

SCREEN

RADIO

BANDS

STAGE

# VARIETY

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## JITNEY MUSIC'S \$65,000,000

### Hope CBS Alone May Buy Metro's 3 Music Firms; Re-Sale Later to BMI?

San Francisco, Aug. 6. While the proposition of Broadcast Music, Inc., buying the Metro-Robbins catalogs, has gone aglimmering, the more optimistic members of Broadcast Music figure that this music will be available to them. Their hope is a philanthropic gesture on the part of CBS.

As reported by BMI directors to the National Association of Broadcasters, now in convention here, the plan calls for Columbia putting up the purchase money all by itself with a stipulation that BMI could at any time obtain ownership of the catalogs from CBS without any profit to the network. The option to BMI would be for as long as five years. CBS in turn would enter into a licensing deal with BMI whereby the latter would have authority to sublicense the performing rights of the M-R catalogs to BMI members. To get these rights the station men would be required to extend their present contracts with BMI for an (Continued on page 20)

### Cable Too He-Mannish To Play Simon Bolivar, Latin-Americans Claim

Metro's announcement that Clark Gable had been tentatively set to play the role of Simon Bolivar in 'The Liberator,' story of the Bolivian national hero, has brought a storm of protest from Latin-American groups. They claim that Gable is not properly qualified to play the Bolivar character because he's too rugged physically.

Main basis for these protests is that Bolivar was a small, nervous individual who, despite his energy, died of consumption. Several groups have suggested another player be picked because, they say, Gable would be damaged as boxoffice value in this market if he plays Bolivar. Also that it might hurt the b.o. chances of the picture.

Several who might be more suitable, including Leslie Howard, one of the favorites for the character, are mentioned; Charles Boyer, Robert Donat, Spencer Tracy and James Stewart are others. One of the publications has started a poll of public opinion in the Latin-Americas to sound out choices for the role.

### FLORIDA NOW NEARER TO RINGLING'S MILLIONS

Tallahassee, Fla., Aug. 6. Florida Supreme court Friday (2) upheld John Ringling's divorce in 1938 from Emily Buck Ringling. Decision moved Florida that much nearer to possession of multi-million dollar estate willed to state by circus magnate, whose death occurred four years ago.

### Changing Times

Seattle, Aug. 6. 'Midnight Paris' didn't sound too good in Canada, with Parée not so gay and now in Nazi hands.

So the revue, now at the Palomar here, was billed as 'Midnight Scandals' when playing the Beacon, Vancouver, last week.

### B'WAY IS LOW AFTER HIGH TEMP.

Heat wave which hovered over New York for 13 days was broken Wednesday (31) and the balance of the week was sunny but cool. Effect of the prolonged torridity on the surviving shows on Broadway was to cut advance sales of tickets away down. While a few attractions are holding to goodly profit levels, business is principally done directly at boxoffice just prior to curtain time. Not one show has been able to register capacity of late and, despite the cooler weather, the trend continued away from theatres as shown by the grosses dropping even further.

Least affected is 'Louisiana Purchase,' Imperial. Side seats have gone unsold at most evening per-

(Continued on page 42)

### Ann Corio Jes' Dunking In Legit 'Tween Stripping

Guilford, Conn., Aug. 6. Ann Corio has a legit yen, but isn't going to burn any of her bridges behind her. Stripper, doing straw hat duty at Chapel Playhouse here, says that burlesque has been too good to her to toss it into the discard for a gamble on straight acting. She says the step would entail too many sacrifices on her part and she's just going to try to dunk herself into legit gradually.

Appearing here in 'The Barker,' Miss Corio has drawn favorable comment and okay b. o. She made one previous cowshed stand in Maine and has been offered additional dates.

### Helen Hayes for Lipton

Helen Hayes may star in a dramatic series of half-hours for Lipton's tea this coming season. Matter is in the conference stage at Young & Rubicam in New York. Would be Lipton's first pretentious radio program.

### 300,000-400,000 JUKEBOXES IN U.S.

St. Louis' Electric Phonographs Alone Number 3,000 and Gross \$21,000 a Week—50% Goes to the Operators

#### BIG BIZ NOW

St. Louis, Aug. 6. The juke-boxes' sweet and bounce music bouncing the coin-machine industry into the big business class. What was once a moderate income situation is now in the position of grossing between \$65,000,000 and \$80,000,000 this year.

Authority for the figures is E. C. Steffens, president of the International Assn. of Automatic Electrical Phonograph Owners, who dropped into town for a few days. He stated that the 3,000 electric phonographs in taverns, restaurants, hamburger stands, etc., in St. Louis alone are harvesting approximately \$21,000 weekly. He estimates 300,000 to 400,000 machines are scattered all over the country.

Steffens estimated that the operators get about 50% of the total take but this is cut sharply when expenses, etc., are deducted. Currently the top tunes in St. Louis, according to Steffens, are 'Imagination' and 'Woodpecker Song.'

### MEX BANS AUTRY PIC ON OIL-REVOLUTION

Mexico City, Aug. 6. As the Mexican government is apparently sensitive about oil and revolution, the pic censors clamped down fast on 'South of the Border' (Rep), forbidding exhibition anywhere in Mexico of the Gene Autry starring vehicle.

This banning embarrassed the only American-operated cinema here, the Cine Olimpia, which had booked the pic and spent much coin hallyhooping it. The cinema had to make a quick program change at the last minute. Foreign oil companies and a brewing revolution theme are said to have been responsible for the nix on 'South.'

#### A Hot Eskimo

Death of Dr. Frederick A. Cook in New Rochelle, N. Y., Monday (5), and the subsequent release of his exploits as an explorer, reminds of an experience with him 32 years ago, when he was making a personal appearance at the Palladium, London, shortly after his return from a supposed discovery of the North Pole. Dr. Cook had hardly been in the theatre an hour before he threatened to quit, because his dressing room was too cold.

### Chi Bund's Order That All Hear Lindbergh Leads to Radio Blackout

#### 'Inside Gunther'

John Gunther, who wrote 'Inside Europe' and 'Inside Asia' and is currently doing 'Inside America' will be biographed by his wife, Frances, in the first issue of Fashion, new mag. Big will be called 'Inside Gunther.'

### MANY FILMS SET TO PLUG U.S. DEFENSE

The film industry, already, has placed its shoulders to the wheels in the campaign to carry the message of national preparedness to the people. Preliminary steps taken on production schedules reveals eight major companies have 17 features and at least seven shorts expected to assist in the U. S. defense program. Doubtlessly will be others, and some of those tentatively considered for patriotic treatment may be changed in favor of other more suited stories.

Even this tentative lineup is the most comprehensive industry effort ever undertaken since the World War. In bearing more than its share of defense bolstering, producers have carefully ducked outright propaganda. Where such remains, it has been skillfully disguised; in others it is more apparent but in extremely few pictures is the story (Continued on page 46)

### Holden Learning to Fly While Making U.S. Shorts

Two months leave of absence has been granted by Columbia to William Holden to appear in a series of 16 mm. Technicolor shorts for the U. S. Civil Aeronautics Authority. Holden is currently working in 'Arizona.' Leave will begin as soon as it winds up.

CAA shorts will be aimed at promoting recruits for the aviation training course being offered by the Government to college students. Holden will actually take the course during the filming and will become an accredited civilian flier.

#### George M. Cohan's Discs

George M. Cohan recorded two of his songs, his newest composition, 'This Is Our Side of the Ocean' and the oldie, 'It's a Grand Old Flag,' for Victor this week. Leonard Joy conducted the orchestral accompaniment.

Chicago, Aug. 6. German program of the Einheitsfront, local German front organization, will go off station WHIP after next Saturday's (10) stanza. Doris Keane, secretary of the Hammond-Calumet Broadcasting Corp., owner of the station, has notified the German organization that the series is cancelled 'because the program as now being presented is of such controversial nature as to make it unacceptable to many leading Americans.' Her letter added: 'In view of the present national emergency, growing out of the international situation, we believe wholeheartedly in promoting American solidarity and unity.'

The particular spark that apparently (Continued on page 44)

### Argentine 'Ear Men' Take Down Yankee Music Via Shortwave

Buenos Aires, Aug. 6. High import duties, lack of direct connections and increasing popularity of U. S. music have developed a new industry in South America. Most bands now have crew member or specially-hired ear man to listen to short waves from States and note popular numbers. After a few listens, they usually get it 'mas o menos' which, in the local lingo, means 'more or less' and applies to just about everything.

Transcriptions would be easier but there's little equipment available. Some bands use phonograph records—but this is also slow and costly dough.

Still at the top of popularity: Cole Porter's 'Begin the Beguine.' Show arrangement, copied note for (Continued on page 44)

### 14 AMERICAN ACTS IN ENGLAND FOR DURATION

London, Aug. 6. There are, comparatively, few American acts remaining in England. Some have been naturalized (one or two of the women by marriage), and those remaining here have decided to stay for the duration.

Among them are: Vic Oliver, Kimberly and Page, Clifford and Marion, Bebe Daniels and Ben Lyon, Norman Thomas Trio, Scott and Whaley, Teddy Brown, Two Valors, Wilton Keppel and Betty, Charles Warren, Eddie Stanley and Mae, Leigh Stanford, Michel and Hero, Tracey and Hay.

## Nazis Kayo French Show Business; Reich-Italo Firms Seen Grabbing Pix; Closeup on Not So Gay Paree

(Ed note: The writer was, until the French capitulation to the Nazis, VARIETY correspondent in Paris. One of the last to leave the French capital, along with other foreign correspondents, he joined the bandwagon to Tours and Bordeaux, where the provisional French government was set up. He is presently in Madrid. The foregoing is one of the first authentic, comprehensive stories to emanate from France on the French capitulation and its effect on French show business and the French people in general—and without the 'Deluged' via Berlin quotation.)

By JOSEPH D. RAVOTTO

Vichy, France, July 25.

French motion pictures, which until September occupied fifth place among the country's industries, has been dealt a kayo blow by the German occupation. Legit, musicals, night clubs, dances, radio and other forms of entertainment, which in their ensemble represented hundreds of millions of francs and gave employment to millions of French and foreign actors, entertainers, technicians and other employees, have also taken a terrible pounding.

Although least affected, restaurants and cafes are not doing the biz of a year ago, nor for that matter of the period just prior to the German invasion of the Low countries. Food and liquor shortages and lack of spending money supply the answers although just many clients can (Continued on page 47)

## JURISDICTION ON BENEFITS VIA 4A'S

Complete control over theatrical benefits has been taken out of the hands of Theatre Authority and will, in future, be administered by a committee representing the Associated Actors & Artists of America. Five-man committee, representing the various Four A's unions involved, includes Florence Marston, Screen Actors Guild; Paul Dullzell, Equity; Jo Tonge, American Federation of Radio Artists; Blanche Witherspoon, American Guild of Musical Artists; and Hoyt Haddock, American Guild of Variety Artists. Resolution calling for the change was passed last week by the Theatre Authority board, after having (Continued on page 44)

## WB Helps Evacuate Kids Of Its British Employees; Guarantees U. S. Home

London, Aug. 6.

Considerable publicity and public appreciation flow in the wake of Harry Warner's bid to help in child evacuation from Britain. Burbank chief cabled recently that his organization, through its personnel, was prepared to guarantee accommodation to offspring of Warner staff this side.

Funds for the youngsters' education and care, plus the necessary financial assurances to the State, would be provided by the Hollywood crew and guaranteed by the Warner company. Max Milder, latter's manager here, is preparing the ground for those of his staff anxious to declare their children in on the Warner chief's offer of a Hollywood home.

## RKO SIGNS N.Y. LEGITER

Hollywood, Aug. 6.

Joseph Eggenston, Broadway player, has been brought here by producer-director David Butler to role in RKO's 'You'll Find Out'. Pair worked together in the old Morosco stock company here.

## 7 Barks = 1 Screen Role

Hollywood, Aug. 6.

Lee Millar, radio canine impersonator, didn't have to bite a dog to break into the news. He out-barked seven of them and won a job as a pooch voice in a Metro picture.

## Barrymore Wins \$175 Boost in 'Allowance'; Loses It to Kiddies

Los Angeles, Aug. 6.

John Barrymore's weekly allowance was raised from \$1,000 to \$1,175 a week by Ernest R. Uley, referee in bankruptcy, but the extra \$175 goes to the support of his three children. His daughter, Diana, gets \$50 a week and the rest is turned over to Dolores Costello, former wife, for the care of his two other offspring.

Under a debtor's extension arrangement, the bankruptcy court takes over the rest of Barrymore's earnings to clear up debts amounting to \$68,021. His salary in his next picture will be \$5,000 a week.

## BRITISH FIRM WOULD FILM RED CROSS YARN

London, Aug. 6.

A report here that British Hollywoodites have abandoned production of a talent-pooled briefs, earnings from which would go to Red Cross Society, has given grounds to an announcement from British International Films that it will produce a feature dealing with inception of the first aid outfit and in which the society will cooperate as well as receive all funds.

Miles Malleon, scripting the yarn, director and casting yet to be assigned.

## Rose Cool to O.K. Oleson's Aquacade Bid for H'wood

Proposition has been made to Billy Rose by Otto K. Oleson, Coast lighting tycoon, for presentation of the Aquacade in Hollywood Bowl. Rose has requested more particulars on the deal from Oleson, but is frigid to the idea. Producer maintains a minimum of 1,000,000 admissions is necessary to meet the nut, and said last week that he couldn't see how that number could possibly be obtained out of L. A.'s population without some other more concentrated attraction than the film studios to bring people from other parts of the country.

Rose declared he has received numerous propositions, particularly from Atlantic City, Florida and Chicago, but the latter is the only one that appears as a good prospect at the moment for an Aquacade. And he's even doubtful, he said, that Chi's population is enough to guarantee a profit. Building must be put up from scratch to be satisfactory, he asserted, and the cost is \$150,000-\$200,000. Cheaper version of the show could be put on, he admitted, but said he felt that it wouldn't do business and would ruin the idea for the future.

Aquacade at the N. Y. Fair will play to 3,000,000 people this year, and at the S. F. Fair to 2,000,000, Rose estimated. He declared it is currently playing to 28% of the front gate in N. Y. and 37% in S. F.

## MORRIS' ENCORE AT PAR

Hollywood, Aug. 6.

Wayne Morris, who shifted to Paramount for one job as a football player in 'Touchdown', remains there for a chore as a flyer in 'I Wanted Wings'. Actor will be teamed with Ray Milland and William Holden, with most of the action filmed on the U. S. Army air field at San Antonio, Tex.

Arthur Hornblow, Jr., produces and J. Theodore Reed directs.



LUCY MONROE

"Star Spangled Soprano"

Star of "American Jubilee," New York World's Fair 1940; just completed her 12th week—12 more weeks to follow. Closing October 27th.

Guest star on Raymond Paige's "Musical American." Now making her first records for Victor Red Seal.

Contract Management Arthur Judson, Inc. 113 West 55th Street New York

## JOAN BLONDELL IN AIR SERIES

Hollywood, Aug. 6.

Joan Blondell will star in "I Want a Divorce" when the latter program returns this fall starting Oct. 5 on CBS, Saturdays at 7:30 p.m. Simultaneously the release of Paramount film of same title with Miss Blondell and Dick Powell will serve as a tie-up for the program, which, as before, is cooperatively sponsored across the nation.

Emil Briscacher, Davis & Staff, San Francisco and Los Angeles agency, produce the program.

## Schipa Furore in B.A. Ha's Repercussions; 'Ahen' Issue Raised

Buenos Aires, Aug. 6.

Refusal of Tito Schipa to sing at a concert in provincial Entre Rios, north of here, on Argentina's Independence Day has caused a string of repercussions that may wreck the singer's South American career. Schipa refused to go on, supposedly because the house was so small that it could not pay his fee. He denied the story, which had a big play in the press here.

Coming to Buenos Aires to sing in opera at the municipally owned Colon theatre, he's said to have been (Continued on page 10)

## J. J. MURDOCK'S SON REPRESENTS 'TELEPHONE'

J. J. Murdock's son, John, has the New York-New Jersey territory rights on 'Telephone,' the nickel-in-the-slot jukebox gadget whereby customers phone in their requests for platters to a broadcast central. From there a s.a.-voiced 'Betty' responds with the proper request.

Young Murdock is making tieups with automatic vendors to place his 'Telephone' into their respective establishments such as icecream parlors, pubs, taverns, restaurants, dance-halls, etc.

## Benny Settles With Conn

Los Angeles, Aug. 6.

Jack Benny and Harry Conn, writer, settled their breach-of-contract suit out of court. Action had been holding fire for several months. Conn had sued Benny for \$40,000, charging the comedian with breaking a verbal agreement.

## SIGNE HASSE EN ROUTE

Hollywood, Aug. 6.

Signe Hasse, RKO's Swedish importation, has arrived in Kobe, Japan, en route to Hollywood for her American screen debut. She is due here the end of August.

## Failure to Prepare Portends Danger Of Floppo for American Entertainers In South America; Hurok Rated Tops

### Beating the Nazi Ban

Hollywood, Aug. 6.

One of Myron Selznick's clients in Paris wanted to get in touch with Harry Ham, the agency's London representative, but found there was no communication between France and England.

So the message was cabled in French to the Selznick office here and relayed to London.

### War Call of Younger Musicians Aids Vets' Comeback in England

London, Aug. 6.

With the calling up for various forms of service of all those under 30, orchestras are losing their key men in droves. Ambrose has lost six; Joe Loss is minus five. Harry Roy a like number, and likewise Carroll Gibbons.

This has given musicians of the over 30's a new lease of life, and a bald head here and there no longer frowned upon.

### JESSEL WINS COURT JOUST WITH AGENT

Los Angeles, Aug. 6.

George Jessel was awarded a decision by Judge Myron Westover in the suit brought by Eddie Resnick to recover \$3,600, allegedly due in commissions for setting a personal appearance tour. Court ruled that the William Morris office had arranged and booked the tour and did all the work incidental to the trip, therefore was entitled to full commission.

Ruling, \$650 paid to Resnick by Jessel, claimed by agent to be on account, court held that this money was to be repaid, and was not to be construed as payment on commission.

### L.A. to N.Y.

Lois Andrews.  
Lucille Ball.  
Phil Baker.  
Joan Bennett.  
Sam Berkowitz.  
Joe Bernard.  
John Bowman.  
Charles Brackett.  
Gene Buck.  
David Buttolph.  
Sam Coslow.  
Merian C. Cooper.  
Laraine Day.  
John Ford.  
Myron Fox.  
Sayde Gale.  
Wynne Gibson.  
William Gargan.  
Leland Hayward.  
Rose Hecq.  
George Jessel.  
Dr. and Mrs. Herbert T. Kalmus.  
Jack Kapp.  
Noel Langley.  
Laudy Lawrence.  
Hal Leroy.  
Harry Lubcke.  
Al Masheimer.  
Marty Martin.  
Arthur Murray.  
John McClain.  
John G. Paine.  
Jane Pickens.  
Lew Raderma.  
Louise Rousseau.  
Myron Selznick.  
Arthur Shields.  
Al Span.  
Laurence Stallings.  
Tamara.  
Mrs. Ed Sullivan.  
Dorothy Thompson.  
Kathleen Williams.  
Walter Wanger.

### N.Y. to L.A.

Annabella.  
Pat Casey.  
Dick Dorrance.  
Lynn Farnol.  
Larney Goodkind.  
Betty Hildebrandt.  
Morris Hleprant.  
Cora Irwin.  
Arlene Judge.  
Dan Kelley.  
Everett Sloane.

By RAY JOSEPHS

Buenos Aires, Aug. 6.

A vast, practically untouched field for the U. S. entertainment industry—opera, legit, vaude, concert and radio—now being enlarged at tremendous speed in South America. Today faces a danger of going floppo.

Cut-off from Europe, its longtime No. 1 source, by the war, this entertainment-loving continent is turning to the States for its talent. But ignorance of conditions here by Americans who should know, failure in organization of any sort of concerted South American drive by leaders of the field in the U. S., and lack of awareness of important points may kill a trend just when it ought to have the most help.

In the opinion of showmen and trained observers in Buenos Aires, largest (almost 3,000,000 population) and richest of South American cities, U. S. entertainment executives who want to cash in on the market south of the border must wake up to certain things:

1. The big talent sponsors must personally look over the field to get a real sampling of public taste.

2. They must prepare to sink a little dough into preparation and expect to be paid in currency that doesn't rank as high as the dollar.

3. Some sort of cooperative effort that can do for the entertainment biz what Pan-American Airways did in its division will have to be worked out if anything resembling a paying South American circuit is to be tabulated.

4. Transportation, still the most expensive item both from a money- (Continued on page 18)

## ROBINSON'S KIN TO REVIVE CIRCUS

Charleston, V. Wa., Aug. 6.

The name John Robinson, long famous in American circus history, will be seen soon again on billboards advertising a modernized version of the old-time circus. John Gilbert Robinson, Cincinnati attorney and grandson of the founder of Robinson's Circus, one of the pioneers in this form of entertainment, has made the announcement.

Robinson and John H. Marks, head of the Marks Shows, are contemplating plans to organize a circus-carnival which will have its opening at Lynchburg, Va., on Sept. 2. The circus feature will be built around three ex-Robinson elephants now with Marks.

## Steps Not Stairway, Judge Rules, Saving Earl Carroll \$10,000

Los Angeles, Aug. 6.

When a customer climbs up on Earl Carroll's stage to dance she is doing it at her own risk, according to a decision by Judge C. M. Hanson, who dismissed an injury suit for \$10,000, brought in Superior Court by Marian Barney, against Carroll's theatre-restaurant.

Plaintiff charged that Carroll was negligent in failing to equip the steps with a hand rail. Court ruled that the restaurant-to-stage steps cannot legally be classed as a public stairway.

## AMECHE GOES MEANIE FOR 'WESTERN UNION'

Hollywood, Aug. 6.

Don Ameche loses his smile and becomes a baddie for the first time in his screen career in 'Western Union' at 20th-Fox. He doesn't even sing 'Happy Birthday to You.' Originally slated for Aug. 26, 'Western' has been moved back to Sept. 20.



# CHURCHES INTO PIX FIELD

## Spiritualist Camp at Lily Dale, N.Y., Talks of Broadcasting 'From Beyond'

Buffalo, Aug. 6. Ralph Pressing, press agent of world's largest spiritualist camp at Lily Dale, N. Y., wants to put spirit voices on the air, and he isn't fooling. Project is well into talk stage; both on this planet and on the 'other side.'

Pressing, who has installed what he believes is first air-conditioned séance room in his Lily Dale home, got idea from recordings of spirit voices taken at English seances. If spirits can be put on wax, their voices will go over mikes, he figures.

Proposed series of weekly broadcasts is intended for network use, Pressing explains. To this end he is sounding out sentiment among chain-affiliated outlets in Buffalo, meanwhile going ahead with plans to form a 'circle' to talk weekly on the 'other world.'

No elaborate equipment is required. Publisher of a spiritualist paper, Pressing says broadcasts could be done from an ordinary studio, provided it's darkened and has proper acoustical abilities. Circle then could call in voices it wants.

Talked to Doyle  
For scotters, he's obtained disc of Sir Arthur Conan Doyle's voice, which he would first play on air, then call in Sir Arthur from 'other side' to confirm it. It's a simple trick, Pressing says, with a confident smile. Claims to have talked the (Continued on page 11)

## M'wood Plays at Legit For British Relief; It's Not Art, But Profitable

Hollywood, Aug. 6. Group of English-accented screen folks played theatre last night (Monday) at El Capitan, Hollywood, presenting 'Noel Coward's Tonight at 8:30' for British relief fund, although histrionics might have hit a loftier level had Thespes been facing a Capra or Gouging to shoot an occasional camera 'cut,' thus putting them in more familiar atmosphere, they did have fun while capacity house made up of their pals got its money's worth and mob of 4,000 gawkers lining Hollywood bowl collected hundreds of autographs.

Little was contributed to art by opening performance of three-week run, but coffers of fund bulged when S.R.O. sign went up.

Best performances were by Gladys Cooper, Muriel Hutchinson and Basil Rathbone in 'The Astonished Heart.' Presence of some humorous soul like John Barrymore with a bit of ad libbing would have enlivened Douglas Fairbanks, Jr., Constance Bennett, high-jinks in 'We Were Dancing,' but there was no Barrymore. Reginald Gardiner and Binnie Barnes high-lighted 'Red Peppers.'

## M-G, 20TH BARRED FROM NAZI NATIONS

Metro and 20th-Fox were officially notified by the German government this week that they were barred from distributing pictures in Nazi-controlled countries.

As a result of the Nazi ban on 20th-Fox doing business in Germany, Norway, Holland and Czechoslovakia, it was reported in the trade yesterday (Tuesday) that the company was considering a large damage suit against the German government.

## Maestro Dick Powell

San Diego, Aug. 6. Some 2,000 attended Dick Powell's maestro debut July 27 at Mission Beach ballroom, at the helm of Don Ricardo's orchestra.

Powell's lack of baton-wielding ability was noticeable but was counteracted, in part, by his vocalizing. He is originally a picture house m.c.

## England's Song Slants

England's vagaries on pop music phraseology, etc., have always been curious to Americans. Such as 'Bless Me,' as a switch on 'So Help Me,' latter being considered blasphemous in Britain. The war mood is another manifestation.

'Old Dutch' Garden' was kayoed by the Lowlands' blitz, what with Queen Wilhelmina seeking refuge in London, and where for a time 'There's a Boy Coming Home on Leave' was a properly sentimental thought, as soon as all military leaves were cancelled, that kayoed that too.

## 'Hellz' Intact For Levey-U's Film Version

Hollywood, Aug. 6. 'Hellzapoppin', the Olsen and Johnson stage delirium, will be wrapped up in a film package with the original New York cast by Jules Levey's Mayfair Productions next spring.

Picture is for Universal release.

## Chiefly for the Title

Payment of \$200,000 is a record figure for a revue, since little or none of the stage material will be used. Price is really for the title, as when the picture version is filmed it will be a book story.

Olsen and Johnson prime owners of 'Hellz,' and the Shuberts (Harry Kaufman), who present the (Continued on page 38)

## RED CROSS P.A. UNITS WAIT DRIVE RESULTS

Hollywood, Aug. 6. Plan to send out Hollywood units on personal appearance tours for the Red Cross fund is being held back while the executive committee awaits full reports from all studios.

The p.a. tour idea was projected as a possible aid in case the local drive fell short of the required amount. Returns are still coming from the various studios and affiliated money-raising drives.

## Andrews Sisters May Encore in 2d U Pic

Andrews Sisters, who recently completed work 'Argentine Nights' for Universal, are negotiating with the studio on another film. Deal is also being talked for their appearance as regulars on the Bob Hope radio show for Pepsodent in the fall.

Sisters are currently doing theatre and one-night dates around New York, prior to an engagement at the Paramount, N. Y., about three weeks.

## Kath Locke to Coast

Katherine Locke, who played femme lead in 'The Fifth Column' on Broadway last season, will leave for the Coast—about two weeks to join her husband, Morris Helprin, production assistant to Alexander Korda.

Miss Locke will look into picture possibilities while on the Coast if her current gender at legit scripts for fall proves unfruitful.

## 50 3-REELERS ON 1ST YEAR'S SKED

Bond, Clothing Tycoon, Sponsors Plan to Distribute Hollywood-Made Religious Talkers and Equipment—1,000 Ex-Preachers Enrolled to Sell to 100,000 Churches in U.S.

## WEBB PRODUCES

Hollywood, Aug. 6. Churches are going into the film business on a nationwide scale as result of a deal signed here by Charles Anson Bond, millionaire clothier, and Harry Webb, prexy of Metropolitan Pictures, Inc. Contract calls for Webb to produce 50 three-reel Biblical subjects in Cinetone color every year for five years, to be distributed among churches of all denominations.

Bond, former mayor of Columbus, O., has incorporated Biblical Photo Plays under the laws of Maryland after three years' preparation. (Continued on page 45)

## Edgar Bergen to Tease Public in a Serial-Form Plot Trick for the Fall

Memphis, Aug. 6. Flying through here in the new three-place Stinson plane purchased at the factory in Nashville, Edgar Bergen revealed that Charlie McCarthy's adventures will take to the air in semi-serial story form when the program resumes in September.

Present completeness of each broadcast in itself will be eliminated. In its stead, Charlie will be left hanging fire at the end of the show each Sunday night, as bait for the listeners to chew upon all week until suspense lifts momentarily the following Sabbath.

Bergen said he hadn't determined how strong he should go on this chapter play idea for radio's No. 1 bat, but that he will definitely give it a whirl. Also he expects to have several new characters in the setup, including girl friends for McCarthy. Mebbe they'll be live actors, not dummies, says he.

Star discovered a 12-year-old gal ventriloquist in Nashville and invited her to have a Hollywood visit and whirl at pictures. 'Thinks she really has the makings.'

Accompanied by Al Lary, his instructor, Bergen flew his new ship back to California. 'Is taking a keen interest in aviation, having just set up Edgar Bergen Foundation loan funds for promising aviators to get chance at training.'

## GUS MEINS SUICIDES; FRED MacISAAC DITTO

Hollywood, Aug. 6. Coroner's inquest into the death of Gustave Meins, 45, Republic producer-director yesterday (5) concluded that it resulted from his own hand. Meins' body was found Sunday (4) in his car in underbrush near La Cresenta, ending a search that had been underway since his disappearance following release on \$5,000 bail after arrest on morals charges.

Meins' last picture was Republic's 'Scatterbrain.' He is survived by his widow and son.

MacIsaac Suicide  
Fred J. MacIsaac, 54, author and former New York dramatic critic, ended his life with a bullet yesterday (Mon.) in his Hollywood home. Financial worries and ill health are said to have prompted the act. MacIsaac was born in Cambridge, Mass. Many of his western and adventure yarns found their way to the screen.

## Rep. Lambertson Asks TAC Several Pertinent Questions, But Gets Brushoff

## Lost in Radio City

Reports that six persons had died of exhaustion after being lost for three weeks in the labyrinthian concourses under Radio City, N. Y., were denied this week by Rocketteller Center officials. Nevertheless, they have issued a regular road map of the under-the-street catacombs.

Upon being asked how to get somewhere, R. C. guides now take a copy of the map from their dispatch cases and mark the route for the questioner in blue pencil, like gas station attendants.

## SAG Blasts D.A. Fitts for 'Red' Subpoenas to 6

Hollywood, Aug. 6. Action of L. A. district attorney Buron Fitts in subpoenaing six members of the film colony in the county grand jury's investigation of Communist murders drew a fiery resolution from the Screen Actors Guild board of directors last night (Monday). Summoned to testify as to 'red' activities in Southern California were Herbert Biberman, film and stage director; his wife, Gale Sondergaard, actress; Lionel Stander, comedian; Clifford Odets, writer, and Samuel Ornitz, writer, and his wife, Sadie Ornitz.

SAG board condemned Fitts' move as 'unjust' insofar as it applies to two thespians, pointing out that actors are the first group to aid when patriotic drives are made. 'We believe that to malign actors generally, under circumstances such as present one, is unwarranted and un-American,' read the resolution in part.

## 20TH 'FOLIES' REMAKE GETS S.A. BACKGROUND

Hollywood, Aug. 6. 'Folies Bergere' gets a new title and a new home in its remake at 20th-Fox. New name is 'A Lady From Manhattan,' and new locale is Rio de Janeiro instead of Paris. Picture was first made in 1935. Shift gives the studio two South American musicals. The other is 'Down Argentine Way,' soon to be released.

'Folies Bergere,' first filmed by Darryl Zanuck five years ago, will have Maurice Chevalier, Marie Osmond and Ann Sothern in the top spots. It was Chevalier's last picture in this country.

Slating of 'Folies' makes four musicals on this year's Westwood program, the two others being 'Tin Pan Alley' and 'Say It With Music.'

## Lupe Likes 'DuBarry', But Only for Road

The probability is that Lupe Velez will succeed Ethel Merman in 'DuBarry Was a Lady,' at the 46th Street, New York, but the deal pending because of certain details not agreed. 'Buddy' DeSylva wants the little Mexican to enter the cast prior to the road tour, due to start in October. Miss Velez is willing to step into 'DuBarry,' but has so far insisted that her appearances shall not begin until the show goes to the road.

Miss Merman is ducking out-of-town appearances and is listed to appear in DeSylva's new musical 'Panama Hattie,' which goes into rehearsal early in September.

Theatre Arts Committee, though it avers the organization is principally concerned with the welfare of its members and denies being Communist, appears to be loath to reveal the identities of TAC officers. When the controversy over the Finland benefit performances arose some months ago, Equilly requested TAC to name its actual leaders, without result. Congressman W. P. Lambertson, who looks askance at TAC for indicated radical literature, wrote two letters to the group seeking the same information, but failed to obtain the names.

Only individuals known to be an officer is Adelaide Bean, executive secretary, who signs communications. Letter head does not name the other officers. Names of players who appeared in TAC revues at the American Music Hall, former church on the East Side and at Manhattan Center, furnish clues as to who are most active in TAC affairs.

## Lambertson Asks Variety

Washington, Aug. 2. Editor, VARIETY: I have been endeavoring, without success so far, to secure from the Theatre Arts Committee the following information: Names and addresses of present officers. Names and addresses of governing council members. Names and addresses of members. I am writing you as the foremost theatrical journal in the hope that (Continued on page 44)

## Colonna in Markey's Pic

Hollywood, Aug. 6. Jerry Colonna has been signed by Gene Markey for the comedy spot in 'You're the One,' which marks Markey's debut as an indie producer. He will also continue with the Bob Hope air show. Picture will feature Orrin Tucker's orchestra and Bonnie Baker, released through Paramount.

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## Census Bureau Population Figures Significant for Show Biz; Houston And Denver Displace J. C., Portland

Washington, Aug. 6. Census Bureau has released population figures for the 25 biggest American cities in the new 1940 count—a compilation of significant interest to the film industry, the revenues of which are predicated upon mass appeal. Statisticians soon will complete the collating of comparative figures, showing industry strength and growth in ratio to numbers of inhabitants.

On the whole, the new list of 'biggest' contains the same cities as in 1930 (previous census date), but 13 of the 25 have different ranks. Two new centers, also, are added. Houston and Denver make the listing for the first time, displacing Jersey City and Portland, Ore.

One of the interesting angles from the film viewpoint is that suburban adjacent to the larger cities increased materially in population, at the expense of dwellers within city geographical limits. Eight of the big cities showed losses, although surrounding areas improved—a definite trend towards more and bigger suburban subsequent run houses for film market development within the next few years. Difficulties of automobile parking in downtown sections of the larger cities, and the fact that department stores are increasing the number of their suburban branches, thus changing the shopping areas, are contributing factors to the indication that motion picture theatres of the future are not so likely to be built in congested commercial areas, but rather in the residential sections where land values and taxes are much lower.

The 1940 count and ratings of the top cities follow:

Rank	City	1940 Pop.	1930 Pop.
1	New York	2,349,226	2,349,226
2	Chicago	2,334,396	2,334,396
3	Philadelphia	1,535,080	1,500,961
4	Detroit	1,499,792	1,238,048
5	Los Angeles	1,490,792	1,238,048
6	Baltimore	874,365	900,425
7	San Francisco	854,144	804,871
8	St. Louis	815,748	821,900
9	Boston	760,250	781,354
10	Pittsburgh	685,384	680,817
11	Washington	681,193	490,809
12	San Francisco	620,553	584,396
13	Milwaukee	560,558	578,210
14	Buffalo	554,110	574,745
15	New Orleans	492,282	458,782
16	Minneapolis	489,076	484,351
17	Cincinnati	452,812	451,370
18	Newark	428,296	442,337
19	Cleveland	428,296	442,337
20	Kansas City	386,170	394,191
21	Houston	360,190	292,352
22	Seattle	350,197	307,145
23	Bochester	324,604	328,132
24	Louisville	316,415	297,475
25	Denver	316,415	297,475

### From Film Viewpoint

From the film industry viewpoint, most important factor concerned with the larger centers of population is the first-run theatre situation in the various centers. Data recently assembled by the Department of Justice as an exhibit in the Government anti-trust suit against the eight major film companies contained details of the ownership, operation and pooling arrangements of the first-runs in the larger cities, of which only a few are omitted from the census '25-biggest' list.

Excluding the unlisted cities, the five theatre-owning major film companies control 126 first-run theatres in the 25 biggest cities, while there are only 37 independently owned and operated first-runs in 19 and none in 6. By companies the numbers of first-runs each controls, either through ownership, management contract or pooling arrangement with a competing distributor follow:

Company	1st Runs	Cities
Paramount	28	12
Warner Bros.	29	8
20th-Fox (Nat'l Ther. Co.)	26	8
Loew's	24	15
RKO	19	12
Non-affiliated	37	19

In addition to the first-runs, all the affiliated majors are interested, through ownership or operations, in scores of subsequent-run theatres.

Ratio of motion picture theatres to population nationally varies greatly between industrial and rural sections of the country. A recent Census Bureau pamphlet, listing gross receipts of film houses, shows that although only 17% of the total population resides in cities of 500,000 or more inhabitants, the public in these cities pays 34.6% of the total national motion picture boxoffice gross. In cities from 250,000 to 499,000, representing 6.5% of the entire population, the film boxoffices collect 11.1%.

(Continued on page 10)

### Burbank Optimism

Hollywood, Aug. 6.

Jane Bryan is still being held on the contract list at Warners although she abandoned the pictures forever—so she said—when she walked out and got married nearly a year ago. Studio exercised its latest option on her pact—just in case.

## 1st 'Dual' Theatre Under One Roof At Alhambra, Cal.

Alhambra, Cal., Aug. 6.

James Edwards, partner with Principal Theatres (Mike Rosenberg), is rushing completion of first 'annex' theatre ever to be constructed in this country. House, which is in reality an addition to the Alhambra theatre, will be ready the latter part of this month and will, for the first time, make it possible for patrons to move from one auditorium to another to see the finish of a picture which has been on the screen when they first enter theatre.

Annex will have a seating capacity of around 400, and Edwards' plan is to move pictures direct from screen of the Alhambra to the annex screen for a continued showing. There will be but one entrance and boxoffice, but two screens and projection equipments, divided by a partition between main theatre and annex, all under one roof.

## LLOYD ENDS 'HOWARDS,' MOVES HIS UNIT TO U

Hollywood, Aug. 6.

Frank Lloyd and Jack Skirball moved their production staff from General Service to Universal, where they will be occupied for two years on a three-pictures-a-year deal. They recently finished editing and scoring 'The Howards of Virginia' for Columbia release.

Skirball assumes command while Lloyd takes a six-week vacation before starting preparation work on 'The Lady From Cheyenne,' first picture under the U deal.

## Got Told, Anna Sten Sues REP for \$4,500

Los Angeles, Aug. 6.

Suit for \$4,500 was filed by Anna Sten against Republic Productions, charging breach of contract involving the picture, 'Doctors Don't Tell.'

Miss Sten asserts she had a verbal pact to play the femme lead, but was released after she had reported for wardrobe fittings. She asks a minimum of three weeks' salary at \$1,500 per week.

### Grey's Hookup

A. Griffith Grey, brother of D. W. Griffith, has joined the firm of Pierson & Phillips of Washington, which is making and distributing Republican emblems in connection with the Wilkie campaign. He is attached to the New York office of the firm, just opened.

For many years in show business, Grey was for some time in charge of Paramount's roadshow department. He also was associated in production and roadshowing with Griffith.

### GOODKIND WEST

Larney Goodkind, eastern talent and story chief for Universal, flies to the Coast today (Wednesday) for confabs with studio execs.

He'll be away a week to 10 days.

## Layoff in the Sun

By BILL HALLIGAN

Hollywood, Aug. 6.

Mr. Happy Hemmingway, Palace Beach, N. Y.

Dear Hal:

I suppose this will find you in front of the Somerset hotel still waiting for that disappointment at Loew's State. Don't forget that I begged you to get in the jalopy with me and come out here to the land of sunshine, but no, you couldn't see same, so have it your way. You would have did better to give me half of that dough you had at the time instead of playing those buck parlayes, and where did it get you? Sure I know—in front of the Somerset, as you have no more backbone than a piece of string.

First it was your dear old mother you could not leave so far behind and now it is that manicurist, so with one thing and another you are an anchor and you know where an anchor finds itself; well I do, at the bottom of the sea.

Well, we had a great trip. Sure I said we. I picked up a little number outside of Harrisburg that's a dead ringer for 'Red,' the gal what worked in that three-act with us at Chambersburg, and she said she was going to Pittsburgh to work in the steel mills, but when I told her who I was and where I was headed for stardom she said she was really going to Bakersfield to pick lemons, so I says, 'Well honey, you picked one already,' and she roared at that one and I have had her in stitches ever since.

This would be a great spot for you, as they are using all the blackface guys in westerns, and who do you think same are? No one but Al Herman and Lasses White and Britt Wood, so you see they a chance for me also, although at present I am a stand-in for a swell headed ex-actor player who don't know what time it is grabbing himself 1,500 tears a week and me tipping him off most of the time for my \$7.50 and overtimes. Just like a brick layer.

I wished I was way down south in Dixie when I was in that unit, and boy would the old grouch-bag groan!

I have a apartment with a fridgitaire and a bunk that falls out of a door that sags in the middle like the picture we are making at No-Art.

### Gastronomic Chisel

Done good the first few weeks I was here as some of the acts I worked with on the Loew time has restaurants and I drops around just to say hello for old time's sake around dinner time. I ate at Dave Chasen's for a week as Dave and I is old buddies since Joe Cook, I sure is old buddies in the last five years as nobody seems to know me, or else they need glasses, as I had to go up to a lot of them and say, 'Hello! You remember me,' and still they didn't place me.

Well, I sucked Dave Chasen's after a while as I seen the prices on the menu and they is the same as Moore in New York, according to Donald Kerr, who et there, as I was never frequenting the place due to my ulcers, etc.

I goes over to Bob Murphy's and he was glad to see me as they is a sign out in front what says 'Murphy Wants to See You.' Well, Murphy don't want to see me anymore, as I et there only five times and he cracks to me, 'You know Grace Hayes?' 'Sure,' I says, 'Well,' he says, 'give her a play, she will be glad to see you, as I am running out of corn beef.' So out I goes to see Grace, but I has to wait until nine o'clock until Grace opens and they is only Charlie Foy there, and so has to settle for ham and eggs, which same Foyise okays me and wises me up what do you want to make such a long trip for out here in the Valley when Maxie (Splashes) Rosenboom has a swell joint near where I live, but under cover Sammy Lewis really owns same and he and Patty Moore is a prince, so I has been eating at Sammy's until yesterday when Patty Moore, Sammy's ball-and-chain, slips me a fin and wises me up to the thrifty drugstore, where a man can get a meal for 39c., but good, and that's where I am eating so far.

I am saving all the dough I make for a front and whilst I am doing same I am growing a beard as I was tipped off about the westerns besides saving on blades.

I must close now as I have a date at Monogram to see a pal about a fin he borrowed from me on the Wilmer Vincent time back in '32.

Your pal,

Buck.

## Par Still Balks at Consent, 20th Also Holding Out; WB, Loew's and RKO Agree to Proposals As They Stand

### Neely's Brushoff

Out of season repartee continues between Representative Matthew M. Neely, author of the anti-blockbooking bill, and Charles C. Pettijohn, general counsel for the Hays organization, who led the fight against the bill before both Senate and House interstate committees.

Among congratulatory wires received by Pettijohn, Jr., following his marriage last week, was one from Rep. Neely. Snapper line was:

'You must have lovely mother!'

Subject to approval by the boards of each company, Warner Bros., Loew's and RKO have indicated they will go along on the consent decree as it now stands; but, unless 20th-Fox and Paramount also accept, it is predicted there will be no consent. According to a high and reputable source, there can possibly be no finalization of a consent decree unless all of the Big 5 agree to it.

This is highly doubtful at the moment, particularly far as Paramount is concerned. In the event Par refuses to agree to the terms of the settlement, then under the prediction made, its action would upset the whole agreement.

All day Monday (5) and yesterday (Tues.), Paramount and 20th-Fox executives were huddling on the question of what to do in view of a plan under which they were to make answer to the Government attorneys not earlier than today (Wed.). This may mean a final decision, one way or another, sometime today (Wed.), although high counsel stated the position of 20th-Fox and Par may not be known until the end of the week or later.

Sidney R. Kent, president of 20th, flew into New York Monday (5) and immediately went into huddles with attorneys representing the company. He will remain until a final decision has been reached, then return to his summer home in the Thousand Islands. WB, Loew's and RKO had told the U. S. counselors on Friday (2) that they would recommend accepting the decree to their respective boards.

Kent stated yesterday (Tues.) that 'as soon as we make up our minds on the consent decree, we will announce it.' This clearly indicates a decision had not been reached then. Twentieth-Fox may come along but Paramount is regarded as somewhat dubious right now, especially in view of the terrific opposition of its own theatre department as well as its many operating partners. It is in a far different position than (Continued on page 18)

## LINDA WARE'S UNCLE AWARDED HER CUSTODY

Detroit, Aug. 6.

A writ of habeas corpus brought by George Stillwagon to obtain custody of his daughter, 15-year-old Linda Ware of the films, was dismissed Saturday (3) by Judge Frank Day Smith, of Circuit Court. The dismissal was on a technicality. The result is invalid service of the writ. Judge Day, in his opinion, said that for eight years Stillwagon was satisfied with the care his brother, Arthur Stillwagon, gave Linda and in that time made no effort to regain custody of the child. Therefore he is not now entitled to her custody.

Linda arrived in Detroit June 1 to appear at the Michigan Dairy Food Producers' Association National Dairy Week banquet. The writ was served on Carl H. Chapman, publicity director for the association. It was returnable June 3, but she returned to Hollywood next day.

At the hearing of the writ Chapman contended that he had nothing to do with Linda's custody. Judge Smith, finding Chapman did not have legal custody of Linda at any time, upheld his argument.

Chapman also pointed out that the writ could have been served on Linda's guardians, Arthur and Anna Stillwagon, who were in Flint, Mich., at the time.

Judge Day, in handing down his decision, said: 'It is a strange proceeding for a father to permit his child to remain in the custody of her uncle and aunt for eight years, apparently satisfied with the care and training she is being given, and then suddenly to want her back.'

'I believe that it is to the best interests of the child that she remain with her uncle and aunt.'

### WB Starring Lupino

Hollywood, Aug. 6.

Ida Lupino moves into the star class in 'Hard Luck Dame,' to be produced by Warners following her current featured role in 'High Sierra.' Raoul Walsh directs both 'Sierra' and 'Dame.'

## Dent and Cooper's Armistice Pool Falls Through

Lincoln, Aug. 6.

Deal which would have affected an armistice between L. L. Dent and J. H. Cooper-Paramount in Lincoln and Oklahoma City, after six years of battling, fell through this week after windup confab in Colorado in which Cooper, Dent, Bert Turgen, Joe Philippon and Howard Federer participated. Turgen and Philippon represent Cooper and Paramount, and Federer is Dent's ally here.

Proposal would have made the Nebraska here property of the Dent interests, and in turn, Dent's State, in Oklahoma City, would have become a part of the Cooper operations. Each would pay \$50-50, but have different managements. Share in the Nebraska operation was to be diverted into providing funds for Cooper's Foundation for underprivileged children.

Negotiations started in earnest about four months ago, when Dent started remodeling the Liberty, making of it an 1,100-seat A-house to face Cooper's 1,804 deluxe RKO Stuart. All the while negotiations were on the steady construction work continued on the Liberty. Now, since the deal has broken up, work is being rushed to ready the Liberty for opening Sept. 6.

## 'LAND OF LIBERTY' FILM PROFITS TO RED CROSS

With the film business now preparing to revamp 'Land of Liberty' to make it suitable for general distribution to theatres, any profit realized from distributing will go to the American Red Cross fund. Metro is to handle actual physical distribution.

'Land of Liberty' was compiled from historical productions made by the industry and readied for showing last year at the N. Y. World's Fair. It still is being shown this season in the Federal Bldg., no admission charged at two-a-day showings.

Representatives of exhibitor associations, theatre circuits and film producers and distributors set tentative plans for the tremendous theatre campaign for the American Red Cross at a session held Friday (2) at the Hays office. Major L. E. Thompson, chairman of the industry committee for the drive, outlined the main idea for the campaign during the annual Red Cross roll call starting next Nov. 11.

### Films' Photo Unit

Hollywood, Aug. 6.

Major Nathan Levinson, Warners studio sound chief, is lining up a commissioned officer personnel of 26 members for Signal Corps Photographic Laboratory, GHQ, U. S. A. Reserve. Nominees must be skilled in the production of both still and motion pictures. Photo Lab unit will be called into active service only in case of war, at which time 304 enlisted men will be mustered in.



# PROPOSE CENT'L CHECKING

## Exhibs Put Bigger B.O. Burden Right Back in Producers' Laps

Minneapolis, Aug. 6. Expected curtailment of weekly changes by independent neighborhood exhibitors here hasn't materialized. Practically all the houses are making the same number as ever.

On their part, exhibs claim that films won't hold up at the boxoffice any longer than the two or three days originally assigned. Extended playing time is profitable only on rare occasions, it's declared.

Exhibs are complaining that 'box-office pictures' have been all too infrequent. Product, on the whole, isn't strong enough to pull important business, the exhibs say.

If producers want larger yields from the domestic market to offset the losses sustained because of the foreign markets' elimination they'll have to turn out more and better pictures, the exhibs assert. Better showmanship and harder work on the exhibs' part are not the solution, according to these exhibs.

## Execs Leave Fine Arts To Launch Own Indie Outfit; Warner Ailing

Hollywood, Aug. 6. Fine Arts Pictures organization has been reduced to a skeleton staff while prexy Franklyn Warner is in the hospital recuperating from an appendectomy. J. Samuel Berkowitz, v.p. and executive manager, and 'Doc' Merman, production manager, have joined the newly incorporated Forum Films, and Dick Pearl, studio manager, is interested in a new company to produce westerns.

Employees have been placed on a day-to-day basis. Future of the company will be decided by Warner when he emerges from the hospital. Berkowitz is president and general manager of the new Forum outfit; Merman, production manager; Jesse J. Gilbert (Jesse J. Goldberg), v.p. and associate producer; Samuel Nathanson, v.p. and general sales manager; Louis Ruitstein, treasurer and chairman of the board, and John Fisher, secretary and comptroller. Company plans to produce educational films in color for release in schools and churches. There are 15,000 schools and 3,000 churches in the U. S. equipped for talker projection.

**Edwards Shifts**  
Sol Edwards, sales manager of Franklyn Warner's Fine Arts Producing & Distributing Corp., has resigned to take a similar post with Film Alliance, formed about a year ago by Harry Brandt, Nat Wachsberger and the Trans-Lux Corp. to distribute foreign pic in this country.

Edwards was with Fine Arts from the time of its organization last Jan. 3 until July 31 and set up a complete states-rights exchange system for it. Warner was supposed to turn out product for the outfit, but has made nothing to date. Fine Arts has existed on seven old features Warner made and salvaged from GN when that company went bankrupt in December.

At Film Alliance Edwards takes over the job held by Norman Elson, who, in the future, will handle the western territory only. Latter has announced 25 English-made pictures for 1940-41, five being shipped to exchanges this week.

## Leshin Quits Par Job, Turns Indie Producer

Hollywood, Aug. 6. Emanuel (Ed) Leshin has resigned as assistant production manager at Paramount to organize his own producing setup. He has been with Par on and off since 1928.

Leshin has acquired several story properties and has been assured a major release if he lines up some top personalities to head his casts.

## Berman's M-G Chore

Hollywood, Aug. 6. Pandro Berman has been assigned by Metro to produce 'How to Get Tough About It,' based on Robert Ardrey's stage play of three seasons ago, bought last year. John Higgins is scripting. Ardrey is now under contract at RKO.

## UPS ADMISSION FOR 'BRIGHAM' FIRST RUNS

Admission prices for 20th-Fox's high-budget picture, 'Brigham Young,' will be raised 25% for matinees and 33% at night in all first-run theatres. Increase was announced by Herman Wobber after completing arrangements for the four-theatre world preem Aug. 23 in Salt Lake City.

Picture will be unveiled simultaneously at the Centre, Paramount, Utah and Capitol, providing 6,000 seats at \$2.50. The film goes into national release the next day at the upped prices.

Sales policy was set by Wobber, following confabs with Joseph M. Schenck.

**'Boom Town' Also**

First of pre-release engagements at increased admission prices on 'Boom Town,' a 1940-41 picture, begin tomorrow (Thurs.). Metro is getting 30% increases over the set scale but with a stop at 75c in any case where such a percentage of increase goes above that figure. Initial dates at the upped admish include Atlantic City, Tulsa, Los Angeles, Harrisburg, Asbury Park, N. J., Lexington, Ky., New Orleans, Saratoga Springs, Indianapolis, Cincinnati, Lake Placid, Glens Falls and Oklahoma City.

Special exploitation men have been assigned by Bill Ferguson to handle the increased admish pre-release playdat.

## 20th Execs' Huddle

Hollywood, Aug. 6. Herman Wobber, Charles McCarthy and Rodney Bush got here last week for confabs with 20th-Fox Coast execs on bally and sales campaigns for 'Brigham Young,' 'Great Profile,' 'Return of Frank James' and 'Down Argentine Way.'

Huddles will continue until Friday (9), when Wobber will start swinging around the exchanges and Bush heads back to New York. McCarthy flew back Monday (5).

## E. W. HAMMONS PLANS PRODUCTION ANEW

Earle W. Hammons former prez. of Educational and Grand National, returned Monday (5) to New York from two weeks on the Coast, where he said he had been laying plans for entering production. He is figuring on three pictures and has a writer currently at work on the script of the first. He also confabbed with possible distributors.

Hammons declared he has made no overtures yet for distribution of the films. He'll return to the Coast in about four weeks.

## DIETZ WEST AGAIN

Hollywood, Aug. 6. Howard Dietz arrived from New York over the weekend to resume studio huddles on campaigns for Metro product.

Ad-blurb chief will remain until early September, when he returns east.

## BUREAU SETUP A LA CASTING

Central Office to Keep Tabs on % for All Distributors—Meantime Warners Returns to Ross Federal Service

## GYP ON THE RISE?

A central checking bureau, under the control of the distributors themselves and set up for the exclusive purpose of checking percentage engagements of pictures, is reported under consideration. Whether such a proposal may get anywhere cannot be said in the absence of details concerning reports but idea appears to be to organize along the lines of the Central Casting Corp. or the Copyright Protection Bureau.

Central Casting was devised by the producers for the handling of extras exclusively for film, while the CPB operates as an adjunct of the Motion Picture Producers & Distributors of America in connection with violation of copyright, bicycling of film, and related matters.

Coincident with word that an industry-operated bureau for the checking of percentage dates was in the wind, Warner Bros., has returned to Ross Federal Service. The latter organization, which was set up more than 10 years ago when exhibitor became prevalent, resumed checking for Warners Monday (5). It checks for all other majors excepting Metro, which has its own field force on the job.

WB and Metro were originally with Ross but pulled away in favor of maintaining their own checking and crews. The Ross company was organized by Harry Ross for years a distribution executive for Paramount, solely for the purpose of providing a checking service for picture companies. Since then, however, it has branched out, one of its principal fields being marketing research. It also checks sporting events.

At Ross Federal, which might stand to face a blow in the event the distribut set up their own checking bureau, no word was known concerning such plans. It was said that checking on percentage pictures fluctuates so much that it would be necessary to go through a lot of books in order to determine whether the distributors had been checking fewer playdates or not during the past year. Admitted, however, that in view of economies the picture companies have been trying to effect, they have probably gone down the line through checking.

At Warners it was said that resumption of checking by Ross, washing up their own forces on that work, was partly with a view to economy. It was indicated, however, that by doing its own checking for a number of years, much valuable experience concerning the problem has been attained. As here and in other companies checking the exhibitor who cannot be depended upon for honest gross figures is still regarded as a tough problem. Warners found out that its own checkers were often offered bribes by the dishonest exhibs, sometimes in sizeable amounts.

Hundreds of tricks are tried by the exhibs seeking to cheat the distrib on latter's share in percentage engagements. A favorite stunt is taking the checker to dinner or out for some drinks and switch ticket rolls while he's away. An industry spokesman, very familiar with the checking situation, vouchsafed that there would always be a certain amount of chiseling and fixing by exhibs who are not always on the square.

During the past year or two, due to the cost of checking, distributors have relaxed considerably and, it is believed, haven't been keeping as

(Continued on page 19)

## Dissolution of S-I and Probable Alignment of Dave Selznick In New Financial Setup In the Wind

## Fineman Back at M-G

Hollywood, Aug. 6. B. P. Fineman has joined Metro as a producer. He was last with the studio seven years ago.

Since then he has been with Paramount and RKO.

## RE-MAKES AND REISSUES 'B.O. POISON'

Pittsburgh, Aug. 6. Exhibitors here want producers to put the clamps down on re-makes and they're going to serve notice to that effect on Hollywood. Most of the re-makes, which are becoming increasingly frequent, have been 'boxoffice poison,' according to the exhibs. Once in a while there's an exception, like 'New Moon,' for example, but for the most part the re-makes die miserably, it's declared.

Reissues also are in disfavor with the exhibs. Like the re-makes, they haven't been delivering lately, according to the theatre owners. The change has occurred during the past year, it seems. Prior to that, an occasional reissue would click in a big way. But, say the exhibs, the distributors killed the goose that laid the golden egg by coming along with too many of them and the public became soured.

## Griffith Quits 20th Production Berth As Robert Kane Moves In

Hollywood, Aug. 6. Shift in the associate producer setup at 20th-Fox moves Raymond Griffith out and Robert Kane in. Griffith, who had held the berth for five years, checked out for a New York vacation, leaving his last assignment, 'The Californian,' to be finished under the personal supervision of Darryl F. Zanuck.

Kane, formerly in charge of 20th production in England, assumed production of the Jane Withers picture, 'A Very Young Lady.' He has been in Hollywood since the war slowed picture making in London several months ago.

## PETTIJOHN'S HUDDLE ON COAST WITH HAYS

Charles Pettijohn, chief counsel for the Motion Picture Producers & Distributors, trained for the Coast Friday (2) ostensibly for a vacation. However, several huddles with Will Hays, president of MPPDA, on industry matters are likely.

Hays went to the Coast about two weeks ago on his annual summer trip to Hollywood and probably will not return until September.

## Hays Addresses Prods.

Hollywood, Aug. 6. Will H. Hays last night (Mon.) addressed a meeting of the Motion Picture Producers Association on film biz home and abroad.

There was also a discussion of routine labor matters.

Far-reaching decisions that will probably mean the end of Selznick-International Pictures were made at an all-day meeting of the board of directors in New York yesterday (Tuesday). Blanket of secrecy thrown over the confab and efforts of David O. Selznick to evade reporters' questions strengthened the belief in many quarters that the long contemplated step was officially taken. Selznick, it understood, will obtain financing under a new setup in which John Hay (Jock) Whitney will take no part.

Attending the session to decide on the future of the company were Whitney, who presided; Selznick; his brother, Myron; Lloyd Wright and Robert Lehman. After the meeting all refused to discuss what decisions had been made. Selznick sent out a statement to waiting reporters that it was merely a 'routine' meeting, refusing to answer questions beyond that, although after such confabs usually he is available to the press.

Furthermore, that the session was of more than routine nature was its length and an indication given by Myron Selznick during a halt for luncheon. Myron, who had flown in from the Coast for the confab, admitted important findings were in the works, but said he would prefer to have David answer all queries as to what they were.

Ever since he wound up 'Rebecca' and came east some three months ago, Selznick has been going over taxation figures and other financial matters leading up to yesterday's board meeting. It was evident from the first that he had no immediate plans for production and was merely stalling while the foreign situation simmered and the principal stockholders, including Whitney, financial angel of the outfit, made up their minds as to what to do.

With two highly successful pictures in one year, 'Gone with the Wind' and 'Rebecca,' taxation was one of the prime problems faced by the company and its owners. It is at least, partially, in an effort to get around this, that any steps toward dissolution will be taken.

No. 2 reason for abandonment of S-I, it is understood, is a feeling by Whitney that now is the time to get out. Company has been in business for five years. First four of those saw nothing better than an even break. Investments, and in some cases a dead loss. There were successful pictures, but overhead was so high it ate into the profit. Fifth year, however, was the big coin producer, putting Whitney and the others ahead of the game. Whitney's idea now, it is believed, is that he's had enough and he'll quit while he is in the lead. In addition, Selznick is now in a soft position to obtain other financing, no longer having any need of Whitney.

## Netter's Swing Of Par's Dixie Pard

Leon Netter, Paramount theatre department executive, left yesterday (Tues.) for Asheville, N. C. and Atlanta to confer with various southern partners of the company.

He will huddle with Carl Bamford of Asheville and Bob Wilby, Arthur Lucas, Bill Jenkins, S. A. Lynch and E. J. Sparks at Atlanta, returning to the Par h.o. in a week.

## RKO Reopening 8

By the end of this month RKO will have reopened its houses which were closed down for the summer.

The Palace, Chicago, the first to be re-lighted Thursday (1), will be followed by the Orpheum, Kansas City, and the RKO Shubert, Cincinnati, Aug. 15; Colonial, Dayton, Aug. 16; Albee, Providence, Aug. 29; RKO Grand, Cincinnati; Strand, Syracuse, and Grand, Columbus, Aug. 30.

# New Blue-Law Drive In Pennsy To Kayo Sunday Films Again

Philadelphia, Aug. 6. Rev. W. B. Forney, secretary of the Lord's Day Alliance and chief blue-law advocate in these parts, last week revealed that he was seeking signatures to a petition to place an anti-Sunday film referendum before Philly voters at the November elections.

