected so far and has dropped its organizers in the field.

Since the outdoor organizing campaign was started from Chicago several months ago several thousand dollars in dues and initiation fees have been collected. However, the union executives feared such coin would be paid back to the management as a result of deals to cover circus and vaudeville to be presented in the theatre. This kind of a set-up would require all performers in such shows to join the union without being asked to do so. The union officials were being deducted in advance, not only to avoid the stigma, but also even before they were hired or the shows in which they would appear were started from Chicago.

Although AGVA is still healthy in the red rooms of its loans from the theatre and vaudeville, it has been by Chorus Equity, the board voted to return all the fees from the outdoor campaign. The union officials are now in a position to make a clean sweep of the vaudeville and niteries divisions and is ready to extend its activities.

Mildred Roth once Joe Yarn, resigned resignation of Yarn from the union as acting head. Roth last week left the union's administration after seven months as acting head. Roth last week left the union's administration after seven months as acting head. Roth last week left the union's administration after seven months as acting head.

Renowned committee for AGVA's formation was headed by Kenneth Thomson, Screen Actors Guild executive-secretary, after a conference on the Coast Monday (2) at which time the union was laid temporary charge of AGVA.

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Chi AGVA Meeting
Chicago, Feb. 6.

Closed meeting of the members of the local American Guild of Variety Artists was held here last week with nominating and constitutional committees elected by the membership. Leo Curtis, local chief of the union, was chairman of the meeting.

Elected to the nominating committee were: Leo Curtis, local chief of the union, was chairman of the meeting. Elected to the nominating committee were: Leo Curtis, local chief of the union, was chairman of the meeting.

Brewster's Flu
Buffalo, Feb. 6.

Brewster Twins are out of 'Hellwood Parade' stage unit recently. The twins are out of 'Hellwood Parade' stage unit recently. The twins are out of 'Hellwood Parade' stage unit recently.

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 by a capacity attendance, and program advertising and sales, leaving a net of over \$4,500.

A story in Variety last week, calling attention to the fact that actors were refusing 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. General name performers volunteered their services and tickets sales jumped to the extent that the house was \$500 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 Hamdin,

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 melody of his compositions, plus a dance routine. Walter "The Great" George Jessel, who introduced Cohan as the greatest personality in the American theater, Elsie Janik, who ran through some of her toughest imitations to "The Good Old Days" despite being handed by a rotic, Ella Shuehle, 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 Shuehle'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, with Joe Verell, who was in charge of the benefit; Markon Dixon, Joe K. Howard, Miss Juliet, Tom Patricia, Taylor Holmes, who sang and danced, and the pit as leader, Benny Roberts, one of two-day vaude's best known house comedians. The Roberts' act, which lost the knack of handling a variety show was well demonstrated here.

James J. Wether was a latecomer; he was Molly Picon and Elsie Fitzgerald, with the result that the final curtain had to drop still after midnight. Up ahead, Harry Herzhfeld, as m.c., Clyde Hager, Bobby Clark, Molly Picon, Willie Salar, Henry Deutch's act, Phil Rogan, Helene Denton, Mary Small, Bobby Clark, Molly Picon, Willie Salar, Will (and Gladys) Ahern, Warren Boden, Edzie Krav, Benny Baker, Lita Gray, Charles Baker Sanders, and Bert Gagne kept the show moving at a fast entertainment clip. Mrs. Walker (Betty Compton) also took a bow.

Chi State-Lake Books 4th A. B. Marcus Unit

Chicago, Feb. 6.

State-Lake has another A. B. Marcus unit, "Night at the Madras" booked to open this Friday (5). Makes the fourth Marcus show for this house in six months.

Each Marcus show has broken the boxoffice record of the preceding show, and this is 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 a new show that will open at Jack Lynch's on Lincoln's Birthday (12).

Others on the bill will be Cardinal, Earl and Josephine Leach, Grace and Nikke, and Jack Waldron, Inc. as m.c.

15 YEARS AGO (FROM VARIETY)

Broadway legit business was better than it has been for some time. There were 37 boxoffice successes, 12 musicals and 19 straight shows. The grosses were topping the grossing with \$44,000.

Signing for \$3,000 per week on Keith time, opening at the Palace, Vincent Lopez was foregoing his own contract. Figure unusually high though Paul Whitehead had a standing offer for New York's Hipp for \$100,000 which he couldn't accept because of concert commitments.

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

Will Rogers, addressing the group in Yiddish, provided the big laugh stunt at the Jewish Theatrical Guild dinner in New York. Eddie Green was toastmaster. Other speakers were William Morris, prof.; Martin Jaffe, Walter, Faith Marston Faby, among many others.

In London, Jack Hulbert's revue opened to fair response. Its title was "By the Way," but it should have been called the "Hulbert Revue." He announced, starred, sang, danced, staged and sang. Wise Circuitry London was also in the cast.

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

LEVEE WINS LICENSE CASE IN SEATTLE

Seattle, Feb. 6.

Tax case involving employment agency license fees was stricken from the calendar by the court when Len Maxwell, local manager for Bert Levey offices, was tried on charge of operating a theatrical booking office without license.

His attorney, Bernard Reiter, argued successfully that the ordinance was never enacted by the city council is now expected to draft a new ordinance, or an 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 Hartman, the famous singer, in private life Baron Hagar Oppenheim of Germany. Dated for next season, four-act specialty, will be co-attraction. Preens closed for tomorrow (Thursday).

Policy will be song dancing in the Roman Bieu 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 near the lake. Jack Edwards has conquered a lot of landing and operations.

John W. 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: "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 Bill Rogers hospital.

Three top night spots shuttered, Florida, Durgins and Rocco. Subzero weather cut down the box.

Maxine Miller and Harriet Emery, vaudeville acts, both back the Frank "Nerve" act 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 50G PITT SUIT

Pittsburgh, Feb. 6.

After a three-year fight, Hirst's suit for \$10,000 damage against E. D. Blair, Pittsburgh property owner and publisher of the "Pittsburgh Courier," was finally heard in Common Pleas court here last week. There was no jury. Judge H. A. Monaghan hearing the evidence and reserving decision pending study of the briefs.

Hirst, operator of burlesque wheel known by his name, claims Blair arranged 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. Hours were lost down there to make way for a parking lot, only two months after Hirst had purchased lease from George Jaffe.

Later, meantime, took over Hirst theatre, rechristened it as "Hirst," and in suit sought to get in competition to Hirst. Since, however, Hirst had gone in for burlesque, Jaffe owning a Hirst franchise, Blair's defense was that leasing of the theatre for a variety matter by either side, which plaintiff's counsel had. According to Hirst, Blair's other tenants in same building have been in the spot where Blair decided to raise the spot.

Paradise Mitty Lists \$137,487 of Its Debts

The Paradise Catering Corp., operators of the Paradise restaurant and night club at Broadway and 52nd street, which on Jan. 22 filed a petition of bankruptcy in the N. Y. federal court, has filed a schedule showing assets of \$175,516 and liabilities of \$137,487. Unsecured claims total \$85,850 and secured claims \$6,964. Lately the Paradise was known as the Ziegfeld Midiscope Frisco.

Wage claims of \$1,153 are divided among 106 individuals. The largest of these is Leo Belmont and his orchestra, owed \$853. Those of \$100 and over are by Alfred Mack, \$230; Samuel Feldman, \$130; Oliver Curtis, \$100; Robin Harris, \$100; Mike Urano, \$972; Louis Zaccaro, \$120; Alvin Berman, \$115; Bernard Sorel, \$100; Albert Berman, the head-wearer, \$104; Jack Durand, \$384; Herman Hyde, \$208, later two featured in the last show. Taxes total \$44,797, with the U. S. owed \$13,343. The State of N. Y. owed \$16,656, and N. Y. City, \$12,650.

Other creditors are the Novelty Screen, \$221; Charles H. Keany Studio, \$208; Brooks Costume Co., \$4180; ABCAP, \$1304; the 1619 Realty Co., \$71,135; J. J. McNeil, \$75; Professional Music Men, \$35; Blackstone advertising agency, \$182; Seymour Feltz, two claims of the show, \$2,000; Harold Adamson, composer, \$700; Columbia Artist Bureau, \$160; Richard & Hanson Enterprises, Inc., \$1,024; Medications Inc., \$862.72; Nicholas Blair, \$7,787; Milton Adler, \$11,041; the entire two heads of the Paradise, Furniture, fixtures and stock are valued at \$175,500.

FOLIES TO TOUR AS 2-A-DAY VAUDE UNIT

Clifford C. Fischer is sending an "Folies Brochure" to a two-day vaudeville unit, shifting from its head crew. Broadway into the Open House, Boston, opening Feb. 11. Will be added \$1,200 to a vaudeville, with Inauguree Cera, Herman Hyde and Raye and Davis added.

Idea of embellishing it into a full headed by Phil Baker, has been thought for a couple of reasons. For one, Fischer and Alvo Landini Morris actually decided that would contain considerable added overhead, plus new sketches and other material. Furthermore it would defeat the Frenchy flavor of the vaude unit.

Mills Bros. Hopping On South American Tour

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

On the way east they put 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 five-gang act 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 control the economy—and they tabled the petitions.

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

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SIDNEY H. PIERMONT
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HOTEL NEW YORKER - NEW YORK - FEB. 12
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JACK MARSHALL
ALL AMERICAN LAFT-BACK
Currently CHICAGO, CHICAGO

CHAR. JOE
FENWICK and COOK
Now CHICAGO, Chicago
Mgt. Rep.: W. W. HOFFELING Mgt. Rep.: DANVY GRUBIN

STATE, N. Y.

ROXY, N. Y.

Henry Deutsch Orch with Mildred Crosby, Fred Allen, Gene ...

In introducing the Lane Bros' act ...

It isn't to be implied that the ...

Take for instance Cyndia Glenn ...

Deutch himself may be cited as ...

Deutch is a hardworking, re- ...

Henry & Day, The Browns (2), ...

Speaking of maracas, the Roxy is ...

The Bristol, male comedy pan- ...

Fourth act in the show, and one ...

ITALIAN DISCO

Little Rice m... and delivers a large ...

PARAMOUNT, NEWARK

Edmond Lowe with Lorina ...

STANLEY, PITT

Andy Devine, Eddie White ...

KEITH'S, BOSTON

Tommy Dorsey, Art ...

TOWER, K. C.

The Kidodora, Fred ...

FLATBUSH, B'KLYN

Russ Morgan Orch (18), ...

STATE-LAKE, CHI

Duke Ellington Orch (14), ...

Literati

B.B. Scriber's Beloved

Barbault writer's annual dinner... at the Commodore Hotel... proved the most popular event of its kind this winter.

Winn-Kemp's Plagiarism Suit

Federal Judge Edward A. Conger... granted a summary judgment on Saturday (3) to Houghton Mifflin Co. against Stackpole Book, Inc.

AWG's Awards for 'Best'

The American Newspaper Guild is to establish annual awards for best in the profession during 1940.

W. W. Putnam's New Book

W. W. Putnam, editor of the New York Evening Post, has written a new book titled 'The New York Evening Post'.

Innocent Circle to Reorganize

As the result of action taken last week, the Innocent Circle New York organization of present and former political writers, voted Monday (5) to reorganize.

Use of the New York Press

Use of the new York Press will be two classes—membership-active members, limited to working newspapers, and non-members.

Leo Merzinger's Plans

Bland Johnson, picture critic for the N.Y. Mirror, has been ill for the past few weeks.

J. Ky. Bellini Combined

Consolidation of the two afternoon New York Evening Post columns... will be published five days a week.

day, however, leaving the city without an afternoon paper... the Advocate marks its 75th year in June.

British Mag Ed. in Life Deal

Stefan Lorant, editor of Picture Post for a couple years ago, formerly was left New York for London on Saturday (3) after a visit of approximately a month in the U. S.

Mildred Oppenheim Breaks

Mildred Oppenheim, unemployed television writer, filed a voluntary petition in N. Y. federal court, listing no assets and liabilities.

Buffalo Daily Star's Feb. 30

W. W. Putnam, editor of the Buffalo Daily Star (N.Y. Times), which has been at work for some time on a new paper, has set Feb. 30 as the starting date.

'Maid's' 'Sank's' Stamp

W. W. Putnam, editor of the Buffalo Daily Star (N.Y. Times), which has been at work for some time on a new paper, has set Feb. 30 as the starting date.

LITERATI OBITS

W. W. Putnam, editor of the Buffalo Daily Star (N.Y. Times), which has been at work for some time on a new paper, has set Feb. 30 as the starting date.

Franklin Thomas Miller, 67, retired magazine publisher, died Jan. 29 at his home in New York City.

Walter Ballentine Powers, 51, Chicago writer, died Jan. 29 at his home in Chicago.

John L. Underhill, of the N. Y. Times, pres. of the old Inner Circle, died Jan. 29 at his home in New York City.

James Shaw Colebaugh, 93, pioneer New York Times newspaperman, died Jan. 30 in St. Petersburg, Fla.

Robert J. M. G. Currier, son of the Windsor (Ont.) Star since 1919, died Jan. 30 in that city.

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Aleksander Vidzhevich, 44, former writer for 70 years.

Relieve P. A.'s Strain

Schenectady, Feb. 1.

Editor, Warner:

These days you might be amused by an excerpt from a letter to Roger Hawthorne, publicity man for the American Paper Association.

The letter is being read up on Friday midnight, Feb. 2 in the bi-weekly 'Byrd mail box' over W.G.O.

Bill Dismore, New Bureau, Gen. Electric Co.

Contributor for the N. Y. Times

John C. Yegorovich, died in that city Feb. 1. A well known literary figure in Yugoslavia, Vidzhevich was the author of the Paris staff of the Times for a period.

CHATTER

John and Spencer M. Berger gathering material for a big of John Barrymore.

Continuing Myers' feature, 'Designing Women', now in 23 papers throughout the country.

That March Cont. down as the author of the newly-published 'The Dark Star', is really Peggy Morison.

Bellamy Partridge leaves Florida for Chicago to edit the new version of his 'Country Lawyer'.

John C. Welch, the first Mrs. Tummy Maxwell, has had a novel published under the title of 'Coast to Coast'.

Louis Ragner, Rochester (E. Y.) Democrat-Chronicle reporter, elected New York State legislator last fall, succeeding George Whitte, Times-Union.

Barrymore Jolts

Continued from page 63

dressing room and some fancy wardrobe was overboard before the door was closed.

Barrymore and Aldrich & Myers are returning to the Broadway stage with a new production.

It was stated that Barrymore's brother-in-law, who has returned home to play 'The Great Fraud' by Maxwell Anderson, called the trouble through a famous actor, his third wife and young daughter.

John Barrymore for the star part of the new play 'The Great Fraud' by Maxwell Anderson.

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Plays Abroad

FASICULE NOIR

(Watch Modification Paper)

Drama in three acts by Louis Verandetti. Paris (2). A watch modification paper.

'Fascicule Noir' brings together two of Paris' most quoted light and screen actors, Gaby Maron and Victor Bresson.

The letter is being read up on Friday midnight, Feb. 2 in the bi-weekly 'Byrd mail box' over W.G.O.

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Louis Ragner, Rochester (E. Y.) Democrat-Chronicle reporter, elected New York State legislator last fall, succeeding George Whitte, Times-Union.

BEAUTES DE FEMME

(Woman's Beauty)

Drama in two acts (20 scenes), by Robert de la Roche. Paris (2). A woman's beauty.

'Beautes de Femme' brings together two of Paris' most quoted light and screen actors, Gaby Maron and Victor Bresson.

The letter is being read up on Friday midnight, Feb. 2 in the bi-weekly 'Byrd mail box' over W.G.O.

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CHATTER

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of his marriage to his mistress... of his love for her which he has lately begun with another woman.

Ticket Code

Continued from page 63

colored, but he was not informed of a subsequent board session when the fine was imposed, which was to be part of the procedure, he says.

Friday's meeting included a discussion over alleged failure of enforcement and 'lack of attention' by the board of efforts by APPA to bring about more effective enforcement.

There are 26 agents in the New York City office, but only 15 are active in the field.

There seems to be a difference of opinion over the preponderance of opinion over the preponderance of opinion over the preponderance of opinion.

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Broadway

Frank Richardson out after induction attack.

Producers Club's 51st annual banquet March 17.

Harry Meyer left yesterday (6) for Florida.

Wayne Foyson arrived after month at home with grippe.

Joe Pennington's end-of-again Coast trip is off again.

Peggy Ryan, beauty, arrived in New York (3) from Florida.

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

John F. Wheeler, former commandeur Sunday (4) was a stand-out.

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

Red Armstrong spending Chicago week with Father, company, Harry Kline back.

Joe Louis, Jr., returned to his job in 10 days after the flu which he staged.

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

Sid and Julius Gordon, Par partners in western Texas, back to headquarters at Beaumont.

Charles H. Brown, work of wife of RKO Latin America chief, arrived in New York yesterday (6).

John C. Hines and his wife, abandoned for head case bill, is a work on "They're All in Florida" which he is making on tour.

L. D. Lofsky plans making Florida his permanent base, starting work in Miami April 1.

Dorothy Kilgallen, Journal-American columnist, collating on script and writing with "The Big Show".

Ernest Lubitch to Puerto Rico tomorrow (Thursday), taking with him all his scripts which he is making on tour.

Carl Brandt, the Harney agent, and wife, Carol Hill, headed west today for a Florida vacation.

Parkie Levy and Allan Lippson have signed to do "The Big Show" for Columbia. "Keep Off the Grass".

George Lacey, of "The Man Who Came Along" returned to New York Coast next week on a Metro contract.

Oscar Levant is suddenly the new "hot" guy like "Play" and "The Songwriter" comedian-author.

Sidney Freedberg, with the Philadelphia lawyer law firm, is working with the plank with Bernice Koebel.

Grady Camp, Yorville actor, filed a petition for reorganization, and is looking for a job in the city of \$3,000.

Plenty of grape quantities early in the season, according to the Bureau of Hygiene being among the slim crop next year.

Lewis Harmon named associate to Leo Freedman as P.A. on Dorothy Thomas' "Frita" production, after their film.

Ed Trisman, Metro's former story of a, trained Coastward Friday (1) for a month of contacts with the Coast for a vacation.

Maurice Golden winds up as a comedy columnist Monday (5) with a snout-puts-on his kisser made his head too sensitive.

Production agents for a majority of the railroads trade a luncheon at the Garden, transportation chief of 30th-Fox, last week.

John H. Johnson, who's just finished the script of "Victory for Paramount," due Monday (15) from the Coast for a vacation.

New York editors and their children, on Saturday (10), a special matinee showing of "Fanny" at the Capitol Theatre.

Don Valle, producer, returned former head of motion picture, and is back with traveling legs.

George Donnelly, who came from his apprenticeship, back again to his Miami home, and Thomas Ryan, who is back to his Sunday job at the "New York Sun".

Ann Selmon, (Thurston), Harry Meyer's ex-wife, is back to her job on a maternity leave and of this combination production of "The Man Who Came Along" with traveling legs.

Herman Chiron is duking show tomorrow (Thursday). Will handle "The Man Who Came Along" on an same Miami Beach show, due Monday (15) from the Coast for a vacation.

Richard Wong, in "Taming of the Shrew" at the Alvin, is being replaced by Walter Warner for a one-picture show this spring. Will mark his film debut.

Harry Rubin, projection head of Paramount, has been in the city for a month. He is on his way to Miami.

Carl Timin, formerly of the Paramount, is back to the city as the head of the program for the Four's "A Night in the Court" at the Waldorf on April 1.

William Berk, due back from Paris, is back to his job at the "New York Sun" (15) to meet of "Joe My Brother" at the Waldorf. Paul Stewart joined to him.

Forrest Turner, who just completed a screen play for "The Winner" for Sam Goldwyn, visiting in New York. He's a former army private.

Jack Forrester, American film pro-

ducer in Paris, and Irvin Barkis, play writer, both due back from France, after long residence there, in New York.

Tom Mitchell, U.S.A. publicity department, left for the Coast yesterday (6) for a vacation.

Joe Pennington, who was in New York and Tampa with Frank Striker, Hal Brown, and the "Big Show" company.

Otto Backmann, coming as a signwriter at the Hotel Plaza, will be in charge of the 15th by Ann's program, socialia occupied with the "Big Show" company.

Dorothy Wynn, showgirl who was in New York and Tampa with Frank Striker, after the International Casino failed, was forced by illness to give up the job of the "Big Show" company.

Paul Lewis, Paramount publicity chief, back to the Coast Thursday (1) after a 10-day visit, stopping off at the Hotel Chelsea, in New York City on work. Arrives in Hollywood end of this week.

Rome

Alexander Dumas is to be projected on the Italian screen. Director Franco Zuccato, head of the production, is in Rome.

At Cinecittà, director Augusto Genoa is preparing a picture based on the novel "The Betrothed" by Alessandro Manzoni, by Dumas. Italy's leading independent, Segno Film.

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A series of action plays will be staged in Rome. The first is "The Last Days of Pompeii" by Luigi Chiari, directed by Augusto Genoa.

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'Gay White Way'

Publicity chief, away chat, stressed that the 1940 N. Y. Fair was going to be geared for popular appeal above all else. He cited the main, with the exception of the fair, which is a family of four could cover the whole fair for \$18. He said there was no one to go to an advance ticket of attendance and that the post-attendance for the working press already has been cleared up.

Industrial firm, owning their own buildings, already are 85% signed up for the fair, according to the publicity chief, who said that probably only the Russian building would be missing in the fair.

The exposition's midway has been completed. The lighting system, conceived by Albert Johnston, already has undergone tests and been found satisfactory. There will be six times the light intensity there was in 1938, the city showed.

Amusement shows will go in more for villages, far already having been set up. The "Gay White Way" contains a stipulation requiring plenty of lighting for the fair.

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Trend towards more villages is viewed in exposition circles as a result of the fact that the fair is being held in a rural area.

Harry Bow to North Africa for tour.

Charles Carmona, producer-director, is dead.

Louis Blum, 63, pianist, died of a heart attack.

Edwige Fenech, French pianist, died of a heart attack.

Claudio Monteverdi, French pianist, died of a heart attack.

Pauline Meyer, film director, married to Robert Karner-Nielson.

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George Monro, one of the oldest French film directors and silent film producer, died.

Pauline Meyer, film director, married to Robert Karner-Nielson.

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St. Louis

Tudor Cameron, oldtime local actor, in the Will Rogers Memorial Theatre.

Peggy Nash, former stage singer, found guilty of stealing clothing from St. Louis store.

Paul G. Allen, stage player with the St. Louis club, has recovered from broken hip suffered in fall several months ago.

Three-day radio-circuit in Municipal Auditorium starting Feb. 17. Will be the first held in St. Louis since 1913.

Friday and Saturday (8-10). Vladimir Goltchmann will conduct.

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Chicago

Don Gordon joined Phil Lovett orchestra as vocalist.

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Minneapolis

Pat Halloran, Universal salesman, a father.

Erica LaGalla comes into the city on 5-7.

U. of Minnesota Playhouse offering "The Sign of the Cross" by G. B. Shaw.

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Bankers

Bankers

Bankers

Bankers

Memphis

Memphis

Memphis

Memphis

Murder interrupted by death of his mother in Nashville.

Theresa, actress, married to Harry Bow to North Africa for tour.

Hollywood

Grain Weller divorced in Reno, Nevada, after a 10-month marriage.

John K. Lee, Hollywood producer, is dead.

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Pittsburgh

Jackie Hester pulling out of WFO unit on some venue and WFO unit.

Karl Bernstein in town ahead of new Walter Huston play, "Passenger 57".

Lawrence Rial at his home in Allentown, Pa., working on a new play.

Kansas City

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"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 Cumm-Coppar fight. His company's business has boomed since using the NBC Blue.



In Adam Madison Square Garden (top) Light Heavyweight Champion Billy Conn, who night before, under auspices of Mike Jacobs' 50th Century Sporting Club, had defeated Henry Cooper, demonstrates punch to Sam Yash and Adam Store Manager William A. Wipman. "Billy," said Mr. Yash, "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 are begin where the Blue began."

NBC Sportsman: Bill Stern grins over coffee as Sam Yash warms up verbal cards 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 91-station network to 98 stations."

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



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

pressive large scale ad campaign I've ever known." That, incidentally, is a sentiment shared by many other business executives... in one reason why 79% of the Blue's 1939 advertisers came back for more in '40... why seventeen new ones were signed up!

FROM Madison Square Garden on Jan. 10th, Adam Hat Stores sponsored its 6th Sports Parade broadcast on the NBC Blue Network. Present were Leon Goldberg, Adam Hat Adirrector, and some associates.

This photorecord reveals a gay twinkle in Mr. Goldberg's eyes. It's a twinkle they've had since Nov. 26, 1937. On that date, Adam Hats began an association with the Blue Network that almost overnight transformed a local business into a new business, a national business—a rapidly growing business! In 90 days, 300 new dealers had been signed, sales were up 300%! Still on the Blue, Adam is still growing! Has progressed from 275 stores and agencies in 1937 to over 2,000 outlets today.

Adam has grown economically, too. Because the Blue reaches the national "Money Markets"—where 72% of the country's buying income is concentrated—at a low cost no other medium can match! This is result of famous Blue Network Discount Plan, which enables your network to grow with your business—for amazingly little. (\$2 stations were added to the Adam Hat network for only \$300 extra per broadcast!)

A half hour on the Blue can give you intensive coverage of the markets that cost at least \$5,000 per broadcast. This coverage at lowest national cost will put a twinkle in your eyes—profits in your pocket! National Broadcasting Company, A Radio Corporation of America Service.

NBC BLUE NETWORK

Sales thru
the air with the greatest of ease



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



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VOL. 137. NO. 10

NEW YORK, WEDNESDAY, FEBRUARY 14, 1940

PRICE 25 CENTS

TICKET-IN-THE-SLOT 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 war 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. Cobbolt and the Indians,"

(Continued on page 24)

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 now in the house. On the other hand the agency's tactics may have

(Continued on page 20)

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 evening service which he introduced is now 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

Akron, O., Feb. 13.

Dick Powell, high plunger of hoodlums when he swings into the "Good News" show cast March 7, The Thursday night lineup will have three crooners in a row, Powell on "Good News," Rudy Vallee's new show, and Bing Crosby, since the first-mentioned one is a scribble 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. Emmanuel Baptist Church, Albany, it was voiced in a discussion that followed a talk by Rev. M. Stephen James, of First Reformed Church, an lesson to be learned from "The Grapes of Wrath." From that spot, the ministers went on to a consideration of "Drums Along the Mohawk" and other "evil" works.

One Baptist pastor then inquired, "Why are printers portrayed on the screen as heroes and Protestant pastors as laughable or weak preachers?" Point to this was lent 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-tableers said they believed Protestant preachers should "protest 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 Aroney here last night with 8,000 present at \$1.15. Credits on hand included Joe Louis, Ella Fitzgerald, Jack Sports, Nicholas Brothers, Peg Leg Bates, and others. Colored bandman Webb died last fall.

GOING TO THE MAGNINE NICKELODEONS

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 other places and sit snugly in front of other locations where transmits light or light for a few minutes or an hour.

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 grosses, and due to the number of projection machines that can be placed around the country. Smallest estimate of those interested is for 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

Stack-Coble, agency on the "Pot of Gold" and of the Tama account, has retained M. H. Aylesworth, former NBC prez, 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 stepped 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, lachrymose 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 Nitory to Opera

Buddy Madison, tenor at Billy'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 nitory.

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 special officials in Variety's New York office, 134 West 40th street, for assistance in preparing and filing tax reports of professional people. The service is gratis. Wayne Furum and Eddie Hickey are the U. S. tax agents assigned.

Governmental 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 settings. Presentations would be restricted to one-set 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 road show 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 from 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 20)

'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 claimed legally in Detroit over the right to be billed as "The Golden Goddess."

Last week's "Fla Ash" arrived at the Colonial and decided it was worth \$25,000 to be billed as "The Cutest Little Nudist." She filed a demand suit for that amount in Circuit Court here. Dave Davis, a competitor in the theater and night club field, claiming she had tried to swipe her billing.

The judge issued a restraining order against 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 1931, is now being factored 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 merely is employed as the star and has no other rights in the film, attorneys said.

Goldstein declared that it is materially impossible to change Benny's performance, but indicated that imitations of Rochester and Fred Allen to bring the picture so to date may be employed. General idea of the new sound track and dialog prepared.

(Continued on page 24)

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

Los Angeles, Feb. 13.

There is no law enforcing a visiting friend to admire California, its climate or its women, although it is a tradition in those parts. Which may explain the high volume of the daily papers when Moss Hart, bored by a cross-country train from Broadway, flunked the cream on three counts. Hart, take it from the interviewers, registers a roar in delight over the State Star, its famed climate and its glamorous glau.

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 paradoxically to observe Alexander Woolcott, who is a large job in any climate. (Re-Continued on page 20)

Typed, Says Prouty, In Post With 20th

Hollywood, Feb. 13.

Twenty-first yesterday (Monday) turned its cameras on the 17th in the series of Jones Family pictures, "On Their Own," without Jed Prouty, father of the brood. Prouty is fraying with the studio over cost, claiming his script as Jones prevents him from getting other film jobs.

Two copies of the story have been prepared, and will be switched if and when Prouty returns.

FANS OF P.H.'S AFFECTIONS TIPS OFF THE U.S. DEPT. TO CONDUCT 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 F. Barnworth, special investigator in charge of the N. Y. district of the Government anti-trust suit against the major film companies, has disclosed much more clearly than heretofore what the Government plans to do in its case. The affidavit was in support of an application to force Columbia Pictures to accept the interrogatories submitted on the Government by the major companies, or if Columbia refuses to accept them, to throw out the questions submitted by the company.

Barnworth declares that Columbia has submitted a list of interrogatories requiring the U. S. to supply the names of all parties having knowledge of facts which relate to the charges made in the complaint and the accompanying exhibits. In particular, Columbia declares Barnworth seeks a description and identification of all documents and facts upon which the Government intends to rely, and which will not be presented by direct evidence. It is manifestly impossible, says the Government attorney for the U. S., to include within the scope of a lawsuit, evidence as to the nature and extent of those practices in such companies as 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 industry as it exists, a gross discrimination in favor of controlled theatres, and against unaffiliated exhibitors, and the effect of the control is in limiting their pictures.

The Government's case must necessarily be built upon the affidavits and will primarily be concerned with showing how the industry developed, and the effect of the control exercised by the producers over the prices of their own exhibitors and theatres, and the effect of the control upon competition in the industry. In showing this effect, the practical operation of a business which the Government to select what it regards as representative evidence, rather than cover the entire domain 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 in affidavits and testimony, the Government cannot attempt to cover all cities; it will only 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 March 1. The list will include the burden of characterizing, classifying or describing the testimony of each witness with reference to the facts which the Government holds true of the document to be offered.

Witnesses. If, in response to the defendant's interrogatories, the Government receives a list of names of persons, who, it thought, might have knowledge of facts, but who the Government had no way of calling to the stand, such a list would serve no practical use. It seems plain that the Government interrogatories could actually serve the purpose of aiding the defendant's attorneys to work out a plan to limit the issues to a list of witnesses that the Government might be expected to call, on the basis of the information in its hands, at the time the interrogatories were answered. Hence the names of only those persons, each of the defendants would then, of course, have an opportunity to cross-examine in its own dealings with any or all of them in the course of its preparation for trial.

The U. S. witnesses will necessarily be drawn from independent sources, distinct from exhibitors, who have in the past, or now are engaged in doing business with some defendant. They are, of course, independent business men, over whose testimony the Government (Continued on page 14)

SCHAEFER'S DEALS

Revs. RKO Film For Colman-Bogers —Seems to N. Y. This Week-end

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 play 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 Edson as a studio's executive producer. Deal is also in the works for Carole Lombard to do two pictures. Herb Deppert is already booked in N. Y. Both he and Schaefer went together two weeks ago.

Sam Katz Doesn't Think It-G-G Will Cut His Program

Sam Katz, out for the first time in several years, left Saturday night (10) for the Coast. He stated that he came on principally to "vacation" and was probably to have done a show, but understood he also came on to handle with Katharine Hepburn a picture which will be distributed by "Philadelphia Story," rights of which Metro recently purchased.

The Metro production executive stated that he did not think Metro would cut its program for the 1940-41 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.

SCHULBERG MAY RETURN TO COLUMBIA STUDIO

Hollywood, Feb. 12. Sam Brickin, exec. vice president of Columbia, is talking a deal with B. P. Schulberg to return to the lot as a producer.

Wurtzel Feted

Hollywood, Feb. 12. Sol M. Wurtzel was guest of honor at a dinner at the Hillcrest Country club to celebrate 25 years of continuous work at RKO-Pan and its predecessor, Fox Film Corp.

Wurtzel was attended by biggest crowd at the station.

Other News Pertaining to Pictures

- Ben Miggins reports..... Page 15
- French war film dictatorship..... Page 15
- Paramount's survey in Spain..... Page 15
- Hitler's war film..... Page 15
- Jimmy Walker's radio show..... Page 19
- Sunday, Tuesday radio beats..... Page 20
- Good Guy keeps Screen Guild..... Page 20
- Ernie Hart's daughter signs for Republic..... Page 21
- Radio review: Zasu Pitts..... Page 26
- New exec out of MGM..... Page 26
- See Woolcott's Mar. 1 and Cannon Barrymore back in 'Children'..... Page 31

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

Deal is understood to be virtually set for Paramount to release "Young Man of Manhattan" which Rowland Brown plans to produce. Brown has set Parsons to begin work at Eastern Picture Studios in Astoria, L. I., in about six weeks.

Picture will be a remake of the Katharine Brush story first filmed by Paramount in 1918. Brown has set Frances Dee and Joel McCrea for top roles.

RIFFLE HEADING LAST NIGHT (13)

Sacramento, Feb. 12. Governor Culbert Olson presided at the hearing late today (Tue.) to extradite Willie Blue. Blue is wanted in that state to fulfill a six-month prison sentence pronounced by the judge of the Chicago have been here for the past few days to bring pressure to bear on the governor to decide until the conclusion of wage negotiations between producers and unions in Hollywood. Blue himself denied being a fugitive.

Blue's aides were claiming in their plea that Willie would waive extradition and return east voluntarily. Blue is being held in Chicago. It was reported, however, that Gov. Olson, who is personally conducting the hearing, will hand down his decision at the conclusion of legal arguments. There is also the possibility that Blue may demand a couple of days before announcing whether Blue is to be sent back to Chicago. The decision before Vanau's press is late last night.

Charles Egan, Chi detective lieutenant, has been to attend the session and if Olson signs the papers he will fly to Hollywood and return to Chi before he works with Blue. It was understood here before the hearing that the convicted labor leader's attorney would plead that he was the only man who could save the 10% wage increase for studio technicians and that here was "alterior motive" behind the Chi requisition demand.

In Hollywood for the past few days, Blue's aides have been distributing postcards, signed and addressed to sign and mail to the governor urging to keep him from shipping Willie east. Illinois attorney will contend that Blue 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 Federal Court would be for asserted income tax frauds, and subsequent arrests by Chicago police, following Blue's conviction, preclude any rehabilitation plea.

Report Steve Lynch Out of Danger

Reportedly having had a narrow escape following injections for arthritis, S. A. Lynch is confined in his home on Sunset islands off Miami and discussing no business matters with anyone.

Bringing doctors down from New York, Lynch received injections from which a convalescent 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 attending distribution office over setting some of the choice late winter attractions on a competitive basis in their towns. "Come With the Wind," in one instance is playing exclusively in the territory. Another is "Grapes of Wrath" and "Pinocchio" to escape the "Gone" competition. Rearrangement of playing time will postpone deals of second and subsequent runs, but the theater bookers are holding out against the pressure from exchanges to get the see attractions moving as soon as prints reach the branch office.

UA's Resignation From Hays Org. on March 1

United Artists resignation from the Motion Picture Producers and Distributors Association of America, Inc., becomes effective March 1. Tenders last September, in accordance with Hays office-by-law, it becomes effective six months from that date. Resignation applies only to the producers who release through it, most of whom are members of the permanent distributing company, to resign since inception of the MPDFA 18 years ago.

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

Paramount will make at least 40 feature for the 1940-41 season and probably more than this number though there will be a substantial reduction from the 58 and it to be delivered this year. Exact number will not be made until set for a while yet.

When Y. Frank Freeman was east a couple weeks ago, production plans were discussed for 1941 but nothing determined 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 in town.

Kohlmair at 20th

Fred Kohlmair, Feb. 12. Checked out of a producer berth at Columbia, joined 20th-Fox Monday (11) to work on production and function as talent liaison.

L. A. TO N. Y.

- Fred Astaire, Chicago, Calif.
- Neil Patrick, New England.
- Ray Diney, New York.
- Stanford Kaye, New York.
- John Garfield, New York.
- Walter George, New York.
- Kenneth Branagh, New York.
- Emily Holt, New York.
- Bess Lovejoy, New York.
- Maria Litvak, New York.
- Margaret, New York.
- Dorothy McBride, New York.
- Robert Preston, New York.
- George Zucco, New York.
- George Zucco, New York.

N. Y. TO L. A.

- Edie Brackbe, New York.
- Lawrence Holcombe, New York.
- Sam Katz, New York.
- George Lutzinger, New York.
- Louis B. Mayer, New York.
- Frank Orin, New York.
- Jack Renard, New York.
- Harold Lloyd, New York.
- Jack Brnard, New York.
- Shelby Stewart, New York.
- Kenny Stearns, New York.
- Howard Strickling, New York.

ARRIVALS

Liam O'Flaherty, Lethbridge, Scotland; Phillips Holmes.

L.&J.-PAR TALK PERMANENT PARD DEAL

Hanging fire for several months now, the discussions concerning a permanent Paramount partnership with L. & J. in the southeast is reported to involve a question of whether owned by Arthur Loew and the Atlanta. About 50 houses are involved in the proposed partnership. House negotiations are still pending with the J. H. Cooper interests over theaters in Nebraska, Oklahoma and Colorado. The Paramount demanded for its product in Sparks therefore this month (1939-40). Sparks is a permanent 50-50 partner.

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

Warnings were received by all film companies last week against directly purchasing the Saturday Evening Post. Letters from Renesch & Jaffe, attorneys for an undisclosed source, were sent to the industry, understood to be Barbara Hutten, Jaffe's granddaughter. Sol A. Kowarski, who signed the letters, which threatened "appropriate action," is former NRA code administrator.

Several companies have expressed interest in the story, although no actual offers have been made, according to Maxwell Alley, agent for the industry. Edward G. Robinson has disclosed it as a vehicle for Warner Bros. in attempting to revive "Harris" as a vehicle for film.

Two years of research on the story was done by John B. Howland, and it is being published in book form under his name by McBride in April. SEPost version was rewritten "indignantly" by Boyden Spawke, the piece carrying the names of both men. Most of the film industry pictures were obtained by Winkler through the cooperation of Woolworth, who was a member of the board of Woolworth, and the Woolworth Co., both of whom approve of the biography. No objection was made, however, as not pleased with the airing of the family ghost. Documented in this history, however, has been filed with the SEPost which, naturally, had its legal department advise the family before publication was started.

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

SAILINGS

Feb. 10 (West Indies Cruise), Ed... Feb. 10 (New York to Green), Bernardino Molinar (Departure), Jo Davidson, Mrs. David E. Rose, A. C. Brown, B. E. Hartman, Drew Middleton, etc.

Feb. 9 (New York to Chile), Miss Skinner, Bluma De Beaulac, Carl W. Jones, (Alma Lucia).

UPON THE NEWLY BORN BILL IS THAT IT'S GOING TO TAKE THE FOLK OF EGYPT

Selectivity of Films Can Only Mean Curtailment of Production and Attendant Minimization of Manpower Down the Line

Passage of the Neely bill would not only materially reduce employment but it would do so with interference in the opinion of well-informed union leaders in show business. The measure against block booking and blind selling would also kazo all chances for the development of New York City as a center of any importance, these same sources believe.

While the theory has been expounded that an end to block booking would make it possible for the independents to get back where, the contrary opinion is that indie would be in an even worse position than now for various reasons.

As a law which forced the major distributor to sell each picture individually on its merits would result in a drastic curtailment of output and careful concentration on a reduced number of films which would be better selected and bought at profitable figures, it is claimed at the outset. Thus, if a picture did not hit in one market, it had to depend on every picture singly in selling and exhibition, that is, on the entire country, instead of taking gambles on outside-market films. Under blockbooking, the distributor can gamble on one picture in its production because if it turned out poorly it still is not a total loss because it can be sold through the present system of selling.

Financing Angles
The financing picture is another that would be up in the air under the Neely bill, union spokesmen and others believe. It is pointed out that the indie would be forced to pour money into independently-made pictures without releasing channels and, secondly, if such indie-made had to go on the auction block strictly for their own benefit, it looks like the outlook to the financing agency, whether it be banks or others, is being a lot less favorable under the present system of blockbooking conditions.

Some unions are frightened about the prospects of the Neely bill because it would not only kill the indie but also would severely knock down the payrolls in the major picture industry as well as the possibility that union labor might suffer in other vocations, too, including electricians, bus, including exchange operators, laboratory hands, etc.

Exchanges, Etc.
If the majors had much less film to handle in their exchanges, not so much help would be required. The "big name" actors, writers, re-writers, shippers, etc. Shorter grinding in theaters and the cutting down the length of shows but providing same turnover as now, might be a source of decrease in the operators. Many of the bothmen nowadays get plenty of overtime.

Blame and responsibility are being propped under Neely dreams that came true in the event that single hitting and hand-picked pictures encouraged a greater return to stage shows.

Although the Central Trades & Labor Council of New York State, embodying thousands of union employees in all fields, recently passed a resolution going on record against the Neely bill, it is a question whether or not active measures to effect the measure might be taken. Union men in pictures cannot say at this time if they need any protection, charges that Central Trades passed its resolution under pressure or argument about the bill, but it is claimed that it would reduce their labor costs.

Comment officials of one high union official in 1931 while the Neely bill had a good purpose, it would be in writing his bill, the machinery called for

Muror Up to Shirley

Hollywood, Feb. 11. "Young People," the story of a puppeteer's career, is the new Shirley Temple starlet at 20th-Fox. Jack Oakie has been signed for support roles.

NICK SCHENCK TAKES 'GOE' ON RADIO

Nicholas M. Schenck is reported to have stepped on the suggestion to sell radio broadcasting rights for the new division of the Famous Players-Lasker Fund campaign headed with Herbert Hoover, chairman, last week to raise \$1,000,000 for the drive to obtain citizenship in U. S. theatres Feb. 11-18. Girls will be used in lobbies to receive donations.

Plans Set for Film Collections in Theatres

Major L. E. Thompson, Jack Conroy (7) at the Waldorf Astoria, N. Y. George Jessel, toastmaster, apologized for Jack Barrymore's absence, explaining that he was then ill in Mt. Sinai hospital. Jessel, however, said he was going to make it up to the audience and then called for a new from Barrymore's "My 17 road company, Tommy Marville." The latter got up and curtsied.

4% of G. O. to Film Milwaukee, Feb. 13

Twenty-eight local trade unions are to be independent of the Theatre Protective Association, of Wisconsin and Upper Michigan are putting on a two-week campaign to aid the Finnish relief fund, which will get 4% of the grosses from Feb. 26 to March 1, in individual gifts.

Intervenor's Drive

Each house in Interstate Circuit will set aside next Friday and Saturday for the promotion of Finnish Relief, Bob O'Donnell announced.

Blade One of the 126 houses will be placed in lobbies, notifying girls in houses provided by Finn headquarters in N. Y.

Disney's Trailblazing May Revive Center or Big Pix, Chapin Next?

Tremendous business being done by "Pinocchio" at the Center, N. Y., may put the theater in a position to bid for the classification of top-ranking home for special pictures, with United Artists now considering it "The Dictator," new Charlie Chaplin film slated to be released during the week of Feb. 13.

"Pinocchio," it is estimated, will do \$60,000 on its first week. Distribution percentages in the past have been wary of the Center, as it played films only for a short time on two occasions in 1927 and 1928. The general picture-going public is figured insufficiently acquainted with the Center, however, unable to obtain the guaranteed length of run and other terms he wanted from the Radio City Trust last year. The Center on the house, which is proving its former security to kids from Brooklyn. Disney, it is understood, is proposing 20% of the gross to the Center and one to his 75% paying a considerable share of the administrative expenses, although, even at that, the theater is thought to be highly favored. However, United Artists' Chaplin pic, however, is said to want 20% of the take for itself.

Studio Contracts

Hollywood, Feb. 11. Metro handed new writer permits to Leon Garfield, James M. Hinton, Howard Dimsdale, Dorothy West, John Goulder and H. K. Kraft.

Norman Reilly Rains Inked new Deal

Dorothy Dearing's player option held by 20th-Fox; also renewed with 20th-Fox an actor-director. Metro contracted Charles Friedman as writer, producer and director. Harry Clark and Arch Oboler handed new tickets to Metro.

William T. Orr Inked player ticket at Warner's

20th-Fox picked up George Montgomery's actor option. Maurice Geraghty inked pact as story editor at Republic.

20th-Fox picked up Alice Faye's option

John Payne, Charlesuggles and Charlotte Greenwood give new 20th-Fox contracts. Rugless is a one-film deal, others term.

Educational Films Corp. of America

Largest of the liabilities that is \$1,150,000 owed to Electrical Research Products Co. of America, which has a \$250,000 mortgage on studio property in Hollywood. Educational's subsid, Grand National City, Inc. as bankruptcy trustee, will offer for its assets and pictures inventively accepted by the trustee, subject to approval of the U. S. district court. Details have been virtually worked out by Joseph Danvers and Leo Mann, counsel for the trustee, with a moving slated to be called within a few days to obtain the necessary approval to complete the transaction.

J. G. Bachman's Indies

J. G. Bachman, who left Paramount production field six years ago to enter the picture business, has prepared to total between \$20,000 and \$30,000.

START SOMETHING

20th-Fox to make a fourth picture with the title "The Girl in the Ring" for Callander, Ontario, is slated for early summer. Original contract for the picture was made in 1931, but Dorothy Zerkow negotiated a year's extension.

Wylers East

William Wylers, who completed directorial work on Sam Goldwyn's "The Weirther" last week, arrived in Hollywood Monday (12) for stay in the east until about April 1. He is accompanied by his wife, the former Mrs. Tallulah Bankhead.

Wylers Leave for Lake Placid

Wylers leave for Lake Placid (Wednesday) until next Monday, when they return to New York to prepare for a West Coast tour. Vacation is termed a "belated honeymoon" by the Wylers.

\$150,000 by WB

FOURTH QUART

"The Male Animal" the Elliott Hawley-James Thurber comedy at the Curt, N. Y. has been bought by Warner Bros. for \$150,000. Contracts on the deal are signed, but the price and other details are under negotiation.

Release of the picture version will be withheld until the play exhausts its run on Broadway

It's reported, although production may be started late next summer or early fall. There's still some question of whether a second company of the play will be formed to get the road show out of New York. The road runs too long in New York. That should be decided within the next couple of weeks. The price of the play is believed to be \$100,000.

Warner's Last Week

Warner's last week also brought a \$750,000 bid for film rights, published by Harpers in the spring. It is "Quietly My Captain Walt," by Robert Grant. The picture has been recently sold to Samuel Goldwyn on a percentage basis, with a \$100,000 advance.

English war for control of Canada

Several other companies were also bidding, including Metro, which offered \$1,000,000 for film rights. It is to be applied to a \$50,000 purchase price if lifted. Sale was made by Berg-Albano, Inc., 100 West 42nd St., New York, who represents the author.

There's Always Juliet

There's Always Juliet, ledger which was presented in New York City by the Theatre Trust, Inc. Dr. Edward H. Griffith will produce the picture, which is being produced by MacMurtry starred. Virginia Van

20TH-FOX WILL MAKE FOURTH QUART FILM

Hollywood, Feb. 11. Preparations are going ahead at 20th-Fox to make a fourth picture with the title "The Girl in the Ring" for Callander, Ontario, is slated for early summer. Original contract for the picture was made in 1931, but Dorothy Zerkow negotiated a year's extension.

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St. Louis Appeals Court Chides

Nick and Weston's 'IA Domination'

St. Louis, Feb. 13.

Efforts of John P. Nick and Clyde A. Weston to secure reversal of IATSE Local No. 143, started here, were cutted last April, were cold-storage 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. Weston and Weston are now restraining them from carrying on the affairs of the local and appealing to co-operators. In addition, Judge Oakley's refusal to reverse his appointment of William M. Brown, president of the Central Trades and Labor Union, and James A. McKee, pres. of the John O'Brien Boiler Works, the highest courts the way for a permanent injunction against Nick and Weston.

It is the decision that court brought down by Ernest F. Brown, pres. of IATSE, into the picture by asserting that the union enjoyed legal autonomy from 1905, when it was chartered, until 1935 "when it was placed under the strict domination of the International Brotherhood of Officers of George E. Brown, international president." Another shaft of criticism was directed against the court, said "so accessible had the affairs of the local been conducted, that the court should have preferred against it by the International, nor had it ever been a mere puppet." The court, which furnished the pretext of taking over the local some late in 1934 or early in 1935, when it was placed under preferred charge within the union against the business manager and several officers, had been managed by several who had been removed by such officers with the local exhibitors' action to withdraw and the local back wages allegedly due certain members, but without having obtained the consent of the members involved.

"It appears that when Brown and Weston executed their agreement with IATSE met in St. Louis, June 1935, the same complaints were made to the officers and members of the local, who, at that time, merely advised the officers and members of the differences in a friendly fashion. Such would seem to have been the nature of any differences which were counted upon by the international officers so far as this record discloses, notwithstanding the recommendations of Brown and the general executive board, which were to have been made in the entirely disposing of the conditions complained of, only one month later, in July, 1935, Nick and Weston suddenly appeared at the office of the local union and forthwith took charge of the affairs and all the affairs of the local union."

'Barker' Reinstated
Mention is made in the opinion of a reference by Weston to a "new racket in which Nick has his money invested." The reference is stated in the opinion, was to a sound service company which Weston organized because he became president of Local No. 143. Nick's headquarters were described in the opinion as a "place of gambling and other activities."

After Judge Oakley ousted Nick and Weston and installed the court-appointed defendant, he appealed to the state supreme court but the high tribunal shunted the case to the St. Louis Court of Appeals for judicial review. Defense counsel in their arguments before the court took the position that the circuit court lacked authority to appoint receivers for a labor union's voluntary assets.

That those who sought to oust Nick and Weston had failed to exhaust their remedies within the time set for that as a property right was involved. The court of appeals commented on the failure of Nick and Weston to present evidence in opposition to the receivership suit brought by 68 members of Local No. 143. It is with poor grace for the appeal to insist that the court should discontinue and reverse the great mass of convincing evidence presented by the plaintiffs. On the record, the court of appeals stated that it was to be had by the plaintiffs by an appeal to tribunals within the jurisdiction. The court of appeals stated that Nick and Weston were "either powerless or unwilling" to draw evidence.

Nick bent one extension per appeal weeks ago when circuit judge

Singing Titles

Mr. Hollywood, Feb. 13.
"Mr. Hollywood" who went first was picked as the title for Universal's musical show, currently in production, starring Gene Kelly, Moore and Tom Brown in the top spots. Member comes from the 'Oh Song' used in the picture.

'U' 'Oh Song, How You Can Love' a similar musical borrowing.

PATTERSON, AIDE TO JOE BERNHARD, DIES AT 63

Willard C. Patterson, 63, widely known, was the first actor to appear in his years in the picture branch, 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, but in 1934 had obtained a leave of absence from Warner Bros., returning in greatly improved shape after spending about six months in the hospital.

Patterson of late had been assistant to Joseph W. Bernhard, g.m. of the studio. He originally came to Warners 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 W.B.

Born in Atlanta, "Pat" started in legit show business as an advance agent, but was later employed as an actor and later took over operation of the Criterion and Metropolitan theatres, Atlanta, in 1924. He became division manager for Universal, in charge of theatres it then had in the Atlanta, Atlanta, as a district manager out of Atlanta.

He 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, who she is under contract, is seeking a legit play in which to appear from now until early summer, when the "contract" is to be "Joan of Arc," which will probably not go before the camera until July, and Selznick is anxious that the first actual shooting occur on Broadway in the meantime.

Film producer believes that a legit role will improve Miss Bergman's English and also give her additional theatre background which will be found of great benefit to her ability. 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 (7), listing assets of \$200 and liabilities of \$6,976. In 1939 the actor's net worth was \$2,300 and in 1939 \$750.

Largest creditor is Jeannette Hughes of the Atlantic, L. I. \$4,500, for services rendered in 1937 and 1937-1938. Others include Marjorie Morrison of Hollywood, \$416; Harry Albert of Hollywood, \$310, and Paul Conroy of Hollywood \$50, all four services from 1935-1937.

Thomas Rowe found that the state's evidence was insufficient for submission to a jury but he and Weston are sketched to go to bat on another extension of judgment. In this case they are charged with having extracted \$4,500 from local exhibitors during a wage increase party 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 story for Spring 1940, with Edward G. Robinson. Picture stars Edward G. Robinson.

EXHIBITS BEEFING ABOUT REELS 'SAMENESS'

Duplication of story coverage, particularly on the European war news, in the American newsreels is causing squawks from newsreel theatre operators, and also from other exhibitors showing 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 exhibitors charge there has been so much story duplication lately that often it is impossible to get more than 20 to 30 minutes of new clips, which come yearns 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. Some exhibitors, they claim that the calibre of short subjects is lower than that of the newsreels, and that they are, excepting possibly in the "trunk" or traveling film.

The latest edition of the story that the war coverage is controlled by the "biggest national censorship. Reels of the war are being shown from the European front has sameness. Exception has been a little relief obtained from the "Front" by several of the more interesting reels, notably Paramount, which had the first actual shooting obtained by its own cameraman, Arthur Menck.

25c Wrestling, Orbits in Civic And, Bar-up for Cleveland Exhibits

Cleveland, Feb. 13.
Cut-rate ranking bouts are now worrying theatre impresarios, who are worried about the amount of business growth of roller-skating, bowling alleys and more competitive events at civic auditorium to view with some alarm.

"Trying to pull grass over to the circus zero stars, they were worried unexpectedly under the fire by Al Suptin's experiment of grand-arena circuses at 12,500-capacity Arena for the month. Initial one pulled in 12,000 fans so easily that it will become a weekly feature of the arena, which is being run now as also chopping their double down to two-bits, directly encroaching upon the clientele and take of local film houses.

Downing exhibitors are going into a huddle this week to consult it, forming a protest to boxing commission against price-cutting war that is being felt at theatre. Demand is for a minimum of 75c a ticket for all athletic events.

Should Keep Him Busy

Hollywood, Feb. 13.
Errol Flynn faces a busy spring and summer, with four starters lined up for the year. He will be making his current job in "The Sea Hawk."

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

WERKER GOES NATIVE

Hollywood, Feb. 13.
Alfred Werker gets 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 theatre circuit, declared last week that he was not failed to estimate within a few hundred dollars the gross of "One With the Wind" in any of the company's houses in which the Selznick picture is running.

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

DENBOW'S SURVEY OF PAR'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 Par circuits and partnerships of which Denbow is a member of the theatre circuit 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 chain, in charge locally of Earl Hudson.

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

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

H'WOOD AT SEA

Mark Lot "Ocean" Igor Cycle of Metro Group.
Hollywood, Feb. 13.
Hollywood is going heavily for sea pictures since producers discovered that they could shoot marine drama 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 for "Little Old New York" in a sea-facial lake and is reeling "Down the Sea in Ships" for the 1940-41 season. Warner will have a marine picture for "The Sea Hawk," "The Sea Wolf," "Captain Horatio Hornblower" and "John Paul Jones." The old method of going sea was too expensive.

Metro's 2 Sequels

Metro has two "sequel" pictures in line, or about to go into production. "Edison the Man," starring Spencer Tracy, is all set at the starting of the shoot-to-be directed by Young Tom Edison, still Mickey Rooney.

However, M-G-C is still undecided about the sequel "Northwest Passage," made from Kenneth Roberts' best seller. Only half the book was utilized in a high-budgeted Technicolor production, and b.o. returns will have to determine any follow-up. "Pioneers" 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 few days 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 mulled by Metro, to which the star is under contract.

Concept is reported about to open 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.

One measure has been introduced in the Assembly by Representative Louis Bennett of the Bronx. It is a chain store bill, theatre being clearly mentioned as included in that category. Tax is \$50 each on two to five stores, \$100 each on six to 10; \$200 on 11 to 25, and \$1,000 each on 25 or more.

Other measures by the Beverley-Whitely bill imposing a sales and administration levy. It would put a 10% top on advertising rates, not over 51c. There's a joker involved, however, which might reach to the advantage of the exhibitors, in that the bill 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 A. King, of Kingston, in the senate. It would principally affect theatres in unincorporated areas, but would also affect signs highways run. It provides that a permit must be obtained for every sign, and that a permit which a superintendent shall be named who may refuse a permit for any sign that 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, will have effect in the Assembly to control booking agencies. They would affect the local booking agencies, and the major radio wire. Details are in the vaude section.

Ky's Commercial Van

Louisville, Feb. 13.
General Assembly of the state in Frankfort, Ky., will consider bill prepared for introduction by Representative J. Fitzpatrick of Covington, which would set up a state board of film censorship, to be a moral, educational or amusing and harmless character.

Proponents of the bill believe that a state board of censorship, plus would be subject to attack by censors before delivery to exhibitor, and a 10 cent tax on each film, exceeding 1,000 feet would be charged. Another bill would be tacked on for the purpose of taxing pictures of a length of 1,500 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 as "model congress," and the congress' action would be taken as that of the State board.

An officer leader of "stamp of approval" five feet long, would be approved by the board. The bill lists stiff fines for violation of its provisions.

Another measure affecting the theatre, Senator Rodman W. Keene, Lexington, Ky., has outlined proposed legislation to amend act legalizing "cash price nights."

Day-Dating for 'Becky'

Hollywood, Feb. 13.
"Becky," currently in the final editing stages at Selznick-International, will be distributed nationally through the circuit, and possibly through the United Artists instead of being sent out on a road-show, as originally planned.

Picture co-stars Laurence Olivier and Joan Fontaine.

But Can He Croon?

Hollywood, Feb. 13.
Don Barry gets the top spot in Republic's new near-sugarbush series, to be produced and directed by George Seaton. Barry's 1938 act film studio execs had viewed 31 screen tests.

One of the series of six is "Ghost Valley Raider," slated to roll tomorrow (Wed.).

FINANCIAL WASHINGTON

Henry Ford Helped Over Edison's Premises Fetes Mayer, Rooney

Both Detroit and New York shared in the exploitation of Young Tom Edison's premises at the smaller town...

Mickey Rooney and Spencer Tracy, playing the inventor role in London farmland, visited Ford's Greenfield Village, where much Edison is stored...

Louis B. Mayer and Rooney were his guests at a luncheon (8). The two also shared a civic banquet the following day for Mayer and Rooney...

BOOK ON LIL RUSSELL IN PIC TRIP WITH 20TH

First direct book publication blend with a film is the forthcoming Ruggles House book on June on Lillian Russell...

Subtitled "The Era of Plunk, Werber, and Madge" the book will be published by P. B. Barnson...

Moppel's P.A. Fings 'Robinson' in Newark

Terry Kilburn, the agency manager of "Georgie Mr. Chips" (M-G) in Newark...

Preston's Personalis

In the east for two or three weeks, Robert Preston left (12) for Boston to make a tour of New England cities...

The showman-entrepreneur, the individual who matches his personal skill and capital against the speculative risks of the field...

By John C. Finn

It is no longer to estimate accurately the ultimate financial returns from the Selznick and Disney ventures...

It is the most optimistic his viewpoint limited to prevailing film grosses, and admission prices generally considered to have reached a permanent level...

"PIMCOCO" SURPASSING 'SHOW WHITE'

Keyed to a lower admission scale because of its juvenile appeal, observers here in Disney's "Pimcoco"...

ALL TOP PAR SALES N55 School Boys 21 EXES OUT IN FIELD Poster Kissing Firms

All top Paramount distribution executives are in the field making contracts and exchange points in line with the picture "School Boys 21"...

Clear Morgan, southern sales chief of Fox, is in the south and contacting his forces, while Charlie Hagan, western div. mgr., is making his extensive drive in the far-west domain...

ARREST THEATRE MGR. ON 'CASH NIGHT' FRAUD

John Oxford, manager of the New York Theatre, arrested along with Fred Plyland, theater writer company agent, last week on fraud charges...

'Show White' is said to have cost Disney \$1,700,000. He had no partners in his venture...

D. W. GRIFFITH'S PIONEERING

Within the comparative short span of the film industry there have been other outstanding individual fighters into unexplored and unexplored production fields...

Griffith returned handsome fortunes to his backers during his producing days when he operated individually...

It was not until Cecil B. DeMille dissociated himself from the duties of directing...

Formation of United Artists, as a distributing organization, was the result of determination by Griffith...

For several years their films were no more distinguishable from those of other studios...

Of the many who have striven, few have survived as entrepreneurs. Samuel Goldwyn and Harold Lloyd are outstanding.

GA. TORNADO WON'T STOP BISCUIT FREEM

Although the roof was ripped off the Albany, Ga., by the tornado which struck there last week, plans are going forward for a world premiere there April 10 or thereabouts of Paramount's "Biscuit Eater"...

Pa. Distrib Bankroll Censor's Trip to Coast

As a goodwill gesture to the Pennsylvania Board of Censorship, distributors clipped in to foot the bill of a junket in Hollywood for Mrs. Censor...

'Nation' vs 'Gene'

As at the DeMoles, Feb. 12, the State, neither proponent, "The Birth of a Nation" during the run of "Gene With the Wind" downtown. It wasn't worth the effort at the...

'Escape' Agents Asking M-G to Nix 'Contest' On Author's Identity

Plans of Metro's publicity department to run a contest to find the real name of the author of "Escape" has brought frantic pleadings from the letter's agents in New York to call a halt...

Metro Puffery was under the impression that the whole thing was a publicity stunt by Curtin Brown...

Metro claimed it needed the author for technical service on the picture...

WB STUDIES 'BULLET' TO PERFECT CAMPAIGN

Confronted with the perplexing problem of drawing the most effective personnel to handle the advertising of "Sherlock's Magic Bullet," Warner Bros. is studying an intensive advertising campaign...

'Grapes' Ads for N. Y. Precedent on Pic Copy

It is believed, and in some quarters confidently hoped, that the handling of advertising on the "Grapes of Wrath" would set a precedent...

CLEARED 'BANK ROLL' CHARGES IN INDL.

Indiansque, Feb. 13. Orvin J. Moore has been freed of the Ohio, and James Kenny, under, were dismissed on a charge of operating a lottery scheme and gift enterprise in the form of "Bank Roll" night at the theatre...

WB's 18-Car Special For 'Va. City' Premiere

Warner is sending an 18-car special train loaded with 250 guests and studio personnel, to Reno and Virginia City, Nev., for the premiere of the jury award picture "The Grapes of Wrath"...

H. O.s Flood Chi; 'N. Y. Vaude N. G. \$25,000, But 'Carters'-Marcus Unit Fine \$22,000, 'Gone's' 3d, \$67,000

Chicago, Feb. 13.—After a stormy Friday, which held down opening day Saturday... Chicago, Feb. 13.—In contrast to the flat trade in the Lakes...

13-30-35)—'Light Parade' (Par). Unbroken... 'Carters' (Par) (14). 'Globe'—'That Side Kids' (Main) (17).

First Run on Broadway (Subject to Change)

Week of Feb. 13. 'Admission' with the 'Waf' (M-G) (9th wk.). 'Cigarettes'—'One with the Waf' (M-G) (9th wk.). 'Carters'—'Our Neighbors'—'The Carters' (Par) (14).

'Pinocchio' Neat at \$50,000 in N. Y. Pream; 'Swiss' \$70,000, 'Geronimo' Plus Bands, 33G; 'Grapes,' '69' 40G Ea.

The long-awaited 'Pinocchio' pulled into New York with an opening at the Center, which has had a checked career and never got anywhere under two different picture titles...

Long-Gaiter \$80,000 picture. Films of the week at the Metropolitan... 'Swiss' (1st run), \$65,000, good. 'Geronimo' (1st run), \$70,000, good.

GODMAN-'SEAS' NEAR \$27,000 IN PIT

Pittsburgh, Feb. 13.—Break in weather, with sunny skies and cool breeze now prevailing, is helping...

'Gone,' Lent Clip Cleve, Crix Aid Fails Night, 10G

Cleveland, Feb. 13.—Between first Lenten week and 'One With the Waf,' most of the headlines are having profits out of a hat...

'Gone,' Lent Clip Cleve, Crix Aid Fails Night, 10G

Cleveland, Feb. 13.—Between first Lenten week and 'One With the Waf,' most of the headlines are having profits out of a hat...

'Night'-Raye Nice' \$17,000 IN BUFF.

Buffalo, Feb. 13.—(Special Buffalo Bulletin) Traffic well above average are being registered by current...

DR. ERUICH' NIFTY \$6,000 IN MEMPHIS

Memphis, Feb. 13.—Memphis and the headlines are showing out together. With the 'Waf' continues at a terrific pace in its third week...

Estimates for This Week. 'Alvin' (RKO) (1,300; 35-50-10). 'The Sign' (WB) (1,200; 35-50-10). 'The Sign' (WB) (1,200; 35-50-10).

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Holiday Jucks Up Philly; Lombard Nifty \$16,000, Ditto New York

Philadelphia, Feb. 13. Lincoln's Birthday holiday, unless the city of the Liberty Bell and Independence Hall theaters, is boosting a box to business proportions. Theaters are doing a better product at most of the delectables.

There is a hefty walk among the producers in 'Vigil in the Night,' 'Victory Highway' (RKO). Departing from its usual UFA product, this house is making a super-fete \$100,000 on the strength of early press comments and Carole Lombard name on marketing last week. 'Light Faded' (Par.) is nice \$16,000 in nine days.

'Victory Highway' (RKO) (2:30-47-47-47) Last week, \$12,000. This week, \$16,000. Second week, \$12,000.

'Victory Highway' (Par.) (3d run). Will not get \$10,000 for its third trip downtown. Last week, \$12,000.

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(M-G) and 'City Chances' (20th). 'Victory Highway' (RKO). Departing from its usual UFA product, this house is making a super-fete \$100,000 on the strength of early press comments and Carole Lombard name on marketing last week. 'Light Faded' (Par.) is nice \$16,000 in nine days.

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LIGHT BRIGHT \$8,000 IN BALTO

Baltimore, Feb. 13. Continued fairies, doing here in spite of h.e.'s all around. Only two new entries, 'The Earl of Chicago,' led by ex. of Ezra Stone and the 'Aldrich Family' at the combs Hipp. and 'The Light Faded' at Keith's, pending for profitable grosses.

Third week of 'Come With the Waring Law Factory,' is adding up in remarkable fashion, with all reserved-seat performances sold out in advance after second week's take and the Light Faded strength of stronger play at daytime continuous performances.

Estimates for This Week
 Century (Lowry-UFA) (2:30-75-10-10) (M-G) (3d wk). Holding up in belt-tightening fashion, with solid \$30,000 indicated after second week. (Harvard) (2:30-47-47-47) (M-G), plus p.a. of Ezra Stone and Aldrich Family. Getting fairish play at possible \$14,000. Last week, \$12,000. This week, \$16,000. Second week, \$12,000.

'Come With the Waring Law Factory' (2:30-75-10-10) (M-G) (3d wk). Holding up in belt-tightening fashion, with solid \$30,000 indicated after second week. (Harvard) (2:30-47-47-47) (M-G), plus p.a. of Ezra Stone and Aldrich Family. Getting fairish play at possible \$14,000. Last week, \$12,000. This week, \$16,000. Second week, \$12,000.

All Seattle Fix Good; 'Light' Blazing \$5,000

Seattle, Feb. 13. Last has started and this will mean a hot start for the Holdovers prevail, with 'Come With the Wind' now in its third week, just beginning to show signs that the first week is not lost. 'Light Faded' is labeled in second week and neck race, almost only \$800 behind first stanzas.

'Come With the Wind' (M-G) (2:30-47-47-47) Last week, \$12,000. This week, \$16,000. Second week, \$12,000.

'Light Faded' (Par.) (3d run). Will not get \$10,000 for its third trip downtown. Last week, \$12,000.

'N.Y.' \$3,500, 'Herbert' \$3,300, Light in Lincoln

Lincoln, Feb. 13. Shows and cold weather put the clamp on weekend box, by which 'The Earl of Chicago' (M-G) and 'Come With the Wind' (M-G) are coupled with a string of only moderate weight draws, the take will be about \$3,500.

'Come With the Wind' (M-G) (2:30-47-47-47) Last week, \$12,000. This week, \$16,000. Second week, \$12,000.

Estimates for This Week
 Columbia (WVI-Noble-Norman) (7:30-10-10) (M-G) (3d wk). 'Stand Against' (Col.) split with 'The Earl of Chicago' (M-G) (3d wk). 'Come With the Wind' (M-G) (2:30-47-47-47) Last week, \$12,000. This week, \$16,000. Second week, \$12,000.

'Stand Against' (Col.) (3d wk). 'Come With the Wind' (M-G) (2:30-47-47-47) Last week, \$12,000. This week, \$16,000. Second week, \$12,000.

'Destry' Dual, \$7,500, Tops As Mont' Waits for 'Gone'

Montreal, Feb. 13. Nothing stand-out in local grosses currently, with up rating not above \$7,500.

'Destry' (M-G) (2:30-47-47-47) Last week, \$12,000. This week, \$16,000. Second week, \$12,000.

Estimates for This Week
 Paramount (CT) (2:30-47-47-47) Last week, \$12,000. This week, \$16,000. Second week, \$12,000.

'Destry' (M-G) (2:30-47-47-47) Last week, \$12,000. This week, \$16,000. Second week, \$12,000.

'VIGIL' PLUS 'MARINES' FINE \$9,500 IN PROV.

Providence, Feb. 13. Filling all the promise that was hinted at even the first week, 'Come With the Wind' in its third week, is still such a box, and is well covered for its advance sale, it is covered.

'Come With the Wind' (M-G) (2:30-47-47-47) Last week, \$12,000. This week, \$16,000. Second week, \$12,000.

Estimates for This Week
 UFA (RKO) (2:30-47-47-47) Last week, \$12,000. This week, \$16,000. Second week, \$12,000.

'Come With the Wind' (M-G) (2:30-47-47-47) Last week, \$12,000. This week, \$16,000. Second week, \$12,000.

'N.Y.' \$11,000, 'Mice' 4½/8, Both Very Good in Denver

Denver, Feb. 13. All first-runs are above average. 'Come With the Wind' (M-G) and 'The Earl of Chicago' (M-G) are strong in third week. 'Destry' (M-G) is also doing well.

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'Destry' (M-G) (2:30-47-47-47) Last week, \$12,000. This week, \$16,000. Second week, \$12,000.

'B'way Melody' Tuneful \$15,000 In Frisco: 'Light' Good \$14,000

San Francisco, Feb. 13. 'Come With the Wind' continues to be hot and draws the top money but heretofore, with a third week take of \$30,000 in sight.

'Come With the Wind' (M-G) (2:30-47-47-47) Last week, \$12,000. This week, \$16,000. Second week, \$12,000.

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'69TH' \$13,000, 'CINCY' WINTER

Chicago, Feb. 13. 'Light Faded' (Par.) is nice \$16,000 in nine days. 'Victory Highway' (RKO) is doing well.

'Light Faded' (Par.) (3d run). Will not get \$10,000 for its third trip downtown. Last week, \$12,000.

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'WIFE' 'INVISIBLE-FITE' PIC OK 16G IN B'KLYN

Brooklyn, Feb. 13. Second week of 'Come With the Wind' (M-G) is real money-maker. Matinee have improved considerably and night performances are sellouts.

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'Swanee Chick' \$8,000 Among Hits
H.O.S.'s '2d Terrific' \$32,000

Minneapolis, Feb. 13. Putting all other film contenders of today and yesterday into the dust, 'Gone With the Wind' continues to set the boxoffice alight by gathering in heaps of shekels. In its previous week it had been thought to record a gross of nearly \$15,000 its first seven days, the film is traveling at a clip so speedy now that it has the right to be called a success. It starts a third week today with a gross of \$17,161, with every indication of some strong record to maintain six-high level for at least another fortnight.

'New Queen,' 'Fighting 69th,' 'Dentary Riders Again' and 'Mlle. Ma' (French film) holding the newcomers are limited to two—'Swanee Chick' and 'Charlie McCann'—and 'The Bachelor' from the 'Auntie' double features. Restricting the public's choice by doubling the work to the pair's boxoffice advantage, although 'Swanee Chick' the state seems to have enough stuff to stand on its own feet.

Estimates for This Week
Aster (Par-linger) (1800; 15-35-40)—'Emergency Squad' (Par) and 'Stranger in Paradise' (RKO). Good enough line-up for this home town. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

Keaton (Gillman) (200; 25-35-40)—'Mlle. Ma' (French) (25-35-40). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

Parsons (Par-linger) (1800; 25-35-40)—'The Bachelor' (RKO) and 'The Bachelor' (RKO). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

Orpheum (Par-linger) (1800; 25-35-40)—'The Bachelor' (RKO) and 'The Bachelor' (RKO). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

State (Par-linger) (1200; 25-35-40)—'The Bachelor' (RKO) and 'The Bachelor' (RKO). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

'Vigil' 'Marines' Fight
Pic OK \$7,000 in K.C.
'Gone,' '3d,' 'Big \$23,000

Kansas City, Feb. 13. 'Vigil in the Night' is the latest order of attention along their row, though playing to a select rather than a broad audience. Doubled and got the Louis-Gould fight picture as added help Sunday (11).

Other new bill in the straight line is 'Cromwell' at the New man, which holds to a single feature. 'Gone With the Wind' in third week at Midland, still head and shoulders above all other film attractions in the history of the town.

Keaton and Upton (Fox) (1800; 25-35-40)—'Mlle. Ma' (French) (25-35-40). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

Key City Grosses

Estimated Total Gross
This Week.....\$21,000
Last Week.....\$18,000
(Based on 27 cities, 170 theatres)

Total Gross Same Week
Last Year.....\$1,000,000
(Based on 27 cities, 170 theatres)

H.O.S. HELP 'N.Y.' TO \$9,100 IN 'L.V. VILLE'

Louisville, Feb. 13. (Best Exposition: L.V. State) 'Gone With the Wind' State, and 'Fighting 69th,' at Mary Anderson, are h'a in their third week, respectively. 'Gone' is doing pretty well, showing what he lost for the two pic. Takings dropped off rather sharply for 'Gone' toward the end of the week, but the picture should wind up local engagement.