Philadelphians 1935 registered a two-to-one preference for Sunday pictures, which until then had been barred under Pennsylvania's ancient Blue laws. The referendum at that time, however, provided that the question could be resubmitted after five years.

Forney declared that he is confident that he can obtain the necessary 19,000 signatures required to put the question on the ballots.

Meanwhile liberal groups were getting ready to fight off the reintroduction of the Blue Laws that made Philadelphia Sundays the laughing stock of the nation before 1935.

In several towns, including Harrisburg, where the Sunday ban is still in effect (Sunday films are optional according to the voters' choice) the anti-managers of these towns are circulating petitions to have the question placed on the ballot.

A comeback of the Blue Laws in Philadelphia and nearby communities would force many theatres to close up, veteran exhibitors say. The Sunday take is in many cases the difference between staying business or folding.

## Drive for Sunday Pix

Easton, Pa., Aug. 6. A drive to have Sunday pix in cities and towns in this section, where the drive was defeated five years ago, has been started, as plans are being made for another election on the issue. The laws of Pennsylvania provide for local option on Sunday films, elections held every five years. In 1935 the only city to approve Sundays was Easton.

Allentown, Bethlehem, Nazareth, Northampton and several other towns in this section are now preparing petitions to have the issue submitted to the voters. The petitions are being circulated on the streets, in public places and theatres. In Allentown five years ago the vote against Sunday shows was 11,750 to 8,890. Since Sunday pix have been successful in Easton, it is believed that it will pass in Allentown and Bethlehem this year.

## O'Brien Rejects 20th Role, Takes Col. Pic

Hollywood, Aug. 6. Pat O'Brien's first picture, following the completion of his term contract with Warners, will be "Passage West" for Columbia.

Actor was offered a top role in "Western Union" at 20th-Fox, but declined because it would interfere with his appearance at the South Bend premiere of his last Warners film, "Knute Rockne—All American."

## Rep's 'Parade' Rolls; Garber in Ork Spot

Hollywood, Aug. 6. Cameras start grinding tomorrow (Wed.) on Republic's "Hit Parade of 1941," with John H. Auer directing. Latest additions to the cast are Jan Garber and his band, Six Hits and a Miss and Borrah Minevitch and His Gang. Fr. Langford and Kenny Baker are the romantic leads. Garber is in spot primed for Benny Goodman's band until the maestro was forced to the Mayo Clinic in Rochester, Minn., for his sciatic ailment. Goodman has just been discharged and is convalescing at Banff, in the Canadian Rockies.

## Bacon's 'Fabulous 30's'

Hollywood, Aug. 6. Lloyd Bacon gets the director chore on "The Fabulous 30's," slated by Warners as a starer for James Cagney and Humphrey Bogart. Picture is based on a story by Milton Krims.

## PRODUCT DEALS

### RKO Sets With Robb-Rowley And Kincey-Wilby—M. H. Pix

The Robb & Rowley circuit in Texas and Arkansas has closed for the 1940-41 RKO product, covering a total of 34 situations. Ed Rowley and C. V. Jones, of the circuit, made the deal with Bob Mochrie, of the RKO, and Sol Sacha, Dallas branch manager.

Another deal for RKO is with a portion of the Louis Dent circuit, embracing the circuit's theatres in Colorado. A two-year deal, carrying through 1940-41, was made for the RKO product last summer for Nebraska and Oklahoma houses of the chain.

Kincey-Wilby has closed with RKO for its 1940-41 product to cover the circuit's theatres in North and South Carolina, totaling 31 situations. Robert Mochrie from the RKO home office and J. J. Brecheen, southeastern district manager, negotiated the deal.

**Music Hall's Product**  
Closing numerous deals, pictures, the Music Hall, N.Y., is carried well into the fall on product. Set to follow "Pride and Prejudice," bought from Metro and opening tomorrow (Thurs.), are "Ramparts We Watch" (RKO), "Lucky Partners" (RKO), "Howards of Virginia" (Col.), "They Knew What They Wanted" (RKO) and "The Westerner" (Goldwyn-UA). While "Ramparts" is to follow "Pride and Prejudice," others will not necessarily play the Hall in the order named.

## PAR'S 6-MONTH NET AT \$3,084,000; UP \$1,000,00

Paramount earnings rose nearly \$1,000,000 in the first six months this year, as compared with the first half of 1939, estimate of earnings by the company last week showed. Net earnings for the six-month period ending June 29 totaled \$3,084,000, as compared with \$2,130,000 in the first half of last year. Paramount secured \$1,039,000 of this net from undistributed earnings of partially owned non-consolidated subsidiaries, and \$660,000 from profit on purchase of debentures. In the similar period of 1939, the company obtained \$978,000 as its share of undistributed earnings in partially owned non-consolidated subsidiaries.

The earnings represent \$1.01 per share on common stock providing for dividends on the preferred issues as against 62¢ a share in the six months ended July 1, 1939. This was in line with Wall Street estimates made several weeks ago.

Second quarter earnings for the three months ended June 29 amounted to \$490,000, after interest and all charges including additional foreign and Federal taxes from Jan. 1 this year. Latter provision is made because of new rates under the 1940 revenue act. In the corresponding quarter ending July 1 last year, earnings totaled \$630,000.

Paramount's net profit of only \$323,000 represents Par's direct and indirect net interest as a stockholder in the combined undistributed earnings for the quarter in partially owned non-consolidated subsidiaries, as against \$300,000 in the second quarter of 1939. This plainly indicates that the bulk of the earnings reported for the second quarter this year came from film rentals rather than from theatre operations.

Company showed 141,590 shares of \$100 par value 6% first preferred stock, and 555,071 shares of \$10 par value 6% second preferred stock outstanding as of June 29 last. Also reported 2,465,927 shares of common outstanding on the same date.

Earnings were published the same date, Aug. 1, at the meeting of the board of directors when Henry Ginsberg was elected vice-president to succeed George L. Bagnall, resigned. Ginsberg, the new general manager at Paramount's studio, joining the company only about six months ago following his connection with David O. Selznick.

## Our Gang Dons Mitts

Hollywood, Aug. 6. Metro has set "Fighting Fools" as the tag on the next Our Gang comedy. Edward Cahn draws the directorial assignment.

## Studio Contracts

Hollywood, Aug. 6. Warners holds its player option on Dennis Morgan.

John Sutton drew a new actor option at 20th-Fox.

Garrett Fraib signed a player pact at Warners.

Lucile Fairbanks' player ticket renewed by Warners.

Metro hoisted Waldo Salt's writer option.

Bonita Granville drew new player pact at Metro.

Warfies picked up William T. Orr's actor option.

20th-Fox renewed Henry Fonda's pact for another year.

James Stephenson inked new designer ticket at RKO.

Warners handed Arthur Kennedy a player contract.

Walter Pidgeon drew new term from Metro and carries on in the title role of "Nick Carter" series.

George Montgomery won option lift at 20th-Fox.

Metro handed Chill Willis a term player deal.

## PAR OPTIONS STORY FOR 45¢

Option taken by Paramount recently on screen rights to "Captain From Connecticut," novel by C. S. Forester, calls for purchase price of \$45,000. It guarantees, in addition, a minimum of \$5,000 for five weeks' work in doing the screen adaptation. Forester also did the adaptation of "Capt. Horatio Hornblower," which he authored and which is now being filmed by Par.

"Captain From Connecticut" is not yet written and won't be until Forester winds up other Hollywood commitments later in the year. Book is not scheduled for publication until September, 1941.

**Clarence Brown's Buy**  
Clarence Brown, Metro producer-director, last week purchased screen rights to "Oklahoma Ending," an historical novel by Edward Donahoe, which will be published by Houghton-Mifflin in the fall. Story deals with the Oklahoma oil rush. Price was \$7,500.

Purchase was a personal one by Brown in which Metro did not participate.

Price was \$20,000 for the American film rights to "A Woman's Face," which Metro recently purchased. Company bought the rights to a Swedish picture which was made from the original French play by Francis de Croisset.

## Story Buys

Hollywood, Aug. 6. Metro bought "Married Bachelor," by Manny Seif.

Walt Disney purchased "Bambi's Children," a sequel to "Bambi," by Felix Salten.

## Grace Moore's French Pic, 'Louise,' Subject of Suit

Suit over Grace Moore's last film, "Louise," was disclosed Monday (5) in N. Y. supreme court when Sylvia Shafran, assignee of the Societe Parisienne de Production de Films, producer of the film, had her request for arbitration granted by Justice Kenneth O'Brien against Arthur Mayer and Joseph Burstyn. Action seeks an accounting on the domestic gross.

The distribution contract between the producers and the defendant was entered into July 11, 1939, whereby the first \$20,000 was to go to the producers, the next \$25,000 to the defendants, the next \$20,000 to the producers and the next \$35,000 to the defendants.

A 50-50 split on all monies over \$100,000 was to conclude the tract.

First exhibition was begun in February, 1940, but the defendants have refused to turn over monies, claiming they received a print with a faulty sound-track. On May 1, 1940, the producers assigned the rights to Miss Shafran, who now seeks to have the controversy arbitrated. The defendants fought arbitration, claiming that no proper assignment was made, and it was their understanding that the assignment was made to Miss Moore, and not to the plaintiff. The court ruled arbitration will hurt no one, and granted the plaintiff's request.

## Inside Stuff—Pictures

Ultimately Republic may control all its own exchanges throughout the U. S. by buying up long-term franchises held by local, former independent exchange men. At present in command of likely offices, including such important sales points as New York, Detroit, Buffalo, Los Angeles, Boston and San Francisco, Rep may within a year or shortly afterward round up the balance and thus become a nationally organized major selling its own pictures.

Under the franchise system, employed also by Monogram, the holders of the various exchange territories sell the pictures on a percentage basis. When originally set up, Republic negotiated deals with independent sellers in the various branch points on a basis of five years. Before these deals were up, but after they had run around four years, Rep re-negotiated terms for another five years with the franchise-holders at terms more in line with Rep sales possibilities.

Under the renewal on the five-year basis, Republic reserves the right to buy out the franchise-holders, Mono, in closest opposition to Rep; but running behind it on sales reportedly, continues under the franchise system and is expected to remain that way.

New York local 802 of the American Federation of Musicians is not the direct owner of the property in which is situated the Casino theatre, Nazi film house in Manhattan's Yorkville, although owners of the building are members of the union. The theatre property is actually owned by Musical Mutual Corp., which was formed expressly as a holding company for it by members of the Musicians Mutual Protective Association when that organization in 1920-21 became Local 802. New York local used the building as a meeting place until 1934. Harry Kantor is prez of MMC.

## ACCENT ON LAUGHS

Roach's Scheme of Things on All 1940-41 Pix

Hollywood, Aug. 6. Hal Roach is streamlining his 1940-41 program for laughs and whittling off any branches that lead toward tragedy. Comedy is the main idea in his five-picture lineup for United Artists release.

"The Unholy Horde," originally a heavy drama of the French Revolution, is back in the planning mill to smooth off the rugged spots. "Road Show," currently in production, is getting a humorous treatment. The other three, "Topper," "Returns," "Niagara Falls" and "Broadway, Ltd.," are essentially comic.

## RKO AGAIN PASSES DIVIDEND ON 6% PFD.

Directors of Radio-Keith-Orpheum again passed up paying the dividend on the new 6% preferred stock when the board met last week. Company now owes \$3 a share on this stock as of July 31 last. Statement from RKO explained that consideration was given to the matter of declaration of a dividend on the preferred shares but that the board determined to take no action presently on the distribution matter. No additional explanation was forthcoming from the company.

## Con's \$374,767

Consolidated Film Industries virtually covered preferred dividend requirements on its \$2 preferred stock in the first six months this year, report covering first half of 1940 showing net earnings of \$374,767, after all deductions excepting provision for Federal surtax on undistributed profits. This is equivalent to 93½¢ per preferred share, which is at the rate of \$1.87 per year.

Consolidated Film net earnings, with the same deductions totaled \$195,468 for the second quarter this year, ended last June 30. The three-month period net amounted to 49¢ per preferred share on 400,000 shares presently outstanding.

## RCA Divvy

Dividends of 87½¢ on the first preferred and \$1.25 on the Preferred B shares of Radio Corp. of America were declared Friday (2). Both distributions cover the quarter ending next Sept. 30. Both divvys are payable Oct. 1 to stockholders on record Sept. 1.

RCA net profit rose more than \$1,556,000 in the first six months ending June 30 this year as compared with the same period of 1939. Company showed net profit of \$3,728,621 as against \$2,172,201 in the first half of last year, according to a statement issued Friday (2). This is equivalent to about 15¢ on the common as compared with 4¢ in the initial six months last year.

## Warmed-Over Romance

Hollywood, Aug. 6. Alexander Korda is reviving the romance between Lord Nelson and Lady Hamilton as his first producer-director job in Hollywood, with Laurence Olivier and Vivien Leigh as co-stars. Nelson was the English admiral responsible, at the cost of his life, for Napoleon's crushing defeat at Trafalgar in 1805. Filming starts Sept. 15 after Korda winds up editing "The Thief of Bagdad."

## 5 FIRST RUNS IN FRISCO UP SCALES

San Francisco, Aug. 6. First mass boxoffice tilt in California since new Government tax became operative goes into effect Thursday (8) in five San Francisco first-run houses. Boost will not only do away with use of pennies, but also gives the exhibs a slight edge in takes. Houses going for tilt are Warfield, Paramount, Fox, Orpheum and St. Francis.

United Artists (indie) is unaffected because of its current 50¢ night scale and Golden Gate (RKO) is expected to continue at present 55¢ (including tax) top figure.

Tilting houses, now charging 30¢ plus tax, up to 5 o'clock, will boost to 31¢ with a 4¢ tax for total of 35¢. Heaviest upping will be on night admissions, which will be jumped from present 40¢ and 4¢ tax to 45¢ including 5¢ tax. Night prices will prevail all day Sunday, virtually insuring one-eighth increase in gross take.

## SEVEN IN MALVERN'S HOPPER FOR MONOGRAM

Hollywood, Aug. 6. Paul Malvern has seven pictures lined up to shoot for Monogram release during 1940-41 following "Queen of the Yukon," now in the cutting room. First to go is "Drums of the Desert," which Malvern produces under an independent setup at the Ralph Like studio.

Others on the list are two Jack London tales, "Sign of the Wolf" and "Trail of the Yukon," and four Keye Luke mystery melodramas, "All Jimmy Hogan," "Million Dollar Mystery," "While Frisco Sleeps" and "Phantom of Chinatown."

## Muni Returns to 20th; Stars in 'Hudson's Bay'

Hollywood, Aug. 6. Paul Muni closed his deal to star in "Hudson's Bay Company" for 20th-Fox, the studio where he made his film debut. It's one-picture contract.

Filming starts Aug. 16, with Irving Pichel as director. Final script has been approved by Clifford Wilson, of Winnipeg, exec of Hudson's Bay Co.

## Mary Martin in 'Town'

Hollywood, Aug. 6. Mary Martin's next job at Paramount is a straight dramatic role in "New York Town," by Jo Swerling, scheduled to start Oct. 1. Mitchell Leisen directs and Anthony Veiller produces.

## MARSHALL PILOTS 'GOLD'

Hollywood, Aug. 6. George Marshall has been signed to direct "Pot, Gold" for James Roosevelt's Globe Productions. Filming starts Sept. 15, for United Artists release.



# SAG DROPS 2,000 EXTRAS

## Setup of UFA, Inc., in America

Registered in D. C. May 15, 1940, Under Laws Governing 'Foreign Principals'

Washington, Aug. 6. UFA, Inc., American distributing outfit for Nazi-made films, which has stirred considerable press interest since "Fifth Column" became a household phrase in the United States, registered with the State Department on May 15, 1940, under laws governing "representatives of foreign principals," search last week revealed.

Purpose and activity of the company, which has offices in Rockefeller Center, N. Y., are given in the State Department papers as "production, distribution, release and exhibition" of motion pictures. Its income is said to derive chiefly from distribution of foreign-made films in the U. S. and Canada.

Companies which UFA represents are listed as Universum Film Aktiengesellschaft, Berlin; Tobis Cinema Film G. m. b. H. (Gesellschaft mit beschränkter Haftung, equivalent to the English "Limited"); Itala Film G. m. b. H. and Itala Film S. A. All are listed as German but the last, which is Italian.

President and treasurer of American UFA is listed as George Nitze; v.p., Ernest Eisele, Jr., and secretary, Frederick Fasse, all of New York.

Statement is supplemented with about 50 pages of by-laws, articles of incorporation, copies of contracts and reproductions of correspondence. These show that 70% of the gross revenue of UFA from distribution of English versions of foreign films goes to UFA of Berlin until 70% of the negative cost is paid and that 70% of the gross for German pix goes to Berlin until 5% of the negative cost is reached.

N. Y. Charter in 1924

Albany, N. Y., Aug. 6. UFA Films, Inc., was chartered Sept. 18, 1924, according to records at the office of the Secretary of State of New York. Albert H. T. Banahalt, of Munich, filed the papers. Capital stock was listed at \$20,000, 200 shares having a par value of \$100 each. Directors until the first annual meeting were M. L. Duerr, L. C. Wells, D. B. Millman, Clay Littel and G. D. Murphy, all of 130 W. 42nd street, N. Y. Wells and Murphy subscribed to two shares each; Millman to one. Purpose of the corporation, as stated in the papers, was to "engage in business of theatre proprietors and managers, to import and export and generally trade in moving picture films; to sell, exhibit, rent and lease films, motion picture cameras, projection machines, etc."

According to customary requirements, the papers declare that at least two-thirds of the stock subscribers are citizens of the United States and that at least one director is citizen of New York State. (Only amendment filed in the N. Y. County Clerk's office in N. Y. City to the incorporation papers of UFA was an increase in the board of directors from five to seven. Change was made July 20, 1934, and filed by Attorney Robert C. Richter. The two new names not listed.)

Nitze Denies

Despite the wide scope of purposes and activities of UFA listed in State Department registration and N. Y. State incorporation papers, company has limited itself to distribution of German-made films.

George Nitze, UFA prez, denied in New York last week that the company is a "representative of a foreign principal," as State Department registration indicates. He declared a more accurate description would be that his company is a distributor of contracts with German firms.

Nitze and Eisele, who is listed as v.p., are actively engaged in operation of UFA. Company's president was reluctant about providing information concerning Frederick Fasse, secretary of the corporation, except to say that he did not take an active part in its affairs.

Despite contracts with the registration statement showing that 70%

## Milland, Colbert Held As Team for Par 'Skylark'

Hollywood, Aug. 6. Ray Milland and Claudette Colbert are slated to co-star again in Paramount's "Skylark," to be produced and directed by Mark Sandrich. Currently they team in "Arise My Love" on the same lot.

## SPG THREATENS REPUBLIC STRIKE

Hollywood, Aug. 6. Screen Publicists Guild is preparing strike call against Republic which has broken off negotiations for calling covering its flacks after long shadow-boxing with Guild negotiators headed by Bill Edwards. While SPG was willing to make a special deal on a scale lower than that enforced on major lots, any compromise is now off and blurburs will battle it out for the full price.

Compromise would have cost Rep only an added \$55 weekly. Guild meeting has been set for Thursday (8) night when membership will be asked to okay strike order. Meanwhile committee is contacting all studio unions and Guilds seeking support in case walkout goes through. Backing of Hollywood Guild Council, consisting of Screen Writers, Interior Decorators, Script Clerks and Set Designers becomes automatic should a strike occur. Blurburs also would have the backing of Moving Picture Painters Local 644, which refuses to cross any picket line.

N. Y. SPG Adds 46

New York division of the Screen Publicists Guild, consisting of employees of homeoffice publicity departments, has been bolstered by 46 new members during the past two weeks, it was said at an SPG meeting last Thursday (1). Guild is also making plans for a division of freelance press agents working for major and indie companies but not on regular payrolls. Included will be part-time exploitation men, theatre p.a.s and persons working for outside organizations handling film publicity on a contract basis.

SPG will toss a dance at the Hotel Pierre, N. Y., on Friday (9) to raise funds to send three delegates to the organization's convention on the Coast.

## HOOFING IN HAVANA FOR SHERIDAN, RAFT

Hollywood, Aug. 6. Ann Sheridan teams up again with George Raft as a romantic duo in "Maid Havana," a tale of two American hoofers in Cuba. Warners has assigned Richard Macaulay and Jerry Wald to the script.

GARFIELD SUBS CAGNEY

Hollywood, Aug. 6. John Garfield has been set by Warners for the top spot in "The Fabulous '30s." James Cagney was originally mentioned for the role. Edmund Goulding will direct from Mark Hellinger's script.

Of gross revenue from distribution of English versions of foreign films goes to UFA of Berlin until 70% of the negative cost is paid, Nitze said it had been many years. "English versions" of German pictures had been released in this country.

## FURTHER CUT IS SEEN IN OFFING

Way Sought to Lop Another 3,000 Without Incurring Legal Difficulties—Limit of 800 Daily Jobs Behind Move—Fight to Control Atmosphere Players Reaches Climax in Election

## COLLARITES GET AID

Hollywood, Aug. 6. Approximately 2,000 extras were dropped from membership in the Screen Actors Guild this week, with the possibility that 2,000 to 3,000 more will be dropped as soon as the Guild devises a means of doing so without incurring legal responsibility. The Producer-SAG Standing Committee, which has just completed a survey of the extra situation, feels that all casual players should be eliminated to provide more jobs for the regulars, but the big question apparently is how the elimination should be carried out.

The paid-up Class B membership is now approximately 6,500. With less than 800 jobs available daily, officials believe the available extra list should be slashed to around 4,000. The extras who have not been earning as much as \$500 per year would be kept on an emergency list, to be given work only when regular extras cannot be secured.

The 2,035 dropped by the SAG this week were suspended for being 90 days in arrears in dues. They may be reinstated only by permission of the SAG board of directors. It is certain, however, that leniency will be extended only to oldtimers who, because of financial reverses and lack of work, have been unable to maintain their dues.

## Election Climaxes Fight

Fight for control of the extras will reach a climax Sunday (11) when the winners of 15 council seats will be announced at the annual Class B membership meeting. Two tickets are in the field. One was selected by the SAG Council nominating committee, and the other by a group of extras who have been campaigning for autonomy for atmosphere players.

The Hollywood Guild Council has voted full support to the Screen Office Employees Guild in its fight to repel an invasion by the National Federation of Labor. This means that white collar workers will have the support of the Screen Writers Guild, Screen Set Designers, Screen Readers Guild, Society of Motion Picture Interior Decorators and Screen Publicists Guild. The SOEG is now awaiting action by the National Labor Relations Board on its petition asking certification as collective bargaining representative for all studio clerical employees.

In the meantime the SOEG has drafted a contract proposal calling for a 25% wage bonus for workers employed on the graveyard shift. The clause states:

"Employees whose work period regularly is completed after 9 a. m. or commences after 9 p. m. and before 7 a. m. shall be paid for the entire work period 25% more than the regular, or overtime, rate. This does not apply to persons regularly employed during daylight hours and who might occasionally be required to work overtime, and for which they would be entitled to the overtime scale at the rate of time and a half."

The Producer assessment for maintenance of Central Casting Corp. has been increased from 5% to 6%. Based on an average annual expenditure of \$3,000,000 for extras, the firm will provide Central with \$30,000 additional. The amount will be pro-rated among major companies holding membership in the Association of Motion Picture Producers, which operates Central. The executives stated this was not a permanent (Continued on page 19)

## Ohio ITO and N. Y. ITOA Caution Exhibits Not to Rush 1940-41 Signing

## Warners Push Lenses As Backlog Mounts

Hollywood, Aug. 6. Heaviest fall production in the history of the Warner studio swings into action with six features before the cameras, three in the editing stage and a dozen ready for distribution.

Shorts program for the next month calls for five pictures under supervision of Gordon Hollingshead.

## URGES EXHIBITS COMPARE NEW PIX DEALS

Minneapolis, Aug. 6. Fred Strom, newly elected Northwest Allied executive secretary, has sent out an appeal to independent exhibitors in the territory to refer to him proposed film deals now being submitted so that he can compare what's being offered in the various situations and then inform and advise the individual theatre owner before the latter makes a decision or signs a contract.

"Since the association's primary purpose is to obtain and dispense trade information upon which you may base your decisions in making contracts for film, and the many other problems which confront the exhibitor, we urge you to write, phone or telegraph for trade facts, as well as to send us data which will be of value to your fellow exhibitors," said Strom in a bulletin issued from the body's new headquarters.

At a North Dakota regional meeting, Universal and 20th-Fox were seeking damages of \$52,908. The actor claims to have given the Holland bank numerous bars of gold and bonds to keep for him in 1939, and to be returned on demand. It is claimed that on April 20, 1940, the demand was made, but the bank refused to turn over the value of the securities or the securities.

## VEIDT SUES DUTCH BANK IN NEW YORK

Conrad Veidt filed suit last week in N. Y. supreme court against the Bankerskantor Albert Graef, N. Y., seeking damages of \$52,908. The actor claims to have given the Holland bank numerous bars of gold and bonds to keep for him in 1939, and to be returned on demand. It is claimed that on April 20, 1940, the demand was made, but the bank refused to turn over the value of the securities or the securities.

Among the items French bonds, British War loans, Australian bonds, N. Y. City bonds and bars of gold.

## Too Much Night Driving

Hollywood, Aug. 6. George Raft is so busy with personal appearances in connection with "They Drive by Night" that the start of his next picture, "South of Sea," has been postponed.

New getaway is dated for Aug. 22 on the Warner lot, with Raft and Geraldine Fitzgerald teamed.

HITCHCOCK'S 2D RKO

Hollywood, Aug. 6. "Before the Fact" is Alfred Hitchcock's second job under his two-picture deal with RKO.

First of the British director's pair is "Mr. and Mrs. Smith," starring Carol Lombard.

Providing its member exhibitors with a resume of the 1940-41 selling terms of all the distributors, the Independent Theatre Owners of Ohio is asking how the figures shown compare with the deals being offered. It also goes into questions concerning buying this season, and at the same time the Independent Theatre Owners Assn. of New York advises the subsequent run theatres not to be in any hurry to sign up.

While the ITO of Ohio publishes the sales terms of the various companies, the ITOA of N. Y., not in any way affiliated, has made a resume of the programs of each major, adding that "sales policies of the distributing companies are for the most part so flexible as to be—existent."

Position taken is that sales policies change with each situation and with each run, thus there is no national sales policy for subsequent runs and so far as first runs are concerned the announced policy is subject to great change. In other words, what might be a 35% picture in Nashville might be only a 20% picture in Denver.

The ITOA of N. Y., headed by Harry Brandt, notes that a deep knowledge of each territory, combined with the cost of production and the worth of the pictures for sale enter into each deal, with advice being that "exhibitors should not be led astray by what they might read concerning the sales policies of the distributing companies."

## Flexible Prices

Although reminding that bracketing has been determined as to the number of pictures in each group, the ITOA insists prices to be paid are flexible in each case, determined by the ability of each theatre to pay. While the distributors are asserted to be maintaining a flexible policy, some of them are definitely asking for more money.

This demand for increased rentals is partly on the ground that pictures will be of a higher quality. Exhibitors, however, must rely on past performances and their own box-office receipts, the ITOA cautions, adding that promises in the past have too many times not been kept and the mere statement by a distributor that product will be better not enough to warrant an increase. ITOA takes the stand that if increases, also to make up for foreign losses, must be had by the distributors, it should come from the first runs which it has been claimed provide 85% of the total film rental revenue.

## Brackets

Metro and Warner Bros. are remaining at the same bracketing and percentages as last year (1939-40), while others are increasing.

The policies are as follows: COLUMBIA (44 features and 16 westerns): Two at 40%, six at 35%, 10 at 30%, remainder outright. METRO (44 to 52 pictures): Four at 40%, 10 at 35%, 10 at 30%, balance 20% or flat.

PARAMOUNT (38 features and six westerns): Two at 40%, eight at 35%, 12 at 30%, remainder flat.

RKO (48 features and six westerns): Two at 40%, six at 35%, eight at 30%, balance outright.

REPUBLIC (58 pictures, including the westerns): Four at 25%, 12 at 20%, balance flat.

20TH-FOX (52 features): Two at 40%, eight at 35%, 14 at 30%, remainder flat.

UNITED ARTISTS (22 pictures or more). Deals are made individually for each producer's product. David Selznick will sell either one or all he makes and will not tolerate having his pictures tied up with the product of any other producer or even one of his pictures with others he turns out. Accounts will receive Selznick pictures whether they buy anything else from UA or not.

UNIVERSAL (45 features and 16 westerns): Four at 40%, eight at 35%, eight at 30%, the rest flat.

WB (48 pictures and two specials): Four at 40%, eight at 35%, eight at 30%, balance outright except for two specials on which terms will be set as they're ready for selling.

## Epidemic of New Theatre Bldg. In Atlanta; Other Construction

Atlanta, Aug. 6.

Construction of new theatres, all nabes, has reached what amounts to epidemic proportions in Atlanta and environs.

Lucas & Jenkins, Inc., Georgia's biggest chain, leads building parade, which is topped by de luxe 1,300-seat Gordon, in suburban West End. L. & J. also erecting 1,000-seat Euclid, on Euclid avenue, a short block and part from their own Palace (500 seats) and tight next door to Mion & Murray's Little Five Points theatre, now under construction.

In addition L. & J. has broken ground for 850-seat Dearborn, on East Lake Drive, in swank country club section, and in six weeks expects to start on State, 500-seater, on Capitol avenue.

Nearby Decatur, county seat of DeKalb county but virtually a suburb of Atlanta, L. & J. is remodeling its DeKalb, gutting entire structure, adding balcony and increasing seating capacity from 500 to 850 seats.

Same procedure is being followed in its Ritz, in Brunswick, Ga., where colored balcony is being eliminated and seating hiked from 712 to 825.

Chain also building new house in Gainesville, Ga., the Ritz, a 720-seater, which will replace theatre of same name destroyed by tornado several years ago. It also operates Royal and State in Gainesville. Company recently opened 400-seat Roxy, colored house, in Brunswick, Ga.

L. & J. last month opened its Bradley, Columbus, Ga.

Mion & Murray, operators of Rialto, downtown indie and Columbia outlet, rushing construction on three de-luxe nabes, to be called Little Five Points, Decatur and East Point. Each will seat 750, skedded to be unveiled around Aug. 15.

Solomon Miller, who now operates 800-seat Fairview and 400-seat Temple, getting ready to open his 471-seat Garden, in swank North Side's Garden Hills territory, and 850-seat Peachtree, on Peachtree Road.

Completing theatre construction picture hereabouts is Fred C. Coleman's 650-seat Russell, East Point, his No. 6 as he recently added to his string of four the Hangar theatre, 450-seater just across highway from Atlanta's municipal airport.

## LIGHTMAN TO FIGHT DRIVE-IN INVASIONS

Memphis, Aug. 6.

Irked by the entry of Drive-In Theatre competition in Little Rock, M. A. Lightman announced this week that his Malco Circuit will build movie shows in both Memphis and Little Rock. This, believed to be the first time that an important circuit has entered the drive-in field. Lightman is a southern partner of Paramount.

Barney and Dave Woolner are operating a drive-in here in Memphis and opened one last week in the Arkansas city. Immediately Lightman served notice that he is shopping for suitable sites in both towns. "I didn't mind so much when they had just one spot here in Memphis," he said. "But if they open in Little Rock, Fort Smith will be next, and first thing I know there'll be drive-ins in every Malco situation. I'm going to meet the competition on its own terms."

### New Drive-In

Terre Haute, Ind., Aug. 6.  
Construction of a new 'Park-In' underway here at 30th and Poplar streets.

### New Interstater

Fort Worth, Aug. 6.  
Construction of the fourth neighborhood theatre to be operated in this town by Interstate is under way, opening time tentatively set for mid-December. Stating capacity 850.  
Leased from Mrs. Martha Zeloski, who is building the house, the deal calls for a parking lot that will accommodate 120 cars. Tentatively named 'The Bowie,' because of its location on Camp Bowie Blvd., and on the site that was once an army training ground by that name. Frank Weatherford, Interstate's city manager, will supervise its operation.

## Farnol to Set UA Bally

Lynn Farnol, United Artists publicity and exploitation chief, who would up a month's military training at the Plattsburg, N. Y., business men's camp last Friday (2), planned for the Coast Sunday (4) night.

He'll be in Hollywood about week confabbing with Murray Silverstone, UA head, and UA producers on campaign for their forthcoming film. One of the principal points of discussion will be policy and type of advertising-publicity for Charles Chaplin's feature, finally titled 'The Great Dictator' and tentatively scheduled for release early in October.

## SETTING 'WESTENER' PREEM IN FT. WORTH

Fort Worth, Aug. 6.

A typical Texas welcome is being arranged for picture stars and Samuel Goldwyn when they are guests here Aug. 19 for the world premiere of Goldwyn's 'The Westener,' which is the early days of Texas. Walter Brennan, Gary Cooper, Doris Davenport and Fred Stone are expected to be among the visiting film luminaries.

Jack Lawrence, for Goldwyn, was here last week setting plans. Joe Shea, representing United Artists, is in charge of arrangements for out-of-town visitors.

Events will include big outdoor dance, afternoon receptions and the green that night, which will be held at both the Warth and Hollywood theatres.

## 'Laugh Week' In Balto As Hypo For 'Syracuse'

Washington, Aug. 6.

Bernie Kreiser, Universal branch manager in Washington, has promoted a 'Laugh Week' in Baltimore for the showing of 'Boys from Syracuse,' starting Friday (9). He's attempting similar stunt throughout his territory with a letter quoting headlines from VARIETY's gross pages showing that biz currently following laugh pictures.

Mayor Howard Jackson decreed the Baltimore 'Laugh Week' and 'Syracuse' is being shown simultaneously at two first-runs, J. L. Schanberger's Keith's theatre and Izzy Rappaport's Hippodrome. It's the first time two midtown houses have played the same film at the same time. Hippodrome, however, will get higher admissions because of its vaude policy, Keith's being a straight-pict spot.

## Americanization Rally In Bronx, N.Y., Theatre

The first of a series of Americanization rally programs to be held at the Kingsbridge, N. Y., with important speakers taking part, was put on at the theatre Wednesday night (31), as supplemental to the regular feature, 'Waterloo Bridge.' Programs are being arranged by Robert Rosen, manager of the house, with a view to fostering a true and lasting American spirit.

The first of the patriotic rallies was held at the Kingsbridge under the auspices of the Adolph S. Ochs American Legion Post No. 1207. A total of 11 different units of a patriotic character figured in the initial program, including opening ceremony by Rosen; 'Star Spangled Banner' with Patricia Carroll as vocalist; 'God Bless America,' sung by Kate Smith, taken from News of the Day by special permission; an invocation by Commander A. H. Roemer of the Ochs Memorial Post; an address on 'Women's Place in Patriotism' by Mrs. Edna Keith of the Bronx Girl Scouts; various musical selections; a retreat and taps by American Legion Buglers, and a speech by Bronx Borough President James J. Lyons.

A special program listing the events was gotten out with the flag in color.

Kingsbridge is ordinarily a double-feature house. It is one of the Consolidated Amusement string of theatres in Greater New York.

## PULL NO PUNCHES IN ANTI-NAZI FILM ADS

Under the impression that other pictures with anti-Nazi themes have done poor biz because of a reticence in advertising campaigns, United Artists and Jimmy Roosevelt have decided to let the clutch all the way out on 'Pastor Hall,' Roosevelt and UA feel that 20th-Fox, for instance, 'Four Sons,' made a good film with plenty of meat and then hesitated to advertise that meat. They don't intend to follow suit.

Ad campaign being drawn up pulls no punches, but tells in harsh, realistic terms what the audience can expect to see.

## RKO, Time Bearing Down on Bally For 'Ramparts' at M.H.

With 'Ramparts We Watch' scheduled to open Aug. 22, the Music Hall, publicity advertising staffs of RKO and March of Time are bearing down to get maximum exploitation on this playdate following the opening on July 23 in Washington. Picture is getting a break in the elaborate advertising and publicity drive in the two weekly magazines, Life and Time. 'Ramparts' will receive benefit of 11 full pages of advertising in Time and 11½ pages in Life. In addition, the picture is getting seven-page editorial coverage with art in a forthcoming issue.

Albert Sindlinger, ad head for March of Time, has been working with his own staff, and with that of RKO under S. Barrett McCormick and Young & Rubicam agency in carrying out a three-month campaign.

Premiere in Washington employed what is reputed to be the largest lineage ever used on a feature picture. Additionally, 'Time' used Westbrook Van Voorhis, voice in March of Time and in 'Ramparts,' in setting some 147 spot radio announcements prior to the film's opening.

## JOHNSTON'S PUB-AD HUDDLES WITH WANGER

John Leroy Johnston, Coast press chief for Walter Wanger, is in New York for confabs with United Artists pub-ad department on campaigns for forthcoming 'Foreign Correspondent' and 'Long Voyage Home.' 'Correspondent' release is tentatively set for early September and 'Voyage' a month later.

Following his stay in New York, Johnston will go out ahead of Wanger on the producer's tour of the country. Wanger will talk to exhib and sales groups.

## Donlevy's Personal Buildup of 'McGinty'

Chicago, Aug. 6.

Brian Donlevy was in town last week on a general nationwide tour sponsored by Paramount in behalf of the 'The Great McGinty' flicker. Donlevy is talking not only with newspaper reporters for the buildup of the pic, but also speaking at meetings of Paramount branch workers and to exhibitors.

In general, the spiel is that because of the war in Europe and the loss of this revenue, more effort must be made to increase attendance and revenue in America.

Was in Chicago for two days late last week, he attended a series of meetings and then headed for Dallas for similar boosting of 'McGinty,' in which he appears.

## Academic Ballyhoo

St. Louis, Aug. 6.

Harold B. (Chick) Evans, manager of Loew's, and Colvin McPherson, dramatic and film critic of the Post-Dispatch, will don professional robes next fall at the Adult Study Center, a branch of the Washington University, to discuss talkers in their various forms, etc.

Last week both were invited to address weekly meetings at which an outstanding flicker will be shown. They will be expected to answer a bombardment of quizzes by the class.

## Fox-W. C. Takeover of R. & R. Houses Shifts Mgrs.; Theatres-Exchanges

Los Angeles, Aug. 6.

Takeover for operation by Fox-W. C. of the Robb & Rowley subsequent theatres in Pasadena brought about wholesale shifting of managers, and setting up of three new supervisory areas adjacent to Los Angeles.

Low Harris, who has managed the Alexander, Glendale, for past six years, shifted to management of the LaReina, on Ventura Blvd., and made supervisor of the entire San Fernando area. Stan Meyer, manager of the United Artists, Pasadena, replaces Harris at Alexander and will have supervision of all circuit houses in that city.

Terry McDaniel gets managerial job at UA and supervises all of Pasadena. Other changes include transfer of J. D. Richardson from the La Reina to the Washington, Pasadena; George Topper, Jr., from the Paramount, Oakland, to manager of the Valley in North Hollywood; O. Wise, who transfers to management of the Park, Pasadena.

### Bernie Sobel's Spot

In realignment of the Metro home office publicity staff, Bernard Sobel has been assigned to special promotion on 'The Ziegfeld Girl.' He starts immediately on advance promotion for the M-G-M musical starring Eleanor Powell, Hedy Lamarr, James Stewart and Lana Turner.

As publicity representative for Florenz Ziegfeld, Sobel handled all his later Broadway productions and conducted a similar campaign for Metro's 'Great Ziegfeld' several seasons ago during which he organized the Ziegfeld Club.

Ray Bell, publicity representative for the Loew's theatres in Washington, being transferred to take over the routine newspaper contacts in New York.

Gertrude Gelbin, formerly editor of Loew's Weekly, joined the fan mag staff of the home office.

### Managers In Shifts

Cohen Circuit has done some heavy shifting of its three all-night houses which operate with two managers each.

Mike Karcha and Phil McNamee are new managers of the Mayfair, replacing Philip Katzin and Danny Drozan. Drozan succeeded George Baird at the Roxy. Al Smith was promoted to manage the Norwood, replacing William Drozan.

### Denver Doins

Denver, Aug. 6.  
The sixth annual picnic of the Rocky Mountain Screen Club will be held at Evergreen, 40 miles from Denver, Aug. 23. Jack Langan general chairman.

Fox Intermountain Theatres' annual managers convention in Denver Aug. 21-23, with both Spyros and Charles Skouras in attendance three days. More than 75 will attend at the Cosmopolitan hotel, with Rick Rickerson in the chair. The will adjourn in time to attend the Screen Club picnic.

### Pix, A. C., Closed

Pittsburgh, Aug. 6.  
Pix theatre, Atlantic City, Aug. 6. Pix theatre, Atlantic City, was closed Friday night (2) when Police Magistrate Albert N. Shahadi ruled the house, opened for the season less than a week previously, was operating on the wrong kind of license.

Hedy Lamarr's original 'Ecstasy,' or what the censors have left of it, was being shown when a special investigator for the City Revenue office stepped in and arrested the manager, Sidney Cummins of Brooklyn, and the projector operator, Jack Mendelwager of Bayonne.

The show stopped in the middle of reel 1, money was refunded to patrons, and Cummins and Mendelwager put under \$1,000 bail. They had paid \$50 for their license, but the Revenue office said the show had taken out a regular \$350 'theatre' license, despite the small size of their house. Magistrate Shahadi later dismissed the case against them with a remark that 'they made an effort to comply with the law,' but Pix is still closed.

### Perilman Upped

Pittsburgh, Aug. 6.  
Mark Goldman, Monogram manager here, announced nomination of Saul Perilman from booker to salesman. He'll handle the Main Line territory. Perilman will take over his new duties with the beginning of the 1940-41 season next week, at which time his successor will be named.

Crown exchange acquired the product of Film Alliance for coming year, according to Max Shulgold, former GN salesman who went into business for himself a year ago. Shulgold has also closed a deal with Jack Judd Theatre Poster Serv-

ice Co. to handle all accessories for product distributed by Crown.

A new theatre in Beaver Falls, Pa., will be erected for John Hanauer, who owns the Rialto in that town. It'll be an 800-seater and construction is slated to begin in the next few weeks.

Briefs: Carl Spuhler is a new addition to the U exchange staff. Lew Lefton, Monarch manager, up and around again after being bedded by an infected throat. City will auction off five-story Liberty Ave. bldg., listing as the property of Western Pennsylvania Amusement Co. There are \$75,000 in back taxes and a \$150,000 mortgage against it. Art Cima, foreign film agent, when fall season, middle of September, with 'Baker's Wife.'

### Bill Hamrick's Spot

Seattle, Aug. 6.

Bill Hamrick, former manager of Paramount, Hamrick-Evergreen spot, and nephew of John Hanauer, city manager, back in show biz as assistant at Coliseum. Clyde Strout manager there. Young Hamrick succeeds Frank McCormick, who resigned to run for business agent of local theatre employees union, against Frank Hood, incumbent and former manager for years of the Klav-Eranger Metropolitan.

### Davies, S. F., Facelift

San Francisco, Aug. 6.

Joe Blumenfeld, who recently acquired Davies, on Market street, will remodel flickery, which becomes the Esquire after overhaul.

### Jefferson's Addition

Lufkin, Texas, Aug. 6.

East Texas Theatre, Jefferson Amus. Co., has taken over the Texan here. House was sold to group by Lee M. Threet.

### Carkey's Chain

Albany, N. Y., Aug. 6.

With the acquisition of a theatre in Norfolk and another in Norwood (small towns near Massena), Lawrence Carkey, of the New Family, Utica, and two other Uticans have incorporated Kadevan Chain Theatres, Inc. Principal office of circuit is in Utica. Jay L. Katzman and Stuart A. Lever with Carkey, are the directors. Authorized capital stock is \$20,000, \$100 par value. Carkey theatres are product-received by Albany exchanges.

### Sommers' S. D. Lee Spot

Cincinnati, Aug. 6.

Henry (Bud) Sommers resigned from the RKO Theatres managerial staff Thursday (25) to assume directorship of Sam D. Lee's five theatres in Frankfort and Winchester, Ky. During the past year Sommers was in charge of the Vaudeville Shubert.

He will do the picture booking and also engage the acts for periodical appearances at the Lee houses.

### McAvoy Vice Amsterdam

Philadelphia, Aug. 6.

Ben Amsterdam, veteran indie exhib, resigned as treasurer of the Philly Variety Club because of press of private business. New treasurer is William McAvoy, chairman of the club's house committee.

Jack Beresin, president of the Berio Vending Co., was named chairman of the annual banquet of the annual banquet will be held the last Thursday in December after being staged on Sunday nights ever since its inception. David E. Weschner and Ted Shlager, Stanley-Warner execs, were named chairmen of the entertainment and dais committees, respectively.

### WB's New Ad Service

A new advertising-exploitation service has been set up by Warner Bros. on forthcoming features. With special advance proof sheets of both the ad and scene stills to be sent to all branches, field exploitation men and theatre ad-men several weeks ahead of the regular pressbook.

The service will enable theatres to get started on their campaigns prior to the production of engravings and mats in New York.

### GILLHAM WEST AGAIN

Robert Gillham will leave in about two weeks for the Coast, one of his periodic visits.

In addition to looking over new season's product now ready and discussing advertising plans, he will go over the campaign for 'Northwest Mounted,' which will be specially premed in Canada this fall.



# Bette-Boyer-Kruppa \$43,000 Mopup In Chicago; Daltons' Reopen Palace To Good \$13,000, Kaye Orch OK 18G

**(Best Exploitation: Palace)**  
RKO reopened its loop Palace Thursday (1) and got away to a bang up start. Has reduced its prices all along the line and this factor no doubt is considerably important in the better boxoffice indications. Will run a double feature first-run policy, and the current bill of "When the Daltons Rode," with "The Daltons" as the sub-item, is making a pleasant money mark. By the time the Palace got through with its advertising and publicity the town knew that the house was again doing business at the old stand.

Biggest single money figure in town is being turned in by "All This, and Heaven Too" at the Chicago. The Bette Davis-Kaye Kruppa picture is pulling the femmes, and the picture is a cinch to stick around for a second helping. Gene Kruppa's band is on the stage.

Sammy Kaye band is coming through with a solid session in the Oriental and giving that house its best coin in some time.

**Estimates for This Week**  
Apollo (B&K) (1,200; 35-55-65-75) — "Our Town" (UA). In here after a single session in the United Artists and not corraling anything better than a headache at \$25,000. Last week, "New Moon" (M-G) finished four weeks in loop to good \$5,900.

Chicago (B&K) (4,000; 35-55-65-75) — "Heaven Too" (WB) and Gene Kruppa band. Bright numbers currently, with the femmes banging down the doors to the happy tune of \$43,000. Will be around for second stanza. Last week, "Maryland" (20th), plus Frank Parker and Henry Armetta on stage, mild \$28,500.

Garlick (B&K) (900; 35-55-65-75) — "Maryland" (20th). Getting another crack at the loop and going for \$4,000, so-so. Last week, "Untamed" (Par), in second loop session, meagre \$3,300.

Oriental (Jones) (3,200; 28-44) — "Was Adventured" (20th) and Sammy Kaye's band. Latter accounting for \$18,000, best in a long time. Last week, "Florian" (M-G) with house-built unit, fair \$14,000.

Palace (RKO) (2,500; 33-44-66) — "Daltons" (U) and "Affairs" (U). Action top-liner is bringing in a hatful of shekels, going for solid \$13,000. Last week, \$7,500.

Roosevelt (B&K) (1,500; 35-55-65-75) — "Pogo" (UA) (2d wk). Holding to \$5,500, so-so snatch, following take of \$9,300 last week.

State-Lake (B&K) (2,700; 28-44) — "Wagons" (Rep) and "Bowery Unit" on stage. Combination is satisfactory at the turnstiles and looks for \$16,000, good. Last week, \$16,000, good. Last week, \$16,000, good. Last week, \$16,000, good.

United Artists (B&K-M-G) (1,700; 35-55-65-75) — "Pride and Prejudice" (M-G). Opened Saturday (3) and looks like money winner for the femme patronage. Heading to \$14,000, bright. Last week, "Our Town" (UA), mild \$7,500.

**Vaude Ups 'Man Talked'**  
In Seattle to Big \$5,800

Seattle, Aug. 6.  
The slightly higher admission prices recently established here have caused some complaints at the b.o., but when explained that it's taxes that caused it, the customers stop demurring. Final result, increased total. The downtown first runs have uniform prices for the first time in the town's show history, even the vaudeville. Bridge following suit on the 30-40-50 plan. Incidentally, the Palomar has been proving that generally folks like stage fare, especially in the presence of dearth of toptotch films. This week "Man Talked" (Par) is major reason for nice take.

"Maisie" moves from the Fifth to the Blue Mouse; Liberty is making a big noise over "Pogo" (UA). Debutante has plenty of room for a fourth stanza at Music Box for the week's highlights.

**Estimates for This Week**  
Blue Mouse (Hamrick-Evergreen) (850; 30-40-50) — "Gold Rush Maisie" (M-G) and "We Who Are Young" (M-G). Moveover from Fifth doing around fair \$1,800. Last week, \$1,800.

Snow White (RKO) and four Disney shorts held nine days for dandy \$3,000.

Coliseum (Hamrick-Evergreen) (1,900; 21-35) — "Waterloo Bridge" (M-G) and "Kidda" — "Strange Case" (M-G) (2d run). Anticipate big \$3,200. Last week, "Susan" (M-G) and "2 Gals on Broadway" (M-G) (2d run) eight days, good \$2,000.

Fifth Avenue (Hamrick-Evergreen) (2,349; 30-40-50) — "Pride and Prejudice" (M-G) and "Manhattan Heartbeat" (20th). Heading for good \$5,000. Last week, "Gold Rush Maisie" (M-G) and "We Who Are Young" (M-G) \$5,200, good.

Liberty (J-VH) (1,650; 30-40-50) — "Pogo" (UA). Expects okay \$2,200. Last week, "Lost Horizon" (Col) and "Awful Truth" (Col) (revivals) (2d wk) good \$2,900.

Music Box (Hamrick-Evergreen) (850; 30-40-50) — "Andy Hardy Debutante" (M-G) and "Phantom Raider" (M-G) (4th wk), good \$2,500. Last week, \$3,800.

Orpheum (Hamrick-Evergreen) (2,800; 30-40-50) — "Great McGinty" (Par) and "Zanzibar" (U). Look to fair \$4,000. Last week, "Supporting Blood" (M-G) and "Chan's Murder Cruise" (20th), very weak \$3,100.

Palomar (Sterling) (1,350; 30-40-50) — "Man Talked Too Much" (WB) plus "Midnight in Paris" unit on stage. Indicating big \$5,800. Last week, "Wagons Westward" (Rep) and "Tomboy" (Mono), plus vaude, \$5,100, good.

Paramount (Hamrick-Evergreen) (3,039; 30-40-50) — "Boys From Syracuse" (U) and "Dr. Christian Meets Women" (RKO). See only \$3,000, slow. Last week, "Daltons Rode" (U) and "Those Were the Days" (Par), \$4,300, fair.

Roosevelt (Sterling) (800; 21-35) — "Brother Orchid" (WB) and "Saturday's Children" (WB) (2d run). Anticipate fair \$1,900. Last week, "Typhoon" (Par) and "Angel from Texas" (WB) (2d run), \$1,800, mild.

Winter Garden (Sterling) (800; 18-32) — "Wagons Westward" (Rep) and "Angels" (WB) (2d run). Expect fair \$1,800. Last week, "Torrid Zone" (WB) and "40 Little Mothers" (M-G) (2d run), \$1,700.

## Tucker-Baker Swinging Balto For Big \$22,000

Baltimore, Aug. 6.  
Return of cooler weather is having a beneficial effect on most of the new pictures. Tucker-Baker, in proportion. Way out front and figured to hang up a record is the combo Hipp with Orrin Tucker, or, Bonnie Baker. Their picture, "The Daltons Rode," in second week at Keith's, also showing improvement with better weather.

**Estimates for This Week**  
Century (Loew's) (3,000; 15-28-44) — "Pride Prejudice" (M-G). Holding highly pleasing gait to indicated \$10,000. Last week, "Pogo" (UA), weathered excessive heat fairly well at \$7,400.

Hippodrome (Rappaport) (2,205; 15-28-39-45-66) — "Cross Country Romance" and Orrin Tucker and Bonnie Baker. Heading toward mammoth \$22,000. Opening with five shows on Friday (2) and squeezing in six on Sat. and four on Sun. (2 p.m. opening), biz is best in mood.

Keith's (Schanberg) (2,408; 15-28-39-44) — "Daltons Rode" (U) (2d wk). Showing anticipated improvement with turn in weather and pointing to nice \$6,000, after steady pace on opening run to \$5,000.

New (Machic) (1,581; 15-28-35-55) — "Gold Rush Maisie" (M-G). Fairish response to latest in series. Should add up to \$4,500; not big figure for this limited center.

Palomar (20th) (20th), which had its world premiere here at \$1.10 added mild \$2,200 to okay total of \$13,300 for previous brace.

Stanley (WB) (3,260; 15-28-39-44-55) — "Heaven Too" (WB) (3d wk). Highly satisfactory \$7,000 indicated, after very punchy total of \$21,100 for preceding two weeks, which has slouch of boiling weather to contend with.

**Some More 'Spitfire'**  
Hollywood, Aug. 6.  
Lupe Velez inked a four-picture deal to continue the 'Mexican Spitfire' series at RKO with Leon Errol.

Currently the team is filming 'Mexican Spitfire Out West', second of the group.

## First Runs on Broadway (Subject to Change)

Week of Aug. 8.  
Astor — "Gone With the Wind" (M-G) (34th wk.).  
Capitol — "Andy Hardy Meets Debutante" (M-G) (2d wk.).  
Criterion — "Three Faces West" (Rep) (10).  
Globe — "The Secret Seven" (Col) (10).

Music Hall — "Pride and Prejudice" (M-G).  
(Reviewed in VARIETY, July 10)  
Palace — "Peir 13" (20th).  
Paramount — "Boys from Syracuse" (U) (2d wk.).  
Rialto — "South of Karanga" (U) (10).  
Roxby — "Return of Frank James" (20th) (9).

Strand — "The Sea Hawk" (WB) (9).  
Week of Aug. 15.  
Astor — "Gone With the Wind" (M-G) (35th wk.).  
Capitol — "I Love You Again" (M-G) (2d wk.).  
(Reviewed in Current Issue).  
Music Hall — "Pride and Prejudice" (M-G) (2d wk.).  
Paramount — "The Great McGinty" (Par) (14).

Roxby — "Return of Frank James" (20th) (2d wk.).  
Strand — "The Sea Hawk" (WB) (2d wk.).

## 'PRIDE' \$13,000, FORTE IN CINCY

Cincinnati, Aug. 6.  
Pic biz is on the rebound following 12-day torrid spell, which ended last mid-week.

Fronting the field currently for a fine Albee figure is "Pride and Prejudice." Palace is jogging along fairly good with "When Daltons Rode." Turnabout, at Keith's, also is in the fairly good brackets. Lyric has a lagging in Leopold Men Africa.

**Estimates for This Week**  
Albee (RKO) (3,300; 39-47) — "Pride and Prejudice" (M-G). Fine \$13,000. Last week, "Love Back" (WB), good \$11,000.

Capitol (RKO) (2,000; 39-47) — "Love Back" (WB). Transferred from Albee for second week. Fair \$4,000. Last week, "Heaven Too" (WB), held over for second week after initialing at Albee, nice \$4,200.

Family (RKO) (1,000; 15-28) — "Lucky Cisco Kid" (20th) and "Girls at Road" (Col) split with "Haunted House" (Mono) and "Hold Women" (Prod). Okay \$1,900. Same last week with "Babies Sale" (Col) and "On Own" (20th) \$1,800.

Keith's (Libson) (1,500; 39-47) — "Turnabout" (UA). Fairly good \$4,500. Last week, "Maryland" (20th) (2d run), \$4,200.

Lyric (RKO) (1,400; 39-47) — "Leopold Men" (Select). N.s.h. \$3,000. Last week, "Windy Poplars" (RKO), \$1,500, worst in many months.

Palace (RKO) (2,500; 39-47) — "Daltons Rode" (U). Fairly good \$9,000. Last week, "Pogo" (UA), poor \$7,000.

## 'NEW MOON' \$17,000, BEST IN BROOKLYN

Brooklyn, Aug. 6.  
Top money-getter this stanza is Loew's Metropolitan, showing "New Moon" and "Captain Is Lady." RKO Albee with "Queen of Destiny" and "Dr. Christian Meets Women," and Fabian with "Untamed" and "You're Not So Hot" are neck and neck.

Fabian Paramount is off with "My Love Came Back" and "Doomed to Die."

**Estimates for This Week**  
Albee (RKO) (3,274; 25-35-50) — "Queen of Destiny" (RKO) and "Dr. Christian Meets Women" (RKO). So-so \$15,000. Last week, "Maryland" (20th) and "Sailors Lady" (20th), good \$17,000.

Fox (Fabian) (4,089; 25-35-50) — "Untamed" (Par) and "Not Tough" (WB). Unprofitable \$15,000. Last week, "Devils Island" (WB) and "Gambling Seas" (WB), okay \$14,000.

Met (Loew's) (3,618; 25-35-50) — "New Moon" (G) and "Captain Is Lady" (M-G). Good \$17,000. Last week, "Susan" (M-G) and "Love Honor" (U), good \$16,500.

Paramount (Fabian) (4,126; 25-35-50) — "Love Back" (WB) and "Doomed to Die" (WB). Quiet \$14,500. Last week, "Ghost Breakers" (Par) and "Lone Wolf Lady" (Col) (2d wk), nice \$15,000.

Strand (RKO) (2,870; 25-35-40) — "Glad Road" (Col) and "Mysterious Mr. Reeder" (Mono). Mild \$4,000. Last week, "Fugitive Justice" (WB) and "Opened Mistake" (Par), ditto.

# 'Syracuse' Bandshow Best on Spotty B'way With 51G; 'Hardy Deb' Mild 25G, 'Pogo' Poor 60G, 'Man Married' 32G

**(Best Exploitation: Paramount)**  
Broadway has its ups and downs this week but away up there in the fancy dough is "Boys From Syracuse" at the Paramount, coupled with a stage show including Xavier Cugat, Allan Jones, Irene Hervey and Ray Bolger. Away down is "South of Pogo Pogo," one-weeker at the Music Hall. A turn in the weather last week, after a bad siege of heat, no doubt has helped in spots but seemingly not in others.

"Syracuse" wound up its first week at the Par last night at \$51,000, smash business for the summer, and begins its second today (Wed.). Picture the first to be made by Jules Levey, for years a distribution executive. Maybe more film salesmen should become producers.

"Pogo Pogo" is a picture the Hall would like to have ditched, but it was bought under an old contract and nothing could be done about it. It won't get \$60,000, very disappointing.

Right behind the Par on patronage is the Strand, now in its second strong week with "Drive by Night" and, in person, George Raft, Will Osborne, others. The show pounded down the street and powerfully to finish its first seven days at \$48,000, big, and on the holdover is showing real route ability at about \$35,000. House would like to hold a third week but Raft has to get back to the Coast.

"Andy Hardy Meets Debutante" is failing to get the Capitol what was expected, indications pointing to only around \$25,000. It remains a second week, however. Doing a better business, although the cost of a stage show figures, the Roxby will hit \$22,000 or thereabouts with "The Man I Married" and "Return of Frank James" comes in Friday (9).

Hitting close to \$15,000 last week, its first, the Walt Disney "Snow White" show, with four Academy winning shorts, is continuing a hot boxoffice entry. On the holdover it will get \$10,000 or close and may go a third week.

With "Roxby Storm" (2d run) on its screen and Harry Richman headlining the vaude bill, the State is slightly better than it was the prior week but still on the blue side at \$17,000 or so.

The Paramount, with the cooperation of Levey and Universal, distributor of "Syracuse," put on a smart, business-getting exploitation campaign for the picture. In addition to other things, Jack McInerney, publicity head of the theatre, had some mugs in Greek costumes driving chariots around town to attract attention. Next week, the picture was very good, including a whole Damon Runyon column devoted to the picture. Runyon seldom has anything to say for films.

**Estimates for This Week**  
Astor (1,012; 75-85-110-165-220) — "Gone" (M-G) (34th week). And this ain't kidding! Last week (33d) the gross shot up to \$8,800. Figure compares with \$7,200 the prior week.

Capitol (4,520; 25-35-50-55-110-125) — "Hardy Meets Debutante" (M-G). Nothing more than a moderate draw is being shown by the picture. "Untamed" will be all profit but not so much of it. Holds nonetheless. Last week, second for "New Moon" (M-G), \$20,000, mildish.

Criterion (1,062; 25-40-55-65) — "Snow White" (Disney-RKO) and four Disney shorts (2d-final week). Maintaining a very steady pace and \$10,000 or close will be obtained on the holdover, very good take. The first seven days nearly \$15,000, big. May go a third week.

Globe (1,700; 25-35-55) — "Military Academy" (Col). Light \$4,000. Will top last week's "Leopard Men" (Sel), the same.

Palace (1,700; 25-35-55) — "Maryland" (20th) (2d run) and "Dr. Christian Meets Women" (RKO). Last week, "Pride and Prejudice" (M-G) lowest in long time here, \$6,000, poor. Last week, "Tom Brown" (RKO) and "Man Talked Too Much" (WB), both 2d run, \$7,300, still weak.

Paramount (3,600; 25-35-55-85-95) — "Syracuse" (U) and Xavier Cugat, Allan Jones, Irene Hervey, Ray Bolger (2d week). Begins holdover today (Wednesday) after socking through in championship form to \$51,000 on seven days ending last night (Tuesday). Very snappy business for this time of year. Last week, "Untamed" (Par) and Louis Armstrong-Ethel Waters combination in person, only \$25,000, just breaking even.

Radio City Music Hall (5,080; 40-60-80-90-110) — "Pogo Pogo" (UA) and stage show. Struggling to get to \$80,000 but doubtful of making that goal, poor. Last week, fourth for "Heaven Too" (WB), \$70,000, good. "Pride and Prejudice" (M-G) opens tomorrow (Thurs.).

Rialto (750; 25-40-55) — "Prison Camp" (Col). No more than \$5,000, soggy, indicated. "Doomed to Die" (WB) only five days, \$4,000 for that period.

Roxby (5,838; 25-40-55-75) — "Man I Married" (20th) and stage show. Better than several weeks here, but not quite the answer to a showman's prayer at \$32,000, though ok for summer. Last week, "Turnabout" (UA) \$24,000, poor.

State (3,450; 35-55-75) — "Mortal Storm" (M-G) (2d run) and Harry Richman. Going is slow here again but maybe over \$17,000 for some portion. Last week, "21 Days" (Col) (2d run) and Andy Kirk, Bert Wheeler, Dixie Dunbar, et al. on stage, \$16,000.

Strand (2,787; 25-50-55-75-85-95) — "Drive By Night" (WB) and George Raft, Will Osborne, in person (2d-final week). Tristes Tuesdays here, looking \$35,000 on the holdover, very good. The first week held a burning pace to finish at \$48,000, remarkably fine for the end of July. Show would like third week if management could do so. Instead, on Friday (9) in comes "Sea Hawk" (WB), which Warners is anxious to get on pre-release dates, and Phil Spitalny.

## Old-Style Bally Pays In Omaha; 'Syr.' OK \$10,000

Omaha, Aug. 6.  
**(Best Exploitation: Orpheum)**  
Swinging into its "Back to Old Show Methods" exploitation with a vengeance, Tristates Tuesdays show a noticeable upsurge of business this week. "Boys From Syracuse," at Orpheum, will easily run to \$10,000, aided by a series of street ballyhoos by publicity chief Ted Peterson and which have given the town something to giggle about. One item was the Athesus Taxicab Co. Greek chariot drawn by two mules in straw hats and driver in toga carrying a change machine. Other items: Negro ladies in togas shining shoes and traffic cops in flowing robes.

Omaha, with "Pogo Pogo," had portended the Hawaiian show on platform which paraded streets and wound up in front of theatre for old-fashioned door bally every night.

**Estimates for This Week**  
Omaha Tristates (9,000; 10-25-40) — "Pogo Pogo" (UA) and "Private Affairs" (20th). Good \$9,000. Last week, "Untamed" (Par) and "Gambling Seas" (WB), barely made \$3,000, just fair.

Orpheum (Tristates) (3,000; 10-25-40) — "Boys Syracuse" (U) and "Sandy Lady" (U). Good \$10,000. Last week, "Turnabout" (UA) and "Adventures" (20th), \$9,000.

Brandsel (Mort Singer) (1,500; 10-25-35-40) — "Drive Night" (WB) and "Pop Pays" (RKO) (2d wk.). Surprising \$5,800. Last week, "Raffles" (20th) and "Favorite Wife" (RKO), \$5,000, just fair.

"Edison Man" (M-G) and "My Son" (UA), split with "Grand Opry" (Rep) and "One Beautiful" (M-G). Looks like \$1,500. Last week, "Raffles" (20th) and "Favorite Wife" (RKO), split with "Black Diamond" (U), "Star Dust" (20th) and "Bombs Over London" (State Right), \$1,800.

Tama (Goldberg) (1,500; 10-20-25) — "Code Cactus" (Cap), "Girl in 31" (20th) and "So This Is London" (20th), split with "Wild Horse Range" (Mono) and "Joy of Living" (RKO) (Wednesday only, and "Secret Valley" (Cap), "Lone Wolf Lady" (Col) and "Lillian Russell" (20th). Fair \$1,300.

Last week, "Last Alarm" (Mono), "Red Butte" (U), "Slightly Honorable" (UA) plus Jenkins-Armstrong fight, split with "Son of a Gun" (Mono), "Man Godfrey" (U) and "Kid Santa Fe" (Mono), and "Chumps Oxford" (UA) and "On Own" (20th), ordinary \$1,400.

**Omaha Military-Dundee** (Goldberg) (850-600-300; 25) — "Edison Man" (M-G) and "21 Days" (Col), split with "One Beautiful" (M-G), "Sap" (UA) and "Girl in 31" (20th). Fair \$1,100.

"Favorite Wife" (RKO), "Star Dust" (20th), split with "Love Honor" (U), "On Own" (20th) and "Bombs London" (State Right), crawled over \$1,000 on sizzling weather.

**PROJECTIONIST-MAYOR**  
Columbus, Aug. 6.  
L. G. Lefe Wareham, Loew's Ohio projectionist, was elected mayor of Valleyview, local suburb, at a special election last Thursday. Has been in a booth for the village incorporators, and this his first public office.

# Mpls. Cooler, But B.O. Still Off; 'Md.' \$4,300, 'Syracuse,' \$4,500, Both N. C.

For the first time in some weeks there's a clean sweep in the loop—namely a holdover—excepting the sure-seater Esquire, which is retaining the reissued 'Sky Devils' (20th). Two of the newcomers, 'Boys From Syracuse' and 'Maryland,' at Orpheum and State, respectively, loom as of moderate boxoffice importance. Trailers include '21 Days Together,' 'Gold Rush Maisie' and 'Cross-Country Romance.'

Cooler weather is a break for the showhouses, but the usual opposition headache turns up again—this time in the form of the Roller Derby which is drawing 10,000 nightly—many of them undoubtedly potential theatre patrons into the Auditorium. Ringling's circus, here Monday and Tuesday (5 and 6), no help, either.

## Estimates for This Week

**Aster** (Par-Singer) (900; 15-25)—'Girls Road' (WB) and 'Can't Give Anything but Love' (WB), dual first-run, split with 'Gambling High Seas' (WB) and 'LaCongo Nights' (U), also first-run. Fair \$1,700. Last week: 'Phantom Raiders' (M-G) and 'Millionaires Prison' (RKO), dual first-run, split with 'Dr. Christian Nymore' (RKO) and 'Manhattan Heartache' (RKO). (20th) (1,600; 28-39-44)—'21 Days' (Col). Mike opinions regarding this one. Leigh-Oliver team, however, bringing in new customers. Heading 'Light \$2,500. Last week: 'Heaven Too' (WB) (3d wk), good \$3,500, making fine \$1,300 for three-week run.

**Esquire** (Gillman) (230; 28)—'Sky Devils' (U) (reissue) (20; 28). This one has demonstrated vitality. Looks like satisfactory \$800. First week, \$1,200, good.

**Gopher** (Par-Singer) (988; 28)—'Gold Rush Maisie' (M-G). Series' popularity and Ann Southern's following on increase. Mild \$2,000 in prospect. Last week: 'Windy Poplars' (RKO), \$2,000, light.

**Orpheum** (Par-Singer) (2,800; 28-39-44)—'Boys Syracuse' (U). Laughs its chief stock in trade and they're very much of the nature of these. However, film won't better light \$4,500. Last week: 'Pago' (UA), \$4,000, light.

**State** (Par-Singer) (2,300; 28-39-44)—'Maryland' (20th). Has had considerable publicity and good notices, but is n.g. at \$4,300. Last week, 'Hardy Debutante' (M-G) (1st wk) one \$7,200 after very big \$11,000 first week.

**Uptown** (Par) (28-39)—'Waterloo Bridge' (M-G). First neighborhood showing. Tuesday, 1st wk, \$3,000 clip. Last week 'Doctor Wife' (Col), first neighborhood showing, \$3,400, good.

**World** (Par-Singer-Steffes) (350; 28-39-44-55)—'Country Romance' (RKO). Just lightweight fare and a filler-in. Hardly suited for type of patronage attracted to this house. Being yanked after four weeks to poor \$400. 'I Married Adventure' (Col) opens today (Tuesday). Last week 'All Fresh' (Par), \$1,300, light.

## Buff. on Upbeat; 'Pride' OK 14G, 'Scatterbrain' And Vaude Nice 11G

Downtown boxoffices are holding the healthy tone which began to manifest itself last week. More potent screen and stage fare seems to be offsetting the sweltering weather, and the tallies are in considerably higher gear.

'Pride and Prejudice' at Buffalo, is the session's champ tugger, although Milt Britton's band and 'Scatterbrain' seems to be following along fast at the 20th Century.

## Estimates for This Week

**Buffalo** (Shea) (3,500; 35-40-60)—'Pride Prejudice' (M-G). Maintaining stout pace for probably over \$14,000. Last week, 'Heaven Too' (WB), hit better than \$15,000.

**Great Lakes** (Shea) (3,000; 35-55)—'Heaven Too' (WB) (2d run). Should trap \$6,000, fair. Last week: 'Sporting Blood' (M-G) and 'Gold Rush Maisie' (M-G), fair \$6,500.

**Hipp** (Shen) (2,100; 30-45)—'Hell Below' (M-G) and 'Western Stars' (Par). Regulation dual will turn over for \$5,500. Last week: 'Snow White' (RKO) (2d run) and 'Grand Ole Opry' (Rep), \$4,500, fairish.

**Lafayette** (Hayman) (3,300; 30-40)—'Daltons Rode' (U) and 'He's Making Eyes' (U). Noticeable improvement, maybe \$5,000. Last week: 'Married Adventure' (Col) and 'Girls Road' (Col), poor \$4,000.

**20th Century** (Dipson-Basil) (3,000; 35-50)—'Scatterbrain' (Rep) and Milt Britton's band in 'Crazy Show of 1940' on stage. Good entertainment for hot weather. Looks to snag dandy \$11,000. Last week: 'Flight Angels' (WB) and 'Fugitive Justice' (WB), up from estimates but only passable at \$5,000.

## 'LOVE BACK' OKAY \$4,500 IN MEMPHIS

Memphis, Aug. 6. 'Boys from Syracuse' and 'Pride and Prejudice' are out front here this week, but continued heat wave is still showing a marked effect at 'My Love Came Back' which is having a week at the Warner.

**Estimates for This Week**  
**Boys From Syracuse** (U), 4,500; 10-33-44—'Pride Prejudice' (M-G). Drew good notices, but trade is only about average for house, probably \$3,700. Last week: 'Gold Rush Maisie' (M-G), \$4,000, fairish under circumstances.

**Warner** (Warner) (2,300; 10-33-44)—'Love Back' (WB). Romance well liked. Looks like around \$4,500, not bad. Last week: 'Million B. C.' (UA), \$2,500, terrible.

**New Matco** (Lightman) (2,800; 10-33-44)—'Boys Syracuse' (U). Maybe to \$5,800, average. Last week: 'Untamed' (Par), five days, 'Chump at Oxford' (UA), two days, plus pre-showing of 'Boys', \$4,500, fair.

**Loew's Palace** (Loew) (2,200; 10-33-44)—'Queen Destiny' (RKO), four days, and 'Sporting Blood' (M-G), three days. Will do well to nab \$2-\$5,000. Last week: 'Pago Pago' (Par), \$3,500, poor.

**Strand** (Lightman) (1,000; 10-22-33)—'Lillian Russell' (20th) (2d run), three days, 'Blondie Servants' (Col), two days and 'Mystery Sea Raiders' (Par), one day, total \$1,500. Last week: 'Dr. Wife' (20th) (2d run), three days, 'Sandy Lady' (U), two days, and 'Prairie Land' (RKO), two days, the same.

## McCOY ORCH UPS 'LOVE' TO 9G IN K.C.

Kansas City, Aug. 6. Situation along theatre row is reported to be improved. The strength of bills, but the heat wave is still making it a tough go. Tower, with Clyde McCoy's band on stage, is okay, and Midland, with 'Pride and Prejudice' the draw, is having a happier turn. The Newman is in the swing with upped returns from 'Great McGinty,' which got a good share of the audience and favorable notices. Fox Midwest houses follow through in fair shape with 'Boys from Syracuse' on a Saturday opening.

After daily readings of 100 and over, town got some clouds over the weekend, but humidity lingered and relief was comparatively light.

**Esquire** and **Uptown** (Fox Midwest) (820 and 2,043; 10-28-44)—'Boys Syracuse' (U). Opened Saturday (3). Likely to see fair \$6,000 in 1st day. Last week, 'Daltons Rode' (U), neat \$7,200.

**Midland** (Loew's) (10-28-44)—'Pride Prejudice' (M-G) and 'We Are Young' (M-G). Around \$11,000 will be best in some weeks. Last week: 'Gold Rush Maisie' (M-G) and 'Million B.C.' (U), average \$8,000.

**Newman** (Paramount) (1,900; 10-28-44)—'Great McGinty' (Par). Got an extra buildup and getting \$5,800, good. Last week: 'Man Talked Much' (WB), so-so \$5,000.

**Feiner** (Joffe) (2,110; 10-30)—'Love, Honor' (U), with Clyde McCoy's orch on stage, following a two-week stand in the Terrace Grill, deluxe dinner spot at 1st minimum. Band running sweet \$9,000 consistently up from past few weeks. Last week: 'Cross Country Romance' (RKO) and vaude, so-so \$5,700.

## 'Laugh Week' Idea Pays Off in Lincoln at \$3,700

Lincoln, Neb., Aug. 6. (Best Exploitation: Stuart) 'Laugh week' billing for the Stuart, everything sordid being cleaned out of the program, is the cleverest hunt for money on the street this week. It's drawing more patronage to 'My Love Came Back' than the pic could have in the regulation manner.

**Estimates for This Week**  
**Colonial** (Monroe-Noble Federer) (750; 10-15)—'East Side Kids' (Mono) and 'South Border' (Rep), split with 'Main Street Lawyer' (Rep) and 'Stranger Texas' (Col). Light \$700. Last week: 'Bully' (Col) and 'Grandpa Town' (Rep), split with

'Wolf New York' (Rep) and 'Bad Lands' (RKO), also \$700.  
**Lincoln** (Paramount-Cooper) (1,503; 10-25-35-40)—'Daltons Rode' (U). Action piece rushed in for fear later play may prove fatal. Kids biting. Appears headed for \$3,800, not bad. Last week: 'Maryland' (20th), \$3,900, oke.

**Nebraska** (Paramount-Cooper) (1,236; 10-20-25)—'Lone Kid' (Par) and 'Opened Mistake' (Par), split with 'Earthbound' (20th) and 'Can't Fool Wife' (RKO). Okay \$2,000. Last week: 'Wouldn't Talk' (20th) and 'Adventures' (Par), split with 'Viva Cisco' (20th) and 'Women Names' (Par), good \$2,400.

**Stuart** (Paramount-Cooper) (1,384; 10-25-40)—'Love Back' (WB). Sold on 'Laugh Week' basis, and good. Hitting, \$3,700. 'Untamed' (Par) opens today (Tuesday). Last week: 'Seventeen' (Par), \$2,700, poor. 'Viva' (20th) (1st wk), \$1,107; 10-20-25)—'Blondie Trouble' (Col) and 'Tomboy' (Mono). Nice \$2,600. Last week: 'Married Adventure' (Col), Jenkins-Armstrong, fight and Escape Paradise' (RKO), fair \$2,200.

## 'PAGO,' \$8,500, COLD IN PITT

Pittsburgh, Aug. 6. Arrival of cooler weather has brought a noticeable spurt in downtown biz, and conditions generally look a bit healthier at the moment. Town is slow in getting up full steam. Again, with the Fulton, down for couple of months, reopened, and the Senator, which has been shuttered for summer, getting ready to go in a new week.

Stanley's the current leader by a wide margin. 'They Drive By Night' packing a b.o. wallop and certain to hold at least \$8,500. 'Hardy Meets Debutante' on third downtown week, picture having previously played Penn for fortnight. Fulton getting by with second week of 'When Daltons Rode,' limiting his to four days, however, and Warner is looking up, too, with 'Tom Brown's School Days' and 'Sporting Blood.' Only Penn is getting new word of 'Squad of Pago' taking a ride from crix and being passed up by public.

**Estimates for This Week**  
**Alvin** (Harris) (1,850; 25-35-50)—'Disney Festival' (RKO). 'Snow White' and the prize-winning stars packing 'em in afterwards, but not much doing after dark. Mat trade big enough, however, to insure profitable \$4,500. Last week: 'Scatterbrain' (Rep) and 'Faces West' (Rep), yanked after six days to poor \$3,000.

**Fulton** (Shea-Hyde) (1,700; 25-40)—'Daltons Rode' (U) (2d wk), fairish, but only for four days in second week. Abbreviated session looks like \$2,200, not bad. Last week, okay \$4,500.

**Penn** (Loew's-UA) (3,300; 25-35-50)—'Pago Pago' (UA). Got the bird from the press and the public's giving it treatment en absentia. Will be lucky to crack \$8,500 this week. Plenty in the doghouse at this spot. Last week, second of 'Andy Hardy' (M-G), very good \$9,500.

**Rich** (WB) (800; 25-35-50)—'Andy Hardy' (M-G). Has enough left to account for \$300, excellent. Last week: 'Heaven Too' (WB), good \$3,200 after two weeks at Stanley.

**Dalton** (Loew's-UA) (25-35-50)—'Drive Night' (WB). By natural heading for wallop \$15,000. Will make a second week at one of the h.s. spots. Last week: 'Love Back' (WB), fairish \$3,500.

**Warner** (WB) (2,000; 25-40)—'Tom Brown' (RKO) and 'Sporting Blood' (M-G). Above average dual in this spot and doing above average biz. That means around \$4,600. Last week, 'Million B. C.' (UA) and 'Dr. Christian Women' (RKO), way off at \$3,100.

**Tito Schipa** (continued from page 2)

given the cold shoulder by local artists. Nine of them signed a petition asking that he be used only because their patriotic sentiments were injured by the Schipa offense, which was, in effect, the hiring of a foreigner for a national holiday affair. Board of the Colon, all rich, honorary appointees, rebuked the artists, said there was no questioning the artist's patriotism. Petitioners were told they could cancel their contracts if desired.

Those signing were Clara Oyedo, Amanda Cetera, Emma Brizzio, Carmen de la Vega, Sara Menkes, Sara Cesar, H. Gonzalez Alisedo, Pedro Mirassou and Marcello Urizar.

Singer was hired to do series for Radio Belem, with a session in Rio and Sao Paulo and a opera with the Colon. Deal is said to be wavering as a result of unfavorable reaction.

# 'Drive Night' Heads for Good \$20,000 In Frisco; Anti-Nazi Pic OK \$10,000

## 'OUR TOWN,' \$4,000, GOOD IN MONTREAL

Montreal, Aug. 6. Picture of the week here currently is 'Pride and Prejudice,' which will click on femme popularity and is pacing for fine \$8,000. Balance will be so-so, except 'Our Town,' good for nice \$4,000.

**Estimates for This Week**  
**Palace** (CT) (2,700; 25-45-55)—'Pride Prejudice' (M-G). Clicking from start for \$8,000. Last week: 'Andy Hardy' (M-G), disappointing \$6,000.

**Capitol** (CT) (2,700; 25-45-55)—'Tom Brown's' (RKO) and 'Pop Pays' (RKO). Fair \$4,500 in sight. Last week: 'Fie' (Par) and 'Those Days' (Par), down at \$3,500.

**Loew's** (CT) (2,800; 30-40-60)—'New Moon' (M-G) (3d wk). Good \$4,000, after satisfactory \$6,000 last week.

**Princess** (CT) (2,300; 25-34-50)—'Sandy Lady' (U) and 'Double Alibi' (U). Not over \$3,000 likely. Last week: 'Millionaire Playboy' (RKO) and 'Anne Windy Poplars' (RKO), faded to \$2,800.

**Orpheum** (IND) (1,100; 25-40-50)—'Our Town' (UA). Good \$4,000 in sight. Last week: 'Hitler' (GN), h.o., poor \$1,200.

**Cinema de Paris** (France-Film) (600; 25-50)—'Paradis Perdu' (6th wk). Summer filler that has been grossing around \$600 past two weeks and should make about that figure currently.

**St. Denis** (France-Film) (2,300; 25-50)—'Roman d'un Tricheur' and 'Route Imperiale' (RKO). Fair seasonal \$3,000. Last week: 'Roman Jeune Homme Pauvre' and 'Ballets Loue Fuller', \$2,800, good enough.

## Census Figures

Continued from page 4

of the gross. In other words, film theatres in centers of more than 250,000 population, containing only 23.5% of all the inhabitants in America, collect 44.7% of the annual boxoffice bill.

In a further breakdown, the reports show that 26.8% of all theatres in the U.S.A. (10,000 plus) are located in cities of 100,000 or more inhabitants. These theatres account for 55.6% of the total receipts, 49.2% of the total number of employees, and 59.7% of the total payroll. While more than half (53.2%) of the motion picture theatres are in places of less than 10,000 inhabitants, they account for only 18.9% of the total receipts, 34.5% of the total payroll, and 15.3% of the total payroll.

Numerically, picture theatres, next to billiard and pool parlors and bowling alleys, lead all other places of amusement in the country. Bureau listings include amusement parks, baseball, football, sports and athletic events, dancing, and other forms of municipal (owned), dancehall, horse and dog racetracks, skating rinks and other categories.

Film houses also account for nearly three-quarters of all the cash expended for all forms of entertainment. Figures show that picture theatres represent 31.9% of all places of amusement, and account for 77.7% of the total gross receipts, 59% of the total number of employees, and 64.4% of the total amusement payroll. Billiard and pool parlors and bowling alleys account for only 6.2% of total public expenditures, 13.3% of total employees, and 6.7% of total payroll.

Census Bureau analysis, with an almost unlimited amount of statistical data on which to base prognostication and chart trends, declare that the film industry, if its future course of development follows the experience of general business, will be the greatest field for growth in building patronage in small towns and rural areas. Without benefit of any intensive research beyond the mere tabulations, it is said that the most likely deterrent to increased receipts from the smaller communities (under 10,000 population) is the prevailing type of film theatre structure which has not kept pace with the community tastes. In this connection, officials point to the substantial growth in the merchandising of drugs, cosmetics and novelties as result of a better and improved type of retail establishments in the drug industry.

On the question whether merchandising of films, or operations of theatre chains, has any bearing on the backward showing of rural theatres, the Census Bureau has no comment. One official said that that point had been studied by another Government agency. He referred to the anti-trust division at the Department of Justice.

## 'They Drive By Night' attracting attention at 'Pride and Prejudice' (M-G) is warranting its holdover at Warfield.

Fears which caused 20th-Fox to switch title on 'Man I Married' (20th) are not materializing here, film doing average for its type.

**Estimates for This Week**  
**Fox** (F-WC) (5,000; 33-39-44)—'They Drive By Night' and 'Pride and Prejudice' (M-G). Extra space helped get this off to flying start, with dandy \$20,000 in view. Last week: 'Gold Rush Maisie' (M-G) and 'Golden Gloves' (Par), not up to expectations at \$11,000.

**Golden Gate** (RKO) (2,850; 39-44)—'Villain Pursued Her' (RKO) and vaude. Despite terrific campaign, world premiere failed to make much of a dent. About \$11,000 best to be expected. Last week: 'Millionaires Prison' (RKO) went down the line for about the same figure.

**Orpheum** (F&A) (2,440; 33-38-44)—'Boys Syracuse' (U) and 'Military Academy' (Col). Did \$11,500 on first week and stays. A little less than expected, but best such house has had in weeks. Current stanza will draw \$7,000.

**Paramount** (F-WC) (2,740; 33-38-44)—'Man Married' (20th) and 'Manhattan Heartbeat' (20th). No special reaction to Nazi angle here. Average \$10,000 due. Last week: 'Merry Land' (20th) and 'Sailor's Lady' (20th) averaged \$6,000, a little under anticipations.

**St. Francis** (F-WC) (1,470; 33-38-44)—'Rush Maisie' (M-G) and 'Gloves' (Par). Moveover from Fox should generate about \$4,000, fairish. Last week: 'Man Talked' (WB) and 'Scatterbrain' (Rep), same.

**United Artists** (Cohen) (1,200; 35-55-75)—'Our Town' (UA). Heavy campaign behind this one, but lack of young folks holding it to possible \$6,500. Last week: third-final stanza of 'Turnabout' (UA), about \$5,000 okay.

**Warfield** (F-WC) (2,680; 33-39-44)—'Pride and Prejudice' (M-G) and 'Ladies Live' (WB) (2d wk). Second stanza which should do a nice \$7,000, maybe. Last week: got \$13,000, helped by carriage trade.

## 'RAMPARTS' FINE \$20,500 IN 15 WASH. DAYS

Washington, Aug. 6. Four new ones this week and only one is disappointing. Easy tops is 'My Love Came Back' at Earle, helped by much-ballyhooed final engagement of Red Skelton, local favorite, before going to the Coast for Metro. Second is 'Pride and Prejudice' at Palace, straight up, spot.

'Man I Married,' at Capitol, big Loew's vaudeur, is under average, while 'I Married Adventure,' Osa Johnson's dancing thriller, is more profitable at the Met. 'Ramparts We Watch,' which bowed Monday last week with hefty world premiere bally, is a h.o. at Keith's.

**Capitol** (Loew) (3,434; 28-39-44-66)—'Man I Married' (20th) and vaude. Advance buildup stayed clear of Nazi angle, so critics who discovered it could all emphasize it. Result: no help from stage, is light \$13,500. Last week: 'Gold Rush Maisie' (M-G) and vaude benefited from third week holdover at opposition Earle for nice \$18,500.

**Columbia** (Loew) (1,234; 28-44)—'Hardy Debutante' (M-G) (2d run). Back after two good weeks at Palace and will trap \$5,500. Last week, 'Safari' (Par) (2d run), passable \$4,000.

**Earle** (WB) (2,216; 28-39-44-66)—'Love Back' (WB) and vaude. Hailed as good fun and withal, engagement of Red Skelton before going to Coast is leading town with good \$18,000. Last week: 'Heaven Too' (WB) (3d wk) and vaude, profitable \$13,000.

**Keith's** (RKO) (1,830; 39-55)—'Ramparts We Watch' (RKO) (2d wk). Slipping but will finish with oke \$7,500 for eight days. Last week same, but world premiere bally for big \$13,000.

**Met** (WB) (1,600; 28-44)—'Married Adventure' (Col). Heading into good \$5,500. Last week: 'Tom Brown' (RKO), oke \$4,500.

**Palace** (Loew) (2,242; 39-55)—'Pride Prejudice' (M-G). Solid \$16,000. Last week: 'Maryland' (20th), fair \$15,000.

The Census Bureau has no comment. One official said that that point had been studied by another Government agency. He referred to the anti-trust division at the Department of Justice.



# Biz Improves as Philly Cools; 'Pride' Fine \$18,000, 'Daltons' Aim for \$11,500

Philadelphia, Aug. 6.—Downtown tills are fast reviving from the heat wave that's been stifling the b.o., with the weekend bringing the first real relief. If the thermometer continues to behave, Boyd is headed for a fancy \$18,000 with 'Pride and Prejudice', and Keith's is sure to set a high water mark with some \$20,000 on a second run of 'All This, and Heaven Too'.

A competing factor crops up Thursday (8) when sports promoter Ray Fabiani turns ice show impresario at his outdoor Philadelphia Gardens, but it's too early to tell what effect it may have on film theatres.

## Estimates for This Week

**Arcadia** (Sablowsky) (600; 35-46-57)—'Way of Flesh' (Par) (3d run). Fairish \$1,100 for three days. 'Andy Hardy Meets Debutante' (M-G) taking over Monday (5). Last week, 'Ghost Breakers' (Par), swell \$3,400 for third-run in face of heat.

**Boyd** (WB) (2,560; 35-46-57-58)—'Pride Prejudice' (M-G). Figures on fine \$18,000 in sight. Last week, 'Heaven Too' (WB), held up fairly well with \$11,900 for second week.

**Carle** (WB) (4,000; 35-46-57-58)—'Daltons Rode' (U). Riding nicely for a horse opus at the house with \$11,500. Last week, 'Untamed' (Par) turned out to be too tame with mild \$7,000 total.

**Fox** (WB) (2,423; 35-46-57-58)—'Drive Night' (WB) (2d wk). Plenty strong with \$11,500 in sight. Last week led field with \$15,500.

**Karlton** (WB) (1,066; 35-46-57-58)—'Pago Pago' (UA) (2d run). Doing so-so \$3,400, after only a fairish showing before moving over to this house. Last week, 'Love Lady' (WB), poor \$2,800.

**Keith's** (WB) (1,970; 35-46-57-58)—'Heaven Too' (WB) (2d run). Headed for house record, the temple being air-conditioned in its favor to click off a hefty \$8,200. Last week, 'Hardy Debuts' (M-G), met meagre \$3,600 for second run.

**Stanley** (WB) (2,916; 35-46-57-58)—'Man Married' (20th). Not much crowing on this opus, with the best a poor \$9,800. Last week, 'Maryland' (20th), not much better at \$11,000.

**Stanton** (WB) (1,457; 35-46-57-58)—'Man Talked Much' (WB). Sugary \$5,800 coming up. Last week, 'Not So Tough' (U), under par with \$3,500.

## No L'ville Winners; 'Syracuse' Fair 6G, Ditto 'Pride', \$5,500

Louisville, Aug. 6.—Heat is still pretty potent and none of the downtown houses is turning in any grosses worth bragging about.

Night baseball at Parkway Field is drawing heavily on patrons looking for nocturnal thrills. The Louisville Colonels are pulling at attendance that compares favorably with crowds at some major league games, and this is bound to have some effect on pic house attendance.

**Estimates for This Week**

**Brown** (Loew's-Fourth Avenue) (1,000; 35-40)—'Daltons Rode' (U) and 'Hold Woman' (Prod. Rel.). Continued from Rialto and just coping along for mild \$1,700. Last week, 'Maryland' (20th) and 'Manhattan Heartbeat' (20th), weak \$1,400.

**Kentucky** (Switow) (1,200; 15-25)—'Favorite Wife' (RKO) and 'Dark Command' (Rep) split with 'Those Days' (Par) and 'Dr. Cyclops' (Par). Cooling system and mirrored front are enticing patrons to relax and cool off. Pointing to okay \$1,800. Last week, 'Baby Rider' (Patheco) and 'Many Husbands' (Col), nice \$1,500.

**Loew's State** (Loew's) (3,100; 35-40)—'Pride Prejudice' (M-G) and 'Military Academy' (Col). Heading for fair \$5,500. Last week, 'Pago Pago' (UA) and 'Baby Rider' (Col), \$5,400.

**Mary Anderson** (Libson) (1,000; 35-40)—'Love Lady' (WB). Bringing in some femme trade and should manage satisfactory \$2,800. Last week, 'Heaven Too' (WB), third stanza, okay \$2,700.

**Rialto** (Fourth Avenue) (3,400; 15-30)—'Boys Syracuse' (U) and 'Millionaires Prison' (RKO). Pulling in some night biz, but mats are slow. Aiming at fair \$6,000. Last week, 'Maryland' (20th) and 'Manhattan Heartbeat' (20th), pretty good \$6,500 and moverover.

**Strand** (Fourth Avenue) (1,400; 35-40)—'Scatterbrain' (Rep) and 'Facts' (WB). Indicating around \$2,000, light. Last week, 'Cross Country Romance' (RKO) and 'Dr. Christian Women' (RKO), \$2,500, sub-medium.

## 'PRIDE AND PREJUDICE' FINE \$13,000 IN PROV.

Providence, Aug. 6.—If it isn't the humidity, it's the product hereabouts that helps keep prospective film customers away. About the best in town, and that is stepping along nicely, is 'Pride and Prejudice' at Loew's State.

'Boys from Syracuse' is only so-so at Majestic, while 'Golden Gloves' at Strand is drawing very weakly.

**Estimates for This Week**

**Carson** (Fay-Loew) (1,400; 28-39-50)—'Drive Night' (WB) and 'Ladies Live' (WB) (2d run). Looks like only so-so \$1,500. Last week, 'Hell Below' (M-G) and 'Can't Fool Wife' (RKO), poor \$1,000.

**Fay's** (Indiana) (2,000; 15-38)—'Ranger Lady' (Rep) and 'On Spot' (Mono). Picking up slightly for fair \$2,800. Last week, 'Wagons Westward' (Rep) and 'Special Inspector' (Rep), fair \$2,300.

**Majestic** (Fay) (2,200; 28-39-50)—'Syracuse' (U) and 'Fugitive Justice' (WB). Public not going for this one to any great extent and take will be around fair \$6,000. Last week, 'Drive Night' (WB) and 'Ladies Live' (WB), fair \$6,000.

**State** (Loew) (3,200; 28-39-50)—'Pride Prejudice' (M-G) and 'We Are Young' (M-G). Only one in town doing much, having sold to swell \$13,000. Last week, 'Pago' (UA) and 'Captain Lady' (M-G), fair \$8,000.

**Strand** (Indie) (2,000; 28-40-50)—'Golden Gloves' (Par) and 'Opky' (Rep). Pacing to very slow \$3,500. Last week, 'Girls Road' (Col) and 'Military Academy' (Col), fair \$4,400.

## 'DRIVE BY NIGHT' HEFTY \$19,000 IN HUB

Boston, Aug. 6.—'They Drive by Night' is coming through with a surprising load of oin at the Met and leads the list of grossers here this week. 'Boys from Syracuse' (U) and 'Memphis' (U) and 'Audrey Hardy Meets Debutante', in its second week at the Orpheum and State, are also out the strong side.

Keith Boston will open its season of vaude, early this year, having booked in Orrin Tucker and Bonnie Baker for a full stanza, starting Aug. 15, at tilted prices. House, after that week, will regularly play vaude four days and run three days weekly at lower scale (50c top). Occasional full weeks of name shows will be played during the season, when such talent is available.

**Estimates for This Week**

**Boston** (RKO) (3,200; 29-39-44)—'South Karanga' (U) and 'Fugitive' (U). Aiming at tepid \$5,000. Last week, 'Millionaires Prison' (RKO) and 'Black Diamond' (U), dual, \$4,300.

**Fenway** (M&P) (1,332; 28-39-44-55)—'Maryland' (20th) and 'Golden Gloves' (Par) (both continued run from the Met). Headed for weak \$4,000. Last week, 'Heaven Too' (WB) and 'Pop Pays' (RKO) (both continued run from two weeks at Met), \$5,500, good.

**Keith Memorial** (RKO) (2,907; 28-39-44-55)—'Boys Syracuse' (U) and 'Outside' (Alliance). Slightly above par, around \$14,000 indicated. Last week, 'Daltons Rode' (U) and 'Windy' (RKO), \$9,500, off.

**Metropolitan** (M&P) (4,367; 28-39-44-55)—'Drive by Night' (WB) and 'Ladies Must Live' (WB). Aiming at fair \$18,000. Last week, 'Maryland' (20th) and 'Golden Gloves' (Par), (both continued run from Met), looking to possible \$9,000, u.s.h. Last week, 'Heaven Too' (WB) and 'Pop Pays' (RKO) (both continued run from two weeks at Met), \$7,000.

**Seitlay** (M&P) (2,538; 28-39-44-55)—'Heaven Too' (WB) and 'Pop Pays' (RKO) (both continued run from Par and Fenway; 4th wk in town). Around \$4,000 expected. Last week, 'Favorite Wife' (RKO) and 'Untamed' (Par) (both continued run), \$4,000.

**State** (Loew) (3,000; 28-39-44-55)—'Hardy Debutante' (M-G) and 'Captain Lady' (M-G) (2d wk). Will hit close to \$10,000, good. Initial stanza was \$13,500 for same combo.

## Spiritualists

Continued from page 2.

other, night with 'other side' and gotten promise of cooperation.

Same could be done with other persons now passed on, the publisher-pessant contends. Whereas an ordinary seance usually calls in friends and relatives of persons who are present, famous folk out of the past would be recalled over the air. He's on a several-week jaunt now to Chicago and midwest cities to confer with leading mediums who might form the broadcast circle.

Plan has worked out on limited scale with talk-back system in Pressing's air-conditioned basement seance chamber, he says. Spirits that have wished to speak with those not in circle waited while Pressing, in upstairs office, called person on phone, then held phone to talk-back speaker while spirit and other person chatted.

Pressing went on 'We the People' about a year ago to tell of his conversion to spiritualism.

## 'SYRACUSE' AT \$7,500 SO-SO IN INDPLS.

Indianapolis, Aug. 6.—Even the reopening of the deluxe Indiana, 3,100-seater, couldn't lure the natives into the downtown caverns against the heat and the heat of the beaches during a record-breaking hot spell. While product is nothing to brag about, fact that houses are plugging air conditioning heavily must be given some credit for what little business is being done.

Loew's tops the field with 'Pride and Prejudice' dualing with 'We Who Are Young'. Indiana is a close second with 'Boys from Syracuse' and 'Private Affairs'. Circle is riding along as well as could be expected with a holdover of 'Maryland' and 'Sailor's Lady'.

Lyric went the limit to exploit 'Funzaire' on the stage, but the plugging couldn't overcome poor audience reaction and other elements. 'Three Faces West' didn't help much.

**Estimates for This Week**

**Circe** (Maryland) (2,500; 25-30-40)—'Maryland' (20th) and 'Sailor's Lady' (20th). (2d wk). Acceptable \$4,000. Last week, nice \$3,800.

**Indiana** (Katz-Delle) (3,100; 25-30-40)—'Boys Syracuse' (U) and 'Private Affairs' (U). Reopening week getting \$7,500, under expectations.

**Loew's** (Loew's) (2,400; 25-30-40)—'Pride Prejudice' (M-G) and 'We Are Young' (M-G). Building to okay \$3,200. Last week, 'Pago' (UA) and 'Military Academy' (Col), poor \$6,500.

**Lyric** (Lyric) (1,900; 25-30-40)—'Faces West' (Rep) and 'Funzaire' on stage. On the red side of book with puny \$7,800. Last week, 'Wagons Westward' (Rep) and Red Nichols' band, fair \$3,500.

## 'PAGO PAGO' SHAKES UP NICE \$4,500 IN PORT.

Portland, Ore., Aug. 6.—'Queen of Destiny' had its world premiere at the Grand (U) with a benefit performance for the British-American Ambulance Corps. Anna Neagle, Sid Cedric Hardwicke and producer Herbert Wilcox appeared in person, and seats sold at \$1 and \$5. One night premiere did great biz of \$3,500.

'South of Pago Pago' showing promise at the Broadway, with 'All This, and Heaven Too' okay in third week at Parker's UA.

**Estimates for This Week**

**Broadway** (Parker) (2,000; 35-40-50)—'Pago Pago' (UA) and 'Scatterbrain' (Rep). Looks good for \$1,500. Last week, 'Boys Syracuse' (U) and 'Not So Tough' (U), satisfactory \$4,000.

**Mayfair** (Parker-Evergreen) (1,500; 35-40-50)—'Boys Syracuse' (U) and 'Not So Tough' (U) (2d run). Keeping up average at this house for okay \$3,000. Last week, 'New Moon' (U) and 'Love Honor & Ours' (U), closed third stanza at nice \$2,500.

**Orpheum** (Orpheum) (1,800; 30-40-50)—'Faces West' (Rep) with h.o. of 'Katz-Delle' (U) and 'Sailor's Lady' (U). Average \$4,000. Last week, 'Scatterbrain' (Rep) with 'Auction' vaude, okay \$3,800.

**Paramount** (Hamrick-Evergreen) (2,000; 35-40-50)—'Queen of Destiny' (RKO) and 'Cross Country Romance' (RKO). Probably good \$4,500. Last week, 'Great McInty' (Par) and 'Girl in Girl' (20th), held up six \$4,700, but made fine showing for \$4,700.

**United Artists** (Parker) (1,000; 35-40-50)—'Heaven Too' (WB) (3d wk). Still good \$3,000. Second after three postponements broke jinx by luring fine \$5,500.

# L.A. Shows Little Hitler Interest, So 'Man Married' Droops to \$16,500; 'McGinty'-Vaude, \$13,500, Others NG

## 'Drive By Night' Nice \$10,500 in Denver

Denver, Aug. 6.—'They Drive by Night' and 'Slightly Tempted', at the Denver, are taking the most money, with 'Ramparts We Watch' and 'Pop Always Pays' at Orpheum, second.

'Maryland' and 'Last Alamo' at Rialto, are nicely above average.

**Estimates for This Week**

**Aladdin** (Fox) (1,400; 25-40)—'Our Town' (UA), after week at Denver. Fair \$3,500. Last week, 'Ramparts We Watch' (RKO), after two weeks at Orpheum, fair \$2,500.

**Denham** (Cockrill) (1,750; 25-35-40)—'Great McInty' (Par) (3d wk). Good \$6,000. Last week, 'Great McInty' (Par), good \$6,500, and holding steady enough to be held.

**Denver** (Fox) (2,525; 25-35-40)—'Drive by Night' (WB) and 'Slightly Tempted' (U). Nice \$10,500. Last week, 'Our Town' (UA) and 'Love Back' (WB), good \$9,000.

**Orpheum** (RKO) (2,800; 25-35-40)—'Ramparts We Watch' (RKO) and 'Pop Pays' (RKO). Neat \$8,000. Last week, 'Sporting Blood' (M-G) and 'Tom Brown' (RKO), poor \$3,500.

**Paramount** (Fox) (1,040; 25-40)—'Phantom Raiders' (M-G) and 'Military Academy' (Col). Okay \$4,000. Last week, 'Gambling High Seas' (WB) and 'Manhattan Heartbeat' (20th), fair \$3,500.

**Rialto** (Fox) (878; 25-40)—'Maryland' (20th), after week at each the Denver and Aladdin, and 'Last Alamo' (20th), good \$2,500. Last week, 'Heaven Too' (WB), after week at each the Denver and Aladdin, and 'Trailing Jaguar' (Mono), okay \$2,000.

## CLEVE. N.G., BUT 'DALTONS' OK \$10,000

Cleveland, Aug. 6.—'When Daltons Rode' is the only celluloid critter with enough stamina to hold up under blistering sun, carrying Palace to its highest summer gross since trying straight film policy.

Both State and Hipp are melting way below average with 'Untamed' and 'They Drive by Night'.

**Estimates for This Week**

**Alhambra** (Printz) (1,200; 10-20-35)—'Brides Servant' (Col) and 'Private Affairs' (U) (2d run). Purely a bit for femmes and rather weak \$1,100 for four days. Last week, 'Wagons Westward' (Rep) and 'Suicide Legion' (FA), okay \$2,100.

**Allen** (RKO) (3,000; 30-35-42-55)—'Heaven Too' (WB) (2d wk). Rates as one of stand's most satisfactory holdovers, \$3,500 for second week here, after \$4,600 last stanza, and \$9,500 on second week at Hipp, which inspired moveover.

**Circle** (Polster) (1,900; 15-35)—'Hell Below' (M-G) and 'Broadway Bill' (M-G). Turning to reissues for short-term box office. 'Broadway Bill' policy hurting. Only average \$2,500. Last week, 'Captain Lady' (M-G) and '40 Mothers' (M-G) (2d run), pleasant \$2,600.

**Hipp** (Wagner) (7,300; 30-35-42-55)—'Drive by Night' (WB). R.U.'s stock still low in these words. Fortune to get \$8,000. Last week, 'Maryland' (20th), took a beating, \$7,000.

**Palace** (RKO) (3,200; 30-35-42-55)—'Daltons Rode' (U). Given the whip and spurs, westerner is racing along despite all temperature handicaps. Excellent \$10,000. Last week, 'Love Back' (WB), \$6,000, ordinary.

**State** (Loew's) (3,450; 30-35-42-55)—'Untamed' (Par). Given the heat it apparently freezing biz, being too slow and not likely to go over \$8,000. Last week, 'Pago Pago' (UA), \$7,000, mild.

**Stillman** (Loew's) (1,972; 30-35-42-55)—'We Are Young' (M-G). Started auspiciously; worthy \$4,000 very possible. Last week, 'Our Town' (UA), after three postponements broke jinx by luring fine \$5,500.

Los Angeles, Aug. 6.—First-run biz has local managers cutting paper dolls. Houses where better than average grosses were anticipated this week are away off and holdovers are doing landoffice biz.

RKO Hillstreet is running ahead of last week with 'When Daltons Rode'. 'Man I Married' disappointing at State and Chinese, and Great McInty is just fair at Paramount. 'Gone' is doing nosedive on repeat at Carthy Circle, while 'Mortal Storm' is starting to slip at the Four Star.

Starting (5) town is experiencing novelty of three separate runs of 'Gone With the Wind', opus dated at the Carthy Circle, United Artists and the Hawaii in Hollywood for first-run, the cinema colony.

**Estimates for This Week**

**Carthy Circle** (F-WC) (1,518; 83-110-155)—'Gone' (M-G). Back for repeat run after original 24 weeks at this two-day house, Selznick opus failing to create interest occasioned on preliminary run and best in sight is dismal \$2,500.

**Chinese** (Grauman-F-WC) (2,024; 30-40-55-75)—'Man I Married' (20th) and 'Slightly Tempted' (20th). Hollywood mob manifesting little interest. Herr Hitler, so drama built around his domain heading for slim \$8,000. Last week, 'Gold Maisie' (M-G) and 'Sporting Blood' (M-G), fair \$8,300.

**Downtown** (WB) (1,800; 30-40-55)—'Drive Night' (WB) and 'Scatterbrain' (Rep) dual (2d wk). After fine first week dual bill looks like adding another lucrative \$9,000 on second stanza. First seven days brought big \$12,200.

**Four Star** (UA-F-WC) (900; 30-40-55)—'Mortal Storm' (M-G) (3d wk). Another anti-Nazi picture which has failed to create more than passing interest, with result that take on third week is slipping to around \$4,000. Second stanza brought \$5,300.

**Hollywood** (WB) (2,756; 30-40-55)—'Drive Night' (WB) and 'Scatterbrain' (Rep) dual (2d wk). Over should add another neat \$7,500, after first seven days ended 'with very big \$10,500.

**Palngates** (Pan) (2,812; 30-40-55)—'Daltons Rode' (U) (2d wk) and 'Brides Servant' (Col). Top feature holdover with new support picture should add nifty \$5,500. Last week brought okay \$8,700.

**Paramount** (Par) (3,595; 30-40-55-75)—'Great McInty' (Par) and stage show: Annual Meglin Kiddie revue on stage helping and with word of mouth advertising feature picture is expected to build to satisfactory \$13,500. Last week, 'Untamed' (Par), just below \$12,000. 'McInty' will hold second week, bolstered by new stage show and 'Mystery Sea Raider' (Par).

**RKO** (RKO) (2,872; 30-40-55)—'Daltons Rode' (U) (2d wk) and 'Brides Servant' (Col). Top feature very big \$10,000 on second stanza, after first week registered neat \$9,350.

**State** (Loew-F-WC) (2,414; 30-40-55-75)—'Man I Married' (20th) and 'Brides Servant' (Col). Very feature campaign, and best in sight weak \$8,500. Last week, 'Gold Maisie' (M-G) and 'Sporting Blood' (M-G), about \$9,000 as anticipated.

**United Artists** (UA-F-WC) (2,100; 83-110-155)—'Gone' (M-G) (6th wk). Sixth week of repeat run at this downtown house looks like weak \$3,000. Fifth week rolled up good \$5,600.

**Wishful** (F-WC) (2,296; 30-40-55)—'Gold Maisie' (M-G) and 'Sporting Blood' (M-G). Just another dual bill as far as this Bevhills house is concerned and weak \$3,600 best in sight. Last week, 'Ranger Lady' (U) and 'Saps Sea' (UA), dismal \$3,000.

## Oct. 2 Trial Date For Schenck, Moskowitz Case

Joseph M. Schenck, chairman of the board of 20th Century-Fox, and Joe Moskowitz, his personal representative in N. Y., will be tried on charges of income tax evasion Oct. 2 in N. Y. federal court. Judge Gaston L. Porterie of Louisiana set the date of trial at the request of Government counsel, Boris Kostelanez.

The U. S. must notify the defendants which of the two indictments it intends to try first by Sept. 8. A request by the office of Max D. Steuer, representing Schenck, for a postponement to November, the grounds that Steuer was tied up in other matters was denied by Judge Porterie.

## Further 50% Foreign Coin Cut Seen By American Firms in Report From London on New Bar to Withdrawals

Report from London regarding the possibility that no American distribution coin would be permitted out of the British Isles after Oct. 31 last week brought up the spectre of a further 50% reduction of U. S. distributor foreign revenue. While admitting that this always is a possibility while the pressure is on the British Empire in its struggle against the Axis powers, industry spokesmen claimed this week that it is a little early to predict such an eventuality.

Present agreement with the British government allows 50% withdrawal to U. S. of all profits obtained in distribution on the British Isles by American companies. This pact expires next Oct. 31. Under this coin-freeze agreement, stipulation was made that negotiations looking toward a new pact for the next 12 months were to be started three months before the expiration date. This means the negotiations should have begun last July 31. And they haven't.

However, no alarm is felt among American companies over this because they are fully aware that Great Britain has many far more pressing problems.

### Criticize Quota Provision

Certain producers and labor groups in England have been criticizing the monetary quota provision of Great Britain's act because it reduces the number of actual features produced for quota credit. British government now allows U. S. companies to use coin frozen in England for quota production or purchase of British-made films for quota credit.

Monetary stipulation in the quota law was urged by American companies because this employs the actual amount sunk in a film production as a basis for securing quota film credits, making it possible for U. S. companies to produce fewer quota pictures but turned out at higher budgets.

Answer to complaints that fewer features are possible from Americans is that the more expensive films keep labor employed longer per picture and such productions have a better chance of clicking in the world market.

### The British Front

London, July 23.

Board of Trade announcement on use of frozen coin in purchasing foreign rights (mostly U. S.) to British films has taken the expected trend. Freedom from this financial ruling has been granted to producer companies concerned in such deals. Measure as applied to films will be held imperative until end of October.

The three-month leeway is a boon to those British producers with completed product on hand or in process of negotiating for the U. S. market, but expiring date coincides with lapse of the present agreement concerning percentages of earnings (50%) government allows foreign picture companies to take out of here. Move might indicate a new coin freeze. It has a give and take look.

## LANGE HAZY ON U.S. BIZ FORECAST ABROAD

Outlook in Europe currently is so uncertain that Fred Lange, Paramount's European manager, who clipped in from Lisbon last week, refused to hazard even a personal forecast of future business for American companies abroad. Par's office for Europe presently is in Barcelona, but he would give no intimation of how long it would stay there or whether what little European distribution done just now would be accomplished by remote control from N. Y.

Lange left Paris, and subsequently Bordeaux in the face of the military invasion by the Nazis, eventually winding up in Lisbon. There he had to wait for several weeks until he could secure passage on an Atlantic Clipper.

## Japan Bans 'Geste' As Affront to Army Rule

Tokyo, July 15.

'Beau Geste' (Par), considered a 'special' locally for the autumn season, has been barred for local release because the pic deals with a conflict between high officers and their subordinates, the French army and contains many scenes of 'inhuman acts and deeds.' Thus, authorities decreed, the subject is unsuitable for this country.

This is the second time that a Paramount picture has been suppressed since the import ban was lifted. The other was 'Angel.'

## Mull Gov't Aid In England On War Pic Loss

London, July 23.

Board of Trade has instigated a scheme for protection and assistance to producers operating here under war conditions.

Efforts are being made to establish some form of insurance, under the government, to take care of loss sustained in picture-making as a result of enemy action.

Further steps, to reserve essential studio workers against the military draft, and to release necessary material supplies to producers without existing delay, are all part of the conversations now under way.

Taking a lead from government's promised aid, a North Country exhib has propounded a similar scheme for protecting the financial setup of the cinema owner left with an air-raided house. But plan is on a mutual pool basis, with each exhib in the district putting up a sum in accord with his capacity.

## British Indie Producers Press Claim for Better Gov't Representation

London, July 23.

Active producers, working independently of their association, have lodged a claim for better representation on Government Film Council. As it now operates, members of the group have no direct membership in the council, although themselves constituting the leading feature makers on this side.

Move marks the second one made by this group in an attempt to straighten out the production biz. Comprising the leading independents in the game and listing Michael Balcon, John Corfield and Sam Smith among the organizers, action group must soon force some kind of shutdown of the recently created British Film Producers Assn. Latter body is not confined to a straight production setup, but embraces briefcase makers, exporters and various other branches of the film industry.

## Korda in Lab Deal

London, July 23.

Film laboratory merger okayed by agreement between Alexander Korda and Randal Terraneau. Respective heads of Denham Laboratories and George Humphries Co. thus effect arrangement whereby Terraneau assumes technical charge of both plants on a pool basis, guaranteeing service to producer groups in event of emergency or continued depletion of laboratory staffs by military draft.

Producers have recently squawked on delays in getting their features tanked. Harold Boxall has been named aide to Terraneau in the pool deal.

## WB's Colli, Dunn In

Peter Colli, Warner Bros. supervisor for Central American countries, and Harold Dunn, company's supervisor in the Far East, arrived in U. S. last week. Colli came into N. Y. and huddled with home office officials and Joe Hummel, foreign sales manager, regarding next year's product.

Dunn arrived on the Coast from Shanghai, but did not come to New York until this week. He plans staying east for about two weeks, contacts being based largely on the situation in Japan.

## 'ROCK', 'MARGIN' OKAY IN LONDON

London, Aug. 6.

Two plays of the recent New York Broadway season made their West End bows here this week, and both were favorably received. Particularly big was the reception accorded to Robert Ardrey's 'Thunder Rock,' which was flopped at the b.o. in its Gotham debut last winter. Play, at a private performance, had caused considerable discussion here recently. West End debut was at the Globe on Tuesday (30).

'Margin for Error,' Clare Boothe's anti-Nazi play, which enjoyed considerable success in New York during the past season, premiered at the Apollo after several weeks of hinterland dates. A packed house was on hand for the bow. The press was generally non-committal about the play's chances. Miss Boothe, it's been announced, is donating all the London royalties to the British Red Cross.

Another opening of the week was 'Cottage to Let,' at Wyndham's, Wednesday (31). An old-fashioned spy comedy-drama, it was received nicely.

## London's Film Trade Papers Socked by War But Others Even Worse

London, July 23.

Film trade sheets have been socked by the war though not so badly as the national dailies. Latter are now down to 25% of their pre-war size owing to paper control, with advertisement revenues minus to the same degree.

Peace time there are two dailies and one weekly for Britain's Film Row. Daily Film Renter and Cinema came out six days a week; Kine Weekly once. Last September the two dailies agreed to publish alternate days, but this did not figure out so hot, as Cinema had a so-called 'weekly' edition Wednesdays. Later switch was made to Renter publishing Mon, Tuesday and Wednesday; Cinema Tuesday, Wednesday and Friday, no Saturday editions for either. Appears to be first time these two sheets ever got together on anything.

Kine Weekly continues to publish Thursday weekly as usual. Comparison with specimen month (June), 1939 and 1940, shows last year Renter carried 78 pages of ads, this year 55, Cinema 78 last, 46 this. Kine Weekly 72 last, 47 this.

Drop is around 35% for Renter and Kine, 45% for Cinema.

Move a couple of months ago, whispered to come from Sam Eckman, Jr., of Metro, to have major Americans agree no more advertising in trade sheets, with idea seemingly in background to put out a kind of combined house organ. This scheme did not jell.

Weekly Newspaper Proprietors' Association also said to be concerned at use of so much heavy coated paper by trade sheets as most ads are still two and three-color. Rumor is complaints have been made to paper controller, but no move from that end. Situation on this will work itself out by heavy coated paper not being obtainable.

## Cuba's Mex Inroads

Mexico City, Aug. 6.

Inroads of Cuban pix are irking Mexican producers.

But they can't do much about it as the exhibitors truthfully explain that there aren't enough home-made films to go around.

## London's Legit Takes Hefty Spurt With Return of 100,000 Evacuees

### Film Workers Consider Women Memberships

London, July 23.

Femme participation in the film industry has received a going-over by Assn. of Cinema Technicians, with a view to enrolling newcomers to film studios and laboratories. Union has already a membership of 100 femmes. George Elvin, general sec of ACT, has revealed that union is not against their entry to the trade, provided safeguards are enforced to prevent cheapening of labor.

Where move has been made to employ women in laboratories, union has okayed it if a male worker cannot be located or freed for the job. Alongside this is the ACT ruling for same rate of pay as a male worker. At a recent meeting, majority of the ladies present signed a membership blank.

## Anglo Workers Push Drive For Exhib Contract

London, July 23.

Annual report of National Assn. of Theatre and Kinema Employees lists union's membership of 20,000, and under signature of T. O'Brien, secretary, report offers proof of what union has effected in better working conditions, citing the recent wage boost pact with cinema owners. On the success of this nationwide agreement NATKE is pressing for an over-all wage policy with Cinema Exhibitors Assn., an arrangement hitherto blocked by CEA claim of divergent interests and 'conditions' among their members.

Union is also near to inking a pact with Producers Assn. for a standard wage in studios, and has already secured an agreement covering lost time by crews as result of air raids and air raid warnings, when personnel take cover.

## London Chorines Yield To Nationalism, Turn To Farms, Etc., As War Aid

London, July 23.

A definite shortage of chorines for cabaret shows exists here. Carl Hysen, who picks most of the feminine charms for London's night spots for the Music Corp. of America, sez so, and he ought to know.

MCA, which supplies the femme element to the Piccadilly hotel, Cafe de Paris, El Morocco and is commissioned to stage shows at the Embassy and Nut House, maintains that shortage is due to the gals having discarded their flimsies for Military and Royal Air Force uniforms, with a big percentage also having gone in for farming and munitions making, all in the interest of patriotism.

## Artkino, Russe Outlet

Business of Artkino, former distributors of Russian-made pictures, has been formally taken over by Artkino Pictures, the new corporation being chartered last week in the state of New York. Artkino was set up by Nicola Napoli and Rosa Mandell, formerly with Artkino, new corporation having 100 shares capital stock with Napoli, Miss Mandell and Michael Resnais as directors.

Artkino plans carrying on in the distribution of Soviet pictures which Artkino left off.

### UPPED PAY FOR PIC WORKERS

London, July 23.

Drive for a wage tilt undertaken by National Assn. of Theatre and Kinema Employees has resulted in increases for cinema staffs in practically every house in Britain.

Those not inking the deal are expected to fall in line shortly.

The spurt taken by legit in the West End has assumed such proportions that all theatres are doing capacity or near capacity business, despite the heat. Particularly big at the boxoffice are the musicals. Grosses are the best in years. Filmmakers, with few exceptions, are also doing good business.

This happy b.o. situation is due partly to inability to patronize the seaside resorts, because of the impending attack from the Nazis, and consequently the West End theatres and restaurants have been the alternative.

London, July 23.

West End legit business has taken a hefty spurt, and so management are again full of hope. Biz has improved to such an extent that George Black and Firth Shepherd, who were operating their shows under salary cuts, have restored full pay to artists, Black even repaying cuts of previous weeks.

Shows which were doomed to imminent closures have suddenly taken a new lease of life, due to return of over 100,000 Londoners who had evacuated to safety. Situation now is that London is looked upon as the safest spot in England. This has become apparent by the sudden demand upon apartment houses, which have been 75% unoccupied for months and are now turning down tenants galore.

Black has new shows lined up for the Palladium, Hippodrome and Holborn Empire. O'Brien, Linnet & Dunfee, who had halted their activities in the last few months, are back in harness again with a three-show schedule. Jack Waller, who has been on and off with his musical version of 'Cradle Snatchers,' is now finally set for October. Show is retitled 'While the Cat's Away,' with Marie Lohr and Fay Compton already signed.

Arnold-Foster Plan  
Tom Arnold and Harry Foster, who have been hesitant about 'Divorce for Christabel,' straight vehicle for Frances Day, are also going ahead with this. 'Margin for Error,' the Clare Boothe Broadway hit, now touting the sticks under the aegis of Ernest Rolls and Joe Sachs, is also coming to the West End, probably at the Apollo. This is sponsored by new bankroller, Cyril J. Ross, managing director of biggest chain of fur stores in England.

'Smiling Thru,' which was turned into musical for Broadway some seasons ago, is to be done as straight play here by George Black, Jr., and Harry Hanson. It will take to the sticks and if it's a hit, comes to the West End. Lee Ephraim is staging a revue, starring Jack Hulbert and Cicely Courtneidge, which will comprise 'best' hits from stage former successes. It was originally intended to stage sequel to 'Under Your Hat,' but idea was vetoed when it was found new show would cost over \$50,000 to produce.

There is also talk of John Gielgud doing a six-month Shakespearean repertory, supported by important cast at popular prices.

There are still other 'ifs' and 'buts,' but all in all the situation seems much healthier than it has been for nearly a year.

## JAPAN'S AMUS. CURB LAID TO WAR POLICY

Tokyo, Aug. 6.

The government is planning severe additional restrictions on all pleasures and amusements, thus setting up to some extent a wartime policy.

Measures are expected to promote the utmost thrift among the people, who will find themselves either prohibited or restricted in patronizing all theatres and cinemas as well as other places of recreation.

## Halt Theatre Building

Mexico City, Aug. 6.

The ambitious cinema construction program for Mexico, which calls for 12 houses at a total cost of \$1,600,000, has had to be halted because of jittery political times.

Not much in this regard is expected until it is definitely known in December who will be the next president.