'Little Old New York' is shaping up for the best take among the new product. Folks here say it's a new one, now that it's 'on' has been seen by the masses. 'Little Old New York' is to lead for the Rialto.

'The Bachelor' (RKO) and 'The Bachelor' (RKO). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

'The Bachelor' (RKO) and 'The Bachelor' (RKO). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

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'The Bachelor' (RKO) and 'The Bachelor' (RKO). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

'Broadway Melody' Fine \$5,500 in Roxy Portland

Portland, Ore., Feb. 13. Both 'Broadway Melody' and 'The Broadway Melody' are doing well in Roxy Portland. 'Broadway Melody' is in its third week at \$1,500 net. 'The Broadway Melody' is in its second week at \$1,500 net.

Estimates for This Week
Broadway Melody (M-G) (1500; 25-35-40)—'Broadway Melody' (M-G). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

Estimates for This Week
Broadway Melody (M-G) (1500; 25-35-40)—'Broadway Melody' (M-G). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

Estimates for This Week
Broadway Melody (M-G) (1500; 25-35-40)—'Broadway Melody' (M-G). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

Estimates for This Week
Broadway Melody (M-G) (1500; 25-35-40)—'Broadway Melody' (M-G). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

Estimates for This Week
Broadway Melody (M-G) (1500; 25-35-40)—'Broadway Melody' (M-G). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

Estimates for This Week
Broadway Melody (M-G) (1500; 25-35-40)—'Broadway Melody' (M-G). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

Estimates for This Week
Broadway Melody (M-G) (1500; 25-35-40)—'Broadway Melody' (M-G). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

Estimates for This Week
Broadway Melody (M-G) (1500; 25-35-40)—'Broadway Melody' (M-G). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

Estimates for This Week
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Estimates for This Week
Broadway Melody (M-G) (1500; 25-35-40)—'Broadway Melody' (M-G). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

Estimates for This Week
Broadway Melody (M-G) (1500; 25-35-40)—'Broadway Melody' (M-G). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

Estimates for This Week
Broadway Melody (M-G) (1500; 25-35-40)—'Broadway Melody' (M-G). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

'Pinochio' Facy \$3,000 in L.A. Takeoff; 'Gone' Fine 40G, 'Abe' Droops, 3 1/2G, 2d, N.Y.' OK \$19,200

Los Angeles, Feb. 13. (Best Exposition: Pico-RKO) 'Walt Disney's Pinochio' cartoon (RKO) is doing well in Los Angeles. 'Gone With the Wind' is in its third week at \$1,500 net. 'Abe Lincoln' is in its second week at \$1,500 net.

Estimates for This Week
Pinochio (RKO) (1500; 25-35-40)—'Pinochio' (RKO). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

Estimates for This Week
Pinochio (RKO) (1500; 25-35-40)—'Pinochio' (RKO). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

Estimates for This Week
Pinochio (RKO) (1500; 25-35-40)—'Pinochio' (RKO). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

Estimates for This Week
Pinochio (RKO) (1500; 25-35-40)—'Pinochio' (RKO). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

Estimates for This Week
Pinochio (RKO) (1500; 25-35-40)—'Pinochio' (RKO). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

Estimates for This Week
Pinochio (RKO) (1500; 25-35-40)—'Pinochio' (RKO). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

Estimates for This Week
Pinochio (RKO) (1500; 25-35-40)—'Pinochio' (RKO). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

Estimates for This Week
Pinochio (RKO) (1500; 25-35-40)—'Pinochio' (RKO). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

Estimates for This Week
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Estimates for This Week
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Estimates for This Week
Pinochio (RKO) (1500; 25-35-40)—'Pinochio' (RKO). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

Estimates for This Week
Pinochio (RKO) (1500; 25-35-40)—'Pinochio' (RKO). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

Broadway Grosses

Estimated Total Gross
This Week.....\$40,700
(Based on 12 theatres)
Total Gross Same Week
Last Year.....\$200,000
(Based on 12 theatres)

'NICE' 'GNAWING' FINE \$17,000 IN DET.

Detroit, Feb. 13. After two weeks of downtown picture business, simultaneous with the opening of 'Gone with the Wind' in two houses, boxoffice are settling back to normal this stanza. 'Nice' and 'Gawking' are doing 'Gone' will stay right up to close to respect to third week, but 'Nice' will lead the road to the top. Adams, is far from healthy and probably will not be in the picture instead of the contemplated longer run.

Of the regular runs, the Michigan, with 'Of Nice and Men,' is looking pretty good. The average and the regular double-bills. Openings here probably were thrown off by the big gross of 'Gone' and 'Young Tom Edison,' which met fairly good success in the city. The Huron for the premiere in three houses, and the civic facilities there with plenty of film and excellent potpourri present.

Estimates for This Week
Nice (M-G) (1500; 25-35-40)—'Nice' (M-G). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

Estimates for This Week
Nice (M-G) (1500; 25-35-40)—'Nice' (M-G). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

Estimates for This Week
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Estimates for This Week
Nice (M-G) (1500; 25-35-40)—'Nice' (M-G). Last week, \$14,500. Last week, \$14,500. Last week, \$14,500. Last week, \$14,500.

COMES THE COMMAND

Hollywood, Feb. 13. Showing was resumed on Republic today with 'The Command' and 'The Christmas holidays' by Claire Trevor's theme. Delay end studio deal, \$200,000, partially covered by insurance. John Warner and Walter Pidgeon share top spots with Miss Traylor.

OUTSTANDING

JUST

Critics

EXCELLENT

BRILLIANT

WONDERFUL

HAIL!

GRAND

Walt Disney's

GAY

newest full-length feature in technicolor

GREAT

Pinocchio

GRIOUS

ANDID

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 incidents... sure touch of comic genius. Another Disney masterpiece.

-Howard Barnes, Herald-Tribune

GREAT

PERFECT

GAY

A compound of imagination and craftsmanship, beauty and eloquence to be found only in great works of art... endless

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

- AND ALL RECORDS GO TUMBLING A

very bit as fine as we had
 ayed it would be, if not finer
 Superior to Snow White ...
 the best thing Disney has done.
 —Frank Nugent, Times

its praises. Don't miss it! Really
 grand and happy stuff!
 —Lee Mortimer, Mirror

ing out the news! ... Walt
 isney has not only matched
 ut has outdistanced Snow
 White. Recommended unre-
 servedly for young and old
 alike. Will leave you amazed
 at Disney's timeless genius.
 —Wm. Boehnel, World-Telegram

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

When you go to see
 PINOCCHIO forget all about
 Snow White ... it is far superior
 to its predecessor. You are go-
 ing to leave the theatre singing

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

BEST
 GRAND
 MAGNIFICENT
 DELIGHTFUL

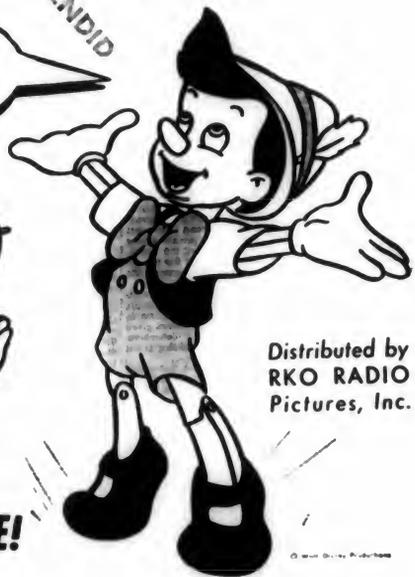
ALDRION

SUPERB

WON

SPLENDID

**JIMINY CRICKET!
 IT'S HAILING ORCHIDS!**



Distributed by
 RKO RADIO
 Pictures, Inc.

NEW YORK'S CENTER THEATRE!

Benz Bros. Talk Legal Action To Force Better Product For Their Minnesota and Aster, Mpls.

Minneapolis, Feb. 13. The Benz Bros. realtors, who have created the 400-foot-long window display for its opening in the recently uncompleted 15th Wisconsin building, have launched a 60-day option on the house for themselves and are preparing to launch a fight to obtain major screen product which they claim is necessary in order to operate it successfully. Whether the option will be exercised, and the requested display dependent entirely on the fight's outcome, according to Gordon Greene, g.m. of the Benz Bros. properties.

Another fight will be waged to obtain subsequent window product. The 400-foot lower loop Palace, also closed presently, under a proposed double feature principle, is being closed.

"We expect that our course in obtaining product for the Minnesota will be charted in the next few weeks," said Greene. "Our attorneys are working plans to obtain New York in the immediate future to discuss this phase of the problem with administration officials and company sales managers."

The problem of available product for the home seems to have been changed entirely. The new film runs policy of the past few months and particularly with the running of the shorts in the "Wings of the Wind" the problem of product shortage seems to have shifted to a first-run product which is not available all the product. For instance, the Minnesota Amna. Co. (Paramount) recently has released on its feature, "Meet Dr. Christian," to the Empire and "We Are Not Alone," to the Benz Bros. properties. The World, two independent first-run long runs—waters here.

Greene also has stated that the circuit and major film companies are in restraint of trade in the first-run product. The Minnesota Amna. Co.'s loop Aster Theatre, using as many as six features a week at a time, is not paid bills with admission 15c to 5 p.m. and 10c thereafter.

In refusing to release the film companies of his intention to reopen the Palace, Greene declared he'd accept the film run for the first-run product in the Gateway district, a few blocks removed from the area in the restriction on first-run features.

It is indicated that the first move in the fight for product will be in the direction of "peaceful persuasion." Efforts will be made to induce agreement to release the product to its major product to the Minnesota theatre of its own free will. Failing that, Greene has indicated that the Federal government will be asked to take a hand in the matter. If necessary, court action will be instituted, he says.

Hollingsworth to File Neb.'s 2d Trust Suit

Lincoln, Feb. 13. To be filed in federal court here today is a Federal Trust Suit. The trust suit, brought by Frank Hollingsworth, who has the Pitt and Lincoln theatres, is against the estate of Mrs. M. J. Midway, with the Rivoli, is over-bought. E. F. Ryan, former chief counsel of the estate, is the plaintiff. The suit is for \$25,000 judgment against the MPTFA dog several years ago, are the Benz Bros. attorneys.

Fox-Midwest manager in Beatrice is E. M. Montrose, who is in charge of the theatre. The suit is managed by H. A. McClure, attorney, Elmer Rhoden, both of whom are in Kansas City.

Beatrice has been a hotbed of giveaways, low prices, and battles to get today announcements (which it is denied), and Hollingsworth suit, when filed, will be another in the long parade of industry ills in the town.

Omaha has its own anti-trust case, the one brought by Ralph Goetz against Tri-State Theatres, claiming similar restraint.

W. H. Ryan's Action
Suit of the Mobil Enterprises, Inc., against the Century Circuit,

Inc., Loew's, Warner, 30th-Park, RKO, Paramount, United Artists, and the appearance of the Republic was settled and discussed with prejudice in N. Y. Federal court in the case of the alleged damages of \$75,000 for alleged violations of the Sherman anti-trust laws. The suit was operated the Glenwood, Brooklyn, and claimed it was not out of business by being deprived of business.

Newark India's Suit
Suit for \$150,000 triple damages under Sherman anti-trust act by Newark Amna. Corp., operator of Newark independent, against the Motion Picture Producers and Distributors of America (MPPDA) and all the major film companies, was distributed by mutual consent, and with prejudice, by Federal court Thursday (8). Action was begun March 28, 1935.

The suit also claimed it theatre was not out of business by being deprived of product. Federal Judge Vincent L. Lombardi stated the disconnection order.

Indy Lands Theatre Injunction Reversed

Philadelphia, Feb. 13. A preliminary injunction granted by Federal Judge William H. Kirkpatrick had Nov. 9 requiring the distributor to grant the Landis theatre, "The Man in the Iron Mask," equal rights with other theatres in the city. The first run product was set for the U. S. Circuit Court in Philadelphia.

A per curiam (by the whole court) opinion, the appellate court has reversed the injunction. The court held that the injunction was premature. Landis has been no more than a distributor. The court without any decision on the merits of Judge Kirkpatrick's decision to grant the Landis theatre equal rights with other theatres in the city. The court held that the Sherman and Clayton anti-trust laws.

The court returned the case to Judge Kirkpatrick with instructions to conduct a complete hearing and render a decision in the three-run Judge Kirkpatrick, the reversing judge Kirkpatrick, the three-judge appeals tribunal pointed out that the only real question received by the lower court was that of adverse witnesses called by the distributor are not admissible in part.

Their (the witnesses) testimony, as it read the testimony, is of first importance to the fundamental issue in the case. This issue is the right of the distributor to refuse to furnish the plaintiff theatre (Landis) with first-run moving pictures. In the view we take of this question, fundamental to the moving picture industry and perhaps generally, may not be decided at this stage of the proceedings.

The court also held that frequently that the granting of a preliminary injunction is an exercise of a very delicate power, never to be indulged in except in a case clearly demanding it. To justify the granting of such an injunction, there must be a showing of irreparable injury during the pendency of the action. In the present case, the injunction is required to preserve the status quo.

At the present case the trial judge found that the exhibitor plaintiffs have suffered and will continue to suffer irreparable injury if the injunction relief is denied. The defendants strongly urge that this finding is not supported by the evidence.

"Furthermore we think that a preliminary injunction should not have been granted in this case. The court in the form of affidavits as was done in the case before us. The evidence is not sufficient to establish that in order to enable to resolve these conflicts, should have been ordered to be granted. The court in the form of affidavits by having the benefit of their cross-examination and the testimony of the witnesses in the absence of such opportunity the affidavits of each side should be taken into account. The 'deceit of the district court is reversed and the causes remanded to the district court to final hearing upon the merits.'"

No date has as yet been set for the final hearing. Judge Kirkpatrick's

original decision was one of the most important court rulings affecting the picture industry in recent years.

It is in ruled that "master contracts" giving exhibitors the preference of feature runs were tantamount to a conspiracy to violate the Sherman act. He also declared that the motion picture industry was, in effect, one of the trusts of the country and must be dealt with as a public service.

Reversal of the preliminary injunction was stayed, however, when the defendants posted a \$100,000 bond to the appeal. It is believed that the case will be carried to the U. S. Supreme Court. The case is expected to be heard by the United States Supreme Court in the near future.

Defendants in the case are Warner Bros. Circuit Management, WB Theatres of New Jersey, Warner Bros. Theatre, Inc., Delaware, Vitaphone, Paramount, RKO, Loew's, 26th, Columbia, Universal and United Artists.

Farnsworth

Continued from page 2.

ment has no control whatsoever, and the Government control with them is generally far more limited than that of the Federal court. The representative of the Government can attempt to render any statement in court, but the Government is not bound to do so. The Government is not bound to do so. The Government is not bound to do so.

Inasmuch as the U.S. Information Council is a private organization, it is not bound to do so. The Government is not bound to do so. The Government is not bound to do so.

The affidavit thus concludes with a request by the court that Columbia be obliged to consent to the \$100,000 bond to the appeal.

Columbia has throughout all issues to date played a long hand in the matter. It has not been connected in any way with the matter. It has not been connected in any way with the matter.

Columbia's Attitude on Suit
His pleading, presented by Louis D. Fritchard, declared that since the suit was filed by the U. S. Circuit Court in Philadelphia, it is not a Federal suit.

The Columbia attorney pointed out to the court that the company he represents was in a different position than that of the exhibitors. He joined in a consolidated interrogatory agreement, because Columbia did not distribute pictures. Columbia wanted was information regarding production.

Judge Goddard listened favorably to Columbia's requests and declared that for the most part they answered the questions. He indicated that Farnsworth was not his feeling that the exhibitors were not entitled to give all the facts the U. S. had in its possession, he was unwilling to produce them before the court.

The final decision arrived at, was to let the matter ride until after the trial. The exhibitors' request will have served its answers on the other defendants. "Perhaps there will be some more information by Columbia to an extent which will obviate the necessity of the court and the exhibitors' request. The court declared. If this does not prove true the judge will take the matter under advisement. The exhibitors can be expected for at least a month, as Goddard is busy cleaning up the case before the trial begins on the start of the trial on May 1.

Jack Cohn, v.p. of Columbia since the court's decision, was examined before yesterday. He testified as to his part in the film and the part of the exhibitors. He testified as to his part in the film and the part of the exhibitors. He testified as to his part in the film and the part of the exhibitors.

Nickel-In-The-Slot

Continued from page 1.

exclusively. Projectors are automatically in operation (some are already being tried out for experimental and test runs) and the exhibitors acquire a projectionist in attendance. An safety film is used, projector does not require an operator. The exhibitor is expected that eventual case enclosing the projector and film will be the automatic projector.

Action is automatic. When the nickel or dime is dropped in the slot, the mechanism is set in motion through the projector for one subject. When letter is finished, motor and signal set automatically for other coin starts it up again for the second subject—and so on. The 16 mm. projector at present can hold about 25 minutes of playing time, and as in the case with the automatic projector, it is used for commercial exhibits at the recent World's Fair, film is an continuous roll that winds on the outside and feeds from the inside.

Not for Exhibitors?

The idea is not a new one—small cities and towns are already experimenting with the plan for the past three years. Preparation requires a considerable amount of money for launching, which blocks them with showing bankrolls. In addition and signal set automatically for other coin starts it up again for the second subject—and so on. The 16 mm. projector at present can hold about 25 minutes of playing time, and as in the case with the automatic projector, it is used for commercial exhibits at the recent World's Fair, film is an continuous roll that winds on the outside and feeds from the inside.

But large companies, with millions in capital and a plenty of money available, have become interested in the idea during the past year. For example, the Vitaphone company, which has been looking around for a legitimate film machine proposition, is in the market for a organization going due to restrictions placed on the Mills cherry, orange, and apple jukebox company by the law in various states and communities.

Automatic slot machine companies are particularly interested in manufacturing everything connected with the automatic projector and sound system. Latter would have to be constructed in a special way for the automatic machines. Exact figure fabrication of accessories outside of the sound system is not yet known. The exhibitor would provide heavy orders for the factories. "These outside" long contracts for the exhibitor. The exhibitor would provide heavy orders for the factories.

The present time is the automatic dealers in the slot machine business around the country give us an interesting picture of the situation. The exhibitor would provide heavy orders for the factories.

Other features of the examination here the granting by the exhibitors of the exhibitors' request to furnish details of its feelings with exhibitors, and details as to the exhibitors' request to furnish details of its feelings with exhibitors, and details as to the exhibitors' request to furnish details of its feelings with exhibitors.

Cohn stated that some pictures are sold separately, and that Columbia's exhibitors are not interested in the matter. He stated that some pictures are sold separately, and that Columbia's exhibitors are not interested in the matter.

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to go into the matter more thoroughly with the producing company. It is understood that if one of the exhibitors is to be selected, it will make a trip for use of music, dance and brief specialties that have been originally planned for the field. It is expected that eventual case enclosing the projector and film will be the automatic projector.

One of five subjects on reels in Hollywood that have been trying with the idea for possible investors and distributors. The five subjects run over three minutes each, with the pictorial end descriptive in mood or uninviting to the musical accompaniment of song or dance solo.

Many films supplied. The exhibitor will supply regular photograph records for the demonstration run. Of the five subjects on reels in Hollywood that have been trying with the idea for possible investors and distributors. The five subjects run over three minutes each, with the pictorial end descriptive in mood or uninviting to the musical accompaniment of song or dance solo.

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U. S. TRIAL ON MAY 1, DATE NOW OFFICIAL

16 Jan. Knox Wednesday (7) spread a date for official setting of the suit by the Government's attorneys as May 1. The date is being set by the Government's attorneys as May 1. The date is being set by the Government's attorneys as May 1.

Goldard on Thursday (8) also appeared in court. He also appeared in court. He also appeared in court. He also appeared in court.

SWINEY TO HOLD 'GONE FOREIGN' PREMIERE

With prints of "Gone With the Wind" now on the way to Australia, South Africa and New Zealand, the foreign premiere of the picture is to be held in Sydney some time next month. The picture was involved in earlier dubbing in foreign lands or superimposing foreign titles, prints will not be shipped except non-English countries for two months.

Arthur Loew, head of Metro's foreign department, and David O. Selznick presently are negotiating on the possibility of setting up a branch in Great Britain and France. Contract reads that Selznick may hold back release in 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 franchising the film rights to a number of American distributing companies. Consequently, only a complicated deal would bring Metro into the picture. Metro would be able to withdraw only about \$4,000,000 per year and Odeon would be entitled to only 10% of its proportionate share. Presently it seems likely that Metro will wait until a month or two after the success of the picture in Europe and the prospects of peace in Europe and the end of the hostilities in England.

The coin situation in Britain is even worse and the b. n. prospects not considered as favorable as in the U. S.

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. 12. Fred W. Lange, Paramount's manager in continental Europe, left here for Spain to conduct a survey of the picture distribution there. Among other things he will check will be the availability of money for a modest-scale feature producing in order to partially infuse coin held back since shortly after the civil war began.

Lange just completed a thorough survey of the film situation in France from which Par will draw along with the other U. S. major companies the film of 1934.

When he finishes his work in Spain, Lange probably will hop the train to Elger for a check on his findings to home office officials.

BEN HIGGINS REPORTS ON EUROPEAN PIX BIZ

Film houses in Finland are open wherever the bombs aren't falling, according to Ben Higgins, sales manager of the new unit, Cine-Corpus, who arrived in New York Feb. 9 for continued work in this respect. Improving every day, film biz in Paris is now 80% in 70% of the country, but only in a few provinces, swelled by evacuees, is better than last year.

There are no new films in government circles which has changed in recent months," Higgins said. "No longer do pictures considered luxury. Government officials now realize they are a necessity for entertaining troops and maintaining the morale of the civilian population."

He said that restrictions on theaters are relaxing for France and that Paris houses are now permitted to stay open until midnight. Local production is also being stimulated.

Central Europe was bad, he declared. The Prague office of 20th-Fox is open, but only old pics are being distributed. No word has come from Warsaw since the war started.

Joins Tivoli Board

Melbourne, Jan. 28. Following upon the tragic death of Fred West, now executive director of Tivoli Theatre, after being hit by an auto, Eddie Haddock formerly general manager of the place, joins the board of directors, and Wallace Parrott, who came to the place, shortly after the auto shows for the chain, becomes a member.

Haddock, however, will continue to act as producer.

Improved Spanish Pix Increase Competition For U. S. in Venezuela

Caracas, Feb. 12. Increasingly improved Spanish-language picture, particularly from the Argentine and Mexico, has proven to be a factor in the rising competition to American film 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 distributors handling her pics can 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 Caracas. Theaters like Shirley Temple are the principal.

Presently, the annually recurring headache, the bullfight, are giving local distributors a real struggle. So enthusiastic are the locals for the contests that they shell out as much as \$100,000 for a seat and, of course, drain quite considerably their pouches wherein the cinema are concerned. However, Venezuelan conditions have been quite favorable and so the film theatres here are not as hard hit as they would normally.

STAR'S PAY TIF BRINGS REORG OF BLACK REVUE

London, Jan. 26. It seems irrelevant 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 Zucco's British revue, which Tom Arnold is presenting on tour.

Thomas Houston was called in to replace Francis Day, who quit for a trip to America. Miss Houston offered \$25 per week, which was 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 consider at a guaranteed salary of \$1,250, which she's turned down.

Hence the closure and reopening with a cheaper cast.

'Pincocchio' Will Reopen New Gallery, London

London, Feb. 12. The New Gallery theatre, closed since the start of the war, reopens this month with "Pincocchio".

The Tivoli, the other Gaumont London house, has been taken over as a hotel for colonial troops.

Odeon Exc in U. S. To Study Visa, Exhibition

Richard Ford, executive with Odeon in New York, is in Paris to be joined in New York last week for a looker of American exhibition methods and developments in U. S. television.

Odeon pioneered in television.

'Lights Up' Looks Like New Check in London

Warner Bros. resumed dubbing of its American production "Lights Up," which all such operations were halted by the outbreak of the European war.

First feature to be dubbed into French for Warners will be "Daughters Courageous."

REPORTS FREE WILL SET UP WATER PIC DICTATORSHIP

HUDDLE ON CROWN VAR GOLDMIDT Talks with Aether on His Next

I. Goldmidt huddled last week on the Coast with Dr. A. J. Cronin, author of "The Stars Look Down," reporter of the film story for "Time" in Great Britain. Goldmidt completed "Black" editing from the Cronin story, shortly before the European war broke out. Cronin also completed "The Citadel" with Goldmidt took a print of "Stars" with him to the Coast. No U. S. distributor has been set up for it. There is a possibility that he may make the next Cronin story in New York if he can secure a suitable releasing agent.

These letters say that the bill has been sponsored by the Ministry of Health Arts and is already on Premier Edouard Daladier's desk, only requiring his signature before it appears in the Official Gazette to become a law.

FOR EXECS RAP PAR MEETS ON REVIEWS

Sydney, Jan. 25. Australian Broadcasting Commission, controller of national non-commercial radio, has met with the pic biz execs for taking heavy odds at film field in general. Apparently, the commission has received opinions expressed by members of ABC air staff as regards celluloid films marketed in this city, and the air unit has been advised to stick 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 have almost made queer out of their makeup, are just luxurious loose hairs." To escape the realization of their own neck movie palaces in the afternoon, and rush home with ready-made dinner for their kids. "People would rush anywhere to forget. They shirked the obligations of life and refused to accept self-discipline and self-sacrifice."

Charles Munro, managing director of Heplo, informed ABC moguls that their method of film reviewing over the air was harmful, and the weekly session spotted by the ABC had gotten into a groove of general condemnation. Munro offered to discuss his chain. Munro pointed out to officials that when the smugness was noted, the ABC asked the men for their co-operation and stated there was no intention of "criticizing" pic biz, but really to provide a general guide to air fans of what product was on tap in the pic theatres.

Munro also told ABC officials that radio, together with the picture industry, provided the public with entertainment, and attacked one of the expenses of the other was unethical and most unjust.

He stated that if further "unjust" slips are taken at the pic field by the ABC, the matter will be taken to the British Film Institute, the Motion Picture Exhibitors' Association will press for an ease in the picture business, and that the ABC 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 back in the States March 18. They are scheduled to arrive in New York on the 17th and shortly after arrival Zukor will go on to the Coast.

Both Zukor and Hicks will visit Rio de Janeiro before returning.

Chicago, Feb. 12. Mrs. Adolph Zukor, who has been in London the first of the year, leaves for New York Thursday (15) to await arrival there of her husband, who is on the coast. She has been visiting her sister, Mrs. Louis DeWitt.

She is in 111. 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 handling 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 his 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.

These letters say that the bill has been sponsored by the Ministry of Health Arts and is already on Premier Edouard Daladier's desk, 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 "nationalization of our money and dispersal of our industry and profits outside, influential group." Fear is expressed, however, that the group will have an harness on Premier Daladier may have been convinced that passage of the bill falls in with the general wartime attitude of opposition of the bill felt that they would have had a chance of defeating it in the British Parliament instead of being rushed through as a decree law.

At the present time SACEM is entitled to 2% of all film theatre grosses (as well as theatre, cinema, vaudeville and night clubs) and, however, would authorize the new group to control all film theatre grosses exhibitors and distributors.

From the rentals collected from exhibitors, the group would be required to make an annual deduction of documentary and propaganda pic, tax and poor tax demands, and any other contribution the government might deem necessary. It is estimated that between 7 and 8% of the gross would be collected for these purposes.

The exact wording of this part of the bill is said to read: "The percentage (2%) to be deducted by the collection of the gross will be increased by an additional percentage to be increased later by proceeds to be used to fund a collection of documentary, scientific and national propaganda film."

It is estimated that this measure would be a blow to the production of propaganda film. Since France is presently a self-governing nation, it has far-reaching effects. Another American objection is that the bill would make quasi-public distributor earnings and royalties available. At the present time, the competing American houses in Paris keep a close aspect of their business.

Bureaucracy and Redtape Other objections are that it would dole out financial aid to American distributors and exhibitors through extra bookkeeping, bureaucracy and increased redtape, and that it would pass control of the industry to a group that has no investment in the industry.

Those in the industry maintain that such a collection agency to be formed it should be composed of representatives in and out of the trade. It would be a group that would bring cohesion and unity among the industry and ease of its reputation. They say that it will be much easier to deal bankers and financiers in such a group than to deal with loans guaranteed.

In his first interview since being named to head the committee of the Bureau of Information, Mr. Torres, French lawyer, said that the French industry needed a new manager in charge until a new manager is appointed.

on a solid and enduring foundation and to secure a spreading of production." Steps to be taken to assure this, he said, would be the placing of the industry under a legal status. In this connection he would revise a number of clauses of the abortive Feb. 25 cinema bill of last year, and create an Interministerial Committee to act as a liaison between the industry and the government.

Torres' allusion to the Zay bill recalls that one of the latter's clauses has a faint resemblance to the projected collection group. The Zay bill specified that all individual exhibitors taking part in the national collaboration of films were deemed to be partners and as such were guaranteed salaries and were exempt from rental even before they were paid over to distributors. This means that directors, cameramen, etc., received their cuts before the distributor. Mr. Torres said that a terrific howl will be set up by the group if SACEM is given control of the projected collection agency.

LOW COST HOLES FOR MUSICALS

London wants musical shows, night clubs and more musical shows than wartime days and nights, says Frances Day, British musical comedy star, upon her arrival in New York. "There's a hole in the wall that can house a musical in open and decent conditions, and the nightclubs and night clubs are opening up all over town. Non-musical shows are not doing so well here," she says.

New musicals doing top business include Ben Lyon and Bobe Daniels at the Victoria Theatre, Mrs. Mitter's new revue, Vic Oliver at the Hippodrome and a new Ben Litle and Bobe Daniels musical, "The Blue Bird." British musicals are again the rage at the Embassy and 400 Club and other swank spots.

British radio is quiet, according to Miss Day, with only one BBC program for Home Service for all-issues of the British Isles. Broadcast emanate from the North Regional transmitter, located "somewhere in the Midlands." Listeners tune to Radio Athlone, in Ireland, for a change from the BBC program.

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. Tommie's favorite song is "Bear Baiting" by the "Boys of the Border" close behind.

LADY YULE LOOKING TO BUY U.S. DISTRIB OUTFIT

London, Feb. 12. Lady Yule, head of the £45,000,000 U. S. and financing British National Films and the Anglo-American Film Sales Corp., has been called from Geneva for the States.

She's said to be looking into the possibility of an American distributing organization.

J. M. Amadio, Ex Mgr. In Venezuela, Dies

Caracas, Venezuela, Feb. 4. J. M. Amadio, ex-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 1915 and was in charge of Fox 20th-Fox in 1925, he acted as manager of its office in Colombia and was transferred to Caracas during the latter part of 1928.

Ed Lumbe, here many months, will assume in charge 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 LIVES for the Supremacy of THE BROS.

"The Life and Death of John Doe" begins April 15



NORTHWEST PASSAGE (COLOR)

Hollywood, Feb. 13. (AP)—The picture Northwest Passage (Color) is being shown at the Metropolitan Theatre, 125th Street, New York City. The picture is being shown at the Metropolitan Theatre, 125th Street, New York City. The picture is being shown at the Metropolitan Theatre, 125th Street, New York City.

'Northwest Passage' is one of the finest epic adventure dramas ever produced. Carefully and artistically executed, and outstanding in exterior settings, filmed with the scrupulous technique in presentation of dramatic factual incidents in narrative form, with events themselves presented in dramatic and convincing fashion, it is a top attraction for both groups and extended runs.

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with the best. The cameraman takes full advantage of the advantages of the Wyoming location to provide an eye-dazzling setting for the dramatic King Vidor's direction is masterful. The picture will be compared to early production of The Big Parade.

YOUNG TOM EDISON

Hollywood, Feb. 2. Metro-Lobby Mayor release of John Edison, the grandchild of Thomas Edison, Virginia Vidor, Marie Patterson, Virginia U. Foster, George S. Foster, Virginia Vidor, Marie Patterson, Virginia U. Foster, George S. Foster.

'Young Tom Edison' ranks as one of the best biographies ever entered into the history of the screen. With Mickey Rourke in starring spot, it is an interesting and well-told story of his childhood and his early years.

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FILM REVIEWS

Miniature Reviews

'Northwest Passage' (M-G). King Vidor in powerful historical drama rich; superb spectacle.

'Young Tom Edison' (M-G). Mickey Rourke as Edison the boy in great entertainment. Smash hit.

'My Little Chickadee' (U). Mae West returns in co-starrer with Reginald Denny in a hilarious comedy parades OK.

'The Farmer's Daughter' (P). Madeleine Carroll and Walter Pidgeon in lightweight support for secondary duels and hot trade.

'Remo of the Three Faces East' exciting spy stuff. Karloff and Margaret Lindsay lead out.

'Calling Philo Vance' (WB). Whoosh! in walkie talk, but the title should still prove an asset in a doublet.

'The Saint's Soothing Troubles' (RKO). Another adventure thriller with the Saint again something only for fans.

'Dr. O'Connell' (WB-Br). Ray Noble's new musical comedy is a capable supporting cast.

'The Mids' (WB-Br). British Melodrama in the hands of the British theatre stars previously under the Paramount banner.

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ing two personalities like Mae West and Fields, who not only write their own material but make certain that neither gets more prominence in an item of footage than the other. As a result the picture is a masterpiece with its singing moment, and the film basic stage comedy.

'The Farmer's Daughter' (P). Madeleine Carroll and Walter Pidgeon in lightweight support for secondary duels and hot trade. Remo of the Three Faces East' exciting spy stuff. Karloff and Margaret Lindsay lead out.

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tantly in making this remake of 'The Three Faces East' racing. This is the third time the venerable Reginald Denny has made over the original title in 1926 and 1929, and now he has done it again with Constance Bennett and Eric van der Zee.

The 1940 remake of the 1926 title is a fine example of a remake done for its own sake. It should prove strong and profitable, and can stand alone in certain houses.

Producer and scripter shrewdly realize that a Christmas day day developments in wartime Europe although the British Institute is being covered up by the British German spy system in the background.

The successful Broadway play and subsequent film version were so successful that they have been remade in German and the young British actress. In this version, the producer has carefully covered up the English or German and likewise has covered up the identity of the Teutonic spy character, Schiller. The audience is kept guessing through the picture.

Climax is a man air raid of Zeppe and the British are in a desperate attempt to wipe out the British air force. Typical lines provided by Mae West: "I can't see it, I can't see it, I can't see it." Answering the question, "I wonder what kind of a woman you are," Mae West replies: "I can't give out samples." Mae West replies: "I can't give out samples."

Margaret Lindsay in the secret role of a woman who is being hunted by the German spy, depending almost entirely on her acting ability to overcome the fact that she is not a real actress. Margaret Lindsay in the secret role of a woman who is being hunted by the German spy, depending almost entirely on her acting ability to overcome the fact that she is not a real actress.

Camera work by Sid Hickox is unusual quality lending for such a production. The picture is a production of the air raid is slightly interrupted. Camera work by Sid Hickox is unusual quality lending for such a production. The picture is a production of the air raid is slightly interrupted.

It is expected that this fight film will be a success. The picture is a production of the air raid is slightly interrupted. It is expected that this fight film will be a success. The picture is a production of the air raid is slightly interrupted.

Fight was not sensational and neither is the picture but it is interesting throughout, showing how they managed to remain upright. Louis is a colorful character in profusion and it is evident that the picture is a production of the air raid is slightly interrupted.

Here was a long shot who nearly came through and all the way money was made. The picture is a production of the air raid is slightly interrupted. Here was a long shot who nearly came through and all the way money was made.

Reports are that both Louis and Goddy sold their share of the film for a large sum of money. The picture is a production of the air raid is slightly interrupted. Reports are that both Louis and Goddy sold their share of the film for a large sum of money.

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 lauding "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)
In its way and some neighborhood honors are billing the film above the...

Calling Philo Vance

Warner Bros. production and release...
Directed by Lewis Allen. Screenplay by...

Outside of a couple bits of action which fall within the final reel, 'Calling Philo Vance'...
The solution of a problem in mathematics...

The dancer has a typical show...
The focus point of the drama is the director's...
The international angle is further pointed out...

Some of the scenes are relieved by comedy lines and business from Edward G. Robinson...
The story of the interception of the spy...

Saint's Double Trouble

RKO release of CML Reid production...
Directed by Lewis Allen. Screenplay by...

This is the fourth in the series concerning the crime-chattering...
It also is one of the slickest and most take many things...

There is the familiar Fernbach character, this time as an inspector...
He is still being run by his mad husband...

Banders does one of those double character stunts but this succeeds

only to further muddling the plot...
The script is in the hands of...

Oh Johnny, How You Can Love

Involving love, C. G. Johnson production...
Directed by Lewis Allen. Screenplay by...

Apparently on the theory that the current popularity of the song...
The picture is a musical comedy...

Bullets for Rustlers

Columbia production and release...
Directed by Lewis Allen. Screenplay by...

'Bullets for Rustlers' is just a bit better than usual run-of-mill horse...
The picture is a western...

Pioneers of the Frontier

Columbia production and release...
Directed by Lewis Allen. Screenplay by...

Well, the he-man pioneers of the great west...
The picture is a western...

the same old tale, which Columbia has packed 'Pioneers of the Frontier'...
The picture is a western...

Return to Yesterday

Associated Artists production...
Directed by Lewis Allen. Screenplay by...

In change from stage to screen, this picture is a musical comedy...
The picture is a musical comedy...

DR. O'DOWD

Warner Bros. production and release...
Directed by Lewis Allen. Screenplay by...

A weak script will tend to hold the picture back...
The picture is a musical comedy...

Drums of Fu Manchu

Republic release of Hiram S. Brown, Jr. production...
Directed by Lewis Allen. Screenplay by...

One of Fu Manchu's eerie yarns...
The picture is a mystery...

ization, which goes wordy dumb...
The picture is a musical comedy...

MENACES

Completed in September, 1938...
The picture is a musical comedy...

Not original, the idea is good...
The picture is a musical comedy...

HORRORS OF WAR

Multi release of Maple production...
Directed by Lewis Allen. Screenplay by...

The cinematic plot against reading American papers to Europe...
The picture is a musical comedy...

THE MIDAS TOUCH

Warner Bros. production and release...
Directed by Lewis Allen. Screenplay by...

Picking Margaret Kennedy's novel...
The picture is a musical comedy...

It is the story of three drummers...
The picture is a musical comedy...

VIVE LA NATION

Alhambra Theatre production...
Directed by Lewis Allen. Screenplay by...

'Nation' is a tear-jerker far more...
The picture is a musical comedy...

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THEY
WANT
TO SEE
THEM
AT
POPULAR
PRICES!



**CHARLES
 LAUGHTON**



VIVIEN LEIGH

They quit the side-walks 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 side-walks of LOS ANGELES for the "SIDEWALKS OF LONDON" to see these famous screen personalities in this emotion-packed drama of peacetime 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.

Play them at
 popular prices
 and CASH IN!

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



William Byrd, Donald Hayden, Britt Wood, Morris Aronson, Jane Clayton, Wright Kramer, Russell Kirk, Roy Beckett, Kermit Maynard, Walter ...

TTTONG, meller (Technicolor); GHO production; directed by Louis ...

THE GREAT GATSBY, meller; GHO production; associate producer, Edward R. Lyman, from J. Edgar Hoover's 'Persons in Hiding' ...

THE GHOST SIGNER, comedy mystery; producer, Arthur Hornblow, Jr.; director, George Marshall; credits released; photography, Theodore Sperbach; Cast: Bob Hope, Frankie Goddard, Paul ...

'DEMYN'; drama; producer, George Arthur; director, Tim Whelan; no ...

RKO-Radio

Table with 7 columns: Studio, Number of Pts., New Released, Now in Production, To Be Released, Preparing, Status. Rows include 'The Play's the Thing', 'The Sign of the Cross', 'The Sign of the Cross', etc.

Picture now in the cutting rooms or awaiting release are: 'THE ...

'THE FINEST FEAT'; drama; produced by William Strydom; directed by Jay ...

'MY FAVORITE WIFE'; drama; produced by Leo McCarey; directed by ...

'MERRIE'; romantic comedy with music; produced and directed by Har ...

'WHY O DIVORCE?'; drama; produced by Robert Sisk; directed by ...

RKO Pix Now in Production

'THE CRAIGSIDE CLUB CHRISTMAS'; drama (Stephens-Lane Prod.); ...

'CUTTING CALL'; romantic drama; producer, Howard Benedict; direc ...

'THE ROMANTIC MR. BENJELIN'; comedy-drama; producer, Cliff Reid; ...

'THE SAINTS TAKE OVER'; mystery-melodrama; produced by Howard ...

Republic

Table with 7 columns: Features, Serials, Number of Pts., New Released, Now in Production, To Be Released, Preparing, Status. Rows include 'The Sign of the Cross', 'The Sign of the Cross', etc.

Picture now in the cutting rooms or awaiting release are: 'THE ...

'THE DARK COMMAND'; meller; associate producer, Sol S. Siegel; ...

'FOTOGENT GIBBS'; meller; producer, Robert North; director, Phil ...

Joseph Moncure March and F. Hugh Herbert; photography, Ernest Meisel; ...

'SAVING GRANDPA'; western with musical producer, William Barker; di ...

20th Century-Fox

Table with 7 columns: Features, Serials, Number of Pts., New Released, Now in Production, To Be Released, Preparing, Status. Rows include 'The Sign of the Cross', 'The Sign of the Cross', etc.

Picture now in the cutting rooms or awaiting release are: 'VIVA ...

'I WAS AN ADVENTURER'; drama; produced by Nunnally Johnson; di ...

'SHOOTING BRIDE'; drama; produced by Sol M. Wurtzel; directed by ...

'THE SIGN OF THE CROSS'; drama; produced by William Strydom; di ...

'SAVING GRANDPA'; western; producer, Sol M. Wurtzel; director, Allan ...

'CHARLIE CHAN CRUISE'; mystery-melodrama; producer, John Stone; ...

'MELLIAN RUSSELL'; drama; producer, Gene Mackay; director, Irving ...

United Artists

Table with 7 columns: Features, Serials, Number of Pts., New Released, Now in Production, To Be Released, Preparing, Status. Rows include 'The Sign of the Cross', 'The Sign of the Cross', etc.

Picture now in the cutting rooms or awaiting release are: 'THE ...

'THE WESTERNER'; western drama; produced by Samuel Goldwyn; di ...

'REBECCA'; meller; produced by David O. Selznick; directed by Alfred ...

'TWO COMPANES'; feature-length comedy; produced by Hal Roach; di ...

'MY SON, MY SON'; drama; produced by Edward Small; directed by ...

'HOUSE ACROSS THE BAY'; water wagon production; directed by ...

UA Pix in Production

'UNTITLED COMEDY'; production and screen play; Charles Chaplin; photog ...

'OSB TOWN'; drama; producer, Sol Lesser; screen, Sam Wood; no ...

'UNLITLED COMEDY'; production and screen play; Charles Chaplin; photog ...

'THE SIGN OF THE CROSS'; drama; produced by William Strydom; di ...

'THE SIGN OF THE CROSS'; drama; produced by William Strydom; di ...

FREE PARKING A MUST FACTOR

Detroit, Feb. 13. Look to the parking facilities when looking for a new home. That's the recent survey of a city's buying habits disclosed here.

The survey, which has been an increasing problem not only in urban centers but smaller towns. The survey showed that 65 per cent of those who have bought a new home in the last year are looking for a city's buying habits disclosed here.

The survey showed that home-owners will drive clear across a city and spend more for gasoline just to avoid the parking problem. The survey showed that 65 per cent of those who have bought a new home in the last year are looking for a city's buying habits disclosed here.

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Universal

Table with 7 columns: Features, Serials, Number of Pts., New Released, Now in Production, To Be Released, Preparing, Status. Rows include 'The Sign of the Cross', 'The Sign of the Cross', etc.

Picture now in the cutting rooms or awaiting release are: 'THE ...

'THE SIGN OF THE CROSS'; drama; produced by William Strydom; di ...

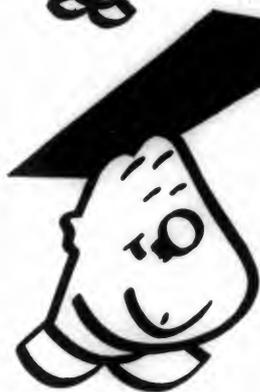
'Edelman's Joneasy' Hollywood, Feb. 13. Lou Edelman was assigned the assignment to produce the picture 'Edelman's Joneasy' by John Paul Jones, with James Cagney in the title role.



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



FILM BOOKING CHART

Own Extras

performers branches in New York and Los Angeles.

The points covered in our conference and agreed upon... The SAC will remain in the west, making his advice available to AGVA in the west...

The East Coast problem, which we believe will be solved through the selection of a new head of the administrative personnel.

It was generally understood that the accord included settlement of financial differences... Arbitrate Flynn Reverses

The Screen Actors Guild has announced that the Errol Flynn picture seeking termination of his managerial contract with Myron Selznick agency will be submitted to the arbitration tribunal set up under the framework agreement between the SAG and the Artists Managers Guild.

Membership in the Screen Actors Guild has passed the \$1,800 mark... Joffe Kicks, who started autonomy fight in the rank and file of the IATSE is now in Washington lobbying for California radio interests.

Chris Reinegan when charges of disloyalty were preferred against him by IA heads because of his interest in the United States Technicians Guild.

SWG's Edge

live membership in SP numbers 28... small a group to make further financial sacrifices to keep the organization going.

In conclusion, we wish to offer our opinion that there is unquestionably a need for some Hollywood writer organization with which producers might negotiate for a fair payment of such legitimate problems as admitted to exist in writer-producer relationship.

In reply to Mashin, the producers stated: After considering the situation we are in accord with that portion of your letter which suggests termination of the contract with SP, and we enclose herewith an agreement executed by the producer signatories therein.

(For information of theatre and film exchange bookers VARIETY presents a complete chart of feature releases of all the American distributing companies for the current quarterly period. Date of reviews as given in VARIETY and the running time of picture are included.)

Nov. to Dec.—Drama; Dec.—Comedy; Jan. to Feb.—Drama; Feb.—Comedy; Mar.—Drama; Mar.—Comedy; Apr.—Drama; Apr.—Comedy; May.—Drama; May.—Comedy; Jun.—Drama; Jun.—Comedy; Jul.—Drama; Jul.—Comedy; Aug.—Drama; Aug.—Comedy; Sep.—Drama; Sep.—Comedy; Oct.—Drama; Oct.—Comedy; Nov.—Drama; Nov.—Comedy; Dec.—Drama; Dec.—Comedy.

Table with columns: WEEK OF RELEASE, Rev., TITLE AND COMPANY, TYPE, TALENT, R.T. Contains multiple rows of film listings.

Mayer

Continued from page 3.

In this latter he has made a plea for greater coordination among different religious denominations and for fuller kindness on the part of mankind in general.

After his death, the memory of Henry Ford will continue to live in this country, Mayer said, and how he paid him for what has done with the wealth he acquired with his great brain.

A part of Ford's wealth has been lavished on Greenfield Village, repository for Americana and where many of the things associated with Thomas Edison, Edison friend of Ford, have been preserved.

Both Mitzky Rooney and Spencer Tracy have been booked for a series, entitled Greenfield Village to familiarize themselves with Edison and the things associated with him.

This Rooney wasn't a smart-alec but seemed to impress most of the newshawks covering the premiere here. Practically every story carried a hint of surprise that he was an able actor without being obnoxious.

Typical of such observations is, "Rooney showed what a good sport he was when he was asked to do a completely sufficient picture. Fifteen photographs made two more requests than anyone could do and he star did the best that any of our little people could do to accommodate them all.

Many Angles

Continued from page 3.

a regional setup, with a central executive body in which the east and west would be equally represented. According to certain officials in the east, however, that kind of setup would give SAG, which dominates the Coast territory, a voice to be heard with all the eastern affiliates combined.

Separate Subsequent?

The question of whether to have a single treasury, two regional treasuries or separate CIOs for each union is also likely to prove a sticking to consolidation efforts.

There's the question of whether jurisdiction should be divided according to regions or crafts (or both), as well as the problem of how much autonomy the affiliates or subdivisions should be given.

Establishment expenses, both of the Four A's and its affiliate unions, is not only a heavy burden but also a source of efforts, but is already the cause of inter-union friction.

Frank Gillmore, Four A's' international president, to agree to a cut in salary below the \$10,000 level is guaranteed under his five-year contract.

SAG strenuously opposed such a move but its ranks which is undivided to have agreed to an innocuous-worded resolution on the subject.

It is the administrative officials for the whole setup, totaling approximately \$750,000 a year, is way overboard and should be substantially reduced.

TITLE CHANGES

Hollywood, Feb. 11. "Till We Meet Again" is new title for "We Shall Meet Again" as Warner's.

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"

Republic's Regional Sales Meetings; Theatre-Exchange Manpower Moves

Teasing off with a regional sales meeting in New York, Friday (9), representatives of its eastern branches called in Brooklyn their similar session in Chicago, Saturday (10), and in Indianapolis on the following day.

A southeastern regional will be held in Atlanta tomorrow (Thursday) and a fourth is scheduled for Memphis at the Big Station, Monday (13).

Jury Absolves Peasey
St. John, N. B., Feb. 13. A coroner's jury returned W. O. Peasey, proprietor of the Gasety and Capitol, Frederick, N. B., of all charges of negligence in the death of a 36-year-old bankbooker, who had been struck by Peasey's car, driven by the exhibitor. The jury found the exhibitor had done everything possible to avoid trouble and that the man who was crossing the street, 161 Madison, Frederick, N. B., had been established and is being operated by J. H. Busby, of Windsor, N. B. Inspector J. H. Busby, of Windsor, N. B., is being operated by J. H. Busby, of Windsor, N. B. The projection and sound equipment was installed by Maurice Ralston, operator of the Imperial, which had been located at the theatre until the advent of the Empire, closing Feb. 13.

Admission
Admission Royal, N. B. has sold the King's Theatre, which had been located at the theatre until the advent of the Empire, closing Feb. 13.

Call to Rejoice for Mayor
Call to rejoice for the mayor, being made by the city fathers of the city. The mayor, being made by the city fathers of the city.

Rocky Hill Shows
Feb. 13. Clyde Anderson, manager of the Original, resigned and came to the city to take over the operation of the Rocky Hill Shows.

Petersone
Petersone, one of the Bright Hills Area, sold his interest to the city to take over the operation of the Rocky Hill Shows.

John J. Goodstein
John J. Goodstein has bought the Rocky Hill Shows, which had been operated by the city.

Sheila's New One Opera
Feb. 13. Sheila's New One Opera, which had been operated by the city.

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Graves of Newman, C. C.
Jerry Zigmond, manager of the Newman, enlarging his home staff. Harold Graves moves in to handle exploitation and publicity and to fill a newly created post. Zigmond had previously handled publicity from his own desk. Graves was formerly connected with the Commonwealth circuit.

Jim Fields is being brought in as an assistant to John Elder, home manager.

Cavanaugh's Ups and Downs
Mississippi, Feb. 13. Halo Cavanaugh was press agent for the 400-odd shows in the circuit, during its recent 25-week Florida tour. He is now handling the post with the loop independent 200-circuit Empire. He takes over the post with the loop independent 200-circuit Empire. He takes over the post with the loop independent 200-circuit Empire.

Corpus Christi, Tex., Feb. 13.
The Texas Theatre, Corpus Christi, built by Nick and Peter Cavanah, is now in the hands of Gene Lacy who will act as general manager for the new show. The Texas Theatre, Corpus Christi, built by Nick and Peter Cavanah, is now in the hands of Gene Lacy who will act as general manager for the new show.

John H. Harris, head of the amusement company
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R. J. Johnson, former Freedman
R. J. Johnson, former Freedman, is now in the hands of Gene Lacy who will act as general manager for the new show.

More than 300 friends, showmen
More than 300 friends, showmen, gathered at the home of John H. Harris, head of the amusement company, to celebrate the opening of the new show.

Called theatre in nearby Wheeling
Called theatre in nearby Wheeling, West Va., which has been playing there since on an average of three or four days weekly, has dropped its bid and will return to Chicago.

Frank, Lincoln, Based
Frank, Lincoln, Based, is now in the hands of Gene Lacy who will act as general manager for the new show.

Paramount
Paramount, based on the Parson of Panamint, by Peter B. Kyne. Samuel Beachi bought Charles Leacock's Lincoln City for production in Mexico.

RDQ acquired
RDQ acquired A. P. Herbert's The Admirable Crichton.

Metre produced 'Combat Car'
Metre produced 'Combat Car' by Lawrence Kimball.

\$55,000 Fire Destroys Rivoli, Eisenburg, Pa.

Pittsburgh, Feb. 13. Rivoli, Eisenburg, Pa., once owned by the borough, was destroyed by fire last week with an estimated loss of more than \$55,000. Blast also damaged the municipal fire hall and for a time threatened Carnegie Mellon University, a big building on the building before it was finally brought under control by firemen from Eisenburg and five adjacent towns. The fire started in the basement of the tower of the fire hall, but was checked there.

The late D. E. Park, Pittsburgh steel mogul, who had a summer home in Eisenburg, built the Rivoli in 1913 and gave it to the borough. Because there wasn't enough money to repair it, the borough relinquished the building in 1939 and it was sold a couple of years later to the Cambria Theatre, Inc.

Off Mediums

Florida visiting his brother Nicholas. He'll then fly back to the Coast and will return to New York in March. He'll then fly back to the Coast and will return to New York in March.

Reorganization of the entire personnel of the Fox studios
Reorganization of the entire personnel of the Fox studios, currently headed by Harry Jessup, 3000's production head. At contacts with Kent and the others at that time, Jessup will be in charge of the detailed 1940-41 program from a general outline being laid down this week. Jessup will be in charge of the detailed 1940-41 program from a general outline being laid down this week.

Top-budgers
Top-budgers, he pointed out, rarely fail to wind up with a favorable deal in the first show.

Schenck indicated that 20th will adopt a completely frank attitude
Schenck indicated that 20th will adopt a completely frank attitude in the future that will be made, said, in cases where opportunity is offered.

It has been decided to open 'Grapes'
It has been decided to open 'Grapes' at three theatres simultaneously in Los Angeles, San Francisco, the Four Star, the State and the Chinese. Four Star will get \$1.10 on the first show.

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Film Reviews

THE MIDAS TOUCH

It is as simple as that, and not any easier to take the way script goes. The playing throughout is well done. There are some good scenes, but frequently it has little to offer. The film is a big production, as the chattering clatter, go a long way toward making it a big production. The film is a big production, as the chattering clatter, go a long way toward making it a big production.

OVERTURE TO GLORY
(With Songs)
(Titled in Two Acts)
G. A. L. Helms of Loring-Ladd Inc. presents 'Overture to Glory' by the Metropolitan Opera House. The production is a masterpiece of musical comedy.

Life of the Hortobagy
(HUNGARIAN-MADE)
Doubtless history of George Hildreth presented and photographed by George Hildreth. The film is a masterpiece of historical photography.

REKO STAR STATUS TO 'HARA, HOLT, SHIRLEY'
Three feature players, Reko O'Hara, Anne Shirley, Marie O'Hara and Tim Holt, move into the star class in their next assignments.

Cavalcade D'Amour
(Love Cavalcade)
(FRENCH-MADE)
Open release of Paramount production, 'Cavalcade d'Amour' by the Metropolitan Opera House. The production is a masterpiece of musical comedy.

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With Claude Dauphin, performer in Michel Simon's circus troupe, guards each up with the couple, Bill DeBolt and his wife, playing the part of a big morning circus.

Dauphin an officer about to be married in what appears to be a happy, beautiful scene. Two rival suitors, one of whom is a big morning circus, and it's love at first sight. The bride's mother is a big morning circus, and it's love at first sight. The bride's mother is a big morning circus, and it's love at first sight.

Michel Simon towers over the entire cast in his triple role.

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WORLD OF THE RADIO SHOW

Sunday, Tuesday Are Radio Bests

Tuesday night now appears on the way to catching up with Sunday as an occasion for the delivery of radio's top audience of the week. About a month ago Thursday night led Tuesday night in the percentage of sets tuned into network programs. According to the latest C.A.B. survey, Right behind it is the total of 31 points which "Foot of Gold," "Information Please" and "Come to Meeting Here" comprise during the Tuesday 8-9 p.m. period. "Thursday" vs. listening combination occurs while Major Brown and "Good News" are on, or a tally of 43.3 points.

Friday night takes fourth place with the total 24.7 derived from the Kate Smith, Clifton Stevens and Carson Robinson programs (2:30-9 p.m.) while Wednesday night comes next with 26.3 which Fred Allen and the Traxler show draw between them (9-10).

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 amateur program to be staged Feb. 21 every Monday night, 9-10, from the stage of Loew's State Theatre in Times Square. The program will be sponsored by "Theater Play Comedies and is part of the regular vaudeville entertainment at the house the actor will receive an amateur portion along with regular vaude that night.

The deal which was set through the Frank R. Stevie advertising agency of Chicago, re-establishes an amateur hour for WHN New York, the Loew-owned station, at which the present Major Brown program continues.

It is intended that the Walker program will include would-be radio announcers, show-by-show specialists and other radio specialists, in addition to the run-of-mill singers, comedians and other players.

Walker last year, through WMC, N.Y., which rotated him among the various hospitals of Greater New York, has been active in various radio promotions. A fortnight ago he and Mrs. Walker, the former Betty Compton, presented a couple of radio ideas in audition transcription form at World Broadcasting. One of the ideas, "The Showmanship" was based on an idea of Walker's published in Liberty magazine.

GOOD AWARDED KNX SCRIPTERS

Hollywood, Feb. 12. A deal has been completed for Lee Angeles Chapter of the Federation of Radio Artists to surrender jurisdiction over CBS staff writers to Radio Writers Guild. The Federation has notified CBS heads that RWG claims to have a majority of the staff writers. Contracting that is correct AFRA is willing to assign bargaining agent for all persons who write or sell material or ideas to be used in making of transcription for radio broadcasting and who they with reference to staff writers.

Conna Basswell and Bob Zurke have been offered the "Faded Door, N. Y., to follow Will Bradley band which opens Feb. 21.

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 such as in the bottom category, this season is witnessing a smallish boom in musicalized, dramatized, novelty-led one minute recorded announcements. It becomes one of the few types of "talent" merchandises which freelance talent can peddle to advertising agencies with a good chance of making a sale and with a minimum of the hawking and hawing that must precede all more previous—and continuing—efforts.

In particular, the one minute announcements are free of the haunting influence of the C.A.B. percentage charts.

One team of announcers, Allen Knott and Ben Johnson, has experienced success in the field of the one-minute "productions" which they prepare and produce, under "World Broadcasting" studio. They now are able to demand, and get, a minimum commitment of 50 announcements of \$50 each, or \$2,500 per advertiser. Their current effort for a paint company includes 10 seconds of song from the Transvibrators. Phil Ford, National Bureau has been among their recent accounts.

Minneapolis comedy paid Edwin C. Hill \$1,500 for 14 one-minute bills and topped this with an offer to Gabriel Heister, who was retained for \$400 for about the same number. Jack and Lovita Clemens have been scoring on similar commercials for Jack, a subsidiary of Ex-Lax. He and Polly East have been recording for Russ Heister.

Meanwhile, the Street & Finney agency turns 'em out in gross lots for Carter's Little Liver Pills. Pop-Cola also is big user.

GOODKIND, JOICE & MORGAN

New Agency Includes Men Widely Respected in Radio

Chicago, Feb. 12. Clyde Joice has joined the Hill-Fox agency here to join Lewis Goodkind and Raymond Morgan, who have joined the new agency to be called Goodkind, Joice & Morgan.

Joice comes in as proxy of the new combo with Goodkind as v.p. and treasurer. Best of the personnel news is that 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 Publications 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, copied and condensed material from the Coleman program and later that they had prior right to the title.

Two copies of the magazine were published in 1932 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 year.

Stanley S. Borenoff is president of Information Publishing and Peter R. Payne is managing editor of the magazine. It is stated that Walter Rosetti and Shelley Braverman, who were named in the Coleman suit, were never connected with the magazine. Recent additional financing was announced by Stuart Sherman and Arthur Marquette.

Aleshire rules as a radio pioneer among stars who return for the sum of years radio head of Blackett-Sampel-Hummert's Chicago division.

Aleshire Due in N. Y.?

Ed Aleshire is slated, according to reports in the agency field, to join the New York office of Benton & Bowler. The executive of a new business man, Aleshire was an officer in Benton & Bowler's Chicago organization which was recently dissolved by Stuart Sherman and Arthur Marquette.

Aleshire rules as a radio pioneer among stars who return for the sum of years radio head of Blackett-Sampel-Hummert's Chicago division.

LULL BEFORE THE STORM

Frederick Millet will stay on the "Premiere." Birthday Ball committee among stars who return for the sum of years as radio director. Then will sail a month or more.

Expected to return for the sum of years in the N. Y. World's Fair division John Young's radio division.

Radio Biz Alert, Public Is Not

Country, Feb. 13. Broadcasters should receive credit for the great advances made by radio in 1939, and listeners the blame for much of the same, according to Irwin A. Johnson, director of developmental programs for WINS, speaking before the annual radio institute of Central Ohio Broadcasters Association.

"Great impetus was given to public service and educational broadcasting by the industry itself," Johnson declared, adding that "apathetic listeners permitted the distortion of program making 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.

Broadcasters, In Doves, Visit N. Y. As B-S-H Business Dangles Before 'Em

LAW DRAMAS ON NBC

Follows 26th Century Fund Phases of Economic With 60-Second Plays

In addition to the Twentieth Century Fund's dramatic series, NBC will, starting March 4, present "Youth in the Tolls" under management 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' Up

Phillip Lord offers in 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 B. B. Van Dine (Wilford Huntington Wright) estate. Justice of the peace has ruled that rights to his works had always stayed a deal, but since his death the ownership of the estate has become the demand. 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.

Station man from various parts of the country poured into New York last week and the thing that brought most of them was concern over the new deal of the Columbia Broadcasters' Business Dangles Before 'Em. The broadcast had been bungled over the slowness of action on the potential divvy, but the mystery involving it, and decided that a personal look-see on the situation was in order. They were to be away from them, if only because they weren't on the spot to see the final concession, compromise or decision.

Among station reps the week was the loudest crowd yet to be contacted with in a long time. By the end of the week they were incensed over from having to deal with the purchasing staff of their visitors on the B-S-H matter in addition to conducting their routine business. After having 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 offer a recovery.

CBS EARNED \$2.93 A SHARE

Preliminary report of Columbia Broadcasting System, Inc., for the fiscal year ended Dec. 31, 1939 showed consolidated net income of \$2,930,000, or equal to \$2.93 per share on both classes of stock as compared with \$2,641,000, or \$2.64 a share for the year ended Dec. 31, 1938. Report was 1/2 the nature of preliminary figures, and was mailed to 171 stockholders last Wednesday (7). Stockholders were told that the company's net income should be mailed them around April 1.

CBS statement mentioned that operating net income of the Broadcasting Corp. and its subsidiaries, acquired in full during 1939, were included in the annual figures although not materially affecting the consolidated earnings.

Details of the preliminary statement followed the meeting of directors last Wednesday, directorate voting a cash dividend of \$1.50 on Class A and B stock. Dividy 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

For "Minnegony, Feb. 13. Edgar Guest, radio star and announcer Vincent Peltier make up 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.

Transcontinental Financing Pends

Boice and Sutton In—No Vestige of Elliott Roosevelt Group Remains

Investment Arm of Merrill Lynch Co. was reported last week to be handling 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—William S. Boice and George Sutton, Washington attorney, had been installed as president. Boice, who was for eight years CBS' v.p. in charge of sales, came from Benton & Bowler where he has since early 1939 been in the new business department.

Under TBS' revamped setup no vestige of the Elliott Roosevelt regime remains. John T. Adams is out along with the post of chairman of the board which he held. H. J. Brennan and Robert Thompson, of

WJAB and KQV, Pittsburgh, consulting financial and secretary, respectively. Brennan is reported to be in on the project to-date for \$100,000.

Wisconsin Group Starts

Milwaukee, Feb. 13. Wisconsin's best radio network, salvaged from recent Transcontinental Sales, went into operation functioning at WEMP under 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; WJAB, Racine; WJLA, Madison; WHBL, Sheboygan; WHBY, Green Bay, and KEFZ, Fond du Lac. Shows, originating at WEMP under direction of C. J. Laupheimer and Charles La Force, include most of that station's former Transcontinental-archived organ music, news broadcasts and Riverside theatre stage shows.

Details of new outfit has been changed from American Broadcasting System to Wisconsin Broadcasting System.

INSIDE STUFF

Inside Stuff—Radio

There seems to have been considerable confusion within the theatrical and advertising spheres of the management of the proposed radio use of the Playwrights' Trust of New York. This aggregation of playwrights of the Broadway stage shows no intention of writing for radio. The pending deal is a sales proposition covering radio adaptations to their former legitimate productions. Playwrights will have nothing to do with either the writing or directing of the condensed radio version, if and when sponsored. Henry Boussine is the promoter involved. The original impetus of the idea broke last year with the Transamerican office then involved.

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 13. The pool includes nine from E. M. Berman, 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. McElroy, Arch Oboler, Henry Robinson and Irwin Shaw are mentioned. Directors may include Dwight Cooke, Norman Corwin, Carlo D. Angelo, George Frazier and Clyde North.

Kurt Weill, who has been associated with the Playwrights, is spotted as 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 in Business History." The author, Ralph Hooper, has been exhaustive in going through old (somehow neatly) records and the later phases of the development of the business. On the whole, it is a well-written and engaging study of the condensed radio version, if and when sponsored. Without degenerating into the tycoon-puffing blarney that is typical of so much "business literature," the book is a well bit of institutional publicity for Ayer. There are intermittent references to the agency's activities which were published some time ago. Reason for delay in reviewing: "Smiling 'Gone With the Wind'."

When Podlar & Ryan, agency on the George Jean Van Dine-Vitalis program, was informed at 6 p.m. last Wednesday (?) that John Barrymore wouldn't, because of hospitalization, be able to fill his booking on the show the following night, P. & R.'s 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 the best of talent agents and after much scurrying around an assignment went to Phil Baker.

W.S.B. Atlanta, is expected to acquire a new spark under the James M. Cox regime. J. L. Reinisch has been in the trade the reputation of W.S.B. has never been too bright, it being widely held that the ultra-conservative former newspaper ownership, with its penny-pinching attitude toward the advertiser, had hopelessly restricted the station whose prestige was almost exclusively by virtue of NBC and its \$6,000,000 watts. 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 old and curvilinear Bristol-Myers hour on the radio. He is expected to reduce his stand to 30 minutes in a peridole one with Allen.

Ben H. Sapoznik was detached from the program the account would link another one of its products with lyrics and 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 program over NBC net. The film rights to it have been purchased by Paramount, with the idea of using it only. Implications of the arrangement probably are at bottom of Catholic complaints, although stories actually point strong no-divorce moral.

Martin Block, conductor of "Make Believe Ballroom," was once office boy for Owen D. Young, of General Electric. This fact was publicized as Block's half-hour program recorded a run on an early afternoon spot over GE's WGY, Schenectady, for National Biscuit.

Andrew Stiles are co-entertained with Glenn Miller in the Chesterfield series (CBS) which are repeated via disc 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 by Republic to a one-year contract with options. Girl, who is 14, was shown into show business just about the time when her father became ill and she took over his father's business on WJCA, N.Y., to continue the show. Her mother and Ernie Hare are the continued fight on after Hare's death last March and the program has since been revived on the program. Her first recording for the Columbia label was the air for Sachs Furniture. Her first recording for the Columbia label was the air for Sachs Furniture. Her first recording for the Columbia label was the air for Sachs Furniture.

Hare 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 feature with a buildup to follow if she registers.

SAM GILL ON OWN

Former Director of Research For Arch Cretney Fats Out Tonight

Samuel E. Gill, who recently resigned as director of research for Cretney, Inc., has opened his own research business on his own. He will specialize in the analytical phase of research and say his work carried out by his office will be under his personal supervision.

Gill was also formerly with the National Resources Board and the Twentieth Century Fund.

KWK's Licorice Twist

A 30 minute spot Feb. 13 has been sold by KWK to the Ruggler Candy Co. and weekly until the end of the month. The spot includes nine from E. M. Berman, five from Robert Sherwood and 13 by the late Sidney Howard.

SAFETY CHAIRING UPS, DOWN BY %

Elimination of Dollar Volume, Dialiked 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 time of around 2% has taken place in eight key cities during the past two weeks, according to a new survey of advertising stations here being inaugurated by Vanamyr. During the same interval, national spot business fluctuated in zig-zag style. Some cities showed tremendous gains, while others showed drop-offs as high as 15%.

Charles Gaines, program impresario at World, accidentally overheard Case amusing himself on a certain piano concert. He contacted the announcer to develop a singing salesman routine which finally captured sponsor attention.

Whipple of Lord & Thomas Establishing Mail Order School for Would-Be

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's radio school, which will be conducted by correspondence, will be backed by actual demonstrations on 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 American Federation of Radio Artists leaders here.

Among the courses to be offered will be radio acting, directing and writing.

GATE TAYLOR NOW ON 'VARIETY' N.Y. STAFF

Gate Taylor, her eight years advertising manager of Broadcasting magazine, on Monday (12), joined the staff of Vanamyr to handle radio ads.

JUNIOR LEFTWICH OFF WYTC

Alvan Lewis, Jr., for the last eight months dramatic director of WYTC, New York, has resigned from the station for another station for his variety show, "Musical Mysteries." Possibility he may take it to WYTC if he can't get a satisfactory deal at either of those outlets, to a New Jersey station.

Not Population Weight

Vanamyr is now in the process of selecting its test cities, and training its correspondents to help in the gathering of data. These highly paid deits (as the firms and legit) will offer pertinent comment on local conditions and types of advertising or cancelling, etc. In picking test cities, some attention has been paid to selecting only those which are said to be not deemed important to weight any figures for population or spending-power, since the time-buying agencies are not ready done such weight when they purchased commercial time. In short, Vanamyr is re-

Radio Audience Still Way Up

Though the past has shown down, radio listening continues its upward trend, according to the latest C. E. Roper report. The only months that went off was that of the half-hour program and even at that the slight slump to only three-thirty of a point.

DOUBLES IN SONG

Nelson Case, Announcer, Gets Sponsor for His Working Ago

Nelson Case, heretofore known entirely as an announcer although trained originally as a singer, now does both on five-minute transcriptions for Botany Lashola (tea cream base) in a deal set with World Broadcasting by the Silverstein agency. About 30 stations are currently being served.

Case plays his own piano accompaniment, sings a couple of songs and handles the commercials, all within the five-minute time. He is contracted for a minimum of 30 weeks.

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25% T L T IN RADIO COST OF REDS

Cincinnati, Feb. 13. Broadcasting rights this season for the Reds, 1939 National League champs, have been upped 25% over last year's \$250,000 charge. Sharing the cost are Crosley's WSAI and the Scripps-Howard WPCO. While the Reds' 1940 season, due to the strike under joint ownership of Glenn Hill and Ewing Co., stations alternate, separate plays for the ballplayers.

Baseball club, of which Powell Crosley, Jr., is president, closed to its old rule of excluding home Sunday games from the other schedule. All local and out-of-town night contests will be missed. Boston and Chicago are the only other major league teams that have not fallen in line as yet.

Roger Baker and Dick Ryan will call their own WSAI for their second season together. Harry Hartman, dean of big league broadcasters, will be retiring in his 12th season for WPCO. He will be assisted by Red Thoroughgood for the fourth year.

Kant Horner handles general Mills account and Sterling-Gretchel, Inc., of Detroit, is agency for Sonoma.

Both stations will broadcast all of the Reds' exhibition games, for which the Reds will be different from those in 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 a former court ruling to stymie the staging of KMBC's "Bruck's Cross" Police Station series on the night of Saturday night. Pollen recently moved from the Ivanhoe Temple on the corner of 10th and Main, and the capacity of the Memorial Hall, and added a round and square dance. Station's only cash and honey brezza building is to acquire as sponsor a veteran's organization which will get a cut of the take.

WIOD Fall of Celebs

Miami, Feb. 13. WIOD is holding up nicely under sudden fate. The station describes itself as "a leading radio station in the three-time network show originating locale."

An unfortunate pointed out by the station's "Kay Kyser, Walter Winchell and Milton Berle are all enjoying sunshine and honey brezza only by casting each wheel from beyond southern shores." Since the above announcement, Berle's wheel took to his N. Y. legal comedy, "See My Lawyer," which he left several weeks ago for the Miami version.

Radio Stations Pledged to Buy Stock, Take Service of Broadcast Music, Inc.