# "The FIGHTINGEST SAILINGEST SLASHINGEST and DASHINGEST MELODRAMA!"

Motion Picture Daily says: "Hal Roach has made of this Kenneth Roberts novel (Roberts also wrote 'Northwest Passage') the fightingest, sailingest, slashingest and dashingest maritime melodrama in the memory of ye oldest resident. The film is full of action from stem to stern!"

*Hal Roach presents*



"The fight recalls that 'Spoilers' brawl of some decades back as has no other filmed since. It is the keynote of the production and an item for showmen to concentrate on in exploitation."  
— *Motion Picture Herald*

"A socking sea action story...with a climax that is a pip of a slam-bang, rough and tumble affair, making the finish fast and exhilarating."  
— *Hollywood Reporter*

"Packs plenty of action, comedy and romance."  
— *Film Daily*

"Fights, fists, guns and cutlasses feature its man-to man action and lusty melodrama. Customers will find the colorful narrative to their liking."  
— *Daily Variety*

**KENNETH ROBERTS'**  
(Author of "NORTHWEST PASSAGE")

## CAPTAIN CAUTION

A Richard Wallace-Grover Jones Production  
**Victor MATURE • Louise PLATT**  
**Leo CARRILLO • Bruce CABOT**  
Vivienne Osborne • Robert Barrat  
Miles Mander • Roscoe Ates • El Brendel

Released thru United Artists

Hollywood, Aug. 6.

Picture scores throughout with spontaneous laugh situations and lines; with toppers put over in V. Dyke's best style. Several episodes incorporated in Powell's re-wood of his wife provide strong instructions to husbands in the doghouse of their own households. **Walt**

## Hollywood, A

Powerhouse boxoffice pull of *Gable, Sissy and Tracy*, Claudette Colbert and Henry Fonda's *Lame Duck* cast, provides strong insurance that the picture will play a merry tune top biz. Further backing of quartet with a spectacular and a generous rise, and a product outlay of around \$100,000, all impetus that will spin the turnstiles at a dizzy pace. Unlike many large budgeted productions carving music star setups that tend either to clobber or flop, *Lame Duck*, a sophisticated, far limited appeal, this one breaks out with a dashing, rough-and-tumble yarn of modern adventure that carries all elements for wide audience appeal. Interspersed is the kind of interest of more than a passing importance.

**'Boom Town'** is the tale of wild oil drilling, with fortunes won and lost just as quickly as a roller coaster dips and rises. It centers around the partnership of Gable and Tracy, a couple of tough, fighting, two-fist-

Production mounting is spectacular and elaborate in its display of the office biz and its workings, but director Conway never allows the story to get out of an intimate groove. Photography by Harold Rosson is of high calibre throughout. Walt.

London, July 1

Long absent from films, Miss Cummings brings becoming freshness to the domestic angle to give picture exacting support. Seymour Hickman, Frank Pettingell, Louise Hampton and Leslie Banks are others who hold feature together. Notable the credited players are Joan Kemmer, Welch, as the dithery village maid and Robert Newton, the no-good handyman she can't land.

Direction of Arthur B. Woods

© 2000 Blackwell Science Ltd

out with practical efficiency under  
associate banner of Harold Huth.

Hollywood, Aug. 1.

home, and later brings her into his home and store to work when she is homeless. The girl's past is kept secret. Her father, a poor farmer, is rich, dancing daughter, Evelyn Keyes; and astronomy student so Glenn Ford. The girl and her benevolent father go through many situations to keep her identity secret; and come to a realization when Glenn Ford falls in love with her. Hayworth's identity is disclosed, and the youth depicts his father's till for an elopement. But everything squares away for a chuckling finish.

Despite confinement of the action to two locales—the courtroom and the store—home—Vividor provides a dramatic unfolding this remarkable performance.

With dramatic ideas in mind, Miss Hayworth is capable as the girl, and Curt Bois catches the spot of attention with splendid

comediennne. Gilbert likewise given too much although he carries it off as well as can be expected. I

Story concerns itself with a phon

# MILITARY ACADEMY

Columbia production and release. Features Tommy Kelly, David Holt, Bobb

Bit too moralizing and talky at times, 'Millitary School' is nevertheless a surprisingly good drama about juvenile problems. It will click well in the second slot anywhere and will be enjoyed by both kids and not-too-sophisticated adult trade. Much to the credit for the deft manner in which the picture avoids the ever-present pitfall of being over-saccharine goes to director D. Ross Lederman. In virtually every instance he has steered his cast

An added charm of the production to one familiar with the track and field scenes it depicts is the closeness with which it sticks to detail. High school and college athletes will favor that angle. *Herb*

Monogram release of Paul Malvern p

Production and direction are equaled to modest B-picture standards. Karloff strolls through the maze of clues as if it required only a fraction of his attention. Grant Withers is pleasantly realistic as the dimwitted copper, while Marjorie Reynolds is an appealing ingenue. The other parts are all passable. *Hobe*

**Now**

This is one of those surprise programmers that come along at too infrequent intervals. Unpretentious in production outlay, and rather dim for the marquee lighting, picture nevertheless is spontaneous and fervent entertainment. It's particularly strong supporter for the key duels and subsequent house and will garner high-total of bookings in those spots. It's another U.S. cycle of films named after yesterday's pop song hits. Picture spot

(Continued on page 16)



# THE GREAT REVIEWS!

## HEY OSCAR!

A masterpiece. Don't let it slip by!"

—JIMMIE FIDLER

Famous Hollywood newspaper and radio correspondent

A genuine sleeper, rich in entertainment, that should click with all audiences. You are entertained hilariously and continually from beginning to end!

—FILM DAILY

"Something new, different and exciting to attract the strays back from the beaches. The liveliest, freshest and different-est picture of the month. A slam-bang, rough-and-ready brainy-brawny comedy...stimulating is the word for it. A most unusual, powerful, swift and entertaining comedy!"

—M. P. DAILY

A preview audience laughed itself sick to the verge of hysterics. 80 minutes of humor!

—M.P. HERALD

"Orchids to 'The Great McGinty'!"

—WALTER WINCHELL

Famous newspaper and radio columnist

"Fresh, breezy, vital and as thought-provoking as it is entertaining. Gives Paramount one of its most promising properties of the season. As timely as the coming national election!"

—DAILY VARIETY

"The answer to any exhibitor's prayer. Will definitely send more ticket buyers home pleased with their buy than many million and two-million dollar pictures! A socko!"

—HOLLYWOOD REPORTER

A full measure of swell entertainment. At any time the feature could be pegged as a surprise hit. As writer-director, Preston Sturges rates raves!

—BOXOFFICE

# Play "THE GREAT McGINTY"

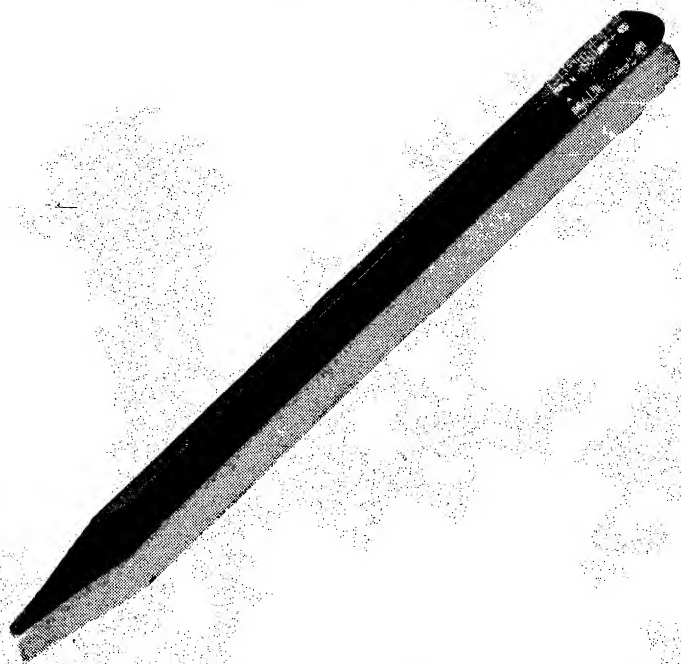
... and get in on the **GREAT** business!

**"THE GREAT McGINTY"** A Paramount Picture with Brian Donlevy  
Muriel Angelus · Akim Tamiroff · Written and Directed by Preston Sturges









"Boom Town" is off to a terrific start. Watch!

"I Love You Again" big sensational!  
It's the funniest William Powell  
Myrna Loy comedy ever made!

"Pride and Prejudice" openings Big!

"Andy Hardy meets Debutante"  
and "New Moon" packing 'em in!

It's a typical M.G.M. Summer!

## Par Balks At Consent

Continued from page 4

other majors because of the large number of theatres in its exhibition empire. On the one hand it wants to retain its vast theatre interests, yet on the other in view of the size of its chain, around 1,500 houses, it stands to face a stronger shock than others under the burdensome proposals of the consent decree. It differs from RKO, Loew's, 20th and WB, also, that it has so many partners associated with its theatre operation.

**Wilby and Par Partners**  
One of these, R. B. Wilby, of Atlanta, often called the shrewdest operator in America (also one of the most fearless), is representing all Par partners in the anti-consent movement together with Frank Kent, general counsel for the E. J. Sparks Florida circuit, also a Par partnership. They were expected in New York Monday (5) but postponed the trip and may be up toward the end of the current week instead with a view to pressing their demand that Par turn down the suit settlement plan as now written.

Reached in the south by long-distance telephone, Wilby stated he and Kent represent all Par partners and might be in New York this week to talk to the Government attorneys and others. He stated they had already had one talk with Department of Justice men on the consent decree negotiations.

Wilby takes exception principally to the provision calling for the sale of pictures in blocks of five, though he and other Par associates are generally against the whole consent decree and various other proposals, such as trade restrictions, making a run available, discrimination by districts and arbitration features.

Wilby points out that in his talks with exhibitors it is evident that the majority does not realize that the blocks-of-five plan would not be "breakable," other words permit an exhibitor to buy less than the five if he wanted. In single-feature territory this would particularly bring about a hardship, Wilby opines, because for every good picture suitable for single-billing, the account would have to take several clucks he couldn't do anything about.

**Proposals Unchanged**  
Contrary to some incorrect reports in the trade, the consent decree has not been changed as to substance, although there has been some juggling with the legal language. Basically, it is the same as it was when a storm against it developed in the exhibition field.

The provision for selling in blocks of five without any cancellation rights, as does trade screenings of all pictures before they can be sold. Making some run available has not been changed either, nor has the provision relating to the filing of complaints for adjudication by arbitration.

The basis for bringing an arbitration proceeding is retained as silly by one of the highest attorneys in the industry. Arbitration cannot be brought by a complainant if he of the corporation controls more than five theatres. At first this proposal was that arbitration could not be resorted to if the exhibitor had more than one. That was even sillier, it was added.

A theatre operating spokesman points out if an operator wants a run other than he now has, the question of whether he is entitled to it would be determined by arbitration and then, in buying, there would be open bidding; the distributor would be the distributor who discriminates against a regular customer is also subject to arbitration but if the exhibitor asking for an increase in run has more than five theatres, he isn't allowed in. Operators for this reason call the arbitration setup one-sided. Ostensibly the idea of the Government is these are the arbitration rights mainly to the little fellow.

**Agree on Nine Months' Trial**  
In the event 20th-Fox and Par swing along on the consent decree as presently standing, then it will be placed into effect without regard to the "Little Three" (Columbia, UA and Universal) which have withdrawn and are out of the U. S. proceedings "without prejudice" to the Government.

The plan, in the event of agreement by the Big Five, is to place the consent decree pact into effect in the marketing of the 1941-42 product, probably sometime in next summer when selling gets under way. In that event, agreement has been tacitly reached that the consent decree would be given a nine months' trial on '41-42 product. At the expiration of that period, the results

under the consent decree, based on financial findings and practicability of the plan, would determine whether it should come to an end or not.

What would happen then is doubtful—a new administration might even be in Washington—but if the Big Five doesn't come along unanimously on the consent now, it is going to trial. Government attorneys are pushing for a quick answer by the Big Five now. "After all, I can't blame them," said a leading attorney, "they've been on the consent decree thing a long time now. It means a lot to them but I can't see where it will do any good in the picture industry."

### Downtown Legalists See Signaturing by Sept. 1

Despite the "uptown" wrangling among trade executives, the downtown end avers that, after almost nine weeks of bickering, the Department of Justice and defense attorneys for the major film companies are nearing an accord. Agreements have been reached on all principal matters to be incorporated in a decree, and all that remains to be done is the smoothing over the words of the decree, and the drafting thereof, these sources claim.

On Thursday (3) Paul Williams, prosecutor of the case for the Government, left for a minimum of two weeks' stay in Washington where he will consult with Thurman Arnold, head of the anti-trust division, and Robert Jackson, attorney general, as to the terms to be inserted in the N. Y. A. H. Feller and Robert Sher, special assistants to the attorney general, the consent decree staff, who, together with a committee to be appointed by the defendants, will draft the decree.

At the present time it is planned to have a trial period for the decree which will run nine months. At the end of that time, if everything has worked out to the satisfaction of both sides, the decree will then be incorporated in legislation. While the position of Columbia, United Artists and Universal still remains the same, with the three companies adamantly protesting that anything, U. S. spokesmen are hopeful that after attorneys for these companies see the final draft, a tentative copy of which was sent to Washington Friday (2), these three will sign also. It is planned to invite Monogram, Republic and any other independent producers to sign the decree making it similar to the NRA code in that it will be standard and effective for the entire industry, now and forever.

Some of the arguments of the five producer-exhibitors thus will be met for them, with an eye to the future, they will remain on top forever, and should economic circumstances make it hard for them in the future, they would not desire to be bound by certain conditions which rivals, growing in strength, were not bound by. Legislative action and a general signing by those in the business today and those who might enter in the future, will take care of this objection, the Government feels.

**Par Still Balky**  
Paramount has still not withdrawn its objections to Clauses 1, 3 and 6 of the decree, but it is felt that the company may do so soon. The Justice Dept. feels that further concessions to the companies in the block-billing field are out of the question and has made its position clear to the defendants. It is felt that the largest concession has already been granted in eliminating the issue of theatre divorcement, and the defendants thus should cooperate in eliminating other evils which the Government suggests.

It was pointed out by one U. S. representative that at the start of the discussions the Government had a fairly strong case which it felt sure of winning. This case has been immeasurably strengthened by the findings, since a great deal of the evidence was secured by the U. S. which it was uncertain of before, but the defendants gained nothing, since they already knew practically all the Government's case. This fact, declared this attorney, makes it doubly imperative that the action be settled as soon as possible by the defendants.

Present estimates of the length of time necessary range from three weeks to three months. It is estimated by the Government that a final draft can be secured by late August, and signed and placed in Judge Henry Warren Goddard's

hands by Sept. 1. The entire agreement would not immediately go into effect but just those portions of it which do not seriously affect the present status of the industry. This would mean that the selling season of 1940-41 would not be touched and anything in the decree in connection with this would be delayed a year. However, such things as the elimination of unfair trade practices and discrimination against independents will go into effect immediately upon signing.

**'Bootleg' Houses**  
Other questions which arose during the week's conferences which still remain to be negotiated are the machinery to be set up for arbitration and what can be arbitrated. One specific stumbling block which is expected to be ironed out soon is the question of 'bootleg' houses, about which the defendants made a great deal of noise. In this instance it is claimed independents have and can throw up houses which they have no intention of operating, and demand arbitration privileges as against an established affiliated house. The Government is inclined to scoff at this, but the defense is taking it seriously. An appropriate arbitration also under consideration with the percentage of houses of one circuit against another not yet determined.

In other words, if a major circuit has 40 houses and plays in opposition to an independent with 5, the independent may ask for arbitration, but if the independent has 15 houses, he may not receive any consideration in arbitration. The type of houses and their newness, location, seating capacity, etc., are all to be taken into consideration in handling this problem.

Last Friday another problem arose. This was the question of the 'escape clause.' The minimum and maximum suggested vary from one month to 18 months. A basis or standard will necessarily have to be set up to take care of this clause, and final decision will rest in the hands of Judge Goddard after an arbitrator has proved unsuccessful. The Government is attempting to make this clause a stiff one, as it has no stomach for the dragged out the swankiest silver foxes and the best white-ties in town. And Hurok, who got a big press promotion as a talent 'discoverer,' was featured in a personal buildup as a center of good will, etc. It established him in the minds of many here and in Rio as the 'foremost' U. S. impresario. Papers featured his quotations on the blitzkrieg situation, on good will and international understanding, and everything from soup to nuts. There's no doubt in the minds of showmen here that he'll cash in.

### Propose Checking

Continued from page 5

many accounts on the honest side as in the past. It is claimed that typing is not only among the little fellows but among some of the larger chains, though these things are not always easy to prove.

Whether or not a so-called central checking bureau maintained by the distributors themselves will be organized is one thing; whether it would mean a better solution of the problem is another. One angle is that it would be under the direct control of the distributors themselves.

Around 11 years ago when the distributors were swinging over to the sales of film on percentage, they gave much consideration to various ways of meeting the problem. The late Felix E. Faist, sales manager of Metro, is declared to have sponsored an idea along the same central checking bureau lines as now reported. A committee was organized to discuss it but nothing was ever done.

The proposal, as now reported, would call for a branch checking office in each exchange key and a home office in N. Y.

### Skourases' Theatre Swing

Los Angeles, Aug. 6. Charles P. Skouras trains out tomorrow night for Milwaukee, where he meets his brother, Spyros, on from New York. He will start a tour of all National Theatre operating divisions, awarding checks to winners in the recently closed Spyros Skouras showmanship drive.

Andy Krappman, assistant to Charles Skouras, accompanies him on the circuit swing.

### REP POISES THREE

Hollywood, Aug. 6. Three starting dates for this month were set by M. J. Siegel at Republic, beginning Aug. 10 with 'Melody and Moonlight,' a Robert North production to be directed by Gus Meins.

Other two are 'Border Legion,' a Roy Rogers starrer, starting Aug. 16, and a Gene Autry hoss feature, Aug. 24.

## U.S. Acts On Spot In S.A.

Continued from page 2

tary and time element, will need adjustment; possibly through a 'block-booking' system taking into consideration seasonal price variations.

Omitting films which have big home representation in every country, other phases of show biz still consider this a uncharted sea. Touring talent continues to barge in unprepared, unaware of what must be faced. And likely, not, they are disappointed and the audience feels the same way, but louder.

Several bad flops of undoubtedly first-class performers have occurred here, already—simply because of poor arrangements, failure of one side or both to know the other, language difficulties and no real interpreters and lack of real understanding.

A little more of that sort of thing, and Mr. and Mrs. South American Public (who, unlike the average customer in the U. S., gives star a second chance) will snap a razor at footlight visitors from up north. And kill what should be one of the greatest opportunities the American entertainment field has faced in many a year.

### Hurok Rates Tops

Impresario Sol Hurok, rated as one of the smartest in the game, appears as a contradiction. He started down the Atlantic coast several months ago, some time before the 75-member Monte Carlo ballet troupe left New York. He sized up the situation in Rio, and helped his local representative line things into shape.

Then he pushed ahead to B.A., pulled in two weeks before the company. By the time the group was off the gangplank, he had the biggest lineup of press photos the town had ever seen lined up on the dock. Having done a lot of talking to a lot of people and learned the ropes, the press appeared in a rash of ballerinas the next day.

Originally scheduled for less than three weeks, the Monte Carloites were held over for a total of four weeks, and they dragged out the swankiest silver foxes and the best white-ties in town. And Hurok, who got a big press promotion as a talent 'discoverer,' was featured in a personal buildup as a center of good will, etc. It established him in the minds of many here and in Rio as the 'foremost' U. S. impresario. Papers featured his quotations on the blitzkrieg situation, on good will and international understanding, and everything from soup to nuts. There's no doubt in the minds of showmen here that he'll cash in.

Understood he's signed some local talent to take back—a further gesture that doesn't do any harm when dealing with very sensitive people. Meeting the local managers—as well as the socialites whose presence make or break an attraction—Hurok has been able to line up a series for next season (winter in South America comes when the States are in mid-summer) for \$50,000 U. S. per person, prestige. Worked out deal with Ernesto De Quesada, only one in South America who approximates the U. S. idea of an agency with the class of NBC, William Morris, Columbia, Judson, Hurok or any of the others. De Quesada handles most of the big timers here like Rubenstein, Heifetz, Anderson, etc.

### De Quesada's Views

Aside from sharing the views of other showmen regarding a better understanding of South American problems, he has this advice to give: 'U. S. talent must understand that in South America the peso and not the dollar is the standard. In Argentina, for example, the current exchange is a 70c peso to the dollar. Grosses are the same—in proportion to living costs. In Brazil and Chile the local currency is worth still less. Artists who expect to clean up big money had better stay home. But what South America offers is this:

A chance to keep busy—at a profit—at a time when the home season is lowest.

Opportunity to tackle a fresh audience, an audience that changes with each new country.

As many as 10 or more concerts in one city for first class artists on a schedule that would be impossible in New York.

Background and training field for young artists with undoubted talent. The smaller places often provide the most unusual experiences.

The inspiration that artists get from making a success in countries away from home.

Language no barrier. Ruth Draper, for instance, started in Rio May 18, played a week, then moved

to Sao Paulo, Brazil's big coffee town, and next to B.A. for eight performances. Followed one-nighters in the Argentine provincial towns of Rosario (which has a population of 600,000) and Cordoba. In between she ducked across the river to Montevideo, Uruguay, for a single.

Heading west from B.A., she played three shows in Santiago, capital of Chile; one in the Chilean seaport town of Valparaiso—three hours away by train—then moved up the west coast for three shows in Lima, capital of Peru, and two in Quito, Ecuador.

Amazing part of her success is that she works mainly in English; gets big Spanish audiences who only understand half of what she's saying. A favorite with the society set—most of whom speak three or four languages—she traveled alone. De Quesada offered her a longer tour throughout Central America but she nixed the idea; claimed she wanted to go home for a rest. Improved air transportation—now 16 planes a week between B.A. and the States—made a longer tour seem more possible. Situation entirely different when a large company is involved.

### Rubenstein Most Popular

Rubenstein—handled by Hurok in the States and by Quesada here—is perhaps the greatest single draw. He first appeared in B. A. 23 years ago. Known as an interpreter of Spanish music, he was a sellout from the start as the result of his prior success in Spain. Recent tour involves several concerts in Rio de Janeiro, Sao Paulo plus an additional session with the local orch, a series of 10 in B. A. starting July 6, then one-nighters in Rosario, Santa Fe, Cordoba, Mendoza, Bahia Blanca, La Plata and Montevideo.

Leaving his family here, he flew to Chile for 10 concerts and then planned to take the wife and two kids up the coast by boat with a three-day stopover in Peru and a solo in Panama. Four months before starting the present jaunt, he did all of Central America.

Heifetz—managed by Judson in the U. S.—had the longest tour of this season. Starting in Havana, Feb. 12, he played 12 concerts—13 days in Cuba, Jamaica, Dominican Republic, Trinidad, Curacao, Venezuela, Brazil, Paraguay, Argentina, Chile and Peru, then hopped to Mexico City.

De Quesada himself accompanied Heifetz and pianist Emanuel Bay on portion of the tour. Grosses in some places were three times over those of last year—proving that once an artist is established here, his possibilities increase like Miss Dynamite.

As an indication of South American taste, this schedule of the 1940—best in years, according to local showmen—is worth study.

Toscanni and the NBC Symphony tour was arranged by NBC with the management of the municipally owned Colon theatre, B. A., putting up \$50,000 U. S. guarantee for a series of six performances here. Arrangements handled by Florio M. Ugarte, Colon director, in New York office of NBC. Left New York, June 17, played only two concerts in Rio on way down because ship layover permitted only that much time; one in Sao Paulo and Santos, then here.

Concerts brought about \$8 per ticket—which is five times over the normal rate charged for opera at the Colon. Rio got \$4 a ticket. NBC took guarantee of \$5,000 for each concert in Rio and Montevideo.

Solkowski and the All-Youth Orchestra have been getting a far lesser buildup. Planning two concerts: Rio, a pair in Sao Paulo, a single in Santos and only four in B. A. Concerts here are scheduled for the Gran Rex, a big, ultra-modern pix house. Surprising what a difference this makes on the local audience. If it's not in the Colon, they don't think it's so hot. Advance sale seems to be fair.

Gran Rex was chosen because there seemingly were no open dates at the Colon. Stoki also scheduled to do a pair in Montevideo, a single in Rosario and perhaps one in Cordoba. Two are on the books for Rio on the northbound trip, and one may be done in Port of Spain, Trinidad. Latter depends on sailings since all Moore McCormack boats do not stop there.

Arrangements were in the talk stage concerning a west coast tour, but the low rate of money in Chile—and the fact that crossing the Andes via land means a train and bus ride with arrival hours uncertain—put the nix on the idea. Understood orch is getting \$20,000 for the four local concerts, which is big-time cash hereabouts.



# 20TH'S NET FOR 26 WKS. DIPS \$2,208,000

Net profit from operations reported by 20th-Fox for the 26 weeks ended last June 29 declined more than \$2,208,000 from the first half of 1939, according to the financial statement issued yesterday (Tuesday). Net profit was listed as \$117,213, after \$800,000 was set aside as provision for reserves against foreign assets. This compares with profit of \$2,325,525 reported for the corresponding 26 weeks last year.

After providing special fund of \$700,000 for reserve against foreign assets, 20th-Fox showed a net loss of \$236,163 in the second quarter ended last June 29. This compares with a net profit of \$353,376 in the first quarter this year.

Company explained that this special reserve was set up for the first half of 1940 so as to exclude all monies not realizable in U. S. dollars and consequently not available to show in the company's profit-and-loss summary. It did not receive any dividends from National Theatres in either quarters this year or in 1939, and consequently no earnings of the theatre company in which 20th-Fox holds a substantial interest show up in the report.

## BERGER'S WB BOOKING BEEF OVER 'ALL THIS'

Minneapolis, Aug. 6.

Bennie Berger, owner of one of the largest independent circuits in the territory, has leveled charges of 'discrimination' against Warners' because it refused him bookings of 'All This, and Heaven Too' while the picture was playing the State here. The Warner plan in this territory is to pre-release the picture to exhibitors who will show it at advanced admissions stipulated by the distributor. However, it was shown at the State and Century in the loop here and the Paramount, St. Paul, at regular prices, and all these houses stressed the fact in their heavy advertising campaigns that there was no admission boost.

Berger says his bookings had been set by his office and he points out that he had bought the film on his regular contract. 'This is just another instance of discrimination against the independent,' he asserted.

Charles K. Olson, WB branch manager here, denies that the exchange refused to deliver the picture to Berger, but explains that it would accept no Berger dates which conflicted with other bookings where increased admission prices were to be charged. The branch is meeting with little opposition to the scale tilt from 25 to 35c for the pre-releases, according to Olson, who avers that, on the other hand, most exhibitors welcome the plan and express the hope that it will be generally adopted in the case of outstanding pictures so as to boost their own and the producers' revenues from such films.

## Drops Extras

Continued from page 7

cost basis, and that it might be lowered again once a definite cost is established.

### Editors Shelve Demands

The Society of Motion Picture Film Editors has voted to postpone indefinitely its demands for certain contract revisions. Prexy Edmund D. Hannan said the Society demands will not be pressed until there has been a definite improvement in the economic condition of the industry.

The International Alliance of Theatrical Stage Employees lost the first round in its fight with 10 members who were expelled because of their activities in connection with the United Studio Technicians Guild. The 10 are asking \$250,000 damages from prexy George E. Browne and other officials of the IATSE. They also request reinstatement, appointment of a receiver for Technicians Local 37, and for an accounting of funds of that organization. The IATSE sought to have the names of six of the defendants removed from the suit, but its request was overruled by the superior court.

## Just Being Careful

Hollywood, Aug. 6.

Twentieth-Fox has deferred release of the Jane Withers starrer, 'You'll Have to Serve,' until after election to avoid any semblance of politics on the screen.

The picture uses the National Youth Administration and the Civilian Conservation Corps for background. Studio officials decided that the film might be considered campaign propaganda.

## U's New \$1,500,000 Loan From Boston National Saves Co. 1% Interest

New loan of \$1,500,000 concluded with the First National Bank of Boston last week by Universal gives the company \$500,000 additional working capital and represents a saving of 1% annually in interest. Deal was announced by J. Cheever Cowdin, chairman of U's board. In order to obtain the loan, it was necessary to give a new mortgage on the studio, but Universal was able to pay off the 6% mortgage of \$1,000,000 held by Consolidated Film Industries, Inc.

Cowdin said that the company directors decided to increase the amount of the loan because of requirements of the trade that Universal enlarged production program plus the curtailment of receipts from abroad. He stated that the loan leaves Universal without any maturity close at hand other than the company's current revolving bank credits.

With Consolidated presently holding no other mortgage, it was reported in the trade that Universal might switch its laboratory work to some other company—possibly Pathe. However, this was denied by Universal, implying that repayment of the loan will not affect its laboratory setup with Consolidated.

## MONO REACQUIRES 2 NORTHWEST EXCHANGES

Hollywood, Aug. 6.

Monogram Pictures purchased interest of A. M. Goldstein. Monogram Pictures of Pacific Northwest, Inc., operating Mono's Seattle and Portland exchanges.

Parent company will operate Pacific Northwest setup in conjunction with Monogram Pictures of California, headed by Howard Stubbins.

### 2 in Color For Mono

Pacts were signed last week by W. Ray Johnston, president of Monogram, and T. H. Richmond, representing Charles Goetz, head of Golden West Productions, whereby Mono is to distribute two features made in color. Goetz plans producing the pictures in near Phoenix, Goetz being an Arizona business man who made the color picture, 'Gentleman From Arizona,' also released by Mono.

Initial picture, 'Black Stallion,' is scheduled to go into production Aug. 15. Other will be 'College Sweetheart,' adapted from story, 'Blind Date,' by Leona Dalrymple, in the Woman's Home Companion. Richmond presently is negotiating with Ella Logan, singer, now on tour with George White's 'Scandals,' for femme lead in this latter film.

## TMAT Members Withdraw Their Suit Against Union

Suit of Max G. Felder and Ben Braudie, on behalf of themselves as members of Local 18,032 of the Motion Picture Division of the Theatrical Managers, Agents and Treasurers Union of the American Federation of Labor, and on behalf of all others similarly situated, against Joseph Silverman and Charles P. Carroll, treasurer and chairman of the union respectively, was discontinued without costs yesterday (Tues.) in N. Y. supreme court. Since the inception of the action, the court denied an application of the plaintiffs to prevent the union from expelling them, and about a month ago they were dismissed.

Action claimed the defendants, through control of the officers of the union, misappropriated funds, most of which were due, commingled union funds with their own, and refused an accounting. Relief sought was the appointment of a receiver, an injunction and an accounting.

## 'PASTOR HALL' RIGHTS IN U. S. INTO N. Y. COURT

George Garfield, as administrator of the goods of Ernst Toller, deceased writer, filed suit yesterday (Tues.) in N.Y. federal court, seeking an injunction, accounting of profits and damages against the film 'Pastor Hall.' The defendants named in the action are Charter Film Productions, Ltd., the producer, Grand National Pictures, Ltd., British branch of the American company, James Roosevelt, United Artists' Corp. and H.B.R. Laboratories, Inc.

Plaintiff claims Toller wrote a 'dramatic composition,' known as 'Pastor Hall,' in April, 1939, and copyrighted it. Toller died May 22, 1938, and the plaintiff became administrator on June 22, 1939. It is asserted that the Charter Film Productions infringed the story in late 1939 and early 1940 by making a film entitled 'Pastor Hall,' using much of Toller's material. The other defendants are accused of having distributed the film in the U.S.

This suit is outgrowth of negotiation by UA and Roosevelt to settle the issues.

## Milwaukee Mayor's H'wood Whirl Inspires 'Has He Gone H'wood?'

Milwaukee, Aug. 6.

Has the mayor gone Hollywood? This is a momentous question in Milwaukee's city hall, aroused by present tour that is causing alarm.

Zeidler, 32, and a bachelor, is the glamor boy of the boy mayors of America, and it is feared the adulation of the film colony may go to his head, which up to now he has kept remarkably level.

After being luncheon guest of the Los Angeles Chamber of Commerce Thursday noon (1), he visited the Metro studios in Culver City at guest of Jeanette MacDonald and Nelson Eddy, whom he had met a few weeks previously at a concert in Milwaukee. In the evening, after a Lily Pons concert at the Hollywood bowl, the Milwaukee mayor was guest of L. E. Beyer, manager of the Los Angeles Philharmonic auditorium, at a party given by Miss MacDonald and her husband, Gene Raymond, for Miss Pons and her husband, Andre Kostelanetz.

On Friday, Mayor Zeidler made a visit to the Warner studios in Burbank to renew an old acquaintance with Heinz Roemheld, one of the firm's musical directors, and was again the center of attraction for an admiring host of picture celebrities and officials, and on Saturday the beer town executive attracted attention at the races in Hollywood Park.

The most unusual thing about Zeidler, from the Hollywood angle, according to the correspondents, is that he appears to believe firmly that all you have to do to get along in this world—politics is no exception—is to do the right thing.

Zeidler was elected mayor only last spring on his first try for an elective position, and as the result of a campaign that fairly bristled with showmanship from start to finish, although he had never been identified in any way with show business.

## \$162,100 Rental Award Against WB Subsidiary

Sandusky, O., Aug. 6.

Erie County Common Pleas Judge E. H. Savord returned a finding of \$162,100 in favor of the Seitz Theatre Co. of Sandusky, O., against the General Theatre Co. of New York (Warner Bros.) in the largest court verdict ever rendered in this city. With interest it will come to \$280,000.

Judge Savord wrote a 26-page memorandum in the action to which the Seitz company claimed injury for breach of a lease. The Seitz firm had evicted WB as a tenant of its theatre in Sandusky in 1933, for nonpayment of rent, when the lease still had 10 years to run. The finding represents the balance between the terms of the old lease and a subsequent lease taken by the State Theatre Co., Sandusky.

## Bob Weitman's Extra Par Circuit Chores May Lead to His Moving Up

### Kidding on Square?

A New Jersey exhibitor with a humor went out of his way to book a special double-bill.

He picked a higher-bracket film to go on the top of marquee and, as the feature to be billed underneath, he chose 'Opened By Mistake' (Par).

## Selling Candy In Theatre Lobby No Breach of a Lease

Los Angeles, Aug. 6.

Selling of candy in a theatre lobby does not constitute a violation of the lease, according to Superior Judge Charles S. Burnell, who denied an injunction sought by the Wilshire Holding Co., owner of the Wilshire theatre, against Fox-West Coast Theatres, operator.

Holding company claimed the lease contained no provisions for a candy counter in the lobby. The court ruled that candy selling in theatres is common throughout the country and may not be regarded as valid grounds for breaching a lease.

## UA KEYNOTES FEW DETROIT CLOSINGS

Detroit, Aug. 6.

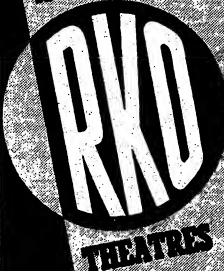
For the first time in several years United Detroit's first run, de luxe house, United Artists, has not shut down for the summer months. In past years the theatre usually closed with the first sign of hot weather and reopened after the summer slack.

This year, however, the house has been able to get enough good summer product to keep biz at a good level during the dog days.

Too, business in Detroit has been such that few neighborhood houses have shut this summer and the only downtown spot to close was the Cinema, which is principally a revival and foreign picture theatre.

## New York Theatres

THERE'S A  
BETTER SHOW  
AT THE



**GONE WITH THE WIND**  
NOW ON THE AIR  
at advance prices, at least until '41  
For Reservations Call CI 6-4842  
**ASTOR** Play & Music  
ALL SEATS RESERVED  
Twice Daily 2:15, 8:15 p. m.

**State** TIMES 10  
Last Time Wed.  
**'THE MORTAL SIN'**  
and  
In Person  
Harry Richman  
and Others  
Starts Thurs., Aug. 8  
Joan Crawford  
Fredric March  
and  
BIG STAGE SHOW

**HELD OVER AND BIG WEEK**  
Broadway & 42nd St.  
**'ANDY HARDY MEETS DEBUTANTE'**  
Lewie Stone Mickey Rooney  
A Metro-Goldwyn-Mayer Picture

**RADIO CITY MUSIC HALL**  
**'PRIDE AND PREJUDICE'**  
Spectacular Stage Productions

**PARAMOUNT**  
HELD OVER  
**'Boys from Syracuse'**  
IN PERSON  
Allan Jones  
Ray Bolger  
Xavier Cugat  
and Orie  
Midnite Screen Shows

**Beginning Friday Aug. 9**  
**ERROL FLYNN**  
In the  
**'SEA HAWK'**  
A NEW WARNER BROS. TRIUMPH  
In Person  
**PHIL SPALANZANO AND HIS ALL GIRL ORCHESTRA**  
Air-Conditioned  
Broadway & 42nd St.

**RKO 'SAINT' COMES HOME**  
Hollywood, Aug. 6.  
Production of RKO's next 'Saint' picture will be shifted from London to Hollywood, owing to war conditions.  
George Sanders retains the title role, but William Siström is still in England and will be succeeded by another producer.

## Company Politics Will Get Frown, Public Service the Stress at NBC As Mullen Comes in Under Trammell

The Board of Directors of RCA-NBC on last Friday (2) elected Frank E. Mullen to be vice-president and general manager of the National Broadcasting Co. The same evening Mullen joined Niles Trammell, the new NBC president and his long-time radio colleague, flying to the San Francisco convention of the National Association of Broadcasters. In Frisco both executives will renew acquaintance with innumerable NBC affiliates whom they have not seen since the plan of the new high command was settled. Appointment of Mullen last week surprised nobody since it had been predicted in the June 12 issue of VARIETY.

Insiders at NBC look forward to the Trammell-Mullen combination ushering in, nearly for the first time, (Continued on page 31)

## RADIO DAY SHOW SCORES 16.8%

Sam Gill, former manager of Crossley who now operates his own research outfit, made 6,000 telephone calls Saturday night (3) during the "Radio Day Program" which was on all networks from 8-9 p.m. Calls were distributed between New York, Chicago, St. Louis, Minneapolis, Washington, Charlotte, Boston and Los Angeles. The audience for the radio program was 16.8, considered low by research men in view of the star-studded affair.

Breakdown showed CBS with 37% of the sets tuned in, NBC red with 25.3 and the Blue with 10.8. All others divided the difference.

## PAT BARNES' PROGRAM ON 75 FOR TRUE STORY

MacFadden publications is sponsoring new daytime serial over a 75-station Mutual to plug True Story mag. Series is tabbed 'I'll Never Forget' and will dramatize letters, for which \$85 in prizes will be given on each program. Series will be heard Mondays, Wednesdays and Fridays. Deal was under the network's volume discount arrangement.

Talent will include Pat Barnes as emcee plus Frank Luther, tenor, with a Hammond organ for music. Kudner is the agency.

### AUTHOR, AUTHOR!

Sam Rosenbaum's Ribbing Routine About a Certain Trade Paper

San Francisco, Aug. 6: Sam Rosenbaum, who has just been reappointed chairman of IRNA, delivered a comedy routine before the N.A.B. convention today, in which he began by citing that "variety was the spice of life, but most spices are nuts." He then developed the latter thought.

"Any similarity to living publications is purely unintentional," said Rosenbaum.

He broke the new act in cold without a rehearsal. No program credits for the patter, which was written in the Mark Hopkins hotel the night before in the filling station, 10th floor.

## Laura Holson at CBS; Title for Connelly

Laura Holson, who was with Time magazine five years, becomes copy chief of the CBS network's sales promotion department under Vic Raiter. This will free Raiter from detail so that more promotional advertising can come out of the mill.

Meantime Tom Connelly gets the title of manager of the CBS merchandising service, which he largely whipped into its present shape.

## CBS-BMI

Continued from page 1

other year and agree to pay as a fee 2% of their time billings.

### Lawyers' Angle

By CBS doing a solo on the deal with Metro-Robbins NBC and Columbia would avoid any possible combination-in-restraint-of-trade entanglements. NBC lawyers have been leery of such a complication ever since the negotiations with Metro were launched.

Niles Trammell, NBC prez, has become the arch salesman at the convention at selling network-affiliated and non-network broadcasters on the idea of throwing their lot with BMI. His mode of operation even before he got to San Francisco has been to make personal telephone calls, pleading the cause of BMI and urging the indies to stand united with the rest of the industry.

One of Trammell's latest converts is Lewis Allen Weiss, general manager of the Don Lee Network, Weiss, who has steadfastly thumbed the BMI proposition, explained at the convention that he saw the light during one of these long distance phone calls from Trammell and that he was now prepared to make a commitment to BMI. WOR, Newark, has already decided to go all the way on the BMI movement, so that there is left but one Mutual key outfit not within BMI, and that is WGN, Chicago.

## CBS Dropping KVI, Tacoma; City 'Insulted'

Tacoma, Aug. 6

Station KVI here is on notice from the Columbia Broadcasting System that it will lose its CBS franchise when KIRO in Seattle, 30 miles away, steps up to 10,000 watts, largest power in northwest, under an FCC directional antenna grant now being executed by engineers. The Tacoma Chamber of Commerce, which once sought to have Mt. Rainier renamed Mt. Tacoma, feels pretty insulted at this slur to the town and has memorialized Paley, Klauber & Co. not to be so pro-Seattle and to continue network service to KVI.

KVI's relationship with CBS has been clouded by uncertainties as far back as 1938. The gradual development of KIRO has presented from the beginning the possibility that CBS would not service KVI because of duplication of signal in adjacent cities. KVI, one of the country's few woman-operated stations, has meantime maintained Seattle studios in the Olympic hotel and also a Seattle sales force, all as part of a two-city coverage set-up.

Mrs. Earl T. Irwin is the head of KVI.

## Harry Wismer, WJR Sportscaster, Goes To Maxon With Lincoln-Zephyr Acct.

Detroit, Aug. 6

Harry Wismer, WJR sports announcer who recently married a niece of Mrs. Henry Ford, is shifting over to Maxon, Inc. here as exec on the Lincoln-Zephyr account, which leaves N. W. Ayer after many years. Ayer still retains the Ford and Mercury accounts, while McCann-Erickson agency will continue to handle the Ford dealer and service stuff.

While leaving WJR as a regular splicer, Wismer will return this fall to handle the Lion pro football broadcasts underegis of Ford. His 'Inside of Sports' daily program (Phillies), which he's handled for past two years at WJR, will hereafter be handled by Joe Weeks, WJR splicer. Ivey & Ellington handle 'Inside of Sports' for Phillies cigars.

## WRITER SUES

Warschawsky Files on Alleged Use of His Much Rewritten Story

Hollywood, Aug. 6

A copyright infringement suit concerning 'For Us a Living' has been filed in U. S. District court here by Samuel J. Warschawsky against Columbia Broadcasting System of California, Inc. Named as co-defendants with CBS are International Silver Co., Young & Rubicam and the Southern California Telephone Co.

Warschawsky, who charges a work of his was used in a Silver Theatre of the Air broadcast in March, 1939, asks for an accounting and damages.

Plaintiff cites in his complaint that he originally penned the vehicle in 1918 as 'Mrs. President.' He revised it in 1921 and again in 1922, this time the collaboration with John H. Bate. Booth, with the tag being switched to 'Tomorrow.' Prior to Feb. 3, 1927, plaintiff and Booth did another re-vamping, renaming it 'The Woman of Destiny.' A fifth version was completed by Warschawsky in October, 1931, and a sixth in 1937, when it was given a stage production under its initial title.

Warschawsky contends that he novelized the play for Woman's Home Companion in 1933, and that in May, 1938, he submitted it to Charles Yanda, then head of CBS' New Ideas department.

## NO MUTUAL STOCK ISSUE —WEBER

San Francisco, Aug. 6

Fred Weber, general manager of the Mutual Network, denied yesterday (Monday) a report current about the convention that a Wall Street house was preparing to launch a stock issue for the network. The MBS stock is now held between WOR, Newark and WGN, Chicago.

According to the report, the Mutual stock would be made available to the public in addition to those Mutual affiliates electing to subscribe. By becoming an open corporation Mutual would have to undergo a complete revision as far as its fundamental station relations policies are concerned. Mutual at present is, to all intents, a co-operative operation. Although it programs the stations, Mutual functions something like a station rep, deducting but 15% from the money it collects from the sale of hookup time. The issuance of a public stock would necessitate the adoption of an entirely different economic relationship with its affiliates. The contracts would be basically the same as those prevailing between NBC and Columbia and their respective affiliates, which in essence make the station's cut on the net billings anywhere from 20% to 27 1/2%.

N.A.B. board of director seats go to Edward Kuber, executive vice president of CBS, and Fred Weber, general manager of Mutual. It's a first time on the board for Klauber, who is not present at the convention, having recently recovered from an operation.

Fred Weber's designation represents an accommodation of Mutual's complaint of not having representation due to a technicality operating against the co-op network.

## Duncan, Film Exhib, Unveils New WDAK

West Point, Ga., Aug. 6

L. J. Duncan, operator of string of theatres in this section and over-the-line points in Alabama, is preparing to unveil his radio mill, WDAK, Friday (9). Station's studios are located atop this burg's new General Tyler hotel, five-story hostelry that sticks out like rose thumb over surrounding territory.

WDAK, which will serve this community and Lanett, Ala., just across the river from here, will use International News Service.

## Chain Income From Time Sales

### COLUMBIA

	1940	1939	1938	1937
January	\$3,575,946	\$2,674,057	\$2,979,045	\$2,378,620
February	3,330,627	2,541,542	2,880,334	2,204,317
March	3,513,170	2,925,084	3,034,317	2,559,716
April	3,392,688	2,854,028	2,424,180	2,563,478
May	3,570,727	3,097,484	2,442,283	2,505,558
June	3,144,213	2,860,180	1,121,495	2,476,567
July	3,067,870	2,331,953	1,317,357	1,988,412
Seven Months	\$23,535,242	\$19,284,926	\$15,899,911	\$16,791,668

### MUTUAL

	1940	1939	1938	1937
January	\$317,729	\$315,078	\$269,894	\$213,748
February	337,649	276,605	253,250	231,286
March	390,813	306,976	232,877	247,421
April	363,468	262,626	189,545	200,134
May	322,186	234,764	194,201	154,633
June	299,478	228,186	202,412	117,388
July	235,182	216,583	167,108	101,458
Seven Months	\$2,266,505	\$1,840,818	\$1,507,287	\$1,267,070

### NBC-RED

	1940	1939	*1938	*1937
January	\$3,496,393	\$3,211,161	\$2,634,763	\$2,374,633
February	3,226,863	2,975,258	2,507,123	2,273,973
March	3,338,440	3,297,902	2,736,494	2,531,322
April	3,128,685	2,879,571	2,458,487	2,304,035
May	3,216,940	2,886,517	2,627,721	2,261,344
June	2,919,405	2,759,917	2,550,040	2,209,304
July	3,141,902	2,713,798	2,377,065	2,018,820
Seven Months	\$22,468,748	\$20,724,214	\$17,891,693	\$15,973,431

### NBC-BLUE

	1940	1939	*1938	*1937
January	\$908,815	\$822,739	\$1,158,753	\$1,167,366
February	905,101	773,437	990,930	1,021,809
March	965,904	872,860	1,070,335	1,082,961
April	912,833	681,412	852,018	879,475
May	817,682	815,585	786,479	853,473
June	722,695	622,487	650,529	784,063
July	688,536	568,797	581,645	668,630
Seven Months	\$5,921,566	\$5,158,277	\$6,090,689	\$6,681,799

\*Different system for allocating billings to the red and blue networks prevailed these years.

## Red Regains Monthly Leadership, \$3,141,902 Against CBS' \$3,067,870; Mutual Hopeful of Discount Bait

## J. Walter Thompson Has Part of Bromo Quinine; Linnea Nelson's Stopoff

San Francisco, Aug. 6: J. Walter Thompson agency has obtained the spot end of the Bromo Quinine business. Network phase of the accounts remains with Stack-Goble. Split becomes effective Sept. 30.

Linnea Nelson, Thompson's New York time buyer, stopped off in St. Louis for a visit with the new account while on her way to the N.A.B. convention.

## ANNE SEYMOUR EAST

Written Out, Maybe for Keeps, of 'Mary Marlin' in Chicago

Anne Seymour, who for the last couple of years has been playing the title part in 'Mary Marlin' out of Chicago, has been written out of the show and is now in the east. Understood she may remain indefinitely. She has been added to the cast of 'Against the Storm,' in which her mother, May Davenport Seymour, also has a part. She has also authored a legit play, 'Glass House,' which is a Broadway possibility for fall.

Before going to Chicago she was active in both legit and radio as an actress, director and writer. She is currently living with her mother at Old Greenwich, Conn.

## Seebach Promoted

Julius F. Seebach, Jr., vice-president of WOR, New York, in charge of programs, was elected a member of the station's board of directors at the regular meeting last Friday (2). He has been director of program operations at the station since 1935. He started in radio in 1925 as announcer at WOR.

The NBC Red network grossed \$3,141,902 for July, 1940. This compares with the \$3,067,870 of the Columbia network and thus, for the first time since last October, when CBS forged and stayed ahead of the Red, the number one NBC loop regained its former place as top grosser. Comparatively the red was up 15.8% over July of 1939.

Percentage of the climb of the NBC Blue was even snappier. Its \$688,536 for last month was ahead of the 1939 July tally of \$569,757 by a matter of 20.8%. The two webs of the RCA family level off for an overall improvement of 9.7% over the previous like-period seventh months' span.

Columbia's seven months' total for 1940 is \$23,525,242. Mutual meantime brings up the rear with \$22,666,505. Mutual looks for its new package station discount plan on 75 more stations) to be reflected this autumn. A first hint was recently provided when, after the NBC Blue had sent out an order on the True Story Magazine (MacFadden) account, Mutual stepped in a couple of days later and snatched it away with the discount bait.

## 'INFO, PLEASE' TO NBC RED

Dan Golenpaul's yen for a change of network for the Blue-created 'Information, Please' translates into a new niche. Change is effective Nov. 13.

Under its new Lucky Strike sponsorship the program will be heard on the NBC red Fridays at 8:30 p.m.

Bernard T. Wilkens, chief engineer at WKBN, Youngstown, an ensign in the Naval Reserve, has taken command of a Naval Communications Reserve.



# N.A.B.'S 18-YEAR OLD BOGEY

## Freedom and You, Dear

Stanley Hubbard's station, KSTP, St. Paul, has a mad on against VARIETY. This is okay with VARIETY. It's also news, so VARIETY reports the fact.

It happens that VARIETY's Minneapolis reporter, Les Rees, made a routine call on KSTP last Friday. He called to gather some news, if any. He got no news. Instead he got a tirade from Stan's chief aide:

The point of the tirade at KSTP was just this: 'How dare VARIETY sell its advertising to ASCAP for the purpose of allowing that organization to present its case?' By a bit of irony the next evening (Saturday) there was on all networks, and doubtless on KSTP, a special radio program devoted to free speech.

Freedom is a beautiful thing, Stan. Like your freedom to accept advertising on KSTP. But freedom is for everybody, Stan, or it isn't freedom. We sell VARIETY space to anybody who will buy it. It is plainly marked as advertising, the rates are matters of public knowledge. Just like at KSTP, Stan.

Because this is a free country you can think and say what you like about VARIETY, Stan. We've always spoken well of you, Stan, and we're willing to put this whole thing down to your being tired. That little affair with the Musicians Union, a conflict of rival concepts of freedom, that almost involved the whole industry in an AFM strike, may have upset you.

VARIETY reporters should stay away from KSTP, Stan? Not print news of your new contracts and yachts and stuff, Stan? As you say, Stan.

## Craney, His Points Satisfied, Makes Peace with ASCAP on N.A.B. Eve

San Francisco, Aug. 6. American Society of Composers, Authors and Publishers and the broadcasters of Montana and Washington State have arrived at a peaceful settlement of the court and legislative battles that has been raging between these two factions for the past six years. As leader of the Montana group, Ed Craney, of KGIR, Butte, has agreed to signature an ASCAP license, while Kenneth Davis, Washington State lawyer and sparkplug in the anti-ASCAP drive in that state, likewise arrived in San Francisco Sunday (4) to put the finishing touches to a peace pact for the Washington station group that succeeded in outlawing ASCAP in Washington. It's the biggest coup that ASCAP has effected in years and news of the event as it circulated among the delegates gathering for the National Association of Broadcasters convention at the St. Francis hotel, caused considerable comment.

While the general outline of the settlements was arrived at in Chicago last week, there are lots of details, both legal and business mechanics, that have yet to be worked out. John G. Paine, ASCAP general manager, is now in San Francisco to go over these with Craney, Davis and ASCAP's western rep, Richard Powers.

It is understood that the settlement as far as Montana is concerned provides for the wiping out of all criminal and civil suits brought against ASCAP and its officials and members, while in Washington the attorney general is slated to approve a consent decree declaring the local anti-ASCAP law unconstitutional. About the only Washington station operator that hasn't agreed to the move is Birt E. Fisher, of KOMO and KJL.

Craney expressed himself as feeling that he had scored a complete victory in that ASCAP has agreed to adhere to its plan to have the clearance provisions of the new ASCAP contract apply at the source. Craney said that he had always made this angle the keystone of his battles with ASCAP and that he will resume his fight if ASCAP abandons its drive to enter into license agreements directly with the networks for network programs.

ASCAP has also assured Craney that it will work along with him on

another idea in involving performance fees which has been agitating the Montana broadcasters for years. It's the matter of charging for music on a per piece basis. ASCAP spokesmen will in the near future join Craney in his home town to map out and inaugurate an experimental plan along this line. He has been informed that the Society is equally interested in finding out how a plan of this sort would operate and that every cooperation will be given him in the experiment.

## LaFENDRICH SPONSORS WLW'S 'SMOKE DREAMS'

Chicago, Aug. 6. LaFendrich cigars will be back on the NBC red web of 10 outlets starting Sept. 29 and running each Sunday at 11:30 p.m. Again it will be the 'Smoke Dreams' show and will originate in WLW, Cincinnati. Ros Metzger, of the local Ruthrauff & Ryan agency, handled the negotiations.

## URGE MEXICAN VISIT

Emilio Ascarra suggests San Antonio for Next N.A.B.

San Francisco, Aug. 6. San Francisco is rating high in estimation of N.A.B. delegates. Pleasant weather, lots to see, places to go, and much of it different, has made the broadcasters feel benign. Pittsburgh put on a strong pitch for next year's convention by process of distributing Pittsburgh stogies.

Emilio Ascarra suggested that next meet be held in San Antonio so broadcasters could visit Mexico City where Ascarra operates XEW and XEQ.

## Westinghouse on 99

Coverage of Raymond Paige's Musical Americana network show was increased to 99 stations with the broadcast last (Tuesday) night over the NBC red and blue networks. WBLK, Clarksburg, West Virginia, and WGCK, Charleston, were the new stations added.

Sponsored by Westinghouse.

## ASCAP STILL IS TOPS ON AGENDA

San Francisco Convention of Broadcasters Fights Shy of Hearing Spokesman of Performance Society

## 'GOT 'EM LICKED'

By BEN BODEC

San Francisco, Aug. 6. ASCAP is playing its 18th annual return engagement, by popular demand, as the favorite 'villain' of the National Association of Broadcasters. It was ASCAP that alarmed the pioneer radioites into forming a trade group, in 1922, and every year since then the 'villain' has never failed to elicit the same response. This year it's more so because this year there's only a heavy to hiss but a hero, BMI, to cheer.

Because of the four hour differential and VARIETY press block in New York on Tuesday the convention's ultimate actions cannot be reported as accomplished facts. But it's not hard to guess. This convention was organized from the beginning for a united front the ASCAP issue. Nothing else counted. And one by one every issue that has threatened that united front has been smartly disposed of. Including an incipient wave of criticism against a couple of the N.A.B. leaders.

When Earle C. Anthony, Los Angeles broadcaster, and others suggested that perhaps John G. Paine should be heard, as suggested by ASCAP, the suggestion was stepped on fast. "It would only confuse the issue and the delegates, was the view of the BMI party. It would moreover have been inconsistent with Neville Miller's statement 'we've got them licked, if we stick together,' Paine is ASCAP's general manager.

Miller's reference to telegram Ascap addressed to N.A.B. membership asking for opportunity to present its story came at tail end of his prepared report. He opened with the remark that broadcasters could tell how the wind was blowing by latest ASCAP activity. Ascap, as Miller put it, has crossed the continent pleading with broadcasters when last year Gene Buck refused to have anything to do with N.A.B. copyright committee.

Miller waxed sarcastic about what he described as altruistic inferences of the Ascap telegram adding that despite Ascap overtures BMI would continue and the Ascap monopolistic position would be permanently solved.

At meeting today (Tuesday) operating heads of BMI, Sydney Kaye, Merritt Tompkins and Carl Haverlin sketched the progress made by their organization. They explained types of copyright and non-copyright members BMI has been accumulating and thanked broadcasters for support received. Also presented at meeting was the new BMI licensing plan calling for sliding scale from 1% to 2 1/2% with latter depending on station or networks net billings in 1939. Top percentage applies to total revenues of \$100,000 and upward. NBC and Columbia will in addition to paying for their managed and operated stations on foregoing basis contribute 15% on network business minus commission and frequency discounts. New plan would go in effect at expiration of present BMI contract in April, 1941. Kaye figures this will yield about \$1,500,000. Newspaper stations in this instance would have to accept the same contract as others.

BMI licensees were also informed they should start weeding their programs from Ascap music right away so by December their music repertoire will consist exclusively of BMI and public domain material. Networks are slated to set pace by doing same thing with their sustaining programs.

Through new BMI contract, NBC

## N.A.B. Uses 'Variety' Setup

San Francisco, Aug. 6. The National Association of Broadcasters' board of directors on Sunday (4) voted to recommend adoption by the convention proper of a unit-type system of recording radio business trends. This will be substantially similar to the method originated and published for some time by VARIETY.

Statisticians hope to get 250 stations included and to launch the project in month or so.

## ASCAP Follows Webs in Romancing Sponsors; Latter Unenthusiastic

### SCRIPPS FETES TRAMMELL

The Jack Benny Switch to WXYZ Dissolves in Social Amelities

San Francisco, Aug. 6. Bill Scripps, of WWJ, Detroit, tossed surprise dinner for Niles Trammel Monday night at the St. Francis. Guestes limited to red web affiliates.

Occasion signaled complete harmony between Scripps and Trammel after the episode of NBC diverting General Foods to WXYL, Detroit, because of WWJ's baseball commitments. General Foods was picked at secondary treatment for no less percentage than Jack Benny and Trammel had to appease account.

### G. W. Johnstone to N. Y.

Washington, Aug. 6. G. W. Johnstone, radio director of the Democratic National Committee, transfers his activities to New York on Aug. 12 for the duration of the campaign.

His secretary, Mrs. Evelyn Wilson, will also move to the Biltmore headquarters of the Democrats in N. Y.

and Columbia for first time recognize principle of paying for music at the source, something Ascap likewise is seeking to introduce in its new licensing agreement.

Interesting sidelight on the ASCAP-N.A.B. controversy is that it is being fought out more fiercely in the San Francisco newspapers than on the floor of the convention. There have been columns about it since broadcasters started gathering Saturday. Besides reports on subject from convention floor the dailies have carried interviews with spokesmen of both camps particularly Niles Trammel, Neville Miller and John G. Paine.

San Francisco Chronicle, Tuesday (6), carried front page interview with Paine to which was appended Chronicle reporter's observation "BMI has built a powerful political machine among delegates to force the broadcasting industry into concerted action and push ASCAP out of picture or force it to accept lower contract rates."

Story also stated "ASCAP, barred from convention floor, greeted delegates with 144-page special issue of VARIETY, the stage, screen and radio magazine. It contained all the ASCAP arguments and held out an olive branch to the broadcasters without offering any rate reduction."

Sentiment among assembled broadcasters toward Ascap was quite mixed. If the convention did anything it stimulated those always bitter toward Ascap to greater bitterness. It was obvious that the networks had been hard at work stirring up crusading spirit and in no small number they have found a warm response. But the general attitude seemed to be one of watchful waiting. Average broadcaster, particularly those with network affiliation, appeared to have assumed the position that he will go along with the rest of the industry for few months to see how NBC and Columbia can solve the situation.

Latest emphasis in the continuing feud between the radio networks and the American Society of Composers, authors and Publishers is an appeal for the sympathy of the radio advertiser. ASCAP has become aware that the networks have already gotten in much effective missionary work in winning the goodwill of the sponsors. Not alone in such semi-public communications as the recent letters of Niles Trammel of NBC and Paul W. Kesten of CBS but, more importantly, in the daily business and social contacts between radio executives and business men sponsoring radio programs, the network point of view has been smartly put across.

ASCAP opened up last week with a 10-page mimeographed statement addressed to all radio advertisers setting forth the history of the 18-year fight on performance fees. ASCAP is well aware of its strategic weakness in having no direct contacts with the sponsoring gentry. Beyond understanding that sponsors were disposed to be anti-ASCAP at the moment, the Society last week had no clear idea why. Officials had supposed that the property rights argument of ASCAP would echo understandingly in the commercial mind and were surprised that it apparently did not.

Echo of AFRA? One explanation that ASCAP thought made sense is that the sponsors who know very little about show business and cap less, are still quietly furious at the defeat given them by the American Federation of Radio Artists over a year ago. Somehow AFRA and ASCAP sound enough alike to the radio advertisers that they tend to react emotionally against the whole ASCAP idea, without knowing much about it.

Sponsors have gotten the idea pretty well fixed in their minds that there will be an increase in advertising rates if ASCAP gets its terms after Jan. 1, 1941. Sponsors are already concerned by mounting production costs and by the high costs of radio stars, a condition they themselves created through fantastic bidding for the surefire personalities.

The business man living in Cambridge or Cincinnati or Minneapolis uses radio as an advertising medium, and only reluctantly concedes that as a result of sponsorship he may be in or near show business. The cost of network time and the package cost of big shows are sufficiently large to alarm the sponsor to start with so that any new demand, threat, or possibility of more 'production' expense is uncongenial. Which makes quite a sizeable problem in goodwill for ASCAP to solve.

## ASCAP WINS IN FLORIDA

Gainesville, Fla., Aug. 6. Although details of decision are not available at the moment, the three Federal judges, Hutchinson, Long and Barker, who heard the case of the Florida law against ASCAP, have ruled that the law is unconstitutional. An injunction has been granted and the law becomes inoperative. Frohlich and Schwartz, ASCAP counsel at New York, argued the issue here in April. Law was enacted in 1937.







## BBC Waits On Dover Cliffs And Makes Stirring Show of Nazi Bomber Visit

London, July 16.

Radio history was made Sunday (14) via the first shot-by-shot description, in all time, of an air battle. Staged over Dover Straits and recorded by Charles Gardiner, BBC special events man. Epic occurrence came to listeners via delayed wax but retained all the tense association of actuality. Affair might have been a race-track commentary in the streamlined handling by Gardiner of highspots in the daylight air-fight, as Nazi bombers dived and Air Force fighter planes chased them in the death straits. It was, as heard a class A thrill.

BBC would naturally deny the element of showmanship, but hard to take is the explanation air authority offered for its recording unit just "happening" to be on the spot. Crew may have waited a week atop those old chalk cliffs, a cinch locale for action, and when came the Nazi attack on a convoy of merchantmen, not a thing was missing. Listeners had the scene spread before them—a stretch of water, a line of ships, and three waves of enemy bombers hurtling out of the clouds on a dark mission. But their bombs don't connect—you got that dull, indescribable sound of 500 pounds of spent destruction—the convoy's safe, here's the British flight. Machine guns rattle, and then a yell of joy from Gardiner that might have been "They're Off!"—but instead he said "Got Him!"

One Dornier hits the sea and a voice tells someone's jumped, the parachute's drifting slowly across a cloud—how many were the crew? The rest of the German bombers streak for home, their fighter support winging in protection but chased and hazed every unit of a mile. One's away, two's away, three—no, not the third. Chalk up another Messerschmitt to the Chalk Cliff brigade.

Broadcast aired here following Churchill's speech. No two ingredients were ever mixed for a better tonic to Britishers.

Earl Gammons, WCCO, Minneapolis, station manager, had 60 mayors of Minnesota towns and their wives to a cocktail-party-at-the-Hotel Nicolet. They were in for the Aquatennial summer festival.

**GEORGE M. COHAN**  
"This Is Our Side of the Ocean"  
Song  
CITIES SERVICE  
Friday, 8 p.m.  
WEAF-NBC, New York

The mood of patriotic self-consciousness and earth-love which has gripped Americans for the past year has lately taken a slight tangent toward the drill grounds as the annoyance stage ripens into anger. And George M. Cohan, whose ear has ever been acute to the mood and the idiom of Yankees, crashes through at this precise point with the first song of American non-belligerence which allows Americans to be, at least musically, a little tough.

There is a strong hint of about-to-get-sore American fighting spirit in his "This Is Our Side of the Ocean." The constant reprise of the phrase "can you hear—can you hear—over there" is clearly understandable. It may do more than a bundle of notes from the State Department.

Cohan personally introduced the number on the Cities Service hall hour at 8 p.m. last Friday (2). The program sensed the memorable nature of the occasion and had the chorus up in the song. It was built into a production and brought back at the curtain for a repeat.

George M. said at the start he had been just dying to get a chance to sing the number in public. That's the kind of a song it is—something that was gotten off the chest. It has the poetic simplicity of a mule-kick.

Land.

**OTIS AND ELEANOR CLEMENTS**  
"Rio Grande Serenaders"  
Western Act  
15 Mins.-Local  
Sustaining  
Daily, 7 p.m.  
WTRY, Troy, N. Y.

Rio Grande Serenaders (Otis and Eleanor Clements), who recently cut several records for Bluebird, do a quarter-hour of western and familiar numbers each morning. She plays accordion, sings and chatters. He works on guitar and fiddle, vocals and announces. For a small local radio turn, it is fairly good. Accordion is standout; young lady has some finesse and ability to improvise. Otis does most of the warbling, in a fair voice. Partner occasionally joins for harmony. Both do quite a little ad lib talking and laughing. Remarks do not always come through mikes clearly, particularly when femme speaks.

Clements uses the drawing, friendly technique of professional westerners in tabbing requests, etc.

Jaco.

## Television Reviews

**CHARLES ALTHOFF**  
Radio Comedian  
8 Mins.  
RCA-NBC, New York

Like the old Loew's circuit loved flash acts, where the girls danced down steps, the act of the stage, that's how the late Alexander Pantages, Pacific coast king of vaudeville, loved fiddle-playing, rheumy-jointed, hokum-spraying, Charley Althoff. When Althoff finished one tour of the Pan time the old Greek penciled him in to begin all over again. This wasn't just because Pantages was eccentric, which he was, but because he considered Althoff very funny, which he was. And still is, on the evidence of the newest of the entertainment mediums, television.

Althoff is one of those performers who can work dead center under the cameras. He can get a lot of action without moving around much. The nozzie went down to his boots once or twice as he beat out the rhythm. Or there was an occasional close-up to emphasize his comedy clumsiness, getting his thumb stuck in a knot-hole, etc. He kept looking at the camera and fiddled, gabbed, wheezed and carried on. He projected a certain high-spirited, unpretentious, let's-have-fun, country store nostalgia.

It was surprising and pleasing to see the good old vaudeville hoke get across, even though the professional observer might have felt that Althoff must have had a feeling he was falling because there was no audience and—shades of Walla Walla on an opening matinee—no applause.

Althoff, however, full of make-believe old codger, registered as photogenic. Lots of characterization came through the big tube. And lots of good giggles.

Land.

**"THE DRUMS OF OUDE"**  
WMA, Maurice Welles, Pat Calvert, Carl Harbord, Jack Cherry, W. O. McWaters, James Swift  
20 Mins.  
RCA-NBC, New York

With India not very convincingly painted on the cast's backs and a killed sentinel mugging into the camera, the story of "Drums of Oude" takes off in the reign of Victoria. It reminded viewers immediately that the British have been often besieged. This time a handful of Scots holds the garrison while the regiment, gone off on a mission, is overdue.

The room is the headquarters of the officer in charge. He wears plaid trousers, from the rental costumers'. Beneath the room is the powder magazine. If the natives get it there'll be trouble. The sense of massacre is in the air and the weird native drums keep sounding. The room is the headquarters of the officer in charge. He wears plaid trousers, from the rental costumers'. Beneath the room is the powder magazine. If the natives get it there'll be trouble. The sense of massacre is in the air and the weird native drums keep sounding.

While the crisis is going on the major gets around to declaring his undying love for an English widow who plays the piano and talks, but later she gives in and kisses him, although up to that point she seemed

## Follow-Up Comment

Lucy Monroe, one of the most active (and most reliable) of the radio guest singers, brought her fine tone and professional authority to last week's "Musical Americana" with Raymond Paige. The program is now tighter and generally improved. Miss Monroe is a type of guestee that helps guarantee that.

Joeey Kearns orchestra, house band at WCAU, Philadelphia, enlivening CBS daytime sustaining spots several times weekly since first being given a chance during the recent musician's strike against remote pickups. Band is being groomed for dance work and needs little more currying to attain its aim. When caught it punched home with a hefty wallop, a series of balanced, well written arrangements—neatly varied between sweet and drive stuff. Kearns is a clarinet playing leader, and impressive at his work. He and several other musicians from the band make up a small unit called the "Little Col-nels," along the line of Bob Crosby's Bobcats. They turn out sizzling bits, well colored for such few pieces.

Sigmund Spaeth's road company "Information Please," called "Fun in Print" on behalf of Rogers Bros. Silver, is in improved shape since its debut. While the "info" analogy is inevitable, the titular "print" makes for a set pattern. There's good variety and nice pacing by Doc Spaeth.

Stuart Allen, featured vocalist with Dick Himber for a long time, now heads his own tiptop band from Grossinger's upstate N. Y. resort hotel. Allen is on via WOR several times a week and gives out with carefully primed arrangements plus his own appealing tenoring.

## Yes, We Have No Television

A new tenant, frequency modulation, having secured the ground floor lease from the RCA television (and we mean RCA) has been obliged to move upstairs in the spectrum. To do so will take time—and more money and mechanical readjustments in the Empire State Bldg. transmitter. Whether it will also require mechanical readjustments in many receiving sets in the New York City area is not certain. Owners of sets can wait and see. They will have to be at least as patient as RCA. Meantime, a television set is also a radio set and a good one. Television will return in due time, perhaps October 1, but don't bet on television being ready on that precise day, or your new apartment.

The curtain came down last Wednesday, that being the last day of July. At the conclusion of the usual evening hour, Alfred Morton, the NBC television chief, came before the iconoscope and thanked the set owners as "partners in a great experiment". Then he said good night and television was wrapped up in dusters and turned over to the janitors.

The program that kissed the seas goodbye revealed much that was okay, and some that was still left-footed and double-thumbed. NBC now has 15 months of practical programming behind it. The only comparisons would be to the television of the British Broadcasting Co., but as there is no BBC television at the moment, and no RCA-NBC television either, the point would be labored indeed, particularly in view of the present warm weather.

Suffice that the farewell program was worked with a single neutral setting, wherein four musicians, led by Eugene Jelenik, played European-like music very pleasantly. A series of singers and one comic led to dramatic afterpiece, "The Drums of Oude," by Austin Strong. Between each number the kaleidoscope, toy of childhood, was artfully borrowed to create entire acts effective, not unlike ethnic wipe-offs.

Turn of the final television performances are individually reviewed below.

## FCC Grants Three Licenses

Washington, Aug. 6.

Licenses were issued to three television stations last week following FCC inspection of their operating plants, technical inventories, and personnel rosters. Licenses under the no-commercialization rule went to University of Iowa, Allen B. DuMont and Columbia. Previously DuMont and the National Broadcasting Co. received papers.

DuMont was given permission to use Channel 4 for W2XVT at Passaic; CBS for Channel 2 for W2XAB at New York, and U. of I. for Channels 1 and 12 for W9XUI at Iowa City. Strings were tied to the latter, which must not interfere with any other plant using the same ribbons.

Granting of the CBS request foreshadows either denial or assignment to another stripe of Philco's Philadelphia plant, it was believed.

4-to-1 to nominate herself to be a sister to him always. In the next room the telegraph is showing signs of having been cut. An Indian waiter in a bath-towel is sneaking up behind people with knives, but the people turn just in time and don't get killed, or realize they were about to be. The entry who mugged into the camera at the start, is dispatched offstage by having his throat cut.

Just when you can't imagine what will happen next there is the sound of Scotch bagpipes playing and the regiment is back, the massacre is off, the program is over.

It seems hardly necessary to add that it was all pretty corny.

an extended sequence of numbers for an entertaining session all the way.

Land.

**AMELIA HULL**  
Singer  
RCA-NBC, New York

Miss Hull registered satisfactorily in a big picture hat and sang nicely, but after some moments that downward glance turned out to be in the direction of the printed lyrics, which she held in her hand. It never looked good to read the music in show business and it looks just as bad in television.

This fact evidently hit the director between the eyes, but quick, and the cameras thereafter caught the singer at the waistline so the memory-refreshing memo was happily out of sight.

This unprofessional detail flamed the whole appearance.

**ELEANOR STEBER**  
Singer  
RCA-NBC, New York

Miss Steber revealed an exceptionally sweet-toned voice and lots of coaching. Her features reflected sharply on the inverted mirror of the receiving set, suggesting that she was photogenic.

A full-volume singer, she uses her mouth and neck muscles easily and there was none of the sinewy pictorial effect some singers gave on occasion over television.

Land.

When you think of  
**NEW ORLEANS**

you think of:

Delicious **CREOLE COFFEE**

and

**WWL**  
NEW ORLEANS

**50,000 WATTS**

The greatest selling POWER in the South's greatest city

CBS AFFILIATE... NATIONAL REPRESENTATIVE... THE KATZ AGENCY, INC.

**WDRB**

CONNECTICUT'S PIONEER BROADCASTER

**127.2%**

Taking the peak year of 1929 as 100%, industrial employment in Hartford County is now 127.2%.

Get the extra sales provided by this record-breaking payroll. Advertise your product over WDRB, Hartford.

**BASIC CBS FOR CONNECTICUT**



# **RADIO DAY SALUTE** New York, Frisco Fairs One Hour Saturday, 8 p.m. All networks

An elaborate one-time one-hour program in salute to the American radio industry, and more particularly, to free speech on the air, was broadcast Saturday night (3) over NBC, CBS and MBS, with many indie stations also hooked into the nation-wide network. The program was inspired and the preparatory detail partly financed by the National Association of Broadcasters, which chose Aug. 3 as the Saturday before the opening of its 18th annual convention in San Francisco.

The World's Fair in that city and the World's Fair at New York were the principal points of origin for the program and the ceremonies, although there were also switch-overs to Hollywood for Orson Welles, to Lake Placid for Kate Smith, and to Saratoga for Ted Husing. The production detail of this gigantic galaxy was nominally in charge of William Rainey, until recently production manager of NBC, who was retained by the trade association to bring the pieces together.

The program was divided, roughly, into two parts: first, a cavalcade of radio personalities who briefly gave excerpts of their characteristic radio styles, whether oral or musical; second, the speeches.

After John S. Young, radio director of the N. Y. Fair, spoke the introductory howdy, the opening montage concerned itself with voices and Greek choruses who were used as symbols to suggest the vastness of radio and at the same time its intimacy in the lives of individuals. There were imaginary visits to hall bedrooms and underprivileged farmhouses, and snapshots of talk by lumbermen and fishermen. Narrators came in and out of the script. The recurring themes of 'be proud you're an American,' 'appreciate the American system of broadcasting,' 'don't take free speech for granted,' 'only here are there such privileges,' were constantly reiterated. In rapid succession, and with only fractional lulls (but some studio noises) the program presented:

Orson Welles, a curtain speech, Morton Downey, 'Irish Eyes Are Smiling,'

Hedda Hopper, her formula greeting.

Gene Autry, western drawl, Kay Kyser, 'glad to be here,'

Stoopnagle, pert patter.

Virginia Ræ, song sample.

Ted Husing, nostalgia from Saratoga.

Prof. Quiz, a question on free speech.

Gertrude Berg, in and out of character.

Major Bowes, round and round.

Dorothy Gordon, in Europe.

'S n.s.g.

H. V. Kaltenborn, news sample.

Lucille Manners, song sample.

Guy Lombardo, half a chorus.

Graham McNamee, seems only yesterday.

Jessica Daagetonette, song sample.

Clifton Fadiman, cash register sound effects.

Tommy Riggs, Betty Lou is curious.

Kate Smith, 'God Bless America' (without accompaniment).

Paul Whiteman, Rhapsody Blue.

Lone Ranger, Hi Ho Silver!

The speeches, after station identification, weren't as bad as they might have been.

Quincy Howe of the American Civil Liberties Union (wrongly introduced as Roger Baldwin) was the most on-the-nail, and of all the plaudits handed the N.A.B. his remarks came from the one source that knew all out radio, from its own study and analysis, not from claims of interested parties, and spoke words of praise that carried meaning because the Civil Liberties Union spokesmen, unlike others on the roster, are capable of being outspokenly critical.

Toward the end of the speech period there were missed cues. Two stagewalkers, one of them necessitating an organ fill, marred the score.

W. Monahan, of the Frisco Fair, never was heard after Harvey Gibson, of the N. Y. Fair, gave him a direct cue.

Vague, too, were the ceremonies of presenting free speech badges to Neville Miller.

Most listeners could hardly have got the pitching here. The vital words of necessary explanation of what was going on, and where, got dropped out.

Father Bryan McEntegart for the Catholics, Walter Van Kirk for the Protestants, Rabbi Jonas Lie for the Jews, Mrs. Harold Milligan for the clubwomen, William Green for labor, John Studebaker for education, and Steve Early for the President made speeches.

A BMI song, 'High on a Windy Hill,' was introduced from Treasure Island, played by Jack Joy's orchestra.

The difficulties of critically reviewing a special, all-out, name-loaded, purpose-hampered, policy-hobbled program such as this are obvious. Director Rainey was the

'TIL NEVER FORGET'

With Pat Barnes, Frank Luther, Jerry Lawrence.

15 Mins.

MACFADDEN PUBLICATIONS

M-W-F, 1 p.m.

WOB-Mutual, New York

(Kudner)

On the theory that a program should be suited to the product it's supposed to sell, 'Til Never Forget' is good commercial radio. In this the product is True Story mag, published by Macfadden, which already bankrolls Gabriel Heatter for Liberty mag. On the basis of Monday's (5) edition, 'Forget' is sentimental hoke that should corral a sizable housewife audience, its only comparable competition being 'The Goldbergs' over CBS.

Based on the similarly-named column in True Story, the program uses dramatized letters from listeners, who get prizes of \$50, \$25 and \$10.

Kudner agency writers adapt the contributions into script form, obviously retaining the hoke romantic elements. Yarn caught was a heart-throber about an apartment elevator boy who cupid a romance between a couple of tenants in the building.

Scripted in the form of first-person narrative, with the hero and the matchmaker coming into dramatic portions. Plenty of emotional heavy breathing into the mike.

Frank Luther sings 'Til Never Forget You,' which will be the theme until ASCAP music goes off the show.

Also handles ballad in the show proper, in this case 'Oh Promise Me.' Pat Barnes as emcee is an ideal choice to spiel the info about letters and prizes, while Jerry Lawrence is announcer.

Hobe.

servant, not the master, of ceremonies. The program was doomed to produce a few bad moments in the unfolding. A certain self-consciousness of the industry itself crept into the script at times.

The opening sequence stated its thesis, then re-stated it, then repeated it. It was a little dull, a little slow, a little labored in that section.

Afterwards came the impressive parade of household favorites.

The program spoke of the pleasure radio gives people, but, except for Stoopnagle and Tommy Riggs, the scrippers seemed afraid to go after a snicker or two to prove it. It spoke much of free speech without mentioning by name a single issue of the day and/or illustrating how free speech actually operates. As a study in symbol manipulation much of the continuity made. Lifeless repetitions of phrases rather than a vivid illustration of their application.

Land.

DUFFY'S TAVERN

With Ed Gardner, Gertrude Niesen, Col. Stoopnagle, Larry Adler, John Kirby's Orchestra

30 Mins.

CBS Forecast No. 6

Monday, 5:30 p.m.

KNX-CBS, Hollywood

Columbia must have had a taboconist in mind when it sprung this see-what-the-boys-in-the-back-room-will-have type of offering for sponsor approval. It's rowdy and rough and reeks of sawdust and brass rails. Withal, it's quite okay for male ears but hardly palatable for the dainty sippers.

That sets it apart in its niche and shoppers after that type of program will know just where to look.

Ed Gardner, producer and actor by turns, is 'Archie' all over the place. He runs the works as emcee and takes a fat slice of the show toward the end for his malapropisms and corny oaths.

All the action takes place in Duffy's saloon (pardon, tavern) and the performers, so listeners are told, are those who drop in casually. This show's visitors were a pretty professional lot. Running gag of Duffy phoning in after every turn is geared for chuckles, with Gardner's chatter providing the motivation. The vaude pattern was not entirely overlooked.

Bill opened with Gertrude Niesen torching 'Si Si' in sound fashion, although it was not a particularly happy choice. Tempo was a bit too fast for her best delivery.

Stoopnagle followed with his usual nonsense, stooged by Archie, and going into an ersatz Irish delivery to keep alive the gag that Duffy wanted a son of auld sod on the show.

It proved only mildly diverting. Larry Adler gave his harmonica a fast workout on 'Danny Boy' with some tricky variations. He was sneaked in on Duffy by being tagged O'Adler but that 'Danny Boy' squared him with the tavern keeper.

Where there's Gardner there's 'two top' so that brought on the monolog about the two-headed freak. Routine was the comedy high-spot of the show and deep in the laugh groove. The character has endless possibilities with Gardner's deft handling and could be integrated into any program for a solid sock.

Duffy still wanting an Irish tenor on the program and the time getting short, it was not totally unexpected when Clancy, the cop, burst into 'Irish Eyes.' That brought the tears to Duffy's eyes for a crying finish, which, if nothing else, is a novel denouement for a comedy show. Helm.

'GOOD NEWS IN ADVERTISING'

With Ken Farnsworth

15 Mins.—Local

WARREN NORGE

Daily, 6 p.m.

WMCA, New York

Radio, once somebody points a thing out, is not lacking in appreciation for a novel idea. PM, the new New York daily, carries no ads, but describes each day the copy carried at paid rates in other dailies. And that comes under the heading of something unusual.

In borrowing, or adapting, this slant for radio the WMCA auspices have selected one Ken Farnsworth as the announcer. On the basis of his first time at mike it did not seem that he possessed the right kind of gossip style for an entertaining report on what's what in the ads.

Actually he was dealing with ads due for publication a day or two ahead, so that it was hardly attention-calling stuff in the accepted sense of easy reference to the original. This was just one further proof of the extremely trying assignment the young man faced. It will not be held against him that he gave the impression of not knowing what he was talking about. Neither would the average radio announcer. But it will be held against the program.

The kind of talk and descriptive power that this idea demands will not be easy to find. Moreover, if found, it may be that the proper personality would demand or command too high a fee for the purposes of a local distributor of ice boxes and radios.

Farnsworth ranged over the Macy, Bloomingdale, Gimbel, Stern roster. Seemed evident that the stores were limited to those with whom arrangements had been made in advance.

Farnsworth was particularly uncomfortable attempting a description of cotton dresses for the girls. He did better on some maple furniture and seemed disappointed that the weather had turned cool in the meantime, thereby taking away the point of his eulogy of the dollar dinner and moonlight ride to Sandy Hook.

'All I know is what I read in the ads' is the slogan used fore and aft. It does not quite excuse the amateur impression.

Land.

Al Smith, CKCK Regina sales manager, is shouldering his musket twice a week at the local armory as a member of the non-permanent Regina (Sask.) Rifles regiment.

# KWKH

## SHREVEPORT, LA.

### 50,000 WATTS

# CBS

**KWKH serves nearly three million people within a 150-mile radius of Shreveport, in the heart of the world's greatest oil area.**



For more information about KWKH, one of the sixteen CBS 50,000 watt stations, inquire of The Brankham Company.

## SERVING THE RICH TRI-STATE MARKET

## No Summer Delays This Year On Uncontested Broadcaster Petitions

Washington, Aug. 6.

Long summer lay-off that usually has caused a log jam of important applications will not be allowed this year to delay action on anything that is uncontested. Administrative order amended by the F.C.C. last week delegates to a board consisting of all members of the commission present and able to act the responsibility for disposing of everything that needs approval of a majority of a quorum.

While enabling two out of three members to transact major business, the amended order provided that a majority cannot wind up any investigations instituted upon the commission's own motion—meaning in this instance the chain-monopoly probe—or any fuss between rival applicants. Also any proposed decision by which exceptions have been taken must go over until four members are on the job.

In present circumstances, only three regulators—the ultra-Nor Dealish crew—is available. Commissioners Norman S. Case and T.A.M. Craven, generally regarded as the break on ultra-enthusiasm, are away, as well as Commissioner George Henry Payne, who lately has been aligned with the administration faction. And Commissioner Thad H. Brown cannot vote until the Senate, still waiting for a report from its Interstate Commerce Committee, has confirmed his nomination.

The stop-gap arrangement will help out a lot of operators who have encountered no opposition on their pleas for more power, better frequencies, additional time, chance to unload to new owners, or different locations. Usually no decisions in matters of this kind are rendered from Independence Day to Labor Day, and only a corporal's guard is on hand to take care of the most minor type of routine business.

### Have a Title

Philadelphia, Aug. 6.

The w.k. one-armed paper-hanger was a bum-in-the-park compared to WDAS's Pat Stanton, Harold Davis, and Jerry Stone.

Here are some of their titles and jobs around the studio:

Stanton—vice-president, general manager, baritone, film critic, book reviewer, wrestling announcer, director of 'Merry Go-Round' program, Irish program chief.

Davis—Program director, production manager, sales assistant, sports announcer, music programs, night club commentator.

Stone—Publicity director, assistant production manager, sales promotion director, staff announcer, director of special events, public relations boss, legit theatre reviewer, head of news bureau, record and transcription purchasing agent.

## Illinois Fair Uses Acts Of 6 Stations

Chicago, Aug. 6.

WLS Barn Dance shows go into three state fairs this summer, playing Illinois, Indiana and Wisconsin as grandstand attractions. Illinois fair will use acts from five other radio stations in this territory: WBBM and WJJD, Chicago; KMOX, St. Louis; WDAN, Danville (Ill.) and WMBD, Peoria.

It will be the third year for the WLS show at Milwaukee and the ninth year at Indianapolis.

### PUMPHREY DEPARTS

Tevis Huhn Now Radio Director of Warwick & Legler

Preston H. Pumphrey, radio director of Warwick & Legler, has resigned and has been replaced by Tevis Huhn, formerly his assistant. Pumphrey is not known to have any plans.

Agency is readying 'Metropolitan Auditions of the Air' to return in the fall for Sherwin-Williams and is also looking for a show to replace 'Youth vs. Age' for Sloane's Limited.

## HATCH BILL AUTHOR WARNS RADIO

Washington, Aug. 6.

Charges that radio is about to be misused to circumvent the Hatch 'clean politics' act were made Tuesday (30) by Senator Guy M. Gillette, Iowa Democrat, who is chairman of the Senate Campaign Expenditures Committee. Claiming that a scheme was being hatched through which the law might be 'evaded' by asking political speakers to appear as guest speakers on commercially-sponsored programs, the Iowan warned that action might be taken to circumvent any such sub-rosa activity.

No formal complaints have been received, Gillette admitted, and it is probable that no formal crack-down will be made until the matter is brought to the committee's attention. However, it is felt that any wholesale use of the microphone by professional politicians would violate the spirit of the Hatch Act, which bans individual party contributions in excess of \$5,000 and political campaign contributions of more than \$3,000,000 by any political party.

Cuddling up with commercial programs—under the guise of 'guest speakers'—would represent a flouting of the Corrupt Practices Act against contributions by corporations to campaign funds, the senator indicated.

Gillette further stated that he felt that his committee had authority to 'delineate' between proper or improper political practices, even though they might be considered to be within the law.

## SPARTANBURG, S. C., STAFF REALIGNMENT

Spartanburg, S. C., Aug. 6.

Re-staffing of WSPA, recently purchased from Virgil V. Evans by Spartanburg Advertising Corp., has been completed. Manager Walter Brown announces. Personnel follows:

Thad E. Horton, commercial manager, formerly with WIS, Columbia, S. C.; WTAR, Norfolk, WGH, Norfolk, WGBR, Goldsboro, N. C., and WCOS, Columbia.

Jack Walters, program director, formerly with WKZO, Kalamazoo, Mich.; WBKA, Muskegon, WOOD, Grand Rapids and WSAV, Savannah.

Hal Moore, music director, with WSPA for several years.

Sterling Wright, news commentator, formerly with WOL, Washington, and WCOS, Columbia.

Cliff Gray, announcer, formerly with WEUF, Reading, WCAU and WIP, Philadelphia.

James Waldrop, announcer, formerly with WAIM, Anderson, S. C.; Ed Martin, commercial, formerly with WFBC, Greenville, S. C.

Jane Dalton, woman's commentator, retained from former WSPA staff.

Ralph Bennett, chief engineer, formerly with WFMD, Frederick, Md.; WDAY, Fargo; George Tait, assistant chief engineer, formerly with WOOD, Knoxville; WSPA; Bill Harmon, retained from former WSPA staff; Alvin Lanford and Carey Isley, retained.

Also retained from former WSPA staff, Mrs. E. F. Kay, commercial; Fannie Newman, cashier; and Hortense Bishop, hostess.

Station has applied for night broadcasting and is negotiating for network connection. New station will be built. A. B. Taylor, Spartanburg capitalist, is proxy of company. Brown came here from Washington newspaper connection.

## No Appreciation for Hard Work?

Such Is Washington Interpretation of George B. Porter's Quitting of FCC—Ring Consents to Stay

### Segregate V.P.'s

San Francisco, Aug. 6.

Special get-together for all NBC-ites attending convention was staged at Mardikian's Omar Khayyam restaurant Sunday night. Every seat in the place was occupied by NBC, with arrangements that no two v.p.'s could sit together. Affair was get-acquainted idea, with exec chevrons forgotten for evening. Meal consisted of exotic dishes which only Chef Mardikian can think up. Boiled microphones among them.

## AFRA Members Rib Own Union In N. A. B. Gridiron

San Francisco, Aug. 6.

Gridiron type of kidding revue called 'Greener Pastures' will close N. A. B. convention tomorrow (Wed.) night, first time this sort of thing has been included in an N. A. B. convention program. Sponsored by the Dodo club, organized by Lamden Kay of WSB, Atlanta, skits authored by Kenneth Jones and Ed Kirby, will rib ASCAP, AFRA, FCC, children's programs, women's clubs, and everybody and everything else adding to broadcasters' headaches.

Burlesquing 'Green Pastures', thing will be done on two stages, upper one representing office of De Lawd & Gabe, who will decide to 'let there be radio', whereupon montage of confusion via transcription breaks forth. Life of a broadcaster, with Will Aubrey of NBC doing the fall guy, will then unfold. FCC members will be represented by the Seven Dwarfs singing 'Hi Ho, we run the radio', tipoff of type of thing to be expected.

Boys have even found way to work in a strip tease and various chorus girls from Aquacade. Odd sidelight is that characters ribbing AFRA will be played by AFRA members who are getting bang out of whole thing.

### Lovell Mickles Beamish

Winnipeg, Aug. 6.

Lovell Mickles, of Joseph Hershey McGillivray, Montreal station sales rep office, just back from a swing through the west on an inspection tour, reports that despite war conditions, or possibly because of them, that business conditions throughout the country show decided upturn for coming season.

Reports stations all are anticipating better business this fall with many accounts already booking time for fall schedules.

Washington, Aug. 6.

Roundabout protest against refusal to advance staff workers was registered this week when George B. Porter, one of the mainstays of the legal force, submitted his resignation to the Federal Communications Commission. Porter will go off the payroll upon termination of his accumulated leave, about a month after the Commission accepts his resignation.

The withdrawal emphasized mounting resentment against FCC practice of bringing in outsiders for top jobs. Although he has been with the regulators since 1931 and has had a hand in almost every vital case, the bosses passed him over in filling the last two vacancies. Efforts were made by friendly commissioners to have the Iowan move up after Hampson Gary was booted and William J. Dempsey quit, but in each instance the orders from on high were that somebody else was to be installed.

Impending collapse of morale is indicated by Porter's departure. The lawyer leaves right after Andrew W. Ring, assistant chief engineer, let it be known he was talked out of quitting by Chairman James L. Fly, who reportedly said it would be humiliating if too many subordinates left in quick succession.

John Haley

After joining the Federal Radio Commission as attorney in February, 1931, Porter has been the principal hearing attorney since November, 1931. He was designated assistant general counsel in charge of broadcasting matters when the present FCC was created. In the latter capacity, he handled some of the outstanding issues, including the KXK, Los Angeles, license renewal fuss; the super-power matter; the Texas cases; and the changes in broadcast policy. He also performed important service with the chain-monopoly inquiry, where his long experience bridged the gap between the Hoover and Roosevelt administrations.

Porter will join Andrew G. Haley, another snubbed FCC barrister in private practice. Haley walked out about 18 months ago after being shifted around from one division to another and no appreciation allegedly was shown for willingness to take on much of the wearisome pick and shovel jobs.

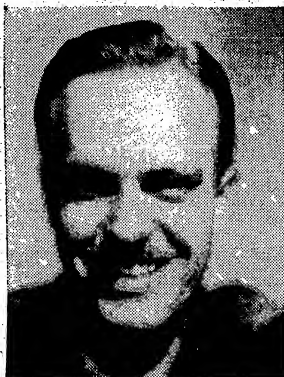
## WCCO's Puddle Queen

Minneapolis, Aug. 6.

What started as a gag and ended as a gag—paid off to the tune of beaucoup publicity for WCCO.

Kay LaVelle, 280-lb. mistress of ceremonies of WCCO's 6-7 a.m. Sunrises program, was entered in the Minneapolis Queen of the Lakes crown bathing contest for beauty. She was classified as finalist at large and, as such, appeared at all events and rode in a special car in the three parades.

Climax came during coronation of the queen. Chairman Neil Messick (who's also manager of Hotel Nicolet) presented WCCO super-gal with a teacup-sized silver trophy engraved: Kay LaVelle, Queen of the Puddles.



# LEITH STEVENS

Musical Director

FORD SUMMER HOUR

Sunday Evenings 9 to 10 P.M. EDT

Exclusive Direction

COLUMBIA BROADCASTING SYSTEM

**Lively Showmanship**  
WINS LARGER AUDIENCES  
in the  
**INTERMOUNTAIN MARKET**  
FOR **KDYL**  
The POPULAR Station  
Salt Lake City

Representative  
**JOHN BLAIR & COMPANY**

**NBC**  
RED  
NETWORK



# TIMECLOCK RULE TOO RIGID

## SO STATES N.A.B. TO LABOR DEPT.

**Henry Jaffe of AFRA Expresses Fear Granting Station Employer Special Wage-Hour Exemptions Would Cause Announcers to Be Exploited**

### SALESMEN'S AVERAGE

Washington, Aug. 6. More considerable treatment of broadcasters by the Federal officials policing industry under the wage-hour law was sought last week by Joseph L. Miller, labor relations adviser of the National Association of Broadcasters. While the industry operates by the clock, it is impossible to put many of its employees on such a schedule, the Labor Department was told.

What radio wants chiefly is deletion of the part of existing regulations which says that an executive cannot perform the duties rendered by his subordinates. Changes suggested would make it possible for chief engineers, transmitter operators, studio operators, program directors, etc., to double both executives and pinch-hitters at the panel or mike.

Industry's case—taken under advisement for subsequent decision—was built on the FCC wage figures showing that radio pays more than any comparable line. Miller marked that the Commish survey for 1938-39 showed the typical pay check was \$42.50. Informal opinion from the Bureau of Labor statistics, he added, confirms the contention that 'this is one of the highest, if not the highest paid by any industry.'

To show that no great hardship would result if phraseology written, the NAB representative listed data obtained from cross-section of its members. So far, 227 managers have said 546 workers would be affected by the proposed amendment to the present interpretation. These include 178 in small stations, getting \$39.31 a week on the average; 317 in medium stations, paid \$50; and 51 in high-power plants, drawing \$68.67. Projecting these figures, Miller said less than 1,500 persons, whose envelopes now contain an average of \$47.18 would be involved. He added that 'certainly Congress would not find in that group any necessity for passing a law to improve the working conditions.'

Radio desires a flexible—not a longer—work week, the NAB consultant explained. He commented that the industry involves much experimentation and creation, a lot of planning and thinking, which cannot be reduced to a time-clock basis. And most station managers are generous to the point, he said, where hired hams who have been compelled by operating exigencies to put a lot of time are told to take tomorrow off, sleep late the next day or go fishing for a while.

How to decide when an individual does a 'substantial' amount of work identical with his subordinates is almost impossible, Miller declared. He said that often a highly-paid boss 'itches in' during busy periods and should not be treated as one of the workers.

### Salemen's Average

Regarding outside salesmen, the broadcasters' mouthpiece subscribed to the idea advanced by newspaper publishers. Miller related that the 600 commercial outlets employed 1,298 solicitors, whose average earnings were \$48.41 weekly. Present definition is too narrow, he held, even if they do not peddle anything concrete or tangible. Selling time is just as much a case of showing initiative as selling groceries. Inside salesmen can punch a clock, he agreed, but the legmen who operate outside the office have to put in whatever amount of time and ef-

fort is necessary to pin down potential sponsors.

Opposition was registered by Henry Jaffe, speaking for the American Federation of Radio Artists. He opposed the NAB recommendation, raising fear that announcers would be denied added pay for excessive hours and referring to the decision in the KMOX case, which he said is a precedent that has been observed by the Wage-Hour Administration.

Cincinnati—Red Thornburgh last week joined WSAI's staff of announcers. On Sept. 1 he will start a 'Bowling Time' series for Red Top beer. During the past three years Thornburgh was a sportscaster on the Scripps-Howard station, WCPO, and assistant to Harry Hartman on broadcasts of the Reds' games.

## How Spielers Figure

Minneapolis, Aug. 6.

Bill Wigginton, WCCO announcer, had his arms around Claire Trevor, the film actress, during a recent broadcast, but wasn't aware of her identity until later. Now he's in the dol-drams because he didn't appreciate the experience properly at the time.

It all happened at a Saturday morning Open House broadcast during which the announcer quizzes women guests. Unannounced, Miss Trevor sat in the front row and when Wigginton asked her a question he sat down beside her and put his arm across the shoulder.

## Wayne University Surveys Air Likes; Contrasts Phone Vs. Non-Phone Homes

Detroit, Aug. 6.

Non-phone families listen to their radios over 30 minutes more daily than do families having telephones, according to the fourth 'Listening Table' survey made by Wayne University's Broadcasting Guild, under direction of Garnet R. Garrison. Moreover, these same non-phone families, usually neglected in most radio surveys, have radio preferences widely divergent from those of homes having telephones.

The Wayne U. research uses a new

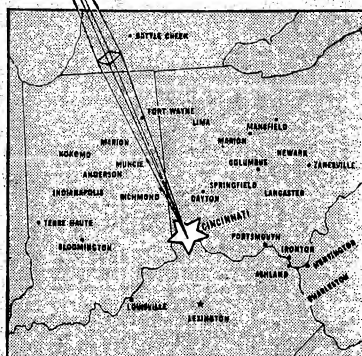
survey technique, developed at the local university. 'Listening Tables' are filled out at home by families of school children. Members of the family, as they listen to the radio, fill out the table according to station, program and persons listening each quarter hour during the assigned day. Since this survey covered seven days, an equivalent coincidental telephone survey would require 174,152 phone calls to achieve the same scope—72 quarter hours (Continued on page 31)

## LEXINGTON, KY.

1 3/4 hours from Cincinnati by train but part of Cincinnati by WLW.

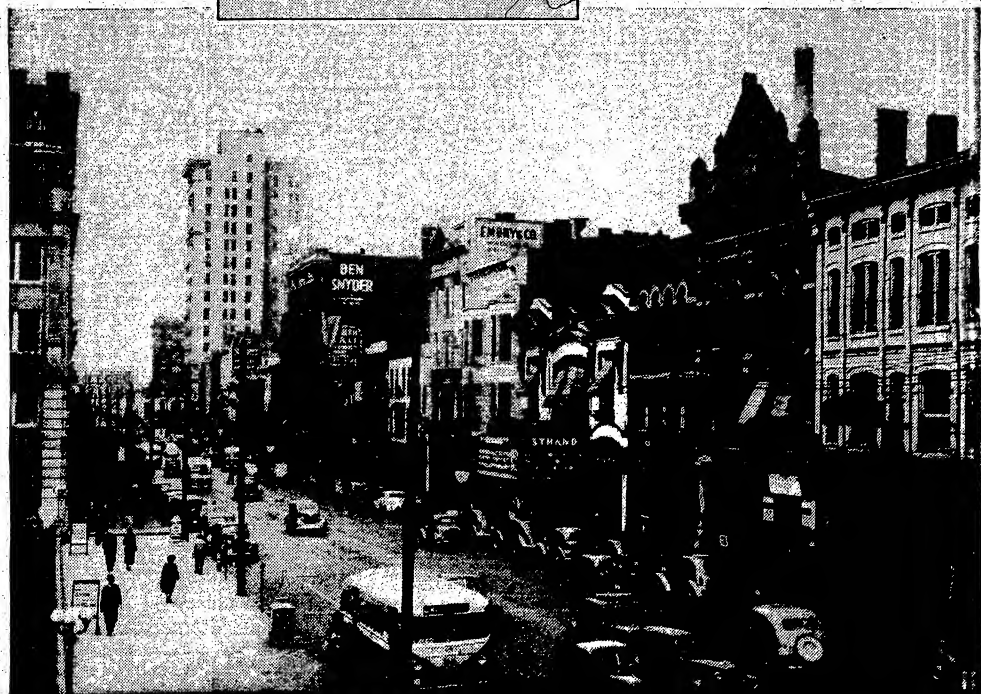
Population—1930	46,736
Retail Sales—1938	\$26,843,000*
Wholesale Sales—1938	\$64,021,000*
Per Cent of Nation's Buying Power (Trading Area)	1.000*
Radio Homes—1938 (Fayette County)	18,300

\*Estimated by Sales Management



that's what WLW-advertised brands do, according to Lexington retailers. It's natural that they should, for The Nation's Station is a regular listening habit in Lexington, just as it is in the more than a score of other rich trading centers that make up its primary area. And local merchants in all of these centers accept the resulting consumer preference as their cue to push WLW-advertised merchandise.

REPRESENTATIVES: NEW YORK—Transamerican Broadcasting and Television Corp. CHICAGO—WLW, 290 North Michigan Avenue



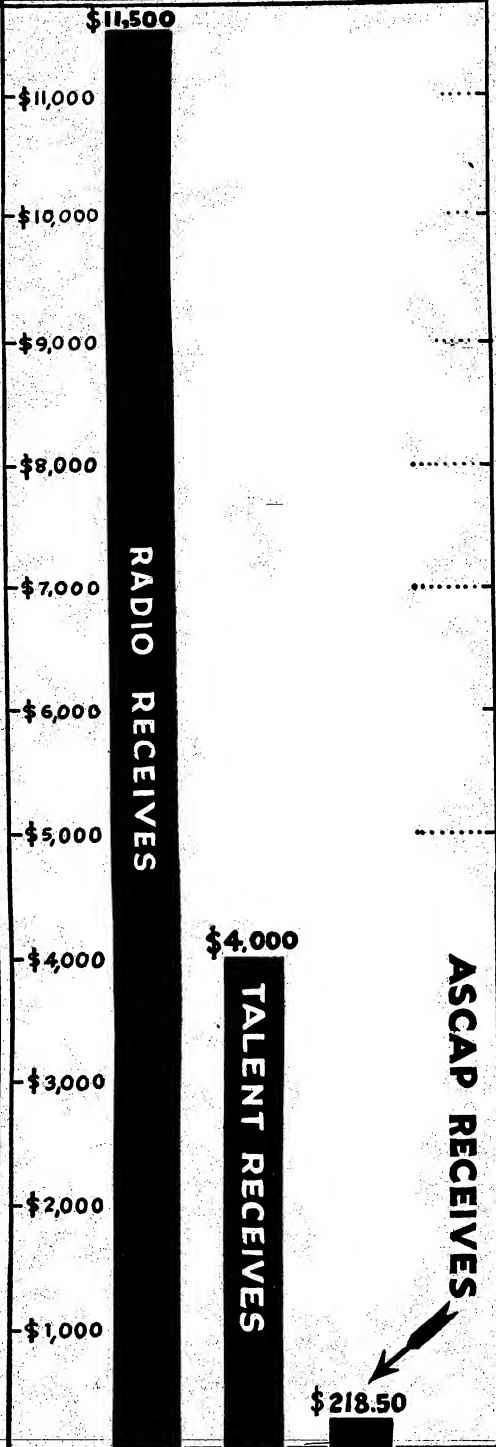
# WLW

THE NATION'S  
most Merchandise-able  
STATION

# A.S.C.A.P. MUSIC COST COMPARED WITH TIME AND TALENT COSTS LUCKY STRIKES'

## "YOUR HIT PARADE"

C.B.S.—SAT. NIGHT—VIA 100 STATIONS



AMERICAN SOCIETY OF COMPOSERS,  
AUTHORS AND PUBLISHERS  
30 Rockefeller Plaza, New York

ASCAP RECEIVES

TALENT RECEIVES

## Cost WLW, Cincy, \$16,000 to Cover 2 Conventions

Cincinnati, Aug. 6.—WLW's bill for special coverage on the Republican and Democratic national conventions, plus refunds to advertisers for cancelled programs, ran around \$16,000. Biggest item was \$7,322.80 for cancellation of NBC network and local accounts during the Republican powwow in Philadelphia. Cost of having a six-man staff and special lines for that session was \$2,100.

For the Democratic huddle in Chicago, Crosley's 50,000 watt refund was \$4,329.72 for lost time on commercials and the other expense was \$2,250.

No figures were announced for WSAI, another Crosley NBC affiliate, which used WLW lines to broadcast four programs daily from both conventions.

Purpose of James D. Shouse, general manager of the Crosley stations, in supplementing NBC programs on the convention with special coverage, was 'to supply material of particular interest to listeners in the mid-west, now that the public needs to be served, the peculiar way in which radio can serve.' His office also quotes Shouse: 'If we sit back and take everything, without doing our utmost to give as much as we can, radio will stagnate.'

### Ferguson & Walker Now Rep WBNX, New York

Ferguson & Walker has been appointed national representative of WBNX, New York.

Firm has offices in New York, Chicago, St. Louis, San Francisco and Los Angeles.

## Payroll Traffic

Charlotte, N. C.—William F. Carley, until recently with the J. Walter Thompson company becomes promotion and publicity director of Station WBT.

North Platte, Neb.—David Connor has joined the announcing staff of Station KGNF.

Youngstown, O.—Don Bethune now conducts the 'Morning Altar Service' over WKBN, Youngstown, under the sponsorship of the YMCA, succeeding Ernest Show, who retired recently after conducting the services for the last four years.

Fort Wayne, Ind.—Hilliard Gates has been added to the sports staff of WOWO-WGL.

Lima, O.—Don Isoset, manager of WLOK, Lima, O., transferred to a similar post at WAGA, Atlanta. Ralph Elvin will succeed him at WLOK.

Montreal—Jack Gettenby has been appointed chief engineer at Canadian Marconi station CFCF, Montreal, succeeding Ken Paul, who has been switched to transmitter development operations at Marconi factories.

New York—Hubert R. Doering has joined the Compton agency in an executive capacity. Was formerly with Anheuser-Busch, General Motors and Schlitz brewing.

Houston—Ves Box, announcer for KXYZ for the past three years, is leaving Monday to join the staff of KRLD in Dallas. Box will be replaced by Jack Thomas from station WACO at Waco.

San Antonio—Charles Balthrope, commercial manager of station KTSA, has been made assistant manager of the station.

Raymond Hollingsworth, of promotion department, leaves to become assistant manager of station KGNC, Amarillo.

Jack Schlichenmaier has been added to the KTSA merchandising department.

Fort Worth—Wally Blanton, former mickman for KABC, is newest addition to the announcing staff of

## The KROW Marines Have Landed

Meaning the Crew of San Francisco Bay's Unique  
Radio Maritime Mobile Unit

### Nice Work, If—

Washington, Aug. 6.—In connection with a CBS broadcast of a preparedness talk tonight (Tuesday) by Secretary of the Navy Knox, Ed Laker of WJSV gets a 10-day vacation, five days of which will be spent on the U. S. S. Wyoming, en route from Guantanamo Bay to New York.

After Knox finishes his part of the program, midshipmen from the battleship will be cut in for five minutes of interviews via short-wave. To handle this pick-up from the ship, Laker got the cuffs 10-day cruise. He planned to Cuba last Thursday (1), with a stop at Miami and arrives with the ship New York next Saturday (10).

### Homecomings, New Style, With Radio Coverage

Peoria, Ill., Aug. 6.

As a midsummer feature, WMBD is ethering a series of special programs from towns in nearby Illinois. Occasion for each broadcast is a homecoming, fair or similar occasion. Descriptions of main events, interviews with civic officials

corded and aired the same evening.

In order to receive the first broadcast, July 25, citizens of Mason City, Ill., where the program was recorded, installed loudspeakers in the downtown park, where those attending the homecoming could hear transcriptions of their own celebration before it was over.

San Francisco, Aug. 6.—KROW, Oakland, is outfitting a floating transmitter which will patrol 1,000 miles of waterways in San Francisco Bay and surrounding rivers. Putt-putter being remodeled is the Unda Maris, 50-foot cabin cruiser owned by Eddie House, staff musical director, who is also a yacht fan. When the wave-skimmer heaves anchor in September she'll have aboard a short-wave transmitter, a complete recording lab and an electric organ. Delux's tub will chug into such spots as Sacramento, Stockton, Martinez, Vallejo, Benicia, Crockett, San Rafael and Sausalito, crank up the organ and build shows on the spot around local events and personalities. Points which can't be reached by mike-lines will be spanned by portable transmitters. Waxed result will be aired later from Oakland station's San Francisco studios. Series will start with half-hour weekly shot.

The Unda Maris already has considerable radio history, having been brought out from Chicago last year as a CBS mobile unit in a tieup with the expo. House himself was with Columbia in the windy city prior to linking with KROW.

Current enterprise, just one in series of stunts cooked up by Phil Lasky, station manager, since he took over last September. At that time, juicer rated about 12th in field of 12. Lasky has jacked it up to a conceded fifth position, about as high a non-net unit can hope to get.

### 11 STATIONS ON LIST

Radio Advertising and Gellatly, Inc.,  
Merge Sales Rep Set-Up

Radio Advertising Corp. and Gellatly, Inc., have merged as of Aug. 1, to continue representation of station on their combined lists and the program production department of Gellatly. Firm will retain the name of Radio Advertising Corp. and remain in the latter's offices, New York. Branch offices are in Chicago, Cleveland, Detroit, St. Louis and San Francisco.

Combined station list now includes WHK and WCLE, Cleveland; WKBN, Youngstown; WHKC, Columbus; WIP, Philadelphia; WING, Dayton; WCAR, Fontaine-Detroit; WTOL, Toledo; WJHL, Johnson City; KPAC, Port Arthur-Beaumont, and WOLF, Syracuse. Gene Stafford heads the production department.

Toledo, O.—Louis Emm added to the announcing staff of WSPD, Toledo. He was commentator on the Board of Education series on the station.

**WEED AND COMPANY**  
NEW YORK  
DETROIT  
CHICAGO  
SAN FRANCISCO  
★  
RADIO STATION  
REPRESENTATIVES



# WOL Action Confusing

Judge Grants Right to Re-draft Suit Against Wahl and Biow

Suit of the American Broadcasting Co., operator of WOL, Washington, against The Wahl Co., owner of the Wahl Eversharp Pencil, and the Biow Agency, was dismissed Wednesday (31), by N. Y. federal Judge John W. Clancy, with leave for the plaintiff to amend its suit. The Judge declared that the plaintiff should separately state each cause of action, since the complaint as it stands now makes it impossible to judge the merits of the action or the criticism of it.

Action sought damages for alleged infringement of copyright, and an injunction against the program, "Take It Or Leave It," broadcast over CBS on Sundays at 10 p.m. It is alleged that Dec. 11, 1939, the plaintiff acquired a new quiz program called "Double Nothing." The William Morris Agency was authorized to sell the program, but on March 4 it was learned the defendants were contemplating putting on a similar program, and were warned of the attempted infringement. A deal was set up with Russel M. Seeds Co., on behalf of Brown & Williamson Tobacco Co., for the sale of the program.

On April 1, the plaintiff acquired a similar program entitled "Take It Or Leave It" from Paul Conrad, and sent out similar warnings. On April 21, defendants started broadcasting over WABC and on May 1, Russel M. Seeds cancelled the plaintiffs' option, claiming the programs were identical. On June 1, Seeds started sponsorship of "Saturday Night Party" over the Pacific Coast network, leaving the plaintiffs' program out in the cold.

The deal with Seeds called for a trial of 13 weeks at \$750, then 26 weeks at \$1,250 and successive jumps to \$2,000 weekly and an option for a year's renewal at that figure. The total amount or \$240,500 is sued for, as it is claimed the entire deal would have gone through if the alleged infringement had not been forthcoming.

## Examination Before Trial In Meredith Blake vs. CBS

Meredith Blake of the Hotel Lincoln, N. Y., will be examined before trial by attorneys for Jack Teagarden, in connection with Charles Balcoff's suit against Teagarden and CBS, Inc. The examination will take place Aug. 13.

Balcoff claims infringement, by playing, of his copyrighted song, "Darling You Weren't There," written in 1939, in a broadcast over CBS May 14, 1939, by Teagarden.

An injunction and damages of \$5,000 are sought.

Miss Blake is currently with Gray Gordon's band at the Hotel Edison, N. Y.

## NEEDLING AROUND U. S. A.

Nancy Grey Stalks Celebs Throughout the Country

Milwaukee, Aug. 6. Nancy Grey, femme commentator of WTMJ, accompanied by her portable recording machine, is off on another trip to the Pacific coast for material for daily broadcasts. Discs are airmailed back to studio daily so program is heard at regular time each morning. A trial trip last winter was so successful, both from listener and commercial standpoints, that she is now doing an encore.

Going through Colorado, she has lined up interviews of singers John Carter, Josephine Antoine and Philip Duesy; also Dr. Lloyd Shaw, dance coach and folklore authority, and Boris Annsfield, Russian artist. In Hollywood she talks with Walt Disney, then goes to annual fiesta in Santa Barbara, Yosemite, San Francisco and Sacramento.

## FCC's Sudden Okay Of Two Upstate New York Stations Is a Surprise

Syracuse, Aug. 6. Northern New York, which had just about given up hope on ever getting a radio outlet of its own, suddenly found itself with two permits from the FCC, both issued to Watertown groups.

After five years of deliberation, during which a license was granted a third Watertown concern, Black River Broadcasts, Inc., the FCC decision granting permits to the Brockway Company, publishers of the Watertown Daily Times; and to the Watertown Broadcasting Corp., came as a complete surprise. The Black River Broadcasts, Inc. permit was withdrawn about two years ago after the company had gone so far as to erect an antenna tower atop a Watertown building.

The Brockway Company has asked permission to operate 500-watt on a 1,270-kilo frequency, daytime only. Officers are headed by Harold B. Johnson, editor and publisher of the Watertown Times.

The Watertown Broadcasting Corp. sought a 250-watt, 1,210 kilos, for unlimited time. Dean R. Richardson is listed as president, G. Harry Righter, treasurer, and Bruce F. Gamage, secretary.

What role Black River Broadcasts, Inc., will play in the present picture is unknown. Harry A. Wise, chairman of the Jefferson County Republican Committee, was listed as president, with Samuel H. Cook, president of Central New York Broadcast Corp., operator of WFBL in Syracuse, as vice-president.

## FRED BATE PRAISES BRITISH NEWS SETUP

Fred Bate, NBC's chief London correspondent, declared in a recent transatlantic that "no arrangement could be more satisfactory" than the one in which broadcasts for America are handled under English censorship. Bate explained that a censor is "right in the studio" when making takes place; that he is there to facilitate last minute script changes and addenda, as well as to monitor. A direct line gives him instant contact with defense authorities. In case any question arises between broadcaster and censor, the latter can reach defense officials and obtain a prompt green light or red light on the most point. Bate said the one thing British authorities feared—"I do not agree with them, but I am prejudiced in this instance"—was that a broadcaster might "get excited" on a spot description of an air battle, for instance, and unwittingly reveal defense information.

Bate remarked that "there are several around here" whom, he felt, could be trusted to make "under any circumstance, without the slightest risk of disclosing defense information." NBC man explained how he and his staff functioned, mentioned that one air raid alarm—the only one caused him to move quarters 100 yards, and gave other interesting details of broadcasting in a belligerent country.

## 'THAT NEW STATION'

WBZ New Blast Causes Rumors in New Bedford, Mass.

New Bedford, Mass., Aug. 6. Switch in transmitter of WBZ, Boston, from Millis to Hull, startled radio listeners in southeastern Mass., who didn't happen to catch dedication program Saturday night (27) and who were otherwise unaware of transmitter change. WBZ now blitzkriegs into local loudspeakers where as before change station could hardly be heard hereabouts.

Frequent comment on New Bedford streets Sunday (28) was: "I'm getting a new station in Boston that just started broadcasting today."

## Same Rates But New Discount Plan at WLW

Cincinnati, Aug. 6. WLW's new rate card, effective Aug. 15, does not change the 50,000-watt's rates, but alters the method of computing discounts. Thus far discounts have been on a weekly value basis predicated on the amount of money spent. Under the new set-up the discounts will be computed on the volume of time used.

Bob Dunville, WLW general sales manager, is distributing the new rate card to agencies and clients this week.

## H. P. Hood on WEEI

Boston, Aug. 6. H. P. Hood Dairies is sponsoring "The Yankee Swapper" over WEEI, Boston. It's an adaptation to radio of Robb Sagendorph's idea which has been operating under the same title via the magazine route from Dublin, New Hampshire. Latter does not appear on show but handles all mail, etc. Prize goes to "Top Swap of Week."

## WCCO's Shortwave Stunt

Minneapolis, Aug. 6. Federal Communications Commission granted WCCO here a special frequency for an airplane broadcast of local Aquatennial celebration night features. With the call-letters WMPIP, Cielan Card, WCCO announcer, described lighting and carnival festivities from a 21-passenger twin-motored Douglas provided by Northwest Airlines.

In order to avoid any interference with regular aviation communication the shortwave frequency of 2,790 kilocycles was assigned for the broadcast which was picked up by WCCO and relayed over the regular wave length.

Brother Act at WCKY Cincinnati, Aug. 6.

With departure of Lee Bland for Youngstown, O., to become program director of WFMJ, WCKY has engaged Bernard J. Johnson, formerly of WSOY, Decatur, Ill., as announcer.

He teamed up with his brother, Al Bland, on the station's Morn Patrol eye-opener show.

## Still No Answer in Research

Why Programs Are Popular Can't Be Told in Percentages, Karol Reminds Ad Clubbers

San Francisco, Aug. 6. Ten years of survey research still haven't answered the question "What makes a radi program popular?" John J. Karol, market research counsel for CBS told San Francisco Ad Clubbers at their meeting in Palace hotel (31). Reminiscing on his decade in statistical radio, Karol pointed out that the time of day has

little to do with possible audience rating. "Programs can build up total listening audience at almost any reasonable hour," researcher stated, "interesting examples being King Edward's Abdication Speech which had a C.A.B. rating of 45.0 at 5 o'clock in the afternoon, and the President's 'dagger' speech which rated 45.1. Highest rating on record, ad men were told, was earned by Louis-Schmelling fight 1938 with score of 63.6."

Added that audience rating was not necessarily a selling rating, however, some shows mining gold despite lower-bracket pegging.

Karol asked audience if it could recall program toppers of '30, then named Amos 'n' Andy, Squibb with Will Rogers, Fleischmann with Rudy Vallee, Palmolive Hour, Collier's program, Floyd Gibbons for General Electric, Don Voorhees for General Motors, B. A. Rolfe's Lucky Strike hour, Eveready hour, Real Folks, Maxwell House, Cities Service, Atwater Kent, Armstrong Cork, A. P. Gypsies, Cluett Club Eskimos and Jones and Hare for Interwoven. Only two shows still survive: Amos 'n' Andy and Cities Service, the latter now trimmed by half. Several sponsors still airing but with new talent.

Average family now spends \$30 year on radio, Karol said, figure covering sets, parts and juice.

## Shepard's WICC to Have 250-Watt Competitor (Thomas) in Bridgeport

Bridgeport, Aug. 6. Federal Communications Commission has granted permit, and Harold Thomas, owner of WATR, Waterbury, and WBRK, Pittsfield, Mass., now goes ahead with plans for full time 250-watt 1,420-kilocycle in Bridgeport. New station will be Bridgeport's second, other being John Shepard, 3d's WICC, which is also in New Haven.

Thomas, who will operate without network affiliation, becomes Connecticut's first proprietor of two broadcasters.

Thomas station is No. 10 for Connecticut.

The minute that lasted seven months

"Some time ago," writes a lady from Boothbay, Maine, "I heard an advertisement over WEEI. Where can I buy the product now?"

"Some time ago" is right! Seven months ago to be exact! At five minutes before seven in the morning!! And 151 miles from WEEI!!!

★ ★ ★

Almost five million people, like the lady from Boothbay, live in WEEI's primary area. When they listen to WEEI, they really listen. And seven minutes or seven months later when they buy, they remember.

WEEI-landers like WEEI's full CBS schedule, its local programming, its New England point-of-view. Their acceptance and loyalty are the intangibles that turn listeners into customers.

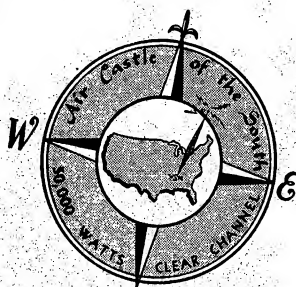
That's how WEEI welds Metropolitan Boston and 27 just-as-important extra counties into a single billion-and-a-half-dollar market that is bigger and richer than is regularly served by any other Boston station.



WEEI BOSTON CBS

Operated by Columbia Broadcasting System. Represented nationally by Radio Sales: New York, Chicago, Detroit, Charlotte, N. C., San Francisco, Los Angeles

To Plot Your Course for More Sales Per Advertising Dollar!



WSM

WSM DOESN'T COST... IT PAYS!