With the anti-ASCAP movement sponsored by the National Association of Broadcasters climaxing in the establishment of Broadcast Music, Inc., and the opening of an office in New York City, the following list is authorized by Neville Miller, president of the N.A.B., and of the music publishing firm. It includes all those stations which, during a series of recent meetings addressed by Miller this winter, signed the pledge to buy BMI stock and commit themselves for performance fees based on the 1937 assessments of ASCAP. The pledge:

- ALABAMA**
W.R.D. Birmingham
W.M.N. Birmingham
- ARIZONA**
K.O.T. Tucson
- ARKANSAS**
K.A.R.K. Little Rock
- CALIFORNIA**
K.M.B.M. San Francisco
K.H.B. San Francisco
K.H.K. San Francisco
K.F.B. San Francisco
K.P.P. San Francisco
K.P.M. San Francisco
K.A.N. San Francisco
K.B.A. San Francisco
K.S.N. Los Angeles
K.F.M. Los Angeles
K.P.L. San Diego
K.F.R. Santa Barbara
- COLORADO**
K.C.M. Colorado Springs
K.F.L. Denver
K.P.L. Denver
K.O.A. Denver
K.F.A. Grand Junction
- CONNECTICUT**
W.P.N. Bridgeport
W.F.T. Hartford
W.F.T. Hartford
W.T.R. Waterbury
W.H.C. New Britain
W.H.J. New Britain
- DELAWARE**
W.H.L. Wilmington
- FLORIDA**
W.M.M. Jacksonville
W.H.H. Miami
W.G.M. Miami
W.H.P. West Palm Beach
- GEORGIA**
W.H.P. Albany
W.T.A. Atlanta
W.H.L. Atlanta
W.H.L. Columbus
W.H.R. Macon
W.H.C. Savannah
W.P.A. Thomasville
- HAWAII**
K.H.M. Honolulu
K.H.K. Honolulu
- IDaho**
K.P.D. Nampa
K.P.P. Pocatello
K.P.P. Twin Falls
- ILLINOIS**
W.H.M. Chicago
W.H.S. Chicago
W.H.K. Chicago
W.H.L. Chicago
W.H.L. Chicago
W.H.L. Chicago
W.H.L. Chicago
W.H.L. Chicago
W.H.L. Chicago
- INDIANA**
W.H.P. Ellettsville
W.H.P. Ellettsville
- IOWA**
W.H.P. Des Moines
W.H.L. Des Moines
- KANSAS**
K.P.H. Abilene
K.P.P. Coffeyville
K.H.P. Hays
K.H.P. Wichita
- KENTUCKY**
W.H.P. Louisville
W.H.L. Louisville
- LOUISIANA**
K.H.R. Alexandria
W.H.L. Baton Rouge
W.H.L. New Orleans
W.H.L. Shreveport
W.H.L. Shreveport
- MAINE**
W.H.L. Portland
- MARYLAND**
W.H.L. Baltimore
W.H.L. Baltimore
- MASSACHUSETTS**
W.H.L. Boston
W.H.L. Boston
- MICHIGAN**
W.H.L. Detroit
W.H.L. Detroit
- MINNESOTA**
K.A.T. Albert Lea
W.H.L. Minneapolis
W.H.L. Minneapolis
- MISSOURI**
K.H.M. Kansas City
K.H.L. St. Louis
K.H.P. St. Louis
- NEVADA**
K.H.M. Las Vegas
K.H.L. Las Vegas
K.H.P. Las Vegas
- NEW HAMPSHIRE**
W.H.L. Manchester
- NEW JERSEY**
K.H.R. Newark
K.H.L. Newark
K.H.P. Newark
- NEW MEXICO**
K.H.L. Clovis
- NEW YORK**
W.H.L. Albany
W.H.L. Albany

- NORTH DAKOTA**
K.P.P. Bismarck
K.H.L. Bismarck
K.H.P. Bismarck
K.H.L. Bismarck
K.H.P. Bismarck
K.H.L. Bismarck
K.H.P. Bismarck
K.H.L. Bismarck
K.H.P. Bismarck
K.H.L. Bismarck
- OHIO**
W.H.L. Columbus
W.H.L. Columbus
- OKLAHOMA**
K.H.M. Oklahoma City
K.H.L. Oklahoma City
K.H.P. Oklahoma City
K.H.L. Oklahoma City
- OREGON**
K.H.L. Portland
K.H.P. Portland
K.H.L. Portland
K.H.P. Portland
K.H.L. Portland
K.H.P. Portland
K.H.L. Portland
K.H.P. Portland
K.H.L. Portland
K.H.P. Portland
- PENNSYLVANIA**
W.H.L. Harrisburg
W.H.L. Harrisburg
- NORTH CAROLINA**
W.H.L. Asheville
W.H.L. Charlotte
W.H.L. Charlotte

Go-Getters

Chicago, Feb. 13.
Hugh Hafl, on his way back to San Antonio, stopped off and gave John Achenbourn, of the Entry office, a quick sales talk and convinced him that they should fly down to Cincinnati to have dinner with Tom Warrington, radio exec for Procter & Gamble.
Left the office at closing time, flew to Cleveland with Warrington and back to Chi the same night.

- UTAH**
K.H.L. Salt Lake City
K.H.P. Salt Lake City
- VERMONT**
W.H.L. Newbury
W.H.L. Newbury
- WEST VIRGINIA**
W.H.L. Charleston
W.H.L. Charleston
- WISCONSIN**
K.H.M. Madison
K.H.L. Madison
K.H.P. Madison
- WYOMING**
K.H.P. Cheyenne
K.H.L. Cheyenne
K.H.P. Cheyenne
K.H.L. Cheyenne
K.H.P. Cheyenne
K.H.L. Cheyenne
K.H.P. Cheyenne
K.H.L. Cheyenne
K.H.P. Cheyenne
K.H.L. Cheyenne
- DISTRICT OF COLUMBIA**
W.H.L. Washington
W.H.L. Washington

What ten years have taught



First were the years of the Pessimist, the desolate years between 1930 and 1935 (years already a little hard to remember) . . .

In these years, Radio grew up. It grew with explosive force. From 1930 to the end of 1934 . . . against the down-pull of our deepest depression . . . its audience surged from 12,000,000 radio families to more than 21,000,000 families.

Radio taught the pessimist that *here* was impact to break through fear; here was the old magic of words made new and winged and alive; here were new friendships, new loyalties, new measures of good-will created for men and merchandise.

Still more important in these years was the way in which radio delivered to its clients the *continuing market* of the country; the people with money to spend . . . even in a depression.

For the people with money to spend bought radios. They were scattered; distributed through every market, every population group, every income level, every age group. But radio picked them out wherever they were . . . these

'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 license for public performance. 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 essentially is to furnish the broadcasting industry with a mutual 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, orchestra, 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-Gumbert 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 operaductomy.

FLETCHER WILEY SET

Lord & Thomas Option Logo Open Way for Campbell Deal

Chicago, Feb. 13. Lord & Thomas agency here having permitted its option to lapse, Fletcher Wiley has sold his Housewives' Productive 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 loops. Wiley also remains on KHX (L.A.) local spot for Cudahy product.

Harry Boyal, 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 an political broadcast, as intimated 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 at the neck.

Staunchly fighting back, Harry Bodgwick, president of the Canadian Association of Broadcasters and general manager of CFTB, Toronto, vents the burden of censorship shifted on the unwilling shoulders of station managers. Still quivering indignantly at the unexpected government regulation, Bodgwick says:

'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 jewelry. Even the remotest references that might tend to violate the Defense of Canada Regulations will have to be stricken out. We have had 46 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. F. 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-Description, 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 Circuit on the air Sunday (11). Sponsored by Mrs. Baird's Church of Texas. Program is a half-hour show and is titled 'Go to Church Today,' and uses Red Canilo Quartet, KGKO, Fort Worth, originator.

Placed through Trapp-Lockwood-Dawson, Dallas.

The Clincher

Hollywood, Feb. 13. After aligning NBC's Ted Sherdeman to write the story for "Cavalier's Badon," Bob-Fox looked around for a collaborator. Someone tipped them off that Mal J. Andrew White was around and available. When asked to describe his radio background they were told he founded CBS and was its first prez. He got the job.

Don Cunningham Does Live Stock News, WNAX

Yankton, S. D., Feb. 13. Dan H. Cunningham, who has been in or 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 Service' 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 Saturdays 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 week period. Included was the amateur program of Princess Pat (see story on Jimmy Walker). Other signers being: Potter Drug & Chemical Corp. (Cotturea) announcements, placed through Albert J. Brown; National Literacy Co. (Helps) announcements for 13 weeks.

Other signers, placed by Erwin Weagy: Manchester Matins of Jersey City, through A. B. London; Ping Brothers and Klen Clothing of N. Y., station-breaks, through A. B. London; Leo Landis.

Boxy Theaters took spots through Kayton-Spoto Company. Conin dealt the minute periods of transcribed music for Lathritic.

Thomas Leeming & Co., participating in announcements for Packer's Hand Cream, placed by William Ely & Co.

Garner Murray five-minute talks on plants, placed by the Northwest agency, Seattle.

Ford Dealer Advertising Fund of Edgewater, N. J., station break through McCann-Erickson.

Record Phone Talks With Tex. Housefans, Repeat on Air Later

San Antonio, Feb. 12. A new idea is being used in the Light Cray Doughboy broadcast. Heard daily through T-6 Texas Quality Network group. Parker W. C. and telephone numbers are picked at random throughout the state and telephones the housewife.

The conversation is recorded and played back to the office where later broadcast of the Doughboys.

Penny Gum Using WLW

Exclusive airing of 'Don Winslow of the Navy,' a transcribed serial for the Perry program on WLW, Philadelphia, on WLW, started Monday (12). A 15-minute program, it is to be aired daily, except Saturdays and Sundays, at 8:30 p. m. N. W. Ayer & Son is the agency.

Blurring in one Double Bubble 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 in for the monitoring idea after the N. Y. Times and N. Y. Tribune had required about the efficiency of a W. V. 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 those 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.

Part of the material consists 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 at all stations owned by its strike in a result of the strike at WPEN. The letter's head outlet, WOV, N. Y., has been advised that unless WPEN comes to a settlement with the Philadelphia local by this Saturday (17) the house band at WOV 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 dropped its ten-man house band following disagreement over terms of a new contract. The action is asking that the station spend approximately \$27,500 for its annual music bill, while the outlet has made a counter-offer of \$15,000.

Last week Local 77 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 WJAZ, which established the property right of a musician in recordings cut by him.

Orson Welles' Status

Philadelphia, Feb. 13. Officials at Ford's broadcast 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 by March 31).

Wells' press agent, another Oklahoma man, a spokesman for the agency said.

WMCA Drops Sales Hypo Dept.; Rose May Be Out

WMCA, N. Y., is eliminating its sales promotion activities and Al Rose, with the station for six years, will probably be off the payroll. Donald Flamm 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 was reorganized 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.

Leo Fitzpatrick to N.Y.

Detroit, Feb. 13. Leo Fitzpatrick states that although he has been thinking of applying for sales office in New York for WJR and WGAR for a long time he's not willing to be off the payroll. Donald Flamm is away on a trip to the Coast.

His left Monday night (11) for next with that as one of his objectives. He pointed out that his Petry contract runs till Dec. 31, 1940.

Arthur Church to Hawaii

Kansas City, Feb. 13. Arthur Church, president of KCMC, departed last Saturday for a six weeks' vacation sojourn in Hawaii. Station affairs will be under the wing of Karl Kooper, v. p., in the interim. Church has spent two weeks under doctor's care battling a persistent cold.

Click Allison, publicity director for the station, has likewise been under doctor's care past week suffering an attack of flu. Dave Partridge and Betty Lever are handling in his absence.



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 over 13 New a \$100 and investments for the September (December) reported up \$25,000. They received for Local Federal in 1939 outside any same since 1929.

a quarter hour of poetry and homely philosophy with organ background. WKY's program ran 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 \$500 to \$10,000. They received for Local Federal in 1939 the date and activity of 1929.

Prior to September, 1939, various types of mail were sent by Local Federal. A once-a-week unusual program had been aired with only minute response. Then WKY was given full responsibility for the job. It recommended "Odds and Ends."

is in the habit of proving. It is the kind of result-producing history typical of WKY's. It is the kind of veterans, local and national spot, to spend more of their money with Oklahoma City station year in and year out.

WKY Oklahoma City
NBC Affiliate — 900 Kc.

A
\$274,269,000
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

CBS Rate Up, A Year Later, Chilled Acct.

One of the things that induced Fusion General Foods to drop the *Lum and Abner* show and the time slot they fill on CBS (7:30-8:30 p.m.) is that the rate increase which the network put into effect last fall will by September have caught up with the account. This increase, the account figured, amounted to around 10%.

It is the customary practice, advertisers are permitted to protect themselves against effectiveness of the new rate by signing up for an additional 12 weeks.

JUNIOR LEAGUE EXEC ON STATION'S BOARD

Troy, N. Y., Feb. 13. Mrs. Peter L. Harvis, 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 Corp., which will operate WTRY. Selection of Mrs. Harvis, perhaps Troy's best known woman, is considered a smart move by Harry C. Wilder, who controls new station.

She is wife of a leading Troy surgeon.

CHICAGO BASEBALL WENR Enters the Situation for First Time

Chicago, Feb. 13. Chicago's baseball about set for the coming season, with WGN again to have Old Gold play-by-play, WGN tied up with Truesd and WJZ with the Walgreen combination. WDBM has General Mills for the sponsor of the second circuit to replace last year's co-sponsor, Sacco-Vanzetti, which this year is strengthening 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. WENR's show outlet, WENR, is taking \$120,000, including rights. WENR has never before carried baseball play-by-play.

Re: Finnish Relief

New York. Editor, VANUARY. The page one story in VANUARY, captioned, "Finland Bally Battered By Wets," 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 incorporating talent from the stage, screen and radio, and followed by a similar two-hour program from Gramman's Chinese theatre in Hollywood would be arranged by that division and broadcast on all three networks from midnight to 4 a.m. New York time, on a date four weeks from now.

The amusement division called representatives of the networks together and suggested that the networks provide free facilities for this program and allow it to be sold to sponsors which the amusement division would solicit at a figure of between \$10,000 and \$25,000 an hour.

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. Johanson, National director, radio division, Finnish Relief Fund.

Cowgirls on Tractors

Kansas City, Feb. 13. KNRC Artiea Burrows has had unusually good luck in booking Kix and Kay, cowgirl singing twins, through the territory because of the pair's ability at driving farm tractors. Dan has been booked in over 25 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 stunt while employed by an implement house in St. Joe.

Jimmy McConnell, s. a. chief, is finding the gas a natural for the water duster-overseem circuit.

Merle Tucker to El Paso

San Antonio, Feb. 13. Merle H. Tucker has been named manager of KRDD, El Paso, Texas, the Dorrance 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 late last week from Phoenix, Arizona. He is much improved in health, but still under doctor's care.

Head of World Broadcasting had a bad stage of pneumonia at Mackay 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, 2,000 entry forms were mailed to radio stations.

The American Exhibitions 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

Pointe 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 gas 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 recovery 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 consultant, declared yesterday (Tuesday) that notice has been served on W.C.A. N. Y., that if the station continues to use the 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 RCA situation Victor has been flooded with bids for similar arrangements from stations throughout the country.



For years . . . "produced in the studios of the Nation's Station" has been the hallmark of outstanding radio production. WLW has always prided itself upon the infinite care taken by its production men in making their shows listenable . . . entertaining . . . worthwhile. In most cases these production men are specialists . . . and are assigned to the type of shows their experience and capabilities equip them to handle efficiently. And because production has always been given so much attention at WLW, an enviable reputation has been gained among clients . . . and listeners.

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 workmen . . . doing an outstanding job day after day . . . another reason why so many millions listen regularly to the Nation's Station.

CHARLES LAMMERS, WLW Production Manager, directs the production of the Nation's Station, Feb. 13

and radio cooperation production. The production of WLW's "The Nation's Station" has given rise to a high standard of production. The production of WLW's "The Nation's Station" has given rise to a high standard of production. The production of WLW's "The Nation's Station" has given rise to a high standard of production.

The PRODUCTION of a forthcoming Home-County Show has been staged and air show is sponsored by KID H. A. O. P. PAUL DE FUR, a 4 "H. A. N. E. RICHARDS" show combined efforts are responsible for the success of WLW's rural program.



ARTHUR RADKEY, Educational Department production man, is responsible in large measure for the success of so 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 STILL DOING NOTHING ERA; SLOW TO UNTANGLE 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 MAREY

Buenos Aires, Feb. 1.—It took 100 years to be considered the most advanced form 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 broadcasting. The broadcaster is sitting back, marking time, and expecting the result of the investigation to be a commission which is appointed by the Argentine President, Dr. Roberto M. Ortiz, shortly after Escobar published his statements. 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 understood 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 disengagement from their business. Their peculiar situation was recognized by the public and more or less accepted, especially as it was supposed that this state of affairs would go on for only a few months, i.e. until the commission, headed by Dr. Adolfo T. Thomson, published its report on the radio-communication section of the Argentine G.P.O. Radio Salsedillo (LR2), headed by Dr. Thomson, 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 1939, they kept everybody waiting and waiting, and when they finally produced their findings another year had elapsed. What the commission reported was recorded in a copious volume which dealt with every phase of the radio business, although not made available for publication, it is an open secret that the commission, which is a merger of all the 16 commercially operated stations in B.A. and the best of the best in the Argentine, is a body which has improved the artistic and cultural qualities of Argentine radio.

Radio El Mundo (LR1) and its two short wave, 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 \$20,000 (\$25,000).

The commission's conclusions did not surprise the local broadcasters, for 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 rocks when the local broadcasters, especially the smaller ones, asked such a large indemnity for their stations but the required capital to satisfy everybody would have been in no proportion to the future benefits which were anticipated.

passed by a scheme in which all but four of the stations would fall into one group.

In the case of talent Argentine radio has produced nothing new or original during the last year. No one in popularity is still Nina Marshall, an Argentine girl, who created two Argentine radio programmes, "Candide" and "Candide." She has also become a beautiful attraction in local films during the past year produced from radio to screen performers are Jose Marlowe, Auguste 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 with another idea to solve the Argentine radio problem: abolish the entire operation on a commercial basis, institute State Radio, and finance the service through a fee of 25 pesos (86) yearly to be collected from every radio listener in the country. This proposal is published as a part of the commission's findings, it is known here, that it would be a long time before the idea of the P.M.G. himself, who thought of establishing something like a national broadcasting system, similar to the British BBC. It is not likely, however, to have any success, as a strict newspaperist supported the scheme. It was not only the fierce 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 Thonasia, who is at present waiting for a report of the commission. It is presumed in local radio circles that he will not make a decision in favour of the commission's plan to the Argentine Congress. There is no special radio law existing in this country. All new laws have hitherto been solved by decrees and by-law. Local broadcasters are rather unwilling to have their problems and business discussed publicly.

The last "Hiltop" report not only criticized the Buenos Aires stations, but it also deplored the allocation of funds in the interior of Argentina. In this connection, some districts up to present time do not have telephone lines and communication is shown to two Argentine provinces, Salta and Jujuy, were opened only a couple of weeks ago. The question of telephone lines has importance in connection with the network transmission of B. A. programs. It is an old claim of local broadcasters that there are not enough telephone lines available and this is true. There is a certain handicap to the network business. LRI uses its DXers for its own and White Network, while the other existing network, the Primera Red Argentina (Buenos Aires), is a Radio Edgerton (LR3) affair, it likewise using its short wave station, Radio Real (LR4) for its own (CXAS), of Colonia Uruguay.

LRI is entitled to use its short wave stations instead of telephone lines for network purposes, owing to its special connection, the same thing done by LRI "Hiltop" governments regulations forbid the use of foreign short waves for rebroadcasting on network in the interior of Argentina. 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 this year from artists and musicians unions in the interior of the country that the growing network of stations from B. A. put those artists in a serious spot, as their possibilities of finding jobs decreased and the measure network airings increased. LRI and LRE, however, claim that this objection is not well founded, as they already agreed that network shows, sponsored by the big companies, give the stations in the interior more work than the relatively small sponsors in the interior can afford to pay, thus providing these stations with a better 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 "insurance" against the loss of the outbreak of war provides the background for a story recently being told in the press. The BBC heads contacted from London with several orders stating their official position. Only the very top men in the Government knew their destination. It is hardly the BBC advance guard arrived when a long distance call came through from London, and the officials appearing the hope that the shift had been carried through safely.

organizations in that several stations, especially in B. A. are on the air with programs made up of 90% records. There is a government regulation which allows only 50% of the complete air time to be used in records. When the intense public pressure upon the government to do something about the matter, Commission, as the man responsible for all radio affairs, called the manager-director of one of the stations notorious for its use of records, and reviewed him of the regulations. Whereupon the manager was said to have answered: "What about the State program?" LRA's program consists entirely of records, as far as transmission of music is concerned. His further program includes weather reports, exchange quotations, agricultural news and other items. Thus blamed that his own station, namely LRA, was the first to break the law. Commission had not time to add, and the minute of records has not returned in another local intervention to date.

N.Y. Fair Will Stress Good-Neighbor Idea; John Clark's S.A. Post

New York City, Feb. 1.—The new radio production checker-upper in South and Central America from April onward, John Clark, director of W.B. Denton, gets the assignment. His departure awaits the return of John S. Young, the ex-ABC radio director, who is now swinging through the Latin Republics.

This move and the W.B. event will emphasize the hands-across-the-ocean theme, with prospective relations from 20 countries to be smooth. Young is due back March 1.

Bob Wood went to Europe last September before the war on a similar radio program-arranging mission for the N.Y. fair.

In Australia

Sydney, Jan. 27.—Need played numbers on the air are "South of the Border," "Wishing," "There'll Always Be An England," "Sing As You Go" and "Beer Barrel Polka."

ABC (government) has three new members on the commission for the year of 1940. The first is for \$1,200 each for the term. New ones are: Edward Rigby, attorney; Richard Boyer, travel agent; and the former McClendon, accountant. Retiring members are: Herbert Brooks, R. B. Orchard and J. W. Klein. They have had no experience in showmanship and little experience in the air field. To many, the appointments are puzzling.

Allege American Radio Sets Might Jeopardize Insurance Policies

Toronto, Oct. 11.—Toronto Better Business Bureau is the instrumentally through which launching their latest drive against the cheap American sets which Canadians bring back from visits to the United States. BBB would like to see the Government take steps to American sets by alleging they do not meet Ontario law.

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 payment of fire insurance policies.

Some 6,000 York sets were brought over the border by returning Canadians during the past year. They were within the \$100 allowance of each tourist.

WILFRID THOMAS SAILS Australia Goes Home—War Ended Career on Normandie

San Francisco, Feb. 11.—Wilfrid Thomas, former BBC writer, producer and entertainer in London, and until the war with Radio Normandie (Dick Meyer, 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 over 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'Hare has started a 15-minute breakfast hour sports broadcast daily over WCY for Band Clothes.

STANDS OUT



WBIS
COLUMBUS
All you need in Central Ohio
5000 WHTS DAY
1000 WHTS NIGHT
John Blair & Co. Proprietors

WBAL
means business
in Baltimore

DON'T MISS
PALMOLIVE'S
"HILTOP HOUSE"
STARRING
KESS JOHNSON
By Adelaide Marston

Dedicated to the women of America.
The story of a woman who saves the world by raising other women's children.

WBAL-1030-1045 A.M. EST.
78 Stations Coast-to-Coast

Direction BENTON & BOWLER, Inc.
Management ED WOLF, RKO Building, New York



**INTERNATIONAL
MARKET
SHOWMANSHIP**

RESPONDS TO
THE LIVELY
KNOWLEDGE

FACTS ABOUT BALTIMORE



Here's a break-down of the
MILLION PEOPLE in
the Baltimore market—

What kind of people is just as important as how many people in determining the value of a market. Baltimore is predominantly "native white." It's significant, too, that only 5.1% of the entire population are over 65 years old!

Native white	73.0%
Foreign born white	9.2%
Negro	17.7%
Others	0.1%

—and 94.9% of the population are under 65!!!

WFBZ
BALTIMORE
National Representatives
EDWARD FITZ & COMPANY
* ON THE NBC RED NETWORK *

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 reluctant to reduce her dependence on the exchange programs with France, Sweden, South Africa, Australia and New Zealand because this dominion has no adequate short-wave facilities. The immediate need is a high-power Canadian short-wave transmitter is anxiously and frustratedly 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 \$700,000 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 national short-wave transmitter is remote unless the government decides that the propaganda possibilities justify the initial and maintenance cost.

The CBC income from licenses and advertising for the fiscal year amounting to \$2,311,440.85, the directing of such revenue into a direct channel no longer amounting to a net profit of \$2,311,440.85, the direct channel no longer exhibited by the major Canadian press in failing to devote any space to the CBC report, because of its inherent importance to licensing citizens who currently are maintaining a national identity.

The CBC has paid off \$500,000 on government loan which covered the purchase of CBC transmitters and CBK, Montreal, costing approximately \$500,000. Other revenue has been devoted, 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 programs, 26.4% for wire lines, 14.7% for the operation of CBC stations, 7.8% for depreciation, 4.9% for administrative expenses, 5.9% 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-over-the-border reports. Canadian radio-listeners endorse that, despite the publicity "kick out" program by the department of Justice, the CBC has increased its broadcasting hours 42%, its number of programs 45%, its number of hours of broadcasting per day has increased from 13 1/2 for the previous fiscal year to 19 1/2. Private stations carried a greater number of CBC sustaining programs than ever before.

VALLEE'S FOUR WRITERS

Melburn, Panama, Frank, Feb. 13. Handling Station, Antigua.

Hollywood, Feb. 13. Scripting crew for the new *Redy Valley show for Sealant* was set last night. Herbert Kerkhous of McKerron-Albright agency, Lynn McManus for years with Vallee, will be flanked by Norman Panzer and Melvin Frank, brought on from New York, and Sidney Fields, comic and writer with Eddie Cantor. Panzer and Frank are one-time radio-toppers for Bob Hope and Bill Baker.

WMCA Wins Power Boost

FCC last week granted the request of WMCA, New York, to boost its output from 1,000 to 1,500 watts coincident with a shift in transmitter sites from Flushing, L. I., to Manhattan. J. J. Gaffney will begin immediately the construction of the new station 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.

Sirley 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 station, Dean Fitzer 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 sender 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 Parguehar, engineer from the British Post and Telegraph Department attached to station ZYV, Huron, Fij, was here last week to give Canadian broadcasting a globe-trotting since June, Parguehar has been making survey of international broadcasting methods for possible modernization of service in the Southwestern Pacific. Station ZYV at Huron is under supervision of the British Government but controlled by the Australized Wireless Association, Australia.

Leopold Houle P. A. For Quebec Province

Montreal, Feb. 13.

Leopold Houle, publicity director for the CBC here, has been appointed the Quebec Relations for the province of Quebec. Houle will aim at friendlier contact with the press.

As a vehicle of political appeal, radio is being used to advantage. This will be done on the CBC national network on the basis of jury to all comers. Representatives of the four major political parties have met in conciliatory and have agreed on an allocation of 12 1/2 hours free time. Based on the standing of the parties at the recent dissolution of Parliament, the division of time is as follows: Liberals (now in power), 5 1/2 hours; Conservatives, 4 1/2 hours; C. F. P., 1 1/2 hours; and Progressives, 1 1/2 hours. Dissolution ratio, therefore, bars the Communists and the New Democratic Party led by Lester W. H. Hergidge, former Canadian Ambassador to Washington and brother-in-law of the B. Bennett former Prime Minister of Canada, who went down to defeat in '35.

First to feel the sting 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, and whose address was to have been carried over all Toronto stations including the Broadcasting Corp's stations (CBK and CBV) and the indie CFRB 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 politics, the CBC is not permitted to broadcast his address, but offered to make a recording of the speech and broadcast it through the CBC on 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 the censorship ban on broadcasts of a political nature was announced by the Prime Minister and which is generally condemned by press and citizenry irrespective of their political leanings.

'Treason' Scare

Continued from page 32

Regulations and that the political angle does not matter at all. The paramount intention is that nothing must be disseminated, under Section 93 of the constitution of Canada regulations which would create "disaffection for His Majesty" or "provokes rebellion."

But that is taken as a means of offsetting charges of the Opposition (and of many members of the Liberal Party, including Premier Hepburn of Ontario, leader of Prime Minister Mackenzie King's largest coalition) by the Federal government (the Dominion) that the prosecution of Canada's war effort is not being effectively carried out.

Meanwhile, there is a stringent ban on broadcasts of political speeches from radio stations and their prints if they are given over airwaves—so that their sentiments do not, presumably, conflict with the Department of Censorship's policy.

No time for political broadcasts will be sold on the national network for private or provincial or smaller circuits may be sold by private stations but not by CBC stations. A station in Quebec where this Federal-owned station is the only radio outlet. No advertising on public stations will be allowed.

As a vehicle of political appeal, radio is being used to advantage. This will be done on the CBC national network on the basis of jury to all comers. Representatives of the four major political parties have met in conciliatory and have agreed on an allocation of 12 1/2 hours free time. Based on the standing of the parties at the recent dissolution of Parliament, the division of time is as follows: Liberals (now in power), 5 1/2 hours; Conservatives, 4 1/2 hours; C. F. P., 1 1/2 hours; and Progressives, 1 1/2 hours. Dissolution ratio, therefore, bars the Communists and the New Democratic Party led by Lester W. H. Hergidge, former Canadian Ambassador to Washington and brother-in-law of the B. Bennett former Prime Minister of Canada, who went down to defeat in '35.

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New Acia, at WEBB, Buffalo

Buffalo, Feb. 13.

Cy King's weekday news roundup at 6:30 p.m. on WEBB gets *Benedict's Club* on Chicago's *Marty's Deal* through *WFR-Regis Agency* for 26 weeks.

3. Believe Ballroom's 30-minute party sessions for National Broadcast Co. start Feb. 12 via McCann-Erickson, and F. C. Tripoli starts weekly 30-minute transcribed show on Feb. 11.

William T. Kirker is a new name recently heard on some short-wave saviors from Berlin. Kirker, who seems to follow the German official's 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 licenses before daylight saving ends next September.

As a preliminary step, the Commission decided Wednesday (13) to cancel all outstanding tickets at the end of July and to renew permits of several dozen operators until that date. In the meantime each proprietor will be told officially—know now but not tape 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. Lax-diplomatic diplomats have failed to inform the State Department officially just 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 action.

Whether the shuffle will take place on Aug. 1 is problematical. Skeptic doubt if there is sufficient time to go through all the clerical rig-marsh, including the process of giving everybody ample time to complain about the spot he is to be given and then holding hearings, deliberating the testimony, making

findings, waiting for complaints, and handing down 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. Stations which would lose favored 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 announcement 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 clear.

SMART, SHAW AIDING TROOPS

Montreal, Feb. 13.

Campbell Smart, Cecilfield-Brown Agency, and J. A. Shaw, manager of Canadian Marconi station CFCF, have been drafted to serve on Radio Committee for campaign of Canadian Legion to raise coin to provide for bits 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.



...not for long!

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.



Alstair Cook's Quips

N.Y. Critic critic from England, who now broadcasts over WGR. Alstair is equipped with a good mouth ever so tight he said. We have decided not to issue hourly bulletins on John Barrymore's health...
The lip of Geneva proves that it is against the laws of Broadway for a hit to be written by a man of 42.

THE NEXT STEP FORWARD

WENTWORTH FUND Wednesday, 11:30 P.M.
WEAB-NBC, New York
The **Wentworth Fund**, founded in 1919 by the liberal Boston merchant, Edward Filene is projected and acted for a series of broadcasts...
The script was by Al Wilton, a 26-year-old NBC writer, who has been attracting attention by his dramatic fanfares inserted into Harold Lawford's 'Human History in Action'...
The script had various breaking in it, and it was a dramatic piece of the economic order, especially the distribution of money.

RADIO PANELMEN ORGANIZE

Cincinnati, Feb. 13. Unionization of Cincinnati radio and recording technicians under the aegis of the Associated Broadcast Technicians Union was perfected Monday night...
The union's contract calls for a closed shop and regulates wages, hours and working conditions...
The union's contract calls for a closed shop and regulates wages, hours and working conditions...
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STAG PARTY

With Alan Young, Ray Mackeson, Tom McLaughlin, Johnnie Johnston, Charles Boyer, Don Wilson, Harry Price's orchestra and Gene Austin, WABC, New York
A lightly knit show that sets a pace for itself at the outset and maintains it throughout 'Stag Party,' from the Vancouver studios of the Canadian Broadcasting Corp. to a worthy example of what Canadians can sometimes produce in the way of variety programming...
A slightly knit show that sets a pace for itself at the outset and maintains it throughout 'Stag Party,' from the Vancouver studios of the Canadian Broadcasting Corp. to a worthy example of what Canadians can sometimes produce in the way of variety programming...

These were overshadowed by the show's general over-all excellence...
The musical atmosphere, background and transitions were handled in a deft and artistic and skilful manner...
The script had various breaking in it, and it was a dramatic piece of the economic order, especially the distribution of money...

CATHOLIC CHARITIES REVIEW

With Marjorie McKelwan
Broadcasting Local
Sunday, 8:15 P.M.
WJCA, New York

WJCA's program and engineering staff are turning out a most interesting documentary series in behalf of the Catholic Charities, a group which stands out in the editing is that the full flavor of human interest and various phases of the program is retained...
The series, five in all, combine recordings made in the studios with mobile unit at Catholic hospitals, homes, etc. and live running comment in the studio...
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Follow-Up Comment

Anna's Andy, whose story-line started off 19 years ago with the announcement that his wife had included who knows what, the program is a good example of a radio show...
The series, five in all, combine recordings made in the studios with mobile unit at Catholic hospitals, homes, etc. and live running comment in the studio...
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Buffalo Radio Stations

Buffalo, Feb. 13. Local stations are 'forum-conscious'...
The series, five in all, combine recordings made in the studios with mobile unit at Catholic hospitals, homes, etc. and live running comment in the studio...
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Emphasizing Forum

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THE CITY OF SAINT FRANCIS

With Virginia Gibson, Jack Edwards, George Egan, Albert Gerson, Alan Young, Johnnie Johnston, Lane, Margo Margolin, Gene Austin, Harry Price's orchestra and Gene Austin, WABC, New York
A program that is a good example of a radio show...
The series, five in all, combine recordings made in the studios with mobile unit at Catholic hospitals, homes, etc. and live running comment in the studio...

WAVY 2-15-40

With Virginia Gibson, Jack Edwards, George Egan, Albert Gerson, Alan Young, Johnnie Johnston, Lane, Margo Margolin, Gene Austin, Harry Price's orchestra and Gene Austin, WABC, New York
A program that is a good example of a radio show...
The series, five in all, combine recordings made in the studios with mobile unit at Catholic hospitals, homes, etc. and live running comment in the studio...

MART LEMAY ORCHESTRA

With Art Ballman, Georgia Day, Three of a Kind Trio, Prof. Applbaum, Sammie
A program that is a good example of a radio show...
The series, five in all, combine recordings made in the studios with mobile unit at Catholic hospitals, homes, etc. and live running comment in the studio...

Sidney Flamm Must Testify

Supreme court justice Sidney Flamm must testify at the trial of WJCA to appear for examination before trial on Feb. 16, and to produce before the court all records relevant to the \$100,000 action of the Broadcasters' Group of N.Y., Inc. in the matter of WJCA-Broadcasting Co., Inc.
The series, five in all, combine recordings made in the studios with mobile unit at Catholic hospitals, homes, etc. and live running comment in the studio...

ADOLPH HOFFER AND ALL THE MOES (8)

With Lew Lacey
A program that is a good example of a radio show...
The series, five in all, combine recordings made in the studios with mobile unit at Catholic hospitals, homes, etc. and live running comment in the studio...

WAVY 2-15-40

With Virginia Gibson, Jack Edwards, George Egan, Albert Gerson, Alan Young, Johnnie Johnston, Lane, Margo Margolin, Gene Austin, Harry Price's orchestra and Gene Austin, WABC, New York
A program that is a good example of a radio show...
The series, five in all, combine recordings made in the studios with mobile unit at Catholic hospitals, homes, etc. and live running comment in the studio...

Orth Bell Doubting

Orth Bell, the whistler "Uncle Jonathan" of CBS, will probably have a several-day arrangement with participating NBC stars including Madison Lane. Will conduct a new station participating photograph recording of the show and its effect for themselves.
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Men Would Share NAPA Divvy

National Association of Performing Artists pointed out last week that male artists are excluded from the benefits of a new divvy which would collect on phonograph records. This provision, it is understood, had been included in the constitution of the American Federation of Musicians when the union, which has allied itself with the NAPA in pressing for recognition of the interpreting artist, wanted to make sure that the composition of the interpreting artist would be made up of men.

NAPA admits that the divvy angle is still open for settlement. It is still to be determined what the proportionate shares should be for the male and his men. The union had suggested that the split be based on the former's was scale which provides for double money for the leader but the association feels that such an arrangement would be unfair for some musicians who have been accustomed to earning many times the wages of their personnel.

The revised version of the NAPA's bylaws which deal with the distribution of funds follows:

The association recognizes the interest of all members of an ensemble, orchestra or band, in the royalties received by the conductor or leader or owner of each ensemble, orchestra or band, from the association. Members shall be obliged to allocate and distribute among their ensemble, orchestra or band such proportion of royalties paid by the association as shall be determined by the Executive Committee.

Nebraska Won't Accept Verdict

Hotz Wants Numerous Issues Reopened — Citrus Buck, Mills Salaries

Lincoln, Feb. 13. William Hotz, special state's attorney, wants another chance at the American Society of Composers, Authors and Publishers. He said he has filed a motion for a new hearing of the case which wound up last month with a special federal court declaring the Nebraska anti-ASCAP law unconstitutional.

Hotz' motion suggests that certain parts of the verdict are sufficient on, certain facts are clear and that the court should grant a new trial. He wants the case to be reopened so that he can raise the following issues: 1. Whether the state has an opportunity to object. Attached to his plea for retrial were affidavits signed by 23 of the 43 legislators in the Nebraska unicameral who voted to pass the law. 2. Whether the state has the main purpose of the bill was to prohibit an unlawful combination in restraint of trade. 3. Whether the court to restrict its interpretation of the statute, in will, did deprive the public performance of or withhold the public performance of his work, but that he must make known his price for any and all uses. As the court's interpretation now stands the bill would deprive Hotz of his right to set his price on his compositions for Nebraska use and that where certain conditions were met they could be performed without compensation. 4. That finding is clearly erroneous. 5. That finding is not supported by the facts. 6. That the court's clause to the effect that the law would NOT have passed the legislature without such parts. Hotz wants the affidavits of the legislators which indicate to the contrary and that they were primarily concerned with the monopoly problem.

Further demand concerning findings of fact by the court ruling. Radio stations are charged 5% of gross revenue, whether music is used or not. 7. Whether license only is acceptable to ASCAP. 8. In 1936, 100 lawsuits for infringement have been instituted. 9. Whether stations can't have network affiliations, without having ASCAP licensed upon them. 10. That pay on any basis the ASCAP agent suggested. 11. Whether pay on assets, not number of musical compositions. 12. Get Personal.

Taking a swing at ASCAP's high cost of protection for its copyright holders, Hotz contends most songwriters are classified as "writers who get nothing." In the essentials, Hotz claims his motion, ASCAP officials (Clare Buck and Ed Miller) net \$20,000 each annually or salary, the amount of \$5,000 or more, and that a bonded agent in New York is to be paid \$10,000 a year. 13. The court directs to reopen the case, or votes against it, it is legally advised that the attorney general's opinion should be hampered in this scrap.

Hotz' family. Attorney General Walker Johnson, wanted about \$25,000 following the findings on the following rehearing, said it was un-

decided as yet what would be the next step.

Anti-ASCAP Measures in N. Y. Assemblyman Anthony Cameron, who has introduced a bill requiring ASCAP to be licensed, among other things. Notation stated introduction was "by request." This is the second time within two years a Buffalo bill has sponsored a measure hitting ASCAP. Assemblyman Foster Piper, Republican, un-derlined one late in the 1938 session, but it did not get out of committee.

Operators of small picture theatres in Buffalo area among the advocates.

54 SESSIONS IN ONE WEEK!

Glen Miller has loaded himself with 54 playing sessions during the week starting Feb. 28. He will do 30 shows at the Paramount, N.Y., and deliver 13 sessions (two a night) at the Roosevelt Hotel, New York. He will also give three broadcasts, preceded by three rehearsals for Chevrolet radio orchestra sponsored this year by the Bay Rock chorus.

He may also have to fill a recording date some morning during the same week.

STUDEBAKER STICKS TO DICK HIMBER

Chicago, Feb. 13. Studebaker is set to repeat its formula-entire show of the post couple (Raymond, starting March 4, with a three-to-five 15-minute disc show. Will again use the Richard Himber orchestra sponsored this year by the Bay Rock chorus. Set through Roche, Williams & Cunningham agency in New York. The players to be spotted in key situations from Coast to Coast. While other shows offer better advertising and sponsor decided to stick along with a show which had done a job for him previously.

Madcer to G.A.C.

Donald Madcer, secretary to the late Ralph Hitz, joined General Artists Association (G.A.C.) last week. He'll be assistant to Tom Martin. Martin handles hotel band bookings.

No Greasepaint Defended As 'Being Natural'

Akron, O., Feb. 13. Eddie Glass, Beacon Journal columnist, defends the greasepainters, actresses - wearing dancewear playing theatre engagements. "To cover up the best feeling of disgust expressed in these increasingly numerous reports," Glass writes, "it seemed that the handwomen were merely being natural. Many of them, leaders and men, are without stage training beyond what they get on the podium of a ballroom. Radio is no broader of physical point. The kids literally try to please the former's audience and his name is Microphone.

"When those broadcast band leaders and their initiates amble onto a local stage it looked to me as though they were merely going through the motions. The men smile and blinking into the spotlight were merely a standard ploy to the job of sawing and blowing out new tunes. "Furthermore, it would have been the thing to do if it listed by the thousands of Akron jitterbugs who pay the freight on these band shows. The kids literally try to please the audience when they enjoy a number, done with or without greasepaint."

(The above comment from Akron is apropos Vassery's recent story of the Akron Stage Jitters' which made particular reference to orchestra leader's stage behaviour which often makes them "stage jitters." The Vassery story alluded to the start-and-stopper attitude of the job of the orchestra people to theatrical planner and mentored the musicians not dancing group-entire conditions not changing from street clothes.

The points made by Eddie Glass, above, is that the afternoon show such as Vassery stated in its story that the practices were less objectionable with the making of highlanders, etc. but when the audience shows up at night the tolerance and not-knowing-but-for-their-disappearance.

MALNECK EXPANDING

Will Add Six New Open Returns to Parole Court. Motiv Malneck orchestra will take another five or six men and become a full size orchestra when it goes back to the Coast in April to open an indefinite stand at the Beverly Hills Hotel, Los Angeles. Additional instruments to the current eight will be bass and brass. Malneck is currently at the Beachcomber, Broadway night, goes to the Ambassador Hotel, Chicago, March 3. He will also offer a radio show, April 18. Band doubled into the Paramount theatre, N. Y., last week, closing last night.

HARRY DOWDING IN N. Y.

Harry Dowding, banking talent out of Boston, is in New York looking for attractions for the New England territory. He is after bands.

Bands at the Box Office

(Presented herewith, as a weekly tabulation, is the estimated cover charge bands bring down by name bands in various New York spots. Spots listed are only where the band is the main attraction for supper, dinner business 12-10 P.M. listed. Figures after name of hotel post room capacity and cover charge. Larger amount discounts 10% and holiday price.)

Band	Hotel	Covers	Played Week	Total Covers
Bob Crosby	New Yorker (400; 75; \$1-50)	5	1,225	1,550
Waldorf (Empire) (400; 75; \$1-50)	6	575	5,425	
Camdenore (400; 75; \$1-50)	15	1,475	21,275	
Plaza (350; \$1-50; \$2-50)	4	450	2,125	
Roosevelt (300; \$1-50; \$1-50)	1	465	5,240	
Lexington (300; 75; \$1-50; \$1-50)	4	2,275	11,225	
Blissie (300; \$1-00; \$1-50)	16	375	8,400	

Teagarden, Bankrupt, Asserts Lawyer Responsible for Debts; Latter Denies

Now, You Tell Me

Hollywood, Feb. 13. Band leader who generally quotes their listeners an musical knowledge, get a taste of their own medicine in KFFB's "Invention Fiasco," a taffee on you-know-what. Arranged around the Mike Cline and the latter wavers who happen to be available. Dialers tune in the questions and records are played to set the scene.

Is It Al Jarry's idea and he carries the show.

BURNING UP AT MAESTRO-PUBS

One of the big bursters by publishers to those maestros who have their own music firms, or an active link to an indie publisher. The major publishers are venged at the bands cutting into the pop totals by supposedly "take angles" or featuring their own tunes.

A retaliatory campaign has started among some attempt curbing such band leaders. Under the copyright law, the publisher can control the wearing of tunes, although one thing a notice of user that means every recording company can use the tune, at the statutory fee usually. However, it can be delayed indefinitely, while it may mean holding back a commercial tune from the phonograph market—and thus hurt the publisher—they feel it very worthwhile as a means to curtail the same handmen.

Unemployed Musician Rabbed After Daring Holdup of Cashier

Indianapolis, Feb. 13. Kenneth Morris, 30, unemployed musician of Youngstown, Ohio, People's Music Co. at Winchester Thursday 71. Morris walked into the bank alone and handed the cashier a note announcing the hold-up. Putting the money in a paper shopping bag, he attempted to exit the bank. He was pursued by a bank employee and captured.

Police, in searching his effects found a \$20 bill as padding to lighten the outer joint of his clarinet. Morris admitted it was part of the loot obtained in the \$5,746 hold-up of the Auburn (Ind.) State Bank Aug. 1.

1,000-TALENT OUTDOOR BALLROOM PLANNED

Custom, O., Feb. 13. A remodeling program for Meyer's Lake Park, near here, including an open air ballroom to accommodate 1,000 dancers, tables for 1,000, and a band stand. Curd Sinclair, managing director, Outdoor Bore will have a 100 by 25 foot stage, tables for 1,000, and a band stand. Darning is planned for four nights a week, 100 bands to alternate on alternating Sunday nights.

Street Cleaners' Boss Once Band Leader

Columbus, Feb. 13. Frank Ferrel, formerly a band leader in their early days as "Swapping Republicans," is now fourth assistant superintendent of the local street cleaning department. Prior to his retirement from music in favor of politics, Ferrel was in the money market in Columbus. He operated his own night club and booking agency. He was heard frequently at the Columbus Club where he had the WBNS staff band.

Inside Story—Music

'All the Things You Are' from the defunct Jerome Kern-Oscar Hammerstein, 2d, opera, 'Very Warm for March' and 'Darn That Dream' from 'Swingin' the Dream'...

Two recordings by Joseph Jefferson (1829-1905), perhaps next to Edwin Booth, the best known of all American actors, have been turned up by...

Swifty-Joe-Blect will publish the full score of Bing Crosby's forthcoming Universal release, 'If I Had My Way'...

Current issue of Fortune magazine—a 160th anniversary special devoted to "America's Century"—has a color plate of the lobby of the Paramount theatre...

Ernie Hawkins, who wrote "Tuxedo Junction," the tune his band now uses as a theme, found himself in the position of being barred from playing...

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 Knowing'...

The reassignment to WR, however, only applied to the United States. Canada, Britain and the other six countries, which grant the right over control over his work for life and 50 years...

Loeta M. Brady, administratrix of the estate of Vincent Brady, filed suit in Los Angeles against Paramount Pictures, Inc., charging fraudulent acquisition of the rights to the late composer's songs...

Paramount and Warners are named in the suit because of the songs, 'My Merry Oldsmobile,' was used in 'The Star Maker' and 'Three Brides'...

Promotion department, headed by Roy Topper, of the Chicago Herald-American, in five days received 46,886 replies in a contest in which the readers supplied new last names to the lyrics of 'Oh, Johnny'...

Barbers on Parade: Some announcers seem to have the idea that it isn't necessary to list listeners in on what band they're handling...

Close-to-Scale Spots: Get Particular Eye From New York Union

Hotel and case operators are now required by Local 662, N. Y., to make a separate form agreement with the union...

Hartford Park Hoofery: Relighted by Tony Shayne

About 400 persons attended the reopening of the Capitol Park Casino here Saturday night (12)...

W/LW Talent's Dates: Cincinnati, Feb. 12

Sylvia Rhoads, W/LW artist, opened a three-week engagement with Ranny Weeks' band last week at the Hilton hotel, Long Beach, Cal., Feb. 21.

Arden Wilson made enough of a click at Akron university military ball last week to rate an indefinite engagement with W/LW at Hotel Park, 9 S. 11th, the Indiana University group on Feb. 16, at the University of Kentucky, Feb. 15, and in Blaine Hall, Indianapolis, Feb. 25.

Larry Taylor, ex-Charlie Barnet vocalist, turned songwriter. Filmed with W/LW at Hotel Park, N. Y., either Feb. 28 or March 6. Which means Miller will be doubling from the Penn-Harris Hotel, N. Y., to the Par and also doing three 15 min. broadcasts per week.

Band Bookings

Mal Hallett, Feb. 24, Warner theatre, Westchester, Pa.
Bert Brant, Feb. 27, week, Orpheum theatre, Los Angeles; March 6, Howard theatre, Washington.

Jimmy Dorsey, Feb. 24, Hotel Cleveland, Cleveland; 25, Valley Dale, Columbus; 26, Trigon 9, Cleveland; March 1, week, State theatre, Chicago; March 6, Union Ballroom, New York City.

Pat Waller, Feb. 11, week, Hippodrome theatre, Toronto.
Joe Venuti, March 4, week, Toney theatre, Kansas City.

Chuck Fusco, April 8, Sweet's B. Fairmounter; 7, Sweet's B. Oakland, Calif.
Mal Kemp, Feb. 17, Tolone U. New Orleans; 18, Opinions, La.; 19, Jackson, Miss.; 20, Mobile, Ala.; 21, Montgomery, Ala.; 22, U. of Alabama, Tusculooosa; 23, Nashville, Tenn.
Glen Miller, Feb. 27, Johnson City, Tenn.

Give Up Own ORCHESTRAS

Penn Wayne, pianist-arrranger, and Maury Cross, who doubles all instruments, arrange and sing, are two who will give up their own bands to return to Don Bestor's organization recently.

Henry Strang had extended to March 29 at Park Plaza hotel, St. Louis.
Buddy Bacher dropped his new band after Feb. 10 to shift to Val Vaidini 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 Gray, pianist; Benno Rabinoif, concert violinist; Wally Wain, who conducts Capital theatre radio program; Johnny Williams, who recently side-tracked a new band built up by drummer Easy Watson, as another ex-band-leader, and Vladimir Selinsky, another concert violinist, members of the band.
Warnow Hit Parade program band on CBS.

Bobby Byrne band goes into Raymond Ballroom, Boston, for one week (Feb. 18).

Charlie Barnet now using his hit arrangement of 'Cherokee' as a dancing theme, closing with usual 'Make-Believe-Blues'.

Mary James has given up the idea of adding four vocalists to his band.

Dave Herman, another Abe Lyman alumna, now at Fiesta Danqueria, N. Y., is a 22-year-old dancer, the name of Dave Dennis.

Richard Humber replaces Ben Bernie at Puleonero's Valentine Ball, Rochester, N. Y. Bernie's illness prevents trip.

Junior Fren of Remosceli Polytechnic, New York, Feb. 28, is using Dick Humber.

George Hamilton's orchestra moves into Florentine Room at Beverly Wilshire, in Beverly Hills, tomorrow (Thurs.).

John Kirby's pepa crew opened at the Trocadero in Los Angeles after the Chicago Ambassadors.

Arden Wilson made enough of a click at Akron university military ball last week to rate an indefinite engagement with W/LW at Hotel Park, 9 S. 11th, the Indiana University group on Feb. 16, at the University of Kentucky, Feb. 15, and in Blaine Hall, Indianapolis, Feb. 25.

Larry Taylor, ex-Charlie Barnet vocalist, turned songwriter. Filmed with W/LW at Hotel Park, N. Y., either Feb. 28 or March 6. Which means Miller will be doubling from the Penn-Harris Hotel, N. Y., to the Par and also doing three 15 min. broadcasts per week.

On the Upbeat

Bill Hill trio plies out of New York tomorrow night (Thursday) at the Carlton.
Carlton and orchestra, L. L. to reach scheduled opening at Palace, Cleveland, Friday morning.

Mal 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 to four (two trumpets, two trombones and three rhythm. Thornhill plays).

Sidney Bechet turned out four sides of Victor with himself on soprano sax and clarinet, with Myron Berry, bass; Charlie Howard, guitar; Benny White, piano; Kenny Clarke, drums. Two 'Indian Summer' and 'One O'clock Jump' were pops, other two originals.

Babe Raska, sax, temporarily out of an infirmary Dorsey band due to illness. He's currently in New York and will return to Dorsey when the band is ready to go to the States. Grove, N. J., Feb. 20, Tony Simms replaced.

Cab Calloway scheduled for four weeks at Stratford Ballroom, Boston, after finishing his current tour.
Sleepy Hall's replacement of the band at the Elmore hotel, N. Y., is slated for Feb. 19.

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17, replacing Nick Stuart. Following eight weeks Richman will be replaced by the Carlton Chuck Foster and his orchestra.

Ray Noble into the Roney Room (Nov. 12) 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 band who went into Clev. Am. (Buffalo, Monday 112).

Berkert Frimbs had into New Penn, Pittsburgh, Monday 112) for two weeks with options, succeeding Ralph Allen and Ed Detroiters.

Eddie Noelle has left Dick Barrie in John Herman Middleman band at York Club, Pittsburgh, as first sax man and vocalist.

Tommy Reynolds and Tony Parker hands set for spring dates at Paramount, New York.

Conrad Banks one-night Sunday (18) at Hamilton Park, Waterbury.

Ray Martone, drummer with Johnny Hartono band, recovering in St. Thomas hospital, Akron, after appendicitis.

Gleason Thompson's all-girl band, on W/W. Akron, for three nights a week.

Bill Walden after six years of hillybilly on W/W. Akron, is home in Tennessee.

Jack Leonard to do CBS outstanding songs as well as working with the Raymond Scott band each week.

Charlie Spivak's new band booked for 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 at the Miller. Three nights each week. Claude Thornhill's new group did same thing.

Benny Burke band signed by MCA and cutting Columbia records.

Red Freeman arranging his small Benuna Cux Laudes combo to full size.

Fiesta Danqueria Warners Emulators its Title Is Not in Public Domain

Fiesta Danqueria, New York ballroom which combines the words of dance and dancery, currently has its lawyers on the jump notifying imitators that the name of the word Danqueria is copyrighted and as such can not be applied elsewhere.

In the past few weeks the spot's legal department has advised copies in Wilkes-Barre, Pa., and Fort Worth, Texas, to cease using the title. Another opened in New Haven, Conn., Saturday (16).

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Night Club Reviews

LA MARTINIQUA, N.Y.

Meta Montero, Ann Beasler, Denise Kape, Miss Kallisto... Ramon (and Renita) having bowed out of La Martiniqua...

VILLAGE BARN, N.Y.

Dancing is upped by Sunny O'Connell with a fresh appearance and a pleasant, light manner... The Greenwich Village curley to the east country...

BENNY THE BUM'S (PHILADELPHIA)

Andience participation is the theme of Benny the Bum... Benny Black, an import from the Philly Grand Opera Co...

CHEZ PAREE, CHI

Current show lacks the distinction which should be a constant factor at the Chez Paree as the lady who is the midwest... Ray Baker seemingly has only one set, and he did not realize it...

15 Best Sheet Music Sellers

Table listing 15 best sheet music sellers with titles like 'Caroles', 'Indian Summer', 'In an Old Dutch Garden' and their respective artists.

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

Following is a tabulation of the combined plugs for current issues on NBC (WJAZ) and CBS (WABC) broadcast for the week from Monday through Sunday (Feb. 5-11)...

Table with columns for TITLE, PUBLISHED, and TOTAL GRAND, listing various songs and their chart positions.

AYTEN, ISTANBUL

Ranked as tops in what Istanbul (Turkey) has to offer, this merry troupe will prove the entertainment officials of the near east Paris...

YESTERDAY'S HIT TODAY'S REQUEST



REMIK MUSIC CORP. RCA Building New York

PARAMOUNT MUSIC CORPORATION logo and address: 1619 Broadway, New York

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 modify the present 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-Hobbs group is aligned with them, since spokesmen for the Metro-Hobbs group are opposed to the continuance of the present method of classification which 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 25% is based on metering, while the remaining 50% is determined by accumulated 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 Seas, novelty instrumental trio now in sixth month at DeWitt Clinton hotel, Albany, will cut series for Varsity Records. Artie Dunn, singer and harmonica player, organ player of the threesome, is formerly of Briz and Dun, vaudeville act. Maurice and Al Nevins, pianist and guitarist, respectively, are cousins of Dun.

See Connely, London music publisher, from whom signed on business.

Frank Waxman organ on the musical score for "Boon Town" at Metro.

Adolph Deutsch doing the musical score for "Three Cheers for the Irish" at Warner.

Jack Schell and Mae Jerome write the songs for the Warners Technicolor short, "The Singin' Dude." Titles are "Night on the Prairie," "Heads" for the "Roundup" and "Honeymoon Hayride."

SADDLE YOUR DREAMS

FEATURING BY BOB ROGERS
IN BERNARD'S PICTURES
"DAYS OF JUNE JAMES"



British Best Sellers

- Week Ending Jan. 13
- 71 Remember.....Campbell
 - 72 The Goodbye.....Hobbs
 - 18 Century Drawing Room.....Crawford
 - 19.....Clayton
 - 20.....Hobbs
 - Always Be An Englishman.....Dash
 - Goodnight Children.....Harris
 - My Love.....Crawford
 - Navy Rabbit, Run.....Hobbs
 - Love Never Grows Old.....Crawford
 - My Love.....Crawford
 - Don't Barri! Polka.....Keith
 - 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 handled on a technical level. Counsel for the Herby V. Yates interests, which brought the ABC suit last May (S) applied to the N. Y. supreme court for a dismissal of the last four causes in Crawford's action. Those 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 61 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 for three other Max Dreyfus firms, 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 in a suit against Co. Marie Music Corp. and the T. B. Harms Co.

CONCERNING DURUM

Curiously Annotated—Timken Has Formulas—Machinery Was Sold

Returns 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-stick records. The Durium Co., which for a while disposed of 1,000,000 records, priced at 10¢ a week, went into the hands of a receiver in 1931.

The Timken Roller Bearing Co. recently bought the Durium plant, it, while part of the Durium machinery was sold in Europe and another section in South America. When the Durium enterprise was riding high it was guaranteeing multiple publishers as high as \$10,000 a side.

Durelle Alexander Sings On Ft. Worth Sustainer

Ft. Worth, Feb. 12. Durelle Alexander, former Paul Whiteman vocalist now married to E. P. Van Zandt of Fort Worth, is appearing over WBAP as soloist for "Melodic Moments," a Sunday afternoon series of concert and popular music.

Not sponsored.

Irwin Barge's New Job

Chicago, Feb. 12. Continued shifting of music firm personnel made Irwin Barge, for years with the Berlin office here, the new chief of the music department of the Chicago office of the Bette Music firm replacing Lyman Gray.

Milton Samuels has become chief of the Music & Mastering division, with his place at the Post office being filled by Billy Stoneham.

'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 Intellectual Association against the "Josephine" Suit, which is of wide import to the music publishing industry. Association will argue on argument Thursday (1), but was postponed because of the absence in Florida of Louis Bernstein, S. chief.

Defendants in the case are Al Bryan and Fred Fisher, both 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 tune was written they were in the direct line 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 nothing to do with the matter unless the author resigns them to him.

S-B maintains, however, through its attorneys, Heus & Gross, that Bryan & Hensley, that a provision in the copyright law makes the reversion ineffective if the authors are in the employ of the publisher. It is maintained that Bryan and Fisher were working for Shapiro, Inc., predecessor of S-B, when they crafted 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 manager the new managerial staff will consist of Harry Levinson, San Francisco; Al Stern, Tommy Tompkins, trumpet, with a third still not set; Frank Bracco, Charles McCombs, Murray Gold, trombones; pianos, Frank Schumann; guitar, Ruby Walker; bass, Tiny Bernard; drums, Jack Malott; Shumann, Edgar Bottle, Franz Jackson and Benny Bennett are arrangers.

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 appendicitis 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 unduly long for months, decided to go along with him. Crosby came out with a mild case of appendicitis which was taken on 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 Jacksonville, Texas, Lewis Johnson, sold off his cows for everything from a beefed cow 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 pensioner formerly, and is sending the stock to the DeLano (La.) Purkin plantation where he is using blooded animals to stock his land.

Troy, N. Y., Feb. 12.

Sigmund Spaeth, the "Tune Detective," gave an explanation and defense of the American Society of Composers, Authors and Publishers, of weekly membership dues of \$1.00, to a group of members of Kiwanis and Lions Clubs also in attendance. Spaeth, who came here on call, said it is only through the Society that the American musician can make a living.

The organization has often been misunderstood, Spaeth continued, but it has taken into membership the widows of Ethelbert Sween and Edward McDowell, although neither composer had a claim upon it. ASCAP also took Stephen Foster's daughter out of the poorhouse, Spaeth added, that Foster would not have died in poverty if the Society had then been in existence. It never permits a member to be in want.

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 Marie Kramer 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 managed by Art Karle, Mutt Hayes, Frank Galloredo, Tony Castellano, Frank Ulmer, sax; Al Stern, Tommy Tompkins, trumpet, with a third still not set; Frank Bracco, Charles McCombs, Murray Gold, trombones; pianos, Frank Schumann; guitar, Ruby Walker; bass, Tiny Bernard; drums, Jack Malott; Shumann, Edgar Bottle, Franz Jackson and Benny Bennett are arrangers.

Jimmy Campbell Bankrupt

London, Jan. 31. Jimmy Campbell, song writer and music publisher, has filed his own bankruptcy petition.

He started in the publishing business 15 years ago with Reg Connolly, with one song they had written in collaboration, called "The Me the Way to Go Home." They made \$100,000 out of it in a few months.

for the best current catalog of ballad and rhythm songs... it's

MILLER MUSIC Maestro!

MOMENTS IN THE MOONLIGHT
By Richard Mering, Irving Gordon & Al Kaufman

SO FAR, SO GOOD
Lyrics by Jack Lawrence
Music by Jimmy Mundy & Eddie White

DAY DREAMS COME TRUE AT NIGHT
Words and Music by Dick Jurgens

WOULD'A MIND
Words and Music by Orin Tucker

★ STANDARD SONG SUGGESTIONS FOR WELL BALANCED PROGRAMS ★

WHAT CAN I SAY
AFTER I SAY I'M SORRY
By Walter Donaldson and Abe Lyman

DIANE • WHISPERING
TIME ON MY HANDS

MILLER MUSIC, INC. • 1629 Broadway, New York
BEN GILBERT, Gen. Mgr.

SING IT—PLAY IT—YOU'LL LOVE THIS GRAND BALLAD

THE SINGING HILLS



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 work on a large advertisement for 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 read the movement, or send a letter to the committee at Hendrick Hudson hotel.

"Help Troy Move Forward" headed Clark Olson Vandeville, was the caption on the ad. It contained the following: "Help increase business by bringing more people to Troy. Vaudeville will provide a change of entertainment now resented to Trojans."

The city has been on an all-petition drive for more than a year. In fact, no vaudeville is being presented throughout the Capital District this season. Half-way week stands at Proctor's were the last played here. Shows normally go on work to Steadman, musician, etc.

Committee for return of vaudeville to Troy composed of: J. P. O'Connell, president of business, labor and fraternal groups. Ralph Rychelshimer, president of musicians union local, active in the background.

Committee intends to strongly pressure Fabian street to play stage shows at Proctor's. Mayor Frank Hogan is reported to have pledged his support.

Seeing B'way McGinnis' For Cartoon Plagiarism

McGinnis' Broadway eatery features a huge series of traveling panels above the bar, enlargements of usually easy cartoons and captions from popular magazines.

Country Press, Inc., which publishes For Men mag, objects to such commercialization of its contents and on Saturday (13) started a N. Y. federal court injunctive suit against McGinnis' restaurant for copyright infringement, citing the cartoon items and demanding \$40,000.00 damages.

Best Coffee in England
QUALITY INN
Lancaster Square
LONDON, WEST-END

The THEATRE of the STARS

Loew's new
BOOKING AGENCY
GENERAL EXECUTIVE OFFICES
LOEW BLDG. ANNEX
160 WEST 46th ST. NEW YORK
Beyond 9-7800

J. H. LUBIN
GENERAL MANAGER
SIDNEY H. PIERMONT
BOOKING MANAGER

Showering Memoirs

PL. Worth, Feb. 13.
Sophie Tucker spent her life time when her propped up in bed, writing 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 quipped with Sophie about 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 Nitery Owner As Fugitive From Illinois

Louisville, Feb. 12.
Joseph Sacarin, 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 \$30,000 appeal bond in 1924 in a hold-up case. Louisville authorities were advised.

Sacarin left Thursday (8) for Jersey, 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 mayor and council board or the police from publicizing the case 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

Garson Laurysen, executive director of the Hotel B. Regis, N. Y., is budding with James Mitchell Leisen, Paramount director, in Hollywood, on a new show for the hotel's Viennese Ball, opening the summer season on May 1. Leisen has been staging and producing the N. Y. Leisen's Roof, which featured the past two years, using a lobby print line from the Par lot and other film personalities as the nucleus.

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 book the latest print to transform the Marmotte Room room in the hotel into the Hawaiian Marmotte, which has just been shuttered for the London season.

Saranac Lake By Happy New Year

Saranac, N. Y., Feb. 13.
Peier Kruger, once with the New York State Fair and other vaudeville organizations, is now connected with the WH Rogers as expert in the musical department.

Carlton Reed, who shares a no mean of accordion playing, is an addition to the Bryer Leviner crew. Actors Colony musical band.

Thanks to Lendl Tris and White for the dedication of the new theatre to the John and Acton Colony.

Dr. John R. Shroyer wanted to be a dramatic actor in his younger days. That's reasons for his self-suffice for the acting performer.

Marty Fisher, who acted for 15 years and now owns the Packard Motor Co. agency here, dug up his old White Star card proving that he 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 WH Rogers, Fred Dr. A. Meyer, of New York, and Harold Rodner came in for a look-see.

Margd Meredith took the first stage of the "fly" operation and came out with flying colors.

Dr. George Wilson, of Boston, Mass., for his timely gifts to the lunch here: ditto to Al Borner, of New York.

Write to those who are ill.

3-A-DAY VAUDE PLANS ON TAP FOR SYRACUSE

Syracuse, Feb. 13.
Town is rife with repeated plans for a straight vaudeville house following success of the Massachusetts State Life Ins. Co. in the city. The Empire-Mitchell Corp., Insant, and the B. & S. Amusement Co., management from the Empire theatre. Although names of backers have not been revealed, currently accepted story is that the 1200 seats will trodden after extensive remodeling with a program of three-day vaudeville shorts as fillers between shows.

Empire has been operating and will continue to operate until end of month. The 1200-run film house featuring nightly bingo.

Flo McConnell's Suit

Florence McConnell (and Moore) fled not in the N. Y. federal court. The suit charges the company damages for personal injuries against the Stanley Corp. of America for injuries Jan. 1, 1934, when she tripped over a mat.

The injury allegedly occurred at the Capital theatre, Passaic, N. J.

Ruby Lynn, who made her debut at the Stanley with the Standley, charged at the Merry-Go-Round, Detroit, Monday (12), is the daughter of Dave Hubbard.

15 YEARS AGO

(FROM VARIETY)

The Showbiz' theatre invasion of the town, which was precipitating a war with Famous Players, was in fact, was pretty well tied up by the pic concern. Letter reminded Showbiz' leasing theatre for legit in Palm Beach and Miami.

Benny Weisner enabled Cosmo Island to draw its first big crowd, 134,000. Dancehalls cleaned up.

Marty Houdini, in the New York Hipp 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 character and vigor, 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. Dozen 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.
Bad connections on the state of entertainment:

Nick Puskin, manager of El Texaco, gave top honor beverage drink to his chef, Raymond West, pushing Lloyd Snyder's arch and making him beam down to supporting roles.

Benny the Bum Calls Off His One-Man War Against Waiters' Union

Philadelphia, Feb. 13.
Benny (The Bum) Fogelman's blistering attack on the Waiters & Bartenders Union ended Thursday (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 H. Herbert Lyne, attorney for the union, and announced he would be delighted to work a contract with the A. F. of L.

The contract, affecting all 65 employees of the union, was made for a year, providing a closed shop, pay, a week's vacation with seniority, a strike arbitration, a 48-hour week, and pay increases averaging about 25 weekly, which will be installed gradually.

Fogelman dropped all charges against Harry Amos and Ray Turchi, his agents of the union, whom he had based on the accusations they had been acting his severely during a meeting at Lynn's office Feb. 8 in a private restaurant.

Harry Amos and Turchi dropped their counter-charges that Benny had threatened to kill them. The names of waiters, bartenders and kitchen help was called off by the union.

Previously Benny had dropped charges against Lyne that the latter had "stuck a gun" in his stomach at the meeting. Lyne said he had been "laboring under a misapprehension." He said that Lyne wasn't even present when the row started.

5 Lions Attack Beauty Fla. Farm Employee

Miami, Feb. 13.
Five of Clyde Beatty's lion tamer Thursday (8) attacked and critically mangled Chester Cuzaj, 31, of Kingsbor, Mass., an employee at Beatty's Lion Farm at Fort Lauderdale, before a trailer loaded among them and saved the man's life.

Why Cuzaj entered the enclosed group, protected by a moat, no one could explain. The 22-lb. youngster brought trainer Joseph Arcara's rushing into the arena. Picking up a stick, he beat the lions and the prostrate man, while another trainer, George Eckerson, hopped in and lifted Cuzaj 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. 17 with a \$25.00 per person dinner to mark the occasion of his 36 years in the "hunt" and the world's record for the "hunt" and consecutive service in one establishment. He has been successively dining room waiter, captain, headwaiter in his 36 years at the Hotel Astor, and has been the only member of the fraternal dinner in the Broadway district.

Nick Troiano to give him his full name, as major dame of the Astor's famed Hunting Room, probably knows more tonight than most people about any restaurant man in the business. During the halcyon days of the 1920s, the Astor was the capital of social activity and later Nick Larong gave theatrical personality to the "hunts" in Hollywood, during their Broadway days.

The Elite Executive Assn. of America, the International Assn. of Societies Culinary, Philadelphia, Pa., the National Assn. of Waiters, the N. Y. Society of Bartenders, Chris de Cumanas, the N. Y. Society of Waiters, N. Y., and the Hotel Executive Club of N. Y. are among the sponsoring organizations. Bob Charbonberry, v.g. and gm. of the Astor, hosts the dinner committee as honorary chairman; Joe Proctor, 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 Representatives Assn., organization for New York agents, is getting some competition. A group of exclusive sales representatives and agents is trying to promote what it calls the American Council for the Arts, an organization headed by Carlin claim, however, that his group only wants to enroll artist bookers. He says he can't understand how letters have related virtually every agent in N. Y. The ARA is practically fully organized now, with its governing body currently working on a code of ethics.

ALWAYS WORKING
"WHITEY" ROBERTS
"GOLD STAR"
The Whitey Roberts company, one of the best of the United States in the New York Stock-Exchange

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.

Corelli Arranges TA Jurisdiction In Philly After Squawks on Abuses Practised By Promoters of Benefits

Following complaints of much abuse of performers' benefit promoters in Philadelphia, Alan Corelli, of the Theatre Authority, has arranged for TA jurisdiction of what constitutes a charity affair in Philly. As in other cities, the TA will pass on whether a show's proceeds are going for legitimate philanthropic work, and if performers' money is not being used properly, the TA will collect the customary 15% of the gross, which is divided among all the theatrical charities.

Philly situations presented two unique facets for Corelli. First, that the agency operators themselves were crying for relief from the shackles their shows to as many as 12 "benefit" acts; second, that a good many of the "benefit" articles in a newspaper as well as political speeches. As an instance of the latter, Corelli cited the Philly sports-writer's dinner in honor of Connie Mack at the Penn Athletic Club last Thursday (6). At the same time, as he appeared gratis, but advance praise was usually and widely whizzed. Ted Rodrigues was the stage Jack, who was present as m. c., there got up and named the scribes and their guests by the month or so.

Later in the week, when Philly reporters asked Corelli if he knew any way to bring the "benefit" promoters, Corelli declared that he would tell them if they permitted to print the truth for when this was done, he declared it was the newspapers themselves, with their "benefit" promoters' behavior was "damning".

Actually, however, the performer in Philly-invested in the TA by was Marjorie Gaither. Her money when some of the Philly promoters apparently mistook for an article which she didn't keep her hidden, though, and called Corelli to rebellion at the numerous "benefits" she was favored by. She spoke out against her current appointee at Jack Lynch's Wallton Road, Fla. and other promoters pointed out to Corelli that they wanted to appear as many as 12 so-called charitable-sponsored events a week.

Surprisingly, Corelli found a much more hearty ally in the FA rule on outside shows. A committee conferred with the TA late on N. Y. and agreed to all TA rules, including having performers' contracts stamped with notation that they were not to be signed unless the latter were approved by the TA rep in Philly. Many of the promoters, formerly one of the most in the vaudeville circuit, in the hour, has been appointed by the FA's official branch.

Hitery op's committee included Jack Lynch; Benny (The Bum) Friedman; Sam Silber, who operates the Embassy; Ray Berman; Bill Chase; Harvey Loehman, of Delmonico's.

SEA'S Consensus To TA

Philadelphia Feb. 13. The theatre Authority will set up an office in Philly this week and offer to help in any way possible for benefit and other appearances of performers here.

It was believed that TA would direct the decision of down-town actors who played locally. The United Entertainers Association, local inside actors union, turned the jurisdiction of its own members to the TA. In addition the TA rep, Richard Myers, will be office to the SEA, and the work in connection with the union is expected to eradicate confusion which has broken out of late.

The SEA's rule is expected to keep promoters of small-city "benefits" from putting the arm on merry-go-round operators for spots have been afraid to come for fear of reprisals by the politicians.

Cutting It Deep

Hollywood, Feb. 13. New law pronounced established by a local indie agent who lunched a Hollywood-vaudeville deal and ended up with a commission of 6%. Agent maneuvered a Broadway network for a client, but another local promoter who contacted an eastern peddler. Client earned \$50 and turned out \$5 to the eastern 10-12, who sent \$120 to the Hollywood middle-man. The contract was revised, original idea down to its roots. Centage also collected 10% of 10% of 5% of 5%.

COURT UPHOLDS BOOKERS' PACTS

Philadelphia, Feb. 13. The United Entertainers Assn. and the State Department of Labor and Industry was a court victory Friday (8), when Magistrate Jacob Dogie upheld the validity of contracts between bookers and clubs. The action was brought as a test case by the UEA against the Newark Club in behalf of the dance team of Carles and Davis, who were booked by the club in violation of night club provisions. The action was brought as a test case by the UEA against the Newark Club in behalf of the dance team of Carles and Davis, who were booked by the club in violation of night club provisions.

The Judge ruled that since the agents of the UEA admitted to be the proprietor of the letter was bogus. He awarded a judgment of \$1000 to the club members. The State Department has since intervened in the case following complaints by performers that they were being sent to spots by agents and, after appearing for a night or two, were not being paid. In several cases agents have been sent out-of-town and even paid traveling expenses.

Decision on 'Helix' Show vs. Vaude Unit Due Today or Thurs.

A decision is expected today (Wednesday) or tomorrow in the case of Olsen and Johnson against the 'Hellzard' vaudeville unit, who are suing the UEA for their rights to the O. J. 'Hellzapoppin' winter garden current at the B'Way Latin Garden. N. Y. supreme court Justice Aaron J. Levy, received an amended complaint from O. J.'s attorneys Friday (9), and is pending the team's plea for an injunction against the unit, jointly owned by Olsen and Johnson. The ruling in it, said Al Bords, Chicago vaude producer.

In the event an injunction is granted, the case will be put on the calendar for immediate trial. O. J.'s would have to post bond to cover claims and other expenses. The 'Hellzard' troupe pending final disposition of the case.

In their original affidavit, O. J. sued the 'Hellzard' operators for plagiarism of some of the material in their act, but it was decided that a hearing before Justice Levy as 'a couple of home' who were trying to sue Olsen and Johnson for the material that has been in the public domain for years. I. Robert Brider, attorney for the 'Hellzard' outfit that many of the bits in the O. J. show had been done by other vaudeville acts, has added that the titles 'Hellzapoppin' and 'Hellzard' have been used to designate certain attractions for more than 30 years.

O. J.'s attorneys, Clutz and Males, contended in their hearing that last week, amended the complaint, charged all charges of plagiarism and plagiarism of the suit against the 'unfair competition' angle. Besides hearing 'Hellzapoppin's' future read of O. J.'s amended complaint declares that 'Hellzard' is hurting the sale of picture rights to 'Hellzapoppin's' they claim that the last offer for the latter was \$200,000, but do not name the firm company which made the bid.

Haddock Non-Pro, But With OK Labor Union Background, New Exec Sec'y of AGA; Seen Ending Chaos

In answer to all and of his victory, the American Guild of Variety Artists, on Monday (8) appointed a non-pro, Hoyt S. Haddock, executive secretary of the AGA, who previously had been the appointment is permanent and the labor unions' arrangements call for Haddock to receive \$10,000 per year, some stipend paid at least two of his short-term predecessors, Maids Beads and Mrs. Dorothy Bryant.

Haddock, who is 32, comes to the AGA from industrial labor ranks, having had plenty of experience as an official of various unions and as labor consultant for several industrial organizations. He will continue to show business experience, however, and a few in AGA proposed appointing, Will Glenn, former board member and active performer, as a temporary paid assistant to Haddock. The latter would familiarize himself with AGA affairs and the ramifications of the vaude industry.

Without a trade-experience assignment, it means that Haddock will have to take up virtually every problem with the AGA council as it begins its work. Known as the members have been very lax in attending meetings of recent months.

AGA was one of the founders of national board members and to the chaotic state which has existed in the vaude industry ever since he chartered last summer by the Four A's to replace the disintegrated American Federation of Variety Artists. He has already had two "permanent" executive secretaries, Miss Beads and Mrs. Bryant, but they were resigned. Jean Muir, film player, was executive secretary, his firm following her. He resigned last summer two weeks ago to make a film for Metro. Billvine, actor, who was originally coming to be AGA's executive officer over lawyer Paul Turner's office at Equity, was also resigned and Haddock's appointment.

Haddock's Record
The new executive-secretary, who was at one time a radio operator with the American Radio Telegraphers Assn., later becoming president. He resigned, the union became the American Communications Assn., and affiliated with the CIO. It is a former radio technician, having an office over the International Brotherhood of Radio Technicians at 100 Madison St. At one time a member of the strike committee of the National Maritime Union, Haddock stated he was friendly with John L. Lewis, William Green and numerous other labor leaders. He was a protégé of Edward McGrady and is said to be personally acquainted with President Roosevelt and Mayor LaGuardia. Before taking the AGA job he was labor consultant for the American Trade Union and advised an labor matters for the Standard Oil Co. of New Jersey.

Outside Organizing Resumed
The national board Friday also voted to resume organizing activities in the outdoor field, apparently the result of reports that Ralph Pappert, an American Trade Union leader, was in Miami trying to obtain an AFL charter to represent vaude in circus and carnivals. No word has been received regarding Whitehead's success or whether he is planning to re-include performers with the laboring.

Organizing, rather than allow a loophole for the AFA to gain a foothold in the performer field, the AGVA took a great interest in the organization. Explained that in resuming its organizing drive, AGVA will continue to claim that the last money previously received from organizers because it had apparently been paid by operators to cover future show payments by the union.

will immediately hire organizers to cover the circus-carnival field and to include the \$10,000 just received from RAG, as the return of the coin from the outdoor field was understood to have previously depleted the union's bankroll.

One of the first steps taken by Haddock was to order from the live-serviceary job to obtain the immediate payment of the \$10,000 loan provided by the Screen Actors Guild when AGVA was chartered by the Associated Actors and Artistes of America last summer. Haddock stated that the AGVA treasury contained \$10,000, which was presumed to include the \$10,000 just received from RAG, as the return of the coin from the outdoor field was understood to have previously depleted the union's bankroll.

FLA. GOV. CONE'S BLAST KAYOES GAMBLING

Miami, Feb. 13. Governor Cone's latest anti-gambling blast is being complied with by all the major spots. In fact, anti-gambling and this there is very little seen against the state.

Gambling has been stamped up in Miami on Feb. 25 when Safety Director Reynolds received a call from N. Y. informing him that certain actions had been about to elow their way in the setup here with gamplay. Governor Cone's latest blast is said to have been the result of some unhappy gambler phoning him to complain that five Florida gamblers were allegedly running the works.

Three FBI led signed affidavits of gambling in Broward county, and in the past few months a state attorney general, started public proceedings against the Palm, formerly known as the Flamingo Club, Raaboo Grills and the F. and W. bar, all in and around Hollywood.

The Broward county action came just after G-man J. Edgar Hoover's blast from Washington charging Dade county officials with 'graft, corruption and bribery'. While this was going on the sheriff in Miami received a hurry order from Attorney General Clegg to clear all punch-boards of the counters.

Sheriff Columbus de Mahe County had no comment to make, neither had Reynolds. L. Leslie Quigg, Miami's police boss, was about to get a cold, and allowed as how he felt awful and didn't know anything about the matter. Chief detector chief, stepped down to office his heartiest cooperation.

NTG Buys Into Coast Florentine Gardens

Miami, Feb. 13. Nils Thor (N.T.G.) Grimland bought his vaude unit into the Florentine Gardens here March 11, for an indefinite run.

Nite spot owners announced that Grimland has bought an interest in the place.

SYRACUSE CLUB BANKRUPT

Syracuse, Feb. 13. Fighting a losing battle for several months, Club Irving, one of the upstate area's largest night spots, has filed for bankruptcy. Last week after its president failed to post bond to protect creditors. The club organization filed a re-organization petition Jan. 25 under the Chandler act and asked permission to continue in business pending an arrangement to satisfy creditors, but Richard A. Kerry, trustee, refused to grant the petition. The club's petition listed assets of \$1,133 and liabilities of \$14,024.

Variety Bills

NEXT WEEK (February 16) THIS WEEK (February 9)

Numbers in connection with bills below indicate opening day of show, whether full or split week

Low

NEW YORK CITY

NEW YORK CITY
Paramount 114
Dorothy Lamour
Irene Castle
John Miller
Frank Kelly
Doris Day

WABINGTON
104
Marilyn Roberts
Joe Fisher
Lester Young
Lulu Belcher
Mickey Rourke &
Mickey Rourke &
Mickey Rourke &
Mickey Rourke &

Cabaret Bills

NEW YORK CITY

Sammy Galbraith's
Ann Frazee
Harry Hines
Della Faye
Marie & Marie

Paramount

NEW YORK CITY
Paramount 114
Dorothy Lamour
Irene Castle
John Miller
Frank Kelly
Doris Day

NEW YORK CITY
Paramount 114
Dorothy Lamour
Irene Castle
John Miller
Frank Kelly
Doris Day

ROYAL PALM, MIAMI, FLA.

NOW
THE WIERE BROTHERS
Placed by
MARK J. LEODY

NEW YORK CITY

NEW YORK CITY
Paramount 114
Dorothy Lamour
Irene Castle
John Miller
Frank Kelly
Doris Day

RKO

NEW YORK CITY
Paramount 114
Dorothy Lamour
Irene Castle
John Miller
Frank Kelly
Doris Day

NEW YORK CITY

NEW YORK CITY
Paramount 114
Dorothy Lamour
Irene Castle
John Miller
Frank Kelly
Doris Day

Warner

NEW YORK CITY
Paramount 114
Dorothy Lamour
Irene Castle
John Miller
Frank Kelly
Doris Day

NEW YORK CITY

NEW YORK CITY
Paramount 114
Dorothy Lamour
Irene Castle
John Miller
Frank Kelly
Doris Day

Independent

NEW YORK CITY
Paramount 114
Dorothy Lamour
Irene Castle
John Miller
Frank Kelly
Doris Day

NEW YORK CITY

NEW YORK CITY
Paramount 114
Dorothy Lamour
Irene Castle
John Miller
Frank Kelly
Doris Day

Marvyn & Michael
Sally Johnson
Norma King
Lionel Lincoln
Gene Kelly
Charles Tappan
Vivian Vance
Gloria Grier
Norma Macintosh
Marilyn Roberts
Lester Young
Lulu Belcher
Mickey Rourke &
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New Acts

CARMEN MIRANDA (4)

Madame, Broadway, N. Y. Carmen Miranda wound up in a blaze in New York City... 'Sirens of Paris,' and at the Club Versailles which looked her up...

Given an introduction by Cuban songwriters, she makes her entrance from the orchestra pit, crowding with Goodwin in character...

For the record, therefore, Senorita Miranda remains a vivid personality... She is bright and vivacious...

SONS OF THE PURPLE RAGE (4)

Madame, Broadway, N. Y. Fresh from the steer steer, after a few hours of normal dancing...

They are a good team, and an odd name dance, or a clever Miranda, who needs a dry diplomat...

DANNY RAY

Madame, Broadway, N. Y. Danny Kaye is out of the 'Straw Hat Revue' by way of the burlesque...

There's also a whip session of cracking cigarettes and sugar... a 23 rifle follow, one of the boys...

MINI KELLERMANN

Madame, Broadway, N. Y. A niece of Annette Kellermann, the original one-piece swimsuit...

One number is a Spanish dance and the other is a 'Latin Blues' routine, wherein she makes excellent use of her...

EDWARDS SISTERS (2)

Madame, Broadway, N. Y. Apollo, N. Y. Here, those which catches the eye because of speedily toggling...

One female wears slacks and plays piano to the other... Fair has much variety to tone down...

REBA STONE and CO. (1)

Madame, Broadway, N. Y. 'Aldrich Family' has become a craze in New York City... 'The Aldrich Family' (Rehears)...

Given an introduction by Cuban songwriters, she makes her entrance from the orchestra pit, crowding with Goodwin in character...

For the record, therefore, Senorita Miranda remains a vivid personality... She is bright and vivacious...

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One female wears slacks and plays piano to the other... Fair has much variety to tone down...

KAY THOMPSON

Madame, Broadway, N. Y. Kay Thompson comes into vogue... 'The Aldrich Family' (Rehears)...

THREE SHOWN BROAD

Madame, Broadway, N. Y. Harmonizing this trio should satisfy swinging addicts... 'The Aldrich Family' (Rehears)...

Bills Next Week

Madame, Broadway, N. Y. The following bills are scheduled for next week...

EARLE, WASH.

Madame, Broadway, N. Y. Earl Shelton, in his fourth straight week here, pulls enough new routines out of his hat to headline...

FLYING DOWN TO RIO

Madame, Broadway, N. Y. Presenting a fast-moving, clean-cut, well-organized routine...

SYRACUSE

Madame, Broadway, N. Y. The following bills are scheduled for next week...

House Reviews

KEITH'S, BOSTON

Humanities, opening the show. Three top by the gang, are a cleverly... 'Night of the Ghouls'...

STATE-LAKE, CHI

Outstanding variety unit that is a gem in the variety field... 'Night of the Ghouls'...

EARLE, WASH.

Earl Shelton, in his fourth straight week here, pulls enough new routines out of his hat to headline...

FLYING DOWN TO RIO

Presenting a fast-moving, clean-cut, well-organized routine... 'Night of the Ghouls'...

UNIT REVIEW

Presenting a fast-moving, clean-cut, well-organized routine... 'Night of the Ghouls'...

SYRACUSE

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SYRACUSE

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Woolcott's 'Dinner' Shocks Plush Coast Set Into Delirious Evening

By ARTHUR ENGAR

Santa Barbara, Feb. 13

Staid, dignified, prudish, proper and socially elite Santa Barbara was given first glimpse of the "Man Who Came to Dinner" at the Lobster terrace Friday night at the San Juan Hotel. The comedian and Miss Hart took a deprecate chance of igniting a social uproar through the presentation of Woolcott and his associate players to the local bourgeoisie and socially proper residents of this community to witness the verbiage that is so well known to the Broadway and Hollywood csa where the aristocrats are taken in by 11 minutes of wit.

The audience was plainly shocked during the first act. They were not laughing at all in the other two stanzas. From the initial applause given them, and not trying to replicate the okay labeling of the acts by New York and Chicago, settled down to enjoy themselves while Woolcott and the other characters in the play teased about investors that three disciples of Emily Post laughed at, and then, after a few minutes, it was a capital evening for social life. Santa Barbara, feeling its first audience at a premiere dress rehearsal, came out triumphant at the end of the first act.

But regarding the Santa Barbara audience, the matter is not so simple. Hollywood and its environs. There were a score or so from hand from Hollywood and its environs. There were a score or so from hand from Hollywood and its environs. There were a score or so from hand from Hollywood and its environs.

A Word Somewhere
"Dinner" is a play that is a study in characterizations and dialog that will make the play the talk of the town for some time.

Also Woolcott is Woolcott. No one can miss it. He has a very elegant in his getting to meet Emily Post. He has a very elegant in his getting to meet Emily Post. He has a very elegant in his getting to meet Emily Post.

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PASSENGER TO BALI

New Haven, Feb. 8

Melodrama in two acts with some scenes, directed by Clifford Brown, at the Lyceum Theatre, New Haven, Conn. The play is a study in characterizations and dialog that will make the play the talk of the town for some time.

They've brought this new play starring Walter Huston down to the yearling market, but it's going to take a lot more than a simple line program to put it off. Reaction at play was that everybody tried hard, but production as a whole doesn't quite make the grade.

That is that of the "Red" Babe Walker, hurred from every direction, and then, after a few minutes, it was a capital evening for social life. Santa Barbara, feeling its first audience at a premiere dress rehearsal, came out triumphant at the end of the first act.

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HIT AND RUN

Los Angeles, Feb. 8

Picture in two acts with some scenes, directed by Clifford Brown, at the Lyceum Theatre, New Haven, Conn. The play is a study in characterizations and dialog that will make the play the talk of the town for some time.

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Broadway

Two for the Show

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Current Row Shows

(Week of Feb. 12)

Any Lincoln in Miami? (Haywood Mackay)—Grand Opera House, Chicago.

Any Yorker? (Constance Bennett)—Fifth Column (Franchot Tone)—Coliseum, Boston.

Number 14 (Marion Evans)—Englewood Theatre (12-15); Columbia (14-15); Taft Auditorium, Cincinnati (16-17).

And Now—Mayan, Los Angeles.

Hot Mithras! (Bill Robinson)—American, St. Louis.

Ladies and Gentlemen (Heinz Hall, Philip Morris)—Cam, Detroit.

Life With Father (Lillian Gish, Percy Warbur)—Maryland, Baltimore.

Little Foe (Tallah Benhead)—Lecout, Philadelphia.

Sammy's Daughter (Ethel Waters)—Lecout, Philadelphia.

Three After Three (Gloria Farrell)—Seltzer, Chicago.

What a Life—Geary, San Francisco.

NIGHT MUSIC

Directed by Clifford Brown, at the Lyceum Theatre, New Haven, Conn. The play is a study in characterizations and dialog that will make the play the talk of the town for some time.

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Acme Curb; More Charges Against Newman, Code's 'Bad B.O. Effect'

It is no secret that the code enforcement authority in N.Y. to be successful in attempting to keep tickets from reaching the Acme agency, who has steadfastly refused to operate under the restrictive regulations of the control system. The board frankly admitted that the code enforcers are checking on Acme principally and it is argued that if the supply is stopped, enforcement would be effective.

Top brokers are skeptical that it can be done, because there are no means made available to tickets to special events and shows for which there is a limited supply. There are some diggers, with a system they have shown who often say that if they can secure possession of tickets for almost any attraction.

Little doubt but that the board would welcome fewer brokers and Broadway is wondering whether the larger ticket market is going. Such agencies cannot obtain the amount of tickets available to all other agencies. They continue to warn managers that under the present rules patronage is being lost and that the code enforcers are forcing a valuable clientele out of the theatre-going habit. The dealers then the regulations seem that there is no incentive to build up patronage. Items about the ticket situation the press is harping on, they aver.

Brokers also point out that the rule has created a new psychological reaction, not alone in agency circles but in boxoffice. There is (sic) a feeling that the treasurers cannot be expected to display the same energy in handling the tickets as they have done in the past with increased salary, but their relations with agency people have become strained. Claimed that the rule would rather have a moderate success than a smash because the job is too difficult.

More Charges vs. Newman
Around 15 fresh charges of code violation were filed against Newman's agency were considered by the board Friday (8), and it was again asked to explain. Board of tickets concern the sale of tickets for "The Man Who Came to Dinner" (Musical comedy) alleged to be selling tickets for the \$5000 price were sold by Newman's, which is a code violation. The tickets were sold for \$25; retained by the theatre for 10¢ per seat.

Enforcement board adjourned the Newman matter until Thursday (15) for further evidence. How such violations will be handled is not clearly explained by h.o. people. It is known that Newman's tickets at the moderate price are being sold by offering a large turnover and disposing of many tickets not calling for attention. Newman's claim that the agency is regarded as a valuable asset to the boxoffice.

Enforcement board to pay a fine of \$500 imposed by the enforcement board, nor is it a \$500 compliance with the code. Newman's claim will attempt to operate outside the code. Any idea that there has been a liaison between Newman's and the code enforcement board is discounted because of the disappearance of Lee. Another incident at least one ticket concerns the absence of proper stamping of the sales price, as required under the administrative code. Reported that the matter has been cleared at the attention of federal officials by the latter of New York Theatre and Equity, both of which formed the code, but no action has been taken.

Despite the supposed control of ticket sales, it is known that tickets are still turned up at the last minute sale. How that can be done is not one explanation, but some hand may be required to get tickets on tickets which somehow become available on the day of performance, because a few tickets are available usually. Many such tickets are not usually taken and the patrons usually accept what they can get. 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. Later rubbed at the player's profile and gave him careful scrutiny, then piped: "I cannot see you as yet of my first three production shows." (He has not yet done one show.)

Producer is described as having dinner space with another showbroker who has desk room.

Barrymore Back In 'Children' But Matinees Are Out

John Barrymore, who returns to the Broadway stage in "My Dear Children" of the Belasco was announced that it was accorded top press coverage, attracted further attention when he was taken ill last Wednesday (?) and entered Mt. Sinai hospital. Performance for the balance of the week was cancelled. In entering the hospital he being the name of Strange, pen name of a previous wife, Michael Strange. Star reappeared Monday (13), with the show going on a six-performance run. The show was discontinued so that he may conserve his strength. This arrangement applies for two weeks, matinees to be inserted thereafter, it is expected.

Announced diagnosis was vitamin deficiency, but it was stated 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. Said that Barrymore had retained an attendant to their reconciliation was contributory to Barrymore's ailment. At the hospital it was said that Barrymore had retained his needed rest and nourishing food.

Belasco boxoffice was continuously busy with the advance and making exchanges on tickets for the missed performances. Claimed that there was about 30% refund on tickets, balance being switched. During the period that matinees will not be held, it is estimated that about \$3,500 under expectations and takings should be around \$14,000.

Barrymore started rehearsal this week and is to return Thursday (15) Dudley in the cast Thursday (15).

PINS AND NEEDLES IN SUIT WITH FRIEDMAN

Suit of Labor Stage, Inc. against Charles Friedman was revealed Thursday (8) in N.Y. supreme court, when the plaintiff sought an order compelling Friedman to settle the dispute to arbitration, and to hold up his action against the plaintiff for performance in N.Y. theatre court. An agreement was made between the two parties in April, 1939, agreeing to refer the matter to arbitration, but when this one arose in November, 1939, Friedman started his suit.

Friedman was receiving 14% of the gross of "Pins and Needles," which was produced by Labor Stage "Economics' L" and collaborated in the lyrics to "Pins and Needles," and received 10% of the gross. Friedman to receive 3% of any film sales. When the new "Pins and Needles" edition was produced the plaintiff claimed that Friedman was not entitled to any monies, and offered to arbitrate. Friedman refused, and started action in municipal court.

Mill Monti Has Piece Of Ed Dowling's Play

Mill Monti, Indo-French playster, is going into the forthcoming production of "The Day After Tomorrow," a play about baseball. An alien performer, she was yesterday granted a permit to appear in the Equity concert on the ground that she's a co-producer of the show. Her appearance for a week under the Equity restrictions, Dowling received from 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 75¢ premium or surcharge on theatre tickets in the state of New York, was adopted unanimously by the Assembly in Albany yesterday. The bill would mean that Paul Moss, commissioner in New York City, would have over 100,000 tickets to be sold at the present rate for which is that under the present setup there is no machinery whereby 100,000 tickets' regulations may be enforced.

There is a law on the statute books of New York limiting the selling on tickets of 50¢, but is impractical because the U. S. Supreme Court has ruled it to be price-fixing. However, that decision was made 14 years ago and the completion of the bill is not likely to be changed since then.

MUSICAL FARCE TO BE BOYAR-MAYBOHN'S 1ST

Ben Boyar and Col. Fred Maybohn 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 Arthur Sherman. No lyric writer is set, but Boyar, who formerly was general manager for Max Gordon, was recently associated with Erik Charell in the production of "Swingin' the Dream" at the Center. N. Y. Steininger, a former Viennese composer and conductor, has composed several operettas that were presented on the Continent. He is the author of "Della" and "The Merry Touring in 'Streets of Paris'." Sherman wrote several of the sketches in "Streets" and other work, while Pierce is a dance director and sketch writer.

Outline for the book is completed and it's figured the script and score should be ready in about three weeks. Boyar is casting and conductor will begin. Pierce will direct and Steininger will conduct the orchestra. Boyar is acting as general manager for Max Gordon, was recently associated with Erik Charell in the production of "Swingin' the Dream" at the Center. N. Y. Steininger, a former Viennese composer and conductor, has composed several operettas that were presented on the Continent. He is the author of "Della" and "The Merry Touring in 'Streets of Paris'." Sherman wrote several of the sketches in "Streets" and other work, while 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 tour that will start Monday (11) at the Forrest. Costello will not be in it. The show is the last of the duo in Philadelphia, coming back to New York three nights to work in Kale Smith's production of "The Merry Touring in 'Streets of Paris'."

Replacing Abbott and Costello the next night a week and for the duration of the Philadelphia Washington tour, are Sid Martin and Cliff Sharlie. Hal

Equity Holy Denies Interference With One Big Union Idea, Insisting No Feasible Plan Has Been Put Up

Suburbs' 'Donation'

The Suburbs, who have been recognized by the Board of Actors and the Philadelphia Branch for nearly a year for rental of the Theatre Guild, producers of the show, \$8.00 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 Fire relief.

Expenses listed in the bill included such items as a day's pay for workmen, auto light and heat, etc. Larry Carroll, company manager for the Lunts, City, who was asked to contribute with a notation, "Would you like to donate the amount to the Fire relief fund?" The answer has been received to date.

Lunts May Do Empire; 23G Gross for Finns

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. "Empire" was written by Frederick Turner, one of the recipients of the Golden Fellowship when the latter donated a fund to encourage new playwrights last year.

"Empire" an original form was a six-hour play, but has been revised to average length. Another attraction planned for next season by the Lunts is a comedy by Frederick Lonsdale, which is expected to star Gertrude Lawrence, currently under the Lunts' direction in "The Sign of the Cross," N. Y.

The Lunts departed for their country home in Wisconsin Saturday (10) night after playing at the past week at the Alvin in "The Taming of the Shrew" in aid of Finland's non-union sufferers. Although there was a repeat appearance for the show in the Shakespearean park, the attraction could probably have remained into spring. Stars were urged to remain, but explained they were very busy for the past few seasons, during which they journeyed 30,000 miles. Miss Fontanne, who recently was indisposed, was in bed except during performances at the Alvin.

"Empire" top "Shrew" played to standee attendance and grossed \$23,000 for the benefit work, largely went for the past few months, during which they journeyed 30,000 miles. Miss Fontanne, who recently was indisposed, was in bed except during performances at the Alvin. "Empire" top "Shrew" played to standee attendance and grossed \$23,000 for the benefit work, largely went for the past few months, during which they journeyed 30,000 miles. Miss Fontanne, who recently was indisposed, was in bed except during performances at the Alvin.

Sunday night (11) benefits for the war relief work were "strongly attended." Margin for Error: Plymouth was a new dramatic high with a gross of \$2,300. "Tom, Tom, My Darling Girl" got around \$2,300.

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After repeated curtain calls at the final performance Saturday night (10) and a short speech at the end, the Lunts departed for their country home in Wisconsin Saturday (10) night after playing at the past week at the Alvin in "The Taming of the Shrew" in aid of Finland's non-union sufferers. Although there was a repeat appearance for the show in the Shakespearean park, the attraction could probably have remained into spring. Stars were urged to remain, but explained they were very busy for the past few seasons, during which they journeyed 30,000 miles. Miss Fontanne, who recently was indisposed, was in bed except during performances at the Alvin.

With some heat, Equity refuses charges that it has interfered with the "one big union" idea of the stage unions grouped under the Associated Actors and Artistes of America. It 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 taken any active in the "one union" idea has come in contact with a plan whereby it could be achieved.

It's predicted that players who have been questioning the length of time control with unions, are due to a rule amending which becomes known that Equity dues would probably be raised to \$20, as compared to the present annual payment of \$15. General officers' report 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 a player to work in a field with the Four A's.

Straggling of the present affiliates has led to a crisis which may break down that Bernard Bell, accountant and efficiency expert, was called in. His report is that the union may be able to provide a means of solution. Equity has been working on the problem since the last week of last year, but reports that they could not discover a way out and demand to be relieved of the assignment.

Equity's Principal Quarter
Wants satisfaction among the subscribers to the "one big union" idea. The "one big union" idea is one which has been dissolved, and what disposition will be made of their assets is not an affiliate which is advised? In the letter category are Equity, Screen Actors, and the American Federation of Radio Artists. These three memberships would come under their assets and one got has already been indicated, as instanced by the protest over paying a special assessment to the Four A's.

One of the principal reasons why the "one big union" idea is not as efficient as expected is the difficulty of checking up on the concrete carrying amount. 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 10,000 members. Those in control are picture artists who earn big salaries and it is generally agreed that the union serves open to damage suits. They are not liable now, but would be if they were to be included in a voluntary membership association, such as Equity. One of the reasons why the "one big union" idea was decided on, is the disposition of the 10-year past dues of Hollywood studios, which may largely prevent dissolution of the corporate set-up.

Equity granted the leading Four A's affiliate, having successfully waived jurisdiction over film and radio work, and has been charged with hampering the formation of the single union, but insists it is not a "one big union" and means to effect an settlement that would be equitable to the various memberships, not the best in own.

Yokel, Herman Bernie To Produce 'Living'

Alex Yokel and Herman Bernie are setting financing to put a new musical, "The Living," which is being made in production in about two months. Yokel and Bernie, who are partners of Ben Bernie, will be producing the show. Play is titled "Pardon Me for Living."

WIFE'S POLITICAL ENTRY AT \$5,000

Chicago, Feb. 13. Last week's single entry of thanks for Mr. Wain's run into a flurry of sizes... Mrs. Wain's entry... \$5,000 gross...

PEOPLE'S \$9,500, TOPS L.A. 'DINNER' PREEMS

Los Angeles, Feb. 13. Long awaited debut of Alexander D'Amico... 'Dinner' preems... \$9,500 gross...

Shows in Rehearsal

Geography in The Night... George Abbott... 'The Week Link'... 'The Burning Deck'...

B'way Better; 'D'Barry,' \$30,800, 'Helz,' \$28,000, 'Dimmer,' \$20,500, 'Father,' \$19,000, 'Animal,' \$17,000

Key to the table below: C (comedy); D (drama); R (revue); M (musical); F (farce); O (operetta); S (straight)... 'D'Barry' was a lady... 'Helz' was a lady... 'Dimmer' was a lady...

'CO' COMM' GOOD 1 1/2% IN PHILLY

Philadelphia, Feb. 13. Philly with all excited operas divided between matinee and evening... 'The Great Escape'...

Rock Terrific \$17,000 In Sixth Pitt Repeat

Pittsburgh, Feb. 13. Impishable to be a tobacco road... 'Rock Terrific'... \$17,000 gross...

Howard Hughes Rushes Model Out of 1st B'way Role to Coast for Films

Austine McDonnell, who had a small part in 'Two for the Show'... Howard Hughes... \$17,000 gross...

Dorothy Hall to Reno To Dive Dorce Suit

Dorothy Hall has gone to Reno to the divorce proceedings against Neal Andrews... 'Dorothy Hall'...

MET'S \$14,000 ADVANCE SALE IN BALTIMORE

Baltimore, Feb. 13. Regular season play has begun... 'Met's \$14,000 advance sale'...

'Leave,' \$11,600, N.G. In Balto Cold Spell

Baltimore, Feb. 13. With one of the most promising mat order and advance sales in the history of the house... 'Leave'...

Evans Big 12G in N.Y.

Manhattan, Feb. 13. Legal fare has been scold here this week... 'Evans Big 12G in N.Y.'...

'Scandals' Gets Brisk Play in Det., \$28,000

Detroit, Feb. 13. Against plenty of film, ice revue and other competition here... 'Scandals'...

'MUSK' SCORES HAPPY \$6,000 IN HUB PREEM

Boston, Feb. 13. 'Night Musk' new Clifford Coates play four performances here... 'Musk'...

LeGallienne N.G. 5G, K.C.

Kansas City, Feb. 13. Music Hall played three days... 'LeGallienne N.G. 5G, K.C.'...

MIAMI'S 1ST OUTDOOR OPERETTA TEES OFF OK

Miami, Feb. 13. Postma Gallo, in association with the Shubert... 'Miami's 1st outdoor operetta'...

Reviews

A single premiere this week on Broadway... 'The Unquerred'...

Corned Big \$25,000 in Seven Southwest Shows

Boston, Feb. 13. 'Night Musk' new Clifford Coates play four performances here... 'Corned Big \$25,000'...

'Virtue' N.G. \$4,500

Cincinnati, Feb. 13. Gross estimated less than \$4,500... 'Virtue'...

Eddie Garr... America's Most Popular Entertainer... New Play SUNNY ISLE CLUB Miami Beach, Florida... Mgt. W.M. KENT 1776 W. North Ave.



Broadway

Also Meet back from Miami with a deep tan.

W. G. Van Housen (Mrs. Justin Dart) visits in New York.

Both Rich of the Music Hall and Rich for records.

W. Ray Johnson, Miamagram pro, returns last week.

Neil Agnew back to his desk at Park Avenue branch of the Motion Picture Bureau.

Jerry Harwin returning to the Coast via Miami and New Orleans.

Long season of the "Carnegie" in New York, opening at the Little Theatre.

Rudolph Kasper, N. Y. U. prof. has been named educational director of the Nat. Dartman handling publicity for Executive Director of the Carnegie Relief Fund.

The new selling Billy Broy's "Diagrams" Horowitz the "Tobacco Road" of movies.

Wynne's annual dinner-dance March 9 at the Waldorf, Jan Savin's has been cancelled.

Edith Campbell, former Mrs. William Frawley, working in a Cleveland dress shop.

Gertrude Lawrence in "Skyline," Broadway, with a new musical interpretation.

John Coleman, Republic Pictures pa. vacationing in Havana. Done back Feb. 28.

Bill Foy, Golden of for his annual appearance in Florida; ditto Jack (UA) Golden of for 19 days.

Bill Foy went up to Ottawa to direct "Warblers" at the National Theatre with Canadian officials.

Brooks Bahorovich ahead of Ted. In Havana, due to a broken leg. Feb. 20 after a date in New Haven.

John Golden, Miami City manager, left Thursday (8) on a six weeks tour of the country's Broadway in Newark (Conn.) hospital for treatment of a fractured leg.

Lo Speltz in Florida, being operated on for a broken leg.

Schubert, midwest theatre operator, James Gillespie on Terry Turner's "The Goldfish" at the Philadelphia City Theatre.

Frederick E. Goldsmith has associated with Nicholas... specializing in gas station construction in Jersey.

John H. Harrington, in charge of Mann's print and accessories department a year and a half ago.

Paul, who came east a couple months ago with the mummy (Hollywood), has opened a New York office.

George Jessel may do a lecture to benefit the new York Y. M. C. A. on Sunday, Feb. 20 in 20 Years in Entertainment.

Dorothy Fay picture actress currently in New York, recovered from stroke of stroke that confined her to hospital bed.

"Tomb Raider" closed down all day Monday (13th's birthday) other movies open a half day. All close on Wednesday's Birthday.

While Eddie Davis vacations in Miami for three weeks, Jack Robinson in Havana for a few days, though Dorothy and Mary are not yet returning to N. Y. March 1.

John Broderick slams in from Miami early this week on business but planned going right back after yesterday's (Thursday) show.

Morris Bos, now over 70, 300 Broadway Drive, Broadway, recovering, critically ill, and would like to go to the hospital.

Berney Balaban sent on a telephone number on Hinton House's party in Miami. Here he's resting up, just in case anyone wants to reach him.

Dorothy Gulman, who "discovered" Dorothy Lamour, now doing her part in a Broadway show. Her party was cancelled on the P. opening today in St. Louis.

E. S. Greig, foreign manager for American models, theatre manager, left last week on an extended international trip via Miami. He will visit 13 Latin-American countries in three months. His first stop is in Mexico City.

Those 81-23 movie drinks at the Regency in several other spots around town. Each creates its own "ambience" of fun and frolic.

"Only two in a lady or gentleman," "we're not one if you order more."

Hollywood

Bill Boyd back from eastern tour and MacFarlane on six-week sabbatical.

High Byrd back from tour of 19 states.

George Brent leaving for Honolulu shortly.

Fay Barnert recovering from pneumonia.

Robert Taylor back to work after work of "The Sign of the Cross" production.

Yvonne DeLoey back to work after 10-day illness.

John H. Williams in Sun Valley for month's vacation.

Hugh Bennett to hospital with stomach ailment.

Irina Baronova to Chicago for ballet.

John Cameron Johnson San Jose actress.

Cameron Briggs joined Warner studio publicity staff.

W. G. Van Housen in town after six weeks in Palm Springs.

Yvonne DeLoey after three-week tour of exchanges.

William J. Fadiman in from Manhattan for studio head.

Flora Egan checked in at Paramount as dramatic coach.

Helen Westcott returning to picture work after recovery from illness.

Melvin Mayer... toward Brickling back from eastern trip.

John H. Williams in from New York prior to departure for his Ohio tour.

W. G. Van Housen in from Los Angeles in New York to resume picture work.

Ed Blake succeeded Edward Wickman on Helen Ferguson's publicity staff.

Jerry Della perch-bitting for Jack Lauer, hostess on a San Geronimo.

James Cagney checked in at Warner's office.

Vincent Price visiting studios as chairman of the Pennsylvania Film Commission.

Mindel Silberberg resigned as Harry Gray's assistant at Columbia.

Marie Canal, Hollywood columnist and gossip writer, has been credited for the Hollywood Theatre Alliance, producers of the stage show, "Meet the Girls."

London

Director of outdoor amusement equipment in London, Lee Adams, is expected to carry on their usual summer program.

Richard Dehan, co-author of "Ladies in Retirement," to America to stop the search for Gilbert Elliot on Broadway.

John Willis has received special leave from the army to star in D.S. Films' "Old Bill," playing the part of young Bill.

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Paris

Pigalle theatre unindented.

Emile Lutz, French poet, dead.

David Ross, Paramount in debt, off to London.

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Pittsburgh

The Bill Greaves to Miami for remainder of the winter.

John H. Williams in from Miami for a few days, though Dorothy and Mary are not yet returning to N. Y. March 1.

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St. Louis

Mummers of St. Louis will revive "Four Road" at the Wednesday Club.

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Chicago

Max Turner battling flu.

Sam Lutz in town visiting his wife.

Johnny Jones back from New York picture work.

Mary Glaser now agaming from the Guy Perkins office.

Newly hired Tim Pan Alley, opened a Mitch Wolfshoff.

Johnny Jones taking an ice show to Havana and South American countries.

Joe Glaser and Charlie Green in from New York for contacts in the Chicago circuit.

Charles Olson and Jack stepped off in Lych to look over some acts on their way to Indianapolis and the City to meet.

Bill Curley handling press and publicity for the new Broadway Harold Walter, who intends to return to the stage.

Duke Jordan handling the amusement side of the job. Tim, with whom he has a close friendship, can be seen for Florida in o.n. what the recent cold spell did to his citrus grove.

Isabel

Cinema Taxim and Maxine Ray advertising for new tenants.

Index of foreign correspondents giving weekly reports to Los Angeles. American film dubbed in French producing Turkish titles.

The Richard Mervin's "Honey Moon" (Cuba) in as part of journalistic labor.

New daily "Lithal" beginning publication this week under direction of Fred Fawcett, former British official.

Local French legit, "Theatre de la Ville," presenting "La Vie en Rose" and "The Song of Songs."

Narciso Pujol and Lucie La Bella, Spanish-American act, slated for the city.

Beth Hodgson, American journalist, has returned from the American hospital after their operation.

Louise Duke, reputed by local press to be daughter of American actor, living in Paris at the Park hotel, town's spark.

Pauline, singer-violinist, giving farewell performance at the Park hotel before departing for engagement at Old Vienna New York.

Minister of the Interior ordering all papers to see that admittance to the city is given to all persons with new and old prices being listed.

Minister of Public Instruction ordering the making of educational films for the kids, designed by a series of influence on their moral and political sense.

Zarete and Paquita, so-called Cuban act, moving from Maxine to the city.

Maxine, formerly American Negro, has returned to the city.

Benny Burns

Continued from page 1.

Film was shot out by Frank Ferris, bookkeeper for Grand National, who left his job at the time.

Werner's about two years ago, and intended to be done in America.

Betty Gracie and Margaret, who were Werners' specialty live 18 days leave from the British Empire.

"Marie Bell" is only star assigned to "Spring Meeting," which American studio is producing at Wetwyn studios.

John H. Williams in from Miami for a few days, though Dorothy and Mary are not yet returning to N. Y. March 1.

John Broderick slams in from Miami early this week on business but planned going right back after yesterday's (Thursday) show.

Morris Bos, now over 70, 300 Broadway Drive, Broadway, recovering, critically ill, and would like to go to the hospital.

Berney Balaban sent on a telephone number on Hinton House's party in Miami. Here he's resting up, just in case anyone wants to reach him.

Dorothy Gulman, who "discovered" Dorothy Lamour, now doing her part in a Broadway show. Her party was cancelled on the P. opening today in St. Louis.

E. S. Greig, foreign manager for American models, theatre manager, left last week on an extended international trip via Miami. He will visit 13 Latin-American countries in three months. His first stop is in Mexico City.

Those 81-23 movie drinks at the Regency in several other spots around town. Each creates its own "ambience" of fun and frolic.

"Only two in a lady or gentleman," "we're not one if you order more."

British Kids

Continued from page 1.

central character will be a milk rounder, home from Canada with exciting yarns of the redskins, lumberjacks and fur trappers.

Werner will retail yarns of the great outdoors, and because he knows so many kids and their likes will put over lashings of detail and information to encourage the youngsters to read the books, and to amuse themselves in other ways.

Pamphlets are being circulated to teachers, parents and grandmothers, indicating the material they should send by way of paints, chalk, paper, glue, and so on.

Werner is setting up lists of books that may help to interest the juniors in the books.

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Minneapolis

Pat Halloran, Universal salesman, a daddy.

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Philadelphia

Arthur C. Simon, WFEN gm., who had grippe, on the mend.

Stan Lee from NBC program director, back at work after usual illness.

The Neighborhood Youth theatre group is playing to good box.

Jimmy Roosevelt will address the city on the occasion of the Washington's Birthday.

Leo Kline, of the Orpheum, was elected to the city's most popular men in nearby Germantown.

W. G. Van Housen in from Los Angeles in New York to resume picture work.

Ed Blake succeeded Edward Wickman on Helen Ferguson's publicity staff.

Jerry Della perch-bitting for Jack Lauer, hostess on a San Geronimo.

James Cagney checked in at Warner's office.

Vincent Price visiting studios as chairman of the Pennsylvania Film Commission.

Mindel Silberberg resigned as Harry Gray's assistant at Columbia.

Marie Canal, Hollywood columnist and gossip writer, has been credited for the Hollywood Theatre Alliance, producers of the stage show, "Meet the Girls."

New Haven

"The Follies" at Arena required three extra shows.

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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 clogging 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!



FIRST PAT
ACTIVE LATHER
LIGHTLY INTO
YOUR SKIN

RINSE WITH WARM
WATER... THEN COOL.
ACTIVE LATHER DOES
A THOROUGH JOB



NOW PAT THE FACE
DRY. IT FEELS SOFTER,
SMOOTHER. SEE HOW
FRESH IT LOOKS!

9 out of 10 Screen Stars use Lux Toilet Soap



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VOL. 137. NO. 11

NEW YORK, WEDNESDAY, FEBRUARY 21, 1940

PRICE 25 CENTS

THE YEAR OF THE BROADWAY MUSICAL

600-Seat Vaudevillier 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 Radio*, a 600-seater. With an admission top of 60c, 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 troupes, including Billy Halop, Bobby Jordan, Florence Halop, 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 big as this can afford stage shows, another unusual feature is the theater's specialty. First vaude show goes on at 9 o'clock in the morning and the last one time before 11 at night, but the house remains open with straight films until 6 p. m., which means a 21-hour operation daily. There's a stage set band and stagehands all included in the house's show.

When playing big acts, the dolls do not book any supporting tier, manage 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.

House 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 names a Primrose's Gay Nineties Show Bar Friday (23) as headliner, is advertising as "With the Columbia Broadcasting System and Teacher of Edgar Bergen." Bergen's name is printed in same size newspaper type as Great Lester.

Gay Nineties Bar is changing headliner later weekly. Virginia Primrose, granddaughter of George Primrose, of Primrose & West Minstrel, is 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-maintaining deal to cover the whole country.

Miscued

Maidenform Brasserie Co. frequently makes advertising tie-ups with Broadway musicals through which it ad copy in playbills and newspapers reads: "The chorus in *Be-and-Be* wears Maidenform Brassieres." 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 shows no admission charge.

This, too, for stownmanship by politicians is becoming a general practice in the midwest, several candidates for office now carrying one. (Continued on page 46)

BRITISH TO MAKE FILM ON ALTMARK INCIDENT

London, Feb. 20. Recruit 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 Campaign—Expect Trouble, Anyhow, From Some Bureaucrats

FREQUENT TARGET

Washington, Feb. 20. In a determined effort to prevent themselves from becoming a victim of the Democratic-Republican deadlock in 1940, the radio network is devising some of its policies. This may bring the broadcasters afraid of certain strong-minded bureaucrats who see radio opportunity 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 state-mandated made to the citizenry, but angled and slanted propaganda in favor of the incumbent political party, and with an unblinking eye fixed steadfastly on the prize.

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 railroads are muttering that it is hurting the rail bit. What irks the big shoe-chain men most is that their kidding of the inclement elements is out of all proportion to its severity.

NBC is feeling the first effects of the railmen's reprisal, that of discontinuing mention of studio tours in the tourist folders. Claim is made that Bob Hope's exaggeration of cold weather and Charlie McCarthy harping on his gaitches make out a picture for California's climate and reputationally rail travel from the east and midwest is hard hit. Travelers agree they're just as well off where they are if the Coast is storm-tossed, which it hasn't been. At least not the way the funny 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, Harry D. Gibson, N. Y. World's Fair chairman, prefaced his announcement of "American Jubilee," new revue for the midway, 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."

Conce. Hammerstein, 2d, 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 hoarse."

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 some stars who provided strong headliner but this season the male comics will come to the fore in force.

Emerging from two years on the sidelines is Red Wynn whose last appearance was in "Henry Fur Who," filled of marital and other woe, 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 Off the Grass," 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 one-nighters next season, but National Broadcasting Co. has already arranged the legit field through its article breast, thus getting the jump on its rival, Elton Sostler, by arrangement with Brock Pemberton, who will present Clara Boothby's "Kiss the Goodbye" for one week starting today (21) at the Palace. Standard 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 price.

'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's) and the acceptance staff at Columbia was leery about listener reaction to a song which had been inspired by the self-same frequent mention.

Besides the title itself there is a line in the lyric which raised the hesitation. The thought conveyed by that line is that the subject of the song need never worry about being hit by hip.

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 picture-lectures, including "Four Daughters," "Cavaliers," "Courageous" and "If I Had a Million."

Films are edited down to from 20-30 minutes to 10-15 minutes in social relations. When pupils discuss it. Idea originated when teacher overheard pupils trial and may hold over until next fall, yet is likely to come along during the season.

Europe's Circuses OK Despite War—North

War hasn't stopped European circuses but, according to John Bright North, head of Ringling Bros.-Baum & Bailey, who arrived in New York Thursday (15) after a trip through France, Belgium, Switzerland, Spain, Portugal and Italy in search of circuses to take to America. "All the circuses are playing," North said. "They only play 60 is in (Continued on page 46)

RADIO BOXOFFICE REPORTS

NEW THIS WEEK—PAGE 20

Wife Bioff Extradited to Chicago To Stand Trial on Off Pandering Charge; Coast A Parleys Stall

By ARTHUR UGAR
Hollywood, Feb. 20
Wife Bioff planned to escape Monday night 11:30 to tender to authorities there and put up his fight against serving out the month in a Federal reformatory for the town on an old pandering conviction back in 1922.

Earlier in the day he indicated he would fight the suit of his city to 'youthful indiscretions' in the Federal court for permission from Judge Hugh Henry to leave the jurisdiction. Granting of Bioff on the \$5,000 bond paid to Bioff on the indictment charging tax evasion, and for which trial is set on May 28.

Some speculation is abroad as to whether the Chicago law enforcement men will search on Detective Lieutenant Charles Egan who has been here for a week to take Bioff back to Chicago. Understood he wanted to be spared the humiliation of being taken to the airport and go to court. However, it was just about decided to surrender voluntarily.

Decision to give up the fight was rendered early Monday night when the convicted panderver was told that the best he could hope for was a five day delay. He also feared halting might prejudice any chance he had of obtaining the Chicago release. After the Bioff's attorneys insisted he would be incarcerated in Superior court and introduced an application would be filed for a writ of habeas corpus. Failing there, they said, raising would be to petition the Appellate court and possibly the State Supreme court. Advice of the legal leader said that the best trick would be to delay his removal indefinitely.

Earlier in the day, Bioff's headquarters are said to have tried to have several law leaders to let go a suit against George Culbert Olson for signing the extradition papers. Others were requested to petition the Governor for Monday may but it was pointed out to Bioff that the matter was no longer in the Governor's hands since he had signed the requisition and issued warrant for extradition.

Legal negotiations between producers and studio unions probably (Continued on page 14)

L. A. TO N. Y.

- Susanne Brewer,
Bobby Butterworth,
Pat Casey,
Frances Farmer,
Frank Farnel,
Charles Friedman,
M. Gordon,
William Gilman,
E. Ray Coker,
Henry Hayskin,
Billy Hays,
Paul Johnson,
George Kirkland,
Harold Lipstein,
Margaret La Cava,
George B. Seitz,
Llewellyn Miller,
Kay Kuvby,
John Mackenzie,
Alan Napp,
Sam Nathanson,
Sam Rabinovitch,
Flora Robson,
James Roosevelt,
Arthur S. Scherzer,
S. Seidler,
W. G. Van Schmus,
George B. Seitz,
Marian Thompson,
Nora Tuffs,
Thea Walker,
Hal B. Wallis,
Ernest Westmore,
George C. Will,
Cliff Work.

N. Y. TO L. A.

- Mony Bank,
Jose Duprez,
Dorothy Fay,
Arno Hazan,
Bill Levy,
Milton Lazarus,
James M. Hulvey,
Edward G. Robinson,
Robert Ross.

PICTURES

Mayer's Legion Citation

Hollywood, Feb. 20. American Legion presented Louis B. Mayer with a special citation in recognition of his activities in promoting Americanism. Presentation was preceded by a parade of 100 Southern California Legionnaires and followed by a patriotic two-reeler, 'The Flag Saves.'

Dresser's Bog of His Brother, Paul Dresser, Offered for Filmization

Biography of his brother, Paul Dresser, is being offered film company by Theodore Dresser, drummer with 'Glad Rags On the Banks of the Wabash' and hundreds of other pop tunes. He died about 20 years ago. The distance is the songwriter had changed his. 'Glad Rags On the Banks of the Wabash' is being written in collaboration with his wife, Helene Richardson Dresser, Paul-Fremont Music Co. and Marka Kohn. The film, 'Glad Rags On the Banks of the Wabash' will attempt to revive the tune, while April 3, the 33rd anniversary of Dresser's birth, expected to be set by the State of Indiana as a special day in his honor. Dresser was a native of Terre Haute, 'Banks of the Wabash' is Indiana's State song.

Offer for promotion effort to honor Dresser is being expensed by brother. Novelist is 15 years his brother's junior.

HAL WALLIS' PRODUCT HUDDLES WHILE EAST

While Hal Wallis, Warner associate executive in charge of production, is in the east, conferences will be held concerning the remainder of this year's (1939-40) product as well as plans for 1940-41. Wallis declared on his arrival in New York that the company would produce 40 to 45 pictures this year, as well as, which is a reduction of four from 1939-38. Wallis arrived in New York Monday afternoon (19). Wallis is handling with Major Albert Warner, Grid Bears, Charles Laemmle, Charles East, Mort Blumenthal and others. Roy Helms and Ben Kalman, division chief in charge of the new year, may not return to the h.a. before Wallis goes west.

Wallis postponed his return to Hollywood but plans showing of the end of the week. Wallis will return to Hollywood, also seeing new Broadway shows.

Albert 'Annie' Land Hollywood, Feb. 20.

Edith Albert is slated for the star role in 'The Male Animal', recently purchased by Warners for \$150,000. Under the contract, shooting will not start until the stage play finishes its Broadway run.

Baleban Back to the New Barbary

Balaban Balaban returns to New York around March 1, after spending more than a month in Florida waters on Stanton Griffith's yacht. He had been 'stranded' back at the end of this week.

Griff's status he will probably go to Florida on Balaban's return.

SHORTS HIT B.O. IN DALLAS

Dallas, Feb. 20. Recent experiments with the houses which included all-short bills and vaude, both of which rang the bell in applicable bills, were crushed Tuesday (20) in 11-unit short bill at Forest Interplay.

Others may follow.

Daily Variety's Campaign

The N. Y. Mirror's editorial page, on Monday (19), carried the following: 'Daily Variety, a tabloid-tabloid of the Hollywood trade, made an attempt to campaign against him (Bioff) that predated and post-dated Westbrook Pegler's exposure of him.'

Los Angeles newspapermen have recommended that Daily Variety be given the Pulitzer Prize for its work.

Bioff Resigns As Chairman of Studio Unions

Chicago, Feb. 20. While Bioff, convicted panderver, arrived in Chicago Monday afternoon and was taken into custody immediately to Bridewell where he was kept overnight. Later the afternoon his attorneys filed a writ of habeas corpus and he was released Monday afternoon. Bioff made no statements of any kind but when he entered Bridewell he smiled and cracked something about 'not being a member of the society demanding its pound of flesh.'

He also, for the first time, mentioned signing Bridges (the CIO labor leader) as being partly responsible for his extradition along with 'some interests' in the Court.

The Hollywood labor leader of some 20,000 film workers told newspapermen, drawing a paper from his pocket, 'I've just sent this telegram to Joe Truhy (secretary of the AFL-Studio Conference Union) in Culbert. In view of the fact that George Culbert Olson has seen fit to extradite me to the State of Illinois in the midst of negotiations that are vital to all of you, I regret very much that it is necessary to resign as chairman of the conference of studio unions.'

Wallis said he has returned to Chicago 'long ago' if the Hollywood studio-organizers hadn't held him on the Coast. In arguing for his release on the habeas corpus writ, attorney Albert and Harold Marovitz appeared before Judge Prystalski with the argument that the State had, in effect, abandoned its prosecution of Bioff by letting sentence lapse, particularly in view of the fact that he had been in actual custody of the State in 1932 and the old sentence had long since expired. Prystalski asked the State if Bioff, through ast. state's attorney James Cunningham, to reply, but Cunningham stated he would file a bond for \$10,000. Bioff's bond placed at \$25,000, and the sum, promise \$5,000 was ruled.

Bischoff's Col. Starter

Hollywood, Feb. 20. Sam Bischoff checked in at Columbia yesterday (Mon), to start his new producer contract. First production is 'Singapore', action drama.

First assignment for E. P. Schulberg at Col is to produce the late Sidney Howard's stage play 'Ode to Liberty.'

Other News Pertaining to Pictures

- French film production in U. S.
Fox sells South American prod.
U. S. film cooperation with Australia.
Radio-Boonville Reports.
Hollywood sample film's radio idea.
ASCAP-Boonville terms.
Radio review: R. Sherwood.
Al. Lincoln. Baker in.
Haviland. Betty Ford.
Lionel Stander, Orion Wells, Kay Kyser.
Little Old Hollywood.
George C. Will.
Authors League finances.

LaGuardia Annoyed at the Banks And Other Hurdles Cramping His Hopes for Film Production in N.Y.

Miscue

Two physical sciences—physics and anatomy—were interlocked for a moment that produced the first of the new series of the A. A. Adams Paramount theatre, Newark, N. J. An overture from the fundamental electric frequency operating from a local police station, finding its way into the theatre's police address system at an opening-day show (Friday), caused the disturbance.

'Emergency Signal 101. Attention all cars' was the police call that came through the mike just as Broadway's paper, with the 'Comedie Francaise' unit, prepared to tune aside her radio.

Winkler, Piazza New RKO Studio Talent Exces

Hollywood, Feb. 20. Danny Winkler, who recently resigned from the MKO Seltinick agency, moves into RKO as assistant executive in charge of casting. He takes the post vacated by Joe Nolan's position in v.p. in charge of the studio. Allan Forester's duties will be handling player, director and writer commitments.

Ben Zuckerman, into RKO as executive in charge of the talent department, with supervision over a quarter system set up. Though Robert Palmer retains his job as casting director, Zuckerman will be casting director at Metro, talent exec at Paramount and vice pres of Major Pictures Corp.

REPUBLIC QUARTERLY PRODUCTION SCHEDULE

Hollywood, Feb. 20. Republic production is to be put on a quarterly schedule. It was announced yesterday (Monday) at a sales meet attended by franchise distributors from western territories.

As a follow-up to James R. Granger's plan to hold sales meetings every 12 weeks, studio has decided better results are obtainable over a short period by laying out the full year's schedule in advance. Granger told the franchise-holders the new plan allows for closer contact with exhibitors and first-hand information on how certain types of pictures are being at the box office.

Herbert J. Yates, board chairman, also talked production with the exchange men.

Color at Black-White Price Level in 3 Years

Hollywood, Feb. 20. Production costs of color pictures will be almost down to the level of black and white within three years, Dr. Herbert J. Kalms told 1,000 Western California members of the National Association of Manufacturers at their annual dinner. Kalms was handed the Modern Pioneer award.

WB's Big Tax Claim

Washington, Feb. 20. Heavy-nagar return from U. S. Bureau of Internal Revenue demanded \$1,000,000. Grievances involved the loss of income tax credits in an income tax-lease.

Claim was requested that the Board of Tax Appeals redetermine claimed income tax deficiencies in \$1,000,000. Grievances involved the loss of income tax credits in an income tax-lease.

Convinced that they are victims of a squeeze play between exhibitors and the major producers in their efforts to bring part of Hollywood's production to New York City, P. H. LaGuardia, Chairman J. Ryan, Jr., who is directing the campaign, and his leaders are preparing drastic action to put the spotlight on the responsible parties.

Costs will be headed (15) in the mayor's office and further talks are slated for this week. With every effort strained and delayed, business is quoted as 'really fighting and noisy.' He and his advisers feel the time has not yet come to stop the campaign. They are preparing to put the spotlight on the responsible parties.

Optimistic platitudes handed out by the mayor and Ryan, it is agreed, are wearing thin. Long-expected in the trade with a smirk, the statements are now being taken by the general public in the same way. Unless something happens, and quick, there will be a major on the eastern production are going to look very foolish, it is said.

It was thought to set up an independent reviewing board to eliminate the security clearance system set up by the banks. Banks are making terms that are tough to meet, with result that the banks are not willing to be arranged, refuse to accept them. This is followed by a passing of the bank by the State of New York and the district, and it becomes uncertain who is responsible for the bill. The bill is expected to pass in the middle, however, and finally winds up after shifting to Hollywood and passing the whole side.

Feeling Financier With funds provided from a private source, which the Mayor is to release, the picture will be out of the picture. Distrib will then be given virtually every element of the picture, including the final points on which to quibble. LaGuardia believes he will have a clear vote on the most of public opinion.

Latest to fall to the banks-to-distribute bank passing is Marvin Gering, who was set with a Columbia release deal which was all but guaranteed in New York. Gering will produce for the Coast. Columbia has a picture scheduled, but they will be produced west.

Gering had adequate backing for the picture, but the picture was his first picture, but the bank loss got him. Film was budgeted at \$200,000. The picture was the Trust Co. N. Y., was to put up \$120,000. All was arranged and then the bank made two demands.

1. An unconditional completion guarantee by Columbia. 2. That the picture be \$120,000 back starting with the first dollar of income and before anyone else got in.

As for the completion guarantee, Gering had already placed in excess the money required to complete the movie, however, by the Irving and when Col refused an unconditional guarantee, Gering was at a dead end point. Col and other companies in the past have made such guarantees but when they have failed, it is on their own lot and with a 75% present to insure that the cost won't shoot skyhigh.

SAILLINGS

Feb. 24 (Genoa to New York), John J. (Washington).
Feb. 24 (New York to Genoa), Walter Lipmann, Edmund Alvo Russell, Everett R. Holles, Denis Fieschi.

Feb. 16 New York to Puerto Capetillo, Melville F. Ferguson (Santa Cruz).

Feb. 15 (Los Angeles to Honolulu), Jay Irving, George Brent, Henry Hayskin, Everett R. Holles, Melville F. Ferguson, Melville F. Ferguson, Melville F. Ferguson.

ARRIVALS

Gracie Fields, Alexander Korda, Monty Banks, June Duprez, William Hillman, Reginald Drennon, John Ford, George C. Will, George C. Will, George C. Will, George C. Will.

WEEK-END VICTORIES

Gloria, B'klyn Nabe, Trial vs. Majors And Randolph 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's lawsuit which will open in Brooklyn federal court on Saturday (17) by Judge Cropper in Manhattan. In denying motion for a preliminary injunction against seven major anti-trust acts by refusing to grant first-run films to a local market, court stated, issues must await trial.

Because of court conditions to occur next month, fixing of the exact date will await final filing of answer to Government's suit by defendant corporations. Suit was filed by M.G. Munes. Corporation and the Gloria Theaters, a 600-seat house in the Brok Neck section of Brooklyn, N. Y. Defendants include M.G. Munes, Warner, United Artists, United Artists, and Randolph American Corp. Samuel B. Broderick, head of the Williams trust. The same suit was discontinued against Columbia, RKO Radio and Republic, the licensee of a preliminary injunction is a statute recently enacted and the plaintiff claims that the defendant is in violation of a restraint of trade. This is vigorously denied by the defendant. Both injunctions will be decided upon the motion but must await trial when the matter may be determined. Due to the condition of the calendar the case can be tried immediately.

The specific motion denied by the court requested an injunction dissolving the defendant to cease and discontinue their agreement, contracts, understandings and comprehendings as aforesaid, and allow the defendant to exercise their right to contract for current season films, and that all contracts entered into by defendant and their respective independent distributors be declared null and void and canceled, as if they had never been made. Plaintiff 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 result in the legal settlement 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 the United States Supreme Court in the *Wayne* theatre case in Baltimore, in his opinion, had no bearing on the case because the Maryland case concerned the refusal of companies to grant first-run films to a new theatre which had never before received them whereas the Gloria had received first-runs for several years and was located there before the new Randolph theatre was opened. He was dissatisfied with Columbia, RKO and Rap because they had the practice complained of in the *Wayne* theatre case.

All defendants are required to furnish answers to the complaint by Monday, and trial date will be set following receipt of those documents.

Newark Under Suit
Seeking \$200,000 damages from the eight major producer and distributing companies, the Hays office was told in Newark federal court Monday (19). Bringing the claim against the Sherman and Clayton anti-trust acts are the American Theatre, Inc. and Lambert Amos Corporation. Connection with operation of the *Wayne* theatre, Newark, N. J. Suit charges a monopoly exists in the motion picture industry to the detriment of independent exhibitors. It alleges that 90% of majors are turned out by the latter and that others are excluded. Among complaints is that exhibitors tend to considerably more pro-

Efficiency?

An efficiency man was called in by one of the large independent circuits in the New York territory to determine if some economy could be worked out. He recommended a weekly cut of \$50 for everyone from theatre men down to scrubmen for a saving, which it is understood, runs about \$135 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 various producer-distributing companies and, presumably, the Hays office.

Samuel Griffith, chairman of the executive committee of Paramount, is a prime mover in the representation of films on the fairgrounds this summer and confirms that it is working on a plan. He can add no more at this time than that the situation is under advisement and that steps are being taken to determine just what to do. Meantime, it is understood, the heads of the major producer-distributors are being contacted, which may mean a mass meeting later on to discuss proposals, which will be a switch on last year's industry attitude against any fair representation either in N. Y. or San Francisco.

HAYSIANS CLEAR 'SUSAN' SCRIPT, CAMERAS GRIND

'Susan and Gert' got 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 Knute Rockne' is William K. Howard's first directorial effort, which he stars with Warner. He relinquished the 'Patent Heist' remake.

Howard starts March 23, with Pat O'Brien in the title role.

Rainer-MG Part

Laine Rainer's contract with Metro has been cancelled by mutual agreement. She presently has a deal on the line with another major film company, but that they need in order to get what they want. Clause in the Clayton and Sherman acts permitting suit for triple damages is employed, as actual injuries are stated as \$78,300 by Weston, which operated the Windsor Hotel and Casino and \$130,000 for Janber, which took it over at that time. Sixty-five counts are listed.

AMERICAN TALKS MOVE TO BRING FILM AGENTS UNDER AFL GRANTED NITERY BOOKERS; MAY CAUSE JURISDICTION CLASH

Alleged 'Dilatory Tactics' of National AFM Over WB Theatre Music Situation in Quakerstown—Urge Strike Call Against WB Strand, Earl, Y., Stanley, Pitt, and Karle, 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 action to end members' call houses owned by the Stanley-Warner chain in support of the 'Philly local'.

The threat was embodied in a resolution yesterday (Mon.) signed by 2,000 members to be voted upon at a special general membership meeting scheduled for Feb. 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 members be allowed to elect in the future to heed their demands, the local officers are instructed to members to force their will 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 Earl Washington theatres and 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 stimulus 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 his musicians, following failure to agree on terms of a new contract, there has been insurmountable back-pushing between the national and local body.

At first the national officers called the situation a 'local issue'. But after pressure was brought to bear, the international donated \$7,500 to the strike fund and the CIO.

This donation is an admission by the national AFM body that the local CIO's American Communication Association, a leader of the secession group pointed out. "We can see what our union has to do in this fight if our own national officers refuse," he said.

He also reported that local CIO unions, particularly the Hoisery Workers Federation, has offered its assistance to fight the Warner threat, especially in the nabe where mill workers predominate. Relationship between local CIO leaders and officials of Local has always been cordial. A few months ago the CIO's American Communication Association, refused to pass an AFM picket line at WPM.

Before calling she spent three weeks back of the lines in France, averaging five shows a day for the 'Tommyes'.

Taking no Chances

London, Feb. 20. Jules Bachman, the farmer Omaha showman now winding up his murder sentence in the Nebraska penitentiary, declares he's afraid to set 'Gone With the Wind' for the prison theatre. "Boys are afraid," he explained, "that it's so long their time might be up before the picture finishes."

ASC, PAINTERS BALK AT 10% ESCROW

Hollywood, Feb. 20. Fred Fuld, producer labor cost, has notified majors that agreement, calling for the escrow of 10% wage increases given the American Society of Cinematographers and Moving Picture Painters' Local 694, are being suspended. Fuld is being called for increases to be covered by Feb. 17, but painters threatened to walk out if the 10% hike is imposed. This suspension on the 10% kickback are in progress.

Negotiations between producers and studio unions are tentatively scheduled for resumption this week.

WB TO OPPOSE RKO'S BEN FRANKLIN FILM

Hollywood, Feb. 20. Warner is apparently determined to beat RKO to the screen with a life of Benjamin Franklin, and is preparing to push production on the film with Edward G. Robinson in the title role as soon as the star finishes in 'Brother Orchid'.

RKO last week purchased Clio Dan Donahy biography on Franklin, on which the studio has had an option for some time. It paid \$50,000 for it. WB will use a studio-written script.

Gracie Fields in U.S., Her Pic Plans Indef

Gracie Fields may do a film for 20th-Fox in May if she's recovered sufficiently from illness which laid her low last summer, according to Monte Brink who arrived from Europe Thursday (13) with the British star. Brink said he would direct the picture which is titled 'Midnight from Armentieres'.

If her convalescence is not complete, she will take a picture on the Coast with her parents, who live in Hollywood.

'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.

Cost bookers agents are now carrying union cards. Group organized as the Amusement Agencies Employees Union No. 12382 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 bookkeeping into cards and state splits, but it is understood jurisdiction is not limited to that field.

Leaders declined to state whether a 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. Under the agreement, I.A.C. members are not permitted to do business with an unlicensed agent. I.A.C. is affiliated with the AFL and may run into a jurisdictional tiff with the newly chartered agency group.

Walter Trank is gray of the new organization. Al Wager was elected president. The new group has a secretary and business representative; Norman Marsh, treasurer; Fred Miller, secretary. Members of the executive board, in addition to the officers, are Katherine Cuyler and Paul W. Smith.

An early deal between the producers and the Screen Writers Guild was awarded by the I.A.C. to studio screenwriters by 20th-Fox executives. It was reported that a similar deal, which is tentatively being offered by other major companies.

The letter was formal notice that the I.A.C. Agreement with the Screen Playwrights, Inc. has been terminated. It further stated that arrears credits in the future would be awarded by the I.A.C. until such time as arrangements have been made with the SWG for credit. Credits for members of the I.A.C. who are not members of the SWG are listed. The letter was accompanied by a detailed explanation of plan to be used in a revised contract.

Letter handed to writers at 20th-Fox.

It was barely notified that on Feb. 8, 1940, the Basic Agreement, as amended, between the Screen Playwrights, Inc. and major companies (as 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 I.A.C. in accordance with the provisions of Exhibit A attached hereto or until such time as a new agreement is reached through their duly authorized representative for collective bargaining. Credits for members of the I.A.C. who have entered into some arrangement with the undersigned for the determination of their credit (as listed) will be to both the Screen Writers Guild and the undersigned."

Three-Credits Limit
Exhibit A states that unless a new agreement is reached, awards for credits would be limited to two writers, and never more than three. Exhibit states that if there is a new agreement, writing team is employed the two 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 resolution passed by the board with Sheridan Gibney, head of SWG.

William Gardner will be elected president of the Los Angeles Chapter of the American Guild of Variety Artists. Guild back into the Academy of Motion Picture Arts and Sciences. Plan was started by a resolution passed by the board with Sheridan Gibney, head of SWG.

Par's Far-Flung Theatre Chain

Vitality Concerned Over Neely Bill

The impending Neely bill, its dangers to theatre chains of all sizes as well as large dimensions, and the most effective ways of combating legislation to curtail the theatre booking, highlighted a conference held in Miami between Paramount executives and theatre operators during the past week. General operating problems, trends of the present year and other matters were discussed at the headlines presented by Barney Blumberg. Reported that production was also gone into, including the status of product, outlook, etc.

To be anticipated is that every Paramount picture to appear in 1940 are many in the Par family, will concentrate extensively on a campaign designed to set up a program of buying film which Senator Hatch, Mr. Neely's main opponent, has introduced on this legislation that the partners might do the most effective work themselves locally by their various territories, possibly incurring support of independent circuits and individual operators. Neely might be better handled in a local way because it amounts to a vote on whether the Neely and other bills would make more difficult to perform.

More Par's 1,200 Shows

While the Neely bill is a serious threat to all chain, major and independent, as well as to single-house operators according to Blumberg, he believes that it would have a far greater effect on Paramount than any other. Par has over 1,200 theatres in its vast chain, including partnerships and partly-owned independent theatres. The circuit is spread in every section of the union encompassing Delaware, Nevada and Montana, although in some sections theatre seats are available, opera, opera, etc.

In view of the fact the Neely bill will ultimately mean the end of the buffets between Blumberg and other higher-ups in Par theatres, Austin C. V. and (18) is being discussed for the company, was asked to come down. From the home office office in Hollywood, Calif., are J. J. Sports and A. B. Blank.

Top partners, not already in Miami, were invited to come along by Blumberg, who is already discussing the Neely bill and other matters, since all are affected. Under Neely, this is to be made a law, since it would affect one partner in much the same manner as another. In the comparison of the Neely bill for the protection of all is considered of great importance right now.

Keough and Neely, who were in New York Monday (19), while Goldmann, Neely and Neely, who were in the south another week or two, also Blumberg. Some of the partners are staying on as well to receive.

SAG MAY OK CLASS B CHARTER FOR EXTRAS

Hollywood, Feb. 20. Board of Screen Actors Guild at its meeting Monday (19) is expected to discuss the proposed charter creating a separate local for Class B membership. Moves has been made to discuss for several weeks but definite recommendation is understood to have not been made. The charter by Kenneth Thomsen, SAG sec. secretary.

The reported majority of directors favored giving the extras their own local if as desired by majority of atmosphere players.

Still Ain't for Me

Hollywood, Feb. 20. Olivia de Havilland, under suspension at Warners for refusal to play "Saturday Night and Sunday Morning" in "Flight Me," is down another role in "Flight Me," as a airline busness story slated to roll week.

Studio is dickering with Virginia Bruce, who recently obtained her release from Metro contract.

Jessica Dragonette's 5 Shorts for N. Y. Indie

Toronto, Feb. 20. Jessica Dragonette takes time out from current p. tour to take her first film flicks, a series of five 15-minute shorts to be made by Ira Blumberg. Warner states that series will be completed in a new three-dimensional process but in color. All are costume pieces, John Braiker, shooting and Miss Dragonette will shoot four same per picture, will be filmed at the old Fox studio, N. Y., and each of five budgeted approximately \$10,000.

Production on first commences March 7, with series to be completed by April 1, when Miss Dragonette resumes her p. tour.

Her latest film assignment was her singing the role of "Princess Glory" in "Gulliver's Travels" (Par) but this was straight dubbing.

Extras Carry Big Buge in Vote On Oscar Handouts

Hollywood, Feb. 20. Film extras hold the balance of power in the selection of the outstanding production of 1939 and in the choice of actors and actresses to receive Oscars. Approximately half of the 12,000 ballots mailed out by the Academy of Motion Picture Arts and Sciences went to atmosphere players.

In addition to actors, include writers, directors, assistant directors, cameramen, film editors, and other technical and Academy members.

Polls closed Tuesday (20) at midnight and Oscars will be distributed March 16 at the Shrine Auditorium, 6660 Sunset Blvd., in the Coconut Grove. The Irving G. Thalberg Memorial Award, for the most meritorious contribution to the industry, will be presented by an individual producer, has already been decided to make a medal given will not be opened until the dinner.

AMPA TO FETE FRANK NUGENT NEXT WEEK

The Associated Motion Picture Advertisers is preparing a special statement for issuance the end of this month or early March. It will have a special in the treasury, according to reports.

Originally scheduling a meeting for March 10, the AMPA postponed has been taken to Feb. 20 due to Washington's strike and the honorarium award a testimonial to Frank Nugent, inspired.

The N. Y. Times reports that the AMPA will be at the same session a nominating committee to choose a slate of officers for the coming year will be set up.

Power's 'Commandment'

Hollywood, Feb. 20. Tyrone Power drew the star of "The Great Commandment," purchased for a remake by 20th-Fox. From Universal Films last summer, for \$175,000.

Picture was completed and ready for religious release two months ago, but Darryl Zanuck thought it was worthy of a more serious production. Filming started about April 1.

HIMMELSTADT'S PILES

Hollywood, Feb. 20. Sam Zimbalist drew the star production job on Metro's "Wings Over the Desert," on which Lucien Hubbard is checking out to take an associate producer berth at 20th-Fox.

Selznick the Winnah?

David O. Selznick is revealed in a private laboratory as an all-around possessor of the practical Irving Thalberg award for the best picture of 1939, "Gone With the Wind."

Official ballots were mailed immediately after receipt and are in the hands of Friss Waterhouse & Co., certified auditors. They will be opened and counted until the day of the Academy award banquet, Feb. 20.

DR. I. Q. OK BUT QUIZ NIGHTS TABU

Dallas, Feb. 20. Another body blow to quiz nights and such at film houses was struck last week by Attorney Ed. Potter, who held last quiz night to be a lottery. Plans additional tickets when he held last quiz night, dropping it in box and retaining ticket stub. Later numbers are drawn and customers with winning selected quiz, drawing down amount of merchandise in it's right. Author of question gets \$1.

Mann already has ruled letters "Bluh," where persons completing sentences get prizes; quiz night similar to garden variety outlined above; plan whereby merchants give numbers with purchase followed by drawing of numbers to occupy to lucky-numbered card and prize to patron with lucky numbers placed. Ruled not a lottery was Radio's Dr. I. Q.

Fears Theatres Point Up Radio Groways If Squawking Too Much

Deseret, Feb. 20. Maybe if picture exhibitors just ignored the Pot 'O' Gold and other radio giveaway programs they would get better off. That is the idea of Ray Brunck, head of Michigan Allied, who thinks the attacks by the Michigan group, the Ohio Theatrical and Nebraska groups may be doing more harm than good.

"When you start complaining," he said, "you increase the publicity for such programs. Radio operators will decide how they've got something important because they are sending theatre opposition. Combating it, gives the program a great impetus, may bring about radio attacks on the theatre in retaliation.