Owned and Operated by the National Life & Accident Ins. Co., Inc. National Representatives, Edward Petry & Co., Inc.

## Probe 1932 Acts of RCA

Continued from page 22

neck of P. A. Powers, independent sound equipment maker, who once filed suit against RCA. Sarnoff said former Senator Moses was asked to advise how to handle anti-trust cases because he was an older statesman with knowledge of Washington technique and Whiteford negotiated with former Senator Hastings. Both ex-legislators were paid sums for which they billed the company, Sarnoff declared denying unequivocally the story they received last campaign contributions. Whiteford got \$13,000 for his part. Postponement of the court proceedings due to open in October, 1932, was done with the approval of the judge, according to letter from H. C. Mahaffy, court clerk, who likewise denied he ever was in RCA offices or received remuneration for sending telegram delaying trial until consent decree was fixed up.

While Sarnoff at the outset said RCA never paid any official of the Government for services connected with the trial, later he said he did not mean to give the impression that the Hastings law firm and Moses were not compensated. Former New Hampshire solon, who was president pro tem of senate for several years, later was hired to survey European communications problems, getting several thousand dollars in fees, RCA head testified. Neither of the ex-senators appeared in court, he acknowledged, nor did Whiteford. He thought Hastings firm got \$7,500 for helping prepare briefs.

Doubt about innocence of the transaction was reflected by various committee members. While Senator Wheeler registered strong disapproval of FCC for not making thorough inquiry into various accusations. The committee head said he felt commissioners should have cleared matter up for all time in conducting chain-monopoly probe. Senator Sherman, Winston, or any other president and laughed off the statement that he had boasted of close friendship with President Roosevelt in allegedly predicting the suit would be settled.

The Keller story is "fantastic romance," according to Sarnoff, who said he never talked over the anti-trust matter with Hoover, "or any other president" and laughed off the statement that he had boasted of close friendship with President Roosevelt in allegedly predicting the suit would be settled.

Keller, who has been consulting with Senator Tobey's secretary frequently during previous sessions, was not privy to some of the conversations, he maintained. Experiences should convince RCA that companies in trouble should not hire Washington lobbyists and pressure crews, Senator Wheeler remarked, observing that "there are more shake-down artists in Washington than any place I know of." Sarnoff agreed, though maintaining that when he sees somebody who is effectively fighting his company he thinks it good administration to hire them if possible. Belief that Senate committee hearing on Thad Brown is being used by disgruntled RCA minority stockholders was voiced by Davis at one point. He feared sudden twist inquiry has taken, might make committee a springboard while com-

missioner-designate sat quietly in background without being questioned or even noticed.

### Summons Voted Thursday For Vacationing Sarnoff

Summons for Sarnoff was voted Thursday (1) after the RCA head declined to return from his vacation and sent word he doubted he could be of use or help to the solons. The previous day the committee made numerous additional rings around the Columbia-Paramount mulberry bush and heard Tobey go after Thad Brown again in regard to numerous statements contained in the chain-monopoly committee's report.

Strong denunciation of the FCC for failure to pay more attention to what's said on the floor of Congress preceded Tobey's motion to insist on attendance of the RCA prez. Both the New Hampshire Republican and Chairman Burton K. Wheeler of Montana lashed Brown, insisting it was inexcusable for the regulators to disregard charges that one of the Government's licensees tried to "bribe" members of the Senate or interfere with the administration of justice.

Registering surprise at Brown's non-appearance at the Thursday (1) morning session, Tobey announced that a representative of RCA (presumably former Assistant Secretary of Labor Edward F. McGrady) had offered to be of service after explaining the company chief was relaxing from his labors. Tobey squawked that he would not be satisfied with any pinch-hitters, that he desired to quiz the individual who could give first-hand testimony about the Wilmington case.

To pave the way for his motion to summon Sarnoff, Tobey commented on the "conspicuous absence" from the chain-monopoly report of references to "another big broadcasting company," particularly when such critical comment was made concerning CBS. He also observed that six weeks ago he drew attention to aspersions by former Rep. William D. MacFarlane regarding RCA-NBC executives—he spoke of "very serious" accusations that stockholders had been "defrauded" of millions—and added he had expected Brown to offer some testimony about this matter. The Granite State paraphrased the one-time Texas House member as having presented proof that RCA hired two former Senators "to perform an operation—to interfere with the course of justice" in the 1932 anti-trust proceeding.

### 'Charges by Congressmen Deserving of Respect'

The Tobey summary agitated Senator Wheeler, who turned furiously on the FCC member—addressing him frequently, in belligerent fashion, as "you—Brown"—with declaration that the Commission cannot justify its indulging the MacFarlane complaints, carried in 1938 Congressional Records. When Brown demurred that "widespread notices" of the chain-monopoly hearing had been issued, the Montana Democrat snarled "you can't hide behind that," if this Commission has any brains, when a man makes a statement on the floor of Congress that a man is

bringing somebody to maintain a monopoly, it will look into it. It's a pretty poor excuse to try to get to know it. These commissions ought to investigate these things."

Contrast between the Col-Par matter, and the MacFarlane charges, Tobey said, makes it doubly difficult to understand why the Commission never went into the Wilmington matter. He said the "sin" alleged to have been committed by RCA outweighed 10 to 1 the conduct of CBS which the chain-monopoly probes criticized severely, adding "you close your eyes; you never batted an eyelash... this matter has dropped into oblivion." If true, the accusations against RCA "far more" than the offense with which the probes charged Paley, et al, he commented.

Question whether the Justice Department should not be held responsible for looking into the MacFarlane assertions was raised by Senator Homer T. Bone, while Senator Wallace H. White sought to excuse both Brown and the two former senators reputedly hired to bring about postponement of the anti-trust case. But these observations did not silence Wheeler or Tobey, although both agreed the Attorney General's office should have paid attention.

These statements about RCA are "the strongest kind of evidence, if true, that a monopoly existed," Wheeler yowled, saying he cannot understand the feeling this situation was not worthy of inquiry by the regulators. The Senate committee chairman burned Brown with comment that "either you're dumb or you didn't want to go into this."

In his own defense, Brown quoted Chairman James L. Fly—who was employed in the Justice Department anti-trust division at the time the alleged "fixing" took place—as saying it is not the FCC's province to comment on conduct of anti-trust cases, and that the Commission's limited powers would not warrant any investigation. This statement by Fly, in a letter sent Wheeler, June 17, is no excuse at all, Wheeler declared, inquiring "what in the name of God did you hold an investigation for if you're not going into monopolies?"

### Radio Investigation Sidetracked by Promise

Recriminations about inability to bring a "congressional" probe of monopoly came from Wheeler and Tobey. Both remarked that the Administration killed the old Connelly resolution by assuring Congress the FCC would do all the investigating necessary. Wheeler observed, "the same excuse was given us, when Senator White sought to bring anti-trust inquiry. White remarked that 'somebody in a high place' feared an outside body, and Tobey sourly cracked, 'somebody heard his master's voice'."

The wisdom of checking on news commentators and Commission restrictions against former employees engaging in radio work also were brought into the hearing Thursday (1). Wheeler showed alarm at reports WLW, Cincinnati, may try to get its 500 kw license renewed under the guise of national defense, while Tobey, backed up by Senators Clyde Reed of Kansas and Vic Donahue of Ohio, was critical of spelieters who might take a one-sided view of the war situation. In the latter regard, nasty remarks were made about H. V. Kaltenborn, and Edwin C. Hill. Brown's only comments on this subject were that FCC rules require definite announcements whenever any programs are sponsored.

Much repetitious testimony was elicited from Ralph Colin, counsel for William S. Paley and CBS, concerning the Columbia-Paramount stock swap during the day-long session Wednesday (31). In the end, Tobey dropped his suspicious manner and indicated he was convinced there was nothing wrong and the FCC probes had done an injustice in assailing CBS in their report.

After Colin had been quizzed for two more hours and offered further explanations of CBS' 1929 agreement to sell to and the 1932 agreement to buy back from Paramount, Tobey complimented him on being a forthright witness and supplying valuable information. Then he paced on Brown once more, demanding justification for various statements in the report critical of Columbia. Bored colleagues displayed almost no interest in the rehash, though Senator Matthew M. Neely of West Virginia wailed, "few times that Tobey was going far afield, especially in inquiring whether the necessity of buying back its stock was not one of the primary reasons why Paramount was forced to reorganize under 7TB."

Little new information was supplied by Colin in his final appear-

ance in the witness chair. He persisted in his explanation that the FCC probes confused the facts, maintaining that Paley and his associates profited because they bought CBS stock low and sold it high, not because they manipulated company funds improperly. Throughout his argument, Tobey appeared skeptical—observing repeatedly he thought the repurchase by Columbia was designed to establish a price so Paley and the other insiders could unload part of their holdings to Brown Bros., Harriman at a handsome figure. He picked up inconsistencies in Colin's prior discussion, particularly a remark that the CBS owners paid cash for the Paramount paper. Senator Wheeler likewise continued suspicious, observing that company money was used to "enhance" the stock of a few directors—which Colin vigorously denied.

Brown was put under the spotlight again at the conclusion of Colin's testimony and treated roughly by Tobey when he proved unable to elaborate on miscellaneous statements in the chain-monopoly report. At one point, the harassed Commissioner was forced to call on William J. Norfleet, chief accountant of the FCC, to help untangle the statement that CBS used "capital" funds to buy back the stock held by Paramount. (Colin and John J. Burns, special Columbia counsel, argued vehemently that the purchases were financed out of "surplus.") For a while, the hearing was free-for-all with Burns and Colin sharply cross-examining Brown and Norfleet.

When Brown tried to read from a letter which Fly sent the committee—the communication never was made public—about the CBS matter, Tobey snarled, "Is Fly going to be a wet-nurse to you, a crutch for you?" Norfleet's remark that CBS books were confused infuriated Colin, who yelped that the FCC accountant's alibi was "ridiculous on its face," while Tobey angrily announced he considers it "a damned outrage" if the chain-monopoly probes submitted an incorrect report.

On some points, Brown backtracked noticeably. He said that the complaint in the report that CBS directors looked after their own interests, sacrificing those of other investors, was an "error" and conceded that at one point in analyzing CBS operations the document included "several names that shouldn't have been there." He maintained that the CBS repurchase "had the appearance" of stock-rigging operation, but commented when all the facts are available such an indictment "may have been too strong."

Relationship between Brown and former Governor James Cox of Ohio, as well as the commissioner's friendship with other FCC licensees, was brought into the discussion. When Tobey remarked on the surprising speed with which the Commission ratified sale of WSB, Atlanta, to Cox, Brown said he did not believe any political influence was exercised. Tobey sourly noted that Cox "urged your appointment at the White House and has been urging your confirmation" and then inquired if Brown feels it is proper for a Commission member to accept favors and hospitality from individuals engaged in the broadcasting business. Brown justified his conduct by pointing out he knew Cox 29 years, prompting a cryptic remark by Tobey that he would not go into Brown's visit to Agua Caliente while on official business in Los Angeles.

### WBNY Stays Individualistic

Buffalo, Aug. 6. New slogan is "Buffalo, city of good neighbors," and most stations are so calling it in their standbys.

But WBNY has cooked up a phrase of its own, "the city that has everything."

## 5th Column Law As Suggested Is Very Broad

Washington, Aug. 6. Bill imposing stiff punishment on anybody transmitting "subversive matter," as laid before Congress, includes radio, raising the spectre of coded messages or foreign-language propaganda.

Legislation offered by Senator Robert R. Reynolds, North Carolina Democrat, who is one of the most vociferous denouncers of fifth columns. His proposal is to jail for two years or fine up to \$5,000 any individual who helps spread un-American ideas or reasonable suggestions. Under the terminology, station operators might be subject to these penalties, matter what safeguards they take.

## Egyptian Prince In Mont', to Shortwave Pleas to North Africa

Montreal, Aug. 6. Prince Abdullah Ben Ayad of Tunis, uncle of the King of Egypt, who arrived here last week to take up temporary residence in Montreal, is planning a series of radio broadcasts to French North Africa. The Prince will endeavor to swing Tunisia, a French protectorate, to support of General Charles de Gaulle and all those of French descent who are fighting for democracy.

In a statement to the press on arrival, Prince Abdullah said that Tunisia would resist any attempted Italian invasion of the country. The Prince, who lost a leg during the last war in the Dardanelles campaign, is reported to have received a request from Admiral Musilier, fighting chieftain of the French marines now with the British forces, that he launch radio appeals to the citizens of French North Africa to support the Frenchmen who are free to fight against their common enemy.

### Honor Sullivan, Fischer

Louisville, Aug. 6. WHAS newscasters Paul Sullivan and Dick Fischer were given honorary memberships in the Regular Veterans Ass'n Wednesday (24). The group is an organization of veterans who have voluntarily served with the Army, Navy, or Marine Corps, and were the 34th and 33d, respectively, conferred by the organization in its 10 years' existence.

Presentation ceremony took place in the WHAS studios, and George L. Griswold, national deputy chief of staff, who is finance officer at Fort Knox, told new enrollees their memberships were recommended because of recipients' "unselfish and unceasing services" and because their "patriotism and loyalty are unquestioned." Caps and insignia were presented along with the memberships.

**WBAL**  
means business  
in Baltimore

## IMPORTANT FACTORS IN CHOOSING A TEST MARKET -- Baltimore has all 10!

1. Good advertising coverage at reasonable rates.
2. An average income (as determined by Sales Management's Survey of Buying Power) which correlates closely with the section, or its population group.
3. A population which is diversified, representative, well-balanced, of average cultural level.
4. An average level of business activity.
5. Suitable and sufficient distributive outlets.
6. Well-diversified industries.
7. A self-contained economy; be well-isolated in relation to other larger markets.
8. Close to average retail sales per family.
9. Compact boundaries, for sales efficiency and frequent checks.
10. Advertising media which will cooperate in making a test.

**WFBR**  
ON THE NBC RED NETWORK

EDWARD PETRY & CO.  
National Representatives

**'THE O'NEILLS'**  
By JANE WEST  
NOW RADIO'S MOST POPULAR  
FAMILY BRINGS YOU MORE  
LAUGHTER TEARS AND HEART-THROBS  
Presented by Ivory Soap - 99% pure  
**LISTEN TWICE DAILY**  
NBC Red Network, 12:15 to 12:30 P.M. EDT  
5:45-6 P.M. EDT  
COAST TO COAST  
The COMPTON ADVERTISING AGENCY  
MGT. ED WOLF-RKO BLDG., NEW YORK CITY



# SPEAKING OF RADIO EXECUTIVES

(Odd bits of information extracted from biographies of radio industry personages as compiled for Vol. IV, VARIETY RADIO DIRECTORY, now on the presses and soon to be published.)

## Did You Know That—

Andrew W. Bennett, special copyright counsel of the N.A.B., worked for the British Embassy in Washington from 1916 to 1918; that he served with an insurance company in Bulgaria—  
 Phillips Carlin originated the NBC chimes—  
 Frank Chizzini, assistant manager of the NBC recording division, used to be an official of Lily Cups—  
 Sterling Fisher, Director of Talks at CBS, used to teach English at the University of Western Japan—  
 Dr. Augustin Frignon, assistant general manager of the Canadian Broadcasting Corp., was educated at Massachusetts Institute of Technology and the Sorbonne, Paris—  
 Earl Gammons, general manager of WCCO, Minneapolis, once edited 'The Watch on the Rhine,' a military publication of the A.E.F.—  
 Gilson B. Gray, commercial editor of CBS, went to Phillips Exeter and Princeton—  
 F. Melville Greene, sales traffic manager of NBC, owned an amateur broadcasting station in 1918—  
 Jap Gude's right name is John and he was Ph.B., Brown, '26, before CBS—  
 Arthur Hayes, sales manager of WABC, New York, used to be with the Detroit News—  
 William Hedges of NBC was a radio editor for nine years—  
 Horton Heath, manager of the RCA Department of Information, was once an associate editor of New Yorker Magazine—  
 Guy Hickok, Director of Shortwave Programs for NBC, was ship news reporter for the Brooklyn Eagle and foreign editor for the lamented Literary Digest—  
 Jimmy James, advertising manager of NBC, is more correctly identified as Edgar P. H., that he was born in London, that his father was a famous English cartoonist who later founded his own advertising agency, that Jimmy is active in the Amateur Comedy and Mendelssohn Glee Club—  
 Ed Kirby, trouble shooter of the N.A.B., built up the stamina for the job at New York Military Academy and later the Virginia Military College—  
 William Koska, manager of the press division, NBC, was managing editor of Fawcett Publications, 1933-36—  
 Leon Levine, assistant director of educational broadcasts at CBS, started as a newspaper reporter—  
 William B. Miller, night manager of NBC, won the Pulitzer Prize in 1925—  
 Layland T. Morgan, Director of Public Relations at NBC, attended Jersey City public schools en route to Columbia—  
 Alfred (Doc) Morton, NBC television chief, once supervised the building of radio stations in Rome and Milan, Italy—  
 Frank Mullen, newly elevated v.p. and general manager of NBC, was once editor of The Swine World, a trade paper (Harry Butcher, CBS Washington v.p., once edited the Fertilizer Review)—  
 William S. Paley, ruler of CBS, graduated from Western Military Academy, Alton, Illinois, in 1918 and went to Chicago and Pennsylvania universities; he has two children, Jeffery, two, Hilary, one—  
 William G. Preston, assistant to the NBC v.p. in charge of programs, is a leader in Yale alumni movements and used to be executive assistant to Robert Hutchins, president of the University of Chicago—  
 Vic Ratner, Director of Promotion at CBS, is the husband of Letitia Ide, the dancer—  
 John Royal, NBC showman v.p., ran theatres for Keith from 1919 to 1929—  
 John Shepard, 3d, president of the Yankee and Colonial networks and FM Broadcasters, is the father of three daughters—

## Trammell-Mullen Combo

Continued from page 20

a one-party-no-politics regime. Favorable omens in this direction are that (a) Trammell picked Mullen as his chief of staff and (b) Mullen advocated abolition of the executive vice-presidency as having historically had a bad influence at NBC and as, moreover, being too close in implication of authority to the presidency itself.

Mullen in getting this important appointment at the age of 44 will serve under another young man, Trammell only being a couple of years older. Also seen as a happy hint is the fact that for the first time the network has veteran broadcasters as number one and number two

men. Like Trammell the new NBC general manager dates back to the early days of broadcasting. Although he has been with Radio Corporation of America since 1934 he has never lost contact with broadcasting and the return to NBC of which, from 1926 to 1934, under Trammell in Chicago, he was director of agriculture, is a natural intra-family transfer.

### Spokesman Role

The Trammell-Mullen regime takes over the operation at a time when many changes within the organization are already under way and others likely. Notably the segregation of the Red and Blue networks is prominent on the agenda of things in progress of development. Roy Witmer for the Red and Edgar Kobak for the Blue will, it is hoped, increasingly relieve Trammell of the sales burden; altogether so that Trammell can specialize more and more in his public appearance, spokesman for NBC, major policy moulder tasks. Mullen's duties will be broad, in line with the general managership and Mark Woods is a possibility for the title, now non-existent, of assistant general manager.

Two general objectives are apparently under way at NBC with the Trammell-Mullen set-up.

1. The presidency will be protected, as never before, from politics, sniping, confusion of authority. With this will go a conscious, deliberate policy of destroying in advance the seeds of executive politics of the weed-like kind that have been noted in the past.

2. Trammell and Mullen, individually and jointly and echoing David Sarnoff, appreciate the growing complexity of network operation and the fact that mere internal administration and salesmanship is not the full story today. Both men are expected to stress 'public service' and to cultivate that kind of contact (as distinct from advertisers) in the interest of broadcasting as an institution.

## Young NBC Execs

Appointment last Friday (2) of Frank Mullen to be NBC vice-president and general manager at the age of 44 calls attention to the youthful age average of NBC officials. Niles Trammell, the new network president, is but 48. David Sarnoff is 49.

Typical of the age levels of NBC executives are these taken at random from biographical data in the VARIETY RADIO DIRECTORY, Vol. IV, which is now on the presses:

Frank Russell, 45.  
 Sidney Strotz, 42.  
 Lewis Titterton, 42.  
 Rudolph Teichner, 42.  
 John Royal, 54.  
 Dought Wallace, 49.  
 Mark Woods, 36.  
 Phillips Carlin, 46.  
 William Hedges, 45.  
 William Koska, 35.  
 Wilfred Roberts, 36.  
 Clay Morgan, 46.  
 Alfred Morton, 43.  
 W. B. Miller, 36.  
 Walter Preston, 38.  
 Hugh Beville, 32.

## AIR HANDBOOK FOR POLITICOS' OUT

Seattle, Aug. 6.

Probably unique in broadcasting history—the elaborate fully documented handbook just issued here under the impetus of KOMO-KJR, but inclusive of other stations in the state, for the information of office-seekers that wish to use radio time.

Celluloid, painted with rings to mark each station's coverage area, overlays a map of the state. Full data on rates, on line charges, on special transcriptions (even the press charges are itemized) plus population breakdowns are included.

There is also included advice on how to 'streamline a political campaign' and the N.A.B. booklet on mike conduct for politicians is folded into the front cover. Hugh Felts is credited for idea.

WEAN, Providence, to modernize its Crown Hotel studio. Work started this week.

## Organized Charity Not Pleased as WHO Takes Initiative to Help Iowa Farmers

### Wayne Survey

Continued from page 27

each for 2,391 families covered in the survey.

Of the total of 2,391 families receiving the listening tables through school children, 1,988, or 83%, were returned. The number of families reporting listening by some member of the family during the day surveyed totaled 1,799, or 75%, of total.

### Sex and Age

In addition to facts on phone and non-phone families, which alone is extensive, the Wayne survey also gives detailed information on listening habits of sex and age groups. It is to be noted likewise that this data was not gathered at various times by separate surveys, but simultaneously so that comparisons of preferences may be made an analysis of what the makeup of each audience is in terms of these groups.

Proportion of telephone families to non-phone families, covered in the survey, was 44.7% with phones and 55.3% without phones. The six Detroit stations contributed moderate sums of money on a cooperative basis to help pay for incidental expenses of the survey, while Garrison's NYA office staff tabulated the data. As an incentive for individual station showmanship, a study of the detailed quarter-hour results reveals that listeners twist the dial often to get the program they want.

There was wide divergence in the preference of phone and non-phone families for evening programs. Phone families listed their first five favorite evening programs in this order: Charlie McCarthy, Jack Benny, Lux Radio Theatre, Fibber McGee and Gang Busters, while non-phone families preferred evening programs in this order: Gang Busters, Jack Benny, Charlie McCarthy, Major Bowes, 'One of the Finest.'

Breakdown of the favorite daytime programs, phone and non-phone families combined, show the following five most popular programs: The Shadow (CKLW), Jack Armstrong, Children's Theatre (WXYZ), Girl Alone, and 'I Want a Divorce.' Women's day time preference is shown as follows, phone and non-phone families combined: 'Kate Smith' (noon), 'Our Gal Sunday,' 'Bachelor's Children,' C. C. Bradner

Des Moines, Aug. 6.  
 WHO, Des Moines, Iowa, went on the air almost immediately after a tornado and hail storm destroyed 100,000 acres of fine farm land in two western Iowa counties recently and led job of getting contributions for the stricken area. Tenant farmers in this area found Portsmouth had gone through several seasons of drought and their credit was so exhausted they couldn't even buy feed for livestock let alone rebuild their demolished homes.

Although organized charities took exception to WHO's prompt activities, they are now able to care for some of the needs of the community, but if it hadn't been for the prompt humanitarian work of the radio station much livestock would have perished.

Combining with the Harlan, Iowa, Commercial club, a 'Portsmouth benefit show' is being given at the Shelby County fair grounds tonight to raise funds for the stricken area. All talent for the show is being donated by radio stations in the mid-west and every penny of the proceeds will be turned over to the destitute farmers. Cooperating with WHO in the project are stations KSO-KRNT, Des Moines, KFNF, Shenandoah, Iowa, WOF and KOWH, Omaha, KMA, Cedar Rapids and Waterloo, and WNAX, Yankton, S. Dakota. Fifty-six artists are giving their services gratis and so many organizations are contributing to the show it will doubtless prove the biggest benefit show ever staged—the state.

WHO has put in lines to Harlan and will carry a part of the two and one-half-hour show, rebroadcasting it to KSO, KMA, KFNF, WOF and KNAX.

(WWJ), The Goldbergs, Stella Dallas, Helen Trent, 'When a Girl Marries,' 'Big Sister,' Aunt Jenny.

The Top Ten evening programs, compared according to makeup of audience, is shown by the survey to be as follows:

	Percent	Men	Women	Boys	Girls
Charlie McCarthy	21	28	28	28	28
Jack Benny	22	28	28	28	28
Gang Busters	18	14	30	32	32
Lux Radio Theatre	17	30	30	32	32
'One of the Finest'	14	19	85	32	32
'I Love a Mystery'	14	22	31	32	32
Major Bowes	24	36	18	26	26
First Nighter	17	18	22	43	43
Mr. District Attorney	17	21	32	32	32
One Man's Family	21	21	22	28	28

# 5000 WATTS

ON 560 K.C.

with DIRECTIVE Antenna!

AIMED AT PEOPLE AND POCKETBOOKS

● KLZ's new directive antenna concentrates its power output in a northerly and southerly direction. This is done to eliminate interference to stations on the West Coast and in the East. But in directionalizing its signal strength, KLZ has likewise turned its full force on the buying power of the Rocky Mountain region... on Cheyenne, Boulder, Greeley, Fort Collins to the north... on Canon City, Cripple Creek, Colorado Springs, Pueblo to the south. In short, this new directive antenna, the most modern known to engineering science, combines with KLZ's new 5,000 watt authorization, full time, to make KLZ the best buy in the Denver region today. Actual measurements of this improved coverage are now being made. Findings will be made available to advertisers within a month. But an indication of what may be expected is to be found in tests in downtown Denver where KLZ's signal has increased about 150% in the daytime, 350% at night.

FIRST in PHILLY

C. E. HOOPER SURVEYS

Audience of Philadelphia Network Station 9:30-9:45 A.M., Mon., Fri.-Sat., Mo. Avg.	19.9%
WFIL	
WCAU	17.0%
KYW	8.5%

% Listeners Identifying Station and Program  
FIRST WITH 46 OTHER PROGRAMS

For LOWER COST Circulation  
BUY WFIL

Music for

ELLERY QUEEN

Composed and Conducted  
by

LYN MURRAY

Mgt. COLUMBIA ARTISTS, Inc.

## 'Ned Jordan' Set on WGN, Chicago

Procter & Gamble, MacFadden, Nelsons, Rival Dog Food Boost Total of Trib Station

Chicago, Aug. 6. Allen Campbell, general manager of WKY, Detroit, has set deal for the Chicago sponsorship of the WKY-produced 'Ned Jordan, Secret Agent.' Will go on WGN which has been the outlet for the 'Lone Ranger' in Chicago, starting Aug. 13, taking Tuesdays at 7-7:30 p.m. Sponsor will be Walter Johnson Candy, through the Franklin Bruck agency. Other new accounts on WGN are the 'Gossett Singer,' a five-a-week shot for Procter & Gamble through H. W. Kastor agency; 'I'll Never Forget' on Mutual for True Story Magazine, a three-weekly 15-minute program set through the Kudner agency; 'And Listen to the Band,' local commercial set by the Hartman agency here for Nelson Bros., a six-a-week schedule; 'Whistler and His Dog,' three-a-week local for Rival Dog Food, through the Charles Silver agency; 'Jean Abbey,' a weekly 15-minute shot for the Woman's Home Companion, through the McCann-Erickson agency.

WIND has a rock of renewals for participation in the 'Sports Edition' show, including Axtion-Fisher, Michigan Chevrolet and Wilson Packard (Ideal Dog Food). New on the show will be Mapleton Cigarettes through the Weiss & Geller.

WIND also has Goldenrod Ice Cream, through Gooding-Joie & Morgan, announcements; Swift Packing Company, through J. Walter Thompson, announcements; Manhattan Brewing, one min. spots; Quality Laundries, through Newby, Peron Liftcraft agency, announcements.

Aug. 3 Compared to July 27				
Network	Local	National	Spot	Total
Units	Units	Units	Units	Units
9,005	5,380	10,198	24,573	9,005
9,005	5,338	10,155	24,490	9,005
	+0.9%	+0.3%	+0.3%	

\* No change.  
(Included: WRRM, WENR, WGN, WIND, WJLD, WLS, WMAQ)

## Denver In 7% Upturn In Nat'l Spot Column

Denver, Aug. 6. Denver last week snapped out of summer calm by recording sizeable gains in each of the major categories. Top sales honors of the week went to KLZ, in signing three contracts totaling 573 quarter-hour newcasts. National spot and local business on KOA shows the largest July volume in the station's history, according to Manager Lloyd E. Yoder. It is 12.4% ahead of last year and 89.7% ahead of July of five years ago. Principal cause of the increase over last year is the newcasts, sold for the first time this year, while a number of 5-day-a-week local advertisers are responsible for the 89.7% increase over five years ago.

KFEL, Fitzpatrick Baking Co., through Ball & Davidson, three quarter-hours weekly, 26 weeks. Coronado Entrada, announcements. R. R. Hall Cadillac Co., 47 chain breaks. Paramount Cleaners & Dyers, 52 one-min. spots. Perry Petroleum, 208 chain breaks. Rocky Mountain News, announcements. KLZ: Fred Davis Furniture Co., daily quarter-hour newcast. Joe Albert's, through Max Goldberg, four quarter-hour newcasts weekly. Public Service Co., 52 quarter-hours. Bristol Myers (Minit Rub), through Young & Rubicam, 158 announcements. Wright & McGill, announcements. Smith Bros., through J. D. Tarcher, 104 announcements. Dandi Cane Co., 28 one-min. spots.

KOA: Time Magazine, through Young & Rubicam, announcements. Bauer Confectionery Co., through Collins agency, announcements. Jergens Lotion, through Lennen & Mitchell, 24 one-min. spots.

Aug. 3 Compared to July 27				
Network	Local	National	Spot	Total
Units	Units	Units	Units	Units
6,503	4,043	1,462	12,073	6,503
6,288	3,923	1,387	11,658	6,288
	+3.3%	+4.8%	+3.5%	

## Seeks Hamilton, O., Okay

Hamilton, O., Aug. 6. Butler Broadcasting Corp., Hamilton, O., has filed an application with the Federal Communications Commission for authority to build a new broadcasting station here.

Wants to operate on 1,420 kilocycles, 250 watts power, unlimited time.

## ALWAYS PEPSI-COLA

Kansas City Idles Along—Slight Weekly Drop

Kansas City, Aug. 6. General calm continues in Kansas City, with all stations battling to keep business on the upgrade. Politics blustered loud and long before Tuesday's elections—and that meant money, the till. KCKN and KCMO got most of the political gravy.

KCMO: Pepsi-Cola, daily newcast, 26 weeks. Doyle Packing Co., 12 announcements weekly, 52 weeks.

Aug. 3 Compared to July 27				
Network	Local	National	Spot	Total
Units	Units	Units	Units	Units
6,480	6,362	6,790	19,632	6,480
6,420	6,400	6,693	19,513	6,420
	+0.9%	+1.4%	+0.6%	

(Included: KCKS, KCMO, KITE, KMBC, WDAF, WHB)

## 16TH WEEK OF LOCAL BIZ CLIMB IN SEATTLE

Seattle, Aug. 6. Last week the local tally took another climb—the 16th in a row. This is especially satisfying to station managers here because it's been done without the aid of any great amount of political coin. National defense preparations have made necessary a large increase in the Puget Sound Navy Yard, personnel, and Boeing Aircraft is on three eight-hour shifts daily. Other local industries vital to rearmament, going full blast, too.

KIRO execs are too busy gathering in contracts to attend NAB convocation.

KOL: Dr. Clark (dentist), six quarter-hours weekly, 'News with Arizona Joe.'

Aug. 3 Compared to July 27				
Network	Local	National	Spot	Total
Units	Units	Units	Units	Units
3,985	11,220	1,356	16,561	3,985
3,980	10,947	1,343	16,270	3,980
	+2.7%	+0.9%	+1.7%	

(Included: KIRO, KOL, KRSC, KXA)

## Army Band for Recruiting Program Over WBEN

Buffalo, Aug. 6. Recruiting drive here includes filling 17th floor auditorium of Hotel Stadler for half-hour concerts by 28th Infantry Band of Fort Niagara over WBEN. Army office mails out invitations weekly to the broadcasts.

Music is broken into midway for four-minute recruiting gab.

\* No change.  
(Included: WHN, WMCA, WNEW, WOR, WQXR)

## EIGHT-WEEK TREND OF STATION BUSINESS

(For All Markets Regularly Reported by Variety)

NATIONAL SPOT			LOCAL		
Week Ending	Units by Thousands		Week Ending	Units by Thousands	
June 15	62.1		June 15	89.1	
June 22	62.6		June 22	89.9	
June 29	62.1		June 29	90.3	
July 6	61.2		July 6	89.3	
July 13	61.9		July 13	89.9	
July 20	60.5		July 20	88.5	
July 27	56.6		July 27	87.3	
Aug. 3	56.5		Aug. 3	87.7	

NETWORK			TOTALS		
Week Ending	Units by Thousands		Week Ending	Units by Thousands	
June 15	93.6		June 15	244.8	
June 22	94.6		June 22	247.2	
June 29	90.0		June 29	242.5	
July 6	92.6		July 6	243.2	
July 13	90.5		July 13	242.4	
July 20	85.3		July 20	234.1	
July 27	87.2		July 27	231.1	
Aug. 3	87.7		Aug. 3	232.0	

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## Detroit Downward

Detroit, Aug. 6. Situation remains unchanged here, with slight gain in network biz being more than offset by losses in local and spot categories. Result being a fractional loss for latest week under review.

Boys still eyeing fall biz, and present outlook is for plenty of it with auto sales getting back into stride and war orders starting to pour into Detroit factories.

Aug. 3 Compared to July 27				
Network	Local	National	Spot	Total
Units	Units	Units	Units	Units
7,405	10,371	4,999	22,775	7,405
7,209	10,478	5,262	23,949	7,209
	+2.7%	-1.0%	-5.0%	-0.8%

(Included: CKLW, WJLB, WJR, WMBD, WWJ, WXYZ)

## NEW YORK IS IDLING ALONG

Everything quiet in New York. But local units should take a jump within the next few weeks when one of the independent stations will get the biggest time contract ever issued by a department store in the metropolitan area. Contract is supposed to be signed, but neither the name of station nor store is available.

WHN is cutting ET announcements to be used in a national campaign for Adam Hats.

WMCA: Arnold's Apparel, announcements. I. J. Fox, announcements. Edelbrau Brewery, renewal of announcements. Johns-Manville Corp., through J. Walter Thompson, 39 one-min. spots.

WNEW: Wucker Furniture Co., through Klingler agency, four 10-min. programs weekly. Policyholders Advisory Corp., renewal of 15-five-min. programs, five 12-mins., and a 30-min. program weekly. Greenways, through A. W. Lewin, daily quarter-hour 'Dance Parade' Circle Auto Sales, 12 announcements weekly. Topps Chewing Gum, through Brown & Thomas, 12 announcements weekly. Lepper Furniture Corp., daily 10-min. program.

WQR: Gambarelli & Davitto, renewal of daily 25-min. 'Music to Remember.'

WHN: Jean Jourdeau, Inc., through James R. Flanagan, station breaks. Jacob Ruppert Brewery, through Ruthrauff & Ryan, announcements.

Aug. 3 Compared to July 27				
Network	Local	National	Spot	Total
Units	Units	Units	Units	Units
645	10,002	10,930	21,577	645
645	9,933	10,867	21,447	645
	+0.6%	+0.5%	+0.5%	

\* No change.  
(Included: WHN, WMCA, WNEW, WOR, WQXR)

## AUTUMN HARBINGERS

Texas Foresees Excellent Business Coming Up Pronto

San Antonio, Aug. 6. With the Texas primary concluded, units are returning to normal after reaching new highs in recent weeks. Several network shows have dropped for a month's vacation causing fall off in network units. Local and national spot biz is holding up well. Many new fall contracts are being received here with all stations reporting that they expect the best year ever.

KONO: Dollar Wave Shop, 15-minutes, three times weekly. Dr. Montgomery (optometrist), five-minutes daily.

WQAF: Pioneer Floor Mills announcements. Snowdrift and Weston Oil, through Fitzgerald Agency, 42 announcements weekly.

KABC: Millers Beauty Salon, three announcements weekly. A. B. Spencer Lumber Co., three announcements weekly. Tankersley Drive Inn, announcements. Southern Select Beer, renewal of two announcements daily. Through Mutual network, Macfadden Publications, tri-weekly quarter-hour, 'I'll Never Forget.'

KTSA: Hicks Rubber Co., five-minute newcast each Sunday.

Aug. 3 compared to July 27				
Network	Local	National	Spot	Total
Units	Units	Units	Units	Units
4,782	8,224	2,214	15,220	4,782
4,820	8,290	2,190	15,270	4,820
	-0.8%	-0.4%	+1.1%	-0.3%

(Included: KABC, KMAC, KONO, KTSA, WQAF)

## August Prospects Better Than July in Des Moines

Des Moines, Aug. 6. Local business, while off somewhat last week, is still well ahead of the June-July average. Des Moines Auto retailers are using seven programs daily urging purchase of current models to beat the increased prices of 1941 models.

Stations here report the best selling week in history due to rate increase scheduled to take effect on contracts received after Aug. 25.

Aug. 3 Compared to July 27				
Network	Local	National	Spot	Total
Units	Units	Units	Units	Units
6,525	2,818	4,672	14,016	6,525
6,720	2,853	4,928	14,501	6,720
	-2.8%	-1.1%	-5.1%	-3.1%

(Included: KRNT, KSO, WHO)

## BEDARD FOLK SONGS BACK

Montreal, Aug. 6. 'Le Diable Rouge,' half-hour French-language musical with folk songs by Louis Bedard, returns to station CKAC this week as a sustainer.

'Franco Swing,' stringed instruments, also slated for a 15-minute sustaining period over CKAC.

## BLURBS CHIEF ACTIVITY IN L.A.

Los Angeles, Aug. 6. Sales of spot announcements highlighted a week that was otherwise slow insofar as the piling up of new business for radio stations in this area was concerned. While there was also some activity in five to 15-minute programs, the signing of contracts generally was considerably below normal.

Sales department heads, however, are anything but discouraged, blaming the slump on the season and figuring that the situation is due for a change for the better by Aug. 15.

While three of the stations included in the survey were able to report at least a few new accounts, KFI and KECA failed to increase their backlogs on future business by a single deal.

KFWB: Cunningham Radio, two spots. Broadway Hollywood, through Batten, Barton, Durstine & Osborne, 22 spots.

KHJ: Kays Beverage Co., through John A. Stewart, 13 half-hour programs. Macfadden Publications, through Erwin Bragg & Co., 52 quarter-hour programs. Broadway Hollywood, through Batten, Barton, Durstine & Osborne, six spots. Beckman Furs, through Glasser Agency, 69 spots. Central Chevrolet, through Stodel Auto Agency, six spots. Gilmore Oil Co., through Estoford, Constantine & Gardner, five spots. Glo Co., through Briggs, Davis & Staff, five spots. May Co., through Weinberg Adv. Agency, three spots. Powerseal, through Mayers Co., 10 spots. Aetna Construction Co., through Sidney Garfinkel, five participations (Happy Homes). Forest Lawn Memorial Park, through Dan Minico Co., 26 participations.

KNX: Los Angeles Times (Chelsea ciggies), through Warwick & Legler, Inc., 39 time signs. Barker Bros., through Marion Kyle Adv. Agency, 160 15-minute programs. Power Seal Co., through Lockwood-Sheckelford Co., 39 participations in newcasts. Los Angeles Brewing Co., through Lockwood-Sheckelford Co., 32 five-minute programs. Langendorf United Bakeries, through Leon Livingstone Agency, 20 time signs.

Aug. 3 Compared to July 27				
Network	Local	National	Spot	Total
Units	Units	Units	Units	Units
9,535	8,263	1,641	19,439	9,535
9,400	8,160	1,630	19,190	9,400
	+1.4%	+1.3%	+0.7%	+1.3%

(Included: KECA, KFI, KFWB, KHJ, KNS)

## Salt Lake City Reports Summer Ebb Totals

Salt Lake City, Aug. 6. Summer slump in full evidence here. National biz upped slightly due to extra baseball games.

KSL: Jensen Oil, Inc., sponsoring Salt Lake Flats speed runs. American Fork Poultry Day, announcements. Hudson Bay Fur Co., announcements.

KDYL: Faultless Starch Co., through Ferry-Hanly, 260 announcements. Jergens-Woodbury Corp., through Lennen & Mitchell, announcements. Vanessa's Bungalow, 13 quarter-hours. California Aircraft Institute, 13 announcements. Purify Bakeries, 13 quarter-hours.

KUTA: Western Furniture, announcements. Granite Furniture Co., renewal of one-min. spots. Wasatch Chemical Co., through Featherstone agency, announcements. Bamberger Coal Co., through Featherstone agency, 52-week renewal for newcasts. Seagull Drug Co., 52 announcements.

Aug. 3 Compared to July 27				
Network	Local	National	Spot	Total
Units	Units	Units	Units	Units
6,110	2,066	1,182	9,359	6,110
6,255	2,199	1,197	9,651	6,255
	+2.3%	+2%	+1.5%	+2.7%

(Included: KDYL, KSL, KUTA)

## KRIS May Get Rival

Corpus Christi, Tex. Aug. 6. Nueces Broadcasting Co., headed by Earl C. Dunn and Charles W. Rossi, have filed with the Federal Communications Commission an application for a new radio broadcast station. They seek a license to operate on 1,500 kilocycles with 250 watts, unlimited time.

City has one other station, KRIS, which operates full time on 1330 kilocycles with a power of 500 watts. Is outlet for Mutual as well as NBC.



# NEW MUSICAL GADGETRY

## Orchestra, Suddenly Sans Booking, Pitches in for Quackie Pant Job; Revives Decrepit Pittsburgh Spot

By HAROLD W. COHEN

Pittsburgh, Aug. 6.

The old gag about the bankrupt who asked the guy who didn't know he held the mortgage 'have you ever been in the restaurant business?' and then replied to his own question, 'well, you are now,' practically fell right into the lap of Jack Meakin, the band leader, here last week. Meakin's personal manager, Ham Baron, arrived in town for what he thought was a date at the Willows, only to discover that the Willows had decided to hold over the Lani McIntire orchestra and had told Stan Zucker, who neglected to inform Baron.

That meant there was nothing in sight for the outfit until Providence, R. I., late in August, and Baron, and Meakin, too, knew the value of keeping a band working, particularly a new band waiting for the right break. They looked over the local field, heard there was a spot named the Riviera, which had a KDKA wire, and that sounded good to them.

Baron contacted Carlo Pugliese, the new owner of the Riviera, and he was definitely interested. They discussed terms and reached an agreement. Then Baron and Meakin had their first look at the Riviera. They found a run-down, badly-neglected outdoor patio, tent-covered, far cry from the Van Cleve hotel, Dayton, O., and the Virginia Beach spot they had just come from. Pugliese merely shrugged his shoulders, told them that the going had been tough and the money to clean up the dilapidated spot wasn't available.

Baron and Meakin went into conference. They had something to sell in their band, but also realized they needed a more favorable background in which to sell it. The two of them wondered whether Pugliese couldn't find a few hundred bucks with which to make the room more presentable. Pugliese said his backers wouldn't hear of such a thing.

So Baron and Meakin took matters in their own hands. The next morning, every member of the band, including Patricia Norman, the featured vocalist, showed up bright and early at the Riviera, armed with buckets of paint, balloons, bunting, candles and light-shades. For hours they swept and brushed and painted and decorated on their hands and knees, on ladders and by pole-climbing. By night-fall, the Riviera didn't look the same. It had achieved a certain amount of atmosphere, as against the drab settings of only a short time before.

Then Baron, who had never done any publicity before, took over the job of exploitation from Pugliese, a newcomer to the nitty nanks and not very well versed in the ways of selling via the public prints. Meakin and Miss Norman pitched in, too. In three days, Pittsburgh was very Meakin-conscious and NEW Riviera-conscious, too. New result: Meakin's first weekend was the biggest the Riviera has had since it opened.

Pugliese said he should take Meakin, Baron & Co. in as partners. They told him they're interested only in music.

Gene Krupa Not Booked

Jamestown, N. Y., Aug. 6.—Gene Krupa band had a night off here recently when it appeared at the Celoron Park Pier and found that, according to the management, it was not booked. There was no advance advertising for Krupa so he and the boys, sailor-like, visited the local nightspots and enjoyed a short vacation.

Burr Brennan house band played for the dancers.

## ELECTRONICS IN NEW APPLICATION

All Sorts of Musical Instruments Now Wired for Sound Amplification and the Result Widens Orchestration Manipulation

CHI EXHIBIT

Chicago, Aug. 5.

Amplification has moved in on the music instrument industry. Having crept in here and there during the past few years, radio amplification has since made notable innovations. The scope of these changes were indicated by the exhibits at the Music Trades Convention in the Stevens hotel here last week.

Anything with a string now has a radio attachment to give the instruments new tonal qualities. Electronic treatment of these instruments has opened up new musical horizons that must change the future course not only of musical interpretations but also of musical compositions. The new writers, cognizant of the instrumental flexibility, must be influenced in their composing. Formerly restricted and hemmed in by the musical limitations of the instruments themselves, composers will find these limits and fences broken down with the resultant musical vista remarkably enlarged.

Violins, guitars, ukuleles, banjos, zithers, pianos and others are all available with electrical amplification.

Story & Clark Piano Co. is hitting the market with a piano amplified by RCA Victor radio system and tagged Storytone. It makes it possible to adjust the piano to sound like a harpsichord or a celeste. Sometimes it even sounds like a piano. It is possible to sustain a note indefinitely and to get diminuto or crescendo effects on a single note or chord.

Hammond's Solovo

Laurens Hammond has invented a new Hammond musical contrivance called a Solovo, which is attachable to any piano. It is a small keyboard that is played through electrical amplification and gives effects similar to those of the organ, though making it possible to simulate various instrumental effects with the right hand while carrying left hand accompaniment on the piano.

Ansley Radio has its Dyna-Tone, an amplified piano, harpsichord, radio and phonograph combination. Everett Piano offers its Everette Electronic Organ, Krakauer Bros. have an electronic piano. Trio-Art comes up with a piano-radio combination that does everything but cook. It is a grand piano, automatic phonograph, recorder, microphone all in one piano case, and contains controls which makes it possible to change the tonal expressions of the piano, phonograph or radio. Schiller-Cable proudly displays its console pianos which have an non-electric amplifier.

RESUMES 1918 CONNECTION

J. Russel Robinson Re-joins W. C. Handy Firm

J. Russel Robinson, composer of 'Marge' and other tunes, has joined Handy Bros. Music Corp. as general professional manager, reestablishing a connection with W. C. Handy, that dates back to 1918. At that time the great Negro songsmith first brought off Robinson east from Indianapolis, where the latter has published 'Eccentric' with Seidel, an indie firm. Under Robinson's deal with Handy, his copyright renewals will fall into that catalog. Handy published many of his compositions before.

Robinson is one of the Original Dixieland Jazz Band and, in between, has been professional man with Waterson, Berlin & Snyder and other firms.

## Tommy Dorsey May Exit Publishing On Crest of Hit Song But He Still Says 'It's a Natural Sideline'

LET DANCERS CLOWN

And the Recording Is News—Business Hypo Idea

Buffalo, Aug. 6.

Hypo to dull Thursday trade is recording stunt inaugurated last week at Glen Casino, in suburban Williamsville, which plays Bernie Sandler orch.

Three patrons sing or clown for platters, which are played back over p.a. system. Tyro takes home the disc.

## JUSTIN STONE CASUALTY OF BMI-ASCAP

Bridgeport, Aug. 6.

First casualty of ASCAP-BMI grist in Connecticut—Justin Stone's band at Seven Gables, Milford, off WICC sked following non-compliance with station order that remote orchestras include two BMI tunes on each shot. Stone took a strong stand against WICC, stating that nothing in station's contract with nitery gave exhaler right to dictate songs to be performed.

'It costs a band a lot of money for arrangements, and it's possible to do only a few a week,' said Stone. 'I try to make up arrangements of songs I think will be popular. I don't care whether they're ASCAP or BMI tunes. I will have to be the judge of what arrangements I do and what songs I can play with my band.'

## YANK ASCAP CARTOON FROM N.Y. WORLD-TELLY

Cartoon kidding radio's attempt to get along without ASCAP music appeared in the N. Y. World-Telegram last Wednesday (31). It vanished.

however, after the first edition, W.T. execs declared removal resulted from need for the space for news. Reports, nevertheless, were that something more pressing than cable dispatches from Europe might have accounted for the ousting of the comic strip on Page 1 of the second section. It was pointed out that Scripps-Howard, which owns the World-Telegram, also operates four radio stations and needing their efforts to subsist on ancient tunes may not have appeared to be good business. Scripps-Howard stations are WCPO, Cincinnati; WNOX, Knoxville; WMC and WMPB, both of Memphis.

Some even more cynical folks also were wont to tie up Merlin H. Aylesworth and the missing cartoon. Aylesworth, now an attorney in private practice, was up until about a year ago the publisher of the W.T. And before that he was NBC prez.

Cartoon, by Will B. Johnston, had six panels, first of which depicted an announcer at station WC spelling: 'Kate Smith will now sing 'Yes, We Have No Good Music, We Have No Good Music Today.' Radio program in another box included: 'Rhapsody in Old, Expired Copyrights' and 'Melodeon Flops of 1864.' Gene Krupa, further along, was playing 'Drums Along the Mohawk' in the 'Hit Parade of 1776.' Final burn for the broadcasters was a radio-stellarizing, 'We now bring you the amateur hour with works of composers controlled by the networks. We pause a moment for you to tune out.' Cartoonist Johnston is also an ASCAP member by virtue of past musical comedy librettos.

By ABEL GREEN

Tommy Dorsey finds that his set-up with Mrs. Milton Weill in the Sun Music Corp., despite the fact that Dorsey's firm now has the No. 1 song of the country, 'I'll Never Smile Again,' is too much of a headache and he'll probably bow out of the publishing business by taking over the Weill catalog from the widow of the Chicago music pub, Dorsey (Sun) guaranteed her \$5,000 a year drawing account and 25% of the business.

It's no secret that the old established music publishers have frowned upon the idea of dance maestros becoming heads of their own music businesses for more than one reason. Basically, it's an economic dread on the theory that for every pet song plugged by a maestro-publisher—whether it's his own song, or as a logrolling exchange with other maestros who have their own angles with songs—that limits the plugs for the business at large. But beyond that is the belief that the Dorseys and the Lombardos, Warings and Goodmans and Scotts—to name some who have a piece of a music business—should stick to their bawling chores and leave music publishing and song-hit making to those already in the business.

Just about the time that a few of the bandleader-pubs were thinking of quitting the publishing end of it, several of them got hold of hits. Notably Dorsey's 'Never Smile Again,' and also the Lombardos (Olman Music) and Dick Waring's (Words & Music) each had a couple of promising songs.

On the Crest

Dorsey now feels that if he's gonna bow out, he'll do it while he's a success, and on the crest of the biggest hit in the country—not when he's flopping as a song-hit picker and maker. His 'Never Smile' has gone 100,000 copies exactly and that means it'll hit 200,000 at least, having been put over almost single-handedly by the maestro from his Hotel Astor Roof (N. Y.) spot, and with one professional man in his Sun Music staff. Dorsey's own RCA Victor (75c label) recording sold 118,000 platters.

Dorsey, incidentally, answers the capacious music publishers who have expressed antagonism to the bawling music pubs by observing: 'Why isn't it natural for me or Waring or Lombardo or any of the others turning to the music business? It's about the only other thing we've been trained for, besides leading a band. As conductors we know, or at least should know, a few things about what makes for song hits. Considering that you can't always stay up on top, why wasn't it a wise thing for me to fortify myself by tackling a modest little music publishing business? Now that I've done it and proved I can make it a hit, I now find that there are other ramifications and perhaps it now suits me to bow out, especially as I'm now hooked up with my partner. But that doesn't mean that music publishers should resent the basic idea.'

## FREE CONCERTS ISSUE ON CIVIC AND LEASE

St. Louis, Aug. 6.

Execs of the St. Louis Symph Society are balking at dishing out two cufo concerts if it has to pay \$12,500 annual rental for the opera house in the \$7,000,000 Municipal Auditorium and a contract for the quarters is still up in the air. The symph execs said they would give the two cufo concerts annually during a three-year contract at \$10,000 but city fathers wanted the cufo concerts at a \$12,500 rental.

The society's two year contract expired last April. It calls for a rental of \$10,000 for the first year and \$15,000 for the second.

PENNSYLVANIA TOUGH

Latest Regulations Hard on Dance Music in Places Selling Booze

Pittsburgh, Aug. 6.

Latest State Liquor Board regulations make it plenty tough on the outdoor dance spots. For one thing, music isn't permitted to be heard beyond the confines of the pavilion itself, the result of many complaints from people living near the open-air dance places.

Another rule makes it mandatory for floors to be sufficiently enclosed so dancing couples aren't visible to anybody on the outside. Several summer danceries will be affected by new mandates, and will cost them plenty to remodel sufficiently to get a Board okay.

## COLUMBIA DISCS SLASH, PUSH CLASSICALS

Columbia Records has sliced its prices in half this week on all classical and semi-classical records, at the same time announcing a radio and magazine exploitation drive to cost about \$300,000 during the next four months. Under the revised scale, top price for all records will be \$1 each, including all inventory now on hand as well as forthcoming output.

Radio campaign will include spot announcements, four-a-day, five-days-a-week schedule in all major markets throughout the country, starting Sept. 3 and continuing until Christmas. Series of five-a-week recorded 'Masterworks of Music' programs will also be spotted on various local outlets. In most cases the business will go to CBS stations, but may be given to others if necessary to obtain proper coverage. Benton & Bowles is placing this and the magazine business.

According to the new price schedule, records formerly at \$2, \$1.50 and \$1 will be scaled at \$1, 75c and 50c, respectively. Albums previously \$12 and \$10 will be \$6 and \$5.50, respectively. Company claims that increased sales, plus new and improved equipment costing \$600,000 and perfected over a period of two years at its Bridgeport (Conn.) plant, make possible the drastic reduction.

Victor some time ago issued a new classification of Black Seal classical records at \$1 top, with a semi-classical record at 75c. At the same time Columbia announced its new price slash, the company announced it had signed Leopold Stokowski's new Youth Orchestra and the New York Philharmonic-Symphony Orchestra, with John Barbirolli, to exclusive contracts.

## J. DORSEY, ANDREWS BIG AT STEEL PIER

Atlantic City, Aug. 6.

With combination of Jimmy Dorsey orchestra and Andrews Sisters, and about 500,000 people here for the week-end, the Steel Pier drew largest crowd Saturday and Sunday (3-4)—for several years. Dorsey played week-end and was followed by Mitchell Ayres for week's stay.

Orrin Tucker orchestra with Bonnie Baker skedded for Sunday (11). Larry Clinton's band also to play this day and for week following. Alex Bartha and his house orch will alternate.

Canadian National Exhibition dates in Toronto are as follows: Duke Ellington, Aug. 23-24; Jimmy Dorsey, Aug. 26-28; Benny Goodman (with Eddy Duchin optional), Aug. 29-31; Sammy Kaye, Sept. 2-3; Tommy Dorsey, Sept. 4-7.

## 15 Best Sheet Music Sellers

(Week ending Aug. 3, 1940)

I'll Never Smile Again.....	Sun
Sierra Sue.....	Shapiro
God Bless America.....	Berlin
Make Believe.....	Miller
Pools Rush In.....	BVC
Playmates.....	Santly
*I'm Nobody's Baby (Andy Hardy Meets Deb).....	Feist
Woodpecker Song.....	Robbins
When the Swallows Come Back.....	Witmark
Breeze and I.....	Robbins
I'm Stepping Out With a Memory Tonight.....	ABC
Imagination.....	Feist
*Blue Lovelife (Lillian Russell).....	BVC
Lessons from Mme. LaZonga.....	Crawford
Hear My Song Violetta.....	

\*Musical

## Band Reviews

**BEN BERNIE'S ORCHESTRA** (19)  
With Bailey Sisters, Donald Saxon,  
Johnny Ryan.

**Turpentine Casino, Lincoln, Neb.**  
Ben Bernie's current tour, which takes advantage of every roll of the faithful, such as Rotary Clubbers, businessmen's and farmers' convales, has been moderately successful, even if battered at the b.o. by winds, rain, and hot spells, night after night. Here the gross was a full \$150 short of needed currency to pay him off, but he was bucking a torrid wind bearing blistering temp (100-109 degrees at night-time).  
Heat wave served to show Bernie's dais character, because he put the patrons, immediately at ease by ordering coats off the band, and went down to supersiders and rolled sleeves himself. He drew a larger cross-section of middle aged, and elderly people than any other band during the year, and the dancing party, due to the heat which made bodily contact unpleasant, and partly due to a desire to listen and watch, was at a minimum.

Besides Bernie's good-natured mannerisms, tortured fiddle, easy gab, and general pleasantness to the audience, he hangs entertainment assignments on the two male vocals, Donald Saxon, baritone, and Johnny Ryan, tenor, and the comely cuties, June and Sue Bailey. Each a groover and terp stopper.  
Bernie favors all his trumpets on the instrumental fancies, the trio being Charlie Huffine, Bunny Snyder, and Joe Bauer, and Mac McGarrity gets the trombone call to shine. Nick Brodeur, pianist, is a specialty trickster at the keys. Other brass men are trombones Ray Noonan and Charles Castaldo; saxes, Bill Herrmann, Frank Myers, George Bone, Joe Porcetti; drums, Ray Michaels; bass, Boyd Bennett; and guitar, Bernie Scherer.

Bernie takes a few cracks at Winchell, then in the absence of the gabber, takes a few at himself by direct quotes. He musses up the proper conception of a violinist by sawing disconcertingly at the masters and apologetically announces the name of the tune done, both fore and aft, and any number of other little asides which get him away nicely with those present. His is a comely manner, and it pervades the whole joint when he's the kingly. Art.

**RED NORVO ORCHESTRA**  
Terrace Grill, Hotel Muehlebach  
Kansas City, Mo.

Current stand of Red Norvo in the Terrace Grill is his first with this crew since its organization three months ago. It is, moreover, the first hotel date, as ball rooms, parks and one-nighters have been the routine thus far. This required a bit of extra study to set the band to a confined spot such as the Grill, but by

Saturday group was getting its tempo across satisfactorily. The band rates above the average heard in this spot, but doesn't quite hit the top pace. This is possibly due to the newness of the crew and time holds the answer as to its future development, although it appears to be set up on solid ground.

Norvo is a featured, the xylophone, which also is something different in the way of hotel bands, and has a list of 10 to man the instruments. Allen Hanlon, guitarist, and Lyle Dedrick, trumpeter, tend to the arrangements, with Hanlon devoting himself to a sweet style and Dedrick generally working out the more rhythmic numbers. Besides Norvo, Hanlon, the rhythm section includes Lionel Troutling at the piano; Pete Peterson, string bass, and Bill Cavanaugh on drums. Conrad Gazzo teams with Dedrick on trumpets, and Pete Skinner slides the trombone. Reed trio are Pete Mondello, Ray Anderson and Ted Goddard. Norvo carries Linda Keene as throaty ballad singer.

New as it is, band's rhythms are of standard calibre and tinkling by Norvo gives it slight variation. Though customers probably aren't aware of the newness of the music, a few more hotel stands will benefit the outfit. Quint.

**LLOYD HUNTER'S ORCHESTRA** (14)  
King's Ballroom, Lincoln, Neb.

Lloyd Hunter is a first trumpet man, and racks himself on the back tier with the other brasses, while vocalist William Kyle does the mike work, and takes the beating of the request babblers up front. This colored orchestra has been a small town fixture in the cheaper ballrooms, for several years.

No colored assembly can stay away from the amusement they get out of juggling notes, and jamming, altogether, but Hunter keeps them away from it as much as possible. The terp urge commonly dispensed by all colored rhythmists is with the Hunter crew, but the showoff stuff is most subjugated to straight, very often sweet, arrangements.

Rostrum population includes besides Hunter and Kyle, Willie Long, Nathaniel Bates (hot), trumpets; Raymond Byron and Archie Brown, trombones; Leslie Holt, John Hill, Steve Broaders, and James Bythelwood, saxes; Debo Mills, drums; Junior Johnson, piano; Dave Finney, guitar; and Elbert Smith, bass.

Okay in the field for which designed. Art.

## Vic Meyers Still Runs

Seattle, Aug. 6.

Vic Meyers, dance orchestra leader, is running for a third term as lieutenant governor of this state. He had been thinking on filing for governor, but present incumbent, Clarence D. Martin, running for re-election, and Meyers figures the second spot easier to make.

At present the bandman is managing a country dance hall in central Washington, planning to enlarge it into a full fledged dude ranch as quickly as it can be done.

Don Ricardo's orchestra will play at the Blue Crystal Night Club, Girard, O., when it reopens Aug. 22 after three-week remodeling period, announced Sam Parilla, night club manager.