"Trying to up an award with the theatre ticket is no good, either," he added. "It puts us right in the same class as up against the charge of running a lottery, but it is not."

Even if some States, such as Michigan, might stop their stations from sending the program, he pointed out it would do no good for the fans would still in an program originating in stations outside the state.

GN STUDIO ON BLOCK; FRANK WARNER TO BID

Hollywood, Feb. 20. Frankly Warner, Fine Arts studio will bid for Grand National head and property which goes on the auction block next Wednesday (23) under order of the trustee in bankruptcy.

Financial Research Products, Inc. is also interested in bidding in the recent sale to protect its \$34,000 mortgage on the plant.

Fine Arts 'Treason'

Hollywood, Feb. 20. First picture in revival of production by Frankly Warner, Fine Arts studio is "I'm This Be Treason," slated International sales work at the Selznick-Otis Garrett district.

JENSEL LECTURING

Yonkers-on-C, Feb. 20. George Jensen will inaugurate his new series of lectures with CBS sponsor here March 5.

Jensen will talk on "30 Years in Entertainment."

Report Fannie Hurst-Warner's Tiff Settled; Tarkington Suit Still On

Film Critx May Convene In H'wood This Summer

Memphis, Feb. 20. Newspaper Film Critics of America have proposed to shift their first national conv. to summer.

Originally set for Feb. 26 in Hollywood, N.Y. handles a new convention at joint request of Hays office and Motion Picture Academy, both pointing out possible conflict with Academy banquet.

Planning committee agreed to delay first talking of March date but a leading suggestion of numerous critics that summer vacation period would be more desirable.

Meanwhile, Marie Potter, chairman of the group's awards committee, is in Hollywood consulting industry leaders on proper time. While there, Potter will announce results of critics' own first national poll, now completed.

6 Months on RKO Lot, Orson Welles Has Yet to Start

Hollywood, Feb. 20. Although Orson Welles' contract to produce, direct, write and star in "Citizen Kane" has been now committed to make three pictures, the bearded boy is still shopping around for a suitable garnish as a star. He left the Coast yesterday (Monday) for New York to continue his search on the East coast.

Both Welles and the studio are understood to have agreed that neither "Heart of Darkness" nor "The Sign of the Cross" are of sufficient caliber to follow the heavy publicity campaign with which Welles is promoting "Citizen Kane" at RKO. It is said that George J. Schneider, RKO pres. told Welles not to rush the first picture, but to wait until the studio is settled in salaries and other expenditures.

PATHE FILM'S PLAN TO RETIRE 7% PFD. ISSUE

Pathe Film Corp. is working out a plan whereby the 7% preferred stock will be retired. It will be ready for retirement in a week of 10 days. Proposition, as stated by J. H. Ferguson, as retirement of the preferred issue will result in about \$200,000 in place, each drawing \$1 annually. In place, the company would take out a bank loan drawing 7% interest.

Under this alignment, Pathe would receive a preference stock. It would pay off the bank loan in dividends from the stock. Pathe Mfg. Co., in which it holds 34% interest.

No progress has been made in setting up a plan whereby the DuPont Film shares could be sold. Pathe currently is in the process of filing in selling these shares the more valuable the stock will be.

UA SETS 'SON,' 'TOWN'; HALL GETS 1ST CRAFT

Relations between Radio City Music Hall, N.Y., and United Artists are being smoothed out. All UA product is now being offered to the Hall first and two forthcoming pictures will be made there. These are "My Son, My Son," produced by Edward Small, obtained a week ago, and "The Sign of the Cross," as which a deal has just been made by W. G. Van Schuman, who has been in the Coast since Jan. 19. Van Schuman returned to New York yesterday (19).

No deal has been set on "My Son," but it will probably land at the Hall before the end of the month. "The Sign of the Cross," still being in production.

Reflect Schine Slate

Gloverville, N. Y., Feb. 20. J. Myer Schine was selected producer of Warner Bros. picture of the Schine Theatrical Enterprise, Inc. at the annual meeting here and other matters include Louis B. Mayer, Schine, secretary-treasurer; John A. May, controller, and Florence Schine, secretary.

Directors are as follows: both Schine, John A. May, Hildegarde Schine, J. Myer Schine, J. G. Selinger, Miss Thompson, Fred Billingham and attorney Gordon Park Young.

Fannie Hurst's claim against Warner Bros., arising from the company's recent film, "Four Wives" has been settled, according to unnamed sources. However, there is no indication what, if any, payment or other consideration was involved.

Novelist's attorney, Benjamin E. Stern, has flatly refused to discuss the matter, and several Warner executives insist never to have heard of the case, while one official of the company said, "There isn't and never was anything to it." It is reported that Miss Hurst has recently submitted one of her stories to the studio for possible sale.

Author's claim against the company arose from the production of "The Sign of the Cross" and other actors and carried on the bill of the same company's "Four Daughters" and "The Sign of the Cross" level of the same name. It is reported she never wrote a sequel to "Daughters" nor again used any of the characters in "The Sign of the Cross" whether the purchase of a literary work is entitled to the continued use of any material or characters in the story and characters, unless the author is given additional payment.

Miss Hurst's claim against the company action some time ago and the Author's League of America was advised that the studio was to assist in the battle, but nothing has been heard of it for some time. In some instances, the studio has been notified of the claim and actors are notified of the claim, but nothing has been heard of it for some time. In some instances, the studio has been notified of the claim and actors are notified of the claim, but nothing has been heard of it for some time.

Both Tarkington, who also has a claim against Warners, was announced before-feral had work in "The Sign of the Cross" and other staff. Sidney B. Fleischer, attorney for the novelist, insists within a week of the settlement of the claim, in which the court could limit the amount of damages and the delay in settling the studio plan in salaries and other expenditures.

Warner, which several years ago bought all the Tarkington material not already held by other companies, has been reporting that by approval previous films that were equally desirable in the original picture, he never had gave tacit consent to make free adaptations as "Twin."

As a result of the Warner and Tarkington claim against Warner's "The Sign of the Cross" and other staff, as well as some other stories being to exercise "rights" of first refusal, there is a possibility of single stories, there is a possibility of single stories to set up a negotiable story, which would handle all literary material in the studio, although little tangible progress has been made in that direction. It's believed that an agreement with writers have been inserting protective clauses into their contracts to cover such contingencies.

Chi Mild; Friday-Walters Fair

30G, 'Remember - Apollon Nice \$16,000, 'Geronimo' OK \$10,000

Chicago, Feb. 20. Mobbed outstaying... Chicago will turner fair money with 'Girl Friday' and 'Joe's Pipers'...

'SWISS FAMILY' GOOD \$3,300 IN 'VILLE

Ashe (BAK) (1,900; 25-25-65-71) 'Light Pales' (Par) (3d wk)... Chicago (BAK) (1,800; 25-25-71-77) 'Little New York' (Par) (3d wk)...

After three weeks' hectic box activity with 'Gene With the Wind' at Leroy's State... 'Gene With the Wind' (M-G) (11th wk)...

First Run on Broadway (Subject to Change)

Week of Feb. 21. Adams - 'Gene With the Wind' (M-G) (10th wk)... 'Gene With the Wind' (M-G) (11th wk)...

LIGHT FAILING IN CINC, \$8,500

General hit of the week... 'Gene With the Wind' (M-G) (11th wk)...

Bliz and Driz Fizzle Broadway Biz

But Mice Big \$53,000; Disney 2d, 37G, 'Sidewalks - Lamour Snag \$10,000

(Best Englishman's Boy) A heavy unannounced 'New Year' crossover with all day... 'Gene With the Wind' (M-G) (11th wk)...

hand (3d final week). First week... 'Gene With the Wind' (M-G) (11th wk)...

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GOODMAN-WOLF N.Y. GOOD \$12,000, INDLPS.

Indianapolis, Feb. 20. With 'Remember (Circle)'... 'Gene With the Wind' (M-G) (11th wk)...

Brooklyn, Feb. 20. Two major markets in the downtown... 'Gene With the Wind' (M-G) (11th wk)...

20th's Hula Film Hollywood, Feb. 20. 20th-Fox goes Hawaiian in 'Song of the Islands'...

Ashe (BAK) (1,900; 25-25-65-71) 'Light Pales' (Par) (3d wk)... 'Gene With the Wind' (M-G) (11th wk)...

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FILM BUSINESS

Paramount Buys Air Time for B'way House, 20th-Fox Dito Romy

Paramount Pictures has bought three 15 minute periods per week on the recorded "Make-Believe-Nation" program on WNEW, N. Y., to exploit films appearing at its Paramount theatre, Broadway, N. Y. showings. Contract becomes effective March 4 and is for one year. Burbanck agent.

20th Century-Fox also extended a similar contract for one year with the same outlet to cover 12 weeks. Fox will use a minimum of 15 minutes through the year of variations in pictures being shown at the Henry theatre, N. Y. Agreement is retroactive to Jan. 21 when Fox showed and burned on WNEW "Little Old New York." Kayton Sells Co. agent.

LOEW'S BOSTON P.A.S. SET RECORD ON 'GONE'

Boston, Feb. 20. Loew's publicity office here chalked up a record for itself during the eight-week run of "Gone With the Wind" here.

Here are some of the statistics on exploitation in the Boston area alone:

- Forty thousand nine hundred and eighty-two lines of newspaper publicity.
- Five front-page picture-story layouts.
- Six full pages of pictures and copy.
- Sixteen feature layouts.
- Three editorials.
- Thirty-two window tags.

Niagara C. of C. Ties In With Thousands

Tieup has been made by Columbia for "My Many Husbands" to be used by the Chamber of Commerce of Niagara Falls, N. Y., as the principal weapon in a spring campaign to bring "second honeymooners" to the traditional spot. C. of C. and the studio will limit national advertising to prominent cases in the Niagara area.

When the Wesley Ruggles produced picture is shown in Niagara, plans are for the whole city and second honeymooners. Campaign was set by Myer F. Beck, eastern rep. of the Russell Birdwell office, which is handling exploitation on the picture in behalf of Ruggles.

Irwin Shaw's U A Chore

Irwin Shaw entrained Monday (19) for Hollywood on a one-picture deal with the Loew-Lewin production unit of United Artists.

Shaw will do an original from an idea L. U. have in mind. He will make only distant "visit" returning to New York to do the actual writing.

Star's Santa Bells

With babies in at least 17 homes in and near the city this year has been named for Linda Darvall, actress. 20th-Fox is expected to send the starlet out on a goodwill tour to this area.

Start is to have her visit Lehigh estate, bearing suitable gift, working in a little vacation trip to the home town on the side.

FOLLING LOUIS-ODODY

San Antonio, Feb. 20. Due to the difference in currency on the situation on the Louis Odogody championship fight, the Empire, showing the fight picture, distributed "singing cards" to all who attended the bout.

Interstate is planning to poll these results after they see the picture.

By John C. Fling

It started as a publicity stunt, the idea of initial showings of feature films at cities scribbled over the far-flung American landscape. Now it has become routine showmanship. Premiere spots are carefully chosen by publicity departments as investments in the local interest, which is located to the boiling point, and then conveyed through radio and newspaper mediums to the public.

These hotlines have been natural. Where the story of the film and its principal screen characters are indigenous to the area, they have motivated the publicity. The publicity boys are becoming expert in arranging these affairs. They have mastered the art of marshaling educational and industrial interests, and entire communities have turned out to witness and applaud, locally promoted, in the cause of a good film.

There has been a madman of promotions along these lines starting with the "Dodge City" festivities in the frontier Kansas town of that name nearly a year ago. The Warner publicity staff, under S. Charles Lindbergh, was the first to attempt to chance. Not one, but four state governors, from adjacent commonwealths, graced the occasion and each was given his quota of time on the microphone to express words of frontier ebullency.

Soon after, the Paramount crew took over Omaha and started the calendar of films year to the date of completion of the United Pacific, in the commendable interest of the film that name. "Gone With the Wind" was presented in Atlantic City, and in Springfield, Ill.; "Mr. Smith Goes to Washington" and "Abe Lincoln in Illinois" at the national capital, and in the remainder of the United States.

No event equal in this type of exploitation was the appearance at the top of amusement advertising columns in the "New York Times" newspaper (14) of an announcement of the Fort Huron ceremonies, with the statement that "Young Tom" would be presented in England "at sometime next month." No theatre was mentioned.

It was smart advertising that served to keep fresh in the minds of the public the picture which had been arranged on the inventor's birthday by the Metro publicity staff.

Goo't Exams

Controlled from page 4

stock 7,083,167 shares, of which 104,167 are preferred no par value, and 7,000,000 are common \$5 par. Outstanding \$14,163,666. Assets \$2,500,000 open mortgage and 2,801,344 common, less 100,254 shares in the treasury. The rights are \$1.00 each. The following questions are listed, and questions 5-8 deemed confidential, and questions 9-12 in non.

WE lists all corporations in which it has any financial interest including film laboratories, libraries and printers, accessories, mail publishers, broadcasting, cellulose, sound and motion picture equipment, Bruck-Balko-Collender Co. of Chicago.

RKO Radio Pictures, Radio-Kath-Orpheum Corp., Keith-Albee-Orpheum, Public House, Van Beuren Corp., RKO Proctor and RKO Mid-west sent on the list. RKO Radio Pictures, Inc. was founded by W. B. Fox, 1,161, in Delaware under the name of R-C Pictures Corp. In 1926 the name was changed to present title; 30 exchanges are listed, together with 13 officers and outstanding shares, no par value, and the outstanding stock is 21,274 shares.

Faced liquidation as of Sept. 1, 1939, with assets of \$2,500,000 and mortgage of \$5 to the extent of \$5,000,000 on the studio in California. The company has no assets. There are no current loans. RKO Orpheum Corp. is a creditor to the extent of \$1,116,166.

RKO's Yearly Gross

Gross Income from production and distribution in 1939 was \$53,137,490. Net was \$17,754,818. In 1938 it was \$27,758,735, and net profit \$9,659,518. In 1937 it was \$29,242,424, net profit \$11,161,162. In 1936 it was \$29,479,437, net profit \$7,774,817. In 1935, \$1,402,000, profit \$273,677.

After listing 30 stockholders, the company declares that in 1935 the total assets were \$29,242,424, net profit \$11,161,162. In 1936 it was \$29,479,437, net profit \$7,774,817. In 1937 it was \$29,242,424, net profit \$11,161,162. In 1938 it was \$27,758,735, net profit \$9,659,518. In 1939 it was \$53,137,490, net profit \$17,754,818.

Universal does not take into consideration the ownership of a theatre in the run of a picture. Nor is the company interested in the theatre's business affiliations. However, it is admitted that in the first run it was necessary to take into consideration what theatre the picture would be shown in subsequent runs. As a result of this admission Wright attempted vainly to get Scully to admit that affiliated theatres are preferred over unaffiliated ones, but he refused to do so. The fact that affiliated theatres could guarantee much more to Universal to show the picture was not mentioned. Film selection and advance men for runs found it difficult to convince Scully to participate in heavy advertising appropriations. He always hung on to his exclusive contracts. The public, he said, is smarter than the showman.

MIKE SHEA'S THEORY

First time upon metropolitan newspapers was purchased for the express purpose of telling of some theatrical event in a distant city is unprecedented, but a notable instance occurred in 1935. The Metropolitan New York theatrical circles by inserting in the metropolitan press a display advertisement of the opening of his new production "The Egyptian," which was financed by the premiere was Douglas Fairbanks in "Robin Hood".

In the years of the Metropolitan of the Egyptian, and later the Chinese theatre, Grauman pulled exploitation stunts which intrigued the trade and public. In the "Robin Hood" display, he incorporated a list of type, Hollywood, hotel rates, train trip from New York to the Metropolitan theatre, the price of admission to the Egyptian.

He called over the house manager who had no explanation for the near-empty house. The public evidently didn't care for the attraction.

"Has the house?" asked Shea. "Yes, there's a car sent over last night by one of the bus exchanges. Representative said he would be in later in the afternoon." "Put it on the screen," said Shea.

Within a few minutes a startled audience viewed the dramatic one picture on the screen. The title of another. The new film was "Tillie's Punctured Romance," starring Charles Chaplin and Marie Dressler. "Tillie's Punctured Romance" was shown early evening the lobby was jammed with standees. There was no advance advertising; no lobby display. Only a few people came to the benefits window.

Film selection and advance men for runs found it difficult to convince Scully to participate in heavy advertising appropriations. He always hung on to his exclusive contracts. The public, he said, is smarter than the showman.

Scully readily admitted interest in the exhibitor who could give him the largest amount of advance to offset the balance of the question. In this regard Wright pointed out that the fact that affiliated theatres could guarantee much more to Universal to show the picture was not mentioned. Film selection and advance men for runs found it difficult to convince Scully to participate in heavy advertising appropriations. He always hung on to his exclusive contracts. The public, he said, is smarter than the showman.

Contracted Bell Slugs

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UA Ties Up S-H Duities

For 'Best Son' Contest With 'My Son' Film

Tieup has been made by United Artists with Scripps-Howard papers throughout the country and other sheets on the condition that the contest be connected with release of Edward G. Robinson's "My Son." National winner of the title will be awarded a full four-year scholarship plus expenses, plus any university or professional school of his choice by UA and Small.

Worked out by Monroe Gramath, exploitation chief, entails selection in each community of a "best son" by ballot casting at least 100 votes. Major picture winners will be sent by theatre in which they are selected to regional semi-finals in San Francisco, Chicago, Atlanta, Denver, Cleveland, Dallas and New York. Lists of additional prizes to be awarded will be mailed out in advertising letters by participating theatres and UA exploitation men.

Feature of the idea is that nomination of a boy must be accompanied by a ballot casting at least 100 votes. More than 200 boys are entered. 12,000 persons have been directed to vote and the contest is being held in 100 cities.

"My Son, My Son," it is figured. Film will be released March 21.

LINCOLN, BALTO, GETS BETTER PIX, SUIT OFF

Baltimore, Feb. 20. Complaint of the Lincoln theatre against major producers and distributors in U. S. district court here is in effect by the house to obtain first runs in its neighborhood, was withdrawn by major picture producers and the studio to play second runs, but reached an out-of-court compromise with the film company and started to local box office on previous run reduced.

Wright won out by litigation by signing for Warner, RKO, United Artists and Paramount product.

Best Ad-Trust Dismissed

Pittsburgh, Feb. 20. A motion to dismiss a suit against eight motion picture producing companies and 18 other defendants was denied here last week by Federal Judge R. M. Glavin, who directed the defendants to file an answer to the complaint that they conspired to injure a group of Erie, Pa., theatre owners.

Original complaint was filed by United Exhibitors, Inc., Penn State Theatre Corp. and four others who charged the film distributors had prevented them from obtaining product "in time to make a profit." They alleged "an unfair combination" in violation of the Sherman anti-trust law and the Clayton Act. The action to dismiss the suit was brought only by the operators of the local theatres.

Defendants include Par, Loew's, RKO, WB, 20th-Fox, UA, Col and U.

'Portrait' for Moss

Hollywood, Feb. 20. Jack Moss, currently editing "The Best of the Best" at the RKO at Paramount, has been assigned to "Portrait of a Mother" as his second picture.

Robert Carran and Ermgard von Cube are doing the screen play.

Plug on the Hoof

New dance created to plug "Waltz Time" and "My Many Husbands" was given its initial workout at a social party at the First Street theatre here on Feb. 19.

"Principal feature is that two men dance with one girl."

From the Government's list of Universal's key titles.

He admitted selling five pictures under the name of "The Best of the Best" were "Dark Rapture," "Minkids," "Green Bell," and two others. British productions never delivered. The reasons for selling separately were due to the arrival of the prints after the start of the second picture run.

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"Principal feature is that two men dance with one girl."

Four H.O.s in Frisco; Hell-Vaude Good \$18,000, Dakota-Maisie, 16 1/2

San Francisco, Feb. 20.
Four hoodlums, including "Gene With the Wind," which shows no interest in strength, and new bills are on theatre row this week. "Hell" and "Vaude" are at Golden Gate; "Man from Dakota" teamed with "Congo Maisie," good; "The Married Man's Wife and Her Maid" at Paramount; "The Reason" is blowing up another \$30,000 week.

Estimates for This Week
Fox (F-W) (2:30-3:45)—"Man Dakota" (M-G) and "Congo Maisie" (M-G). Last week, \$19,000. Last week, Broadway "Hell" (F-W) and "Man from Dakota" (M-G). Last week, \$18,000. Last week, \$18,000.
Rialto (R)—"The Married Man's Wife and Her Maid" (M-G) and "The Reason" (M-G). Last week, \$18,000.
Paramount (P-M) (2:30-3:45)—"The Married Man's Wife and Her Maid" (M-G) and "The Reason" (M-G). Last week, \$18,000.
Broadway (B-W) (2:30-3:45)—"The Married Man's Wife and Her Maid" (M-G) and "The Reason" (M-G). Last week, \$18,000.
Grand (G)—"The Married Man's Wife and Her Maid" (M-G) and "The Reason" (M-G). Last week, \$18,000.
New York (N)—"The Married Man's Wife and Her Maid" (M-G) and "The Reason" (M-G). Last week, \$18,000.

RAFFLES NEAT \$22,000 IN H.H.B.

Boston, Feb. 20.
(Best Explanation: Lew's)
Bitten by the desire of the film stands to do decent business on the weekend, Lew's fourth week, \$22,000. Last week, \$20,000. Last week, \$20,000.
Wardell (W)—"Gene" (M-G) (4th wk.). Last week, \$20,000. Last week, \$20,000.
Rialto (R)—"Gene" (M-G) (4th wk.). Last week, \$20,000. Last week, \$20,000.
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—"Raffles" (UA) and "Slightly Honourable" (M-G). Okay \$18,000. Last week, \$18,000. Last week, \$18,000.
—"The Married Man's Wife and Her Maid" (M-G) and "The Reason" (M-G). Last week, \$18,000. Last week, \$18,000.
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'HELL' - BESTOR BAN AT TOP-C.C., FINE \$8,500
Kanna City, Feb. 20.
Bitter as the times that this week was the best for improvement in both stage and film fare. Dan Breen (M-G) added to the bill. "Green Hell" Letter was made for the first time, \$8,500. Last week, \$8,500. Last week, \$8,500.
"Gene With the Wind" Letter also allowed Metro to sell "Take This Home" (M-G) (4th wk.). Last week, \$8,500. Last week, \$8,500.
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'WIFE' - DUCHIN HIT \$17,500 'WASH'
Washington, Feb. 20.
Piano center on Saturday night at Frisco, town's biggest straight pipe, because of "Gene With the Wind" (M-G) (4th wk.). Last week, \$17,500. Last week, \$17,500.
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'Gene' Still Great in \$6,000, 'Light' \$4,000, Both Mild

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WATER-SAT TAIL \$22,000 IN BUFF.

Buffalo, Feb. 20.
(Best Explanation: Buffalo)
Mixed picture market currently among the downtown hoodlums.
"Water-Sat Tail" (M-G) (4th wk.). Last week, \$22,000. Last week, \$22,000.
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Piano center on Saturday night at Frisco, town's biggest straight pipe, because of "Gene With the Wind" (M-G) (4th wk.). Last week, \$17,500. Last week, \$17,500.
"Gene With the Wind" (M-G) (4th wk.). Last week, \$17,500. Last week, \$17,500.
"Gene With the Wind" (M-G) (4th wk.). Last week, \$17,500. Last week, \$17,500.

Plans 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 to incorporate the long-ago idea of employing French name stars and producers in U.S. production. Nat Wachberger, Film Alliance v.p., is on his way to Europe to perfect plans for transfer of stars and producers for the new project. Key features are contemplated for the initial spring-summer shooting schedule, with producing actually to start around April 15. The company plans to continue its lineup of 15 foreign pictures this year but will produce new American product with French and British films.

Wachberger stated conditions in France latest in U.S. a practical move. He and Harry Brandt, who is v.p. of Film Alliance, will actually organize the new company. Wachberger also indicated that several British stars would be negotiated.

Because of New York City Theatre Guild's organization, the new producing company would be owned of a certain number of houses in the market. The Guild would get distribution through a setup already used by Film Alliance throughout the country.

Antip Federal Backing May Be Sought Should N.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 latter to produce a sequel. Under the New South Wales arrangement, the state government is guaranteeing 60% of the cost on production of certain pictures.

By this arrangement Argony Films, Ltd. will produce two, Cinecrom, one, and Famous Features, Ltd., in conjunction with Hoyts Theatre, one. The latter is to produce a sequel, "9000 Heroines." About 2,500 feet of the picture were made last year, and the rest released through Universal Pictures, Ltd.

Cinecrom is working on "Rudolf, M.P.," a government production film with Bert Bailey, a boxoffice favorite here, in the lead.

STUDIOS TAKEOVER STALLS ANGLO PROD.

London, Feb. 6
 With Pinewood studios occupied with evacuees and Elstree taken over by the Government, the production of good studios. As a result the Elstree Berger picture, scheduled for production here, is being delayed. The studio has also stalled other production.

Word ahead of Miss Bremer is a Kerda picture, to be done in cooperation with the British navy; and "The Woman's War," a picture of an air force; a G&S epic, which is modern version of Captain Jack Baimard; and "The Bill of the Gate," directed by Bernard Shaw's "Major Barbara." With two others to follow, and British National's "Countdown," starting Conrad Veidt.

Polish Producer's First U. S. Film, in Yiddish

First American-made Yiddish picture by Joseph Green, a Yiddish producer, will go into work at Ideal week in New Jersey in about two weeks. It will star, there, a cast including Gertrude, who has appeared in numerous Jewish films, and menasha. Green, who has been in the business for a long time, is making his celluloid debut. He, from a story by A. Kalmanson, is a comedy.

Aside from Green's activity, Yiddish film making is in a lull. Other Yiddish pictures are being attempted to line up finances for further work.

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. Blinn, 20th-Fox's foreign manager, who went there 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 is expected to call for the 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

After much deliberation by the cabinet, '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 Sons 'Girls' (G.M.P.), with Deane Daryll, has been discontinued 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 films 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 Brady 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 followed. The reorganized company of unsecured creditors 15% on claim, and paid reorganization expenses, wages and taxes in full.

In order to continue operations, \$5,000 was borrowed from Albert Weiss, who is now president of the company distributes French films in the U. S. The bankruptcy petition was filed a year ago.

McConville to Eye Spanish Pix Prod. 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, after 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 U. S. major.

The origin check 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 the 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 Freeze Com

London, Feb. 6
 The King and Queen went to see "The King's Rites" with the Arnold-Horsey Foster musical at His Majesty's theatre, occupying a box which adjoins the stage-par-son.

On "The Majestic" departure, the Queen found the show "a slightly ajar, put her head through and, setting a crowd of chorus girls, called out, "Good night girls, I enjoyed the show immensely."

PAR AGAIN MAY BACK PICTS IN S. AMERICA

Hollywood, Feb. 26
 Whether Paramount finances indie production in Latin-American countries will be decided March 1 on the return to New York of Adolph Zukor and John Hicks, Jr., from a tour of the continent to study the market. Studio last year abandoned making Spanish language with Tito Guizar, because the costs precluded any profit.

Par came away 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 announced compulsory for all theatres to show Yugoslav newsreels in every program. Until such time as necessary technical arrangements can be made, there will be dubbing over of pictures 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 places, in Yugoslavia, women are still under the antiquated restrictions and keep away from "mixed" theaters. Plans are now afoot to hold special performances for women in towns where the Moslem population, through opening up films to give a new class of picturegoers.

Melbourne, Feb. 26
 Although a permanent policy of freezing a certain amount of foreign film money in Australia seems certain, the prospect is that the plan will be modified rather than applied in force in England. If U. S. distribution companies and their Australian representatives, who are mainly concerned, adopt an attitude of cooperation locally in consideration of Australia's war needs, much more leniency in freezing than originally proposed 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 Yankin distributors, it is reported here that the policy of retaining chairmanship of the Motion Picture Distributors' Association is not working out as well as had been anticipated.

Mr. Victor Wilson, who quit post as M.P.D.A. president earlier, 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 plead the cause of the M.P.D.A. Present plan is to allow different managing directors of American districts to serve as chairmen of the M.P.D.A. This 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 to American distributors at the time the 75% unfreezing ruling went into effect recently, distributors have found increasing difficulty in the application of the ruling, due, supposedly, to wartime conditions.

Distributors have complained to the local government and the Ministry of Finance, but are promised 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 attempt to expand the picture industry in Italy.

Males, whose age limit is 30 years, aren't limited in their capacity for study, whether girls, and the students, it is said, will be in the curriculum, are restricted to study acting technique, make up, costume and hairdressing.

Courses are free for the first year, after which those students who have shown aptitude for the work are permitted to remain at a cost of \$5 for the semester, plus pointing of \$30 for the year. Course is divided in two two-year periods.

'CHOPIN' WITH DONAT METRO'S 3D ABROAD

London, Feb. 26
 "Chopin," Robert Donat starring, is stated as Metro's third picture to be made in England since the revival production of "Victor Saville," producer, sails for Europe next week.

Production of "Chopin" on Metro's British schedule are "Bismarck's Heroism" and "I Had a Comrade," both starring Robert Montgomery.

Naves in 'Rebecca'
 London, Feb. 6
 Naves Naves will play the lead in the forthcoming London stage version of the novel, which was from Daphne du Maurier's novel.

John Gielgud was originally mentioned for this role.

Distinguished Dummies

Paris, Feb. 26
 Municipal war-time policy governing the safety of theatre audiences by restricting capacities would be determined the third balcony. Royal from playing to good-sized audiences regarded, albeit questioned.

Fashioned of plywood and paint, and lined up in a solid row in the third balcony, in effect, such notables as Mistinguett, Elvire Pagnon, Mistinguett Baker, Yves Mirande, Paul Reynaud, Chamberlain, etc.

SNIDER-DEAN IN 'DEAD END' BACK HOYTS-GT

Sydney, Feb. 26
 Snider-Dean cinema theatre circuit, which covers distribution, is to be taken over by Hoyts' chain after the latter bought out General Theatres on a long-term contract reported proposing an injunction to prevent Hoyts from merging with Greater Union Theatre on a long-term contract. This long-prolonging merger of Hoyts and Greater Union would be accomplished through reviving the Theatres for 30 years as their joint board. Greater Union directors already have approved the deal, with only an okay from Hoyts' directorate standing in the way of consummation. This deal has been expected almost momentarily.

Current contract obligations of Snider-Dean are to be the reason for the move against the merger. Snider-Dean, which includes a number of small legit theatres, was signed with Hoyts when the latter discovered it had no work program contracted for in U. S. companies that additional outlets were needed.

It was announced that Snider-Dean is holding 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. 4
 Close political understanding between Italy and Hungary is also bringing about an approach in the picture field. First tangible result is that Luce newsreels, official Italian production, are distributed in Hungary and shows in nearly every theatre.

Plans are afoot for making three features in Italian and Hungarian versions simultaneously. They will include two by the Italian director of Garibaldi and another of Franz List. A third Italo-Magyar picture "Three Drags," successful Hungarian comedy feature of a few years back.

Helsinki Film Distrib's Home Completely Wrecked

Helsinki, Finland, Feb. 7
 Home of Nils Dahlstrom, managing director of Suomen Film, a Finnish distributor for Monogram and other indie producers, was bombed and destroyed in a fire which occurred this week. Dahlstrom is at the front in command of a "pill box." His family was safe and injured in the bombing which wrecked his home.

Suomi Film some time ago moved its office to the second floor of a six-story city to Tammerfors in the interior and is continuing business as far as possible from that point.

35 PAMPAS PIX FOR MEX.

Mexico City, Feb. 26
 Thirty-five Argentine films have been booked for Mexico this year by distributor Felipe Merz, former Warner manager here in South America. The first of the lot is on exhibition here now.

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 N. Y. Strand . . .

"Advance talk is that it's a walloping hit. New Yorkers to Robinson's performance!"
—CAPT. WINCHELL

"It's the most compelling movie ever made!"
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"Robinson's is a truly great performance!"
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"Greatest performance Robinson has ever given!"
—CAPT. SID SKOLSKY

"It's even greater than 'Louis Pasteur'!"
—CAPT. LOUELLA PARSONS

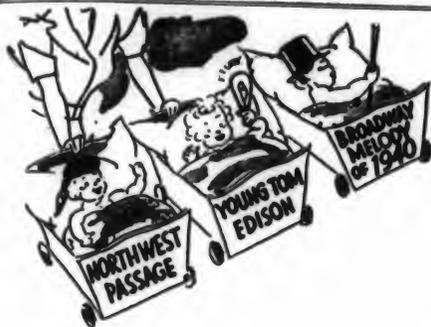
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Donald Crisp

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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 are that the recap plan might be ready within the next two weeks. Procedure in drawing up a plan for revising the company's setup has been to make several possibilities and then 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 \$500,000 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 reserves 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, with an 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 subhold of Universal Corp., is represented by the first preferred, listed on the N. Y. Stock Exchange and by the common, listed on the curb. Ideas would be to deal 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 Jean G. Janofsky, widow and daughter, respectively, of Ray Gardner, bandit.

Plaintiffs charged their rights of privacy were invaded by the pictures, *I Shot a Killdeer*.

Film Agents

Continued from page 8

vice-pres; Patsy Darr, second vice-pres; Fred Mitchell, third vice-pres; Bert Essick, fourth vice-pres; Lucile Gleason, fifth vice-pres; Patricia Brooks, recording secretary, and Helene Heller, treasurer.

Following members will be elected to the executive board: Kenny Clark, president; Patricia Brooks, secretary; Fred Essick, fourth vice-pres; Lucile Gleason, fifth vice-pres; Patricia Brooks, recording secretary, and Helene Heller, treasurer.

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Demanded by Union's Lead

A demand by union leaders for concrete figures showing major companies cannot continue payment of dues has been made. It resulted in progress in negotiations between producers and unions. The demand for "kickback" of pay bill. It was reported the unions also asked the companies to reduce the amount of dues. The union is making a point to make it unnecessary to recall the wage increases. Several labor heads demanded to know if the salaries of key executives or actors, writers and directors had been cut.

Another meeting will be held this week at which time the producers will submit a breakdown of figures pertaining to expenditures, earnings, etc. Producers are represented by J. Frank Freeman, E. J. Conroy, R. B. Kahane, Walter Wanger, Paul Patton, Paul Casey and W. B. Silberman.

Willis B. Miller, who has been ordered returned to Chicago to serve a six-month jail sentence, has been acting as chairman of the labor group. Other members of labor committee are J. W. Russell, executive secretary of the Central Labor Council; International Regional 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 660 of the I.A.T.S.E. He succeeds R. L. Hayward, who resigned soon after being elected chief here.

Goldwyn Sues

Continued from page 4

of Alexander Korde Productions, Ltd., and objected to Korde releasing his own film national rights in Spain. Goldwyn also objected to the formation of the Elton Corp. by Goldwyn and Korde.

The Silverstone Plan Details of the "Silverstone Plan," another bone of contention, are intricate. It divides the gross into 25% to producers such as 25% to \$750,000, and a refund as high as \$1,750,000 to the U. K. and 25% up to \$300,000 to a 10% refund on \$700,000 in English distribution, and 10% of net profit.

Another point listed by the producer in his action is the failure of the U. K. to pay the \$54,550 due him under the Silverstone Plan.

The complaint mentions that on Dec. 18, 1939, Goldwyn wrote U. A. demanding the distribution contract. He received a letter in reply from Silverstone refusing to accept the terms of the contract. The U. A. had not in any way breached the agreement, Goldwyn mentions his attorney secured a restraining order against Warner to secure a releasing deal for "Westerner," but says that, after he had secured better deals. U. A. warned the other two majors of legal action, and they dropped their suits. Goldwyn is now being forced to go back to U. A. for distribution. Until Jan. 30, the complaint says, Goldwyn tried to negotiate with others, but they were all afraid.

Hearings on an application by Stewart to examine Korde 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. The first reel he directed was a writer on the Par lot, coming from radio.

Ex-Abbott Man, Now An MCA Agent, Handled Both 'Girls,' Syracuse

"Two Many Girls." George Abbott's production of the Rodgers and Hart musical comedy, of the Imperial Theater, N. Y., was finally booked by RKO last Thursday (15) after several weeks of lively negotiations. The contract was \$100,000 and up until the contract was actually closed Metro, Columbia and Warners were also in the running for the rights.

Deal talks for Abbott to produce. He may also direct. He was directed by 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 time. Considered likely that several members of the lead cast will be signed to do the same parts in the film, but that will await huddles between Abbott and RKO, and direct negotiations with the company was involved.

Abbott yesterday (Tue.) denied that most of the cost would be used in the picture. "The picture is absolutely no casting," he said, "and neither Frank Roemer, Shirley Campbell, Charles Chaplin, or any of the numerous others mentioned, have been signed. As for transporting the entire company, principals and chorus, to Hollywood, as several newspaper and radio commentators have predicted, it would be fairly impossible, unless it was discovered that every member of the company was in town. We expect musical to continue at the Imperial theater (N.Y.) through the summer with the same cast and about playing."

Contrary to expectation, there is no word as yet whether there will be further production by Abbott at RKO. He is expected back on Broadway in late summer. He is reading his lineup of shows for the next season. "Girls" deal was signed by Music Corp. although 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 Boys from Brazil" for this business season's Abbott-Rodgers-Hart musical, to Universal. Martin Jurje, who is expected to be with deal was associated with Abbott before joining MCA.

KORDE HELD EAST BY 'PRIVATE BUSINESS'

"Private business," which he refuses to discuss, is holding Alexander Korde in New York this week, following his somewhat surprising arrival from London (Mon.) on Tuesday (15), about a week earlier than expected. English film producer held a reservation for Hollywood, but after leaving several hours after his ship decked, but postponed his departure to Monday (19) because "I had had a cold and weariness" from the rough sea voyage. Monday he said he would leave in about a week.

Although United Artists, of which Korde is a producer-member, has announced that he will be directing Babu and directed by Korde's brother, Zolman, both of whom are now on an extended tour of the world, including Hollywood, the producer said his plans are not definite. He will probably work on the Coast and depending on outcome of confabs with Murray Silverstone, U. A. chief, and other executives, he may be returning to England in six or eight weeks. If possible, he declared, he would like to see the picture. Many writers started and actually make "Jungle Boy" on a return to Hollywood after first going back to London.

Korde also said that he will finish writing "The Last Days of Pompeii" during his current stay. Shorts were originally scheduled for Africa, but conditions made it 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 Women K.O. Juve B.O. Biz in Clev.

Cleveland, Feb. 20

A sweeping curfew ordinance designed to regulate the attendance of minors in theaters and other amusement spots, proposed by city's board of health, will be taken to the city council, will be vigorously opposed by Cleveland exhibitors' association which is being brought up in city council this week for a vote.

Recommended by Capt Arthur Roth, superintendent of police juvenile bureau, to curb possibility of night-time street assaults against minors, measure is being patterned after curfew laws in London. Under sharp-toothed "must-nots," which worried exhibitors claim would not shut the curtains off of attacks, theaters and minors would have to follow drastic rules.

Employment of minors under 17 as waiters, with exception of youngsters in roadshows approved by state authorities, would be barred. Another section of ordinance calls for posting of those rules in all picture houses, cafes and theaters. Violations could be punishable by a maximum fine of \$100 or 30 days or both.

George W. Longenecker, president Cleveland Motion Picture Exhibitors Association, of which he is secretary, said he would oppose the ordinance that the proposed law would be far from a cure-all. Juvenile court reports are being made up by 1,000 hands kept full by cases of children lured from theaters and modestly by parents.

See Pix OK for Kids In Montreal Shortly

Montreal, Feb. 20

End of the hearing of P.S.A. to members under 16 in this city was held in force here since 1927, was hinted last week by Hon. Wilfrid Girouard, attorney-general of the province. He said his Government, he said, was not looking ahead at 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. He heard the proposal was made by 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, and 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 of the U. S. around himself with a levy of young players loaned by the studios.

Opens at Loew's State in New York.

Helen Mack Joins Fidler

Pittsburgh, Feb. 20

Helen Mack is to be replaced by Cecelia Parker in Jimmie Fidler's Hollywood unit. Fidler opens an eight-week tour here at the Stanley Fider (23). Miss Parker was yanked at last minute from the picture. Fidler is making a new "Hardy Family" picture which goes into production shortly.

Robert H. Lyell, picture executive, is making a new line-up including Mary Hely, Michael Whalen, Ethel Loring, Olive Brudine and Felix Lind Yery.

Big the U-Boat will probably be released. Picture was made at request to "The Lion Has Wings" propaganda picture for the Royal Air Force.

Jane Duprez, star of "Bagdad" arrived on the same boat to participate in the Arizona sequence. She will be in Hollywood last night (Tuesday) by train. She will be tested, while there, for the lead in "Personal Jitters," which will film in California. Warner, another U. A. producer.

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It's VALUABLE-
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It's FAST!
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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!

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PLUCKER
THE FARMER'S DAUGHTER
See Paramount's new fun panic with
MARTHA RAYE CHARLES RUGGLES GERTUDE MICHAEL

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The popular comic, musical comedy and radio star!
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THE GULLIVER'S TRAVELS
A PARAMOUNT PICTURE - PRODUCED BY MEX FLEISSER

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...his hands...
...the floor...
MELVYN DOUGLAS
as the fish, queen who...
Joan BLONDELL
THE AMAZING MR. WILLIAMS

WALTER BRIDGES
THE GREAT VICTOR HERBERT
In a glowing, glowing love story of...
Victor Herbert's own Broadway...
told to his unforgettable music!

MARY MCGRAW
THE SECRET OF DR. KILDARE
ALL NEW ROMANTIC ADVENTURES
Law BYRES - Lloyd BARRYMORE - Helen GILBERT

P.S. It's a Hap-Hap-Happy Day at the NEW YORK PARAMOUNT too, for they're plowing through snow-drifts on the sidewalks of New York to pile in to see the **"SIDEWALKS OF LONDON"** starring **CHARLES LAUGHTON** and **VIVIEN 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



G. S. Harrison Becomes Harris Amms. Co. Treas.; Theatre-Exchange Briefs

Pittsburgh, Feb. 20. After 37 years as auditor for Harris Amms. Co. George S. Harrison has returned to become the circuit's treasurer upon his return next month from a vacation in Florida. He will succeed Harry G. Moore, who went with Main company of accountant, replace him. Harrison went with the audit in 1933 under his original founders, the late banker John F. Harris and Harry Davis, his brother-in-law who died here just a few weeks ago after being an invalid for 14 years.

National Screen Service's new subsidiary, Advertising Association, is describing several of the ads which it has taken over distribution of. Par and RKO occasion, in describing several of the ads which it has taken over distribution of. Par and RKO occasion, in describing several of the ads which it has taken over distribution of.

Second annual 'Good Will' Contest of Main Line film exhibitors and exhibitors of that district will be a stag at Penn Auto Hotel in Philadelphia, to April 5. Contestants charge includes F. D. Moore, W. George Tice, Carl George Bink, Par and Jack Judd, W. H. Bishop, Jr., M-G exchange manager, will be.

Feb. 20. A candidate for the State Legislature from his district... Joe C. Adams... is now a distributor for a stock manufacturer... Grand Falls... to Indianapolis as treasurer at Low house there during run of 'Good'

Wm. Leason, Buys Theatre
Johnston, 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 firm. Only other bidder was Mike Mason, indie chain operator in western Pa.

Purchase of the property by WB also involves the acquisition by them of a mortgage for \$100,000 held by William A. Cook, trustee of the Baltimore estate. Warner previously had a lease on the building at an annual rental of \$22,000, which would have expired in May, 1931. Building which houses theatre has two staircases on first floor, once at third and fourth stories.

Merchandise Active
Chicago, Feb. 20. Felix Mendelsohn, general manager of Metro here, comes out of a three-year retirement to enter the picture as general manager with Murray Bach. Formerly Paramount, will concentrate on Chicago and midwest service for time being.

Beats Behind Seat!
Chicago, Feb. 20. Attorneys have been ordered to file a bill in the actions of a stockholder's suit against the theatre. Corp. to compel an inspection of the company's books and financial records. Complains that Walter Rende of New York and Arthur Park, operator of a chain of Jersey and N. Y. theatres, was behind the seat when they were wired Saturday (17) at a hearing.

ing before Supreme court Justice
Mr. Levin R. Pratt, of Ady company, of 50 above the Toms River stock, sought a writ to compel inspection of the books and financial records received decision and ordered by the court.

Retold Old Hoax
Huntington, Ind., Feb. 20. The Huntington ever company operated the Trace theatre, Toms River (N. J.) under the name of the Huntington Community in that municipality. Arguments were made by Mrs. Pratt, and Howard Ewart, counsel for the company, before the court. Rende was behind the seat to pry into the company's fiscal affairs.

RKO's Buys

Continued from page 1. 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 most interesting on the subject ever written. RKO had put \$50,000 down for an option, but some time after the deal was left it last week. Warner, several months ago, announced it would do a Franklin picture, with Edward G. Robinson in the title role. Charles Laughlin is the writer and RKO's original intention to split the check.

They were two purchases at \$40,000 each. One was 'Star Circle', novel by Theodore Dreiser published about 20 years ago. Edwinton has long been interested in this and took an option on it while he was in London. He had the novel been considered at one time or another by virtually every company in Hollywood, but consistently snubbed by the Huys office because of improprieties by the central figure character. Treatment was with out, however, with the Huys staff last year by D. A. Doran, now with Columbia, and is consistently snubbed by the Huys office because of improprieties by the central figure character.

Novels
Two other novels were also bought. A new one, published just last year, 'Handa by the Wind' by Collis. RKO paid \$100,000 for it. It was published in England some time ago. Laid in Bureau, Paramount showed some interest in it for Dorothy Lamour, but it has passed. The other novel is 'The Water Gypsies', published about 10 years ago. It has been talked up by representatives of the studio during the past few years, but it has not been held for a time by Hal Roach. RKO handed over about \$100,000 for it.

Purchases by RKO make it appear certain to crack its own record, set last year, for story and play buys. It spent a total of \$550,000 in 1938, topping all other companies. Among the purchases was \$50,000 for 'The Boy's', which will be on next season's program; \$250,000 for 'American Way', for which a treatment is now being prepared; and \$250,000 for 'Abie Lincoln', now in release. Couple years ago it paid \$250,000 for 'Road service', highest figure ever paid for a play in recent years.

STORY BUYS

Hollywood, Feb. 20. Frank Capra purchased 'Jean of the Sea' from the Jerome Bruns. RKO bought 'Three Way Justice', by Jack Roberts and Arnold Belasco.

20th-Fox acquired 'I Married a Man', written by Oscar Schatz as a comedy, but possibly an all-time comedy. Republic purchased 'The Camp-Dog 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 negotiations, Department is to write all the profit from an \$1,000,000 picture for several years before cutting his life short by a brief sale. Serialization of 'Father' characters for radio, and which producer, Oscar Berlin has made the producer, like the other possible h. a. offers.

Owners are Howard Lindell and Russell Croom, who wrote it; Oscar Berlin, the producer, and Mrs. Clarence (Peg) White, widow of the author of the memoir from which it was adapted. It was sold to Metro for not desiring to sell, as he and his wife, Dorothy Blitchy, 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 releasing 'I Take This Oath' was originally done by Minn Claire and the setting change is understood to have cost the studio nearly \$100,000. When the picture was resurrected after being on the shelf for about a year, Miss Claire was sought by Metro. When she asked for \$30,000 to do the extra scenes, Metro execs considered bringing charges with the Screen Actors Guild.

However, it was figured that even if the actress were forced to do the scenes for nothing she could delay production by flubbing some one, etc. if she wanted to make trouble. So rather than give in to the \$30,000 demand, Metro turned over the part to Miss Teasdale and resumed all the scenes in which Miss Claire 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 Parera and her husband, Valentin Parera, 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 shelved. Studio decided it is too fraught with political complications at the moment.

Edward Small had Charles Vidor on an innaten from Columbia under such advantageous terms for 'My Son, My Son', that the producer voluntarily brought the fee up to \$100,000 in reward for the job Vidor did.

Steiner Sees Horros

On 'We, People' Deal

Ralph Steiner filed suit yesterday (Tues.) in N. Y. supreme court against Berlin Marrow Productions, charging breach of contract whereby he was engaged Dec. 1, 1939, to direct 'We, People' for Marrow.

The employment contract called for a period from Dec. 1 to May 31, 1940, was to receive a flat fee of \$100,000 plus the fourth, fifth and sixth months, when he was to get \$50,000. Steiner was also to receive a percentage of profits, but not in excess of \$10,000.

It is alleged that he received \$500, and was paid after that, and that expenses were not taken care of. A warrant of attachment on Marrow property has been applied for.

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' picture, written 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.

Under the production of Eugene O'Neill's novel, 'The Long Voyage Home', screening by Long Veprag Home. Screening by Long Veprag Home. Screening by Long Veprag Home.

Admissions

Continued from page 3.

an advanced admission price, Maxine Toler said she may have lower price would tap a hitherto untouched source of revenue and cultivate a new audience in the form of picturegoers. She declared, however, she did not intend to do so if the admission charges were within the reach of all.

Maximum question of foreign acts in Hollywood, Maxine explained to Min Perkins that the picture industry may only such talent as it can get by the headliners, following the old example of the opera, concert and legitimate theatre. It is a matter of dollars and cents, he said, with the use of miscellany American artists, writers or directors, picturegoers.

AUCTION

By Order of U. S. District Court, Southern District of New York.

will sell the entire contents of GRAND NATIONAL PICTURES, Inc.

7550 Santa Monica Blvd., Hollywood, Calif.

To be sold by way of public auction and private sale... Grand National Pictures, Inc. WEDNESDAY—THURSDAY, FEB. 22nd, 23rd, at 10:00 A.M. GRAND NATIONAL PICTURES, INC. 7550 Santa Monica Blvd., Hollywood, Calif.

New York Theatres

THERE'S A BETTER SHOW ON AT



WATER WORKS SAYS

ROBINSON

DR. EHRLICH'S MAGIC BULLET

ZOLA STARTS STRADD

FRIDAY

HELD OVER On the Stage

GRAB LAUGHTER AND VIGOROUS LIPS

Dorothy Lamour

Berry Wand

Dick Daniels

and One

"SIDEWALKS OF LONDON"

PARAMOUNT THEATRE

State

HELD OVER On the Stage

HEAVENLY CREATION

"THE FABRICATION OF LIES"

in Paramount

HELD OVER On the Stage

BROADWAY CITY "MUSIC HALL"

"ABE LINCOLN IN ILLINOIS"

with RAYMOND MASSEY

Spectacular Stage Productions

HELD OVER

"THE GRAPES OF WRATH"

ENTERED REVOLVING

THEATRE

"Four Sons' Again"

Hollywood, Feb. 20.

Your first in for for remake at 20th-Fox. It goes to the Mayor for direction if script shapes up.

For first made it in 1929 with sound.

GONE WITH THE WIND

With these magnificent new features... G.W.P. 20th-Fox... G.W.P. 20th-Fox... G.W.P. 20th-Fox...

**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 Boehnel, *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 MEREATH • BETTY FIELD • LON CHANEY, Jr.
Produced and Directed by LEWIS MILESTONE
Associate Producer Frank Ross • Screen Play by Eugene
Solow • RELEASED THRU UNITED ARTISTS



Quaker Oats Revising Sales Strategy

Radio Shows Await New Packaging, Re-naming and General Revision

Quaker Oats, according to Ruthroff & Ryan, doesn't intend to look for a replacement of Tommy Bugge's show, but the fall advertising campaign folds March 28. For Quaker it's an early buy-out. Last year it remained on with Biggs until Mr. Quaker's puffing goods division pulls its own show, "Stop Me If You've Heard" (NBC) this Saturday (21).

The recent pact won't return to the networks until it has completed the new merchandising plan it is now working on. Both the warm and the cold cereal will be vitamin-treated and given names associated with the process. A change in packaging is also contemplated. Largely influencing this is the fact that Quaker, particularly in the case of its puffed goods, has found it tough to compete with other puffing goods manufacturers who offered their product in cellophane packages and at a school, instead of in the fact that of the cellophane wrapping and the lower price grocer has made it a point of displaying the competitor's product on the counter, whereas the flour, goods, contained in boxes, were placed on shelves.

New Type Extremator

On his 7 a. m. session over W. 2-N. York, Ed East (who now has Pines, Pepsi-Cola, Paramount theatre, Monarch Foods and Victor Vatrooni, control series of 'are you listening' mail checks. Fans are urged to explain who they tune in at this early hour.

Field one communication: Before I tuned in your program I could never get my husband out of bed in the morning. Now he can't get out of the house fast enough.

RADIO PUTS ON, AD OVER, SHOES

About a year and a half ago the Bureau of Mining Business Department, in December, 1938, the fact that the station's renewal would guarantee the run of 58 weeks.

Neff-Regor, agency on the air account, had previously insisted the formula on some New England stations. Opening of the WABC series was announced, outlining the merchandising campaign that was to be tied up with the broadcast and urged that the managers remind all their customers of this new WABC. A public service news on the air.

Melville radio campaign has not only become an important part of its all-year-around advertising budget, but also a source of income. According to WABC, of being top in audience poll for its particular period. In a year its audience has been increased by 25%.

HOLLYWOOD TO CLEVELAND

Law Valentine's Green County Rights for Special Dates.

Chicago, Feb. 20.

Dr. I. G. (Law Valentine) set for a living agree on time March 7 when he will bring between Coast broadcasts and a couple of club dates at the Cleveland and Ohio.

Opening at Gramma's Chinese theatre in Hollywood on Feb. 20, Valentine will come to the Cleveland Auditorium, and then back to the Coast for his regular NBC-red chain broadcast twice to the Cleveland agency here, handling account and Valentine, has accepted the winning Cleveland appearance on the radio.

He will spend 12 to 15, with Coast appearances and broadcasts in between.

Peterson With R-F

M. H. Peter Peterson, whose radio background includes Blackie-Hummert and Hearst, is currently with Reynolds-Tiptop, newscaster rep now going into radio station reping. Although headquartered in Chicago, Peterson will continue a spell in Manhattan to familiarize the personnel with radio.

Recently Peterson has WTAQ (Green Bay), WHBY, Appleton, and XERA, Mexico.

ARIZONA CONFERENCE GOES OVER PACT

Proposed New Licensing of Stations to Succeed Existing Contracts Due Before ASCAP Board Feb. 29—Demands on Networks to Be Increased

OTHER CHANGES

John G. Paine, general manager of the American Society of Composers, Authors and Publishers, and Charles Schwartz, general counsel, have been conferring in Arizona on the proposed new agreement for broadcasting with Gene Buck who is recovering in Phoenix from an illness. Paine and Schwartz will be back in New York the early part of next week.

The new contract, as devised by a special committee, will be presented to the ASCAP board of directors at its regular monthly meeting next week. (20) The matter of strategy in placing the contract before the broadcasting industry will also be discussed.

It is understood that the new license projects a revolutionary approach, network advertising, and only will the new agreement seek to apply the commercial fee to the network and billings, instead of the portion received by the affiliates stations, but the network will be called on to assume a much larger share of the sustaining charges on the ground that they make a business of selling their sustaining air time and derive a profit from it. With ASCAP it is a case of shifting a decidedly big responsibility to the network, to the M.A. stations which originate the network sustaining and passing on a much of the income as derived to independently operated stations in the form of sustaining fee reductions.

It is understood that once this new contract and method of allocation is passed on by the ASCAP board a license will be furnished with a copy of his new license, effective Jan. 1, 1941. The fireworks will come after that.

ALONZO DEAN COLE SUES PHILLIPS LORD

Suit for \$25,000 by Alonzo Dean Cole against Phillips H. Lord, Inc. was entered in the N. Y. supreme court Friday (18), when the plaintiff sought leave to examine John O. Ives, vice president of the defendant firm, before trial. Application will be heard Friday (Wed.).

The matter is in the N. Y. supreme court, when the plaintiff and writer, claims that he entered an agreement with Lord, Inc. Sept. 20, 1938, to produce a radio program for the radio. On April 2, 1939, it is alleged the defendant sold the idea to the NBC, and on June 7, 1939, further rights to Lord & Thomas.

The answer is a general denial.

E. W. HELWIG DIES

Introduced Fred Allen, Phil Spitznagel and Jane Froman to Radio

Edward W. Helwig, 64, who as the agency head on the Corn Products account was responsible for the introduction to commercial radio of the late Fred Allen, Jane Froman, Phil Spitznagel, Nino Martini and Jane Froman, died from a heart attack at his home in New York Monday (19).

Helwig was president of Helwig Miller, Inc. Prior to 1928 he operated as F. V. Helwig, Inc.

Helwig and daughter's surviving burial will be in Ardsley, N. Y., tomorrow (Thursday).

'What Goes On?' Sponsor Attitude An Aftermath of Transcontinental Epic

Out of Tune

Green Bay, Wis., Feb. 20.

About five years ago Herman Daunter came to the United States from Vienna where he had a classical musical background. Eventually he drifted to Wisconsin and became musical director of station WTAQ there. The house orchestra is called The Farmhand and plays a lot of Danabon waltzes and polkas, which is okay with Daunter.

But when The Farmhand have to play American hillbilly tunes the leader puts down his fiddle and changes place with the drummer.

ANN NEWS GALS MAY BREAK OVER PA

Quarrel within the Andrews Sisters' family may result in a split up of the trio. Two of the sisters, Patty and Maxine, have already started to rehearse a third girl who would replace LaVerne, oldest of the threesome, in the event she should carry her siding with the parents to the point of walking. Peter Andrew, father of the girl, has retained Harold Hastings, former assistant district attorney, as counsel in his proposed fight to control the threesome's income. Hastings has already inquired of Chesterfield, the trio's sponsor, what they've being paid and this information was refused him.

Patty and Maxine declared their financial independence from the father several weeks ago and offered to split the trio's income four ways, with one quarter going to him and another to LaVerne. The Sisters' present contract cycle with Chesterfield, which bought the show on a package basis from General Amusement Corp., expires March 21, with the renewal option coming up Monday (26).

Glover Account Goes To Goodkind, Joice & Morgan

Chicago, Feb. 20.

Goodkind, Joice & Morgan agency here has new account, Glover company, apparatus manufacturer.

Clyde Joice is account exec and underlined readying spot program for midweek test.

CANADA DRY CONTEST

Info. Please! Tie-Ups Made by Stations to Be Judged

Philadelphia, Feb. 20.

Programs will be aired by WFIL from four centers where info is desired regarding the contest. The exploitation contest sponsored by the Information Please program among all stations playing the show. Prize will be a silver plaque and \$50 cash.

WFIL's remotes will originate from the Bell Telephone Co's info switchboard; the Municipal Electrical Bureau exchange, which answers broadcast questions; and the Pennsylvania Railroad's information desk, and the 'orgone' of a newspaper.

Windup of its exploitation will be a visual show at Town Hall called "Information Please" at which 100 of the town's leading card artists and arcwells will act as experts.

Trips are also being made to all points in Canada, New York and theatres playing the 'Information Please' show.

With other agencies now putting on an intensive push for the two accounts, Blackie-Sully-Hummert is anxious to get the Amalgam Products and Sterling Products, amounting to over \$200,000 in billings, ordered as quickly as possible. The agency last week turned over to the two clients a batch of propositions as to how the business could be placed. The alternate propositions, setting forth stations, groups and costs, involve the spot-dial setup as covered by the World Broadcasting System's recent inquiry among 100 stations. The agency expects to get an answer from the clients by the end of this week.

The several courts that the service on this business has been since last fall is reported to have caused some eyebrows lifting in Amalgam. How and starting in new quarters, but B-S-H feels confident that now that the propositions are in everything between it and the accounts will again be on an even keel.

The agency's first move on this business is to make a new contract with the agency with an idea for a transcription network, but even before the agency had a chance to sign the propositions Roosevelt substituted another, the formation of a network, called the Transcontinental Broadcasting System.

Roosevelt got the good-shod appeal from the accountants, but the conditions attached, but the whole thing fell through on the eve of the new web's starting date (Jan. 1).

'Whizzer' Tells Its Tale In Five Miss; Philly Bulletin May Use It

C. D. Morris Association, which produces the five-minute daily "Whizzer" transcription serial for the Chicago Daily News, is back in the Philadelphia Evening Bulletin for sponsorship of the new show. Series has been airing six days a week by WMAQ, Chicago.

Each day of the program, the show costs the paper \$800 a week, including \$425 production cost, \$100 retransmission, \$50 mailing charges and \$115 cash prize. It is recorded in New York by NBC. Lawrence Morris, manager, and Robert Silvano is announcer. Leads are played by Charis Bauer and Harry Morrison, music by the orchestra. The cast this week to replace Eddie Bracken, who went to the Coast on a Paramount contract.

Angle of the serial is the speed with which the action is played. The program appeals to a broad audience, which listens much more intently than adult serial addicts do, so there is a wide appeal to the cast. Each chapter has plugs at the opening and close, with more than a dozen references to the cast. It airs in the late afternoon, just before the popular "Jack Armstrong" program.

Elements are used in one two-hour sessions and little effort is made to do any performance in the production-up shows, since the kids don't mind fluff.

Wants Due on Network

Chicago, Feb. 20.

Larry Wons' new contract with Hall Printing on WENR will expand to a network-wide contract through the agency, Herd, Hurst & McDonald, agency. Wons will be on a three-week contract on NBC's 'Wanted' rep, in case of his departure.

Bigge Levin is Wons' rep in the region.

11-LANGUAGE CAMPAIGN

Detroit, Feb. 20.

Following a 60-day test campaign over WABC radio, Thrift Brewing Co. has signed year's contract for 30 spots per week on station, covering all 11 station's foreign-language programs.

Thrift's Allen Lager beer advertisements are now reaching Detroit markets in Polish, German, Greek, Rumanian, Italian, Jewish, Hungarian, Czechoslovakian, Ukrainian, Serbian and Croatian.

Royal Desserts Under Ellis to Quit Thursday Spot After Serial Ends

Berman K. Ellis, new agency on R-F Royal Desserts account, won't take over the Thursday 8:30-p. m. spot on the NBC-red when the present 13-week cycle for M. M. Thompson expires. Nor has J. Walter Thompson indicated it will bid the same serial to another advertiser.

George G. Rubens has meanwhile put in a bid for the spot, and the "The Aldrich Family" (Jell-O). This is now on the NBC-blue Tuesday night (8-9:30).

Entrikin's 'Beauty, Inc.' From Faith Baldwin Open

Knowles Entrikin has written the first few scripts for a serialization of Faith Baldwin's novel, 'Beauty, Inc.' and Bernard J. Behrert, of the Phil Lord office, is submitting it for possible sponsorship.

Entrikin was former partner of the 'Big Sister' serial, while Scherbert handled the current Kathleen Harris strip over CBS for General Mills. Entrikin has also collaborated with Howard Breslin on a weekly 15-minute news which NBC is accepting.

Savannah on NBC

WSAV, Savannah, becomes a NBC supplementary available to advertisers using the Southern Group, beginning with this Monday (21).

It makes the 10th station on the NBC list.

Coaxial Cable to Philadelphia Is ?-Mark on G.O.P. Television

RCA-NBC will televise portions of the National Republican convention, set to open in Philadelphia, June 24, if the American Telephone & Telegraph Co.'s coaxial cable between that city and New York is fully up to the required standing by the time. Practice, which has a television transmitter of its own in the convention city, is expected to do much picture broadcasting from and around the convention auditorium.

NBC hasn't as yet approached A. T. & T. about the contract matter. It has been found that the latter's cable is up to the NBC televising standard as far as Princeton is concerned, but that point and New York there's much wanting in the matter of transmission frequency. This cable is the only one of the kind in the country able to transmit a radio frequency and the RCA-NBC equipment requires that it be able to maintain a steady flow of 3,000,000 cycles.

FARMING BY RADIO LOOKS AHEAD

Radio-for-the-farmer as distinct from radio for everybody continues to receive an increasing amount of attention. This carries along a trend that first gained momentum two years ago when the outlining came to the "radio farm" stations. Since then the wave has wooed the submitters, the Government in Washington has encouraged the "radio farm" stations, and several hundred radio stations, not all of them of the so-called "farm stations" class, have given over larger amounts of time to material that is pertinent to moving and being and moving.

Eventually those who become expert at this radio specialty will have "radio-farm" stations within the true-line sportscasting, sales management, artist bureau management and so on. Or such seems to be the clear ones at present.

Its own "Associated Press" of agricultural reporters is being set up by the Columbia Broadcasting System under the supervision of Leon Lewis, assistant director of education. This will permit expansion and enrichment of CBS' "Country Journal" program of which Charles Ebbelby, now being fired from Miami.

Several men outside CBS present signs to be utilized in the service but for the present the reports are persons with other assignments.

Farm reporters, so far include: Lou Kespinger, KARB, Fresno; Robert Dunn, KRFC, San Francisco.

Miss Garland Schuler, KROY, Sacramento.

Henry M. Swartzlow, Jr., KOIN, Portland, Ore.

Edward Robinson, KVI, Tacoma.

Bill Hamrick, KIRO, Seattle.

E. H. Nave, KFTR, KFTT, Spokane.

Duane Bowler, KGVO, Missoula.

Robert Evans, KFBB, Great Falls.

Earl Glade, Jr., KSL, Salt Lake City.

Howard R. Chamberlain, KLLZ, Denver.

Walter Douglas, KO, Phoenix.

Henry Fryer, KNX, Los Angeles.

Charles Worcester, WNAJ, Yorkton, S. D.

Woodrow Hattie, WWL, New Orleans.

Education Summed Up

Louisville, Feb. 20. Various "educational" radio programs have been set for broadcast during the week of February 21 at Lexington to a hookup of Mutual stations.

One program series is entitled "You Want to Be a Salesman?"

KIRO'S SYSTEM 'TORN POLICIANS'

Seattle, Feb. 20. Continuing its policy established last year, KIRO is making an outright donation of time to the politicians seeking office in the 1946 primary election.

KIRO has a list of names of all candidates Loren Stone, assistant business manager, writes: "Conforming with regulations of the Federal Communication Commission, an equal amount of time is being offered each candidate for the same office under following conditions: the amount of time and the specific time of its use will be determined after the following receipt of all acceptances, which must be made on a special application attached. The time must be used by the candidate himself, speaking only in the advocacy of his own candidacy. The time must be broadcast not be submitted 30 hours in advance."

KIRO has no objection whatsoever concerning the material offered by any candidate for the broadcast, but material which is libelous, defamatory, or which in any other way is contrary to state and local laws, regulations of FCC or any other authority is not to be broadcast.

KIRO relating to political broadcasts must be eliminated before any action of the station is taken.

Miami Crosstalk

Miami, Feb. 20.

Ben Grauer and Basil Ryzand planning wedding between Miami and New York for a lucky number.

Phil Schwartz of WIOD got network break on Walter Winchell's "radio farm" station.

Jack Bell, sports editor of the Miami Daily News, CBS v. pro and sports columnist for Atlantic GA, over WIOD.

Max Marcus, former playwright and now Philip Morris writer, is vacationing in Miami Beach.

Edwin Cohen, CBS engineering head guested on WQAM's international Hot show, on his return by the Miami Daily News.

Paul Marcus, former playwright and now Philip Morris writer, is vacationing in Miami Beach.

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BUFFALO BIZ BRISK

WREN Data Carling Brew Book-Dept. Store on WREN

Buffalo, Feb. 20. Brewing Corp. of America has booked two and three-quarter hours weekly on WREN on behalf of Carling's brew. Transcribed "Musical Club" with Charlie Lewis' guest each week day at 1:30 p.m. except Thursday, when show moves to 11:30 p.m. and runs to 1 a.m. closing time. Deal set through Campbell-Kwaid for 24 weeks.

Jim Wolf, 1:30 p.m. sportscast an association has 40 weeks commitment from Aston-Fisher for Twenty Grand eights, 11:30 p.m. sports period continues sustaining.

Cy King, WREN commentator, has 13-week ticket from Adam Medium & Anderson department store for 10:30 p.m. news roundup. Placed direct. His 6:30 p.m. summary has 100 percent sponsorship for 24 weeks of March 4, for 24 weeks. Through Wolf-Brew.

McCormick placed six-thirty-week "Make Believe Ballroom" on WREN for National Radio. Weekly roundups for 24 weeks. Tripoli Co., food wholesaler, is a WREN for 24 weeks, placed direct.

INTER-CAMPUS NETWORK IS DISCUSSED

Providence, Feb. 20. Groundwork for a proposed "inter-collegiate broadcasting system" patterned after commercial networks, was laid at a conference attended by delegates from 16 colleges and universities this weekend at Brown University.

The network, sponsored by the Brown Network which has been operating its own wired inter-campus system for the past four years.

Among speakers were Franklin D. Roosevelt, director of the NBC; N. Louis Travers, class of '27, of Yankee-College; James W. Williams, director of the New England Tel. and Tel.; Dr. Loring Anderson, program chairman of World War Broadcasting Foundation; John A. Holman, general manager of WBC and WBEA and Malcolm S. Parker, manager WEAR.

FBI-FCC WILL 'FIGHT PROPAGANDA'

Washington, Feb. 20. Long arm of the Department of Investigation, the Department of Justice, last week reached out to broadcasts of possible "subversive" propaganda by alien influences in the U. S. Conference between the FBI and the FCC was indicated when the Justice Dept. announced it was holding talks with the two agencies with a view to possible extension of Communications Act restrictions to prevent aliens taking part in the production of radio programs. Stand is believed to have been taken in the spirit of recent G-man investigations of espionage in this country.

Concern is shown over possible growth of foreign propaganda among domestic U. S. stations. Listeners are advised that such propaganda is being held back by a throng of shortwave propaganda from legitimate foreign nations.

Church-Myers Party Sails

Kansas City, Feb. 20. Mr. and Mrs. Arthur Church departed for a vacation at Honolulu. Karl Koerper, w. is handling in KMBZ in the absence of the president.

In San Francisco they were joined by Mr. and Mrs. C. W. Myers of KOD. They will be in San Francisco until Feb. 15 and not expected back before April 1.

While on the coast Church took time out to make with Texas Rangers in Los Angeles over business matters pertaining to their CBS show.

Vote Year Worries Radio

Radio as an industry recognizes that it must provide enough time for Washington to be ordered about or misled by the latter. At the same time, it must not be too busy to be able to make capital of any and all incidents from now on and that, in the event of a tie-up, it may be able to say unreservedly if the G. O. P. supports or invests in any particular piece of legislation. Radio will not surrender its rights to set the conditions. And there is every man to suggest the industry will limit political specializing and increasingly substitute straight news reporting, also that it will take itself and away from the Government agencies the production authority over programs dealing with the general bureaucratic theme of "what we do-for-you."

The networks have not forgotten the lessons of 1932 and 1936 and will protect themselves from the crossfire of the two parties with more frequent news reports and less program. It's that or endless trouble. And probably endless trouble.

Possibility that Uncle Sam's access to the mike will be greatly restricted in the future has been scolded at by the networks. But the Government feels some move is urgent to counteract the griping of Federal agencies on whom they depend for their ideas for radio entertainment, culture, and education are world-shaking in importance.

First break was the wind-up of "What Price America," carried for several months by CBS and sponsored by a University of Chicago feature. No other Federal programs have been carried on CBS people.

It is generally believed that the Interior Department's descriptive name came after you'll that subtle but effective brand of propaganda what are supposed to be non-partisan programs.

That the U. S. has not been bold as to cold-shoulder all government propaganda is a recent trend. The CBS educational advisor, and Robert W. Wood, director of the Federal Democratic National Committee and planner of the recent transcribed "What Price America" feature. CBS asserts it will assume complete control as time goes on of features which are non-partisan activities. Her is being consulted as to what functions can be dramatized and how they can be collected.

Ending of "What Price America" is a natural move. Originally the feature was scheduled for 13 weeks; upon expiration the Interior Dept. will be broadcast for another 13 weeks and eventually for a 13-week period. Privately, top officials—the opinion is NBC and CBS to a lesser extent—feel that there is a limit. The decision to drop the feature is a part of a larger, specific stunt but a calculated move to suggest to the public that they cannot regard any special part of the day as their property. The matter is not a political matter but an obligation to serve "public interest, convenience, and necessity" required by the Communications Act.

Programs thought up by government producers.

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willing to cooperate with the Federal Government's House and will order to protect their present facilities. The networks are busy with pending applications. Trade agreements, however, are quite perplexed. The networks are busy with pending applications. Trade agreements, however, are quite perplexed. The networks are busy with pending applications. Trade agreements, however, are quite perplexed.

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An Englishman In America

WBZ, Boston Booms

Boston, Feb. 20. Radio advertising in Boston has taken an upturn since the beginning of the new year. In the past three months Boston, which has more than six full hours of program all day, with 19 new stations signed, has shown a phenomenal boom.

New records are:

Booker Poston, transferred 'Suppermen,' WBZ; ... M. McGinnis-Babbitt, 'Broadway Flash,' WWSM; ...

At 10:30 a. m. ... Boston. ... 10:30 a. m. ...

Milwaukee, Feb. 20. Wisconsin's new regional network, which went into operation on Feb. 17, ...

AT YATES' NEW BIZ. Ft. Wayne, Feb. 20. Kroger Grocery Corp. for WOVW Studio and radio, through Ralph H. Jones agency, Cincinnati. ...

William Doerz, Jr. commercial manager, both at WBRB, Buffalo, after six-month leave ...

Networks Send Delegations To St. Louis Educational Powwow

FOREIGN LANGUAGES

Dean of Akron University Says Radio Program of That Kind ... Akron, O., Feb. 20. There are too many foreign language hours on local radio stations ...

St. Paul Suspicious, Thinks Child Experts Quite Often Ain't

St. Paul, Feb. 20. Disappointed with the theoretical idea given handed out on the station's other by so-called child guidance experts, teachers, at St. Paul, Minn. ...

Workshop's Work Sked

Columbia workshop program for the next weeks are as follows: Feb. 21, 'Autobiography of a Nation' by Earl McGill. Feb. 23, 'Special Leap Year' show, directed by Brewster Morgan. ...

F. C. C.'s WASHINGTON DOCKET

new station to be operated on 1260 kHz. ... WBBT, 1260 kHz. ...

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KDYL SETS UP PANEL OF EXPERTS

Coughlin Buys Time On New Wis. Loop, Echo Of Transcontinental

Salt Lake City, Feb. 20. KDYL inaugurates this week a 'Litterers' Advisory Council, which will include a list of ministers, truck drivers, engineers, hotel managers, club owners and teachers.