## FAILS TO POST BOND

Albert Wolsfeld Loses Action on Dismissal from Bench

Albert H. Wolsfeld's suit against Gray Gordon, the RCA Manufacturing Co., and NBC was dismissed Wednesday (31) in N. Y. federal court by Judge Murray Hulbert. The plaintiff, also known as Allan Fields and Al Fields, was suing for an injunction, accounting of profits and damages, claiming infringement of his copyrighted device called 'A Combined Clock Face and Metronome,' and used by him under the title of 'Tick Tock Music.' It was alleged the defendant Gordon calls his orchestra the 'Tick Tock Rhythm Orchestra' and that RCA issued Gordon records under that title, and NBC broadcast programs featuring Gordon's orchestra.

The complaint was dismissed for failure of the plaintiff to comply with an order of Judge Edward A. Conger, made May 13, in which Fields was ordered to post security for costs.

Political Gab  
Doesn't Mix  
With Hoofing

St. Louis, Aug. 6.

Jitterbugs and politics don't mix very well in this neck of the woods and Gov. Lloyd Stark, unsuccessful in his quest for the Democratic toga for vice-president and currently in a three-cornered fight as the Democratic nominee for Senator for Missouri, found it out last week. The Gov. resplendent in summer formal, chose the S.S. Admiral for one of his stump speeches. It was on a night when the mercury had soared above the 90 degrees mark and the boat was packed with 2,500 customers, mostly jitterbugs.

The Gov. took his stand in the air-conditioned ballroom, and his presence irked the dancers who, impatient to begin their terping, booed the State's chief exec. The playing of 'Anchors Aweigh' and 'God Bless America' by the boat's orch softened the dancers and they gave the Gov. mild hand when he finished his attack on his two opponents, duked as many of the dancers who wanted to shake his hand and then retired to the upper deck of the boat throughout the rest of the three-hour trip.

ASCAP Aide Will Speak  
At Dramatists Assembly

San Francisco, Aug. 6.

Prof. S. Stephenson Smith, ASCAP educational counselor, will be one of the major speakers at the Third Dramatists' Assembly at Stanford U. Aug. 12-17. One address, 'Our Satire in War-time,' will be aired on NBC at 9:30 p.m. Aug. 14.

Assembly will cover all phases of theatre and one session will study Community Cinema as represented by 'The Prowler,' mystery film produced by high school and community of Willits, Cal.

## SINGERS HEAD UNITS

Don Huston, Hal Durwin Form Own Orchestras

Chicago, Aug. 6.  
Two former band vocalists are organizing their own orchestras here.

Don Huston, for many years at the Chez Paree and lately with the Lou Breese orchestra there, is on his own now and readying his own band. Will-use 12 men plus a femme warbler. Jack Fascinato, who was with Fabian Andre's piano, and arranger, is working out the musical setup for Huston.

Hal Durwin, who was the singer with Shop Fields orchestra, is building band reportedly similar to the Fields aggregation.

## Bands at the Boxoffice

(Presented herewith, as a weekly tabulation, is the estimated cover charge business being done by name bands in various New York hotels. Dinner business (7-10 P.M.) not rated. Figures after name of hotel give room capacity and cover charge. Larger amount designates weekend and holiday price.)

Band	Hotel	Weeks Played	Covers Past Week	Total Covers On Date
Les Brown.....	Lincoln (225; 50c-\$1)	1	650	650
Larry Clinton.....	New Yorker (400; 75c-\$1.50)	13	1,302	20,062
Everett Hoagland.....	Pennsylvania (500; 75c-\$1.50)	1	490	490
Tommy Dorsey.....	Astor (900; 75c-\$1)	11	3,033	34,908
Ray Kinney.....	Lexington (300; 75c-\$1.50)	12	1,298	15,506
Alvino Rey.....	Biltmore (300; \$1-\$1.50)	6	450	3,795

\*Asterisks indicate a supporting floor show, although the band is the major draw. †Total represents four days.

## On the Upbeat

Dick Kuhn band followed Lyle Carlyle this week into Hotel Statler, Buffalo.

Morgan Thomas orch back at Crystal Beach, Ont., ballroom, succeeding Frank Bogart crew.

Irv Rosenholts' orchestra at Moonlite Garden, Green Island, N. Y.

Jan Savitt and Charlie Barnet set one-nighters Aug. 11 and 25, respectively, at Pleasure Beach, Bridgeport, Conn.

Benny Carter one-nighted Sunday (4) at Raton Point Park, South Norwalk, Conn.

Ray De Maris orchestra at Battle House Roof, Mobile, Ala. Maris is featuring Peggy Peer, soloist, at one time on the 'Hour of Charm' program.

The Three Suns, late of KDKA, Pittsburgh, have moved into Peter Stuyvesant Room of Stuyvesant hotel, Buffalo. Sharing billing with Roberts, thrush, and Bob Downey, pianist.

Suns have four pickups weekly, two NBC-Rcd and two local on WBBN.

Dal Richards, maestro of the Panorama Roof orchestra, Hotel Vancouver, Vancouver, B. C., has a new singing 'band,' 13-year-old Juliette.

Eddie Bush, Hawaiian band leader at the Hurricane, N. Y., inked to an exclusive writer's contract with Robbins Music.

Frank Suttle, Benny Meroff's former vocalist, is a new addition to Alvino Rey's orchestra at the Biltmore Hotel, N. Y. Starting next week Bunny Shawker replaces Eddie Jenkins as drummer in Rey's outfit.

Duke Ellington and Charlie Barnet have waxed discs of Miller's new number, 'At A Dixie Roadside Diner.'

Alexander Haas' orchestra playing for the British War Relief Society in Newport, R. I., and stays to fulfill six engagements there during the tennis tournaments.

Sam Donahue, formerly a saxophonist with Gene Krupa, has joined Harry James' band.

Don Bestor has added Gary Stevens, first trumpet and vocalist. Joined crew in Washington.

Lou Breese opened two-week engagement at Kenwood Park, Pittsburgh, Monday (5), succeeding Mal Hallett outfit.

Howard Becker band, which went into Pines, Pittsburgh, for two weeks in May, will stay there for the season, which winds up on Labor Day.

Everett Hoagland returns to Bill Green's Terrace Gardens, Pittsburgh, Monday (12) for second engagement there this summer.

Jack Meakin band stays at Riviera, Pittsburgh, until Aug. 21, when it

goes to Biltmore Hotel, Providence, R. I., for a run.

Daryl Harpa and his American band renewed for eight weeks at Florentine Gardens, Hollywood.

Pinky Tomlin and crew moved into the State Line Country Club at Lake Tahoe, as Bill Roberts moved out.

Etzi Covato band laying off Pittsburgh for a month following run at Lookout House, Newport, Ky., prior to opening engagement in September at Club Royale in Detroit.

Sid De Feo's orchestra, with Rose Mott, blues singer, now at the Paramount Restaurant, Saratoga Springs. Peter Issaris is manager of spot.

Socararas, Cuban flutist-saxist, and his eight-piece swing-rumba orchestra, opened at the Glen Island Casino in Westchester Saturday night (12) and will remain for the balance of the season, with three shots on the air weekly over WJZ from there. Booked by Jay Faggen.

Tommy Dorsey's band opens the new Palladium ballroom in Hollywood Oct. 15. Booking for six weeks with options.

Willie Rotar, who headed a snafu combination in a Youngstown, O., tavern (Crystal Tavern), has joined Bob White's band in Michigan.

## Artie Shaw Makes Peace

Hollywood, Aug. 6.

Artie Shaw and the General Amusement Corp. last week got together on a settlement of their contract differences. Shaw has signed a new contract with the booking organization. It runs for three years and nine months and commits him to book everything exclusively through that office. Shaw is also barred from making any future representation deals with other agents until his GAC contract has actually expired.

Settlement also makes it mandatory for Shaw to pay GAC commissions on his Burns and Allen program (Spam-NBC), even though the engagement had been negotiated through the William Morris office. New contract was worked out while Tom Rockwell, GAC prez, was spending a two weeks' vacation at his ranch near Hollywood.

**JOHNNY  
McGEE**

HIS SINGING TRUMPET  
AND HIS ORCHESTRA

OCEAN PIER

WILDWOOD, N. J.

WEEK AUG. 10

Direction

GENERAL AMUSEMENT CORP.

SAM COSLOW'S LATEST BALLAD — A SURE HIT!

SUNG BY FRANCES LANGFORD IN RKO'S "DREAMING OUT LOUD"

**DREAMING OUT LOUD**

FRANK KELTON, NEW YORK

COSLOW MUSIC, 1619 BROADWAY, NEW YORK

MATTY KEMP, HOLLYWOOD



# Lefty Harks Back to When 'Contact Men' Were Just Called Songpluggers

By Joe Laurie, Jr.

Coolacres, Cal., Aug. 6.

Dear Joe:

Me and Aggie sure got a great kick out of last week's special ASCAP Variety Number. Looking it over sure turned on a memory switch for us. It turned the pages back to the old vaudeville days and the great guys we met that were part of the great song publishing business. Songwriters, second verse writers, catch-line writers, double-version writers, parody writers, piano players, professional managers, arrangers and pluggers.

And what a grand bunch of guys those pluggers were. They'd get in your hair on rehearsal days trying to get you to do one of their firm's numbers in your act, they'd even settle if you used a chorus for "bows." They'd bribe doormen, leaders, managers, ushers and porters to bring in their card to you, and they'd come out of the woodwork and from under grass mats. How they could gab. They could make a Whippoorwill change its theme song if they could corner him at a stagedoor.

Who could forget grand guys like Sammy Levy and Jimmy Flynn? Sammy once told his boss, Max Winslow, "Either I get a or more settled around here," Max settled for a raise. And speaking about Max Winslow, his singing sounded like grinding up celery, but how he could demonstrate a song! He was tops.

Veterans like Eddie Ables and Sammy Smith, who are still going strong. Well-tellers like Jack McCoy, Harry Tenney, Mack Goldman, Ruben Cowan, Elmore White, Melville Morris, George Joy, Al Cook, Harry Link, Solly Cohen, Murray Riltter (now in the laundry and cleaning business), Dave Ringle, Jimmy Rule, George Green, Arthur Fields, Joe Goodwin, George Plandosi, Maurice Abrahams, Mose Gumble, Joe Santly, Al Downs, Joe Keith, Bob Miller (now president of the Contact Mens Assn.), Archie Fletcher, Joe Hollander, Al Beilin, Willie Horowitz, Jimmy McHugh, Benny and Leo Edwards, George Marlo, Al Porgis, Larry Spier, Rocco Vocco, Charley Warren, Don Mooney, Frank Marvin, Phil Kornheiser. They would cover, theatre, cafes, dance halls, armories, fights, six-day bike races, chowder parties, picnics, confirmations and weddings—anything to get a plug in.

And when you played out of town you'd be entertained like a king in Chicago by Frank Clark, Milton Weil, Cockeye Kramer, Charlie Goldberg and Henry Bergman. In Pittsburgh, Joe Hiller and McNamara would show you the high spots. In Frisco, Harry Bush, the Lone Wolf, would point out the healthy places. In Philly your hosts would be Jack Mills, Renny Cormack, Bobby Hecht, Freddy Wright, Ed Edwards and Happy Thompson. In Buffalo Murray Whitman would be your pal and guide. While in Boston Don Ramsay, Charlie Goldberg, Frankie Rice and Frank Auger would grab the check.

## Piano Hounds

Memories of piano-players running over songs for you hours at a time in a tiny room with second-hand air; they never seemed to get tired. George Gershwin, Harry McCoy, Harry Akst, Elmore White, Joe Santly, Johnny McLaughlin, Harry Warren, Ray Henderson, Phil Phillips, Walter Donaldson, Harry Ruby, Irving Aaronson, Harry Puck, Freddie Ahlert, Ted Snyder, Dave Dreyer, Nat Osborne, Joe Young, Arthur Johnson, Seymour Furth, Arthur Fields, Rocco Vocco and many other ivory pounders. Most of 'em now rate high in ASCAP with dozens of hits to their credit, and some of 'em are pounding out sweet melodies for the boys and girls 'Upstairs.'

Do you remember the arrangers of those days like Freddy Ahlert, Minnie Blauman, Eddie Smalle, Freddie Phillips, Mortie Howard and Ray Brown? They made arrangements and orchestrations from a piano copy to 15 pieces (with 15 pieces in the books you were only carrying 'cause the symphony bands those days only had about 9 pieces).

## Tals in the Biz Too

And there were gals in the publishing houses that were great too, like Julia Garrity, who how she could plug a song. Doris Toller, could she play a piano! A double yes to that. And Kathryn Joyce, Frances Kahn, and that grand gal Ruth Young. Great personalities and swell women folks.

You know, a lot of actors started their careers plugging songs; they were too young to go on the stage so sang from a stage-box or from the gallery, and many an act they put over with their baby sopranos and adolescent altos. Willie Howard first appeared in public singing from a box in Wallach's theatre at a Treasurer's Benefit for Jack Norworth. Willie got nervous and chewed on the lyrics but finished okay on the high note; the song was "When the Spring Time Comes Around." Al Johnson plugged "When the Roses Bloom Again" for the gallery for Agnes Behler. Charlie O'Connor (American Quartet) used to plug "Dear Old Girl" from bandstands. Henry (Clark & Bergman) sang for anybody; Fred Hillebrand for Truly Shattuck; Harry Rose for Ann Laughlin; Mel Klee for Al Herman; Sid Silvers for Phil Baker; Willie Solar (in a bear-skin) for Bessie Wyn.

And up in Boston Jack Haley, Billy Glason and Corbett, Sheppard & Donovan sang at the drop of a hat or a lift of a curtain. Many songwriters went into vaudeville to plug their songs and remained to become standard acts, such as Joe E. Howard, Ernie Ball, Irving Berlin, Harry Von Tilzer, Percy Weinreich, Gus Edwards, Maurice Abrahams, Frank Crumit, Jack Little, J. Kiern Brennan, Shelton Brooks, Lew Brown, Irving Caesar, J. Fred Cooty, J. Rosamond Johnson (Cole & Johnson), George Meyer, Fye Bowers, Benny Davis, Harry Carroll, Lou Handman, Lew Pollack, Gitz Rice, Jean Schwartz, Abner Silver, Dave Stamper, Con Conrad and Anatole Friedland.

## Songsmiting Thespers

Many of vaudeville topnotchers were songwriters but were established "names" before they were writers. Jim Thornton, Benny Ryan, Solly Violinsky, Jack Norworth, Phil Baker, George Jessel, Ed Wyn, George Price, Eddie Dowling, George M. Cohen, Earl Carroll, Felix Bernard, Ben Bernie, A. Seymour Brown, Johnny Burke, Paul Cunningham, Harry Dell, Neville Fieson, Bert Hanlon, Alice Hyde, Elsie Janis, Al Johnson, Bert Kalmar, Dolph Singer, Jimmy Steiger, Frank Westphal, Marion Sunshine, Ray Perkins, Charles B. Lawlor, Sidney Clare, Eddie Leonard, L. Wolfe Gilbert, George Whiting, Harry Green, Jimmy Conlin and plenty of others.

This was in the days of B. R. (Before Radio). The song business consisted of a happy fighting family. But things have changed. Now the pluggers are known as "contact men" and have a fine organization, the songwriters and publishers are all in ASCAP under the leadership of one of the grandest guys in all of show business, Gene Buck. Everything and everybody is "organized" and ethical. But as for me and Aggie, give us the good old days when you had to get to rehearsals early so nobody would hear your song ahead of you; when headlines would have your piano player sit up all night to get the No. 1 rehearsal check; when publishers would wine and dine you, pay for your photography, maybe buy you a new trunk or a dress for the wife, and if you were a real good "name" act pay you nice dough every week you worked and plugged their numbers... besides giving you nice covers for your music free.

It's all changed now like the lines on Aggie's neck, but the memory lingers on. SEZ

Your pal,

Lefty.

P.S.—Mose Gumble sez, "Despair curser" at midnight; Hope blesses at noon."

## British Best Sellers

(For Week Ending July 13)

(Sixpenny Numbers)

Singing Hills.....	Connelly
Don't Pass Me By.....	Gay
Arm in Arm.....	Wood
Round-Up Song.....	Day
Oh Johnny.....	Norris
Year's Roses.....	Wright
Dancing Doll.....	Gay
Let Curtain Down.....	Cinephonic
(Shilling Numbers)	
Nightingale Song.....	Maurice
Fall in Love.....	Maurice
Woodpecker Song.....	Sun
Begonia.....	Chappell
Man Paint Fence.....	Frowse

## GENE BUCK PRESIDES AT H'WOOD ASCAP MEET

Hollywood, Aug. 6. Gene Buck planned in yesterday afternoon (5) from San Francisco, following his yearly visit to the Bohemian Grove festivities. Buck will preside at the annual meeting of Hollywood ASCAP members at the Hotel Ambassador tonight (6).

With L. Wolfe Gilbert as chairman of the arrangement committee, around 185 members are expected to attend. Buck could not state yesterday what might happen at tonight's powwow, but any matters that come up will likely be threshed out before the ASCAP prexy heads east.

## GIRL'S TRAGEDY

Phil Spitalny Musician Dies on Her Wedding Day

One of Phil Spitalny's all-girl band, Gertrude Bogard, was to have married interne Thomas Bridges, of the New York Hospital, in Elizabeth, N. J., last Saturday (3) but died of pneumonia on her wedding day. In silent tribute the girls of the band and her former leader filed past her bier at funeral services held yesterday morning (Tuesday) in the Boyertown Funeral Parlors in midtown New York.

Miss Bogard, who was 23, played the electric guitar, chimes and xylophone. The member of his orchestra contemplating marriage, according to Spitalny, she was rehearsing with bridesmaids last Friday (2) when she was stricken. Rushed to the Sydenham Hospital she was later removed to the New York Hospital where she failed to rally from a semi-conscious state. In her last words she expressed concern over her apparent inability to be on hand for Sunday night's "Hour of Charm" broadcast.

Spitalny curtailed a short vacation to pay his respects and remained in town for the services. Though the entire orchestra was obviously unstrung on Sunday's broadcast no mention was made of the tragedy either to the studio audience or over the air. Her friends who last week practiced for the bride's choir sang at the services.

A native of Bronx, Miss Bogard had been with Spitalny for about six years and was to have opened an engagement along with the orchestra at the N. Y. Strand, Friday (9).

She is survived by her parents, Mr. and Mrs. William Bogard, and an aunt and uncle, Mr. and Mrs. J. R. Alexander of Elizabeth. Her father came from Boise, Idaho, by plane to be at her bedside.

## Clyde Doerr Bankrupt

Clyde Doerr, sax player on Major Bowes Sunday broadcast for past six years, filed a voluntary petition of bankruptcy in Brooklyn Federal court, listing \$19,275.49 in liabilities and \$75 in assets. \$25 of which included his Judge Marcus B. Campbell appointed Eugene F. O'Connor, Jr., as referee in bankruptcy to hold hearings of various creditors.

Major liability is a deficiency judgment of \$12,527 in a four-figure action. Doerr lives at Gracie Neck, L. I. Goodspeed & Post are his attorneys.

## Goodman Rests at Banff

Convalescing from an operation on his back performed at the Mayo Clinic, Rochester, Minn., recently, Benny Goodman has gone to Banff in the Canadian Rockies for further rest.

He long suffered from sciatic pains.

## Donald Flamm Discusses ASCAP In Lindy's While Ordering a Sandwich

Donald Flamm, owner of WMCA, New York, whose annual gross billings are estimated at \$1,200,000 per annum, and who pays ASCAP a license fee of \$25,000 a year, is a frank pro-Society adherent. But he has his own ideas about a percentage-of-the-commercial billings.

In an informal discussion in that No. 10 Downing street of the pop music business, Lindy's, Broadway, Flamm, told a number of ASCAP directors that "maybe I should pay even more than I do for sustaining music. In fact, I feel that music is so important to us for the buildup of interest in the station that I wouldn't hesitate to pay an increased percentage. But on the other hand if Bell-Ans buys a time signal from me, Bromo-Seltzer a newscast period, or Sachs Furniture stages a quiz show, I don't think I should tack on an additional 5% or 7% on that billing for ASCAP music, when these show use any note. Certainly, if it's a matter of a theme strain, I can easily switch them into the idea of some copyright or we could just make up one of our own."

"I don't say that Sachs Furniture's variety show, on the other hand, shouldn't pay ASCAP freely and well for its wealth of music. But take those news periods—why shouldn't Hearst or UP or AP figure that those are the 'lyrics' of our shows, and then decide to become a participating co-partner with us on a percentage basis for the use of their news dispatches?"

Yes, But—The ASCAPies countered with the idea that, no matter how radio premiums are in show business. And, to quote one, "The ASCAP percentage is like a royalty on the box office. Commercial billings, less the

usual 15% and 2%, are your box office. When Irving Berlin writes a Music Box Revue or Ziegfeld Follies, they could also have argued that these musical shows also included the collaborations of, let's say, a Josef Urban for scenery, an Edward Royce for staging, a Sammy Lee for putting on the dances, a corps of librettists for the sketches, not to mention the Marilyn Millers, Bert Williams, Eddie Cantors, etc. But Berlin, as the show author, has with any other authors, got a percentage of the gross, right on the top. Sure there were others sharing in percentage. Marilyn Miller got \$3,500 a week guarantee against 10% of the gross, for example. Stagers and book writers, besides stars, share on percentage. That's show business, as it always has been, and will always continue to be.

Same goes for any big radio commercials. Royalty percentage for use of ASCAP music we consider eminently fair. We ask for 7½%; maybe we'll settle for 6%. Five years ago we thought we had a deal for 5% but it wound up actually averaging 2¾% due to certain book-keeping adjustments. Hence we revised our claims against the stations. It's a break for the independents in many respects."

Along came the sturgeon sandwich and the Lindy's masterminding ended.

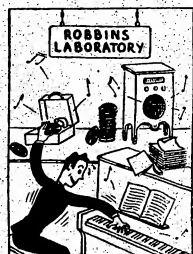
## Lombardo's 2,500

Buffalo, Aug. 6. Turnstiles clicked fastest this season at Celeron Park, Jamestown, for recent Saturday one-nighter by Guy Lombardo.

Count was 2,500 admissions, 600 couples parting with \$2.25 for advance duets and rest shelling out \$2.75 for door.

## WHY EXPERIMENT?

We eliminate the gamble in your program selections by publishing only hits proven in performances, requests and popularity on records. Follow THE ROBBINS WAY—the most consistent publisher of hit songs.



YOU THINK OF EV'RYTHING from Billy Rose's "NEW AQUACADE" at the N. Y. World's Fair 1940

## I'M STEPPING OUT WITH A MEMORY TO-NIGHT

By the writers of "Music Maestro, Please"

## MAYBE

The Most Talked About Hit On Music Row

## FERRY-BOAT SERENADE

By the writers of "The Woodpecker Song"

## COMING!

A Great Score by MACK GORDON and HARRY WARREN sung by SHIRLEY TEMPLE in the 20th Century-Fox film, "Young People"

## I WOULDN'T TAKE A MILLION FIFTH AVENUE TRA-LA-LA-LA

ROBBINS MUSIC CORPORATION 799 Seventh Ave., New York

MURRAY BAKER, Gen. Prof. Mgr.

LEO TALENT, Prof. Mgr.

## Night Club Reviews

### VICTOR HUGO (BEVERLY HILLS)

Beverly Hills, July 23. Lou Holtz, Milton Berle, Jack Benny, Phil Baker, Jack Gwynne, Sid Gordon, Janice Chambers, Matty Malneck Orch. (12); minimum, Saturday and Sunday, \$2; other nights \$1.50.

Sunday nights along this sector have been what would be equivalent to the cinema's boxoffice poison. It was just a slough night and no one made any bones about how bad it could be. At one time Earl Carroll was all for closing down on the Sabbath, trade dropped to a low level. Then came Grace Hayes with a modest pitch in the valley. By the simple expedient of calling on the professional talent that happened to drop in, a new era was created that was to make the dread Sunday night the top coin-getter of the week.

So, Walter Guzzardi, boss of the Victor Hugo, went on record as 'that's for us'—a trick to get into the bistro of a Sunday unless you're a biggie in films or you've phoned in your reservation plenty early.

On this catching Lou Holtz was emcee and talent grabber. Idea is to look around and go into a build-up for the quarry. Holtz didn't have to look past ringside to single out Milton Berle, Jack Benny and Phil Baker. Some others were bid. den to the floor mike but begged off. For doing his own turn and 'knowing' people, Holtz was paid a guarantee of \$550 against all covers. Spot holds \$30, which leaves not much room to unlimber the netters.

Just in case there are no performers around or they shy away from the metallic monster, the house has hanging around the edges a few turns to keep the mob amused. This coterie, all of whom performed, included Jack Gwynne, magician; Sid Gordon, comedy fiddler who even gets music out of the box by picking the strings with his teeth; Janice Chambers, moppet singer. To round out the show Matty Malneck puts his sextet out on the floor for a few numbers popularized by his recordings.

Berle and Baker really pitched in to help out Holtz. Benny cracked 'you'd think we come here for that purpose.' If Holtz is not here next Sunday I'm not going to see the Jello comic's second Sunday in a row at the spot. Berle got off a slew of gags, fast-like, and then went into an hilarious shtetl scene, both peeling to the waist with the woo-woo gestures. Baker gave an imitation of Charles Boyer addressing a lamb chop and finished with his impersonation of chorus girls in various frames of mind.

On nights when biz is slack, usually Monday and Tuesday, the main diner is closed and all activity transferred to Paragon room just off the long bar. Auxiliary site seats 200.

### BON-AIR, CHI

Chicago, Aug. 4. Abe Lyman Orch. (16), Marty May, Betty Bruce, Grace and Nikko, Jane Froman, Rose Blane, Don Sterling Orch. (6), Sammy Rose Line (10).

Situated 25 miles north of Chicago, the Bon-Air country club is an outstanding dining and dancing spot, with a new show current. There is nothing around here this summer to compare with the Bon-Air for atmosphere and value.

Abe Lyman orchestra is making its first appearance in the nitery and, as always, is solid, with the leader's personality ever-present. 'Unite plays a neat session of dance music as well as splendid show accompaniment. Lyman's violinists give his orchestra fine melodic qualities, this being particularly noticeable in the band's accompaniment of Jane Froman's sock vocal session.

Later is the headliner of the floor show and rates it. She ties up the performance completely, and had to encores repeatedly to gratify this persistent audience. Miss Froman has come a long way since her early radio days and has a genuine stage presence that sells her immediately upon arrival and adds a fine flavor to each of her songs.

In the same type of legit groove is Betty Bruce, a dancer with a 'standout' style, mixing taps with ballet styling she's a real clut. Particularly impressive about Miss Bruce is the way she uses her hands. Many dancers don't know what to do with their hands, but Miss Bruce makes them a genuine asset. Marty May is m.c. and comic. A polished looking worker with an easy and breezy manner, May always has a ready-made gag, but somehow has never quite fulfilled those expectations. He has the basic qualities of top-line rating, but shows a glaring need of material. Grace and Nikko's comedy ballroom team with an air that is a surefire selling factor. They have

appearance and a good sense of ballroom comedy. Rose Blane does not participate in the floor show, but still does a bang-up job of warbling with the Lyman band. Don Sterling orchestra is the band filler while the Lyman group rests. It turns in a competent job.

Then there is Sammy Rose and his production numbers, moth-eaten and corny stuff that's completely out of place in the Bon-Air and looks particularly sad when tied in with a floor show so full of real and modern talent.

### VOGUE ROOM, CLEVEL.

(HOTEL HOLLENDEN)

Cleveland, Aug. 1. Paul Rosini, Parker and Fredricks, Barbara and Betty Leslie, Grace Morgan, George Duffy Orch. (11); minimum \$1.50 and \$2.

This is George Duffy's initial hotel date. Back to town, after an absence of nearly three years, but the young Cleveland pianist-maestro demonstrated that he's still a top fave here by making his opening week the sockiest money-making stanza Vogue Room has had this semester.

One attributable point is that Dick Marsh, manager of the Hotel Hollenden, is not just economizing on floor talent. Current setup is well chosen for muggy dog-days and new orchestra leader cues it smartly, giving some standard acts a refreshing jolt.

It's a good summer buy but it's the band, not the show, that's getting biggest play from dancers. Outh has improved immeasurably in last three years since last local date, at old Mayfair Casino. He's built a corking three-violin section that dovetails smoothly with brasses which seem sweet even when riding off-beat rhythms. Another innovation is ensemble vocalizing, highlighting excellent work of Charlie Scarle, Morrey Grudge and Dick Strayer, latter whamming crowds with his Hawaiian accent. Leader himself, tagged Cleveland's Duchin, doesn't let his piano dominate the show, but he seems it with some high and fancy key-juggling at mid-night sessions.

Heavy-set baritone half of Parker and Fredricks, in as m.c. and fairly, being inclined to repetition, and being a bit nervous in introductions. As a singer he's nearly the whole act. Not only has swell vocal production, but also a good deal of notes that win the audience when he tackles 'Donkey-Serenade'. Female partner's on the shrill, colorless side.

Paul Rosini, a semi-annual visitor, breaks away from old turn of magic by developing a new technique of sleight-of-hand in wait time. Dedicated dancer's best illustrated in his cigar palm, adding laughable element of surprise to an overdone trick. Other stunts from stock, too, but he knows how to slick them up. Barbara and Betty Leslie in formal attire earn their money in this hot weather with their energetic ballroom terping. Both suave and perceptive, they slip away from stereotyped singing stuff by punctuating it with neat knee and hip twirling, managing to maintain air of coolness throughout. Interlude filler is Grace Morgan, doing strabo a laund, a piano while going torcheroo.

### Nitery Followup

John Buckmaster who came to attention at the Hotel Algonquin's Supper Room (N.Y.) with Greta Keller is now seen in the Hotel Savoy-Plaza's Cafe Lounge (N.Y.) and more than holding down the solo assignment in a tough spot following Hildegarde, Dwight Fiske, et al. Young English comedian has a fine sense of comedy values, his satirical delineations opening with impressions of the different song stylists with 'Time On My Hands' as a theme. The French swordman's restaurant trouble sequence, contrasting Gallic and American service standards, and 'I'll Be Seeing You' near ballad done straight, sound, but strong, program. Enile Pettie, personal, dispenses the expert darsanation.

Sally Rand has been given a new date atop the Park Central's roof, Coconut Grove (N.Y.). In lieu of 15% of the gross and all the covers, she and her troupe would be placed the cover charge and her percentage of everything topped. She has a smart floor show with her which, were it not for the too tough women, would command the most attention. In the fall-winter season the fanner would come out with plenty on her end. She gives with a light touch, and her customers much value with an elaborate review wherein Dora Maughan, with her saucy material, is a comedy standout. It's been years since Miss Maughan, Grace and Nikko's comedy ballroom team with an air that is a surefire selling factor. They have

or five years. Burt Harger and Charles May, ballroom team; Valya Valentino, Russe terp specialist; Charles Barnes, vocalist-m.c.; plus a ballet, a line of ponies and six showgirls. Miss Rand herself does the fan and bubble specialties and, for her third (2 a.m.), show there's an al fresco 'rumba rumpus' wherein all let their hair down.

Hotel Edison's Green Room (N.Y.) is making a mistake in air conditioning itself. Mrs. Maria Kramer, femme boniface of both the Edison and Lincoln hostilities, who prides herself on her showmanship and band-entrepreneurship, undoubtedly finds that the Lincoln's Blue Room, which is airconditioned, does better than this spot, although Gray Gordon's band is in the crest of quite a vogue at the moment. Gordon's 'Tic Rock Rhythm' is prolifically etherized and his tie-in with the Victor recording of 'I Am An American' gives him extra value as a neat sweet hot band of 13 with Art Perry and (Miss) Meredith Blake landing the vocals. Four reads and five brasses, with fast rhythm, under Gordon's batonmaking make for a brisk setup.

Tommy Dorsey continues boffing them at the Hotel Astor Roof (N.Y.) with his versatile bandshow road company augmented by Florida Vest-off color tapster. She's been around the nitery since the ebb of the prohibition era but somehow hasn't come into the recognition due. A personable, shapely miss, she hoots with the best of 'em. Dorsey, of course, is the prime draw along with Frank Sinatra and Connie Haines, featured in his aggregation. Bertha, his first trumpet, is a relief maestro when Dorsey is off the stand and he, along with Buddy Rich, get solo opportunities. Biz terrier.

### FRENCH REED MFR. LOSES SUIT IN N. Y.

Suit of Mario Maccaferri, musical reed manufacturer, against the Musical Instrument Exchange, Inc., was dismissed yesterday (Tuesday) by N. Y. supreme court Justice Kenneth O'Brien. Suit sought an injunction against the defendants, plus \$20,000 damages.

Action asserted plaintiff conducted his business in France up to Jan. 15, 1940, when a U. S. manufacturing plant was opened. Immediately thereafter, 50,000 circulate advertising a reed called 'My Masterpiece' was sent to dealers throughout the country bearing a picture of Jimmy Dorsey opening the manufacturing plant with the smashing of a champagne bottle. It is claimed the defendant sent out similar circulars to the same dealers, cutting the plaintiff's price on the reed.

### Music Notes

Ted Fetter, composer of last year's Aquacade hit, 'Yours for a Song' and producer of the straw hat musical, 'Two Weeks With Pay' which opened the season at the Ridgeway theatre, White Plains, N. Y., is doing the lyrics for Frankie Masters' new number, 'Poker Face'. Robbins Music will publish.

Buck Ram, composer of 'Boog It' and 'Slow Freight', pacted to a two-year contract with Advance Music Corp.

Miller Music publishing two Tahitian tunes by Augie Goupil entitled 'Tua Here' and 'Marcelle Vahine'. Coupled with 'Island Serenade', Ray Kinney uses the latter as his first Victor release.

Sigmund Krumbold and Andrea Setaro collaborated on musical backgrounds for 'Rangers of Fortune' at Paramount.

Arthur Kay is doing the musical director job 'Gypsy Cavalier' at Monogram.

Frank Waxman is scoring 'The Philadelphia Story' at Metro and David Seidl is doing a similar chore on 'Dr. Kildare Goes Home'.

Peter Tinturin is writing words and music for numbers in Republic's 'Border Legion'.

Alfred Newman completed the scoring for Walter Wanger's 'Foreign Correspondent'.

Harry Warren collaborating with Mack Gordon on tunes for 'Tin Pan Alley' at 20th-Fox.

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

Following is a totalization of the combined plugs of current tunes on NBC (WEAF and WJZ) and CBS (WABC) computed for the week from Monday through Sunday (July 29-Aug. 4). Total represents accumulated performances on the two major networks from 8 a.m. to 1 a.m. Symbol denotes film song, stage musicals, 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
All This, and Heaven Too (7).....	Remick	38
Fools Rush In (10).....	BVC	35
I'll Never Smile Again (8).....	Sun	33
Orchids for Remembrance (5).....	Miller	33
You Think of Ev'rything (2).....	Robbins	32
When the Swallows Come Back (6).....	Witmark	31
Sierra Sue (13).....	Shapiro	30
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I'm Nobody's Baby (8).....	Feist	26
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### GROSSES POORISH

Bridgeport Beach Is Not Doing So Forie Just Now

Bridgeport, Aug. 6. Midseason dance biz off at Pleasure Beach, city-operated park. Will Hudson drew about 500 at 55c, followed by Will Bradley-Ray McKinley, who did less than 600 at 66c, drop of 900 from stand earlier in season. Last Sunday was better with Tony Pastor, about 750 at 66c. Jan Savitt and Charlie Barnett coming up August 11 and 25, respectively.

### Release Franco Ghione From Detroit Symphony

Detroit, Aug. 6. At the request of his manager, the Columbia Concert Corp., Franco Ghione, conductor of the Detroit Symphony Orchestra since 1937, has been given his release. Contract had a year to run.

Ghione, native of Italy, is at present at the Teatro Colon in Buenos Aires, where he is chief director of Italian and French Opera repertoire.

No mention of a successor has been made as yet.

### Dallas Dance Pick-Up

Dallas, Aug. 6. For the first time in years, local dine and dance patrons are being treated to a selection of top-notch bands and attractions as the major spots here vie with each other to attract the spending crowd. Buddy Rogers fronts at the Baker hotel's Peacock Terrace, with George Olsen slated to follow Aug. 8.

Across the street at the Adolphus Hotel's Century Room, an ice revue with Gladys Lamb and Babe Yukum is the lure. Music is provided by Ligon Smith's orchestra. Bobby Peters and his orchestra are at the Plantation Club, open-air spot with 2,500 capacity. Jimmy Grier follows in Aug. 8.

Erskine Hawkins brought his all-color orchestra to the Showboat for a one-nighter, Aug. 2. Freddy Martin is scheduled to appear for a one-nighter at the Dallas Athletic Club Aug. 9 as the first of a series of name bands to play here for one-night stands.

### Dorsey's 'My Pal' Mail

As a gesture to Joe Venuti, who opens at Frank Dailley's Meadowbrook, Cedar Grove, N. J., Sunday (11), Tommy Dorsey is inking personal letters to the trade to insure the violin maestro a solid send-off.

A statuesque musician for years, the booking represents Venuti's first real break since forming his own orchestra.

### LOUIS DREYFUS ACTIVE, LESSENS MAX'S LOAD

Louis Dreyfus, London evacuee, is handling business details at Chappell during his U. S. sojourn, leaving the Chappell of English firm in native hands. Since Henry Spitzer left the firm, Max Dreyfus has been general supervisor, but now with the return of the other brother it lightens the burden.

Spitzer, meantime, under contract through July to the Dreyfus firms, plans returning to the publishing business with his own outfit. He's dickering to acquire a catalog as a nucleus for ASCAP membership.

### Alleges Infringement Of 'Let's All Sing Together'

Alfred Music Co., Inc., filed suit Friday (2) in the N. Y. supreme court against Bregman, Vocco & Gonn, Inc., Joe Audino, Nick Di Rocco, and Bill Keeshan, seeking an injunction, accounting of profits, and statutory damages against the defendant's publication of 'Let's All Sing Together', claiming the defendants' song was copied from 'Valzer Trullallero', belonging to the plaintiff.

It is asserted that the Italian song was written in 1935 and acquired in 1938 by the plaintiff. On Feb. 1, 1940, the alleged infringing song of the defendants was placed on the market, and is asserted to be copied in both lyrics and music from the plaintiff's song.

### Toledo's Juke-Box Tax

Toledo, O., Aug. 6. Councilman John Kelly has introduced an ordinance to license music boxes, designed against the city of Toledo over \$10,000 a year. The measure would require a \$10 fee for each device.

### Ft. Worth Bookings

Ft. Worth, Aug. 6. Buddy Rogers band currently playing at Peacock Terrace in Dallas is scheduled for a three-night stand at Lake Worth Casino here August 8-9-10. Local Ad Club big annual dinner dance, usually held in downtown spot will move to Casino for Rogers music.

Nick Stuart, holder of attendance record at Hotel Texas Den here, closed a week's engagement at Casino Tuesday. Jimmy Grier played a one-night stand Wednesday to fill in between bands.

Val Valentini's orchestra opened at the Harbor Rest, Rockaway Park, L. I., last Friday (25). Buddy Breeze vocaling.



# Sid Tomack (and Reis Bros.) Beefs AGVA Lethargic in Sally Rand Case

Sally Rand is still waving her fans and Sid Tomack & Reis Bros. aside at the Park Central hotel, New York, while the American Guild of Variety Artists' local executive secretary, Phil Irving, is evidently still looking for cause to pull a putch in retaliation. Fact that the comedy trio up till last night (Tuesday) already had \$1,000 in salary (two weeks) coming to them is not sufficient reason, Irving says, to pull out the entire troupe.

Sid Tomack, incidentally, is a v.p. of AGVA's San Francisco local, but there, he says, the organization really protects its members. From this experience in New York, he added, the union apparently can only act as a small claims court and is unable to act on claims for important coin.

Tomack said he would like to know why he's paying dues into AGVA if not for protection. He pointed to the late, narrow, under the union, he said, wouldn't hesitate one moment in pulling an entire crew and calling a strike if one of its members was not paid.

**Complications**

Phil Irving on Monday (5) stated that complications had arisen at the Park Central because the hotel management had stepped in and partially guaranteed salaries of the Rand troupe, with Miss Rand, because of poor business conditions, giving notes for the balance. The fanner is in on a percentage. How this complicates the matter adds more mystery.

It was also pointed out by the N. Y. local exec sec that he is working hand in glove with the musicians and stagehands union, and that a situation had been straightened out in the P. C.'s Coconut Grove, Monday (5) night, narrowly averting a strike. The 'situation' was the stagehands' demand that Miss Rand employ a stagehand to handle some special lights. The 'straightening out' was Miss Rand's decision not to use the lights. When Irving was asked why he was ready to pull out the show for a stagehands' matter, but not for actor-members of AGVA, he stated that was not the case at all. He stated that this cooperation with the stagehands and musicians will eventually straighten out the Tomack and Reis Bros. matter.

Irving added that he saw no reason to build up a civil suit for the boys and their lawyer, I. Robert Broder, and that, if the trio had enough money to hire a lawyer they should follow through with that course. Irving admitted that he had told Broder, who tried to reach him on a Saturday, that he worked only (Continued on page 38)

## BARNES & CARRUTHERS SIGNS DEAL WITH AGVA

Chicago, Aug. 6. After a year of bickering, Barnes & Carruthers Fair Booking agency last week signed an agreement with the outdoors division of the American Guild of Variety Artists. B. & C. had contently stated that it would not signature any deal with AGVA.

## Cinda Glenn Dated For Rio and Loew's

Cinda Glenn sails Sept. 6 for the Urca Casino, Rio de Janeiro, booked by Hal Sands. 'Date is for six weeks. Nitery pays her and Charles Embler, her pianist, in U. S. dollars and first class passage both ways.

Miss Glenn, formerly-Glenn Eilyn, when in London and Paris shows, plays for Loew's in Washington and possibly also the State, N. Y., before sailing, opening the D. C. date on Friday (9).

## WB DROPS PITT VAUDE PLANS

WB zone manager Harry Kalmine has dropped idea of putting vaude back into the Stanley for a week or two this month. Instead, he will hold off resumption of combo policy until middle of September at least. Deal had been on fire for George White's 'Scandals' unit to come in, possibly week of Aug. 16, whereupon house would revert to straight pix again until early fall.

However, George White's reps and Kalmine couldn't get together on a 'summer price' and show was subsequently booked at regular salary to come in later, probably be around Sept. 13.

Stanley has been on straight picture basis for two months now, longest break in vaudefilm at this spot in several years. During summer, Stanley and Penn, booked together in a Loew-WB pooling deal, have been splitting major product; ordinarily Penn gets the A's exclusively.

## Ice Show May Play At N. Y. State Fair

The 'New York Ice Revue' which opens Thursday (8) at the former ball park in Philadelphia, may be a feature attraction at the New York state fair at Syracuse, dated for Aug. 25 to Sept. 2. Deal was virtually completed last week by the fair management, but is subject to approval by the Philadelphia end, which is financing the open air ice show.

Should the revue go on in Syracuse, it will be presented in the Coliseum, an indoor arena there. Paul Smith, director of the Syracuse fair, made the offer for the ice revue.

Eddie Garr has been held over at Cal Neva Lodge, Crystal Bay, Nev., for the balance of the summer. He was originally booked for two weeks.

## Poise at 14

Minneapolis, Aug. 6. Performers in the 'kiddie revue' shows staged at the St. Louis Park, neighborhood theatre, in conjunction with radio station WCCO, are continually pulling the unexpected.

Last week the show was halted temporarily because of faulty lacings in one of the artist's brassiere. The 14-year-old rope dancer stopped in the middle of her number, walked over to the pianist, asked him to hold up the music for a minute, and then, without going back stage, she calmly and unembarrassedly retied the lacings in her costume before resuming her routine.

## New Combo Dickering For Philly Anchorage, Shut Since Gov't Raid

Philadelphia, Aug. 6. Harry Drob, former owner of the 21 Club, and Isabelle Hackett, wife of a city detective, have formed a company to purchase the Anchorage, East River Drive roadhouse recently shuttered following a raid by Federal agents because of non-payment of social security taxes.

The deal, outside of a few details, is virtually completed, and the new owners hope to reopen the spot before the end of the summer. Arthur H. Padula, former operator, still holds title to the building.

It was reported at first that the new syndicate would include Benjamin (Benny-the-Bum) Fogelman, who is trying to make a comeback since the folding of his Broad street bistro. However, Fogelman was unable to raise the money. At present he is associated with his father in the junk business.

## Cite Hirst's Hotel Nitery for 'Lewdness'

Philadelphia, Aug. 6. The Jungle Room of the Alan hotel has been cited by the State Liquor Control Board for the showing of 'lewd and immoral' entertainment.

The spot was favorite of the stay-out-late crowd, starting its shows when all other spots had closed. Owner of the hotel is Izzy Hirst, operator of a burlesque wheel, as well as the Troc and Bijou theatres.

# Great Emphasis on Entertainment in 100 Mile Stretch of L. I. Roadhouses, Bars

## Mpls. Council Nixes License for Curly's

Minneapolis, Aug. 6. Curly's, one of city's largest and most elaborate niteries, which has been in numerous jams with the authorities, has been denied a dance-hall and tavern license by the city council. The vote was 14 to 11.

'Every time that representatives of Curly's came in for a license they experience some difficulty in obtaining it,' commented Alderman Harold Kauth, chairman of the license committee, 'but, mysteriously, a short time later they always succeed' in getting the necessary council strength.

## N. Y. ENFORCING 4 A.M. CURFEW

Revocation of Julie Podell's Kit Kat Club's license on his East 55th street (N. Y.) nitery winds up the high spot of post-4 a.m. rendezvousing. When El Morocco and the Stork, around the corner, stopped selling at 4 a.m. under ABC regulations, the Kit Kat was one known oasis for a drink to be gotten at almost any hour.

The Kit Kat remained also, the sole class Harlemesque-type bottle, in line with the Harlem-brought-to-midtown cycle. With the Cotton Club's premises for rent, the KK was the lone spot of its calibre left in the field, and may yet continue since the management avers the ABC liquor license injunction hasn't as yet been served on them; and furthermore they hope to straighten things out.

## Wichita Nitery Burns

Wichita, Kas., Aug. 6. A spark from an air conditioner ignited material being used to reprocess the dance floor at the Kaliko Kat, nitery, Thursday (1) and building was completely destroyed. Joe Prothero, owner, and workers in building escaped without injury. Loss estimated at around \$25,000.

From Queen's Plaza, Long Island City, to Montauk Point, some 100 miles, there are more than 100 places where the Long Island motorist and vacationist may secure entertainment of one kind or another. There is a wide range in the type of resorts, varying from floorshow spots to dine and dance places, but the bar and grills, sans ostentation but with singing waiters, are popular among those professionally inclined.

Largest cluster of such grills is at Long Beach, most being spotted in the west end close to the summer cottage section and but one block from the beach. In all there are 23 places operating at Long Beach and at least half have entertainment that starts early in the evening and usually continues until three a.m., unless the weather forces earlier closing or the customers are too sparse.

Brand's is rated the most popular of the west end spots, having a three-man outfit. At the piano is Lou Gould, once known as the 'recording king', who originated at the Chatman Club, on New York's lower East Side. He is a wizard at the ivories, especially when in the mood, and his repertory seems inexhaustible. Jo Jo White, specialist in comedy lyrics, and Gould were at the Nut Club, Miami Beach, last winter, and will return there. Duo was at the Barbary Coast, World's Fair, but a 50-minute trick with a 10-minute lay-off was too tough.

Jo Jo White is 61, but he's been saying that for years. Best of his (Continued on page 38)

## CAPITOL, NEW YORK, BOOKS RADIO QUIZ WIZ

Chicago, Aug. 6. Dr. I. Q. (Lew Valentine) takes his questions and answers broadcast show into the Loew's Capitol, New York, starting Aug. 19. Will broadcast direct from the Capitol stage over the NBC-red web each Monday evening.

Dr. I. Q. currently is doing the stage broadcasts from Butte, Mont.

Show, which is on for Mars Candy Co., is handled by the Grant advertising agency, Chicago.

# XAVIER CUGAT

In His 2nd Sensational Week

AT THE  
PARAMOUNT THEATRE  
NEW YORK  
WEEKS JULY 31  
AND AUGUST 7

also appearing at the  
WALDORF ASTORIA  
HOTEL

"The Paramount Theatre is presenting one of its best stage shows of the season this week.

"Xavier Cugat's orchestra is just about the best rumba outfit south or north of any border. Mr. Cugat was one of the first rumba band leaders to achieve prominence and he has retained his position at the top of the heap."

A.S.G.  
Herald Tribune, August 1, 1940.

R.C.A. Recording Artists  
Management, MCA



FIRST NEW YORK STAGE APPEARANCE

# DENNIS DAY

Singing Star of the Jack Benny Program

ROXY, NEW YORK

This Week, July 26th

And for the First Time in the History of the Roxy, held over an additional week, August 2nd, with an entire new show

Direction  
A. & S. LYONS

## PALACE, CLEVE., SETS NAMES FOR FALL

Cleveland, Aug. 6.

Five things in summer vaude made such a fine b.o. showing for the Palace, Nat Holt is pushing up opening of RKO deluxer's fall season to Aug. 30, with Charlie Barnet's band as stage starter.

Laurel and Hardy were also bagged for week of Sept. 6 by zone manager, on recent show-shopping visit to New York. Casa Loma crew is scheduled for Sept. 13, Ken Murray and Nancy Kelly for Sept. 27, Xavier Cugat for Oct. 4.

RKO exec is also closing deals for personals by George Raft, Allan Jones, Irene Hervey and Dorothy Lamour in early fall. For the present, Palace adhering to straight film policy, with intermittent vaude bookings.

### Simmons Back in U. S.

Danny Simmons, former bigtime vaudeville booker, left B. S. Moss and RKO, is an evacuee from Paris.

He returned to the States during the past week, after having lived in France for 10 years.

## RAUL AND EVA REYES

Foremost exponents of  
RUMBA and CONGA

now in their 2nd week  
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## NEW YORK PARAMOUNT

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**SIDNEY H. PIERMONT**  
BOOKING MANAGER

### L. I. Shows

Continued from page 37

numbers for laughs. Mrs. Brown's Barnyard. Trio's singer of torch songs is Roy Mertz, good-looking youngster who should land professional circles.

At Jack Kelly's Virginian, which is the hot spot in the section, are Jack Lewis (teamed with Ted Lewis before the latter assembled his band) and Tommy Wilson, as the singers, with 'one finger' Milt Feiber at the piano. At Bud Dempsey's (he has a bartender's school New York) are the King Brothers. Across the street from those places are Paddy's and Moriarty's, both Irish reel joints in the former are Jean Quinn and Paul Corban. Latter has 68-year-old Guy Steel at the ivories—he is out of the navy after being a gop for 20 years.

Over on the beach, the New Yorker, where Ruth Bon Bon, a 1926 'Follies' girl, is the main attraction. Also on the strand is Jack Dawson's, which goes for Sunday entertainment, Louis Prima's band being in action; then, it being at the Hickory House (N. Y.) on weekdays, Lawrence Inn has Buddy Handman at the pi with Jeff (Cupid) Brophy the warbler. At the Farrell House, 'the big host' Joe Duffy is in action. Shingle Inn offers Gerie Dwyer and George Godfrey. Billy Clark, Matty White and Larry Mulvaney are at the Pavilion. Another Irish reel place is the Shamrock, where all comers may participate.

### RIPLEY LOSES BREACH SUIT TO STOCKHOLDER

Robert Ripley, Believe It or Not, Inc., and Long Island Oddities, Inc., were the losers of a stockholder action against them by Joseph Greenbaum, a stockholder and financial backer of Ripley, when N.Y. supreme court Justice Felix Bengven, on Monday (5) found that Ripley's formation of Long Island Oddities was a breach of contract since Ripley agreed, after opening his N.Y. Odditorium, not to open a similar exhibit elsewhere. An injunction against Oddities, N.Y. World's Fair outfit, however, was denied by the court, which sent the matter to a referee to determine damages.

Justice Bengven declared of the World's Fair show: 'There can be no doubt that by opening and conducting the exhibition at the World's Fair, the defendant breached the agreement.' However, he went on to say that the Broadway exhibit, being bankrupt and out of business, an injunction would only harm the innocent stockholders of the World's Fair project. Damages, however, were determined by the court to be a different story, and an accounting is to be made by a yet-unappointed referee.

Patli Morgan and Al Shelleday, both formerly with Al Kavelin band, now employed elsewhere, Miss Morgan with Bobby Day and Shelleday with Alvinio Rey.

### BORDEN IS RECEIVER OF ARCADIA, PHILLY

Philadelphia, Aug. 6.

The Arcadia, swanky midtown niter, was placed in the hands of a temporary receiver by the Court of Common Pleas Friday (2). Ernest G. Borden, former vice-president and manager of Billy Rose's restaurant enterprises in New York, has been engaged to manage the spot.

The receivership was ordered by Judge Francis Shunk Brown on petition from Anne Kugler Derham, daughter of the late William Boothby Kugler, who shot and killed himself last November. New weeks after he took over the operation of the Arcadia. The place had been shuttered for almost a year. It was formerly operated by Arthur H. Padula and was the rendezvous for Philly's smart set.

In her petition to the Court, Mrs. Derham averred that she holds 850 shares of stock out of the total of 12,500. Despite this, she charged, Harry R. Tully, president, and John Roberts, treasurer of the company, had entered into a conspiracy to force her out.

Borden said that he would make no decision on the future operation of the Arcadia until he has had a chance to look around. The spot features a band and floor show.

### 15 YEARS AGO (FROM VARIETY)

The New York motion picture bunch was solidly behind Senator James J. Walker's campaign for the Gotham mayoralty. He was slated to afford the most opposition, among the Tammany Hall gang, to Mayor John F. Hylan.

William Haines, the young screen actor, was rumored engaged to Pola Negri. Marriage reported set for the near future.

'On With the Dance,' the C. B. Cochran hit musical of London, was being brought intact to Broadway under the joint aegis of Cochran and Arch Selwyn. Alice Delysia was to have the main part.

Channing Pollock's latest drama was slated for London production. Basil Dean is the producer.

W. C. Fields was to give up his role in the touring Ziegfeld 'Follies,' as was Will Rogers, since Fields was under contract to Philip Goodman to act in 'The Showman.' Fields has been starred in Goodman's 'Poppy.' Rogers was set for the lecture platform.

### Hellz

Continued from page 3

revue, will not participate in the picture money, title being the exclusive property of the comedians.

Picture deal will climax one of the most successful stage ventures on record. 'Hellz' with O. & J., traipsed around the country as a vaudeville unit for years. Kaufman saw the unit and proposed expanding it, Lee Shubert providing settings and costumes from the storehouse, representing half a dozen Shubert musicals.

When 'Hellz' opened Boston there was an attempt to rate it as vaudeville, but Equily deemed otherwise, which was a lucky break for the show end. Laugh-wooding revue was an instant success at the 46th Street, N. Y., and before long it was transferred to the Winter Garden. It topped the list for many weeks despite the arrival of newer musicals, all of which moved on, and currently it is runner-up to 'Louisiana Purchase.'

In addition to cutting up the picture coin, the comedians will share in the profits of the film after production is earned back. They are due to get 40% of the net. Present plans call for the picture to start grinding in September of next year and before then the show is likely to tour the country.

Jules Levey, Eastern Sating East, will remain in the east for some time, with his 'Boys From Syracuse' now getting into circulation. Picture is currently in its second week at the Paramount, N. Y., which made a special deal on it guaranteeing two weeks, with an option for a third.

With 'Hellz' onpin a long way off due to the New York run of the show, Levey states he may do one or two other pictures, meantime.

### Tomack Beefs

Continued from page 37

a five-day week per union rules. When it was pointed out to Irving that actors work seven days a week and therefore are apt to need protection at times on at Saturday or Sunday, he then stated that all the New York organizers were always on hand in the office on Saturdays. Broder, however, claims he called AGVA four times and left messages each time for somebody of official capacity to call him back, but the only person he reached was the switchboard operator.

As the situation now stands, the boys are not being paid by Miss Rand, nor are they working in the show at the Park Central. Last week Miss Rand signed a letter to them signifying that it won't be a breach of contract if they don't appear every night, meaning that they can go out and look for other employment.

### Saranac Lake

By Happy Benway

Saranac Lake, Aug. 5.

Things that make life and oozing in this Actors Colony worthwhile: the lawn parties of Mrs. William (Mother) Morris at Camp Intermision, which enables the patients to a taste of different surroundings; the books, magazines and good-cheer shunt in here by John K. Menzies, Rochester and Syracuse producer; time taken out by Jerry Woods and his crew to serenade the Colony; the continuous flow of ducks into this office from E. G. Dodds, manager of Palace theatre, Lake Placid; cheerfulness that is spread by Gertrude Broderick, sister of Johnny, New York detective; efforts of Dick Williams and Frank Lee, who beside the less fortunate and hand out laughs; carload of clothes that came in for those who cannot afford to buy 'em, sent by Len Grotte, Flushing, L. I., manager; the turned out by Drs. George Wilson and Wariner Woodruff, and the advice of Rudy Plank, X-ray expert.

John and Edna Driscoll, who manage niteries in Pennsylvania and Jersey, mittied and handed out needy things to the Colony.

Billroy's Comedians booked here. Advance man left a mess of tickets for the recuperators.

Arthur Connors, who used to shake a mean trombone, here for a general checkup.

Johnny Grimes, actor who turned newspaperman, editor of the Saranac Lake Weekly Mirror.

Charles Pandoff, old-time novelty act, came in from Brooklyn for a checkup and got an okay.

George L. Davis, who squibs 'By the Way' for the Rochester Democrat & Chronicle, gives Jake Bernstein, Joe Laurie, Jr., and Happy Benway a full column about old-timers, topped by W. C. Fields and Frank F. Powderly, Sr.

Eddie (Carlton Boys) Ross added a mess of poundage while vacashing here.

Write to those who are ill.

### Form Chas. French Agcy.

Albany, N. Y., Aug. 6.

Charles French Agency, Inc., has been chartered to conduct a business in theatrical and radio entertainers, with principal office in New York. Capital stock is \$20,000, \$100 par value. Directors: Oliver B. LaFreniere, Charles E. LaFreniere, and Emma P. LaFreniere, St. Albans, L. I.

Isidore Canner, Jamaica, was filing attorney.

## CONTRACT SUIT LOST BY HEIDT

Horace Heidt, Friday (2) lost his application for a temporary injunction preceding trial against Le Ann Sisters, the Beachcomber restaurant, Monte Proser, Walter Batchelor and J. M. Goddard. Justice Felix Bengven, in N. Y. supreme court, declared that the orchestra leader had failed to show that he was entitled to such drastic relief.

Heidt's action is directed against Virginia, Miriam, Jean, and Marie Ahn, and their mother, Helen Mohr Ahn, claiming that they had breached an employment contract with him signed October 13, 1939, and to run for five years. The contract was allegedly breached last June 26, when the sisters, a singing quartet, signed to appear at the Beachcomber on Broadway for four weeks at \$200 weekly. Heidt asserts he spent \$10,000 in salaries and building the reputations and voices of the sisters, and sought a temporary injunction to prevent their employment by the restaurant, and a permanent one to prevent them from appearing anywhere else. Proser, Batchelor and Goddard are in on the operation of the Beachcomber. The girls' mother was named since she's guardian to Marie, a minor.

## SELLING MINORS BOOZE COSTLY TO PITT HOTEL

Pittsburgh, Aug.

Pittsburgh's No. 30 hotel, the William Penn, had its booze license suspended for 30 days last week by the State Liquor Control Board on a charge of selling drinks to minor. Hotel management, however, nounced there would be no interruption in the sale of spirits, since it had elected the alternative of paying a \$300 fine, at the rate of \$10 a day for each day of suspension.

Liquor board agents said William Penn was guilty of permitting 'teensters to frequent its two supper dance rooms, the Chatterbox and Italian Terrace, where they were sold booze without any inquiries being made about their age.

Suspension came on heels of a 10-day license-lifting for swank Associated Artists Grill, connected with the Pittsburgh Playhouse and one of the 400's favorite drinkeries. It was accused of peddling drinks to non-members. Management also elected the alternate penalty and paid \$100 fine.

Best Coffee in England  
**QUALITY INN**

Leicester Square  
LONDON, WEST-END

**WALTER (Dare) WAHL**  
BILLY ROSE'S  
FRISCO AQUACADE

Returning East after 14 months on the Pacific coast  
in Pictures — Nite Clubs and Theatres

## PAUL GORDON

"THE PRINCE OF WHEELS"

Currently STATE LAKE THEATRE, Chicago

Rep.: EDWARD RILEY

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LEE  
**SIMS AND BAILEY**

ILOMAY  
CURRENTLY  
**CHASE HOTEL, ST. LOUIS, MO.**  
Direction:—NAT KALCHEIM, William Morris Agency









# 21,000 CONCERTS ANNUALLY

## N. Y. Sup. Ct Reserves Decision On Brokers' Plea to Restrain Ticket Law

Second phase of the court fight against the New York State Mitchell law, limiting premiums on all tickets sold by agencies at not more than 75c over the boxoffice price was staged in N. Y. supreme court Friday (2) before Justice Sidney Bernstein. Decision on the ticket brokers' application to restrain Paul Moss, license commissioner, and Lewis Valentine, police head, from enforcing the new statute was reserved.

Court made two significant remarks which may be interpreted to mean that the temporary stay sought may not be granted. During the proceedings which consumed three and one-half hours, Justice Bernstein said: "Where there is doubt of constitutionality it is the duty of the lower court to sustain the law and let the higher court determine the constitutionality." At the end of the session the bench remarked: "If I deny this application for temporary injunction I will give you a very early trial," the court addressed William A. Hyman, attorney for the ticket people.