Myron Fox conducted the first meeting which was held this week in the KDYL Radio Clubroom, first taking time to inform the Council as to the functions and duties of the various KDYL departments, and the history of a program from time to time of its inception to the final airing.

Findings of the initial meeting of the Litterers' Council: Highly appreciated the presence of Mr. Myron Fox and new broadcast; five daily news casts could well be increased with the industry of announcements to cover the various commercial announcements. ...

Philanthropic With Dots

Pittsburgh, Feb. 20. S. D. Grayson, manager of KDKA, has been appointed chairman of executive committee of the Pittsburgh Chamber of Commerce's annual banquet. ...

MINOR DECISIONS

Arizona: Tucson Motor Service Co., Tucson, granted industry arrangement of license to James Buchanan. ...

NEW APPLICANTS

Alabama: MCF, P. B. Quigley, Mobile, change hours of operation from days to unlimited, with the usual hours for commercial stations. ...

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Bound Back to WABC After a hiatus of only five weeks Bound Clothes returned to advertiser under WABC, N.Y. Did a 11-week run in Fall, Resumes March 8. Takes part of Phil Cook Almanac.

at 10:30 with 210 watts, General Broadcasting, Inc., Miami.

In connection with the forthcoming St. Louis Convention of the American Assn. of School Administrators ...

Various CBS broadcasts from the convention city will include a talk ...

WAVE GAMES SET

General Will-Gardner Signs Series ... Louisville, Feb. 20. WAVE will air the Louisville Game (American Association) games, with the sponsorship split between General Mills and Garlick Tires.

WHAS Entertains Panels

Louisville, Feb. 20. Execs of WHAS acted as hosts to delegates to Broadcast Engineers' Conference on Sunday 18, while radio technicians held their business meetings in Columbus, Ohio, part of the program. ...

MacQuarrie to Manhattan

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 hookup 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 on a lump sum basis. What rate prevails for each individual outlet is not discussed 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 gaol on Joe Penner's program (NBC-blue) as a guest a week ago, Edward C. Robinson braked a rug off a front tooth. A lawyer that he had been hiring 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 sold on this basis. For them Mutual has substituted, respectively, WCBM, WIF and KKKK. Only three blue-based 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 WCCO, Bridgeport; KATZ, Houston; WBOC, Charlotte; WRDQ, Augusta, ex-WMPA, Memphis. All these are subject to removal on 30 days' notice, except in the station option periods.

On a 30-week basis the 99 outlets can be bought as follows:

	Five Times One Time
4 hr. daytime	\$4,740 a wk.
4 hr. nighttime	13,094 a wk.
4 hr. daytime	1,231 a wk.
4 hr. nighttime	17,218 a wk.
1 hr. daytime	16,023 a wk.
1 hr. nighttime	23,000 a wk.
	One time per week
4 hr. nighttime	\$4,892 a wk.
1 hr. nighttime	4,639 a wk.

'Heir's' Show Renewed

Ironized Yeast has renewed its Court of Missing Heir's on CBS Tuesday nights through the Ruthrauff & Ryan agency.

The current, and 8rd., 13-week cycle expires March 28.

JOLSON AD LIB NOW A LEGAL CLASSIC

Belief that a more liberal legal limit on defamation by radio is gaining momentum, with the Summit Hotel vs. NBC (A) suit acting as bellwether in this direction, is expressed by Stuart Sprague in the latest Contemporary Law magazine, published by New York University's Law School. Sprague bases his thesis on the fact that four states already have special statutes covering defamation via the ether, while in the Summit Hotel case the Court ruled that Jolson's remarks "constituted a distinct and deliberate act 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 existing radio under this type of legislation is awkward since remarks made on the ether are frequently not subject to advance control, so in the great NBC, for instance, had no control over the remarks Jolson made over the Summit Hotel, since Jolson 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 reply or to speak in advance, says Sprague. He claims that few stations would not be negligent in an advance copy of his speech, hence "if it is not negligence to fail to secure a copy of the President's speech, it would 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 in connection 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 considered as due regarding 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 its libel says that its original remarks were without malice, the suit must be limited to actual damages. Iowa's statute holds the station liable only in the event of actual negligence. In Montana stations are not liable for libel payments unless they maliciously allowed defamatory broadcasts to go on, and in network broadcasts only the originating station is liable. 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 28th 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 21. Alfred J. Silverstein, Inc., is the agency.

Radio Wire Television, Inc., has increased its time over WQXR from 15 to 30 minutes daily to plug Lady Ella radio. Commercials will run on the "Just Ahead" recorded series. Reus is the agency.

Purd dealer advertised fund if using two spot announcements daily over the same station, through McCann-Erickson.

Plant Your Pennies For A
BILLION DOLLAR HARVEST
in "Americas
Money Belt"

WYOM. MONT. NO. DAK. MINN. SO. DAK. YANKTON SIOUX IOWA WATERLOO DES MOINES NEBR. IOWA

Billion 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 combina-

tion, spotted at strategic points, entirely blankets this rich area.

So, we have a special combination of... 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
DES MOINES DES MOINES YANKTON IOWA

Approved by THE REGULATOR AND TAXPAYER, 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 is or is not punishing the various individuals, the FCC last week showed it meant business in undertaking a check on deceptive applications and backed up a revocation order against six Texas transmitters by affirming its action without the papers for WBAL, 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.

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.

Caution for perjury and subornation of perjury is very likely, it was understood in industry circles, while department of attorneys who were involved in the case is entirely possible. Until the revocation 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 complied 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 Commish was careful not to render any direct verdict for or against the several individuals in the matter, while the final order contained 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 gambling station operator, had ample resources. There was no reference of any kind to James W. Gurney, who represented him at the original hearing, or ex-Senator Clarence C. Dill, who as Gurney's law partner was dragged into the mess in an attempt to trace the cash.

Clous D. Gilmer, 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 Cases

The WSAL 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; KEAM, Mustang; KAND, Corsicana; and KGRK Tjler. 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 financing 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 chief at KCMO, has been removed from the hospital to his home following his recent appendectomy. He was under the knife 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.

Gone Again Levy

Philadelphia, Feb. 20.—Isaac D. Levy, vice-president of WCAL, flew up here from Miami Beach last Wednesday morning to some 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 drifts 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 Radio of 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 (31). Through Joseph B. Berman, consulting for the retailers, a galaxy of former natives who have stored in New York on the radio set and screen, will be heard on the program which originates in NBC's New York studio Friday (31). Guy Henschler, who learned his music in Washington University with a conduct.

Betty Grubb, of DeBarry was A. L. W. Anniversary Director of Metropolitan Opera; 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. Dickenson is being invited to make reply. Graham McKenna will make the program. The show will be heard by wire to KSD and piped to KMOX, KWK, WIL, KXOK and WFMY. Only WLV is omitted because the program starts at 7 p. m. The program will be heard only in the St. Louis area.

Payroll Traffic

Ph. Wayne—Fred Fischer, technical supervisor for Washington Broadcasting, switched to the engineering staff of Washington's radio division headquarters at Baltimore.

St. Louis—Bob Lyle, formerly a gatherer at KXOK, has joined KMOX in Chicago.

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 sporting-cast staff of WWL.

Portland, Ore.—KGIN added Bob Henderson, formerly of KORE, Eugene, to its announcements staff. Henderson fills vacancy left by departure of Bob Colvig, who, with his wife, shipped to Panama and South America.

Kansas City—Frank Barbois in publicity at WIBC was promoted by M. H. Straight's move to the Perry-Hanley agency.

San Jose, Cal.—Howard McCauley has replaced Robert Nichols, resigned, as chief engineer at KRSO.

St. Louis—Myron J. Bennett news gatherer at KWK. Comes from WDAL, Duluth.

Philadelphia—Robert Horn, production director of WCA 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 Stigley in new with WMFF, with Max Rainey's H-Boys. He previously aired over WEEI and WHDI, 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 acting 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 hands of several lawyers, lack of the network has elected to withhold announcement of his resignation.

Foster Williams, announcer at WJBR, New York, now at Saratoga for his health, continues receiving his weekly check for programs he has broadcast to his sickness. Members of the radio staff have volunteered and are doing all of his radio work given to the station for warding his check. WJBR also is keeping his spot on the station open until he returns, rating that he is on leave of absence.

Williams collapsed shortly after a broadcast several weeks ago.

John L. Grimes, an advertising manager of Wherling Hill, does not view with delight the threatened spread of the factory labor idea to other corporations, having originated the first 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-Sampson-Hummer account exec., is reported about to join the new Marquette City Sherman agency, Chicago, successor to Beston & Boyce-Chapin, 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 Breakers, with outfit was WMCA.

Olay 'Mose' a Negro Fave

Cincinnati, Feb. 20.—WCKY 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 Moral Patrol series, do a personal before the congregation. Al Brand, who does the mythical "Mose" character, obliged.

SHOW FACSIMILE TO SCHOOLS

Dallas, Feb. 20.—Facsimile receiving units are being moved by WFAA into six high schools this week so students can 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 hit on 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 of listeners 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, it'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) wax; Through Lennox & Mitchell, Grayhound Lines' "This Amazing America" wax; Through Beaman & Hehman.

Peter Paul, Inc., 48 announcement for Mounds Candy and 10 Craps Charcoal Gum. Through Platt-Forbes.

Alamo Park & Wallpaper Co., local 13 announcements weekly, Feb. 24 to May 18. Direct.

Chattanooga Medicine (Black Draught), 1 min. a.t.s. 47 times. Through Nelson Cheaman Co.

Babbitt Co. adds station for David Harum' across the board through NBC.

The Hit of the 1940 Concert Season

"WILGGS" 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.

E. E. O. in Concert Appearances—Nine pack-making 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.

"Check up another success for Cleveland's WGAR as a 'Wings Over' program. Many poets agree being himself tops 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

WEEI and Company

NEW YORK
DETROIT
CHICAGO
SAN FRANCISCO

★
RADIO STATION REPRESENTATIVES

Beer Show Without Sports!

Cleveland Brewer Using a Nostalgic Entertainment—Daring Agency Is B. B. D. & O.

Cleveland, Feb. 20. Getting away from the traditional sports menu followed by most beer sponsors, Loyal Brewing Co. has started a 13 week musical experiment with a Gay Nineties Gaiety and Duettes' theme over WGAR. Beginning on the 7th night, Bartons, Burdines & Osborn, its optional concert, is expected to carry it through 22 weeks, more backers are hitting it as pre-opening sales campaign heavily. Nostalgic method for the radio, being used by other beer companies trying to get out of the radio. Staged in Carter Hotel's Ballroom before a vast audience, beer dealers giving out 200 tickets, it runs the radio gauntlet from comedy, to music and melodrama to community-sings and dramatics of Cleveland events 20 years ago. Wayne Mack handling the main narration while Lawson DeWitt, new WGAR announcer, handles program. Betty Thompson, operatic singer and wife of Denny Thompson, local band leader, singing female lead in front of Walberg Brown's orchestra and quartet composed of Fred Peterson, Dick Moorhead and Fred Lanzinger and Howard Feiten. Come-on for studio audience in a musical quiz with winners of Gay Nineties songs getting 50 top and even non-winners being given 21 consolation prizes.

Night Baseball Ruins Radio Coin Source In Minor Leagues Cities

Chicago, Feb. 20. Increasing number of night baseball games has just about washed up baseball as a commercial time potential for stations in minor league cities. With their net's own commitments as the prime actor, these stations have been forced to halt all negotiations with agencies and sponsors for play-by-play broadcasts of the home town teams. Stations are endeavoring to seek other means of getting some baseball men by twisting their programs and schedules to adapt themselves to the new order of things. Best idea

of the lot, according to most stations in this predicament, is the re-creating of games such as was inaugurated on WJLD here, which each evening re-creates in a 60-minute broadcast, the play-by-play account of the game played out of town by either the Cubs or White Sox. Taking this as a cue, stations in the minor leagues are planning recreations in the morning of the previous night's game; or in other cases, they are ignoring the local team and are re-creating in a 60-minute evening spot the game played that afternoon by some nearby big league team. In addition, a few stations are endeavoring to sell only the Saturday or Sunday games for play-by-play since the week and games are daylight events and therefore less desirable for local broadcast.

The Kiddies Check In

Buffalo, Feb. 20. Kids swarm at WBUF on Saturday mornings. Thirty show up to make records for a weekly youth program, 40 more take part in a children's hour and 100 extra troop in to watch high school science broadcasts.

Hyde Park Sports 'Monopoly' Ended

Sherman K. Ellis in KWK Deal—St. Louis Situation Is Revamped

St. Louis, Feb. 20. Sherman K. Ellis agency of Chicago has broken the strange hold that the Hyde Park Breweries Assn., through Ruthroff & Ryan, has had on all radio sports programs in this burg. Ellis agency set deal with KWK whereby the Falstaff Brewing Co., a rival of the Hyde Park organization, will broadcast major league baseball over KWK. Hyde Park thereupon withdrew its sponsorship of all sports programs over KWK and made a deal whereby it will sponsor major league baseball over KJOK. The Hyde Park Co. also took Ray Schmidt, sportscaster, from KWK and he will do all sports over the newspaper station.

For several years Hyde Park has had practically every sports program on every local station although several weeks ago the Associated

Ford dealers of St. Louis signed Johnny Conzelmann, former football coach at Washington University for a late p.m. sports program over KMKO.

Johnny Nebbett, a former gubber at KWK and later of WBUS as sport announcer, returns here and will team with Johnny O'Hara in the baseball slot. Schmidt and Alex Buchan will do the baseball slot for KJOK. The entry of KJOK into baseball broadcasting brings to three the number of stations that will air the play-by-play stuff. KJOK will have Wheaties and Economy Vacuum as backstoppers, KWK will have Falstaff and KJOK will have Hyde Park. KBD, owned and operated by the Post-Dispatch, another p.m. rag, would enter the baseball field but for a time sharing policy with KPVO the Lutheran station.

A Very Good Reason WHY THEY LISTEN . . .



BEER-BANNING BILL LOOKS BURIED

Washington, Feb. 20. A strong bill which would have outlawed radio advertising of all kinds of alcoholic beverages apparently was buried for this year Sunday (18) after a one-man filibuster prevented consideration. Measure sponsored by Senator Edwin C. Johnson of Colorado has been on the calendar for nearly a year, although attacked by a minority of the Senate Interstate Commerce Committee as wholly unwarranted. When the measure was called in the upper chamber, Senator Bennett C. Clark of Missouri resorted to time-consuming tactics. Seven times he forced the clerk to call the roll in an attempt to get a quorum so business could be transacted, burning up the best part of an hour. After the seventh time count, Johnson agreed not to try and get the measure through without ample opportunity for debate. Clark, who did not explain his opposition, appeared to have given the measure a kiss of death when the speaker agreed to postpone consideration. After Johnson objected that the Missouri member's "obstructionist policy is not at all in keeping with the dignity of the Senate," Clark said he desired to offer an amendment, which he would press whenever a vote is sought. The Clark amendment turned out to be the highly explosive anti-advertising bill, which southern Democrats have warned will never come to the floor as long as they have breath left with which to argue. Knowing that a protracted fight will result, Senate leaders consequently are almost certain to use all their weight to thwart any move by Johnson to bring his anti-liquor measure up for consideration. Clark threatened to fight the advertising ban "by every proper and honorable means."

Do You Sincerely Swear— Washington, Feb. 20. Five more attorneys admitted to practice before the Federal Communications Commission, including two New Yorkers. Individuals appear by the Commission are: William J. Bratter and David Brodsky, New York; John A. Chambliss, Jr., Chattanooga, Tenn.; Harry W. Tull, Jr., Ukiah, Calif.; William Duane Sheldon, Washington, D. C.

Musical Showmanship

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

Eight musical conductors and a staff of 60 performing artists, all under the direction of showman-conductor Josef Cherniavsky (above) give WLW's musical originations brilliance . . . attractiveness . . . par-plus showmanship value. And because WLW's musical productions are far above average . . . avid fans listen regularly to the Nation's Station. No other station in WLW's gigantic primary area can boast of such an outstanding musical staff . . .

But WLW's musical showmanship is only one of many reasons why they listen . . . Other reasons are . . . WLW superior production . . . friendly announcing . . . keen perception for special features . . . careful continuity . . . outstanding talent . . . and consistent day after day high entertainment value.

When planning your next radio show . . . whether spot or network . . . consider all WLW has to offer.

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

CONCERTS

Rudy Wiedoeft, Saxophone Pioneer, Dies at 46; Influence Was Great

Rudy Wiedoeft, 46, who died suddenly in the Flushing (N. Y.) hospital Sunday (16) when he was taken from his home with a stomach ailment, was known in the trade as a foremost exponent of the saxophone. His Saxophone "Vocal Series" and his had set up competitors as the average amateur and professional player's show-off piece. His playing on the sax are standard in the business, and even Wiedoeft's old Brunswick recordings of his own solo interpretations enjoy a vogue among jazz students.

When Herbert Prior Veece was a Yale undergraduate his sax idol was Rudy Wiedoeft, which explains his first name. Only recently Wiedoeft was an important potent soul with a Chicago saxophone company on a special-assignment instrument.

A native of California, where his brother, Herb Wiedoeft later established himself as a prominent jazz writing artist and band leader, and whom the Wiedoeft Bros. were also known as co-conductors, Rudy became fully well established during his New York career. Jack Robbins secured several contracts with Music Publishing Co. for him, but later it was merged into Robbins Music Publishing Co. which has contractually published all his compositions. Brother Herb was killed in an auto crash in 1928.

Wiedoeft's father was an orchestra leader in Denver and at the age of 10 the boy was sufficiently motivated to become a clarinetist in that band. His Denver associates threw him in with "Baltimore" and he was determined to help Wiedoeft's musical career flourish.

His, Mae Wiedoeft, his widow, survives.

ARTIE SHAW COMING BACK: WAXING VICTOR

Artie Shaw takes the first step toward his comeback as a bandleader today in New York. He is scheduled to record six sides for Victor in New York, with a band consisting of 12 or 14 pieces, and will be swing-styled but with a strong section included in the instrumentation. Shaw's old contract with Victor, one of the lucrative things he had put out on last fall, is still in effect, though believed to be on his guarantee.

Plus which Shaw is scheduled to make for Boris Merzoff's likely new hit on the Coast well into the year. It is to be called "Second Chance," to be based on his late, and probably won't roll until mid-year. Shaw is currently busy mooning over his "Benny Hill."

Old Band Breaks Up
George Auld arranges the band that Artie Shaw left behind and he pulled up stakes last fall, has broken up. Shaw's exit the crack resulted in the band's new coverage of the new and elected Auld, tenor sax player and leader. Band out-sighted down to Florida, according to New York and split.

Shaw's switch to Benny Goodman's band, effective March 2, is supposed to have settled the scrapping of the outfit. It had been long out of without date, but Goodman's withdrawal started Harry Rodgers who was respectably known as Harry James' crew. Robinson is also said to be writing a book tagged "Why I Am a Jazz."

CONVENIENT BOOKING

NACA's sudden decision to book Joe Bonomo into the Chicago Hotel has lifted a big load from the shoulders of Larry Cappelli, his No. 1 man. Mrs. Cappelli is going to have a baby in a few days. The company white hand was in the office when she lives in Oakland, Cal. Booking will put him in easy money to the dogwalk in the hospital corridor.

A New Stall

With so many bandmen in the music publishing business, they're stalling about a music publisher's job applied to ASCAP and higher classification and was rejected.

Reason: the ASCAP board of governors didn't like his section.

King Refund Suit To Define Status Under Risk Law

Los Angeles, Feb. 20. Just one to determine the industrial status of an orchestra leader under the California unemployment insurance law comes up in Superior Court Feb. 25, with Henry King suing for the return of \$1,300 he paid in taxes under protest.

King, whose real name is Henry Kinsich, contends that he is an agent and an employe, and should not be classed as an employer. His action is based on the grounds that he has no right to exercise such control or dominion over orchestra members as to constitute him an employer. He claims that State has no right to levy an employer's tax on him. Outcome of the case is awaited with interest by balem workers.

Meanwhile Baron Long and the Biltmore Hotel are suing the State Unemployment Commission in an effort to have hotels declared exempt from their musical and other entertainers. Plaintiffs declare that entertainers are independent contractors, as far as their hotel is concerned, and that an employer-employee relationship exists. They demanded the return of \$6,871, paid under protest.

DENIES GOODMAN'S HAVE ITALIAN BOOK

Editor, VARIETY: New York. In one of your latest issues you have published that Goodman had written our musical catalog for ASCAP lease.

Please be advised that our musical catalog has not been sold to Goodman or any one else. Italian Book Co., Inc. (By A. De Martino)

(Harry and Gene Goodman, brothers of Benny Goodman, recently organized the Reprint Music Co., which is selling Italian Squares catalog for the Italian Book Co.'s catalog but nothing else of it).

FIGHT TO GET IT, THEN NEGLECT IT, Unabornly Man Orchestra Are Exposed When Their Radio Performances Are Contrasted With Phonograph Records With Experts Control the Setup

By BENNIE WOODS

Difference between the handling of records and air time, the two most important means for a band to place itself before a public always on the lookout for money, becomes painfully evident by diligent listening of both media. Leaders simply don't seem to give a damn how they handle their remote pickups, whereas are their own responsibility, whereas what to do, and except for the more important bands, even told what they are to play. Comparing the two industry spotlights the shabby treatment accorded records by a great many stick-wavers who think that once they have a wire everything's done.

SLOPPY STUFF

It's an amusing paradox in a business that rates air time so important that bands will go into a key hotel room and lose money in order to get needed air time. After recognizing the value money leaders kick away opportunities because of inattention to details such as programming, timing, and their own original—and not hot—time.

Often after a particularly bad program leaders scream that the engineer handling the control board at their side issued 'em up. That, too, is their own responsibility. One leader explained he makes certain that his engineer mistakes are made by having one of his own organization, a non-player but familiar with the arrangements of his band, stand next to the guy at the dials and warn him on what coming.

As far as programming is concerned, swing bands get the heaviest offenders. They don't pay enough attention to contrasting sweet tunes and most summer undistinguished originals at their broadcast air broadcast. Often these numbers run for five, six and seven minutes, to a

(Continued on page 46)

Cost Getting \$2,000,000 20-Acre Arms Centre

The Palmer Ballroom here, a 20-acre arms center, with construction to start in three weeks on \$2,000,000 project, located at the old Palms Square covers 20 acres and will be completed within six months.

Los Angeles, Feb. 20. Site of the Palmer Ballroom here, a 20-acre arms center, with construction to start in three weeks on \$2,000,000 project, located at the old Palms Square covers 20 acres and will be completed within six months.

Contractmen Make Gesture to Starr But Inform Publishers They Must Hire Off at Liberty List

They'll Hoof May 5

The Professional Music Men, Inc.'s sixth annual benefit show is slated for May 5 at the Avin, N. Y., with Joe Bonomo again putting on the show. Bob Miller is going to the Coast to line up business for the souvenir journal. Romeo Vecco is pres of the P.M.M.

Executive council of the contractmen's union last Friday (16) reversed its previous ruling and voted to deny by Masses, who had been hired for the professional staff of Harms, Inc., to membership. It was the first time that a case of this kind had developed since the signing of an agreement between the union and publishers last fall, and the reversal was described as principally due to a verbal assurance which Herman Starr, head of the Warner Bros. music group, had received at the time.

When the Masses man was disposed of the union's council was instructed to address a circular letter to publishers, including the one to which contractmen felt justified in sending. Masses it would thereafter strictly confine its dealings with the matter of engaging persons who are not members of the union. Un-til the "strike" the union reserves the right to reject the application of such persons unless the employing publisher is unable to select the sort of person he wants from the list of unemployed.

Starr reminded the council that before it and explain why he thought that the union agreement, which recently was with the American Music Co. as a band leader, would be so restricted. Starr pointed out that he had been the first to sign the union agreement and he was anxious to live up to every word of it. He had engaged Masses with the restriction that it would be okay with the "Liberty Clause".

Starr reminded the council that when the agreement was being negotiated the union's negotiating committee had assured him that while the contract provided for a closed shop there would be certain leeway as to the employment of outside men coming as long as they obtained a union card. Council members who attended those negotiations stated that Starr's recollection. They stated that their protest at the time was influenced by the fact that there were but four or five hundred unemployed members to choose from and that even though circumstances had changed and there were now 500 unemployed members it was but fair to allow this one exception. The council affirmed this viewpoint and then voted to refer the matter to the limit hereafter.

After making his original decision on Starr's case, the union's council ordered Starr to discharge him. Application for another Starr employee, Paul Barry, was made by Starr at the same time but this was approved with one council member dissenting. Barry, formerly with Leiber's band, was not recalled, in connection with Benick.

Penalties are being considered by those members who took up and leaders as in the source of complaints brought against the former in connection with making the matter a fair trade practice rule. A professional manager for a major company is being recommended to get out of last week the complainant associated with a small firm, who is to be recommended to get out of the spot and stay out.

Rockwell Claim Settled by Bob Crosby via MCA

General Amusement Corp.'s claim against the Bob Crosby band has been settled by the Music Corp. of America by the payment of \$5,000.

The controversy dates back to 1937 when the Crosby connection walked out of what was then Rockwell-O'Keefe, Inc. and allied itself with MCA. In the course of time R-O-K not only laid charges with the American Federation of Musicians but brought suit against Crosby and his co-owners of the unit. R-O-K made charges of contract violation and monies due.

MCA had, it is understood, obligated itself to assume the cost of defending any court action and pay any award of damages.

COLLEGE BANDS CAN'T PLAY AT HOCKEY GAME

St. Louis, Feb. 20. Because A.F.M. Local No. 1, has a contract with the owners of the Arena at the west and exhibition hall where intercollegiate hockey games were played Saturday (17), whereby only union fanfare may be used in the 14,000 seat hall the college bands were barred from blaring forth for their respective teams. The same situation arose last year and the young tooters were present but silent.

Last week officers of the St. Louis Inter-Collegiate Amateur Ice Hockey League again asked the Local to permit bands from St. Louis University, Concordia Seminary and Washington University to play without paying 30 union tooters \$123 for an hour's service. The plea fell on deaf ears and the games were played without music. Sam P. Meyers, pres of Local No. 1, said the union's stand was not to be bopped without a good reason.

Bands at the Box Office

(Practical directory, as a weekly tabulation, is the estimated cover charge business done by these bands in various New York hotels, as of Feb. 19, 1940. Lists own attractions for supper, dinner business (7-10 P.M.) rated. Figures after name of hotel give room capacity and cover charge. Larger amount designates week-end and holiday price.)

Band	Hotel	Covers Played	Week Past	Total Covers On Date
Charlie Barnet	Lincoln (225; 75c-\$1.50)			
Bob Crosby	New Yorker (400; 75c-\$1.50)	6	1,050	5,400
Robert Hoagland	Waldorf (Empire) (400; 75c-\$1.50)	7	5,255	7,900
Sammy Kaye	Commodore (400; 75c-\$1.50)	5	1,225	22,400
Henry King	Plaza (350; \$1.50-\$2.50)	5	1,425	2,550
Frank Glaziers	Roosevelt (500; \$1-\$1.50)	2	450	4,500
Liam McIntire	Lexington (400; 75c-\$1.50)	2	1,200	6,400
Glenn Miller	Pennsylvania (500; 75c-\$1.50)	6	1,900	11,225
George Olsen	Biltmore (300; \$1.00-\$1.50)	17	400	5,600

Dallas Agency Books 2

Dallas, Feb. 20. Foster agency here has set Harry Hines and his band for the 25th Birthday Party at Laredo (21) seat Dallas, Tex. Medicine, Park, Okla., 22; U. of Texas at Austin, 22; Kingsville, 22; Texas A. M. College at College Station, 24; 1 and 2.

Disinterested, Gum-Chewing Conduct By Leader in Smart Milwaukee Spot

Milwaukee, Feb. 20. Why did Nichols accept this date here? Maybe he shouldn't have played it all. Because any booking that is worth accepting at all is worth doing right. And that's what Nichols thought that the Schroeder is a big name, and that anything more he was wrong. Two many smart headliners have been guilty of treating the hinterland places as if they are elusa. A certain type of headliner used to do it in Louisville, and they helped (?) Louisville is history.

In Milwaukee, the Schroeder is the town's top hotel with a really fine dining and dancing room. But Nichols acted as if it was beneath him to do a good job or even put forth a good effort to give the customers their money's worth.

It was neither clever nor smart at Nichols to show a Sunday evening show dressed in a brown suit and suit, with his tie askew and a general carelessness in appearance. Nichols is a good showman or a good business to show gum white

leading the band; nor to clown around with the orchestra and let Nichols would walk off the stage in the middle of the show. In 15 minutes, and then summer back to take up the show. Nichols' general carelessness in handling both the band and the customers. Nichols had nothing to win by working hard. Nichols should have hurt himself, not only with the Schroeder management but with the public.

Nichols also exhibited poor taste in the presentation of some of his novelty songs, particularly those in which he had to sing certain places and races. In these times of racial prejudice, Nichols would really pick a fight at the least bit of mention of this whole stuff is close to indefamable.

It's a pity that Nichols wasn't careful in the various songs which he performed, because he has a really good orchestra. Nichols is good capable of a fine dance number and handles pop tunes with much intelligence. The orchestra arrangements are top in their class, although perhaps his lead for a quartet room such as the Schroeder. Nichols is Bill Eberell, who works a lyric sly and with plenty of good tone and quality. Nichols has everything and a constructive attitude.

John.

JOHNNY LONG ORCH (11)

Back for a second time in a year Long is dispensing a more ballad style. The orchestra is top in their class. "Letter is received by mail and then Long comes and sings a couple each time.

As before, Long is on the class side of the line in waltzes and ballads done smoothly with sub-tone clarity. Nichols is Bill Eberell, who works a lyric sly and with plenty of good tone and quality. Nichols has everything and a constructive attitude.

Standard instrumentation—four sax, four brass and four rhythm. Nichols adheres nicely despite high ceilings and undraped walls. Nichols for had accents. Brass is mellow and carries nicely on CBS pickups, now numbering three a week.

Leader is a really a southeast violinist. He's adding less than when at Hotel Statler last winter. Plans eventually to add a string section and stick to ballad. Back to one of Tommy Dewey's records and is being recorded carefully for the big time. Helen Young a cute number who should be in the show. Nichols is Bill Eberell, who works a lyric sly and with plenty of good tone and quality. Nichols has everything and a constructive attitude.

STANDARD—A CURRENT HIT "TO YOU SWEETHEART ALONA"

BY HARRY OWEN (writer of "Sweet Lollan")

A GRAND BALLAD "THE SINGING HILLS"

BAXIE DOWELL'S SUCCESSOR TO "FISHIES"
"PLAYMATES"

A Delightful Novelty—with Plenty of Song
JOHNNY MERCER'S CLEVER SONG
"HOLY SMOKE (Can't Ya Take a Joke)"

SANTLY-JOY-SELECT, 1619 Broadway, New York

CAUGHT IN TORNADO

Head Litled Of Georgia Ballroom Before Callaway Got There

Last week's tornado which ripped through Albany, Ga., best Cal Callaway to the punch. "I ripped the head of the Callaway" was set to play the following night.

Wendy's (18) bitman caused injury to four women between Clarkburg and Charlotte, W. Va., when the car they were riding in was overturned in the storm by a bus carrying the Tommy Dorsey orchestra. His then ran off the road into a ditch. Nichols should have hurt himself, not only with the Schroeder management but with the public.

Mary Berke, formerly with ABC Music, has joined the professional staff of Bregman-Vocco-Cohn.

15 Best Sheet Music Sellers

(Week ending Feb. 16, 1940)

Caravan	Bertin
Indian Summer	Wimart
"At the Balabala (Balabala)"	Feist
In an Old Dutch Garden	Famous
"Faithful Forever ('Gulliver's Travels")	BVC
"Dear Tom (Dear Tom)"	Bennick
"Little Red Fox ('That's Right—You're Wrong")	Feist
Oh, Johnny, Oh	Forster
South of the Border	Shapiro
"All the Things You Are ('Very Warm for May")	Shapiro
To You Sweetheart Alona	Santly
Scatterbrain	Shapiro
Confessions	Olman
"Do I Love You? (Do Harry Was a Lady)"	Chappell
"Fimistical" (Production)	

Inside Stuff—Music

Victor Records last week released its album of "Pinesch" records cut from the sound tracks of the film. Book contains six sides enclosed in a set of 12 records. The records are numbered for playing in sequence, giving a clear account of the story as it moves along.

Also Olman's windfall royalty from revival of his "Oh Johnny" will hit around \$20,000, although he doesn't know as yet, nor will Ted Foster, the CHI publisher, tell him, since Forster wants Olman to make a special trip to CHI for the presentation, some laughs, etc. Since the "Johnny" click, Olman has been in a bit of a celebrity "low ball" on socialite benefits, and the like, a vogue he never enjoyed in 1930 when he was first established.

On Nichols' selection of song titles, the wave of tone revivals has permeated the public which is wondering whether the boys can't write any more new good tunes, seeing that as an explanation for the renaissance vogue.

Reborders on Parade: There seems to be an increasing number of cover bands being picked lately, but few are distinctive enough to gain more than passing attention. ... Carl Ravazza's remakes from San Francisco are seldom heard newspaper operations. Singers are called "new recruits," numbers are "headline stories" and to go into a tune it, "let's go to press." It's novel but otherwise puzzling. Band comes over insistently on arrangements though it's played by the same band.

"The Little Red Fox" has the honours coming for the place for a quick single. Foster is one of the latest outlets to stir up comment on the Coast. ... "Add 'em Up: Great Willies!" "Foot of the Coast." "It's Chicago." ... Adrian Rollins' arrangement of Martin Goff's "Favonius" is refreshing. ... Gene Krupa's new vocalist, Howard Dulany, sings as a next addition to that outfit.

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

Following is a tabulation of the combined plugs of current tunes on NBC (WEAF and WJZ) and CBS (WABC) computed for the week from Monday through Sunday (Feb. 12-18). Total represents accumulated performance on the five major networks from 8 a.m. to 1 a.m. Symbol * denotes film song, † stage musical, all others are pop. Parenthetic numeral after the title indicates how many weeks the song has shown up in these listings.

TITLE	PUBLISHER	GRAND TOTAL
It's a Blue World (7)	ABC	45
Caravan (12)	Bertin	37
Indian Summer (12)	Wimart	37
Dear Tom Dream (8)	BVC	33
Dear Tom (Dear Tom) (8)	Bennick	33
Giorgio Serenade (7)	Bennick	32
In an Old Dutch Garden (12)	Horne	30
When You Wish Upon a Star (4)	Crowley	29
Startin' Hour (4)	Robbins	28
When You Wish Upon a Star (4)	Robbins	28
Angel (3)	Robbins	28
Little Red Fox (11)	Feist	28
Si Si Si (5)	Feist	28
All the Things You Are (15)	Chappell	25
Make Love with a Gutter (4)	Shapiro	25
At the Balabala (9)	Feist	25
Confessions (9)	Olman	25
To You Sweetheart Alona (8)	Santly	25
On the Isle of May (3)	Famous	25
The Changing World (16)	Robbins	25
Dear Tom (Dear Tom) (8)	Miller	25
One Cigarette for Two (4)	Forster	25
It's the Matter with Me (1)	Shapiro	25
In the Mood (12)	Shapiro	25
Faithful Forever (14)	Famous	25
Dear Tom (Dear Tom) (8)	Parsons	25
Dear Your Heart Best Me (12)	Hills	25
When You Wish Upon a Star (4)	Hills	25
Punch Me (3)	Hills	25
Apple Blossoms and Chapel Hills (2)	Bennick	25
You're a Lucky Guy (8)	Shapiro	25
On the Moon (1)	Wimart	25
I Thought About You (12)	Chappell	25
It's a Hip-Hop Happy Day (12)	Mercer	25
Bluebirds in the Moonlight (8)	Famous	25
Chatterbox (1)	Famous	25
Give a Little Whistle (18)	Chappell	25
Dear Tom (Dear Tom) (8)	Bertin	25
Last Night's Gardencia (1)	Chappell	25
Scatterbrain (20)	BVC	25
Singing Hills (1)	Santly	25

ELLINGTON TO VICTOR

Back on 15-Cent Paraphrase Through Friday

Duke Ellington orchestra switches from Columbia to Victor records under a long term contract which comes effective after the expiration of his Columbia contract. Changes mean a hop back to the platter as Columbia recently became a 10c label. Back set recording session for Victor is set at Ellington at one time cut for Victor and the company still has some 25 available sides listed in its catalog.

SADDLE YOUR DREAMS

FRATED BY BOB ROBBERS
IN REPUBLIC'S PICTURE
"DAYS OF JUNE JAMES"

IT'S A BLUE WORLD

ABC MUSIC CORP.

JIMMIE LUNCEFORD'S
His Request Number
"PUT IT AWAY"
AND
"UPTOWN BLUES"

WANTED Male Singing Member of Night Club experience who can teach group of singers. Must be clean, smart, stage savvy with comedy "bite". Apply 805-411 LARETT Week Theatre Bldg., Chicago, Ill.

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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

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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 Operators Assn. for mutual protection. Meeting secretly at the Walnut hotel last week, they decided to raise a war chest of \$10,000 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 hours and violations of the Saturday night curfew. One club was forced to pay \$500 on two occasions within a year, for selling liquor and selling liquor after Saturday midnight.

To add to their troubles the new City Administration two weeks ago served notices that they would not let the city be kept on night spots and closing hour ordinances were strictly enforced for the first time. Squad of detectives was formed to make the rounds and order restaurateurs to leave night clubs after midnight Saturday—usually the best night in the work for business.

When the PCOA was in operation before only the small cafes joined, the bigger fellows relying on their political clout to keep them out of the Kellner Bruu, and Frank Palmieri was taking an active part. All told about 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 night managers will elect officers next Monday night (28). It was decided at a fourth meeting of the group at the Hotel New York on Feb. 19. While there were very many about 10 at the last meeting, it claimed 25 agents have either paid dues or indicated their intention of joining. Newcomers will be admitted as charter members until Monday's election and will not be subject to the \$5 initiation fee which will prevail during March.

Prize aims of the AAA, according to Barney Gitman, temporary chairman, is better conditions for the agents and acts and establish a code of ethics.

O'Keefe to Cheq Fare

Chicago, Feb. 20. Walter O'Keefe, top comedy headliner on next Ches Faro 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) has been notified of 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.

UNION GRADES NITERY ACTS

Philadelphia, Feb. 20. The United Entertainers Assn. this week sent word to all barbers and night club operators that hereafter all performers who have played in a night club must be classified as 'known acts' and would be protected by last week's ruling. 'Unknown acts' (those not having upheld the validity of contracts signed by booking agents in behalf of night clubs).

This means that a 'known act', hired by a 10-percenter, would have to be paid for each spot. If his contract in the event he is fired by the operator is being unimmediately 'unknown acts' (those not having played three local spots) could be paid off after the first night if they failed to be unimmediately 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

Lincoln, Feb. 20. Norwell, the Hollywood astrologer, didn't figure his star right on his date here at the Lincoln theatre, or really believe them. He booked for a seven-day run on the Lincoln stage, but collapsed with flu an hour before he was supposed to make the first show.

Bob Hoffman, the manager of the theatre, said a correct reading of the stars would have saved him \$100 on his budget.

Dick Henry Doubles

During the hull in European show business because of the war, Dick Henry, music huncher for the William Morris office, is doubling in the cafe department with Paul Smith. He's taking over the duties of Joe Kelly, who left to join Mabel Corp.

Head of the agency's foreign business is now in western 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 one of England's top vaude and musical comedians, died here last Wednesday (16) as the result of injuries received from a shell splinter during a German air raid on the Scottish coast. He was wretched to own an automobile and his most famous work was a sketch titled 'Motoring'. The actor, incidentally, enabled him to amplify his vague of 'bookings' by British performers. Instead of being limited to two spots a night because of slow transportation, Tate, via his own driving, often worked as many as six musicals in one evening.

Another of Tate's topflight sketches was on golfing, and it is believed to have been written by W. C. Sullivan, now a radio star. Tate was close friends. Tate toured the United States, Canada, 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)

'Dir' shows throughout the nation were staying the censors. Representative Dullinger, Massachusetts, was asked by 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 pay when he could.

Reps of William Randolph Hearst said he had contacted Joe Weber, Law Fields and Sam Bernard recently to their establishment of a music hall in New York with Hearst's money man.

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 prosecuted D'Annunzio, the playwright and poet, the German Emperor's palace near Rome for services rendered in sending Italy to save France.

Saranac Lake

By HAPPY BOWANE

Saranac, Feb. 20. Actors' Colony comeback tonight. The success after 15 years' sleep of strictly old routines, now up for one downstairs meal with music exercise; Pauline Russell, vaudeville of long ago, back in music; Edgar (Buddy) Miles, musician and songwriter, now an officer in a CCC camp; Chris Higgins, who soon market his own new puzzle game; Eddie Vogt and Jimmy Joseph are the next appointed by barman 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 stages a comeback that now enables him to do the downtown shopping for his old cronies. Over 250 of the owners at the Will Rogers have joined the claims of the Saranac Lake. Eddie Bogart and Criff Gully, who are up shortly, typing, bookkeeping and Spanish. Thirteen years ago this month this writer took to bed weighing 80 pounds and not a pound more.

Catherine Keenan (Lambch Camp) now at Pott's Memorial Hospital, Saranac, N. Y.

Frank Huff, who packed a mass of illness and licked it here, now bawling his own orch down Florida way.

Thanks to Pully Jenkins and her crew for the greetings and the things to this Colony; ditto to Jerry Vogel for the carload of novelties and prizes.

Write to those who are ill.

Bank Night in Vancouver

By Bill Halligan

Back in 1907 George Bivens' cafe at the corner of Randolph and Chest streets was the center of the risqué night life in Chicago. The Standard bigwig neighborhood was the center of the risqué night life in Chicago. The Standard bigwig neighborhood was the center of the risqué night life in Chicago. The Standard bigwig neighborhood was the center of the risqué night life in Chicago.

The gang called themselves the Echoes Club. Tom Hanson, Emilio Corbelli, Will J. Davis, Harry Powers, Louis and Willie Neegan, Dan McFadden, and George McGee were the members. Tom Hanson, Emilio Corbelli, Will J. Davis, Harry Powers, Louis and Willie Neegan, Dan McFadden, and George McGee were the members. Tom Hanson, Emilio Corbelli, Will J. Davis, Harry Powers, Louis and Willie Neegan, Dan McFadden, and George McGee were the members.

One day I met Bivens on the street. He told me that Bill Pinkerton wanted to see me. I hadn't broken into my banks that I knew of, so I wondered what the old grad had on his mind. I was walking with curiosity as I waited in his outer office to see the great man. I didn't even know he knew me. I was introduced into the private office and the old grad asked me to sit down. He had heard me sing 'Horizons' 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 a letter to McManama, who had a role in the Pinkerton, right at the entrance to Golden Gate Park, and that I was on the Santa Fe west with my ticket and \$100 expense money. The day had left San Francisco's morning a great swell and all the last gang had moved out to Filmore. Pratt & Turvey's, Eddie Grayson and Henry were all a slum's throw from the New Orpheum. The name of the spot I was to be my chipping in was called 'Tom's Cabaret' and a piano player named Hart had been working there but were moving out to the bank in the new Brady McLaughlin spot, 'The Breakers'. I got a room at the old 'Red' hotel and went over to report. I met the owners, Billy Gallagher, a tough Irishman, who couldn't hear a word I said, and Australia McManama, a big red-farred man from the Antipodes.

I was to start the following week and to work for a piano player and finally offered for Joe Hall, the same who was now a membership agent on Broadway. Joe played by ear, mostly cutthroat. We worked there for three months and made a lot of money. The customer 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.

Requies Aeternam

We had a Chinese cook and we had come out of the kitchen when we saw Billy Rogers' Chinatown. Bill Squares, 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 Lee Taylor were working with us. Nat Goodwin and Jimmy Britt and Lee Taylor were working with us. Nat Goodwin and Jimmy Britt and Lee Taylor were working with us. Nat Goodwin and Jimmy Britt and Lee Taylor were working with us.

We came back from the fight in a big limousine and stopped at Pratt & Turvey's for a few drinks. Artie Melinger was singing a song when we came in. The Primrose Kid, Billy Clark, Harry Armstrong and Jack Kelly were the organ boys on the Sullivan & Conditium. Tom Hanson, Emilio Corbelli, Will J. Davis, Harry Powers, Louis and Willie Neegan, Dan McFadden, and George McGee were the members.

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 I were very close and I used to see him. They gave me a pair of gold coins and bought me a ticket to Chicago. I was a big success.

My first partner I was playing for Pauline in Seattle. One night Eddie Miles, the Panhandle game, came back and told me a big fellow was outside and wanted to see me. It was my old boss McManama from Ft. Hill. 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 Coronado. I got him two \$20 gold pieces from Milne. He told me the place had been closed but had business, that Gallagher had been shot in a street fight and he was going to try and give up a place on West 5th. I wiped his good luck and went back to work. A few weeks later I picked up a paper and across the top was blazoned the following:

They brought McManama back to the town of Westminister. Pinkerton detectives arrested Australian McManama, notorious bank robber, in Manchester. \$1,000 Canadian bills found in suitcase.

They brought McManama back to the town of Westminister. There's a penitentiary there not far from the bank he robbed. He died serving a sentence of 15 years. He had been a bank man in Australia. That's how Pinkerton knew who he was. The great detective had tried to keep him straight 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

Mays Landing, N. J., Feb. 20. Joseph Peter, the dancer who was arrested in Atlantic City last pending disposition of bigamy charge brought against him by Gertrude Peter, also of Philadelphia, who claims to be wife of Peter and father of Peter's 17-year-old son.

Arrested at West Road Inn, Minnesota, where he had been employed as an entertainer, Peter pleaded guilty when arraigned before police 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 bail. They were refused.

THREE WILES

"America's Outstanding Novelty Act"
Held Over
2nd WEEK
PARAMOUNT WORK
THANKS TO CRA
Fremont 15th Street
Brooklyn, New York
Phone: BR 6-7319

Best Coffee in England

QUALITY INN

Leicester Square
LONDON, WEST END

SIBYL BOWAN

STRAND THEATRE - NEW YORK - FEB. 23

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GENERAL EXECUTIVE OFFICES

LOEW BLDG. ANNEX

160 WEST 46th ST. NEW YORK
Bygone 9-7800

J. H. LUBIN

GENERAL MANAGER

SIDNEY H. PIERMONT

BOOKING MANAGER

Philly Probe Discloses Most Niteries Are Not Paying Gov't and State Taxes

Stanley, Pitt, Holding Vaude Through Lent

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 property and inheritance tax returns.

Investigators have been quietly at work for the past week scrutinizing the books of night clubs in the Philly area. They claim that 90 per cent of these small spots, no taxes have been paid by silery ops 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 local advisers to see what action should be taken to collect the taxes, which total almost eight percent of the total payroll for the past four years. The sum of it will be all at once, would wreck virtually every op. The back taxes are said to total nearly \$200,000.

Buddy Starts Investigation

The investigation started when a leader, whose partner was a well-known address in Philadelphia. A checkup was made of his op and it was found that he had worked had paid any contributions for him. The Government was alerted of every story in Philly. As soon as this probe is completed the Federal State agents will go into western Pennsylvania and the local regions.

Advisers are being always aware of that engaging an act does not constitute "employment" under the op of the local tax laws. They claim, they are purchasing talent, a commodity, for a show. It is agreed that this arrangement is completed their responsibility ceases.

Bees Wyse, Sr., Laid Up With a Fractured Leg; Can't Contact Jr.

Bees Wyse, Sr., vaude comic-actor who some, June, is currently in bed with a fractured leg. He is in the Isabelle Home, Bronx, recovering from a fractured leg sustained a fall at the home of BRO Madison, Brooklyn, night of Dec. 25 last. Friends, who will bring him to the home, and the NVA have been caring for him.

Following the accident, a friend was called to a doctor, where it was found that Wyse, Sr., was in a dangerous circumstance, to a city hospital, from where he was moved to the Isabelle Home. The NVA paid the initial expense incurred by the family with the Wyse Rogers Fund, through Harold Rodner, taking over upon approval of Wyse's circumstances.

Wyse, Sr., and his son formerly worked in vaude together. Letters were written about his father's condition but apparently failed to reach him.

Robitschek Legit Revue To Be Sixed For Vaude

"Hit and Run," Kurt Robitschek's legit revue, which opened Monday (17) after nine days at a vaude, New Angeles, will be converted into a vaude troupe led by Charles H. Allen looking out of New York. A name will be added to the bill, but it is not known for the picture-hour dates.

Allen is now also booking the Columbia Detroit, to draw the foot for some personalities and bands.

Agents Draw Up Code

Governing board of the Artists-Representative Assn., organization of New York 10-performers, met last night (19) to draw the final draft of a code of ethics.

It was expected that the board would set a date for the next meeting of the agents to study the code.

Cold Waves

Los Angeles, Feb. 20. Cold vibrations from retrograding machines in Pan Pacific Iceberg have already resulted in no legal result in Superior Court. Hugh McNary, a neighbor, demands \$1,500 damages because the undulations of the motor make him search in bed.

HOW TO PLAY VAUDE AT N.Y. FAIR

A variety revue is being adopted by Michael Todd for the Hall of Music at the New York State Fair grounds this year. Producer, who shifted his "Hot Mikados," starring Billie Holiday, from the Broadway theatre to the Hall of Music last summer, last week again signed for the fair. He is making the deal. Todd is going the distance along this time, and his revue will be a 10-act affair, which contains four weeks with provisional dating of names when they will be available. Arthur Farkas, Robinson manager, who has a piece of "Mikado," is not in on the fair this year.

Two other spots on the Hall, which he would use for other type shows, are being offered to Todd to be contracted for this week.

'Hellzapopp' Unit Goes Along Waiting for N.Y. Judge to Sign In.

N. Y. supreme court Justice Aaron J. Levy last week (14) granted a preliminary injunction of O. C. Haynes and Chick Johnson, restraining Benny Meroff, Al Barde, Ben Weber, and the "Hellzapopp" unit, from the use of the title "Hellzapopp" in connection with their show. Levy's order for a contract to restrain the show completely for alleged plagiarism of gags and pattern. The balance of the injunction order is held pending trial, but up till yesterday (Tuesday) Justice Levy has not signed the order. "Hellzapopp" is using that title at the Holy, Baltimore, currently.

Justice Levy's opinion stated in part: "In circumstances here disclosed, the similarity of the title 'Hellzapopp' to 'Hellzapopp' is so great as to be calculated to confuse and deceive the public. The defendants may not in this manner appropriate the established goodwill of the plaintiff's enterprise."

Damages of \$25,000 and a permanent injunction are sought.

AWARD MRS. HODGSON \$7,200 IN MATE'S DEATH

Mrs. Jack Hodgdon, widow of the BKO judge who was killed this year ago by a New York City sanitation department truck, was a judicial trustee of \$7,200 in her suit against the city in N. Y. supreme court on Thursday (15). Justice Morris Edey signed the trial and the compromise figure 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, head of the K. E. H. A. United Bookers Office, was struck by the sanitation truck on Broadway in New York City. Police tests showed that the truck's brakes were defective.

Canadian Singer Held Charge of Illegal entry was placed Friday (16) against Hilda Murray, singer at Stratford, Ont., who is in Cafe Aloha as Carole Lynn Henderson; was remained in Erie County Jail in default of \$1,000 bail, pending hearing on Friday (17).

Immigration officers charged the Canadian singer with entering the bridge on pretense of a visit. Miss Murray said she had been employed in Buffalo since last May.

4 A's Board Asks Affiliates to Back AGVA Organizing Drive; N. Y. Local Election Slated for Sunday Next

Move to enlist the active support of its affiliate unions in the drive to elect a new board of directors for the American Guild of Variety Artists, through the board of its parent organization, the Associated Actors and Artists of America (4 A's), the AGVA took the form of a resolution, calling on the governing bodies of the affiliates to instruct their members not to accept employment in vaude or theater shows unless all performers therein are members of AGVA. Resolutions were sent to Equity, the American Federation of Actors, the Screen Actors Guild and the other actor unions. Early passage by the various boards is indicated.

Under this ruling picture or stage names would be barred from making vaudeville or silery appearances unless all those currently in the show belong to AGVA. Understood the intention is to have the rule applied at once, but exceptions may be made where contracts for such dates have already been signed.

In addition to the vaude-silery appearance resolution, the Four A's board has also passed a resolution asking all agents in AGVA's jurisdiction. According to this ruling, the affiliate unions should be asked to instruct members not to sign vaude or silery contracts unless the agents involved are members of AGVA. This resolution is also due for quick passage and immediate application by the various boards.

As in the first ruling, exceptions will be made covering existing contracts. Resolutions will be passed and not to sign new contracts or renew expiring ones. There's a time limit involved, during which the agents will be expected to reach agreements with the union, but at the same time, they will be expected to determine how long that period will be.

To coincide with the N. Y. board's move, the New York City campaign will be the start of negotiations this Friday (21) with the union. For a contract, they will be expected to reach that hour. Union will lay particular emphasis on the problem of the new members, as there were several complaints and disputes in that regard when AFA held the Four A's board. The union's president, Leo Lerner will represent the management in the hearings.

AGVA's national board has no direct knowledge of reported meetings on the Coast between the organizing committee and officers and members of the musicians, stagehands, cooks, bartenders, waiters and culinary workers' union. According to word from Hollywood, the budding between the various groups are aimed toward a working agreement between them. AGVA's national board generally favors such local deals, but they must be approved by the national body.

Meritor and election of officers and board of the New York local will take place Sunday (21) at the New York State Fair. In addition to the heads of several affiliate unions, speakers will include the New York State Hotel Trades Council, and Michael Carrigan, of the International Brotherhood of the International Alliance, who are expected to pledge their organizations' support to the cause.

Unopposed slate of officers for the local election includes Phil Irvine, president; Charles H. Allen, secretary; Hazel Scott, Michael Lewis, and Helen Sanford, vice-presidents; Billy Glavin, treasurer; and Charles H. Allen, treasurer. Candidates for local board are Charles Aron, Henry Irving, Charles H. Allen, and Delos, Jay Dixon, Thelma Flowers, Dave Fox, Jack Gilford, Billy Glavin, Charles H. Allen, Jack Gilford, Irving Sam Kramer, Michael Lewis, Fred Finn, Elsie Rich, Ed Rockwood, Hilda Sanford, Jack Gilford, Shayne, Noble Sign, Arthur Ward, Peter Wells.

Shelby Brown vs. Non-Actors

Shelby Brown vs. Non-Actors, a suit against the State, Hartford, went Monday (19) to the union, objecting to the board of the club, claiming that it is not representative of the real performers. She explained she had been in the club for several meetings were held, but on exami-

nation of the ballot, could recognize only two names, adding that one of them was a non-actor. The union of 'actors run by actors.' Referring to the Brown letter, members of the board of the club stated that every candidate on the slate is an active performer, most of them vaudeville. Added Kramer is not the agent of the same name.

Thomas E. Kelly, business agent of the United Entertainers' Assn., local vaude-silery performers' union in Philadelphia, will handle today (Wednesday) with Hoyt S. Maddock, AGVA executive-secretary, about filing a suit against the Four A's. According to Maddock, a suit against Irvine, VEA, which was brought in affiliation with the American Federation of Actors, had previously refused to join AGVA because of disagreements over economy and handling of its own funds.

Nitery Deals Set

AGVA last week signed a contract with Murphy's Agency, Brooklyn, setting a fee on a per-act basis with the management of the act. Accord looked several conditions and stipulated that the union's State Labor Board charge against the management was null and void with the Irving Club, N. Y., was also signed by union.

By Ryan Colahan, who for some years has been compiling an index of legit, vaudeville and night club performers, the union was advised by AGVA to conduct research about the number of performers in the field. It was revealed Monday (19) that the union is now using in seeking to better wages and working conditions of the members.

AGVA board on Monday (19) issued a statement denying that the question of hiring a new board as temporary paid adviser to Huddell Huddell was mentioned by the board. Huddell also disclaimed any intention of accepting such employment, and the union will be expected to see in looking to better wages and working conditions of the members.

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Interstate Will 'Clean Up' A.B. Marcus Show Due to Nudity Squawks

Dallas, Feb. 20. Interstate Circuit, which took paid bids in quarters recently to strike fast on the boards of the Dallas, Texas, and "Moulin Rouge" units, which raised movie censorship scare in the city, has been ordered to clean up for Majestic stage in April.

Circuit insists the A. B. Marcus show, which has been the only one suitable for kiddies and such. Censorship threat is currently being met by the Interstate Circuit's Dallas department and back as result of complaints over nudity in other two presentations.

Handin Renominated For NVA Prez Post

The NVA's nominating committee Sunday (19) selected the annual list of nominees for the club's president. Handin, lawyer, for the presidency.

Handin's nomination, Billy Gleason resigned as a member of the club.

MUSIC HALL, N. Y.

Cardin: The Yacopa, Walter Caspell, Hilda Eckert, Corina Petrus...

It isn't exactly a grand slam that she is such a good singer...

As a tapper for the inaugural unit in the Hall's deck of cards...

As to diamonds, with special music by Maurice Brown and Albert Billman...

Theresa's scenic designer provided a fine and colorful background...

She is in 'whats' without any help excepting a lady assistant...

Francis and for the plain-oh, the original comedy...

Show is light and held down to 35 minutes in addition to feature...

In March to feature new release of Heeds of Time...

STATE, HARTFORD

Hartford, Feb. 19. Dick O'Neil, Bob Chester, Dick O'Neil & Al Smart...

First-night hit "Cheese Trouble" (Honey).

Debut of the enterprising young artist by Dick Shelton...

Debut of the enterprising young artist by Dick Shelton...

Debut of the enterprising young artist by Dick Shelton...

Debut of the enterprising young artist by Dick Shelton...

PARAMOUNT, N. Y.

Dorothy Lamour, Dick Shellen, Dick Wingo, Harry Brown...

There's plenty of show here this week and it doesn't cost the bones...

While the glamorous Miss Lamour is touring the land...

COLONIAL, DAYTON

Dayton, Feb. 17. Martha Raye, The Lamoureux, Eddie Bracken...

Martha Raye, making her first appearance in the city...

She sounds away at top speed, and the patrons were plenty appreciative...

Four supporting acts turn in excellent performances...

She is in a very nice arrangement of the show with her quartet...

LYRIC, INDIANAPOLIS

Indianapolis, Feb. 17. Benny Goodman, Doris, Helen Forster, Dick Wingo...

Benny Goodman still rates among the tops in swing with undiminished rhythm...

He is in a very nice arrangement of the show with her quartet...

In the 37-minute bill, plenty of time is given to music...

Helen Forster sings three songs to good effect...

Show carries two acts, Gloria Day, who is in a very nice arrangement...

Good act third show Friday, Feb. 22.

PARAMOUNT, N. Y.

Dorothy Lamour, Dick Shellen, Dick Wingo, Harry Brown...

There's plenty of show here this week and it doesn't cost the bones...

While the glamorous Miss Lamour is touring the land...

CARLTON, JAMAICA

Jamaica, Feb. 17. Rita Rio Orch (13), Marie Wilson, Toby Wing, Sonia Zador, Hilda Eckert...

Whenever put this boring hour, 15 minutes layout together forged the links while keeping in mind...

She is in a very nice arrangement of the show with her quartet...

Four supporting acts turn in excellent performances...

She is in a very nice arrangement of the show with her quartet...

KEITH'S, BOSTON

Boston, Feb. 19. Sir Serenation: Frank Foraker & Co., Valerie Vore, with 'Bulldog'...

Keith's show is a highlight of the week...

STATE, N. Y.

John Boney, Ciro Rimeo, Dick Wingo, Harry Brown...

State show running around the hour and 30 minutes...

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SHUBERT, CINCY

Cincinnati, Feb. 17. Johnnie (Scott) Davis Orch. with Julie Sherman & Bill Owens...

A fairly pleasing hour show he was for a 4.5 name Oscar...

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PARAMOUNT, L. A.

Henry Heald O'Flynn, Larry Cotton, Lew Lerner, Frankie Carter, Alvin Karpis, Bobby Hackett, Fred Astaire, Bob Knight, Four Le Arts Sisters, Art Carney, ...

Henry Heald has travelled a long way since he was the mascot of the Campus Theatre in Berkeley, Cal. back in 1917. Ordination under its rubric came in 1922. ...

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rapidly spreading gas. Familiar ...

Meroff holds held here, starting off ...

ROXY, N. Y.

See Foster Girls, Peppy Bates, ...

Seven people in three acts don't do much to diminish the vastness of ...

There's little dressing in this ...

At the stage, the specialty turns, ...

Then there's a novel inter by ...

The Three Shifts are wet jugglers, ...

A Blue Diamond production number ...

It's only fair when caught at last ...

front of it Jerry Brenner, David's ...

Don Butler Orch solo, Ft. 17. ...

After six months of vacation, ...

Change of pace is accomplished by ...

FLATBUSH, B'KLYN

Buddy Rogers Orch (12), with ...

Henry Brandt, who has been ...

TOWER, K. C.

Don Butler Orch solo, Ft. 17. ...

After six months of vacation, ...

Change of pace is accomplished by ...

HIPP, BALTO

Bestlers unit with Benny Meroff ...

PARAMOUNT, NEWARK

Cemedie review, Ft. 17. ...

STANLEY, PIT

Benny Davis, Marie Austin, ...

OLYMPIA, MIAMI

Bert Wheeler, The Harmonies, ...

APOLLO, N. Y.

Earl Hines Orch with Kathryn ...

FLATBUSH, B'KLYN

Henry Brandt, who has been ...

THEATRE

Kaufman Gets Posy From Hart For 'Subbing Ailing Woolcott in Dinner'

Los Angeles, Feb. 20.—When Alexander Woolcott's plots began on him a few hours before certain time Thursday (18) at the Wilshire and RKO was to be a volunteer to step into the revolving door of the White House, the actor, who had the honor of being the first to include his name to the cast, began to doubt his own position to stand his thimble against the power of the press. He had the sense and the courage to do a bit of mugging if required, but he had the sense and the courage to give up. He had the sense and the courage to give up. He had the sense and the courage to give up.

The business performance in the play was comparatively weak. It was not because of a team known as Woolcott and Kaufman, but because of a team known as Woolcott and Kaufman.

Hart, his most persuasive manner, told the customers that Alexander Woolcott was being substituted for Woolcott in the play. He said that he was being substituted for Woolcott in the play.

Kaufman had 'em from the time he whisked out the chair and whisked off the first heavy line. His technique wasn't Woolcottian, but it was Woolcottian.

There was a posy from Hart to Woolcott. He was being substituted for Woolcott in the play. He was being substituted for Woolcott in the play.

The lanky understudy for Woolcott changed just one line of the play to his own physique—the making reference to the radio commentator's fluffy shape. It was almost a coincidence more than with Kaufman's more perpendicular angle. The picture quality of the play was not so good as Woolcott's. It was not so good as Woolcott's.

Ruth Draper's Tour Nets Red Cross \$16,250

Trenton, Feb. 20.—Check for \$16,250 from Ruth Draper, set of proceeds of her four-week, nine-city tour, was received here by Norman Somerville, E. C., national chairman of the Red Cross. Draper, who has been on monologues' friendship with Mrs. Woodmatt, widow of Canada's General Governor.

Woodmatt's Coming

Broadway, which has seen only one mystery play this season, "Margin for Error," will get two more within the next few weeks in March. They are "Goodbye in the Night," which George Abbott brings in from the London production, and "The Secret," presented by Gilbert Miller, opening the following week. Abbott's is an American story, Miller's English.

SHUBERT-GALLO MIAMI SHOW QUITTING

The open air operetta revivals presented in the Stadium, Miami, will be abruptly discontinued Thursday (22), at the request of the artist. They have consisted of two weeks. Lack of patronage was evidenced soon after the presentation began. Weather in the Florida spot is blamed for the failure, and spectators and residents reported to wear overcoats frequently. It has been one of the chilliest seasons in the history of the resort.

Revels were provided by Fortune Gallo and J. J. Shubert. It is not the first time the artist has left the city. He has left the city before. He has left the city before.

Opinion was expressed that operators were hardly the type of amusement or people for the artist.

Philly Chestnut Street Opera House Joins The Brigade of Parking Lots

Philadelphia, Feb. 20.—The Chestnut Street Opera House, scene of many dramatic triumphs since the time of the march of Philadelphia's 'ghost theatre' which has been turned into parking lots, is being joined to the brigade of the opera house will begin. Within the next few months it will become part of the parking lot parking lot.

The pausing of the Chestnut Street opera, the Forrest, Locust and Bringer in the city for legitimate shows. Only the first is being used with any frequency. When it is lit, shows are given by the company. The Erlanger hasn't been used for a legit production since the ill-fated production of "The Sign of the Cross" more or less as a "Jonah" by theatrical men due to its location, far from legitimate theatre.

N.Y.'S 'JUBILEE' BROADCAST 950

Frisco Fair's Patriotic 'America' Cavalcade Will Include 250 Performers in 26 Scenes—Eastern Expo's Show to Cost Around \$500,000 and Seat 7,000

BOTH FAIR-FINANCED

Indications are that the New York Fair will provide more summer jobs for actors, particularly legions, than during the first season. Most popular of the new attractions arranged for is date is now called "America's Jubilee," a special plan for which have been announced by the Fair management. Show, which is to be in 18 people on a stage, first returned to as a 'Cavalcade' and is to occupy a large space at the southern end of the amusement area.

Other major concessions using many persons are the Aqueduct and 'Railroad and Parade,' due to repeat last season's performance in the park, especially for the former. Equity had jurisdiction over the show, which included 500 people including many extras, and the same arrangement will probably be repeated, but it is not certain about 'Jubilee,' which is not yet classified. Reason is that it is framed as a combination of 'Cavalcade' and 'Parade' and ballet. Show is expected to use a liberal percentage of stage players, which will include many former and dance.

Largest revolving stage yet devised is planned for 'Jubilee,' which is to have a stage opening 300 feet wide. Stage itself is to be a covered structure, the audience seats protected by canvas, seating capacity to be 7,000. Attraction will be a combination of 'Cavalcade' and 'Parade' and ballet. Show is expected to use a liberal percentage of stage players, which will include many former and dance.

There's some talk that Billy Rose and the 'Railroad' management look to get a concession for the fair. Rose claims to have an agreement with the Fair that his Aqueduct shall not be opposed by another large girl show. It's denied, however, that 'Jubilee' is to be a classed, but it is not certain about 'Jubilee'.

SHUMLIN ON 'BALL' PLAY

Pittsburgh, Feb. 20.—Herman Shumlin, producer-director of 'Male Animals' and 'Little France,' arrived here Saturday morning for the first time since his over-staying of Walter Huston's 'Angels in Ball' from the New York 'Hustons' production. Shumlin is being sent to Hollywood by WB for new writing assignment. Shumlin has no time, essentially, for interviews. He is being sent to Hollywood by WB for new writing assignment.

Need for plywood will after opening here and tryout tour has been extended for another week. The show is being sent to Hollywood by WB for new writing assignment. Shumlin has no time, essentially, for interviews.

Man Who Came to Dinner, headed by Alexander D'Amico, will open at the Billmore, Los Angeles, will open season of 1940-41 with seven weeks' run in Los Angeles at the Billmore. Coast company, after three weeks here, plays week of one nights in San Francisco where it will stay for two to four weeks, then goes into northwest as far east as Salt Lake City returns here around middle of May.

Woodcott's 'Dinner' Goes To Philly Next Sept.

Los Angeles, Feb. 20.—"Man Who Came to Dinner," headed by Alexander D'Amico, will open at the Billmore, Los Angeles, will open season of 1940-41 with seven weeks' run in Los Angeles at the Billmore. Coast company, after three weeks here, plays week of one nights in San Francisco where it will stay for two to four weeks, then goes into northwest as far east as Salt Lake City returns here around middle of May.

Agents' Committee Meets With Equity on Clearing Up Chaotic State of Legit Casting Business

Durante, The Executive

Jimmy Durante went to Hollywood last week in attempt to personal affairs, but is due back to New York March 18, approximately starting date of rehearsals for "Keep Off the Grass," a Les Shubert-Harry Kaufman revue.

CODE SOLONS LET UP ON NEWMAN

Moderating its attitude toward the Newman agency, the New York theatre code enforcement board yesterday revoked itself after levying heavy penalties against that broker, charged with what is regarded as minor infractions of the rules. When charges were first "disposed of" by the board, the code board ordered to post a compliance bond of \$500, which it refused to do. The board has been acting points to have since, but both penalties were technical since the payment was "suspended" by the board.

Again Gustav A. Gerber vigorously declared the action of the enforcement group in exacting penalties "on this kind of evidence was not conducive to the or" "fracturing of the code." He expressed the opinion that the manner in which the board has been acting points to have since, but both penalties were technical since the payment was "suspended" by the board.

Some "leaking" by Practices of a number of agents involved in the matter, which included knowledge of the types sought has riled the actors. So many players have turned up at theatres without calling it being done, that the stages resemble times when chaos rules are allowed. Claimed that producers should have more control over the efforts of such actors, whose activities are regarded as "unethical."

'Children' Cast Query Short Payoff Due To Barrymore's Non-Mats

New sight in connection with salary liability during the illness of a star actor last week in connection with the "Children" cast, which is to be in New York. John Barrymore emerged from a hospital and show relieved, but his illness had pulled out the supporting players were paid six-eighths salary. Inquiry as to Barrymore's return to work was made at Equity, but no complaint was filed. Management contends that Barrymore's physician ordered him not to play matinees, and therefore the short payoff was proper. He claims are filed, case will probably go to arbitration. One matinee is being played Thursday (23), with two afternoons regularly starting next week.

Woolcott's 'Dinner' Goes To Philly Next Sept.

Los Angeles, Feb. 20.—"Man Who Came to Dinner," headed by Alexander D'Amico, will open at the Billmore, Los Angeles, will open season of 1940-41 with seven weeks' run in Los Angeles at the Billmore. Coast company, after three weeks here, plays week of one nights in San Francisco where it will stay for two to four weeks, then goes into northwest as far east as Salt Lake City returns here around middle of May.

A committee representing legit casting agents discussed ways and means of clearing up the chaotic state of the casting business. The committee is to be formed by the agents and the Equity officials to handle, for the better committee, which derived into other, finds the action too difficult. It did arrive at the committee, the ethics of the agency procedure matter.

It was made quite evident that there are too many agents on Broadway, just as it is believed there are too many producers. The number of attractions playing, however, whether the casters are to be reduced or not, is not to be decided by Equity officials to handle, for the better committee, which derived into other, finds the action too difficult. It did arrive at the committee, the ethics of the agency procedure matter.

Practices of a number of agents involved in the matter, which included knowledge of the types sought has riled the actors. So many players have turned up at theatres without calling it being done, that the stages resemble times when chaos rules are allowed. Claimed that producers should have more control over the efforts of such actors, whose activities are regarded as "unethical."

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BUCKS CO. STRAWHAT

Rio Street, New York, New York, will open season of 1940-41 with seven weeks' run in Los Angeles at the Billmore. Coast company, after three weeks here, plays week of one nights in San Francisco where it will stay for two to four weeks, then goes into northwest as far east as Salt Lake City returns here around middle of May.

LINCOLN-FORTE \$18,000 IN CHICAGO

Chicago, Feb. 20. All business held last week, with the town last night (Monday) getting off to a hot start. The road company of the Fort company, which is a 15-month deal. The company continues with 'Thank for' for the first six weeks. It is estimated that they will continue show here at relatively low figure last week, but will be splendid and may top the table.

'Abie Lincoln' in Illinois. Grand (9th week) \$1,200 (\$1,000). Held in strong (10th) in nine performances. The show is held in the producers' main capacity. Turn-aways on many nights. **'Who Came to Dinner.'** Harris (9th week) \$1,000 (\$750). Turned a little, but still brilliant. **'The Little Prince.'** Harris (9th week) \$1,000 (\$750). Despite an advance show held since \$1,000, show producers look for return and are confident for a few more weeks.

'The Three Graces.' Erlinger (3d week) \$1,000 (\$500). Fine show-time only for the town's credit. **'The Little Prince.'** Harris (9th week) \$1,000 (\$750). One more week.

DINNER TAPS L.A. FOR \$17,000

Los Angeles, Feb. 20. Sam H. Harris' grand production of 'The Three Graces' is playing at the Alexander Woolcott playing the title role, piled up strong \$17,000 on special week present, first six nights and too matinee pounded out sweet \$17,000. Heavy advance indicates the show will be continued for a long run.

'The People's Playhouse.' Hollywood (11th) \$1,000 (8th) week. Held in strong. Continues in full capacity, with weekend hit especially strong. Piled up better than \$6,000 last week and sale continues heavy.

'International Magicians.' El Capitan Hollywood (11th) \$1,000 (8th) week. Garnered only \$2,000 on week. House is dark.

'The Three Graces.' Erlinger (3d week) \$1,000 (\$500). Fine show-time only for the town's credit. **'The Little Prince.'** Harris (9th week) \$1,000 (\$750). One more week.

SNOW, CRIT HIT 'BALL' IN PITTT; N.G. \$4,000

Pittsburgh, Feb. 20. No dice here last week for new Winton show 'Ball' at the Nizam. Tryouts usually have a long time of it in Pittsburgh and everywhere else. 'Ball' from the start. Notices were plentiful to advertise and in addition, show ran into very strong business in city's history midway in its second week. The show is being staged Monday (12) and Tuesday, and close in \$2,500 on Wednesday (14) and Thursday (15).

'Edy's Big G in Port.' Portland, Ore., Feb. 20. Nelson Edy, in one concert performance Saturday night (17) at the local auditorium, did turnaway big. Gross was \$8,000.

'Virtue' N.G. \$6,800, Hurt By Bennett's Cleve. P.A.

Cleveland, Feb. 20. Constance Bennett's 'Virtue' at P.A. of EKO Palace apparently took edge of her last bow at Hanna last week. The show is being staged by Bennett's chairman bill. Grossing approximately \$6,800 in the week of \$2.50 in the town's 1,435-capacity house. Sales were lower than last week. The show was killed last week, which had previously been held.

'PARIS IN PHILLY' LIVERY \$24,400

Philadelphia, Feb. 20. Despite some of the worst weather of the first week, 'Paris in Philly' was a blizzard, legit hit was strictly 'Paris in Philly' at the local auditorium. Bennett's 'Paris in Philly' opened with a gross of \$24,400 in the week of \$2.50 in the town's 1,435-capacity house. Sales were lower than last week. The show was killed last week, which had previously been held.

'The Little Prince.' Harris (9th week) \$1,000 (\$750). Despite an advance show held since \$1,000, show producers look for return and are confident for a few more weeks.

'MILWAUKEE' ROBINSON HIGH \$24,000 IN ST. L.

St. Louis, Feb. 20. America's finest, best legit, with 'Milwaukee' and Bill Robinson's 'The Little Prince' at the local auditorium. The show is being staged by Robinson's chairman bill. Grossing approximately \$24,000 in the week of \$2.50 in the town's 1,435-capacity house. Sales were lower than last week. The show was killed last week, which had previously been held.

'Hamlet' Takes \$25,000 In One Ohio Week

Cincinnati, Feb. 20. Season's best for three performances was done Friday (16) and Saturday by Maurice Evans' 'Hamlet' at the local auditorium. The show is being staged by Evans' chairman bill. Grossing approximately \$25,000 in the week of \$2.50 in the town's 1,435-capacity house. Sales were lower than last week. The show was killed last week, which had previously been held.

Blizz Dents Wharf

Among the property casualties of the terrific New England blizzard was the 'Wharf' in Provincetown. High winds piled in ice from Provincetown harbor, crashing into the piling under the waterfront. By week's end (17), the famous 'Wharf' in Provincetown, which was the rear and partly submerged. Looked to be headed out to sea if drastic action is not taken to salvage the building.

'Vanties' 10 1/2 G, Toronto

Toronto, Feb. 20. With publicity and a big week-time spending money, Earl Carroll's 'Vanties' crashed through for approximately \$10,500 in the week of \$2.50 in the town's 1,435-capacity house. Sales were lower than last week. The show was killed last week, which had previously been held.

'COLMARD' GOOD \$16,200 IN HUB

London, Feb. 20. Competition between 'Night Must' and 'Fifth Column' two tryouts, was moved by a midweek blizzard and a complete victory for 'Colmard' as it was a day earlier, with a surprising business last Thursday, matinee grossing \$16,200 in the week of \$2.50 in the town's 1,435-capacity house. Sales were lower than last week. The show was killed last week, which had previously been held.

DANCERS FIND IN BACKS HOTEL STRIKE IN M.L.W.

Milwaukee, Feb. 20. Twice within the last few weeks dance troupes staying this town run afoul of labor trouble that has paralyzed three of the larger downtown hotels since last November. The hoofers check into the 'varietal' and barely get unpacked before the manager, contacted by the union, makes them move right out into the street.

'Father' Smashes Box Record to Hit \$16,600

Baltimore, Feb. 20. Hanging up a house with a \$16,600 net, 'Life With Father' reached a new capacity gross for the week. The show is being staged by the local promoter of the play, the Broadway company having sales in the Baltimore area. The show is being staged by the local promoter of the play, the Broadway company having sales in the Baltimore area.

Lazarus' Western Trek

Milton Lazarus has completed an original new stage 'Old Hickory' based on the life of Andrew Jackson, and leaves by motor this week-end for the Coast where he'll try to sell it. He's also done his annual modernizing job on the script for the Coast. The show is being staged by the local promoter of the play, the Broadway company having sales in the Baltimore area.

'B'way Weathers Storm; 'Children' Big \$13,500 on 6 Times, Two For Show' OK \$13,400, 'Dinner,' \$20,500

Between for Last Week

'The Boys' (10th week) \$13,500. **'Children'** (10th week) \$13,400. **'Dinner'** (10th week) \$20,500. **'The Boys'** (10th week) \$13,500. **'Children'** (10th week) \$13,400. **'Dinner'** (10th week) \$20,500.

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Good Shows; rated around \$10,000

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'Road's' 5th Trip To Wash. Good for \$11,700

Washington, Feb. 20. 'Tabacco Road' playing its local engagement, was peddled at \$11,700 last week. It marked Don Bennett's third time around locally as Joe.

Future Plays

'The Waking Tree.' Margery Sharp's dramatization of her novel will be produced by Brock Bennett shortly after Easter. **'The Waking Tree.'** Margery Sharp's dramatization of her novel will be produced by Brock Bennett shortly after Easter.

2 SHOWS QUIT 'B'WAY; 2 DUE IN

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HAYES FINE \$20,000 IN BUSY DET. WEEK

Detroit, Feb. 20. Helen Hayes and the rest of the 'Ladies and Gentlemen' company grossed \$20,000 in the week of \$2.50 in the town's 1,435-capacity house. Sales were lower than last week. The show was killed last week, which had previously been held.

'GARDEN' 10 IN LINDCOLN

Lindcoln, Feb. 20. Eva Le Gallienne's 'The Garden' at the Liberty drew an estimated \$10,000 in the week of \$2.50 in the town's 1,435-capacity house. Sales were lower than last week. The show was killed last week, which had previously been held.

Broadway

Banker Bank in Miami. Bob Preston back to Hollywood. Otto Shimer on cruise to Chile. Ben Kelly's 'U' general sales manager. Fred Lewis. Mrs. James Thurber recuperating from pneumonia. ...

Paris

Jack Furber back from Mexico and off to Italy. Preparations underway for Cannes Festival. 'Maya' reached 800th performance at Casino de Paris. Shakespeare's 'Richard III' now holding boards at the Atelier. ...

London

Law Justice planning trip to America in May. Charles Murray has joined the British agency. Max Miller running a pack of taxicabs in London. Michael Carr France to sing his compositions in the tropics. ...

Australia

Heat no setback to pic biz. Ward of C. M-G-M still seeks all centers. 'Linn Has Wings' (U) will run in Sydney. ...

Hollywood

Louis B. Mayer laid up with cold. Lew Lerner celebrated 50th birthday. Lawrence Grant back from England. James Roosevelt filed suit for divorce. ...

Miami Beach

Mary Martin lecturing at the Miami Women's Club. Tom Camara, Continental Club owner, between here and Havana. ...

Minneapolis

A. Selby Carr, Paramount office manager, confined to home by illness. Eddie Butler and the wife leaving this city for Mexico. ...

Chicago

Clive Dickelbach and John Pratt have opened a theatrical costume shop in Chicago. ...

New Haven

Lawrence Tibbatt at Woolsey Hall last night (Thurs). Roy Shipstad hospitalized during his tour here at Avenue Theatre. ...

Kansas City

'The Vanities of 1940' penciled for Tuesday night at the Bidart March 11-12 at the Edison. ...

St. Louis

Valentine ball sponsored by local chapter of International Association of Chiefs of Police. ...

Memphis

Homeer Hiley has taken over Warner exchange management. Allan Jones grounded overnight on Memphis Police Dept. ...

House Reviews

APOLLO, N. Y.

sisting of four rhythm, four reed and a half-dance brass, has a such... Apollo, N. Y., the last night of most Negro bands...

Hinging with the crew are Kathryn Perry and Billy Payne... Apollo, N. Y., the last night of most Negro bands...

resses to the Youth Congress, in... Apollo, N. Y., the last night of most Negro bands...

Of particularly local interest is... Apollo, N. Y., the last night of most Negro bands...

EARLE, WASH.

Washington, Feb. 19... Earle, Wash., the last night of most Negro bands...

House has even extended its perma... Earle, Wash., the last night of most Negro bands...

Use, made without announcement... Earle, Wash., the last night of most Negro bands...

Duchin "wants another Stanley... Earle, Wash., the last night of most Negro bands...

EMBASSY, N. Y.

The newrivals seem to be getting... Embassy, N. Y., the last night of most Negro bands...

At this by the house owner... Embassy, N. Y., the last night of most Negro bands...

NBC's Legaters

approximately one hour but stated... NBC's Legaters, the last night of most Negro bands...

be considerably more than a second... NBC's Legaters, the last night of most Negro bands...

Mina Spinney has tried the stage... NBC's Legaters, the last night of most Negro bands...

Should the Standard experiment... NBC's Legaters, the last night of most Negro bands...

Equality plays are being used but... NBC's Legaters, the last night of most Negro bands...

Club members will be asked... NBC's Legaters, the last night of most Negro bands...

Circuses

crossing frontiers for international... Circuses, the last night of most Negro bands...

Costumes for the new Ringling... Circuses, the last night of most Negro bands...

While abroad North lined up 15... Circuses, the last night of most Negro bands...

Radio Wire

Station a lifetime and the incentive... Radio Wire, the last night of most Negro bands...

Overlapping Pat Tones... Radio Wire, the last night of most Negro bands...

Objection most often noted is... Radio Wire, the last night of most Negro bands...

Just Now for Radio... Radio Wire, the last night of most Negro bands...

Too, some sound no matter what... Radio Wire, the last night of most Negro bands...

along with one milder than two... Radio Wire, the last night of most Negro bands...

Bills Next Week

Continued from page 46

Work Cook & J... Bills Next Week, the last night of most Negro bands...

San Diego... Bills Next Week, the last night of most Negro bands...

STRACONE... Bills Next Week, the last night of most Negro bands...

MIAMI

Myrtle Clark... Bills Next Week, the last night of most Negro bands...

Sham Bittman... Bills Next Week, the last night of most Negro bands...

line, is due into rehearsal March... Bills Next Week, the last night of most Negro bands...

COLUMBIA

W.C. Fields, joining the galaxy... Bills Next Week, the last night of most Negro bands...

Currently the stellar laugh-gro... Bills Next Week, the last night of most Negro bands...

Spring and summer musicals ar... Bills Next Week, the last night of most Negro bands...

PITTSBURGH

At Pittsburg... Bills Next Week, the last night of most Negro bands...

At Pittsburg... Bills Next Week, the last night of most Negro bands...

At Pittsburg... Bills Next Week, the last night of most Negro bands...

AT PITTSBURGH

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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!

Ritz Carlton
BOSTON

Hotel Baker
DALLAS

Hotel Jung
NEW ORLEANS

UNIQUE

COLUMBIA
RECORDS

RADIO

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 concert!"

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

EXCLUSIVE
WILLIAM MORRIS AGENCY, INC.
MANAGEMENT
NEW YORK • CHICAGO • HOLLYWOOD • LONDON



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VOL. 137 NO. 12

NEW YORK, WEDNESDAY, FEBRUARY 28, 1940

PRICE 25 CENTS

D'WAY LEGIT AT ITS PEAK

Gene Tunney Joins Maude Adams' Comeback, Others

Lecturing Boom, Helen Kane's Comeback, Others

3 MUSICALS AT \$30,000 MARK

S.A. and Public Petting Park' Evils Of Drive-Ins Decried by Theatres

Lure of big box for lecturing is attracting many new names—conducting a fact from show business—to the platform next season, the 1939-40 list from the major booking bureau reveals. Topping the newcomers on price asked is Gene Tunney, with \$1,500 quoted for a single engagement. That exceeds demands of all show business personalities who will include Moss Hart, Sheila Barrett, Geraldine Farrer, Jane Croft, Lotie Lefson, Vyvyan Danner, Jacqueline Gibson and Frank Crumit, and Julia Henderson (a team).

Returned to the platform after an absence of two years will be Maude Adams, while being offered again, after the past season, are John Mann Brown, John Anderson, H. V. Kalshoven, Oren Wolff, Angus Bowers, Clifton Fadiman and Helen Hays.

Four Straight Shows See \$30,000 or Better—Fewer Plays Open Than Year Ago, but Big OK

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 touches \$7,000.

Milwaukee, 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 all interested. Then, local Protective Association of Wisconsin and Upper Michigan held last week in Beloit, Wis., with 1000 guests from 18 neighboring cities in attendance. Discussion was precipitated by Wisconsin's first motor cinema near 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 started over the state.

Returning to the platform after an absence of two years will be Maude Adams, while being offered again, after the past season, are John Mann Brown, John Anderson, H. V. Kalshoven, Oren Wolff, Angus Bowers, Clifton Fadiman and Helen Hays.

May Ship 'Hellz' To Columbus For One-Show Benefit

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 \$200,000 mark for 21 shows. Three new ones begin this week.

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. Bi-monthly salary increases totaled \$400.

Petters 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 show gives 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."

Coast Names Work Oboles Shows For \$21 AFRA Minimum

Columbus, Feb. 27. Most ambitious plan for an out-of-town benefit showing by a Broadway standstill is 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 Olsen and Johnson, owners of an equal interest in the show with Columbia, where it is running. To Columbus and 'Hellz' 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 \$10,000. Haverdore Sander benefits. (Continued on page 45)

Of the latter "Dulberry Was a Lady" last week, with the Washington's birthday holiday, went to a new eight-performance high, better than \$20,000 being recorded. "Hallelujah!" is still away up in the money at \$20,000, while "Too Many Girls" appreciates the same pace. "Girle" topped the list before "Dulberry" arrived. New musical, "Two for a Show," appears set for a day. It's (Continued on page 45)

H'wood Sees Red, Tells Off Dies On Communism

This new competition has exiles 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)

Arch Ochs's sustaining series is attracting notice here for its ability to get names at AFRA minimum. \$21. That usually command big fees. NBC writer-director lined up for successive weeks in March such names as:

REFUGEE CANTOR TO CONTINUE IN SHOW BIZ

STRAWHATS WITH FILM NAMES; 4-6 WEEK TOUR

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 Philadelphia Auditorium, in downtown Los Angeles. Orations were delivered by Donald Ogden Stewart, Mary McCall, Jr., Hugh Sorell, Fred. Fox, Paul and Sam Connolly, and a dramatic edit, conducted by Dorothy Stewart and David Curwood, added punch to the oratory.

Boake Carter Thinks The Eastern States Are Part Of Europe, Not America

Actor-Salesman Uses Stage As His Showcase

St. Louis, Feb. 27. Jacob Hohenesser, 39-year-old German refugee cantor who earned several weeks ago on Mal Edward Bowers' program, is going to continue his operatic and concert career here. Before his New York City debut, Hohenesser was invited by Rabbi Ferdinand M. Isermann of Temple Israel to assist the temple choir. The cantor says he is the first Jew to receive the British monarch's leave Germany, Hohenesser and the entire male congregation of the Munich synagogue spent six weeks in a concentration camp.

Strawhat circuit of from four to six weeks with legit titles, headed by film names, playing one-week stands at each theatre is being moulded by Music Corp. of America. Representative of the New York office heads to the Coast tomorrow (Thursday) in an attempt to line up the picture people.

ACADEMY'S OWN FILM RILES NEWSREELERS

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 as a whole would be better off if the Atlantic coast states were dumped into the ocean.

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, is to combine business with business on the stage.

He sang on the radio and concert stage in Germany.

Plan is a frank attempt on a large scale to duplicate the success of Edward Everett Horton in 'Springtime for Henry' in the streets last season. Differently with it is in getting proper vehicles. Plays are needed with small casts, single acts and light in nature. Only a few acceptable ones are available.

Newsreel outfits are doing a burn because the Academy is harassing them from the awards dinner Thursday. The reason given is that the Academy is making its own newsreel of the shindig for sale to exhibitors.

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.

NETWORKS AGREE ON A.D.

\$10,000,000 Has Gone Into 'Gone' B.O. So Far, \$6,500,000 Thereof to Metro

Including this week, the gross theatre receipts on "Gone With the Wind" will hit around \$10,000,000. The engagements by the end of the current season will be close to 400 since the release of the film.

Although the vast majority of the contracts have called for terms of 75% straight from the first dollar, there have been some at less than this figure. One engagement, not revealed, was at 75% of the gross.

As a result, with somewhere less than 10% of the engagements of under the standard rental terms of 75%, the gross rental return to Metro will add on this week over \$4,000,000. Of this rental, Metro and Dave Beltsnik split \$1,500,000 and two weeks at \$1,000,000 a week in gross theatre admissions, thus being between \$1,000,000 and \$1,000,000. The balance estimated at this week another \$5,000,000 will be grossed.

A remarkable feature of the "Wind" picture is that it has already hit one of the highest grosses on rental in history, not done so on the big metropolitan. The average picture gets over 1,000 to 1,500 playdates, a few over 2,000.

1's-Door Opposed

Advent of "Gone With the Wind" here held no terrors for the five cities which contain the first "Gone" bill with the ARB-UP-KEK, a five and one-half hour show made up of "Alexander's Ragtime Band," "Union Pacific" and "King Kong." Newspaper ads were similar to "Gone" ads, but the latter was held for lunch, no dinnerware and other ads better set in the middle so they might forget the story before it came around again.

Admission scale is 37c, with bargain half-hour at noon.

Topical 'Aldrich Family' Biz in Theatres Differs From Air Names at B. O.

Baltimore, Feb. 27. There was considerable and puzzled disappointment locally over the failure of Ezra Stone and the Aldrich Family to attract any noticeable stampede of paying customers to the box in its debut at the Hippodrome recently. This recalled similar bewilderment for similar type of radio "standards." "The Aldrich Family," "Mutt and Margie," "Gang Busters" and other well regarded features on the air didn't hold up as stage enterprises in spite of great expenditures in the part of bookers and theatre operators.

Comments of opinions in aithl concur in summarizing down to that because of number of persons identified with sketch type of act, no centralized interest is accomplished as in the case of one, or at most, two dominating personalities. Hence there is strictly in the typical literary field, not interested in coughing up for a look-me.

Combat 'Museum Fatigue' With Musical Walls

Buffalo, Feb. 27. Buffalo Science Museum boards taken steps to combat "museum fatigue." A tank system has been wired into admission halls. Admission ticket lights visitors' steps as they peer at Buns and fauna.

Rochester on Discs

Rochester (Eddie Anderson) has been signed by Columbia Records to send two songs from the forthcoming "Benny Benny Bells" film in which he appears with Jack Benny. One is tagged "My, My."

\$5,000,000 Negative

Full quota of 330 prints of "Gone With the Wind" was completed this week at Technicolor laboratories. Prints cost \$1,200 each; total, \$447,000. Metro anticipates need of replacing of entire quantity, judging from the numerous extended early runs. Gross print costs may bring dual negative investment close to the \$5,000,000 mark.

\$2,000,000 G.O.P. BONANZA FOR PHILLY

An estimated \$2,000,000 in new money will roll into the pockets of Philly salerios, theatres and other entertainment spots as a result of selection of this city for the Republican National Convention on June 24, according to the Philly Chamber of Commerce.

The chamber based the figure on the basis of the money spent by delegates to the Democratic Convention held here in 1932. With the Republicans generally better housed than their Democratic rivals, the amount of dough spent at the gay spots is expected to top that of four years ago.

In 1928 an estimated \$10,000,000 was here by the Democratic visiting Armies. With a larger crowd expected this June (because of the proximity to G.O.P. centers), the Chamber expects \$12,000,000 to be spent, with \$2,000,000 of the balance to be spent at stores, transportation and miscellaneous expenditures.

Night club operators are jubilant. (Continued on page 36)

Maestro Sony Fontaine Being Tested by 20th-Fox

Philadelphia, Feb. 27. Noll (Sony) Fontaine, leader of the orchestra at Jack Lynch's club, Aitken, probably will be tested by 20th Century-Fox.

The youthful maestro, 29, is the same fan boy. Burroughs C. Clark, gear-bearer in several "Ziegfeld Follies."

RIVALRY U. S., COLLAB ABOOOO

Newspaper Correspondents Meeting Wartime Difficulties, Are More Than Ever Aware of Radio — Wire Services End Their Radio Side-Gravy

CENSOR PROBLEMS

Much has been published in the United States by Vassar and other publications concerning the radio reporter, a new kind of fish. This has largely been reported from the standpoint of American rivalry between networks and newspaper services or in relation to news on particular stories. By now the journalists actually over have covering the ground war are being offered by their realization that radio with its split-second flash is, on occasions which are increasingly numerous, putting cables at a disadvantage that's not funny any more. Journalists are being offered a new ferocity complex about those radio reports.

More and more newspapermen're curious about the radio reporter when, year ago, they more or less snubbed as either an upstart or a renegade. A radio reporter was thought to be one who wasn't good enough to make the grade as a dramatic correspondent or was unable to maintain the pace. There was a (Continued on page 36)

VALLEE ALUMNI SALUTE HIM

Buddy Vallee-Salutist series, which debuts on the NBC-red March 7, is slated for an advance stunt broadcast on the same network this Friday (Feb. 24). The latter program, scheduled for 10 to 10:30 p.m. EST, will be cleared by NBC as a sustainer.

The launch involves a party line of six or eight radio names who get their introduction in the medium through Vallee will gather at the home of one of them to wish Vallee luck in his new air venture. Eddie Condon, a Vallee alum, will function as m.c. on this Friday's broadcast. Vallee's Sinalist show will air on Thursday night, 9 p.m. schedule.

Alumni who join the salute are Edger Allan, Bob Burns, Alice Faye, Joe Penner, Burns and Allen, Tommy Riggs and Frances Langford.

New Keystone Transcription Network

Naylor Rogers and Lawyer Ken Davis Are Radio Members—Film Biz Oldtimer, Aiken, Also In

Keystone Broadcasting System, with offices in Los Angeles, makes the latest transcription network project to hop up in the industry. One of its v.p.'s is Naylor Rogers, once general manager and minority stockholder in KNX and later Chicago manager for International Radio Sales. Associated with him in the enterprise are Harry E. Aitken, press power since last week by the industry; Herbert H. Aronson, v.p., son of a well-known bank manager; E. W. Burroughs, secretary-treasurer, former Seattle lawyer who initiated the Davis & Schreiber idea of free performing music. Keystone is offering four hours of recorded music service seven days a week seven days a week providing the (Continued on page 22)

HOW TO GIVE A PARTY

the Maxwell Tolk. How on Four Six Records.

To make available to housewives the methods of staging successful parties, Ella Maxwell cut four sides for Columbia Records last week telling how she does it. They're re-released on the Six label, tagged 'How to Give a Party.'

Four sides are similar to a candy series to be sold at a set, but each is a separate angle in itself and can be sold singly.

Miss Maxwell decries the high ball and erases March 15 to show off at Warners in the title role of "Tugboat Annie."

Bromfield, Cronin Sell Two \$50,000 Stories From 'Ideas' Even Before Written; Films Hungry for Material

Local Gag

Lads at the Warner Bros. home office have been quipping about the current picture, "The Earl's Magic Bullet," at the Strand, N. Y.

Refer to it as Edward G. Robinson in "The Life of Paul Martin."

ACTS' NITE CLUB CUFFS IRK THEATRE

Pittsburgh, Feb. 27. Burned at the way its acts have been peddling their talent for local rates in return for a few breaks on national radio, Broadway has banned all other floor appearances for talent playing the WB deejay. Dagen, titled "Doctor of Lanes."

As result of these purchases, story departments are all on the lookout for the possibility of making similar deals. Of course, the only person they would consider outside are established novelists like Dr. Cronin and Bromfield. A few similitude of Cronin's "The Doctor of Lanes" would seem to be the only one to get going to get put out."

Ed Sullivan Working His Way East, Topping Hollywood Film Unit

Ed Sullivan, New York Daily Mirror Broadway-transplanted-to-Hollywood columnist, will work his way back east at the head of a stage unit comprising a flock of film players. Sullivan opens March 22 at the Lyric, Indianapolis, and his bookings set thus far will wind up the theatre tour at the Capitol, Washington, May 2.

Suit Diciences Mae West's \$923,999 in 3 Years

Los Angeles, Feb. 27. Mark Linder's \$1,000,000 breach-of-contract suit against Mae West, in which she is asked to pay \$923,999 in three years. The agency's commission was reduced to 7% by 1933.

Hal Wallis West

Hal Wallis, accompanied by Mrs. Wallis (Louise Fazenda), left Monday (26) for Hollywood, training. While east for a week, Wallis stayed in home office conferences on remaining 1934-35 product as well as '40-41 plans, when a shorter program is expected. He also saw some of the shows.

With strong demand by all studios this season for screen rights to best-selling novels and hit legends leaving the few properties to go around story departments are pioneering new trails in an effort to get additional material at reasonable prices.

Most significant and unprecedented plan is being blazed by Columbia in the purchase of screen rights to novels before a typewriter key has been applied to copy paper. Rights to two books—of \$50,000 each—were purchased by Col. in this manner recently. Let us from Louis Bromfield a few weeks ago. Author hadn't even a written synopsis when he received his initial payment, having told the story via verbal recital of the idea to studio execs on the Coast.

Prior to that, Dr. A. J. Cronin walked off with a down payment on 30 grand of Columbia copy for the movie "The Doctor of Lanes," of which he had only a short synopsis. Story in slightly more tangible form than the Bromfield one, however, so it was to follow the idea of a piece which Cronin had done for Reader's Digest, titled "Doctor of Lanes."

As result of these purchases, story departments are all on the lookout for the possibility of making similar deals. Of course, the only person they would consider outside are established novelists like Dr. Cronin and Bromfield. A few similitude of Cronin's "The Doctor of Lanes" would seem to be the only one to get going to get put out."

An amusing segue on the Col. deals is the fact that the company has been in the market for virtually every important book and play before the year, but has had when the bidding got too stiff. Purchase of the novel before they are written is apparently a determination which might be phrased: "Well this one's not going to get put out."

Buying of rights to a book while it is still on idea in the author's mind is a natural progression. The novel and plays were originally bought (Continued on page 5)

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HERE'S HOW IN 'ATLAS', 'PHILLY AND K.C. C. C. ON THE U.S. ANTI-TRUST SUIT

Gov't Concentrating on These 4 Keys—Breakdown of Managerial Setup Detailed—Chicago and L. A. Currently Operating Under Consent Decrees

When the U. S. Government antitrust suit goes to trial in New York on May 1, one of the prosecution's principal exhibits will be a compilation of data illustrating in detail the grip of major affiliated theatres on film bookings in first and subsequent runs in four important

U.S. Amus. Taxes Show '39 Was OK But Dec. Slumped Off Sharply

Washington, Feb. 27. Christmas was a smash hit trade slumped before the previous year but the window of 1939 still was fairly close to the record number of \$1,000,000,000 in January, based on December groups, slipped only 2% under the 1938 level and the same of over 40 per cent.

The Government's January haul was \$1,815,514, which compared with \$1,886,139 for January, 1939. The only January for which the Treasury failed to issue a report was during the holiday season was 1937, which yielded \$1,850,274.

Revenue was not pleasing, however. A sharp slump in amusement patronage was noted in the first six months of 1939. December receipts were close to bottom. The January turnover for 1939 was lower than any month of last year with the single exception of April and the month of June was the highest. The Treasury was \$450,000. The latter figure, reflecting the second in the annual column since the opening of 1937.

January receipts were down 12% from the record of December, 1938, and the year before was a whopping \$90,851.91 over the same 30-day span.

MARLAN THOMPSON TO GET NEW DEAL AT PAR

A new producing deal for Marlan Thompson, who played into New York Theatre 128, is under way to supplant his present contract which expires this spring. With Barney Blacker, he has returned from Florida yesterday (Tue.) It is probable the negotiations may be completed in two or three days. The closing may ultimately be on the Coast.

There has been a Pay Period for four years and recently completed 'Road to Singapore,' which goes on general release March 2. It cast is headed by Bing Crosby, Dorothy Lamour and Bob Hope. Tomorrow's declared the picture was brought in at substantially less than \$1,000,000 and is the cheapest Crosby picture to date.

Crosby and Hope To 'Follow Thru' for Par

Hollywood, Feb. 27. Bing Crosby and Bob Hope are restarting in 'The Road to Singapore,' are due to resume their work in a Paramount picture of 'Follow Thru.' Par made 'Follow Thru' in 1939 with Bing Crosby, Jack Haley and Nelly Carroll.

Frantz's Film 100% Career

Daniel Frantz, concert pianist who made his picture debut in 'Balalaika,' will be in the picture 'Frantz' directed by Robert Donat which will play the City.

Frantz is an established concert pianist and has already broken through to the top as a soloist in his own right. He is now in London and is being understood anxious to give up a musical career in favor of a film career.

Cain Yarn Hays-Eyed

Hollywood, Feb. 27. 'Money and the Woman' one of James M. Cain's proboscis stories, is about to be launched as a picture with the name of 'Hallelujah'.

DeMille Swapping Texas For Canadian Scenario

San Antonio, Feb. 27. Due to the complications caused by the reallocation of Canadian funds turned to Texas in search of money to duplicate that of Canada DeMille is concentrating the Northwest Mounted Ranger.

IAISE V. P. Probably Will Handle Television

In seeking jurisdiction over the technical workers in television, probably is that the International Alliance of Theatrical Stage Employees will designate one of its vice-presidents, together with someone from New York locale, to organize the field. This may be Richard Walsh, IA v.p. and possibly Joseph D. Benson, president of the Brotherhood of Local 906 (operators), possibly Tom Murtha, head of the Brooklyn stagehands, Local No. 348.

Dailies Can Mix Any Ads, Indie Theatre Body Told

Ahron, Feb. 27. Independent Theatre Group, an association of exhibitors, last night gave a press conference in the Journal here to extend them a group rule for advertising. Judge Cosgrove, last night in his decision, court dismissed the action, holding that a newspaper may publish whatever it sees fit to print in its best interests and may refuse to publish whatever advertisements are tendered to it.

Butterfield's 1st House In Drastic Facelift

Detroit, Feb. 27. The first of the Butterfield group of 107 theatres in Michigan, the Bijou, at Belle Creek, is to be entirely reconstructed this spring. While the house will be changed drastically, it will preserve its name in respect of the late Col. Walter Scott Butterfield and named and opened in 1907.

Jonas, Roosevelt Pool-Pools Dies 'H' Wood Blast; Reviews Film Plans

Philadelphia, Feb. 27. Charges of "Un-Americanism" leveled against Hollywood producer Martin F. Doo were punished by Jimmy Roosevelt's speech in the House on Wednesday. Women's Auxiliary here on Thursday (Mon.).

Regell's Tune Tifer

Hollywood, Feb. 27. Universal signed Al Regell to direct the new picture 'The Best Picture Built in James Edward Grant's year.

Studio Contracts

Hollywood, Feb. 27. Kay Vidor Ripink named a writing pact with Metro. She will be picked up its option on Robert Cummings.

Narrow-Gauge Pix Deal For 5 and 10c Automats

Hollywood, Feb. 27. James Roosevelt's Globe Productions closed a deal with Fred L. Mills, president of Mills Novelty Co., of a contract for five or ten cent or bottom of automatic coin-in-slot (Continued on page 21)

1939 Deductions On U.S. Incomes Same as for '38

Joseph T. Higgins, collector of Internal Revenue for the District of Columbia, collector of Internal Revenue for the District of Columbia, has again assigned general deputy collectors...

Personal and professional income has declined for 1939 are the same as for 1938. Personal income for single persons is \$1,000, and \$2,000 married or the head of a family; \$4,000 for those who are dependent upon 18, or for a dependent over 18 physically unable to earn a living.

Business and professional deductions cover practically all items that pertain to expenditures that provide the interests of the professional. Traveling, publicity, promotional expenses, stage equipment, material interest in new amusements, and many other expenditures that professional people incur are deductible among the deductible items.

The Federal tax authorities have recommended that taxpayers prepare to prepare to furnish substantial records of their expenses, either by means of receipts or by means of recorded bills and cancelled checks.

Failure to file a return on or before midnight March 15 will bring a penalty of 5% for each day, with a maximum penalty of 25%. Failure to include a duplicate (return copy) with the original return will bring a penalty of 5% of the taxpayable.

Returns for nonresidents of the U.S. must be filed with the Collector of Internal Revenue in Baltimore. All resident returns must be filed in the Internal Revenue District where the taxpayer resides or the home of the taxpayer is located.

Taxes may be paid in four equal installments of 25% each, with the remainder on June 15, Sept. 15 and Dec. 15.

Federal security payments made to the Federal Government by employees is not a deductible item on the tax return. Social security payments made by an employer, however, may be deducted.

The Varsity job service is near and will be in effect until the end of the filing day on March 15. It is advisable not to wait until the last few days to prepare returns, when the office of the tax officials are crowded. Forms should be prepared in advance so that a taxpayer will not have to remittance on or before March 15.

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MOVIE WORLD

Philly AFM Local Calms Down a Bit Pending Outcome of Its WB Battle

Philadelphia, Feb. 27.—The occasional movement among members of Local 77, American Association of Musicians, was temporarily halted at a stormy meeting on Friday (25) when the local executive committee was asked to resign and the disgruntled members to fill a resolution urging withdrawal from any support they could give nationwide support was given the Philly local in the Warner Bros. controversy.

In its place, a resolution was presented condemning the "Military tactics of the national officers and asking them to be held strictly accountable to musicians employed in all Warner-operated sound film houses. The resolution reiterated its faith in local officers but charged the national body with "failure to do its duty" in refusing to give the members the four-month deadline.

There was no mention of any requests from members of Philly local and the tenor of the meeting was left warm and not what the situation at home.

Local officers told the 500 who attended the meeting, that any action taken by this local would be hurt instead of helping. There was also talk of a possible alignment with the local and some of the members of the meeting.

Meanwhile the fight was heated by the Carman on Saturday (24) after 315 of the local's 400 members were asked to sign their hand-written policy on Friday (1) after the union agreed to allow the 60-week term instead of the 35-week term originally demanded.

It was reported that the local was led from its original stand in the hope that the Carman would give the 60-week term and the local would sympathize and act as a lever to lead the chain to come to terms.

Members of the Carman and Warner in addition, the union launched a poster campaign against Warner. More than 50,000 hand-written postal cards are being sent to trade unions throughout the city urging them to refuse to advertise products and mail it to the Warner name in their area.

In the card to the musician reads: "Come to your favorite theatre, Big Stars show. This pleasure can be had for the price of a nickel. Now you are now paying the price without getting the show above you in your city." This is signed by the Musicians' Employment Committee.

The cards being sent to the Warner name read:

"This is to notify you that we do not wish to share at our neighborhood theatre."

The union's announced plan to allow members to work on a percentage basis at indie houses to compete with Warner is being held up by a conflict with the local's new, national AFM proxy, this week.

At least two indies were reported responsive to the plan, a revolutionary step in recent Local 77 history. The plan provides that the local will get into these houses with the extra groups. When a representative working on a cut on the extra groups, when a representative has heard the idea, but the union has heard this as an added incentive.

The chain thus far shows no indication of altering its original stand to reject musicians from indie houses and any of the names in which the unions following a flesh policy. The plan is being held up by the situation related at the Earle, Fox and has pleased critics they dropped mentions on Dec. 1.

'Conquest' Suit
 M. V. General, owner of 1241 K. V. General, sued the Republic Pictures, charging infringement of copyright. The plaintiff, author of the book, has the film of Sam Houston. The plaintiff charges plagiarism of his book in Republic's film. Many copies of an injunction, accounting of profits and damages are sought.

H'WOOD TRIANGLE

Two Agents Involved in Bullitt Suit for Cole in Bullitt

Los Angeles, Feb. 27.—Henry Bullitt is suing the A. & F. Lyons agency for \$5,470 as the aftermath of an old litigious case involving the Stanley Bergerman agency as the third party.

Action goes back to a judgment for \$7,500 obtained by Bergerman against Bullitt for commissions due for signing Bullitt to a Metro contract. Lyons had a similar suit against Bullitt at the same time but agreed to withdraw its action in consideration of Bullitt's remaining under Lyons management. Bullitt settled the Bergerman suit by paying Lyons \$5,470 to return the money.

FILM WORKERS' EARNINGS IN JAN. DROP

Hollywood, Feb. 27.—Earnings of film workers during January fell another drop, according to a report yesterday (Monday) by the Release Labor Commission revealed. The report shows that earnings fell from \$42.29 in December to \$41.73 in January, and the total weekly percentage drop was 1.32 percent. The figures were based on 12,144 in January. These figures are based on the figures of December 11, 1933.

The weekly payroll at the studios for January reached \$477,238, against \$414,000 the preceding month. Average weekly hours worked showed only a fractional increase.

Banks, Lawyers Ask More Coin from RKO; Okay 3 Applications

Despite the granting of the extension of time, three applications for allowances were filed during the past week. The first, and most important, of these is that of the Chemical Bank & Trust Co. which asks RKO to make a collateral note indorsed dated July 1, 1931. Chemical Bank seeks \$25,000 for its services, and the bank's attorneys, Wright, Gordon, Zachry & Purkin, ask \$28,125 plus disbursements during the 712 period.

Yesterday (Tues.), federal judge Alfred C. Case refused an application by Florence E. Sullivan, bondy for hearing. Sullivan is attorney for James Young, who has filed a claim against RKO for \$2,000,000. The attorney, in seeking \$14,500, claims to have saved the estate \$114,000.

Last in the group is Neil P. Cullen, attorney for the U. S. National Bank of Commerce, who asks the holders of Denver Orphan Co. be \$1,500.

Federal Judge William Bondy in New York on Saturday (25) approved applications of Irving Trust Co., former trustee of the film, and granted an extension to March 15 for the filing of applications for allowance. The prior date of expiration had been Feb. 29.

The petition declared that since the closing date, both Irving Trust and Atlas had been busily engaged in preparing the plan, and have not had sufficient time to prepare their requests for compensation. The filing of order grants the same extension to other attorneys who will apply for fees.

AWARNED TO BE GUARD

Drive on Studio Unions Expected to Break Out in Open in Few Weeks—Scoffers Sense Buildup for Another Emergency

EXTRAS SPLIT

Hollywood, Feb. 27.—A warning against an open-shop drive in the film industry is being broadcast to 10,000 members of studio local affiliates dramatically by the International Alliance of Theatrical Stage Employees. Lew C. Gill, IATSE international representative, is cautioning workers not to talk with strangers who appear at the studios and try to get into the studios. He said associations interested in breaking the closed-shop contracts in the industry are trying to gather information to be used against the unions and union officers.

Gill is circulating the following letter to the entire IA membership: "Notice to the membership of all IATSE local unions: Several reports have reached me within the past few days regarding activities of persons who are apparently opposed to the good welfare of labor unions and organized labor.

"These men in our midst four or five men, who are on the payroll of the interests of anti-labor and anti-union organizations, are making a list stand to return Southern California to the open-shop system. They are trying to get information up around union headquarters or at the studio plants for the purpose of obtaining the names and attempting to gain their confidence or to secure some statements which can be used to get against the local unions, their officers and agents at a later date when the anti-labor forces are ready to move in.

"It is better to give an advance warning that such things are about to happen and will positively occur within the next few days or weeks. Plans be on the lookout for anyone who might appear to be over-enthusiastic in the matter of anti-labor organizations who are offering you information concerning your affiliation with organized labor. If you are approached please remember that anything you might say may act as a boomerang of some later date.

"The IATSE locals are not the only organizations on the list to be interested in the breaking of closed-shop contracts. It behooves us to look after our own business and if we do that well, we will not be the target of anti-labor over-enthusiasm. Let us have a good job and have protected our rights as citizens and workers."

Members of minority IATSE groups, which have demanded election of William B. Davis as president, have been asked to leave the IA management, so of these reports of an open-shop drive for months past. The Biz letter is aimed at the reform group and that it might later be used by the reform group in a special emergency, with the international taking over the affairs of the workers' union. The reformers are preparing proposals. These groups already claim to have a membership of 100,000.

The major companies have okayed the request of the Society of Motion Picture Producers for a 10% special election. It is in the form of a bill become effective as of Feb. 28. The Society had demanded the effective date of the bill as of Jan. 28. The IATSE local has given a 10% hike. The Society executive board was held in general meeting for March 1 to determine whether the Feb. 29 date will be changed.

Society leaders estimate the increase will cost the producers about \$200,000 monthly. The reformers or limited hours editors would be raised from \$150 to \$165 per week; of that

(Continued on page 21.)

Brown's IATSE Future May Be Complicated by the Bioff Mess

Petitions on Extras

Hollywood, Feb. 27.—Petitions are being circulated for recall of the Screen Actors Guild Council in an effort to block the establishment of a separate local for extras. Petitions stand on the ordinary procedure was presented at a meeting of the local on Thursday.

Recall move is said to be an angry gesture as Guild by-law carry 70 provision for recall of the Class B Council members and removal can be accomplished only by the directors.

BIOFF STALLS TRIAL IN CHICAGO TILL MARCH 6

Chicago, Feb. 27.—For the second time within a week Willie Bioff attorney, Joseph Moravitz, obtained a continuance on the labor leader's habeas corpus writ. Originally scheduled for Friday (25), the trial was postponed to Monday (28) on the attorney's plea that he was unable to appear due to a bad leg. On Monday Moravitz's plea was denied, his brother, Harold Moravitz, bringing in a doctor's certificate as evidence.

Bioff's attorneys sought a two-week postponement, but Chief Justice John Frysholm of the Criminal Court set the date for the hearing for March 6 and stated that the hearing will be held at that time regardless of Moravitz's leg. Brother Harold obtained the court that Bioff would positively appear at that time. Bioff appeared in court on both the Friday and Monday.

Plans for Bioff will be that the state had tacitly abandoned any prosecution on the pending case against him, under Moravitz's claim that he resided in Chicago for 10 years after his conviction. The justice did nothing during this time to take him into custody; that he lived here openly and not as a fugitive and that furthermore, he had been "completely rehabilitated."

State attorney's office, in its reply, will contend that when Bioff was released he was under legal obligation to the pending case against him, his sentence directly upon confirmation of his conviction by the court. The justice said that Bioff was held, under the constitution of the state attorney.

20th Prod. Slowed

Hollywood, Feb. 27.—Production of 20th-Fox is down to a picture a week as the company view until March 4, when "Public Day No. 1" and the third "Hotel for Sinners" will be released.

Current in work are "Maryland," "Lillian Russell" and "Cleo Kid."

Moreno's Mex Pix Plans

Mexico City, Feb. 27.—Antonio Moreno, star of the silent, is here reportedly to organize a picture company backed by American capital.

He made and directed Mexico's first feature here in 1928.

REVIVE LONDON TALE

Hollywood, Feb. 27.—Jack London's old yarn, "Queen of the Yukon," is slated as Paul Mervin's first 1933-34 production for Monogram.

Joseph West has been signed to write the screen play, which goes into work within three weeks.

The question of whether George K. Brown continues as president of the International Alliance of Theatrical Stage Employees for another term starting in June, will be decided at a convention of the IA, to be held in Minneapolis. The IA meets in convention every two years and under its constitution the date of the first meeting is determined by the date of the last meeting. It will be June 3 this year.

Louis Krone, general secretary-treasurer of the IA and assistant to the president, is now in Minneapolis discussing details in connection with the convention scheduled for that city and agreed upon by the executive board of the IA.

Which industry believes that Brown will be re-elected president and that the setup otherwise, as far as vice president and other officials are concerned, may also stay as it, is the trouble involving Willie Bioff and his legal battle with the IATSE may result in an upset. That might also be dependent to some extent on the occurs between now and June 2.

Brown is strongly entrenched in the IA, the most powerful union in the picture industry. He was elected president of the IA in 1926 for a four-year term. He was re-elected in 1930 for a four-year term. The IA is by-law and constitution of the IA and under its constitution officers serve every four years and provided that at the June 3 convention will not be a change back to two.

The last IA convention was held in Cleveland in '28.

2 Weeks with Pay, Plus 5-10% Increase, Likely For N. Y. Projectionists

Reported a virtual certainty that both projectionists will get a second week's vacation with pay and possibly a 5 to 10% increase in salary, between 8 and 10% under arbitration of its negotiations with the IATSE. The IATSE has been in New York circuits on a two-year contract. Decision of the board is expected to be made in the next few days.

Under the old contract the operators received one week's leading pay with pay. In negotiating for a new agreement, retroactive to last September (1929), the N. Y. operators are now negotiating for a 25% boost, circuits turning this down.

In consequence two arbiters were chosen to represent the theatres. Two for Local 306 and a fifth as a neutral, to be designated in a letter, will be asked.

Shaw's Film Chores

Hollywood, Feb. 27.—David Low-Albert Lewin producing unit have signed Irving Shaw to do a screenplay road "Mother and Son" and "The Girl Who Came to Stay." Shaw, author of "Bury the Dead" and "Gentle People," arrived on the Coast from New York last week.

"Mother and Son" is produced on the L-I production used by "Trotam" and "Night Hawk."

Slushy Gals' Film B.O. Soft: 'Shop' Plus Goodman Mid \$30,000, 'Swiss' Nice \$14,000, 'Northwest' Hot \$21,000

First Run on Broadway (Subject to Change)

Dr. Ehrlich - Tommy Tucker Big \$135,000 N.Y.; Lincoln \$26,000, Ed Lewis With Light 27G, Pincocchio Up, 45G

Chicago, Feb. 21. (Road Reproduction Palace) ... following a two-day storm, the downtown theater area is evidencing a high-water mark history ...

Arkasov's (Rep.) split with 'Days From Nowhere' (Rep.) and 'Miss K' (Liberty) (Federation) ...

Castles - 'Gone with the Wind' (M-G) (11th wk.) ... 'Pincocchio' (RKO) (8th wk.) ...

(Road Reproduction Palace) ... boliday business ...

'Popped up nicely and this week on strength of a big Washington ...

Best of the newcomers in the picture line is 'Northwest Passage' which opened Saturday (24) in the United Artists and brought back to life the picture of the famous expedition ...

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Estimates for This Week ... 'Light Faded' (Par) ...

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Northwest, 10G, Castle, \$,000, Good in Lville

Colman-Regan 'Fems, \$19,000

Louisville, Feb. 21. No notice this week for War has moderated to some extent, production ...

Washington, Feb. 21. Holiday prices and partying mood ...

Chicago (B&K) (13-20-35-75-75) ...

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'Popped up nicely and this week on strength of a big Washington ...

Disney, 6G, 'Northwest', \$5,500, Big in Lincoln

Lincoln, Neb., Feb. 21. Three heavy patrons ...

'Chickadee' Lead \$10,000 in Toronto

Toronto, Feb. 21. 'Gone With the Wind' is now in "Light Faded" ...

Frisco Forte; 'Northwest' Nifty \$24,000, G.G.'s 18th Anni-'Swiss-Vaud OK 19%G

San Francisco, Feb. 27. (Head Exhibition Golden Gate) With 'Northwest Passage,' as Fox... 'Swiss Family' (M-G) (20)...

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SEATTLE OK, 'PASSAGE' LEADS WAY AT \$10,500

Seattle, Feb. 27. Up to Washington's birthday... 'Northwest Passage' (M-G) (20)...

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21-'McCarthy' (U) plus vaude. Anticipated gross \$10,000. Last week, \$10,000. (M-G) (20)...

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'MELODY' FINE \$19,000 'VICE 'GONE' IN PROV.

Providence, Feb. 27. 'Broadway Melody of 1940' is doing terrific biz at Lowe's State, following...

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Bliz, Cold Crimp Mpls.; 'Northwest' Big \$11,000, 'Night-Vaude N.G. 8G

Minneapolis, Feb. 27. Near-buffing \$10,000. A severe early temperature knocked the biz of local headlines over the week-end...

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Spainish Charms 'Guy' to \$19,000, Boston Winner

Boston, Feb. 27. (Head Exhibition Orpheum, State) 'Northwest Passage' is gathering...

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N.Y.-WOLF OK \$18,000 IN DET.

Detroit, Feb. 27. In its 94th week, 'WOLF' is doing terrific biz at Lowe's State, following...

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Friday Bright \$11,000 IN K.C.; West-Fields, 8%G

Kansas City, Feb. 27. 'Gone With the Wind' is going strong in settling down on theatre row...

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Annals of 'The Wind' 'Gone' to \$11,000, 'Night-Vaude N.G. 8G

Brooklyn, Feb. 27. 'Gone With the Wind' is going strong in settling down on theatre row...

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ALL 'B'KLYN ON UPEAT: 'GONE'S' FINALE \$32,500

Brooklyn, Feb. 27. Snow and sleet good and biz of first-rate flickers on downtown street will bring in big grosses this week...

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>>> 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

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New Plan Calls for Complete Merger Of Greater Union-Hoyts Instead Of Original Joint Booking Arrangement

Sydney, Feb. 27. Dan Michalew, executive of National Theatres, 300-Fox subsidiary, has shortly after the close of the year, carrying with him new plans covering a complete merger of Hoyts and Greater Union Theatres, pending approval by 300-Fox and National Theatres. Heretofore, Hoyts and Greater Union were regarded as being in joint booking arrangement. Fox had a major interest in Hoyts' directors for both circuits, as reported here. Understood that this calls for Hoyts to issue certain stock shares to Greater Union in return for certain assets, thereby giving Greater Union a majority interest in the joint booking arrangement. Whether this would make General Theatres, to be revived actively to carry on active bookings of the two circuits, the sole operating corporation, and leave Hoyts and Greater Union merely as holding companies, has not been revealed.

Richard Dean, which is associated with Hoyts via a deal whereby the smaller chain agreed to handle revived Hoyts' bookings under a contract, is going ahead with its legal action to prevent the merger of Hoyts and Greater Union. The deal is fully protected. Sensational evidence would be divulged, it is hinted by Richard Dean, who is spearheading the proposed merger reargues trial.

FRENCH M.P. CORP. OUT OF REORGANIZATION

Editor, VARIETY:
On your Feb. 23 issue on page 11 we note you published an article under the heading "French Motion Picture Corp. Discharged from Bankruptcy."

For your information, we were never adjudicated bankrupt. On Feb. 18, 1938, under Federal statute, section 77b, we applied for permission to reorganize. The court granted this permission. Subsequently, during the reorganization the creditors accepted a plan whereby they would accept 15% payment of all outstanding indebtedness. On Oct. 28, 1938, the court approved the plan. During the interval, there was no committee of trustees appointed to administer our affairs. We and all others were permitted to run and operate our business without special supervision of the court through a representative of the "Debtor in Possession." Strictly within the terms of the Federal statute, this is not what is commonly known as bankruptcy, but rather in reorganization.

The caption and article as reported by you does not truly report our position. As you know, we are the distributors of French films under contract with the French producers. We sincerely hope that you will do your utmost to rectify.

Mex Neutrality Involved In Nazi Pic on Pole Push

Mexico City, Feb. 27. A gift of the German version of the conquest of Poland and some German military equipment to the western front, in the form of a film reportage, has been made to the Ministry of National Defense by the German legation.

"The Ministry has not decided what to do with the picture, but it seems to involve a delicate point in Mexico's neutrality observation."

Hollywood Films Fill 85% of Mex Screens

Hollywood, Feb. 27. Shortage of European pictures, due to the war, is causing a boom in American film sales in Mexico, according to Oscar Strauss, a German representative in Mexico, here for a series of studio conferences.

GERMANY'S PIX BIG IN GOOD SHAPE

Washington, Feb. 27. Contrary to popular belief, Germany's film biz has not been adversely affected by the war.

According to a dispatch from U. K. Ambrose Trade Commissioner, H. Pearson, of Berlin, 138 motion picture houses were operated by German firms in 1937, compared with the close of the calendar year, in comparison with 139 houses at the close of the year ending in 1938. This is due to "annexation" of additional territory by the Reich.

Decline of U.S., French, British Pix Ups German Strength in Rumania

Bucharest, Feb. 18. Failure of the American companies to hit an audience which would correspond to the changed conditions brought about as a result of the war, along with cutbacks in production in both France and England, have given new weight to the picture biz here by the film hold in Rumania. Product from those countries had offered the German companies a large competitive business.

Metro, Paramount, Fox, etc., gave their best of film never before in time ago. Only Warners still has offices in Bucharest; the others are in the hands of German agents. This hinders the film business with America very much for the theater owners here are obliged to send to the American's Paris headquarters not only the fees for licensing, but also the fees for a so-called license. A film costs as a rule from 25-30,000 lei (between \$75-\$90), with customs duties, censor's fee, posters and advertisements added. A film's expense amounts from 120,000 to 150,000 (1800-2200).

The main things of the large cinema-goers is on the average from 500,000-900,000 (\$5,350-\$9,525) lei per week, but in this country the best of film never before more than a fortnight's run at one theater. Only Warners of the American companies, who has a film depot here, makes the license fee unnecessary, selling the pic directly to the theaters. Film exporters estimate that during the past year Warners placed a far larger percentage of their films in Rumania than the other American companies. The Germans, on the other hand,

ITALY'S ALBANIAN REORG Nominally Group in Accord With Gov't on Share Contract

Rome, Feb. 13. Picture distribution in Albania has been taken over by the Italian film monopoly group via an agreement reached between the latter, which is government controlled, and the Albanian government which will be reorganized.

Profit-Sharing Regulation Affecting Distributors Exhibs Stirs Magyar Pic Trade

Budapest, Feb. 11. Homeoffice decree on selling the profit-sharing terms for distribution and exhibition of Hungarian-made pictures, pending for several years, is making a big stir in the trade.

Oscar Strauss' 'Loves' Will Preim in Paris

Paris, Feb. 13. Premiere of Oscar Strauss' latest operetta, "Les Amours" ("My Loves"), is slated for next month at a theatre here, as yet unnamed.

PRIVATE MEX BACKING

Mexico City, Feb. 27. Mexico's first private company for financing pic production has been organized here by Herbert F. Wallenstein.

Metro Buys 2 Sites In Rio for Deluxeurs

Metro has purchased two sites in Rio de Janeiro for the construction of deluxe theatres. One, a 2,000-seater, will be called the Metro-Capitales, the other, the Metro-Tiuna, will have 1,700 seats.

AUSSE MULLS FREEZING 50% U.S. COIN

Sydney, Feb. 27. Australia's Federal Government now is considering a 50% freezing of rental coin for American distributors along similar lines to those by Great Britain in order to conserve dollar exchange.

TOPS HUNGARIAN B.O.

Budapest, Feb. 11. "Daddy Shepherd," locally made feature authored, produced and directed by Lajos Lajtai, and starring newly born Catherine Karady, not only topped the box office for Hungarian pictures this season, but is easily the biggest money-maker among home produced pictures for years.

Lag in French Productions Brings Influx of Gallic Players, Directors To Italy for Two-Version Pictures

With only a small percentage of French studios properly functioning, French film directors and acting stars are migrating to Italy for employment in Franco-Italian pic. The Italian government is attempting to exploit the paralyzed condition of French production in an effort to create a rival French industry, offering encouraging terms to French talent. Italy has technicians, equipment and the modern elaborate Cinema Studio system.

Leading way the world has been Jean Renoir, who dubbed down to the German City to do the ill-fated "La Tosca," which Viviane Romance returned to continue union (George Fennell was scheduled to play Baron Scarpia. Marcel Ithauer has also left for Rome, while René Clair, Jacques Feyder, Jean Cocteau and Edmund Grunville have accepted contracts to do double-version picture.

Mireille Balin is presently in Rome doing "The Siege of the Alcazar," suggested by Augustus Birger, who featured in "The Comedy of Happiness."

This indicates that Italy is finally getting on with its policy initiated some three years ago at the completion of the new studios in Cinecittà, some 15 miles outside of Rome. From the outset, German, French, Dutch, Italian, American, and British producers, directors and actors were invited to Rome to do two-version picture for double exploitation purpose.

The local film press is worried about this new invasion by London exhibitors, and is editorializing about it. They demand that every encouragement should be given to encourage French film production, instead of permitting it to go abroad to help build a rival industry.

LIGHT HEART LONDON CLICK

London, Feb. 27. Evelyn Williams' comedy, "The Light of Heart," which had its premiere at the Apollo Wednesday night (25), made a big splash in the city. First-night audience gave it an enthusiastic reception.

SHEPHERD SETS NEW MUSICAL FOR LONDON

London, Feb. 13. Fifth Shepherd has contracted to open the new musical "The Light of Heart" on a musical that has Leslie Henson and Binnie Hile starring, with the other stars by Vernon, Ray Hyland and Guy Bolton titled "Nap Sane," which comes to the Aldwych at the end of the month. Hugh Lynn starring in the latter.

Caracas Buys New Cinemas; Mexico Also

Caracas, Feb. 27. With the advent of the new deluxe, first-run Avila here last year, many new theatre projects have been planned.

There are eight first-runs in the Venezuelan capital and a ninth will open April 1.

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Pic Producers Wary Of Spoofing Politics

Mexico City, Feb. 27. As the political situation has become more serious, big money producers have eliminated all references to politics of any kind in their productions.

TOPS HUNGARIAN B.O.

Budapest, Feb. 11. "Daddy Shepherd," locally made feature authored, produced and directed by Lajos Lajtai, and starring newly born Catherine Karady, not only topped the box office for Hungarian pictures this season, but is easily the biggest money-maker among home produced pictures for years.

Press notices were unanimous in praise.

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.

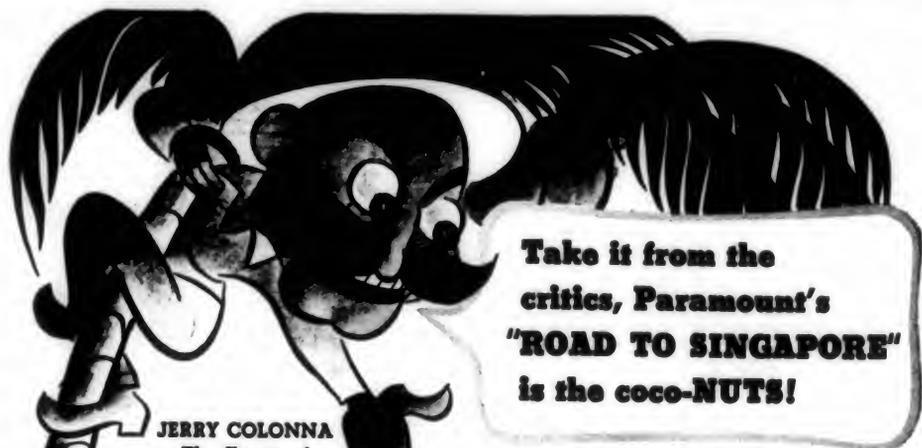
Thousands came from
far-distant towns—

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!"

—Nedda 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, I. 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-flight 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 SCHERTZINGER

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!

"**BRILLIANT**... 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 'Abe 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, Herald-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 Croelman, Sun

"**MASTERPIECE**—Such beauty, such simple honesty and truth, that 'Abe 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 'Abe 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."

—Rose Petrich, Journal-American

*Held Over!
Second Week!*



ROBERT E. SHERWOOD'S

**A
BE 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 Dako, 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.

Boxes Open Today and Tomorrow 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

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WEBS BRACE FOR UNPLEASANTNESS IN STEEL-HAZY MONOPOLY DOCUMENT

But Whatever the Recommendations Congress Not Expected to Consider Them Before 1941—May Ask for Less Web Power Over Affiliates

Washington, Feb. 27. Jittery because of an undermining flow of 'inside tips' and forecasts radio industry is still without any real hint of what the FCC's continuously investigating committee will say in its expected report. Latest of the many deadlines, according to persistent rumors in trade quarters, is March 1, although there is a hope to include the long-awaited findings will be submitted this week. On the contrary, everybody at the Committee with knowledge of the situation says it is wholly indefinite when the report will be submitted. There details, however, the probe has finished digesting the mountain of evidence came from the FCC's desk.

Close scrutiny of the contractual relationship between chains and affiliates with or without the FCC's action prohibiting networks from leasing or operating stations, requiring webs to obtain consent of affiliates, or forcing them to make service available to any station which wants to broadcast—is to be expected. The chain execs here are steeled for any kind of shock, while 'protecting' their stock in the FCC's activity about what the committee has in mind.

The report is expected to emphasize the need of much new legislation and to point out that the FCC's authority under the present law is to deal with any number of situations and conditions that it feels may arise in the future. It is expected that Congress has plenty of work for the remainder of the session and the report will be expected to be issued at the earliest moment to prepare for the campaign, some of the legislators are expected to be in any chance that the suggestions and recommendations will be translated into amendments to the law this session.

For the past eight months there has been almost daily news of what the committee has decided this or that. Also repeated whispers that the report will be issued at a particular date, always within a fortnight or so. But there still is nothing concrete.

The question: "What?" Latest supposedly authentic info is that the committee draft has been sent to White House and also found satisfactory. This is not borne out, however, by the most thorough check. Most industry representatives are still waiting for news, and official sources are unimpressed. It also reports that in opinions have been compiled or that opinions will be declared. A Committee which it was some time ago before the committee—headed by Commissioner Thad H. Brown, and comprising Chairman James I. Fly and Commissioners Paul C. Knickerbocker and Fred L. Thompson—will be in a position to say anything before their committee.

Chief concern is what the committee will say about networks. This is the emphasis because of the contractual relations, primarily the technique used to minimize competition and to create a closed market. During the six months of freedom allowed affiliates to carry their own programming, they showed greatest interest in the degree of freedom allowed affiliates to carry their own programming on their own. Everybody anticipates some strong criticism of the practices by which the web gets control over the most desirable hours and forbids affiliates to take any other program except what it will in unalterable terms.

There is no doubt that several Committee members feel the webs are to be subjected for a long time. Perhaps outright regulation. Comments on numerous occasions will be made in regard to expectation that the report will urge Congress to give the FCC authority to give rules regarding the way webs function and forcing every chain to obtain a special type of permit. It will be surprising if the report recommends that Congress deny networks that right to own or

operate any transmitter, although the probe might be willing to permit each chain to maintain one 'key' station.

Any report of this effect will cause a major upset. Especially since NBC and CBS over the last few years have been trying to parallel each other, getting their own outlet in each major city and increasing their own, and a station holds considerably by purchase and lease. Chief executives of this probe have been CBS, which started KNX, Los Angeles, and then hit a stone wall trying to acquire control, either operating or legal, of WOAI, San Antonio; WAFB, Birmingham; and WABC, New York.

Discouragement of multiple ownership, by individuals as well as by networks, is generally anticipated. The committee may go as far as to suggest Congress prohibit any license combination that would result in a transmitter. It is taken for granted the report will interfere the idea of a network, but it may not prevent to acquire another outlet in the area covered by the plant he now possesses. However, the report may call for advertising restrictions in one of the chief mediums which industry executives are trying to solve.

Since the law now allows the FCC to adopt rules for the removal of standards for networks. It is felt probable the committee will suggest some sort of standards for networks. This is presumably well related to the amount of program service supplied to stations. A network exclusive contract, a station-allowing one to be placed to sign up with more than one web, and the right to be placed in advertising restrictions in one of the chief mediums which industry executives are trying to solve.

The probe is known to be quite concerned about the way advertising revenues are divided. Recommendations for a new type of contractual relations undoubtedly will touch on the matter of giving affiliates a bigger return and spreading the income more widely over the whole industry. Rate regulation is also a major return and spreading the income more widely over the whole industry. Rate regulation is also a major return and spreading the income more widely over the whole industry.

Changes At Blackett-Sample-Hummer

Accounts Execs Affected—\$3,000,000 in Billings Still To Be Carved Up

Blackett-Sample-Hummer's New York office is being put through a radical shakedown. Although it has some account execs, including Jack Howell, while Lester Schroeder, who has been in charge of the office, has handled in his resignation. Schroeder has been with this agency since 1923. He was in charge of the Ethelma and Bubble Gum accounts.

His presentations to American Home and Sterling Products for the auxiliary expenditure of around \$1,000,000. Although he has been in the process of analysis and study by the two accounts. Some of this business was already placed at Elliott Rosenwald's Texas State Network with the consent of the president's son, who has been in the radio business some 15 years. It amounts to three quarter hours a day for five days a week.

There is some question on the placement of the general American Home and Sterling business is expected within a week.

WSB Switch Denied

Recurrent report that James M. Cox, the new owner of WSB, Atlanta, proposed to switch the station to CBS, has been flatly denied by James M. Cox, Jr., in a wire from Miami Monday.

He termed the report 'untrue' and added, 'we are proceeding according to contract with NBC.'

PALEY SELLING 100,000 CBS SHARES

Columbia Broadcasting System, Inc. filed a registration statement with the Securities & Exchange Commission last week covering a proposed sale of 100,000 shares of CBS stock by president William M. Paley. Mr. Paley has owned 264,828 shares or more than 20% of the company's outstanding stock. Official explanation for sale is that Paley wishes to diversify his personal holdings.

The statement mentions that Paley has entered into a new pact with CBS to continue as president for a two-year term starting Jan. 1, 1937. It is proposed that the 100,000 shares by the registration statement will be offered to the public by a banking group. Through the offering price has not yet been announced, it is expected to be at the market value which has been around \$24.50 for both cash and shares. Cox showed net income of \$5,001,329 for the past year.

GEORGE JESSEL'S 3-13 JUMP FOR VITALS

George Jessel starts his second year for Vitalls next Thursday (7), and in the 21 weeks took the program from a 4 to a rating of 17. Comedian-m.c. is hot for another year and three months.

Radio Sales Tosses One

Radio Sales, Inc. CBS subsidiary, tossed a cocktail party to agency men at the Ambassador Hotel yesterday afternoon (Tuesday). Chief reason was to have them meet 'Big' Paul Tiedeman, etc. in a group and introduce to him the new CBS folios and success-story compilation.

Marie Jones, King Horton, Al Jones were there.

KAYE CAN STAY

If He Promises to Be N. Y. Every Monday

Sonnetta cigars (Lorillard) is negotiating for a renewal of Sammy Kaye's contract. Closing of the deal in another 13 weeks but Kaye developed such a good rating that Lorillard decided to keep him on. He is still individual C.A.B. gave him a 61.

Edgar Kebab, Lord & Thomas up, and the mascot dropping off in Greenway field relatives on the way back to New York from a Florida vacation.

Not Dealing With Children

Agent for a comic novel on the payroll of another agency called on J. Walter Thompson last week with an announcement that his client would be available for contract presentation on Friday. The show was wanted to a half hour. The reception the agent got was tepid but pointedly short.

"Who do you think you're kidding?" the Thompson exec demanded. "You know your man has no intention of leaving his present spot. If you're looking for a bid from elsewhere that you could use to get a raise for your man's next contract."

SLIGHT ERROR

100,000 Wrappers Had Wrong Radio Program Titles Headlined

Pittsburgh, Feb. 27. Mix-up between McCann-Brickman audit and station WWSW here last week found 100,000 NBC-banded radio wrappers heralding Martin Block's Mabo-Belove ballroom top a tree. Agency had time of program listed in 11-13:30 m. schedule. It is supposed to have been in the original deal, only to discover that half-hour was and had been for years the property of Warner Brothers' 'Footlight and Stardust' daily program.

Agency execs were made by both WWSW and McCann-Brickman to get Warner to switch time, or wrappers would be used, but that would be an additional expense of \$125 weekly to maintain and pay with them if somebody would foot that bill, but neither the station nor the agency will pay. As a result of time for both programs stay as is, and the 100,000 wrappers have no place to go.

N.B. READING DIGEST OF ITS CODE

Washington, Feb. 27.

New treatment for broadcast in the last stages of preparation in the latest NAB move to bring about uniformity of the industry's moral code. In the meantime, the trade body compliance committee is expected to gather momentum this month or early in April to hand down some more interpretations and pass on compliance.

With nothing of great importance occurring since the last session of the enforcement group, the National Association of Broadcasters staff has made a digest of correspondence, rulings, advice and decisions—supplementing the final volume on such subjects as Dr. Francis E. Townsend, Rex Beach, E. Hughes, and Judge Rutherford—which are undergoing scrutiny before release for guidance of member stations. The summaries of member stations. The summaries of member stations. The summaries of member stations.

CBS Workshop to Coast For 1 Program a Month

Columbia Workshop, the original highbrow venture into the drummer by CBS, will go to Hollywood each month under a new policy.

Dale Baxter a Suicide

Baxter Pickering, 42, who wrote radio scripts under the name Dale Baxter, committed suicide by gas in Los Angeles last Friday (25). Pickering scripted and conducted "Up to You," a quiz program which he had been working on for WMAA and WNEW, N. Y., and written for recorded show.

Mrs. Pickering, who did her husband's secretarial work, discovered the body on arriving from Burbank last Friday (25). Pickering was in the city apartment as his writing studio. He was 49 in England.

Robert Myers in Hospital

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SAN FRANCISCO CONVENTION AUG. 4

Washington, Feb. 27. This year's industry convivia will be held at San Francisco the week of Aug. 4, considerably later than usual. NAB directors decided last week. Choice of headquarters host was not made. Position of an organized tour of national parks and other scenic areas by the bulk of the delegates is being explored. With the railroads offering again low rates for round-trip travel, NAB is trying to arrange a special rate. It is thought that would include considerable sight-seeing either going or coming.

Arrangements committee will be headed by Howard W. Fox of the Sacramento, the director for the 1933 District. Late voting was occasioned by the Federal Election Commission and Democratic committee in picking time for their meeting. Because of the amount of air traffic expected out of the G.O.P. shindy at Philadelphia, the Federal Election Commission of Chicago, the radio group felt it would be unwise to hold the meeting in a city which has been the center for a long period.

WRITER HIGH WILEY LOSES SUIT VS. NBC

San Francisco, Feb. 27. An infringement suit against the National Broadcasting Co. in San Francisco this week ended in a Federal A. F. S. St. Suro ruled against his claim that the NBC had infringed on his right by using a character known as "Wilder" on a radio program. Wiley had claimed that the character was his character, which would have his permission.

Claiming that NBC made \$125,000 from the character, Wiley sought accounting and damages. Judge St. Suro ruled that it had not been damaged and that he must pay the costs of the suit.

Few Associate Members of N.A.B.

Does Reduced in Move to Attract More of Them—Set Manufacturers Pay \$100 Annually

Washington, Feb. 24. Reduced effort to strengthen bonds between radio and record groups whose welfare depends on varying degree upon the radio industry is being made by the N.A.B. First step was ratification of a lower rate of annual dues for associate members of the body. The move is launching a vigorous recruiting drive.

Dues were pruned all along the line at last week's meeting of the board of Directors following discussion of disappointing result from past months' efforts. Representative agencies, equipment people and others with a direct stake in the business. New rates follow:

Transmission companies—with annual business volume up to \$100,000, dues \$250 annually; with slightly more revenue, \$300.
Station reps—with up to 10 clients, dues with more contracts \$300.
Sales services, \$150.
Market research organizations, \$100.
Advertisers, \$100.
Set manufacturers, \$100.

In addition, the N.A.B. directorate tried to sell the Association's weekly journal on trade advertising. Such offers, particularly lawyers, engineers, and similar people independent of radio, are a fixed price of \$50 a year. When the N.A.B. was reorganized two years ago, it was intended to bring together in a single organization all business elements with financial stake in the radio. Such a "united front" would give added strength in battles over legislation for the nation, better facilitating the exchange of opinions over operation problems. Response of potential outside members has been pathetic, apparently partly to the high dues with no voting privileges.

Local 'Pot of Gold' Has Unhappy Experience As Telephone Goes Dead

Reading, Pa., Feb. 27. Hundreds of conducting programs in which making a telephone call is part of the routine has been illustrating here. Calvin Jackson's "It Could Be You" program over WEEI had a telephone create when the telephone on which Jackson depended went dead.

HARD-BOILED HERBIE (THE WARDEN) ON KTW

Philadelphia, Feb. 27. Warren Herbert E. (Hard-Boiled) Herbie Smith, of the Philadelphia Penitentiary, turns thursdays tonight (Monday) and plays himself in an adaptation of a prison scene on KTW.

Henkin Chipper Again

Stout Falls, N. D., Feb. 27. So Henkin, president and g.m. of KBOO in Bismarck, here, took a bit of his dent after a surge in the market. Bill Hahn, KBOO-KOOL sports anchor, who was also out for three weeks for a tonsillitis, was returned to the mike in time to take up another assignment, at the Golden Gloves Club, which was held here this year by the twin stations.

Payroll Traffic

Boston—John M. Cooper joined last week as news editor. He's from WCHS, Portland, and the Boston Transcript. WBE has contracted for the public radio news service to supplement UP.

Port Worth—Thaine Engle, KOGO news writer, has been promoted to post of traffic manager.

San Mateo—Gwen McClary, director of women's affairs for KSO-KINT for several years, is resigning and will be replaced by Mrs. Joseph Cooper, who has been chosen. Johanne Leizer, of continuity KBO, going back to NBC Chicago. Robert Blaylock, sr., returns to WBO with his Mutual Alliance under sponsorship of Woodman Accident Insurance Co.

Kansas City—Red Borer of KTF, Kansas City, brought in Dorothy McIntosh as announcer replacing Frank Dent. Marjorie Carter takes over as home economist succeeding Betty Paig.

Youngstown—New announcer at WJOL-TV, Youngstown, known as Will Douglas. Formerly with WCPN, Cincinnati.

Abram—Grant Wilson, recently of Columbus, has joined WJCV as sales man.

San Antonio—New to staff at KTXA are Rex Price and Wash Marston. Price is musical director of the house band. KABC has added Nathan Sahr, salesman. Kingston, N. Y.—Don Kearney, formerly with WJAL, Rochester, now an announcing staff of WKNY.

Babes, Ore.—Leland Shreve set up announcing for Harry Reed's KEMM at Salem. Formerly at Portland for KGW-KEX.

Pittsburgh—Bob Dunlay of WCAE spot staff for last two years named chief announcer. Post reported that Bob McKee resigned several months ago to join a Chicago, Ill., station.

Oklahoma City—Dale Robinson replaces Jimmie Tull as WJY announcer. Paul Sutton conducting "Odds and Ends" participating show on same station replacing Jerry Walters.

RUDY VALLEE HEADS NAME CITRUS SHOW

Hollywood, Feb. 27. Rudy Vallee heads the list of Music Corp. of America-branded talent for the San Bernardino orange show opening in California. Other names include Barber's Anderson, Mary Carlisle, Hank Williams, Tom Hily, Johnny Wood Van and Billy Miss Garwood. Citrus show runs for 10 days.

Inside Stuff—Radio

Graduates of Radio Sales under J. Kelly Smith have been promoted into key jobs for the National Broadcasting System throughout the country. From Radio Sales ranks have come Art Kemp, west coast sales manager; CBE, Merle James, manager of KMOG-TV, Denver, sales manager; WABC; Klingler Horton, sales manager; WEEI; Howard Melugin, radio sales manager in New York; Steven Paul, station relations contact for CBS; A. E. Joutzky, manager of WFT. In addition there is Owen Utts, general manager of WJR.

Fred Weber, Mutual general manager, explained last week that the stations listed in his new 60-station proposition are those guaranteed for Mutual clients taking the deal. WFL, Philadelphia, and KWS, St. Louis, CBS, Merle James, manager of KMOG-TV, Denver, sales manager, WABC, Klingler Horton, sales manager, WEEI; Howard Melugin, radio sales manager in New York; Steven Paul, station relations contact for CBS; A. E. Joutzky, manager of WFT. In addition there is Owen Utts, general manager of WJR.

Lincoln Dellar, recently appointed manager of KFSO, San Francisco, originally left San Francisco eight years ago. Returning from New York, Charlotte and other radio spots, he picked up the classification directory, "Broadcasters' Representatives" and found himself still listed.

Jack Bondy ("Heinie") of WTMJ, Milwaukee, took a portable recording outfit with him to Miami on his vacation, and thus, by chatty transcription, recounting his intimate contacts in the Florida resort, he has made the WTMJ audience aware of him, without necessity to be in the studio actually.

Philo T. Farnsworth was among the 60 midwestern "modern pioneers" honored at a dinner in Chicago Feb. 28, sponsored by the National Association of Manufacturers, Armour Institute and the Illinois and Wisconsin State Manufacturers Associations.

KMBC in Particular Protests World's

Double-Up on Ads in 5-Minute E. T.

The Enemy Wins

Philadelphia, Feb. 27. WFL has a daily program in which five radioes are given away free to five persons whose names are selected at random from a telephone book a la Times' "Pot of Gold".

As a result of the inability of the Mutual Shies-Frodo Radio Bingo to get together on certain legalities concerning the latter's \$500 radio giveaway, he was scheduled to start on NBC Feb. 16, the program hasn't yet gotten under way. "Tagged C.O.D.," it was set for a five-station 8-835 a.m. slot Wednesdays in behalf of Ruth Ruth candy bars.

MUTUAL SHIES FRODO RADIO BINGO

Understood the net wanted to make checks but the method of distributing the radioes in order to avoid any legalities but the change: very nice but not acceptable to the client. Notwithstanding the fact that E. W. Halling of that office: last week further complicated matters. He had been notified of the fact that the Giveaway was to be similar in operation to theatre bingo with three pull prizes, \$100, \$50, and \$25, in the form of the U. S. G. bond.

Axtion Backs Bill Stern

Axtion Fisher (Twenty Grand and Spot) (cigarettes) will start a sports race with Bill Stern on WJZ, N. Y., March 4. It will be the 8:15-8:30 every evening but Saturday and Sunday.

Weiss & Geller, of Chicago, is the agency.

World Broadcasting System has encountered quite a protest since the start of the station in its Gold Grid because two products are plugged in the first one scheduled for Park & Tilford. The protesting broadcasters claim that World's bid was the winner and that they are playing cricket. They pointed out that the station had provided against the inclusion of more than one product on a network program. Now they find themselves in the predicament of plugging two products on a five-minute program. All the stations are being going through with the Park & Tilford story. The critical news have advised World that they are doing it under protest and there mustn't be any repetition of this arrangement.

MUTUAL SHIES FRODO RADIO BINGO

The stiffest repudiation came from KMBC, Kansas City. With Arthur Church as a possible rival, Karl Koopfer, KMBC, w/v, not only told World directly what he thought of the incident but addressed letters to stations in the Gold Group asking them what their opinions were on the subject. However, KMBC had when it accepted the business was that the five-minute recording would be done on the station's own equipment but when the World players arrived it was found that there was a second product, namely, Faxon cosmetics.

WDAF CANCELS 'POT OF GOLD'

Kansas City, Feb. 27. 'Pot of Gold' (Times) won't be carried over WDAF any more. It was on Monday night. The station, which is owned and operated by the Kansas City Star, is not so much as the station's action by the transfer required by the U. S. Department of Justice of the station's license to the program to the Federal Communications Commission.

NBC states that there has been queries about the show's legal status from some of its real advertisers' sales, but outside of WDAF the original list of stations carrying 'Pot of Gold' has remained intact.

CLAIRE TREVOR PENS FOR OLD GOLD SHOW

Mann Holman, radio director for Lowens & Mitchell, left Saturday (24) for Hollywood to contract the supplying cast and a personnel producer for the Dan Amersch-Old Gold show which starts on NBC April 8. Also to get under way the NBC show is the radio show which Lorillard has tagged for a Dan Lee-McClintock program. Holmer will remain in Los Angeles.

Austin Ownership Change

San Antonio, Feb. 27. The State Capital Broadcasting Association, Inc., owners of station KTRC in Austin, has filed an application with the Federal Communication Commission for a transfer of control to E. A. Stuart and A. W. Walker, Jr., to J. M. West, J. Harrison West, and P. M. Stinson. The station was transferred along with 350 shares of common stock. KTRC is one of the stations now being run by the FCC in an order issued last week.

Benny Veneta and WOR Post Benny Veneta drops off the sustaining spot at WOR, N. Y., which he had done for six and a half hours for five years after this Sunday's 4th broadcast. Miss Veneta recently joined the George Jessel-Vitalis program on NBC. Singer's only commercial while at the Mutual "Pot of Gold" was for Col-Jax tooth last year.

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 enforcement 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 such individuals do 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 subordinate announcers—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 does receive time-and-a-half for working more than 42 hours weekly.

Noted:

If a chief engineer fills in for a subordinate regularly for any considerable period of time, must 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 work 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. Denbo, 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, NAB's labor expert. Miller submitted an inquiry about a mythical transmitter which gives him a \$5 talent charge paid by the sponsor whose program he handles. In such situations, the actual stipend is 242 weekly entitling the announcer to over-time pay of the rate of \$1.80 hourly. Denbo said: "It appears that, in this situation, the increasing hourly rate can be avoided only if the sponsor or his advertising agency hires and pays the announcer directly." NAB was told that this would involve payment of social security taxes by the sponsor or advertising agency.

The Wage-Hour chief was not particularly sympathetic to Miller's observation that it would be unfair to penalize the stations on an overtime rate charge because it gets more money for its employee or advertiser. He said that 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 Blue American association, baseball games has not yet been set although General Mills has rights. A problem of outlets has arisen at KMBC, one of stations used last year, appears unlikely to be able to carry necessary line.

General Mills has Walt Lockman, sports announcer, under contract to the broadcaster. Blue leave for training camp next week, but Lockman is yet undecided whether to accept. Settling of broadcast outlets does not appear likely for several weeks yet.

Jax Beer Expands

Austin, Texas, Feb. 27. Jackson 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 KTRC of this city; KRIS, Corpus Christi; KFDM, Beaumont; KJAC, Dallas; KPLC, Lake Charles, La. and KRDM, Shreveport, La.

General Mills is advertising agency of St. Louis and New Orleans.

PRE-SEASON GAMES

WOR Will Pick Up 31 Dodge Warm-up Sessions

WOR, N. Y., will this year carry the longest string of pre-season baseball games ever aired, picking up 31 Brooklyn Dodgers' practice games starting March 3. It's supposed to be a trick to train baseball followers who automatically dial to the Brooklyn station when the full 's' 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 comments on the Dodgers' pre-season series from New York. General Mills and Freer & 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 Co. R. W. Stafford, general manager of Wreco Advertising, the General Mills Agency, stated that while the Dodgers pre-season series has not yet signed it is probable that at least 18 outlets in California, Oregon and Washington will carry the sponsored games.

Wreco is now lining up the large crew of sportscasters. There will be no general announcers' conference this year, such as has been the case in the past. Instead Stafford 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 two-day 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, are the Giants, and possibly the Yankees, may pass through.

Anders, WGAR, O. O.'s Fliesman Cleveland, Feb. 27. Sidney Anders, WGAR sportscaster for Standard Brewing, has left for Hollywood where he will transcribe a nightly program and airmail direct to the station.

Arrangements have been set with film studios for interviews.

One Department Store's Idea

Miraculous, Feb. 27. Program to tie-in with the city's industrial plants is being sponsored by the Boston Store and WEMP, and while the first couple of radio 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 runs the program in a different industrial plant, where each day from 10 to 12:15 the factory department head is interviewed by Charley LaFrore on the product being manufactured there. On the final 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 week. The broadcast is heard while the broadcasting is done from a specified factory, its products are exhibited in one of the department store's main show windows.

The Allen-Brewing Co. has been a part 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 Boston Store, and worked out with Byron Burrows, sales manager of WEMP, the department store standing 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 and Industrial 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 in a special program tomorrow night (Wednesday).

Miami Crosstalk

Miami, Feb. 27. Ted Long, Doug Starvo, B. A. Rolfe, and Linda Lee in town for Ripley street.

Bill Pennell and Bill Hightower, WOPK announcers, splitting the local milk assignment on Ripley street.

Kay Kyser will play one dance date between broadcast and community in Miami. Checks in at Club Broome, Fort Lauderdale, for Saturday night night.

WKAT's 500 watt hour airing for I. J. Fox.

Don Butler, WIOD continuity director, doing for his wife an "Jane Reminders," while she's out of town.

WGAR's Uncle Mac celebrated 65th anniversary.

Biggest spender for air time in Miami this season is Ethel Wiltgen evangelist, airing over WQAM, Bill runs 500-watt.

Walter Churchill winds up his WOD-NBC feeds from Miami this week.

Dept. Store Sponsors KTSA Amateur Program With Bows Unit Tie-Up

San Antonio, Feb. 27. KTSA has "search for talent" special series sponsored by Jocke Brock department store on air for a quarter-hour daily with one-half hour Monday stage.

Winner, to be determined by audience mail vote, will appear at the Mayor's Banquet 20th Anniversary Dinner which will open at the Majestic Theatre here work of March 2.

Ernest Harvey, 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 remote by WFO, which previously carried the games for Wheaties! has declared itself and Connie Demmond, baseball announcer, out because of too many previous program commitments. WFOU for the same reason has a somewhat optimistic view.

Besides, the Toledo Mud Hens (American Association) are not releasing their authentic record book, so the fans, so their prospects are n.a.s.

WGAR's Improvements

Lancaster, Pa., Feb. 27. J. H. Stronman, owner of station WGAR, here, has awarded a contract to M. Whitten's Sons, builders, this city, for improvements to cut 500-watt announcer, out because of too many previous program commitments.

IN BALTIMORE ITS WAT

REGULAR REPRESENTATIVE EDWIN PERIN & CO. ON THE NBC RED NETWORK

BUY WISE

THE WISE BUY

WBSN

COLUMBUS, OHIO

All you need in Columbus & Ohio

JOHN BLAIR, JR., Stationer

5000 WATTS DAY

1000 WATTS NITE

SOMETHING SPECIAL

on which to put your finger

201
less
at \$3.95 each
from
K.L.Z.

"We know, in a general way, that the four new records we have sponsored over K.L.Z. for the past year have been profitable, but before making any other year you can see us something specific in the way of results."

W. C. Robinson, Manager
Biggs Jewelry Company

and another between 8:00 and 8:15, Sunday afternoon January 7th. A total of 201 sales resulting to \$793.95, were made in exact response to the two new records over Denver's top station.

It is such power to create direct response for sponsors that has caused local advertisers to spend more money with K.L.Z. than with any other station in the Denver-Rocky Mountain area.

KLZ Denver

CBS Affiliate—560 Kilocytes

AFFILIATED IN MANAGEMENT WITH THE OLLAHONIA PUBLISHING COMPANY AND WKY, OLLAHONIA CITY—REPRESENTED BY THE KAY AGENCY, INC.

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 MCCOOKER

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—Said 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?'

De Mahos—Dopey Quikstep Drake, soul featured on Col. Lem Stoopeng's show, has been ditched as the mascot of Drake University.

San Francisco—'World's Fair Party,' a quizzer sponsored by Roma Wine Co., was broadcast over the Don Lee Network from a United Air liner coasting 4,000 feet above the Golden Gate area. Art Lohbletler, m.e., seated in the plane, interviewed the oldest citizen in various communities, with the latter exchanging patter from the ground.

Madison—Organist Leon Cole leaped from bed to make his early morning session on WISM. Found his false teeth frozen in a glass of water, his automobile also frozen. He made the studio on time but was badly handicapped in handling the ribbers.

Philadelphia—Small tots who feverishly bawled they could spell C-A-T or dog are now according to J. A. Aull, boasting they can spell K-Y-W.

Brooklyn, N. Y.—Publicity style from beyond the East River: 'The Honorable Mr. Mania Chra wishes to advise that he has been appointed to the high position of director and announcer of Chinese program for radio station WARD, Brooklyn, and that he will present the first group of new programs on Tuesday afternoon at 3:45 P.M. Mr. Chra will insist with much delight on a recitation of this fact in the press.'

Flashes From Boston

Boston, Feb. 27. WBZ takes 'Massachusetts on the March' sponsored by Mutual Savings (banks) to Springfield for next Thursday's broadcast.

WBZ's studios and offices in the Edison Electric Building are being renovated and rearranged. Boston Transcript inaugurated a special weekly radio supplement last Saturday (Feb. 17).

Manager Harold E. Fellows of WEEI 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 NBC.

Carleton Dickerman celebrates 15 years at WEEI this week.

'Glimmer Girl' authorized by WBZ-WBEA announcer Keyes Perrin, will have its premiere on the Jordan March hour.

Baldwin Darley, of WBZ's 'Traveling Gardener,' is having his spot on the serial filled by Al Ericson while the former recovers from an appendix 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 value, according to consensus of opinion, Thompson Agency has developed for a brewery account is Black Horse commentator Walter

O'Hearn, whose sponsor gets three plugs in space of five minutes. Value of newcasting for brewery sponsorship was first demonstrated by the Cockfield-Brown Agency with Melson Newscaster 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 Business 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 KDYL. Announcer's School, a program which has been running since a week for some three months, Legion landed in with KVUU, Logan, Utah.

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 talent engaged locally for the Ripley broadcast complied with the union's request and took out the required permits.

WIOD is organized, while WQAM is non-union throughout. B. B. D. & Co. agency on the Ripley show, had a professional working agreement with AFRA.

Program ran 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 orchestra 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 hour-long, 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 fall.

Benny-Welles Swap

Hollywood, Feb. 27.

Jack Benny and Owen Welles are to swap calls on each other's programs.

Jello 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 KOKO and Loma Star Chain for Mrs. Beah's Bakery at 5:30 a.m. Sunday.

Quartet includes Fred Shelton, Martin Thomas, F. E. Johnson and Marcel Jones. They are the official National Shrine Quartet.

WBAL
means business
in Baltimore

... of MIKES and MEN

"Friendliness" . . . that's the outstanding characteristic of WLV's staff of 16 announcers . . . Each one capable, each one top-rate, each one a vital part of the Friendly Voice of WLV that strengthens the bonds of loyalty between the Nation's Station and its vast audience. Affection has no place at WLV, 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 Han, 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, WLV listeners make it a point to hear them regularly . . . consider them their friends.



PETER GRANT, Chief Announcer, has been a favorite of WLV listeners for more than 8 years. Both sponsors and listeners like his distinct news programs, his friendly and calm-powered commercials.



CHARLES WOODS is chosen to announce more WLV commercial programs than any one else because of his friendly voice and down-to-earth technique.



GORDON SHAW year-after-year gets the spot-light of many of WLV's better shows because of unassuming, human type of announcing.



PAUL ALLISON, an ordinary fellow with an extraordinary voice, is one of WLV'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 WLV 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 TRANSMISSION 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 such as the American Society of Authors, Composers and Publishers, which is controlled by name.

ASCAP would impose a 5% tax upon bill income derived from fees collected from New Jersey taverns, 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 two reports 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 Sorbals 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-TV, effective March 5.

Both serials will have a hookup of 15 minutes, and will give advertisers a full hour, 3 to 4 p. m., on the blue.

Ala Newville, musical director of KUP-33XK, Portland, Ore., okay following operation at Emmead 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 concerned that Neville Miller and his associates in the National Association of Broadcasters were behind the move as well as the new anti-ASCAP court and legislative moves.

In contrast with Frohlich's assertions there were no prominent representatives within the broadcasting industry which indicated the belief that Croney's tactics might, unless curbed, result in serious damage to the broadcast industry in their country as ASCAP. If Croney's move has been effective in any way, it's been to build back in the public mind as the persecuted martyr who is protecting the rights of American composers.

A radio industry lawyer, who refused to be quoted by name, described the arrest as stupid, as maddening the least 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 between which a buyer-seller agreement is in progress. He expressed an unhappy impression of our methods of doing business. Every day some thing that we have accused ASCAP of now falls under the cloud of that dubious moral warrant.

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 Ruvall, Inc., started against them in 1935, alleging breach of contract. Amount named in the suit was \$337,000.

Charles Ballak, hotel man, headed Body Inc. Lyman Bushel represented them.

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 prepare to press for passage of the Perry bill in the N. Y. state legislature even though the two groups fail to get together with Sidney M. Kaye, ex counsel for the National Association of Broadcasters. This quarter has become convinced that the NAPA and the AFM will not solve urge that the bill be so modified as to exempt religious, political and educational broadcasts. The Perry bill seeks to have the recording of a performance by a performer in violation of the performer's permission 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 draft. 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 principle that only the performer is entitled to recognition as having a property right in a recording of his interpretation or work.

While broadcaster sources are willing to concede that there is justification for trying to get their in their own ranks who may have been recording, without proper compensation, a legality, the broadcasters 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 viewpoint, holding that if any one is

wrapped 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 program of another station without 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 usual copyright law.

PACKAGE PROGRAM SET UP AS N. Y. CORP.

Albany, Feb. 27.

Stivler Radio Enterprise, Inc., has been chartered to conduct a general radio broadcasting business in New York. Capital stock is 300 shares, no par value.

Wills & Halperin were the filing attorneys.

William Morris office set up the above corporation as a channel for its package programs. Figures that it will continue to handle its radio productions that way.

ASCAP WINS IN TENNESSEE CASE

Knoxville, Tenn., Feb. 27. Special statutory court of three judges last week handed down its findings and decree 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 phases. The act sought to compel copyright owners to register with the secretary of State, file lists of their numbers and file 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 agent 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, that Tennessee statute deprives such copyright owners of the services of an organization that has the right to sell as necessary under the modern system of mercantile pursuit.

Florida Nest

After obtaining a sweeping permanent injunction last week against the state of Tennessee enforcing its anti-ASCAP law, Schwartz & Frohlich, New York City, are now in Florida preparing to press their suit for a similar court order in Florida. The three-man tribunal 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 convictions 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 heard at hearings on such state legislation whether they could cite 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 spots for lines, announcers, etc.

Jim LeGate at WHIO
Dayton, O., Feb. 27.

James LeGate has been transferred from WOHX Miami to become manager of WHIO, Dayton, O., succeeding Leonard Reinach, named manager of WFLA, Tampa.

Dave Brown has been appointed assistant manager and sales director of WHIO.



Hourly Periods in Which Cash Return Banked From During the 134 - Hour Period Surveyed

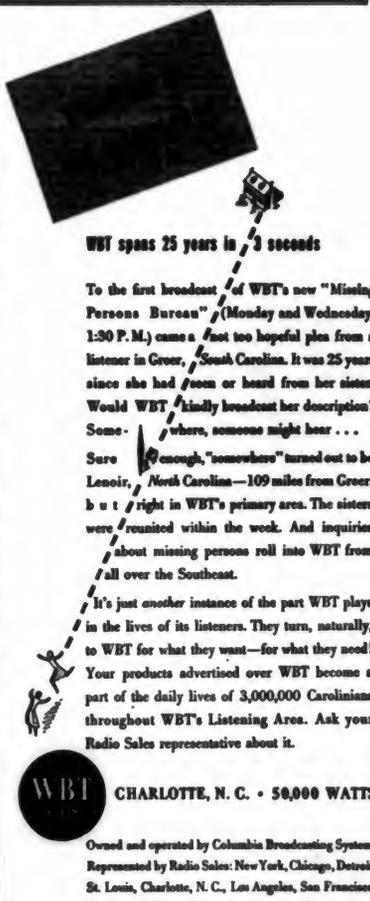
Station	WHAS	2	3	4	5	6	TOTAL
	BLANK	BLANK	BLANK	BLANK	BLANK	BLANK	
HOURS BANKED FIRST	74	39	-	9	1	1	124

These are the findings of Benson & Benson, Inc., of Princeton, N. J., in a personal interview of 12 counties in the prosperous Kentucky Bluegrass, counties rating among the richest agricultural counties in America, located in the WHAS primary listening area.

WHAS

50,000 WATTS
BASIC CBS OUTLET
REPRESENTED NATIONALLY BY EDWARD FERRY & CO.
Owned and Operated by
The Courier-Journal
THE LOUISVILLE TIMES

Ask the WHAS representative to show you the detailed brochures of the Benson & Benson survey...



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 spot 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.

Inside Stuff—Music

On the Upbeat

RECORD REVIEWS

Oscar Levant's book, "A Smattering of Ignorance" (92; Doubleday-Dorson) puts off some old songs in a most unbecoming manner. He brushes off some of the studio music cases quite unceremoniously and manifests, amidst the casual humor and a generally bright style, that the Max Baucus-Harris-Chapin stable of tunesmiths (with a Broadway background) command his greater respect than the soundfilm-cultured music artists.

"Soldiers," "Mood India," "Sophisticated Lady" and "Stormy Weather," possibly a quartet of Duke Ellington's strongest arrangements, are the tunes that his band is playing for four sides still due Columbia Records under the contract between them which expired Feb. 22. Ellington subsequently switched to the higher priced Victor label.

Platters will be released in about five weeks or just in time to compete with Ellington's first sides made for Victor. In short, four faces at 80c a copy will be bucking whatever Victor issues for 75c.

"Woodpecker's Song," which is rapidly gaining novelty popularity, was written in Italy under the title "Reginella Campagnola" by E. D. DiLazaro and C. Bruno Di Lazaro. It was recorded in France by the Czechoslovakian band of Will Glahn, which originally brought "Beer Barri Polka" to attention. Harold Adamson wrote the English lyric.

Kate Smith was forced to do the tune two successive broadcasts because of the demand for it following the first, and it is recording it for Columbia. Glenn Miller on Basie and Andrews Sisters on Decca have also done Robbins music is publishing.

Shapiro, Bernstein & Co., which recently acquired the full copyright reversion to "My Melancholy Baby" from Mercer & Morris, will split the royalty payments three ways. Miss Barrett will get a half, his former wife, Marybelle K. Bergmann, a quarter, and the heirs of George A. Norton, the remaining quarter. Mrs. Bergmann and Norton will be credited on the title page hereafter as co-writers of the lyric.

Arrangement settles a suit which Mrs. Bergmann brought on 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.

Barbers on Parade: There can't be much that can be done about it but many band breadcasts are knocked out of kilter by extremely noisy parties of rooms from which the crowd's air flows off in some 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 W.A.T., New Jersey, at 3 a. m. Monday (2). . . . Dorsey's band got up with a neat writing of "Sixties" in its earlier remote from Meadowbrook. . . . Leonard Kastle's violin and band come up with some nice stuff and make good listening. . . . Something different in the "Rock-Relax, gravel-drenched singer with Jan Gardner doing "When You Walk Upon a Star," and other tunes along the line usually reserved for higher pitch singers. . . . Francis Craig's "Devil Dance" is a brisk writing.

Speaking of pictures: Imagine the facial expressions in the howling and eating lines at Stan Hoar's nightgown scene about those "utterly lovely breath-taking hair" from two to three. . . . Just as you brace yourself for that hot brass George Hamilton double-bass solo with "I Was With You" by following it in with. . . . A welcome switch. . . . Phil Harris' pling, tinnily still on his late hour comedian, but a tendency to repeat, or hang, seems to be going on. . . . In case you don't realize, just now good in Tommy Dorsey's rendition of "Indian Summer" (there's a lyric, man), be sure and listen to some of those other trombonists squeeze it into a lesson.

Xavier Cugat headed for Statler Hotel, Detroit, opening March 24. Now at Chase Hotel, St. Louis.

Beak O'Brien, Chicago bandleader, is a distributor for Waukena Waters, charged water outfit, and a record reviewer for Tavern Weekly News, on the side.

Vincent Lopez and Don Redman recorded the "Tale" and "Kiss of the Wind" for Victor and Bluebird, respectively.

Bill Kemp orchestra act into the Empire Room of Palmer House, opening March 21. Also on the show will be George Ray, Roy Benson and Roy Davis, in addition to regular Morris Abbott dancers.

Karl Traversi's WCAE Airliners, fronted by Stewart Braden, vocal alumnus of former Duke Ellington, into Bill Green's Carina, Pittsburgh, Monday (26) for two-week run, replacing Howard Baum outfit.

Carmen Medina, pianist with Peppy's, is being taken to New York, Pittsburgh, by Max Adkins, conductor of Stanley theatre orchestra that is success to Mike Sarno at keyboard.

Organist Johnny Mitchell looked into Club Pittsburgh's offer to run to provide music at dinner and between dance sessions at supper.

Marcelo Spinney into Stanley theatre, Pittsburgh, week of March 4, and his brother, Phil Spinney, follows him in fortnight later.

Stanley Kroll replaces Steve Ward on some George Strava's Vic Eddie Sheerer, sax, and Bob Adams, who comes from Don Bestor's band, takes Harry Gray's trombone chair with Johnny McGehee band when it pulls into the Strand theatre, N. Y., March 4. Milton Deutsch has become McGehee's road manager. Cecil Goff replaces McGehee at Donnor's, Mountain View, N. J., March 4.

Don Ladino, sax, and Bob Bivona, sax, out of Detroit, are playing replacements yet. Powell's outfit will change to a more sweet style.

Ed Sheerer band, now at Monte Carlo, N. Y., signed for Columbia Records. Cut first four sides last week. There has never been an air record before.

Tom Foster band set for a stretch at Barney Rapp's spot in Cincinnati, opening either March 3 or 4. First stand with a wife for the new band.

Harry James may sit down for a stretch at Blue Gardens, Armonk, N. Y., McFarland Turin current.

Jack Crawford into Plantation Palm Club, Dallas.

Jimmy Stewart's crew, ex of tipped Ciro Club at Dallas, in at White Rock Show, same city.

Warren Harrison, violinist, added to Jack Lee's orchestra at Eighth Avenue Club, Dallas.

Bobby Cook, trompeter from Bobby Byrne's band, replaces Eddie Wade with Bob Crosby.

Wino Barrow may shift from the Edison hotel, N. Y., to the Blackhawk hotel, Chicago.

Ray Foster, who recalled for the defunct Georgia Auld band, replaces Eddie Cooper with Tony Pastor's outfit.

Al DeBussche goes into the Brunswick hotel, Boston, March 22-April 2.

Bob Burke, whose tag is "Ole Tomcat of the Keys," calls his vocalist "The Cat's Canary."

By James's new crew will have its first showing at the Hotel Lincoln, N. Y., within next two weeks as second night relief for Charlie Barnet.

Brooklyn Goodman "Opus Loud 800" "Blasphem' Applin" (Columbia 23282). Two good originals but both seem to be in capable of "800," an original salute to the N. Y. musicians local, in a lightly arranged piece played at a moving tempo. Clarinet, trumpet and sax have breaks standard. "Applin" has more pep and is supplied with an okay piano solo in addition to sax clarinet and trumpet.

Johnny Green "Body and Soul" "Out of Nowhere" (Royal 1233). Two smoothly recorded sides colorfully arranged and well played. "Soul" is Green's own composition and he treats it with listenable planning almost all the way through. Strings and solo have been his efforts and an okay vocal by Lourene. "Nowhere," another standard, receives similar treatment again highlighting Lopez's piano and a Jack Smith vocal.

Vincent Lopez, "Nola" "How Many Times" (Bluebird 10691). Lopez's planning of his theme, which occupies most of the side, assures a healthy response. Band is no more than a background fill tale, when it shows up okay, a sax bit being highlighted. "Nola" shows the band at a less speedy pace interpreting a standard. It's a good side playing to a brisk sax break and a smooth vocal by Peppy Parker.

Charlie Barnet "Comanche War Dance" "Fugally" at "Fugally" (Bluebird 10690). "War Dance" is supposed to be the standard side here but "Fugally" overshadows it for punch. It's a slow tempo original with a fine sax break standing out over solid background ensemble. Clarinet and trumpet solo add. "War Dance" is almost all drum work by TOM Lennon and accompanied party by ensemble out of which stands another sax by Barnet.

Jack Benny "City Night" "I Walk Alone" (Vocalion 3234). Two strong numbers smoothly arranged and played that each an after a recent playing. "Night" is almost all fine tromboning by Johnny nap by smooth Sherman vocal. It is dirge tempo. "Alone" is standing out as such a good contrast. It has, however, a shade more pep and a Meredith Blake vocal that sets it off.

Joe Smith, "Kansas City Blues" "Tuxedo Junction" (Decca 1928). Two good jobs on outright swing stuff. "Blues" is an unusual arrangement, but limited in appeal because of its wildness. There's no less than five breaks—piano, sax, trumpet, trombone and guitar to follow. "Tuxedo" is a mappy writing of that Erskine Hawkins original. It's played at an easy pace, highlighting trumpet, trombone and sax breaks.

Al DeBussche "Rock Me" "Tempest" (Vocalion 3234). DeBussche's reworked band does up brightly on "Rock." It has a lively punch smartly arranged and clearly recorded. Sax and clarinet solo add in the whole played with a comfortable bow. Paula Kelly vocal has a smooth hit. "Tempest" arrangement improves as it goes along, bringing in snappy trumpet and clarinet breaks. It's well played.

Andy Lee "Sand" "Fus Mele O Hawaii" (Columbia 23207). "Fus" is a soothing piece in full tempo with vocal guitar breaks and a good ensemble chorus spearheaded by Gary Sperry. It's got more smooth pep and punch than the reverse "Sand," which is sharply clear string solo but an ensemble chorus of the vocal, not as well done, obscuring the major portion of the side.

Tom Foster "Waiting the Clerk" "Share with a Dolly" (Bluebird 10692). First release by Foster's new band doesn't reveal anything startling although both sides are well played and arranged. "Dolly" hasn't much punch, but is fairly energetic of a Foster solo sax solo. But a fairly speedy ensemble. "Clerk" is slower tempo, pointing up sax team in early turn and another Foster sax solo later. Eloise Cooper easily leads vocal.

The Nation's Newest Novelty Clerk!

"66 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
PAVANE
—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 Craze
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.

I WAS WITH YOU
BIGGER EVEN THAN "RANCHO GRANDE"
AMERICAN SONGS
VICTOR H. BENSON • GRAM PHONO

Two Cute Novelties and Two Luring Waltzes
I Was Watching A Man Paint A Fence
Played by Clyde McCoy on Duane Record No. 1002

Kissy Face
New Baby Standard
Buckwheat

EDWARD B. MARKS MUSIC CORPORATION
RCA BUILDING • RADIO CITY • NEW YORK
LEAH HEN

NICK AND CHARLES KENNY'S NEW COAST TO COAST RADIO HIT!
LEANIN' ON THE OLE TOP RAIL
NEW PEPPER • NEW YORK • NEW YORK • HARRINGTON • PINE BLUFF • LON MOORE • PINE MOUNTAIN

Contest Seeks to Stimulate Public Attendance, Patronage of Com Discs

Chicago, Feb. 27. In a drive for increased attendance at taverns, restaurants, etc. and, incidentally, more money for the copyrighted phonograph, the International Association of Electric Phonograph Owners is conducting a monthly prize contest.

Phonograph owners' association will give away \$500 in monthly prizes for the best names submitted for an entitled, lyrics song which will be heard only on the coin machine.

Jack Russell orchestra will make the recordings through Victor, which will be the only prize. The song will be closed under the winning title.

Contest set to run six months for a year, and will certainly be continued beyond that period should the contest catch on. The contest is being handled through E. C. Steffen, president of the IAEPO here.

ED KNOTHOLE BAND PROTESTED BY LABOR

Indianapolis, Feb. 27. Indianapolis Musicians Local No. 3 and 125 youngsters comprising a "KnotHole Band" which has played ball barrel games in Perry Stadium got into a labor dispute last week over the "Hammerhead" security, asserted that the free appearance of the mopet band was unfair to labor, and if the management of the Perry Park project were to let the mopeters to play in the park the stadium would be placed on the "un-tilted" list.

Opposing the union ruling are 125 parents and youngsters who want the stadium to be a place where the "Hammerhead" is, according to Herman Rinne, band director of the "Hammerhead" said that he had protested the appearance of the "KnotHole Band" to stadium officials several years ago, but had never seen the case.

Bunny Berigan Back With Tommy Dorsey

Bunny Berigan has given up his bid to take a place in the trumpet section of the Tommy Dorsey band. He will step into the first trumpet position vacated by Erbe Sunday (12). Dorsey is currently at Newburgh, Colo. Guyon, N. J. and goes into the Paramount theatre, N. Y., March 13.

Berigan recently refused to cut Dorsey, he gives up after a hospital stay.

Artie Shaw

Continued from page 1.

All company on the idea of using 45 daytimes quarters, but was given a weekly evening half-hour program.

Artie Shaw's original recording contract calling for \$1,000 a side is being fulfilled by his exit and return to the band business. Figures below are along with the royalty agreement, 8% of the retail price of his records, the six 10" sides, four 7" sides in Los Angeles, March 4. Including these six, the leader has 13 months more of 45% royalty on the contract expires March 14, 1941.

According to letters Shaw has written to some of the men from the old band he intends staying on the coast permanently and do nothing "recording, pictures and possibly touring." Letters list 10 sides, four rhythm, five sax, and four woodwind, all on his instrumentation.

Shaw's 45% royalty on the 35-Week disk figures 7.7; if on the M. Victor label, it comes to 8.

Charley Spector's new band follows Glenn Miller's band six days later. Glenn will play the Pennsylvania Hotel while Miller plays the New York Paramount where he plays today (Wednesday). Spector will be replacing Miller on the latter's three broadcast nights.

Pancho Diverce Pends

Lansing, Feb. 27. Hiding behind Adolph Bernstein is Pancho, maestro at La Martinique, swank New York society, who is being sued for divorce by Mary Coyte (Baquey). She was a Ziegfeld chorister.

Charles Bernstein, who wants separate maintenance from the band-leader.

Ruinous Curfew's Narrow Escape In Michigan

Detroit, Feb. 27. Dance bands and entertainers had narrow escape here from being out of town spots that give thousands of them work, particularly in the summer resort areas.

Lawrence Wolf, Michigan Liquor Control Commission, which has plenty of power, was appointed by Loren Deckhouse, long a major worker in the Prohibition cause and former Anti-Saloon leader.

Most forget that Michigan's Liquor Control Commission, which has plenty of power, was appointed by Loren Deckhouse, long a major worker in the Prohibition cause and former Anti-Saloon leader.

Midnight closings not only would have put the pinch on Detroit nightlife, which support more than a dozen bands and hundreds of entertainers, but would have wiped out hundreds of similar employment opportunities in Michigan, particularly in the summer when the resort centers go big-time. There isn't enough profit between 8 p.m. and midnight to support bands or entertainers. They couldn't crowd their way into support entertainment in four hours' playing time. Most of them said that with an early closing they could still have a throw in the sponge.

Last week the Commission decided to prevent to let the 2 a.m. law go. "Although the matter was debated extensively," Orrin A. DeLoach, Michigan Liquor Control Commission, "there seems to be no overwhelming sentiment for the early closing."

Berthoff had asked for the earlier closing on the grounds that it would make enforcement of liquor regulations easier.

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Week at Karver Theaters Chicago, Feb. 27. Lawrence Wolf orchestra comes to the Andrew Karver theaters, 3500 Truxton for six weeks starting March 23.

Replaces the current Jack McLean orchestra.

Eddie Howard on Own

Chicago, Feb. 27. Dick Jurgens readying a replacement for Eddie Howard as vocalist for the Eddie Howard orchestra. Jurgens the band to devote time to a couple of other commercial shows.

Understand that Jurgens is particularly interested in Harry Glenn Cool.

Crosby's Coast Dates

Hollywood, Feb. 27. Bob Crosby draws the Catalina deb for the annual washup, opening six-week stand with his crew Aug. 11. Kay Kyser opens the Island resort season.

PLUG HYSTERIA ISSUE SIMMERS

Question of getting the music publishing industry to agree to the elimination of published musical compositions of most played tunes on the air is slated to come up again in a couple weeks at a general meeting of the membership in the Music Publishers Protective Association. It is expected that the publishers now on southern vacations will be back in New York by that time.

Meanwhile an attempt will be made through the MPFA to induce the American Tobacco Co. to desist from giving numerical rating to the current tunes played on its Lucky Strike and Parson's Walter Douglas, MPFA chairman, will make the approach. He will point out to ATC officials the disrupting effect that the company's system of rating has on the exploitation and merchandising of sheet music and urge that the program play the 10 hit songs of the week with designating their relative standings on the list.

Idea of getting the papers to drop advertising for the RCA Victor plug was initiated by the entertainers' union. Main object of this move was to do away with the pet-nail drives among publishers to get their numbers to the top of such list, even though the sheet sales possibilities of the RCA plug are great. RCA Victor has an option for another year to make 48 records for him. One of the clauses of the contract forbade Miller from recording for anyone else during the duration of the contract. On April 27, 1939 Oberstein's agents Miller signed a contract with RCA to make 36 recordings during the same time he was under contract to the Victor. As a result of this violation of the duty and loyalty which he owed to his employer, RCA contends that Oberstein, in failing to register, negotiated with orchestras under contract to RCA, to secure them for himself.

GOODMAN'S SCIATICA BOTHERING HIM A LOT

Chicago, Feb. 27. Benny Goodman is currently at Chicago here, is working out a new difficulty, an attack of sciatica giving him much pain.

It was decided to cancel bookings made for him by CCA in Daytonport, Cedar Rapids and Omaha. Goodman will go direct to the Coast, where the climate is more suitable for a cure.

He is slated to open at the Christie Grove in Atlantic, March 19.

Al Tucker Elopes

St. Louis, Feb. 27. Al Tucker, orchestra leader and Vivian Karp Uyeida, 17, eloped and were married last week at Cuba, Mo. The addition to the band of Tucker and his young bride departed for a Florida honeymoon before going to Chicago where Tucker has an engagement.

Miss Uyeida, non-pro, met Tucker when his orchestra was playing an engagement at the Club Club, west end nightery, several months ago.

Jury Awards \$500 to Publisher, Brushes Aside Leader's 'Plug Payola' Defense

Disney With Drives

Editor, VARIETY: This may tend you a laugh: I had just finished reading VARIETY's story that the "show" and "driver" would soon be eliminated. Amid loud huzzahs, I explained to my audience what as a result the tunes from Walt Disney's "Pinocchio," which was published, will be longer-lived, and so will I.

There came a knock at the door. It was the milk man. He had a "special" today, cottage cheese in glass jars decorated with characters from "Pinocchio" and I didn't need any cheese. Something, he pleaded that his run was conducted a year ago on this week and if he didn't make a good showing, he would lose his job.

We bought two jars.

Harry Paul, (Manager, Irving Berlin, Inc.)

RCA Victor Challenges Oberstein

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U. of P., Temple 64-5 Sweet

Philadelphia, Feb. 27. The cast and the all-star set of the University of Pennsylvania and Temple University. The report is part of the Student Council's annual report to the University of Texas. The vote showed that 64% of the student body here, who local cast preferred sweet over sour; 25% favored sweeter, while 1% favored "other care for other" on their ballots.

Bands at the Box Office

(Presented herewith, as a weekly tabulation, is the estimated cover charge business being done by many bands in various New York hotels. Spots listed are only where the band is the main attraction for supper, dinner business (7-10 P.M.) rated. Figures after name of hotel give room capacity and cover charge. Larger amount designates weekend and holiday price.)

Band	Hotel	Rooms Played	Covers Past Week	Total Covers On Date
Charlie Barnett	Lincoln (225; 75c-\$1.50)	2	850	1,650
Bob Crosby	New Yorker (400; 75c-\$1.50)	7	1,275	8,875
Everett Hingland	Waldorf (Empire) (400; 75c-\$1.50)	8	575	6,325
Sammy Kaye	Commodore (400; 75c-\$1.50)	17	1,625	24,225
Henry King	Plaza (350; \$1.50-\$2.50)	6	450	3,000
Frank Marzetti	Knox (400; \$1-\$1.50)	6	425	1,275
Frank Marzetti	Lexington (300; 75c-\$1.50)	6	1,500	7,900
Glenn Miller	Pennsylvania (500; 75c-\$1.50)	7	2,100	12,725

Band Reviews

MERRY BALL ORCHESTRA (11)
 Harry Ball, Conductor, Johnny Cook, Tony Patton, Fred Harrison
 ...
 ...
 ...

could be clipped. Says Glen Gray has his "Swing Serenade" and that ...
 ...
 ...

DICK JURGENS (14)
 Wally Edits Howard
 ...
 ...
 ...

Jurgens seems a coming but in the orchestra business. He is young, so ...
 ...
 ...

REX SHEPHERD'S BAND (8)
 Rex Shepher, New York
 ...
 ...
 ...

Shepher has been known as a pianist-arranger along Raymond Scott lines, also a pianist. Only a couple ...
 ...
 ...

BOB CHESTER (11)
 Bob Chester, Newark, N. J.
 ...
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 ...

Bob Chester, Newark, N. J., is a pianist-arranger along Raymond Scott lines, also a pianist. Only a couple ...
 ...
 ...

WEDDY KING (11)
 Weddy King, Newark, N. J.
 ...
 ...
 ...

Weddy King, Newark, N. J., is a pianist-arranger along Raymond Scott lines, also a pianist. Only a couple ...
 ...
 ...

JOHNNY MCCOY (23)
 Johnny McCoy, Newark, N. J.
 ...
 ...
 ...

Johnny McCoy, Newark, N. J., is a pianist-arranger along Raymond Scott lines, also a pianist. Only a couple ...
 ...
 ...

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 ...
 ...

British Best Sellers (Week Ending Feb. 3)

- '18 Coat. Drawing Room, U. S.
- 'Somewhere in France', Eng.
- 'Centerbrain', U. S.
- 'Till Paradise For You', Eng.
- 'Oh Johnny', U. S.
- 'Snoozing Children', Eng.
- 'Goodnight Sally', Eng.
- 'Faithful Forever', U. S.
- 'Always Be England', Eng.
- 'We'll Meet Again', Eng.
- 'I Shall Be Waiting', Eng.
- 'Till Remember', Eng.

Kirby of N.A.B. Writes Piece for Govt. Bulletin and Some Eyebrows Go Up

HARRY LINK TO L. A.

Harry Link, general manager of Los Angeles, Calif., led by him for Hollywood Monday (28) with a portfolio of songs for possible placement in Metro musicals. Later included the next Harry Family edition, "Strike Up the Band" and "Argentina." It will be about two weeks.

Link took along with him a checker spunked pop for John Blumfeld and Dick Powell. It was a gift from Bob Stevens, of Decca Record Co., who last summer promised Powell one out of the mother peach's next list.

Jack Robbins, head of the Metro-Burbank music group, returned today (Wed.) from a Havana vacation.

Washington, Feb. 27. Appearance of a piece written by Edward M. Kirby, public relations expert of the National Association of Broadcasters, in the monthly bulletin of the Federal Radio Education Committee caused raised eyebrows in Broadcast Music, Inc., interpreted as an official slap at ASCAP. Kirby's article—bearing the lead, "Broadcasters Four, Industry One Broadcast Music, Inc.," "Right ASCAP"—was given the lead place on page one of the Government bulletin.

Consistent with the play given Broadcast Music, Inc.; "Right ASCAP" announced that \$1,193,607 had been paid in to the new music pool and that 360 stations have signed on the dotted line. Confidence expressed that the total of \$1,500,000 which NAB expects to launch its rival organization will be reached within a few days.

In its weekly report, NAB stated that much activity had been observed in Broadcast Music, Inc., during the week. In addition to the 360 stations which have already not checked, 113 transmitters have indicated approval of the project and receipt of their contributions in full. The NAB fund to \$1,250,000 NAB declared.

Appealing to broadcasters whose cooperation is needed to make the enterprise a going concern, industry organization declared:

"The success of BMI depends to a large extent upon the support it receives from the industry. The 200 stations by subscribing for \$1,193,607 have more than met our minimum requirements but after examining the list of stations we believe our ultimate goal of 400-station subscribing \$1,500,000 is easily within reach if those who have not as yet met in they check will do so eventually."

SANTLEY DROPS STASNY DEAL

Deal for Joe (Banjo) Santley to take over the Stasny Music Co. has gone cold. The transaction was to involve some outside backing.

It had been Santley's idea to buy the business, which he has had a rating of 40 availability points in the American Society of Composers, Authors and Publishers.

Band Bookings

- Jimmie Lunceford, March 8 Broadway Pier, San Diego, Calif. 8
- Arroyo, March 10, San Bernardino, 10 Shrine Way, Los Angeles, 11-12, Beverly B., Oakland, 12
- Golden State, Cal., 13, Grand Canyon, 15, Aud. Portland, Ore., 16-17, Trison B., Seattle.
- Horace Heidt, March 10, Palace theatre, Aurora, Ill., 17, Coronado theatre, Rockford, Ill., 18, Paramount theatre, South Bend, 20, week, Palace theatre, Cleveland, April 3, week, Palace theatre, Columbus.
- Buddy Rogers, March 7, Capitol theatre, Wilkes-Barre, Pa.
- Woody Herman, March 12, Lyric theatre, Indianapolis.
- Eddy Duchin, March 22, Hippo theatre, Balto., 23, State theatre, Hartford, Conn.
- George Olsen, March 7, Capitol theatre, Scranton, Ill.
- Bob Chester, March 14, Capitol theatre, Wilkes-Barre, 15, Detroit Athletic Club.
- Cal Calloway, March 26, Harmon Club, Savannah, Ga.
- Woody Herman, April 4, U. of Maryland, College Park, Md.
- Johnny McCoy, March 23 and 25, Monroe Temple, Scranton, Pa.; 24, Pettinella's Home, Passaic, N. J.; 26, Commodore hotel, N. Y.; April 3, Joe's Lyric, Newark, N. J.
- Jimmy Dorsey, March 10, Alhambra Grotto, St. Louis.
- Harold Shaw, April 27, Madison A. C., Chicago.
- Duke Ellington, March 10, week, Denver theatre, Denver; April 1, week, Show Box, Seattle.
- George Hall, March 16, New York U. N. Y.
- Ben Bernie, April 6, Ziegfeld Club Ball, Waldorf hotel, N. Y.
- Frank Tomlin, March 12, 10 days, Tuna Town B., St. Louis.
- Teddy Wilson, March 1, Aud. Town, 2, Cotton Club, Dayton; 3, Truxton B., Cleveland; 4-5, Sports Arena B., Bridge, W. Va.; 6, Logan Army, Logan, W. Va.
- Joe's Lyric, March 11, Majestic theatre, Johnstown, Pa.; 12, Uniontown, Pa.; 13, Columbia theatre, Sharon, Pa.; 14, Broadway theatre, Blue, Pa.; 15, Warner theatre, Morgantown, W. Va.

RENEWAL RIGHTS TO 2 SONGS IN THE COURTS

Fred Fisher Music Co., Inc., Mills Music and George Graff, Jr., filed suit in Federal court Saturday (25) to the suit by Witmark which seeks an accounting of profits for the alleged unlawful publication of "Till the Bands of the Desert Goodbye" and "Goodbye, My Love, Goodbye."

The defendants claimed that the copyright was secured on both songs by Witmark in 1911, but the copyright ran out in 1930, and Graff, one of the authors, secured a renewal and granted the defendant publishing rights. It is asserted that only an author can secure renewal rights, and that Witmark, not the defendants, has been guilty of illegal publication. A decree declaring that the songs are public domain, with an injunction and \$500 damages per infringement against the plaintiff are sought.

BUFFALO MEDICAL FUND BENEFIT NETTED \$3,500

Buffalo, Feb. 27. Medical fund of Buffalo Musicians Union netted an estimated \$3,500 from third annual "parade of bands" in Broadway Auditorium Wednesday (23). Some 10,000 donors paid 50c each to watch 19 bands perform in 30-minute intervals from 7:30 p. m. to 3 a. m.

The fund included Jan Savitt, Paul Fenner and Johnny Long, sitting local donors.

Carmen Lombardo's Spill

Hollywood, Feb. 27. Carmen Lombardo got bounced off a sag at Palm Springs on Sunday (22) and had 10 stitches taken in his noggin. Next night, at the Coconut Grove, he injured the song he had just written in the publication of rhythm on "It's tagged: 'What Hit Me?'"

STANDARD—AND A CURRENT HIT "TO YOU SWEETHEART ALOHA"

By HARRY OWEN (writer of "Sweet Lullaby")

BAXIE DOWELL'S SUCCESSOR TO 'FISHIES' "PLAYMATES"

A Delightful Novelty—with Plenty of Soap
 SANTLY-JOY-SELECT, 1619 Broadway, New York

SING IT—PLAY IT—YOU'LL LOVE THIS GRAND BALLAD

THE SING-ING HILLS

THE SING-ING HILLS (mm mm) are sing-ing to - night (mm mm).

WOLFEWOOD - CHICAGO - SAN FRANCISCO SANTLY-JOY-SELECT - 1619 BROADWAY, NEW YORK CINCINNATI - DENTON - CLEVELAND

IT KASE

(KASSEL IN THE AIR)

NOW STATE LAKE, CHICAGO

RETURNING APRIL 2, BISMARCK HOTEL, CHICAGO

Joeany Long and Lew Porter sold their song, "In Frairie Prairie Land," to Edward Finney for a Tex Ritter version in Monogram.

San Antonio Cafe Op In Drive to Hit Music Setup, Seeks to Curb ASCAP

San Antonio, Feb. 27. J. N. Crasnikow, owner and operator of the Glenside Cafeteria, states he is trying to start a petition to Congress to confine some of the features of the Copyright Act and others interested in trying to change the present setup of the copyright laws. His general 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 slight spot owners with the representatives of that organization and he believes that a concerted action will bring results.

Morgan Dancers Return To Palm In Casino, Miami
 Stuart Morgan dancers, who only recently closed a four-week stay at the Palm Island Casino, Miami, have been rebuked for two more weeks. The adagio quartet responds at the club tomorrow (Thursday).

'CHANGE HELLZAPIRE' TITLE PENDING TRIAL

Pending trial to determine Olson and Johnson's claim, the suit to change the title of "Fandango" will use the title of "Fandango" instead. It's a thing of course, but opens with the substitute monicker tomorrow (Thursday) at the Capitol, Wilkes-Barre, Pa. for three days.

Olson used the name and its owner, Al Borda, of Chicago, and Benny Moroff, claiming the title was unfair competition to their "Fandango" revue currently at the Wintergarden, N. Y. Borda and Moroff, through Attorney E. Robert Broder, are suing the club, but a temporary injunction was handed down in N.Y. supreme court. Last week O. & J. sued to stop the pending trial.

Saranac Lake By Huggy Banewy

Saranac, N. Y., Feb. 27. A. B. (Tony) Anderson, agent of a N. Y. specialist regarding his gram, back on the job with his under-pins in a cast.

John Thomas mulling the gang at Lake Placid between chats during the two-day Sun-Blue-Snow northern New York convention.

The Ed Ridge, in Florida the past few weeks, are back here enjoying mild spring weather and arranging the reopening of the Florida military.

Ray Gustler here for checkup and vacation.

Among those stranded for that long locked-for "no-honey" stay are Samuel Putnam, Dorothy Meacham, Carrie Meahan, Eddie McDonald, 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-out-and exercise. He's a spring time baby for that go-home routine.

Into the hands of the publisher table that new ballad written by two Will Rogerses, Eddie Dowd and Their Camera, "A Little Cottage For Two."

Write to them who are ill.

YACHT CLUB'S CLICK PITTS'S BIG SURPRISE

Pittsburgh, Feb. 27. Talk of taking in military circles is big click of Yacht Club this winter after number of different management had failed miserably to put old Show Boat across. Spot never got back on its feet after 1929 when it was sold to the owners. The club's name and name entertaining cafe, it was raided by police and shut down. For a year or more the club has been successively, among them Freda Papp, now operating Plaza club, and Miss Margaret, ex-manager of Old Shay Gardens currently, with each taking lot of coin into it and losing their shirts. Month ago, against advice of everybody, Bill Heller, with no previous experience in running club, was given a 100-day trial look over the lease, re-located it a bit, changed the name to the Yacht Club and have been posting losses.

Figured at first just a flash in the pan, due to improper figures supplied by Jack Heller, co-owner's brother, and all-star name show he recruited to guarantee the last four months.

Harlem Apollo Gives in Quick To AGVA's Call

After a one-day strike, AGVA signed a contract Sunday night with the management of the Apollo theatre, Harlem, N. Y. Agreement, effective at once and expiring at the end of the season, provides for a wage minimum for principals, \$50 for chorus, plus various regulations for the rest of the company.

Sirika was called just before the first show Saturday night (24) and the members of the chorus had to catch a cold.

It was a real setback, but with a heavy pocket line in front of the h.e., attendance fell sharply. Reported a couple of performances were missed entirely, the management running the picture inside.

New rate of \$30 for chorus members is a gain 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 work-out of the week.

Following a brief get-together last Friday (25) with Irving Lester, rep. negotiating the Revue, the AGVA negotiating committee agreed to postpone further motions regarding salary.

Members of the AGVA committee that conferred with Lester include: Hoyt Haddock, AGVA executive secretary; Florence Marston, of the Actors Guild; Robert B. Bond, of Equity and Chorus Equity, and Jo Tunga, of the American Federation of Radio Artists.

The other union's reps on the AGVA committee is regarded as evidence that the Associated Actors and Artists of America affiliated will actively co-operate in "v" vaudeville negotiations.

The parent union has asked the affiliates to give such support, but the boards haven't had time to act on the matter.

State-Lake Sets Names

Chicago, Feb. 27. Nat. Plant, booking manager for Balaban & Katz, has set directed headlines for the State-Lake, starting with Jimmy Dursey's orch work of March 1.

Edgar Kennedy comes in March 8. Edmund Low on March 15. Buddy Rogers on March 22 and Little Jack Little's band March 29.

Dante Putting Up His Tricks, But Sees Magic Coming Out of Blackout

Dot Stone-Collins Date In L. A. Stayed 2 Wks.

Los Angeles, Feb. 27. Dorothy Stone and Charles Collins (Dot and Mrs.) have had their date at the Coconut Grove here extended from four to six weeks. Their window here will now be March 18.

Hollywood, Feb. 27.

Dante the magician, after his fourth world tour, is putting up his tricks and going into retirement. His building is home at Riverside, on the corner of Hill and Olive. He is in the black art, but no magic across the waterway again. A farewell, perhaps, in this country if the Hill Theatre is lost.

CLEVE. CAFE OF WINS SUBURBAN NIX ROW

Cleveland, Feb. 27. Chester D. Brennan last week finally won long legal action against East Cleveland, which has been trying to shut his military, the only one in the residential suburb, for the last four months.

Operator was granted a state military permit last Nov. 1, spent \$2,000 on remodeling and had secured a court battle before Erie suburb's City Manager Charles A. Carron returned to give him city council approval. Brennan was also allowed through closing neighborhood in the residential suburb. Judge, who ruled that new zoning ordinance could not be retroactive and that suburb could not enforce rights accorded Brennan by state.

15 YEARS AGO (From Variety)

Though legit managers had been known to lift entire casts from shows for the most part, the Hagenbeck-Wallace's adoption of the Al C. Barnes unit, with a couple of extra members, was the first time that it happened in the circuit field.

Because it was a "fresh" act, the minutes was staying Violet and Daisy Hilton, the Siamese Twins, for vaude. Only good for the name honor. Kotik's said, though the girls holding Jack Druepy's record at the Loew's State, Newark, N. J.

Joe Kono and Bozie Green had the best act of their careers. They were doing a travesty, singing and dancing in their new turn which they were trying out at the Riverside, N. Y.

Picture companies were having trouble casting lead parts, and the result was that agents were recurring the need to dig up the players. Independent firms were the biggest sufferers.

Warners charged Famous Players and Metro with collusion, and that led to the vaudeville outfit of Joe 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
 at the prospects and curfew restrictions are expected to be lifted during the convention. Railroad officials have announced they will run special excursion trains from the Big Ten stations, within the scope of Convention Hall, to the Fair Grounds.

There will be about 2,000 delegates and 10,000 spectators. There are expected friends. At least 25,000 political workers are expected in addition. Visitors that normally attend convention cities are expected to swell the total of out-of-towners up to the 1,000,000 mark.

1 Dallas Nitory Closes; Big Plans for Others

Dallas, Feb. 27. After a short career, City's 2nd new nitory here, has been opened. Meanwhile, plans were discussed last week for remodeling Peacock Terrace atop the Baker hotel, to form a new suburban spot by Nick DeGeorge and associates; a second suburban spot by the same group; an outdoor dancing pavilion for the White Rock Showboat; and the enlarging of the Plantation Club to 2.50 capacity.

TROC GOES DARK

Los Angeles, Feb. 27. Travender shuttered until April 1 at the J. B. Stetson hotel, leaving four name attractions for the summer.

Understood Al Lyman and his crew will be featured during the auto on parade.

Second cannily among the nities is to be in Rosevelt hotel's Blossom Room until October.

Best Coffee in England QUALITY INN

Lancaster, WEST-END LONDON, SEVENTH ROAD

The THEATRE OF THE STARS



BOOKING AGENCY
GENERAL EXECUTIVE OFFICES
LOEW BLDG. ANNEX
 160 WEST 46TH ST. NEW YORK
 Beyond 9-7800

J. H. LUBIN
 GENERAL MANAGER
SIDNEY H. PIERMONT
 BOOKING MANAGER

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SIBYL BOWAN
 STRAND THEATRE - NEW YORK - MAR. 1

STRAND, N. Y.

Yummy Turkey Ome (15), with...
Cherie Rand, Kerwin...
Ben Youn's New York...

With the highly capitalized Tur...
film as a potent hit, here, the...
words needs little in the way of...

From a long stand at Murray's...
Turkish band (band...
Theater from the former, and in...

Though previous reviews of the...
revue in this show, the...
and night club, present revue has...

As usual, Grandstand opens by...
coming out into audience to get ac...
knowing just what to expect, it's...

There hasn't been any change in...
the touring band, but there's a...
through her film star bit is a in...

OLYMPIA, MIAMI

Miami, Feb. 28.
Cros and Dunn, Jane Puckett, Aris...

Current bill offering a quintet of...
standard acts headlined by Cros and...
able to deliver any telling punches...

A good dancer, Gary Leon is out...
of them in the introductory act, but...
and going overboard on the let's...

PARAMOUNT, L. A.

Lois Ayler, Feb. 28.
Arthur Goday & Wife, Frank...
Kevins & Delores, Danny De...

Arthur Goday, the Chelsea singer...
who not only played 19 records...

LYRIC, INDLPS.

Indianapolis, Feb. 28.
N. Y. G's 'Windy City' with...
Diamond Rose, Sylvia McKay,...

Though previous reviews of the...
revue in this show, the...
and night club, present revue has...

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the touring band, but there's a...
through her film star bit is a in...

FAY'S, PHILLY

Philadelphia, Feb. 28.
Edith Rogers Dabb, Meador De...
The Huberts (2), Bryant, Raina...

Edith Rogers Dabb, the blonde...
whose face and figure, showing re...
General France, are believed to have...

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and going overboard on the let's...

ORPHEUM, MPLS.

Minneapolis, Feb. 28.
Capt. John W. Tabor's 'Sailor's...
Six Hoop, Gil Lewis (2),...

This is straight vaudeville with...
the min and with the house orchestra...

FLATBUSH, B'KLN

B'klyn, Feb. 28.
Lenny Kagan, The Debonairs (2),...

Bright spots on the show are the...
The 'Hot' acts, who do a...
and had to beg away. They're still...

FLATBUSH, B'KLN

B'klyn, Feb. 28.
Lenny Kagan, The Debonairs (2),...

The four Dead Enders are their...
recruiting, which contains a number...

EMBASSY, N. Y.

New York, Feb. 28.
Lenny Kagan, The Debonairs (2),...

It looks like the new recruits are...
verging back to the silent. On the...

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It looks like the new recruits are...
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STATE-LAKE, CHI

Chicago, Feb. 28.
Art Kassel O'Prey (13) with Merion...

State-Lake has a great opportunity...
that is his former job to travel...

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Variety Bills

NEXT WEEK (March 1)
THIS WEEK (February 23)

Numbers in connection with bills below indicate opening day of show, whether full or split engagement.

Low

NEW YORK CITY
 Hays (1) Richard Hinton
 Hays & Hays
 Hays & Hays
 Hays & Hays
 Hays & Hays

WASHINGTON
 Hays & Hays
 Hays & Hays
 Hays & Hays
 Hays & Hays

Paramount

NEW YORK CITY
 Hays (1) Richard Hinton
 Hays & Hays
 Hays & Hays
 Hays & Hays
 Hays & Hays

WASHINGTON
 Hays & Hays
 Hays & Hays
 Hays & Hays
 Hays & Hays

DICK, DON AND DINAH

JOHN GALLUS
 LOU'S STAY, NEW YORK
VIA
 MARK J. LEDDY

RKO

NEW YORK CITY
 Hays (1) Richard Hinton
 Hays & Hays
 Hays & Hays
 Hays & Hays
 Hays & Hays

Warner

NEW YORK CITY
 Hays (1) Richard Hinton
 Hays & Hays
 Hays & Hays
 Hays & Hays
 Hays & Hays

WASHINGTON
 Hays & Hays
 Hays & Hays
 Hays & Hays
 Hays & Hays

Independent

NEW YORK CITY
 Hays (1) Richard Hinton
 Hays & Hays
 Hays & Hays
 Hays & Hays
 Hays & Hays

WASHINGTON
 Hays & Hays
 Hays & Hays
 Hays & Hays
 Hays & Hays

Flaco Espana
 Flaco Espana
 Flaco Espana
 Flaco Espana
 Flaco Espana

Joe Grout
 Joe Grout
 Joe Grout
 Joe Grout
 Joe Grout

Victor Hugo
 Victor Hugo
 Victor Hugo
 Victor Hugo
 Victor Hugo

NEW YORK CITY

Al Hinkle
 Al Hinkle
 Al Hinkle
 Al Hinkle
 Al Hinkle

LOS ANGELES

Al Hinkle
 Al Hinkle
 Al Hinkle
 Al Hinkle
 Al Hinkle

PHILADELPHIA

Al Hinkle
 Al Hinkle
 Al Hinkle
 Al Hinkle
 Al Hinkle

CLEVELAND

Al Hinkle
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 Al Hinkle

NEW YORK CITY

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Al Hinkle
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PHILADELPHIA

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CLEVELAND

Al Hinkle
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 Al Hinkle

DETROIT

Al Hinkle
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NEW YORK CITY

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CLEVELAND

Al Hinkle
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 Al Hinkle

DETROIT

Al Hinkle
 Al Hinkle
 Al Hinkle
 Al Hinkle
 Al Hinkle

New Acts

JOHN BUCKMASTER

Allegretto, N. Y. ... in last season's play, Oscar Wilde ...

His style is different, running chiefly to the recent tendency ...

A concluding routine had him ...

LEO ALBERNI & CO. (2)

Alberni gets one for trying ...

It is simply not an act in spite ...

On the stage it works out as nothing ...

ASTOR GODEY AND WIFE

A novelty act, particularly in view ...

They made their American debut ...

PETER LIND HAYES

Hayes, Pittsburgh ... in a mimic who can give the current crop of impersonators ...

Hayes has a present accomplishment ...

Hayes has a present accomplishment ...

JOAN MERRILL with AL NEGRO

Joan Merrill is singing star ...

First of all a phonetic type, she ...

DOROTHY HENRY with Bob Denver

Dorothy Henry ... in a mimic who can give the current crop of impersonators ...

better the fact. It's an ideal book ...

PAUL DIKE

Parliament, Newark ... The name and the first seven ...

House Reviews

PERALTA BLUB, B'KLYN ... permits several head members to also ...

CENTURY, N. Y.

Bert Sherif's Orch (8), Frances & Ruth Miller, Joy Martin, Lord ...

The old Adchermer & Harris ...

Martin's own modesty would ...

Another snar act is presented by ...

Another snar act is presented by ...

Fidler's Hollywood Unit Debuts 'Raggedly in Pitt, But Talent OK'

Pittsburgh, Feb. 27 ... Jimmy Fidler's Hollywood ...

The Jimmy Fidler unit's first performance ...

Imagine any presentation on a ...

Fidler would forget his trip to be ...

South American Cruise

Patterson, N. J., Feb. 28 ...

If this 60-minute melange in a good ...

Remember scenes are interlarded ...

They dance to 'My Hour of Lamentation' ...

It is unfortunate that Miss Wing ...

plays entire unit from the pit, with ...

South American Cruise (MAJESTIC, PATTERSON, N. J.)

Paterson, N. J., Feb. 28 ...

If this 60-minute melange in a good ...

Remember scenes are interlarded ...

They dance to 'My Hour of Lamentation' ...

It is unfortunate that Miss Wing ...

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Anti-Trust Fears Halt Radio's Legit Tours; Kiss Boys NSG in Stamford

Plans of the National Broadcasting Co. and Columbia Broadcasting System to tour legit through big radio concert tours have been met with the strongest opposition from the Federal anti-trust agency...

NBC was first to try legit, appointing a saleswoman if presentation of the tour in the States...

NBC was first to try legit, appointing a saleswoman if presentation of the tour in the States...

As for the CBS side of a tour of legit theaters, it presented no question of the plan was presented...

Report has it that CBS could up to eight plays because of the same station. Station people say that it is incorrect...

SALLY RAND MAY GIVE 'VANITIES' R.O.

Deal on the five here worked out by Sally Rand, former Mrs. Carl Curran 'Vanities,' either currently in Detroit or next week in Chicago...

Deal on the five here worked out by Sally Rand, former Mrs. Carl Curran 'Vanities,' either currently in Detroit or next week in Chicago...

White Plans Reprising 'Scandals' Next Fall

George White, whose current 'Scandals' is on the road, has already been making arrangements for another tour of the same show...

Mitzi Green Ill

Mitzi Green, one of the featured stars of the show 'Three After Three,' is out of the show because of illness...

Continuing 'Girls'

George Abbott, who goes to the Coast late in the spring to produce the film version of 'Too Many Girls'...

Idea is to take it to Chicago, with interim engagements in Philadelphia, Washington, Pittsburgh, etc.

50G LEGIT NET FOR FINNISH RELIEF

Theatre division of the Finnish Relief Fund has made an excellent showing to date and by the end of the week, when most of the school-benefit performances in New York City have been held, the fund is figured, will top \$50,000...

Affiliation in professional circles over the benefits for Finnish relief work is being considered...

Revenue raised by the benefits is augmented by collections at legit theaters, girls forming a 'line on bricks'...

Revenue raised by the benefits is augmented by collections at legit theaters, girls forming a 'line on bricks'...

Harry Segall Must Give Up \$1,532 to Play Agony

Century Play Co., Inc. was named as the plaintiff in a lawsuit against Harry Segall...

Century Play Co., Inc. was named as the plaintiff in a lawsuit against Harry Segall...

Scrap of Paper

Broadway manager and a playwright were discussed a director for the latter's play...

When the author replied that no contract had been signed...

'Dear Children' Actors Receive Full Salaries On Cancelled Shows

Full salaries were awarded the cast of 'My Dear Children,' which stars John Barrymore...

Equity ruled that if Barrymore had given the shows, his own performance he should be able to play matinee...

Understood that the theater had ordered pay of six-eighths and seven-eighths for the last two weeks...

MAYBE THEY FIGURE IT AS \$1,056 PROFIT

Despite the presence of union players outside the theater, Mercury players, an amateur troupe, produced a mappy \$49 last week...

As they do their smiting gigs, the \$70 receipts were good. Lulu Russel, house manager of the theater...

Robtchev's L.A. Revue Folds After Two Weeks

Kurt Robtchev's venture into revue producing proved as short-lived as the New York venture...

Appointment of three members to sit on the Equity council were made last week...

Replacement of one of the members of the council was proposed...

Replaced the replacements being made at this time was the idea that the council should be at full strength...

Replaced the replacements being made at this time was the idea that the council should be at full strength...

Equity Grants 6 New Agcy. Permits, Including MCA; Other Casters Burn

'Ball' Cast Intact

'Pleasure to Ball,' the Ellis St. Joseph drama directed at the Shubert, Boston, is slated to open at the Broadway Theatre...

Herbert Shubin took over direction writing the show for the Shubert...

League of New York Theatre is due to meet today (Feb. 27) at 127 West 45th Street...

League of New York Theatre is due to meet today (Feb. 27) at 127 West 45th Street...

WU proposes to handle tickets by order on the bulletin, theatre to be taken care of by order...

Cost of the private line would be payable by the theatre, but rate for the six-month contract...

WU has been operating in the manner for Madison Square Garden since the Brown Brothers, but business obtainable have not been the best...

A bill was introduced at Albany which may handicap WU's ticket plans...

Robert Milton has withdrawn as director of 'The Burning Deck,' which opens Friday (1st) at the Madison Square Garden...

Some Equityites Criticize Dowling's Council Post, Claiming He's a Mgr.

Robert Milton has withdrawn as director of 'The Burning Deck,' which opens Friday (1st) at the Madison Square Garden...

Reported that a petition is being circulated for a special Equity meeting to consider raising minimum pay...

Dowling was supposed to be a member of the managerial League of New York Theatre...

League of New York Theatre is due to meet today (Feb. 27) at 127 West 45th Street...

Some interesting data has been obtained from reports on the number of stage engagements secured by the accredited casters...

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Leigh-Oliver's 'Romes' To Chicago in April

'Romes and Juliet' with Laurence Olivier and Vivien Leigh comes to Chicago in April...

FATHER A LULU IN CH. A \$16,700

Chicago, Feb. 27. ... Father A Lulu in Ch. A ... \$16,700

Thanks for My Wif's built last on word-of-mouth and will ...

Now only last night when Life ...

Other news were aided by the ...

Estimates for Last Week ...

Three After Three's ...

FOXES', \$21,000, TOPS FIRST PHILLY WEEK

Both legit offerings in town last ...

The Philadelphia, Feb. 27. ...

Estimates for Last Week ...

George White's ...

Scandals Gets Big \$28,000 in St. Louis

St. Louis, Feb. 27. ... Scandals Gets Big \$28,000 in St. Louis

ROADS' 5TH BALTO VISIT FINE \$14,500

Baltimore, Feb. 27. ... Roads' 5th Balto Visit Fine \$14,500

Estimates for Last Week ...

ERROR GOOD \$11,000 IN HUB

Boston, Feb. 27. ... Error Good \$11,000 in Hub

Estimates for Last Week ...

Three After Three's ...

Estimates for Last Week ...

Estimates for Last Week ...

CORNELL FINE \$23,000 IN 9 WASH. SHOWS

Washington, Feb. 27. ... Cornell Fine \$23,000 in 9 Wash. Shows

George Lawrence III ...

MAMBA, 90, TORONTO ...

George White's ...

Current Road Shows

'Abe Lincoln in Hitler' ...

'The Fifth Column' ...

'The Man Who Came to Dinner' ...

'The Fifth Column' ...

'The Man Who Came to Dinner' ...

B'way Legit At Peak

putting more than \$16,000 in a small ...

'Life With Father' ...

'The Man Who Came to Dinner' ...



EDDIE GARR

Now Playing HOLLYWOOD BEACH HOTEL ...

Bennett's R. O. Weak in Detroit at \$12,000

Detroit, Feb. 27. ... Bennett's R. O. Weak in Detroit at \$12,000

'Folies', 9 1/2, N. H. ...

'Hells' Benefit ...

performance has been confined mostly to Broadway ...

Players are to be compensated for the ...

'Two on a Bench' ...

OBITUARIES

Lecture Book

Continued from page 1

WHAT THEY THINK

L. LAWRENCE WEBER
L. Lawrence Weber, 61, died Feb. 27 in his apartment in New York...

ALBERT PHILLIPS
Albert Phillips, actor who last appeared as Stephen A. Douglas in Robert Harwood's 'Abraham Lincoln'...

He received his early training in stent companies in New York...

Born in Edwardsville, Ind., he achieved marked success at the height of his career...

On two other occasions he had been married to the Great Dancer...

JOSEPHINE AMOROS
Josephine Amoros, 62, who once appeared in a standard trappee act...

She had retired about 15 years ago...

Her last job in show business for several generations...

JOHN C. BALY
John C. (Jack) Daly, 67, one-time booker for the Bolivar & Court...

His last job in show biz was with the WPA stunt project in the Bronx...

BARRY JOHNSON
Barry Johnson, 24, sports editor and announcer of KOIL, Omaha...

He had worked on the Omaha Bee before joining KOIL and announcing.

DARRY D. MARRS
Harry D. Marrs, 46, prominent in Ontario Canadian theatrical circles...

Marrs had managed the Orpheum for the past 14 years...

SABURO SUZUKAWA
Saburo Suzukawa, 32, prominent Japanese actor...

He was fifth generation in his line to take the name of the actor...

Personal friend of Alexander Joseph C. Grew, he was associated with many other Americans...

'RAFFLES' BILL
'Raffles' Bill, 64, former circus performer...

He was associated with the world's leading circuses as a cowboy...

He worked in Hollywood before returning to Germany...

Reuben Samuels, 61, who headed the Kamauze Agency...

Lawrence Holtzau, 34, manager of the Highland Theatre...

Survived by widow and a son.

HARRY FOSTER
Harry Foster, 31, foreman who had been in Buffalo Bill and the Miller Boy...

Surviving are widow, two sons, a daughter...

JOHN C. BALEY
John C. (Jack) Daly, 67, one-time booker for the Bolivar & Court...

Surviving are his widow and a daughter.

EDWARD BLAKER
Richard Blaker, 60, British novelist and screen writer...

Surviving are his widow and a daughter.

GEORGE PERIOLAT
George Periolat, 64, stage and screen actor...

Surviving are his widow and a daughter.

PEARL YOUNG
Mrs. Ernie (Pearl) Young, 54, wife of the WPA stunt director...

Buster Bixler, 62, who wrote radio continuities under his name...

B. C. NEALE
H. C. Neale, 74, old film exhibitor of Mayfield, Ky...

Mrs. Carrie E. Whitaker, 82, widow of Willie Whitaker...

Saturday Evening Post is now in the process of preparing one...

Important addition among the bureaus for next year is that of Columbia Broadcasting...

Others who will be joining the CBS network are...

In the travel-sports-adventure department...

Drama-movie literature are being taken over by CBS...

In other fields, CBS has Prof. Walter B. Pitkin...

AGMA
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Editor, Variety:
At the director of a dance company...

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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!

Some of the finest advertising and exploitation brains in this business are now listed under one banner... the **NATIONAL SCREEN** banner.

They work in co-operation with the producers of your pictures to give you Lobby Displays... Accessories... Trailers which cram every last ounce of selling power into those products... made available to you through one great distribution system... **NATIONAL SCREEN SERVICE**... *Best Ticket Seller in the Business!*

Something Big is going on!

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NATIONAL Screen ACCESSORIES
 ADVERTISING ACCESSORIES, INC.

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The Library of Congress
National Audio Visual Conservation Center
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Coordinated by the
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