Hyman's aggressiveness enlivened the proceedings, but this time there was no repetition of the charge at the first hearing to the effect that the Shuberts inspired the Mitchell bill and that they schemed to grab control of the ticket agency business. Brokers' counsel centered his appeal on a description of the questioned statute and emphasized the decision of the U. S. Supreme Court in 1927, which ruled out a similar law (Tyson vs. Stanton) as price-fixing. Hyman declared that the

(Continued on page 42)

## CHOP FOUR-A'S NUT TO BONE

Associated Actors and Actresses of America, parent of the talent unions, having moved back to Equity's building on west 47th street, N.Y., has cut operating expense to the bone. Figuring that the Four A's will probably never be able to repay loans from the affiliates, the latter have written the items off their books. The total was about \$30,000 and \$40,000, mostly obtained from the affiliates during the struggle with the stagehands last year.

Unions which made the loans are Equity, Screen Actors Guild, American Federation of Radio Artists and Chorus Equity.

Paul Turner, the Equity attorney who shared the 46th street offices with Frank Gillmore and the Four A's staff, still occupies the suite. Lease on the place does not expire until next April and it is planned to sublet the offices before then. Four A's being liable for half the rent until expiration. Gillmore, who is still president of Four A's, withdrew as executive director, but receives salary (\$7,800 annually). He is subject to call from the committee which is handling Four A's until another director is named, if and when.

Gillmore's secretary, Ralph Townley, is retained, serving both for the Four A's and Equity. Alfred Ellings, secretary to Paul Duitzell, Equity's executive secretary, is also on the job there. Mine Four A's post also retained is that of treasurer, Ruth Richmond receiving the honorarium of \$50 yearly. Her job to sign checks.

### 3d 'Father' Likely

Chicago, Aug. 6. Oscar Serlin plans a third company of 'Life With Father' in Boston early this fall.

Dorothy Gish slated for the mother role. She has been in Chicago for several weeks with her sister, Lillian, who is doing the part in the local company at the Blackstone.

## Helen Gahagan Will Tour 'Wind in Sails'

Although the strawhat tryouts have shown little for Broadway usage, some plays will reach regular production regardless. One such is 'Wind in the Sails,' by Don Totheroh, which was tried out recently at Spring Lake, N. J., with Helen Gahagan in the lead. Miss Gahagan owns the drama, having acquired it from the author last year. She intends touring in 'Sails,' with a Broadway date dependent upon the road showing. Totheroh is a close friend of the actress, and her husband, Melvyn Douglas, who has been occupied in Hollywood for some time.

## Plays, Players In Miniature As Lure for Javes

'The Miracle Theatre,' which is being privately demonstrated in New York and is said to have attracted department store interest as a free show for children, novelty known as 'Tanagara,' first seen over here about 30 years ago. The miniature 'theatre,' about three feet by 10, has been treated with modern improvements by Horace Armistead and Leon Rand Warren, connected with the Center scenic studios, where the device is on view.

Normal size players are employed, they working from the floor level. The action is projected in color upon an inclined mirror elevated about six feet, the players being reduced to miniature, measuring about 15 inches. Painted gauze scenery provides the settings, while the dialog is amplified and incidental music comes from discs.

Two plays prepared and exhibited are 'Rip Van Winkle' and 'Little Red Riding Hood.' Others to be added to the repertory being 'Jack and the Beanstalk,' 'Aladdin,' 'Cinderella' and 'Dick Whittington.' Each play takes about 35 minutes and is directed by Mrs. Parker Likely. Technician is Al Beskin, connected with the studio.

Players in the demonstrations are said to be professionals, there being four plus a youngster. Cast is Iris Posner, Walter Ward, Ruth Halstead and Bill Abbott, who is a swimmer and musician. Others have been occupied with picture shorts and Dione Davis is the child actress. Use of the 'theatre' by women's clubs for fund raising is a possibility.

Contrivance appears to be based on the same principle as the 'fish bowl' illusion, used in some cafes and stores.

## Raymond Moore's Estate Of \$33,000 to Perpetuate Dennis, Mass., Playhouse

Barnstable, Mass., Aug. 6. Estate of Raymond Moore, founder of the Cape Playhouse at Dennis, who died last March 8, caused a big surprise when filed for probate here. Estimated at from \$500,000 up, the estate was valued at only \$33,000, according to inventory recorded with probate judge here. Moore's personal estate is valued at \$22,000 and real estate at \$11,000.

The will left all his property trust for the establishment of a fund at the Playhouse for the promotion of fine arts to be known as the Raymond Moore Foundation.

## STIX, NOT OPERA, PAYS INCOME TAX

## Name Singers Find the Gravy Trail in the Hinterland—It's the Reverse Slant on Heartbreak Trail Leading to Grand Opera

### RADIO SLANTS

By EDWARD SMITH

The gravy trail is the musical opposite to the heartbreak trail described in last week's VARIETY. The gravy trail is the concert tour of the established name singers and their lesser contemporaries. The heartbreak trail, aforesaid, was the Chinaman's chance gambling odds along the way to grand opera. Grand opera is the prestige but not much cash routine of heavy singing in America. The income taxes are built up and paid off only in the road dates of which New York and Chicago and other big burgs aren't very important to the singers. Keokuk is the payoff.

During the past year over 20,000 concerts were given in 500 U. S. cities with an average take of \$1,000 a concert. Thus, America paid \$20,000,000 for its concerts, to \$5,000,000 for its operas. Concerts are much cheaper to give also. In N. Y. it is possible for a singer to hire Town or Carnegie Hall for \$500-\$750, together with ushers, printed programs, tickets and probably an accompanist. Any gross over that sum will go to the artist. The average operatic performance outside the greatest of them, concert quiring many principals, orchestra, stage hands, etc., costs \$5,000. Naturally the singer will probably lose money on a N. Y. concert if he is not well known.

### Good Reviews

Most singers are willing to take these losses, hoping for good reviews, and the chance of interesting one of the two big concert agencies, NBC or Columbia, to take them. If that happens, the singer may then be able to make a living, as many concert agencies will have many open spots for good voice, while comparatively fewer for a singer whose only ability lies in operatic presentation. Therefore many young artists who learn only operatic roles and accompanying aria, find themselves lost, as a concert program of 20 songs and encores seldom has more than three or four operatic selections, and is composed of songs in German, French, Italian, Spanish and English. Hence again a need for language, interpretation, and knowledge of what is being sung about, a prime requisite.

Radio, too, has been sadly neglected, with many singers declaring that the songs they are asked to sing are infantile, and not worth risking their artistic reputations on. But this infant industry of the three, is the most lucrative of them all, and less wearing as well. Most singers appearing on a radio program are not asked to sing more than three or four songs or arias, the return for which is never less than \$100, and has reached a top of \$4,000 paid two seasons ago to Benjamine Gigli for a Ford Hour appearance. Radio is crowded with voices, but with too few exceptional voices, and since no singer appears to deliberately set out to make a concert or operatic career in radio, the industry will probably have to put up with mediocre talent for some time to come, even though some of its more illustrious members have broken down the doors of the Met through radio, such as Nino Martini, and more lately the winners of the Sherwin Williams auditions.

## No B'way Possibilities Seen As Yet In Strawhats at Half-Season Mark

## How to Worry Chorines, Or Will 'Grass' Bloom

'Resumption of 'Keep off the Grass,' which suspended at the Broadhurst, N.Y., is now dated for early Sept., but definite plans for relighting the revue are incomplete. Bunch of chorines are on the anxious seat therefore. They signed new contracts for the resumed engagement and if 'Grass' does not go on again the Shuberts must pay them two weeks salary. However, the chorines cannot sign with another show, but may appear elsewhere in the interim.

Should the chorines jump to another attraction and 'Grass' does go on again, they would be forced to withdraw from the other engagement, or be liable to pay the Shuberts the equivalent of two-weeks salary.

## Gallo Mulling Pop Price Opera To Buck Met

Pop priced grand opera to oppose the Metropolitan next season is a possibility. Fortune Gallo, weighing the idea. Impresario of the San Carlo outfit is known to be engaging a number of high class warblers and it is indicated they will not be used for San Carlo which plays most of the season on tour.

Gallo played his troupe twice last season at the Center, N. Y. at \$199 top and both dates were money makers. Believed that given the proper theatre season concurrent with the Met is feasible. If the New York idea goes through another company will be chosen to play the San Carlo road dates. Pop opera at half the scale charged at the Center was presented at the Hippodrome, but the general class of the shows was not comparable with the Met, which has a \$7.70 top.

In mulling the idea, discussion whether Italian opera would be supported over here because of the war arose. From another direction however, it has been shown that music lovers have yet to exercise discrimination. Recently at Lewisohn Stadium, N.Y., a concert with Kirsten Flagstad is said to have drawn the biggest gate of the summer so far. She repeated with two concerts at the Ravina Music Festival, Chicago, which completed a six weeks season Sunday (4).

## A. C. Ventnor Pier Fire Burns Out Stock Unit And Speciale's Band

Atlantic City, Aug. 6. Fire of undetermined origin destroyed the Ventnor Pier theatre Thursday (1), together with some instruments from Vincent E. Speciale's orch. and all stage props and scenery of Mae Desmond's Fluffy stock company. Flames ate up most personal belongings of Miss Desmond and her husband, Frank Fielder.

Desmond Players had been using the theatre all summer, the city taking 40% of gross in lieu of rent. City officials hurriedly made a public school auditorium available to them, free, to help make up the loss. They presented 'The Late Christopher Bean' the school auditorium Saturday night (3).

Speciale's orch. will also move to the school to resume its summer week of Sunday night concerts.

The half-way mark of the summer stock and tryout season has been reached and, while the rural show shops have given employment to a flock of players, the product developed is about on the same level as previous years. Including this week's dozen or more new shows, there will have been more than 55 plays tested in the barn belt.

Not including the current crop, not one has been definitely rated Broadway possible, but it is usual that the tryouts during the latter half of the summer period are more favorably regarded by the scouts. This season in the hideaways has seen more musical efforts than usual, and at least one seen so far may be whipped into shape for regular presentation.

The musicals include 'Crazy With the Heat,' now in its second week at Locust Valley, L. I., and 'Two Weeks With Pay,' which played a two-week date at White Plains. While the Broadway possibilities are guesses at date, several new plays are figured to be good for pictures whether they reach metropolitan showing or not, and one ('Four Cheers for Mother') has already been bought for Hollywood.

Longest staying show heretofore not on the boards is Christopher Morley's 'Soft Shoulders,' which is holding over at Roslyn, L. I., and by the end of the week will have played three and one-half weeks. It is an old Morley script. He lives in the locality, which explains the draw.

## 3 HIT FOLDEES DREW \$826,600

Three Broadway hits, two of which closed Saturday (3) and the third shutters this week (10), will have drawn a combined total gross of about \$826,600, according to VARIETY boxoffice estimates. Amount was piled up over two seasons.

'Biggest grosser of the three was 'The Male Animal,' which withdrew Saturday from the Cort after getting \$589,300 in 20 weeks. After a layoff it will open a road tour in Chicago. 'Ladies Retirement,' which quit Saturday at the Miller, grossed \$189,100 in 19 weeks. It plays the Maplewood (N. J.) theatre this week, then jumps to the Coast.

'There Shall Be No Night,' slated to go off next Saturday at the Alvin and resume Sept. 9 before going on tour, will have drawn \$248,200 when it temporarily goes dark after 15 weeks. 'Tobacco Road,' which finally folds Aug. 17 at the Forrest after more than six years, has grossed about \$2,500,000. That figure is already topped by 'Hello, Pop!' which is approaching the two-year mark at the Winter Garden, having drawn a gross of about \$2,760,000. Olsen-Johnson revue seems almost certain to better the \$3,000,000 figure, and as far as the records show, the first show ever to do so on Broadway alone.

## 6-W'K L'VILLE OPERETTA SEASON 14½ IN RED

Open air operetta season at Louisville terminated last week, ending in the red to the extent of \$14,500. The presentation were made under the direction of J. J. Shubert, who previously handled the shows at the Iroquois stadium there, with Fortune Gallo then also interested. Season was for six weeks, two more than last season, and it was indicated the engagement was stretched too far.

Venture was financed locally, so that the show management, summed none of the loss. Understood the Shubert end received some profit through the rental of costumes and props.

# Strawhat Reviews

## Crazy With the Heat

Locust Valley, L. I., Aug. 3.  
Review in two acts (10 scenes), music and lyrics by Rudy Revell, Carl Kent, Walter Nones, Dana Suesse, Kurt Kasser, John LaTourche, John LaTourche, Lathrop Cleveland, Charles Kent, sketches, Luther Davis, John Cleveland, Milton LaTourche, Fredrick Selz, J. Schirmer, Jr., John LaTourche, production designed by Harry Horner, choreography, Eugene Louis, costuming, Henry Le Tang, general production supervision, Production Services, Inc. by two pianos, Jacques Dettlin, Carl Kent. Presented and staged by Kurt Kasser at Red Barn Theatre, Locust Valley, L. I., July 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

As a Broadway prospect, 'Crazy with the Heat' is negligible. A few numbers and several players are about all it has to offer. Even with drastic revision and elaborate production it would probably only clip the wings of whoever might be rash enough to angel it. It's apparently intended as another 'One for the Money' and it will inevitably be compared with that and 'Two for the Show', but its material is even sadder than either of those intimate revues. However, it's a likely presentation for strawhats and, after the present second week at Locust Valley and next week at Matuncuck, R. I., might be booked at a couple of other summer spots to get back the original nut.

From a Broadway standpoint, the best thing in the show is naturally Sheila Barrett. She's in several pointless sketches, but scores solidly in two solo impersonation spots, the same stuff that has always clicked in revues, niteries or vaude. Included are the former southern belle, Beatrice Lillie, Tallulah Bankhead and Bert Lahr, all virtuosos.

Song number, 'On a Yacht,' with melody and lyrics by Walter Nones, would make a punchy bit in a Broadway revue without alteration. Sarah Burton, who handles it here, is okay for Broadway with it, but it's the kind of thing with which Eve Arden could pulverize an audience. Tune is okay and the lyrics, around the idea 'I Can Only Be Got on a Yacht,' is hilariously risqué.

Other likely things in the show are four songs and a couple of young players. Songs include 'Hour for Lunch,' 'How Far Is It to Broadway,' 'I Don't Need the Moonlight' and possibly 'I Guess I'll Have to Count Some Sheep.' All would probably need revision, but have possibilities with adequate staging. Christina Lind and Ray McDonald are the players with bright prospects. Former is a beautiful youngster with an appealingly small, voice, and a glowing, unspoiled stage personality. She's an almost sure bet for Hollywood. McDonald, who formerly danced in vaude and in legit revues, with his sister Grace McDonald, is a skillful stepper with an attractive, clean appearance and an engaging manner.

Norman Lloyd, Alia Kavan, Harriette Henning, Remi Martel, have occasional moments when their material permits, and the others are varying satisfying. With the exception of the songs already mentioned, the music is undistinguished. Several of the numbers, such as 'Ghosts for Ancient Castles' and 'Air Conditioning,' have possibilities if capably rewritten and staged, but most of the other sketches are either badly adapted, steals, clumsily revised smoking car gags, or sophomoric attempts at sophistication. Dancing is merely passable. However, it all keeps moving rapidly

enough to create the illusion of entertainment, at least by the charitable standards of strawhat theatres. Production is admirable for barnyard budgeting. There's a few decent, changeable panels, fairly simple costumes, cast of 17 and music by two pianos. Whole affair probably cost less than \$5,000 to produce and likely operates for only about \$1,500 a week. The price for the house has been reduced from \$2.75 to \$2.20, permitting a gross of about \$3,200 at the scale.

## BY ANY OTHER NAME

Princeton, July 31.  
Historical play in three acts by Warren P. Munsell, Jr., presented at McCarter theatre, Princeton, N. J., with Harry Ellerbe and Winford Lenihan. Directed by Warren P. Munsell, Jr., settings by Bradford Anwarth. One week, starting July 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

Warren P. Munsell, Jr., launches at the Princeton summer theatre a play of his own, dusting off for the purpose the ancient problem of Shakespearean authorship. The director of this estimable troupe, in fathering by 'Crazy With the Heat' up with a playwrighting tour de force.

The work is skillful. As argument for proponents of the Oxford surmise it is powerful. Under less deft fingers, the web of biographical allusion linking Lord Oxford to characters of the Bard, the always perilous artifice of presenting a play within a play and the use of Elizabethan argot, might well have become confusion worse confounded.

The premise, of course, is that the Stratford Shakespeare, a man of low degree, lacked the opportunity to know the foibles of the court of the Virgin Queen. Here Oxford, as one of her pets, fitted well. He used 'Twelfth Night' to defeat rivals for her favor. Later, at the Queen's own behest and indeed with her co-authorship, he wrote Henry V to popularize her cause with the piddling public in the face of the imminent Spanish invasion. In the climax, the Essex conspiracy, tied up with Elizabeth II, she forever his claims to authorship by royal decree so his man Shakespeare gets the credit.

Winifred Lenihan, as Elizabeth, carries off the laurels in the cast. She gives a tender sympathetic portrayal. Somewhat by contrast, Harry Ellerbe, as Oxford, finds himself often beyond his depth. But his shortcomings are pardonable. Upon his head Munsell has imposed a terrific burden, one that few men could shoulder. This, indeed, is the work's one flaw, for the role as written lacks capability. At times labored explanation has to take up the slack.

## THE ROYAL ROOST

Stamford, Conn., Aug. 2.  
Social drama in three acts by Richard Dwenger. Directed by F. H. Dwyer. Presented by Monte W. Dwyer. Produced at the Stamford Community Playhouse, Stamford, Conn., Aug. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156,



# Manteo, N. C., Found Itself With Lost Colony; From Dust to Riches

By HOBE MORRISON

Manteo, N. C., Aug. 3. Three years ago this drowsy fishing village on Roanoke Island was almost unheard of. Few outsiders intruded upon its dusty, unpaved streets, dilapidated wharves and faded frame houses.

But in the summer of 1937 Paul Green's folk drama, "The Lost Colony," was first presented in the open-air Waterside theatre on the shore of Roanoke Sound just outside the village. And this summer Manteo will be visited by more than 50,000 people from all parts of America.

The permanent population remains only a few hundred, but it now has paved streets, a hotel, two drug stores, a new restaurant and an awakened local consciousness. Manteo is still remote and picturesque, but no longer forgotten.

"The Lost Colony" would probably seem naive and ponderous on Broadway. Its story of the founding and subsequent disappearance of the first English settlement in the New World is the kind of thing that can be painfully embarrassing unless skillfully handled. But on the sandy, wooded beach where Sir Walter Raleigh's courageous little band defied the wilderness, here at the birthplace of Virginia Dare, the first English child born in the Western Hemisphere, "The Lost Colony" is one of the most impressive shows to be seen anywhere. It is continuously entertaining. But more than that, in this pervasive atmosphere it stirs feelings of awe and pride in one's country.

## Show Goes On, Rain or Shine

Not the least impressive part of the show is the audience, part of which is composed of natives who come again and again. The rest are visitors who in many cases have traveled thousands of miles just to attend a single performance. Regardless of the weather, few performances are cancelled. Show caught began in a drizzle that had continued several days, but less than a dozen spectators left when the drizzle turned to a steady rain and then to a downpour. Once, when it was announced that there would be an intermission 'till the rain slackens, there were yells of protest, so the performance continued. The drenched audience remained until the end, while the 200 bedraggled actors sloshed through the puddles on the sand-covered concrete stage.

First presented in 1937 to celebrate the 350th anniversary of the settlement of Roanoke Island, "The Lost Colony" was popular enough to be repeated the following year and has subsequently become an annual summer-long spectacle. It is given Wednesday through Sunday nights. Waterside theatre seats approximately 4,000 ('standees' perch in trees) and, from now until the rest of the season, will draw virtual capacity, particularly weekends, when most tourists are seen. Scale is \$1 for adults and 50¢ for children, but considerable extra coin is realized from sale of programs, back rests and auto-parking. Weekly net is about \$4,000, with the non-profit setup sinking all coin above expenses back into improved and expanded production and physical layout.

A few Broadway actors form the nucleus of the cast, but others are recruited from the Carolina Playmakers, at North Carolina University, Chapel Hill, while the rest are boys from a nearby CCC camp or local residents. Idea is gradually to have the townspeople take over all the parts and thereby create an intense local pride in the show.

## Stage On Water

Stage of the Waterside theatre extends out over the waters of Roanoke Sound, which may have something to do with the remarkable acoustics. P. A. is used by the narrator, but the voices of the others are not amplified and yet are clearly audible in all parts of the huge amphitheatre. Backwash of the stage, light towers and stockade surrounding the theatre are built of logs, carrying out the scheme of restored pioneer buildings. Only scenery is the log backwash and several screens for the London scene.

Watching a performance in the darkness, one has only to lift his eyes slightly to see the floodlighted Wright Brothers' memorial monument gleaming on the dunes of Kitty Hawk two or three miles across Roanoke Sound. It offers a curious contrast of the past and the present, of long-vanished pioneers and the great nation they helped to build. Roanoke Island itself is fascinat-

## From Spec to Spec

Manteo, N. C., Aug. 6. VARIETY mugs who had migrated from New York to see Paul Green's "Lost Colony" here, was ushered to his seat by the playwright's 15-year-old son, Paul, Jr.

Youngster is ushering to earn money to attend the New York World's Fair.

ating spot, with its flowering mimosa and magnolia trees and live oak and its gardenias growing wild. Except for the "Lost Colony," in which many families have at least one young actor, the village's principal diversions are the double-feature picture house (with giveaways and bank nights), occasional prizefights, sailing, fishing and local gossip. If there happens to be an inmate in the rickety village jail, the visitor may stroll over to pass a bottle of Coca-Cola through the barred windows into the ground-floor cells. Probably one could also pass over a revolver or hacksaw, but apparently no prisoner was ever that anxious to get out, for it's never been done.

## B'way Actors Go Native

Saloons are illegal in North Carolina, so there's no public drinking. Liquor may be purchased in licensed stores, but bottles may not be opened until taken home. New York actors in the company, most of whom board in private homes, usually gather after the performance at one or the other of these places. And true to local custom, they stick to dry rather than the Scotch usual on Broadway. They tend to 'go native' in dress, too.

According to local report, Paul Green, the Pulitzer Prize winner who wrote "Lost Colony," is writing several other historical dramas, in addition to the dramatic novel with Richard Wright of the latter's novel, "Native Son," for Orson Welles. Besides a pageant to be presented annually, beginning next summer at restored Williamsburg, Va., he's readying a huge musical folk drama to be produced in the mountains of North Carolina. Whether he is artistically and financially successful on Broadway and in Hollywood, Green is understood to have no plans for re-entering the commercial theatre or pictures. He lives at Chapel Hill.

## 'Mr. Dickens' Tryout

Perhaps the most interesting background of the new plays to be tried out in summer stock next week is "Romantic Mr. Dickens," which reaches the boards at the Community Playhouse, Spring Lake, N. J., Wednesday (14). Play is based on the life of the English author and was written by H. H. Harper, wealthy New Yorker, in collaboration with his wife, Marguerite. Understood he paid \$35,000 for private Dickens letters, from which much of the text was obtained.

Cast will be headed by Erin O'Brien-Moore, Robert Keightley and Zolya Talma. It is being presented by Victor Payne-Jennings and Walton Barratt, original title having been "The Master of Gad's Hill." Miss Moore is rehearsing at the resort this week on a combined vacation, but will commute to New York during the stage play's showing to resume her radio appearances. She has arranged to take care of the child, a London friend for the duration.

## More Strawhats Fold

Dismal business, which has plagued the strawhat theatres continuously this season, has forced the shuttering of several more. Westchester playhouse, Mt. Kisco, N. Y., which has been wobbling since the start of the summer, has announced it will fold this Saturday night (10). Stamford (Conn.) Community playhouse goes dark the same night, the Hunterdon Hills playhouse, Titus, N. J., closed last Saturday (9), and the County theatre, Suffern, N. Y., failed to give a performance Monday night (8). Last-named spot, operated by Walter Armitage, has been having financial troubles with Equity. Management claimed the house would relight last night (Tuesday).

Among the spots that had previously closed were the Starlight theatre, Pawling, N. Y.; the Highland Park theatre, Rochester, N. Y.; and the Portland (Me.) Civic theatre.

## Current Road Shows (Week of Aug. 5)

'Hold Onto Your Hats' (Al Jolson, Martha Raye)—Grand Opera House, Chicago.  
'Life With Father'—Blackstone, Chicago.  
'Meet the People'—Playhouse, Hollywood.  
'Meet the People'—Geary, San Francisco.  
'Morning Star' (Molly Picon, Joseph Buloff)—Brighton, Brighton Beach, N. Y.  
'Kiss the Boys Goodbye'—Windsor, Bronx, N. Y.  
'Pins and Needles'—Ringside, Long Beach, L. I.  
'Tobacco Road' (John Barton)—Garden Fine, Atlantic City.  
'Ladies in Retirement' (Flora Robson)—Maplewood, Maplewood, N. J.  
'Skylark' (Gertrude Lawrence)—Curran, San Francisco.  
'Tonight at 8:30'—El Captain, Hollywood.

## Arday's 'Thunder Rock' Is London Click Though A Flop on Broadway

News from London last week that Robert Arday's "Thunder Rock" is a hit there and has been moved to a W. End theatre for a regular run caused ironic comment among the playwright's friends. Play's click in London is the second time it has brought Arday recognition since "The Grapes of Wrath" produced it unsuccessfully. Broadway last fall. Other occasion was when "Rock" won Arday the first annual Sidney Howard award as the best play of the season by a new playwright.

Arday is currently in Hollywood on an RKO commitment. He recently adapted "They Knew What They Wanted," from Sidney Howard's original stage play, and is now doctoring "Passport to Life." Both are Garson Kanin directing jobs. Studio execs have already praised the "Wanted" script and have given Arday a 50% salary boost. However, he's reported coming east next month, probably with at least an idea for a new stage play.

"Rock" was presented June 18 by Herbert Marshall, (not the actor) at the Neighborhood theatre, a small subscription undertaking away from the regular theatre district. Michael Redgrave had the lead part. Play was given raves by the critics and drew potent business, being shifted to the Globe, in the West End. In dispute from London to the N. Y. Times, Vincent Sheean expressed the opinion that the play's success was because it 'has come nearer than anything else to a statement of the emotional or philosophical content of many minds in embattled England today.'

Arday has little chance of receiving any royalties from the play's London success as long as the war continues, as the British government has curbed the export of credits.

London click of "Rock" is the first success Arday has had, although for the last several seasons he's been repeatedly referred to as a 'promising playwright' a term that has become increasingly irritating to him.

## Hampden's 'Calamity' Just That in A. C. at \$3,000

Atlantic City, Aug. 6. Walter Hampden's playing Kummert's "Successful Calamity" ended an n.g. week's engagement at Garden Pier Saturday night (3). Show grossed approximately \$3,000.

In Hampden's company are Tamara Chasins, Harry Lane, Arday, Yvonne De Lo, Leonard, Mildred Baker, Bob Kerr, Arthur Tell, Alexander Campbell, Norman Stuart, Henry Mobray and Florence Young.

John Barton "Tobacco Road" opened Sunday night (4) at Garden Pier Theatre before largest opening night audience so far this season.

## Portland's \$8,000 Concert

Portland, Ore., Aug. 6. John Charles Thomas as guest artist with Portland summer symphony orchestra last night (Monday) drew great crowd.

Gross estimated at \$8,000.

Judith Abbott has completed her summer theatre engagements and is working the New York office of her father, George Abbott. Latter is due back soon from the Coast to ready his fall show.

# B'way B.O.s Decline Still Further; 'Lousiana', \$31,000, 'Father', \$15,300

## '8:30' OPENS IN L. A., 'PEOPLE' GETS \$5,000

Los Angeles, Aug. 6. El Capitan theatre in Hollywood relighted last night (Monday) for three weeks of Noel Coward's "Tonight at 8:30," presented jointly for British War Relief and the Motion Picture Relief Fund. Biggest names in the cinema colony have been lined up for the nine plays to be given over the three-week period.

'Meet the People,' now in its second edition at the Playhouse, Hollywood, continues to attract business and take last week was again around the \$5,000 mark. For some publicly disclosed reason sponsors of the revue have not taken public into its confidence in advising that current revue is by a No. 2 company, the original troupe having gone to San Francisco. Billing in front of theatre remains same as it has been for past seven months.

## JOLSON BRIGHT \$21,000 IN CHI AND HOLDS

Chicago, Aug. 6. Decision has been made to keep "Hold Onto Your Hats" here for an additional fortnight, making it a six-week run in the Grand. With cooler weather, the business has responded satisfactorily. Ruby Keeler has left the show and Eunice Healey has taken over place.

'Life With Father,' also upped on the weather break and is a cinch for many more weeks in the Blackstone.

Estimates for Last Week  
'Hold Onto Your Hats,' Grand (3d week) (1,200; \$2.85). Bounced back to better money figure on thermometer's retreat and came up with \$21,000.  
'Life With Father,' Blackstone (24th week) (1,200; \$2.75). Came back also with better weather, taking \$11,500.

## Strawhat Tryouts

THIS WEEK  
(Opened Monday (5), unless otherwise noted)

'Carriage Trade,' by Robert Thomson, at Stamford (Conn.) Community playhouse.  
'Always Romance,' by Taylor Holmes and Norman Clark, at Pine Grove playhouse, Cambridge Springs, Pa.

'The Adam Family,' by John Sand and Fanny Jocelyn, at Stony Creek (Conn.) theatre.

'Dark Horses,' by Harry Antrim, at Chase Barn theatre, Whitefield, N. H.

'After the Ball,' musical satire by Edward Eager, at Clinton (Conn.) playhouse (opened last night—Tuesday).

'Private Confusion,' by Hardie Albright and Peter Austin Parker, at Rye Beach, N. H. (opened last night—Tuesday).

'Sleeping Partners,' by Sacha Guitry, adapted by Seymour Hicks, at Spring Lake (N. J.) Community playhouse (opens tonight—Wednesday).

'White Pony,' by Marion Lloyd, at Woodstock (N. Y.) playhouse (opens tomorrow—Thursday).

(NEXT WEEK)  
(Open Aug. 12, unless otherwise noted)

'The World Walks In,' by John Campbell Crosby and John Golden, at Ridgeway theatre, White Plains, N. Y.

'Dollars and Horse Sense,' by Philip and Virginia Fox Dunning, at Lakewood theatre, Skowhegan, Me.

'Ghost for Sale,' by George Jeans, at Cambridge, Mass.

'Very Liberal Arts,' by Muriel Roy Bolton, at Coach House theatre, Copenhagen.

'The Astonished Orchid,' by Archibald Menzies, at Lobero theatre, Santa Barbara.

'Not in Our Stars,' by Reginald Lawrence, at Newport (R. I.) Casino theatre (opens Aug. 13).

'Romantic Mr. Dickens,' at Spring Lake (N. Y.) Community theatre (opens Aug. 14).

Estimates for Last Week  
Key: C (comedy), D (drama), R (revue), M (musical), F (farce), O (operetta).

'DoBarry Was a Lady,' 46th St. (35th week) (M-1,375; \$4.30). Grossed continued to decline; despite the paucity of shows, the heat during the latter half of July singed the receipts. \$161,000 was taken for engagement; virtual even break.

'Helloppin,' Winter Garden (98th week) (R-1,671; \$3.30). Wonder draw holds to excellent profits; went off last week, when the gross was around \$1,000.

'Higher and Higher,' Shubert (12th week) (M-1,405; \$4.40). Resumed Monday (5) after having laid off since June 22; was rated one of the musical hits of last season.

'Life With Father,' Empire (39th week) (C-1,095; \$3.30). No exception last week for front-running straight show, which eased off and was quoted at \$15,300, plenty profit.

'Louisiana Purchase,' Imperial (10th week) (M-1,450; \$4.40). Off slightly at night, but afternoon performances capacity and not much change in gross, which was around \$31,000 level; easily best grosser.

'Man Who Came to Dinner,' Music Box (42nd week) (C-1,012; \$3.80). Slipped with the others; takings approximated \$8,500; maybe slight profit at that.

'Separate Rooms,' Plymouth (19th week) (C-1,075; \$3.30). Has been bettering even break right along, although grosses of cut-rater are quite modest. Heavily under \$5,000; may stay in the fall.

'There Shall Be No Night,' Alvin (14th week) (D-1,375; \$3.30). Suspends performances Friday (9) until September 9; about the same, with the takings at about \$10,000.

'Tobacco Road,' Forrest (256th week) (C-1,107; \$1.10). Another week to go for dramatic freak that broke the run record; takings at lowest scale on list about \$3,500.

SUBSIDENCE  
'Keep On These,' Listed to resume late this month, but nothing definite about relighting as yet.

## Order Exam of Lee Shubert in W. & V. Suit Over 'Maritza'

Lee Shubert will be examined before Aug. 15 in N. Y. supreme court in connection with a \$25,000 action against the Shubert Theatre Corp. brought by Sidney Wilmer and Walter Vincent, doing business as Wilmer & Vincent. Justice Felix Benvenge ordered the examination yesterday (Tuesday).

Action comes an accounting of profits received through the stage and screen presentation of the operetta, "Countess Maritza," the rights to which were owned by the plaintiff, and turned over to the Shuberts in 1924 for 10% of the net profits. It is claimed that the profits through stage presentation and sale of film rights now exceed \$250,000, but the plaintiffs claim they have been paid nothing.

## 'EAST WIND' OPENS WELL IN ST. LOUIS

St. Louis, Aug. 6. "East Wind," the only Sigmund Romberg musical to be presented during the current season in the Municipal Theatre Assn's Alfresco playhouse in Forest park, began a week's engagement last night (Monday) with the blistering hot spell that lasted 12 days broken, rain on opening night didn't discourage a mob that dashed out approximately \$25,000. The piece includes Sterling Holloway, screen comedian; Nancy McCord, Walter Cassel, Vera Marshe, Joseph Macaulay, Bob Lawrence, Doug Levitt, Helen Marshall, Ruth Urban, Frederic Persson, Al Downing, James Gillis and Nancy Healy. Miss McCord, a click in "Apple Blossoms" earlier in the summer, took the lead in the prima donna role of Claudette Portier. Miss Marshe and Holloway, both making local bows, socks over the comedy roles.

With 12 scenes in the piece, the huge revolving stage is being utilized for the first time this season. Musical Director Jacob Schwartzdorf is waving the baton for this piece. First week's ticket sale broke up until Saturday (3) and was followed by a heavy downpour of rain crimped box activity for "Anything Goes" and piece, which closed one week stand Sunday (4). Grossed an approximate \$20,000, below av.

Continued from page 1

set off the station's action in selling the series, was announcement on the program Friday, Saturday and Sunday (2-4), summoning 'all members and all listeners to the United Front program to do their duty by attending the mass meeting in Soldiers Field' and warning that 'none dare or should fail.' It was at that mass meeting that 'Keep Out of the War' meeting that Col. Lindbergh made his speech advocating U. S. dealing with the Nazis if the latter defeat England.



## Broadway

James O'Neill, discharged from hospital, now home.

Earl Wingart has taken a summer place at Long Beach.

Mike Todd and Hassard Short talking a revue production idea.

Ruth Richmond, Chorus Equity head, motoring to various golf clubs on vacation.

Charlie Curran and Grog Dixon working on a play to be called "Joan of Arkansas."

Joe Laurie, Jr., readying a feature fill-in for syndication to dailies, called "Pen Grins."

Joe Bernard, Mott Blumentstock and Joe Hazen planned in from the Coast Monday (5).

Harry Goldberg, Warner theatre executive, relaxing his farm in Bucks county, Pa.

Hal Horne and Dick Condon will be on the Coast several weeks conferring with Walt Disney and others.

Eddie Rubin of RKO's Coast publicity department, in town seeing some of the show.

Al Wilkie, weekendend in Charlottesville, Va., where Par's "Virginia" is being shot.

Bill Norton back on job at Music Box. Regained seven of the many pounds lost during illness.

Walter St. Denis resigned as p.a. for 20th Century Sporting Club. Harry Markson taking over.

After 10 days in New York, Walter Branson, RKO midwestern district manager, returned to Chicago.

Betty Hildebrandt of Walt Disney's eastern office, to Hollywood Friday (2) for vacash of several weeks.

Rainbow Room and Grill's June profit was \$9,000 ahead of last year and July saw it some \$8,000 ahead of 1939.

Helen Gleason, recently recovered from appendectomy, quite fit to appear in Washington operatic presentation.

Rena Morgan, 18, won't accept show biz engagements if they insist on billing her as Helen Morgan's daughter.

William Shelton, formerly with foreign division of RKO, named salesmanager of the French Cinema Centre, Inc.

Mike Todd in yellow pants, bare feet in scruffs, attracted plenty of attention at Penn station, leaving for Maine resort.

Joan Sinclair, assistant in Universal's eastern story and talent department, vacationing at a Pocono mountain camp.

Horace MacMahon visiting Skowhegan, Me., where his wife, Louise Campbell, is appearing with the Lakewood players.

Irvin Marks, Paris agent for the Shuberts, et al., now in N. Y., planning to produce a couple of plays with the Shuberts.

F. W. Beiersdorf, Warner branch manager at Washington, in town last week huddling with Roy Haines, eastern division manager.

Dora Maughan may take over Spiv's spot at Tony's 52nd street nightery, on percentage, now that Spiv has her own place on East 57th.

Hotel New Yorker's Woody Herman preem set back from Thursday to Friday, not wanting to block the Richman-Tucker-Lewis opening at the Riviera.

Robert Chisholm, of "Higher and Higher," visited 60 summer theatres during layoff and collected over \$1,000 for Theatre Wing of the British Relief fund.

Mort Nathanson prevented by a bad ear, which will be operated on shortly, from taking over p.a. post at Clinton, Conn., Playhouse. Lewis Harmon continues to serve.

George West, Monogram franchise holder who controls Sereeno in the east, is moving his family to the Coast Aug. 15 but himself will spend much of the time in the east.

Leen Netter's Cousin Doug, learning the business from the bottom up in the Par h.o. mailroom staff. Par theatre exec's other son is on the service staff at the Bronxville, Bronxville.

Frank (Hote) Algonquin's Case's second book of memoirs, "Do Not Disturb," will be published by Frederick A. Stokes Nov. 18. His previous "Tale of a Wayward Inn" was a best-seller.

Gaston Laurysen, executive director of Hotel St. Regis, to Coast to huddle with James Mitchell Leisen, Paramount producer-director, who stages his hotel floor shows, as to next season's plans.

Leon and Mortimer Levy handling a couple prospective deals for use of Edison studios in the Bronx while their father, Jacob, theatrical realty man who recently bought the property, vacations in New Hampshire.

Morley Callaghan, whose "Turn Again Home" the Theatre Guild was attempting to cast for October production, is working on a Canadian war propaganda films at his home in

Toronto until the Guild begins rehearsals.

Yen of the public to try its marksmanship with any sort of a rifle has produced two new shooting galleries on Broadway in a single block between 52nd and 53rd on opposite sides of the street, and both in full action usually.

## Pittsburgh

By Hal Cohen

AGVA here plotting mammoth benefit show for actors night of Sept. 8.

Fritz Gehl, Howard Becker's bassist, in hospital after getting his tonsils clipped.

Tenor Angelo Di Palma's lad, Leonard, starting from the bottom at Ritz theatre.

Owen Cleary of Fulton theatre, quitting Mercy hosp for a private nursing home.

Carnegie Tech summer drama session ending with production of Berkeley Square.

Pol-Mar Girls went direct from Nixon Cafe here to the Paddock Club, Miami Beach.

Mrs. Eva Simon to Hollywood for month's visit with her son, S. Sylvan Simon, the M-G director.

Al Marsico, dropping Nixon Cafe baton next week for a few days at the seashore with his wife.

Gabe Rubin continues to clean up with "Black Question" at his Art Cinema; it's now in its eighth week.

May Beagle took it on the chin this summer with eighth annual pop concert series on account of weather breaks.

Brian MacDonald pulled out of Yacht Club after two weeks; late hours were interfering with his golf, he said.

Milton Lomask, Pittsburgh Symph's asst. concertmaster, has joined fiddle section of Raymond Paige's Musical Americans.

WB managers and office employees presented zone manager Harry Kaimine with hunting gun on the eighth anniversary of his arrival here.

Mark Andrews, who was Keith Lundy when he was with Kilbuck theatre, doing leads this summer for Boothby (Me.) Playhouse.

Emil Rosenberg (Fallenberg Bears) hurt himself climbing into his trailer and had to be hospitalized for few days. Son flew down from Boston to take over the act.

## Atlantic City

Sonny James orch at Renault Tavern. He's local boy.

Woody Herman's orch at Hunt's Ocean pier, where his wife, Louise Campbell, is appearing with the Lakewood players.

Edwyn Brown heads new show in President hotel's Round-the-World room.

Thomas Barry singing at Claridge hotel's Mayfair lounge for supper sessions.

Shelburne beachfrontier inaugurated Saturday night dances with Russ Peters' orch.

Lois Miller, singing organist at Heinz pier, playing to 9,000 persons Saturday night (3).

Herbert L. Copelan, zone manager for WB houses here, under doctor's care past few weeks.

Phyllis Myles singing with Nat Brandwynne's orch in Ritz-Carlton Merry-Ground bar.

Mal Hallett back week's stay at Homicid's Million Dollar pier. Sunday (4) John McGee's ended week's stay Saturday (3).

Gertrude Niesen toppled at Bath and Turf club three days ended Sunday (4). Willie and Eugene Howard played last weekend.

Earl and Josephine Leach featured dancers in Traymore hotel's Stratosphere room. Helen Parks and Bill MacArthur hotel on the walk.

Presenting Russian Casino with Michael Michalek for week's engagement. Teva Gorodetsky's gypsy orch plays.

Jimmy Dorsey's orch played Steel pier Saturday and Sunday (3-4) after Charlie Barnes' orch left. Mitchell Ayres and his orch began week's stay Monday (5).

City Commission proclaimed Aug. 13 as "Eddie Dowling Day," in honor of his new show, "The Little Dog Laughed," which will preem here this week, having been previously scheduled a day earlier, but postponed on account of show's voluminous scenery preparation.

## Chicago

Abe Lyman gifted and partied at Bon-Air on his birthday.

Mrs. Brian Donlevy waiting in town while the husband makes some money out of Paramount's "The Great McGinty."

Al Raymer, Illinois-Indiana Theatres booker here, squiring 12 gals who were finalists in the circuit's annual beauty contest.

Joyce Matthews, chorine in "Hold Onto Your Hats," at the Grand, was granted a divorce last week from Col. Gonzalo Gomez of Venezuela. They were married May 9 in White Plains, N. Y., and separated on May 19.

## London

Robert Hale left \$40,000.

No variety at any of the Gaumont-British theatres week of Aug. 5.

Victor Zell, son of Joe Zell, is assistant manager of the Piccadilly hotel.

Paramount's release of "Quiet Wedding" marks Paul Soskin's reentry into film production.

David Rose's wife returned to America primarily to have addition to the family born on American soil.

Alice Delysia has finally closed with Jack Hyllon to tour in "French for Love," which booked for 22 weeks.

Dolphins and Raya sisters booked by George Nelson, which opens Holborn Empire revue, which opens Aug. 12.

George Szelezka, formerly with Grand National Films, joins Associated British as head of sales for eastern count.

Vivian Palmer, of Charles Tucker office, has reopened the Palace, Reading, a legit spot for the last two years, as revue house.

Stanley Watton's application for agent's license, which has been made annually to the London County Council, has been turned down.

Brian Desmond Hurst returns to Associated British to direct "Spring Meeting" for Walter Mycroft as soon as company is finished with Farmer's Wife.

Daughter born to Jane Baxter, film and stage actress. Widow of Olive Dunfee, racing motorist, a married Captain Arthur Montgomery of the Royal Artillery 1st year.

Conrad Scott-Forbes, son of Surgeon Lieutenant Commander Hugh Scott-Forbes, plays Hitler's bodyguard in "Two Cities' Freedom Radio," which has Columbia release.

"Family Portrait," starring Fay Compton, which was to have replaced "The Tempest" at the Old Vic after its provincial tour, is cut due to show not having clicked in the states.

"Garrison Theatre," "Black Velvet" and "Haw-Haw" casts arranged golf tournament between the locals and Americans, with C. G. Glyn, Ben Lyron and Nelson Clifford representing the Yanks.

Bill Siström dickering with Barry K. Barnes to play the "Saint" role in the follow-up to the series. Also negotiating with Roy Boulton, who directed "Pastor Hall" for Grand National, to direct.

New Jack Hubert-Cleely Court-nidge show, already completed by Archie Menzies and Arthur Macrae, has been abandoned after cast had been practically lined up and ready to start rehearsals.

Although Carl Brisson is presumed to have sailed for America to consult Mayo Brothers for throat trouble, understood he sails from America to Australia.

Pyramid Films finally set its first film, to be released by United Artists. It's adaptation of "The Night of the F. Benson's 'The Necromancer,' with Wilfred Lawson, if he can get leave from Royal Air Force, to play title role.

Edwards being made to keep London Philharmonic-orchestra together, and negotiations now pending for renting theatre in West End to give night performance with bar on cooperative basis. J. B. Priestley is behind the scheme.

Whispered around that Joseph Rank, millionaire miller, who has hired most of Charles M. Woolf's film ventures, is backing picture being partly made in Canada for the government by Michael Powell, with Woolf as producer.

Robert Morley turns down David E. Rose's offer to star in "Hatter's Castle," to go into H. G. Wells' "Klippo," which is to be made by Gaumont-British-Gainborough for 20th-Fox. He will co-star with Michael Redgrave and Margaret Lockwood.

## St. Louis

By Sam X. Hurst

Henry Hoffman, head to Paul Beismann, derailed by heat.

Although lotto is banned in St. Louis county, sneak session last week brought out the masses before cops broke up the game.

Tom Mix is one of 300 linked to appear in "St. Louis Cavalcade" next fall for benefit of local fire fighters. William Morris agency to produce.

Sterling Holloway, Vivian Marsh and Ruth Sato planned from West Coast to appear in "East Wind," current at al fresco theatre, Forest Park.

Two Merry Gentlemen begins run Friday (9) at Fox movie theatre, the strawthatter, on roof of west end office building. Harriet Hagan has leading femme role.

Mrs. Ruth Allen, Reaves, warbler in last year's Municipal theatre cast, has filed suit for divorce from Dr. Lowry Donald Reaves. Desloge, Mo., who also sang, the chorus.

Johnnie Perkins-Roy, patterned after the Johnny Perkins-Roy Bruder-Playadium, East St. Louis, will be built in South St. Louis. Bernard Brade will be the proprietor.

Walter Branson, midwestern district sales manager for RKO, and Ray Nolan, manager of the local

branch, are in New York City working out circuit deals with home-office biggies.

Nancy McCord, Bob Shafer and Douglas Leavitt here after finishing outdoor opera season in Louisville. Eugene Lowenthal, Arthur Kent and Nina Stroganova, planned to New York after choruses.

Former Mayor Henry W. Kiel, prez of Municipal Theatre Ass'n, has recovered from two major operations.

Lee Sims and Homy Bailey making local debut at the Club. Carlos Molina's band a holdover.

Steve Cady, nitery operator, took troupe to Centralia, Ill., Monday night for a one-night stand. Cady's place is closed on Monday nights and this enables the talent to earn a few kopecks on out-of-town dates.

Two one-act plays, "The Importance of Breakfast" and "Something to Remember" were presented by the Toy Theatre Players last week for the benefit of the Red Cross. Gordon Sommers and Mary Levitz produced.

Johnnie Perkins-Roy, patterned after the Johnny Perkins-Roy Bruder-Playadium, East St. Louis, will be built in South St. Louis. Bernard Brade will be the proprietor.

Walter Branson, midwestern district sales manager for RKO, and Ray Nolan, manager of the local

## Minneapolis

By Les Rees

Paramount exchange to have office golf tournament Aug. 24.

Julius Volk, indie nabe exhibitor, to Glen Lake sanatorium.

Earl Perkins, Warner Bros. salesman, an expectant granddaddy.

Theodore Hays, vet. Minnesota Amus. Co. executive, confined to home by illness.

Gordon Greene, manager of Benz Bros. theatre interests, to Pine Lake sanatorium for rest.

Bill Scholl, RKO exhibitor, in hospital with injured shoulder after auto smashup at Hampton, Ia.

LeRoy Miller, Universal branch manager, accompanied salesman Pat Halloran on a North Dakota trip.

Ferry Blado, assistant manager, pinch-hitting for Bill Sears at Orpheum, while latter vacation motor trip.

Max Blotky, brother of Ben. Paramount branch manager and Twin City Variety club chief barker, passed away.

University of Minnesota band turned out for opening of Center theatre, Minnesota Amus. Co.'s (Paramount) new St. Paul nabe house.

After a two-day fishing trip into northern Minnesota, with Gilbert Nathanson, Republic branch manager, following his rodeo appearance here, Gene Autry flew back to Hollywood.

## Churches' Pix

Continued from page 3

ing which he has contacted ministers from coast to coast. The field covers about 100,000 churches. A. L. McCormick, president of Cinecolor, estimates that his plant will turn out 30,000,000 feet a year as result of the hookup.

The idea, according to Bond, is not only to secure religious subjects but to attract the public to the churches. At least 2,000 houses of worship are equipped for sound films and thousands more, under the new plan, may purchase the necessary equipment on term installments.

Subjects will depict the life of Christ, with choral music led by Homer Rodeheaver, singing evangelist formerly connected with Billy Sunday.

New angle in the distribution of the pictures is a band of more than 1,000 retired ministers who will work as a guest promotional staff for religion and show business at the same time.

The average cost of the film service will be about \$10 per week per church.

16 MM. Catholic Film Service, National Catholic Film Service, Inc., has been organized in New York to preview 16 mm. films and issue approved and disapproved lists for guidance of religious, educational and other organizations. Its activities in the 16 mm. field will, in many respects, parallel those of the Legion of Decency regular commercial channels.

In addition to merely previewing, however, NCFS—which is an unofficial board and has the sanction of the church—will also rent the 16 mm. film, it recommends to educational, religious and other groups.

Heading the new outfit is Dr. Eugene A. Colligan, who resigned last March as president of Hunter College and before that was assistant superintendent and director of visual education of the New York public schools. Joseph A. Durkin, former secretary to the district attorney of New York county and now operator of a private news service, Colligan's associate.

## Hollywood

Jack Moffit laid up with flu.

Smiley Burnette east, ca. a stage tour.

Fredric March on vacation at Del Monte, Cal.

Frances Simon gandering the studios for Pic.

June McCloy back in pictures after eight years.

Bill Elliott to Durango, Cal., for yearly rodeo.

James A. FitzPatrick bought Canadian farm.

Betty Brewer recuperating from tonsil operation.

Floyd Knudsen to the hospital for a tonsil operation.

Earle G. Hines and Herb Griffin here from New York.

Wallace Beery to Wyoming for two months of fishing.

Judith Woodbury knocked down and bruised by an auto.

Charles Rosher returned to his camera after sick leave.

William Gargan vacationing at Yosemite National Park.

Victor Fleming is back at Metro after a Canadian vacation.

Henry Goetz aired in from Manhattan for studio huddles.

Spec O'Donnell back with Frank Capra after two years' illness.

Lana Turner returned from month's vacation in Honolulu.

George Randolph Hearst is being sued for separate maintenance.

William Shiffrin moved into the Gurney agency as an associate.

Jackson Parks moved into the James Roosevelt publicity setup.

Ruby Keeler back from Chicago where she left the Jolson show.

Norman Elson in town for huddles about product for Film Alliance.

Joseph Bernard and Mort Blumentstock, who left the Jolson show, are in town.

Paramount Studio Club tossed a farewell dinner for George Bagnall.

Marjorie Young's suit to divorce Roland Young was set back 10 days.

William E. Roy, branch leg will keep him out of pictures another month.

Ben Miggins in town from England where he was European manager for 20th-Fox.

Joe Cunningham and Edward Dmytryk to Canada to handle films for the government.

Frank Velez from New York to handle dance direction for RKO's "They Met in Argentina."

Barney Sarecky checked off Republic list and considering an offer from Australian film outfit.

Richard Greene back from Vancouver, awaiting a call to war service after enlisting in Seaford High-landers.

Jim Denton, Don Morgan, Dick Pittenger, Sam Israel, Katie Robinson and Bill Winter vacationing from the 20th to the 10th.

Nathan H. Hubbard, for years in public relations in California, and Jim Furman, with Public and Lewis's in advertising - publicity, opened p.a. agency in Los Angeles.

## Stroudsburg, Pa.

By John Bartholomew

Eric Stroheim still around.

Sound and picture current with Shawnee Players at Worthington Hall.

Berkley Players presented "Double Door" at Haubert theatre, Newfoundland.

Doris Jenkins of nearby Heeden called to Kennelburg, Pa., at request of author Booth Tarkington to appear in his "Karabash" with the Garrick Players.

Former middleweight champ Harry Wacker, weekendend at Johnny DeSanto's Pocono Summit Inn. Announced forthcoming Red Cross benefit fight with Jack Dempsey.

Bill Blumenberg, former theatre man and now proprietor of Ye Saylor's Inn, Stroudsburg, would purchase Stroud theatre building, now empty and still showing fire ravages. But bank holding out for more money.

## New Haven

By Harold M. Bone

John Hesse vacationing from WB's Roger Sherman.

Russell Bros. first small circus to hit here this season (8).

Levy Schaefer, stepped away from his Paramount debut for a few days' rest.

Bill Reisinger tie-ing in with heat wave by running bathing beach contest on his Bijou stage.

Operator of Savi's Rock's rocket ride absolved in death of woman patron who fell from machine.

Frank Thomas, in for a look at Frankie J. Young, a straw hat, cast, hopped back to Coast via stratoliner.

Nate Rubin completely recovered from bad fall in his Loew-Poli lobby by that necessitated hospitalization. The Fred Stocker were around for daughter Carol's straw hat, opening at Indian Neck in "Pursuit of Happiness."

# OBITUARIES

## FRED GRIFFITHS

Fred Griffiths (Frederick George Delaney), 64, well known circus and vaude partner of the Griffith Bros. act, died at Herne Bay, England, July 11.

Apprenticed at the age of five to William Frederick Matthews, he appeared throughout Europe and the U. S. in circus and vaudeville for 10 years. He played in pantomimes, joined Barnum and later teamed with Joe Griffith until the latter's death in 1901, when Fred, Jr., replaced him and played for years, still keeping the name Griffith Bros.

For years their performing horse, Pogo, was featured in vaude, cabaret, circus. In 1923, the act was included in the Royal Command Performance at the White House. In 1921 he completed 60 years in show business and was given a banquet by the Grand Order of Water Rats, of which he was a member. Three years ago he retired, and his wife and son continued with Pogo. Survived by son and daughter.

## DONALD CALTHROP

Donald Calthrop, 52, stage and screen character actor, died in England recently after heart attack. Grandson of Dion Boucicault, 19th century Irish dramatist and actor, and son of John Clayton, who was associated in the building of the Court theatre, London, deceased had appeared with Sir Henry Irving, Sir Herbert Tree, Sir John Martin-Harvey, etc., and had his own theatre in which he acted and produced. He also toured America with Maxine Elliott.

Illness had curtailed his activities recently, mainly of a film nature, and he had completed a role in Shaw's 'Major Barbara' film at Denham the day before he died.

His two elder sons were lost in the evacuation from Dunkirk.

## 'RAFE' SCOTT

'Rafe' Scott, 68, well known to London show business, died recently in London. For the better part of his life he cut the hair of most stage folk at Shipwrights, Shaftesbury avenue, and when this shop closed he took a post at another hairdresser's on Windmill street.

Theatrical managers laid store on his judgment as a critic. He was invited to all first nights and wrote his opinion of the shows which he sent to the management. He prized a letter from Sir Alfred Butt in answer to one of his criticisms, in which the manager thanked him for his views and agreed with a scene he didn't like, saying it would be changed. A couple of years ago the BBC secured his services for a broadcast in their 'In Town Tonight' series.

## G. FRANKLIN WISNER

G. Franklin Wisner, 61, former head of the press section of the Federal Communications Commission, died July 26 at Garfield Hospital, Washington. First victim of the FCC 'purge', conducted by former commission Chairman Frank R. McNinch, Wisner had lived in virtual retirement since the fall of 1938.

Wisner was born in Hampstead, Md., and graduated from St. John's College, Annapolis. He was a newspaperman for many years, starting with the Baltimore Sun and later becoming Washington correspondent for the New York Herald and the New York World. He is survived by his wife, Mrs. Roselle B. Wisner, of Silver Spring, Md., and a daughter, Mrs. Gordon Smith Parker, of Pittsburgh, Pa.

## EDGAR L. WEISNER

Edgar L. Weisner, 43, one of the owners of 15 theatres, including the Gold Coast houses, Shorewood and Downer, affiliated with the Fox-Wisconsin Amusement Corp., died July 26 at his home in Milwaukee after a long illness. He was widely known throughout the northwest which he covered as salesman for the old Film Booking offices and First National pictures, and was an officer of the Variety club since its organization.

Survivors include two brothers, Max and Harold, who were associated with him in theatre operation.

## HERBERT C. GILLELAND

Herbert C. Gilleland, 32, assistant general manager of WTOL, Toledo, died suddenly at the University of Michigan hospital, Ann Arbor, Mich., July 29, from a kidney affliction traced to an accidental blow on the

kidneys during his athletic career at Grand Rapids (Mich.) College.

Gilleland was former sales promotion manager of CKLW, Detroit, when that station was American-owned, and was also sales promotion manager of WSGN, Birmingham, Ala., before coming to the Toledo station, where he was heard frequently as an announcer for many programs.

His parents and a brother survive. Burial in Detroit (2).

## JAY WILSON

Jay Wilson, 69, who acted for 50 years in the American stage, died July 27 at his home in New York.

After making his debut with Sol Smith Russell at the old Arch St. theatre, Philadelphia, in 1890, he later became a member of Charles Frohman's company. Wilson also had roles in the original production of the 'Front Page' and was seen with the Chicago company of 'Broadway'. Other shows in which he had parts were 'Dodsworth', 'Revenge with Music' and 'The Band Wagon'. His widow survives.

## ARNOLD FOMERANTZ

Arnold Fomerantz, 19, child piano prodigy, who appeared as soloist with the New York Philharmonic symphony orchestra and the National Orchestral Association, died Aug. 1 at his home in New York after a long illness.

A hold of the acid medal awarded to him by the New York Music Week Association when he was nine, he later entered the Curtis Institute of Music, Philadelphia, on a scholarship. More recently he had been active in preparing concerts for children in Philadelphia.

His parents survive.

## BERT JORDAN

Bert Jordan, 74, one of the oldtime vaude standards, died July 30 in Bellevue hospital, New York.

Jordan, a song-and-dance man, was teamed with Rose Croun, who was probably best known in the 10 years just past the turn of the century. Later, he did a single, but had been inactive for years recently.

Burial was in Rochester, N. Y., where relatives reside.

## BIRD MILLMAN

Bird Millman, 45, died Monday night (5) at her home in Canon City, Colo., from cancer of the spine.

Survived by parents, the J. D. Williams, former aerialists, from whose act she sprung to international prominence at age 11 when William Morris spotted her in a Canadian tour.

## TALBOT MUNDT

Talbot Mundy, 61, novelist, screenwriter and more recently author of the radio serial 'Jack Armstrong, All American Boy', died Aug. 5 in his sleep at Bradenton Beach, Fla.

Further details in radio section.

## CLYDE (TECK) MURDOCK

Clyde (Teck) Murdock, 48, one-time comedian and Broadway dancer, died at Urbana, O., Aug. 1.

Mrs. Sarah P. Adler, 71, mother of actress Francine Larrimore, died in Atlantic Beach, L. I., Monday (5) after a brief illness. A sister-in-law of the late Yiddish actor, Jacob P. Adler, the deceased is not to be confused with Sarah Adler, Jacob P.'s widow and the mother of Stella and Luther Adler.

Mrs. Velma Yawitz, 32, wife of Paul Yawitz, screen writer, died Aug. 2 in Hollywood of a chronic ailment.

Mother, 78, of Charles and Harry Komer and grandmother of Adolph and Irving Goldberg, of the Komer & Goldberg circuit, died in Detroit.

Sister, 44, of El Brendel, film comedian, was stricken fatally with a heart attack Aug. 1 while walking in downtown Philadelphia.

Roy Watson, 48, studio grip at Paramount, died July 27 in U. S. Military hospital at Sawtelle, Cal.

Ell C. Brimmer, 82, father of Richard Dix, film actor, died July 27 in Hollywood.

Johnny Long, who opened at Roseland ballroom, N. Y., July 26 for an 11-week stretch, has had his contract extended to 16 weeks.

## BIRTHS

Mr. and Mrs. Tony Covato, son, in Pittsburgh, July 27. Father's with Elzi Covato band.

Mr. and Mrs. John (Harpo) Vaughn, son, in Jacksonville, Fla. July 29. Father's a former Pittsburgh nitty agent; mother, is Gloria Smiley, nitty dancer, and 'Miss Jacksonville' of 1938.

Mr. and Mrs. Irving Starr, daughter, in Hollywood, Aug. 1. Father is producer at Columbia.

Mr. and Mrs. John Woodcock, daughter, in Hollywood, Aug. 2. Father, a recording editor at Paramount.

Mt. and Mrs. Frank Comperis, son, in Newark, N. J., Aug. 1. Father is Coast assistant to Monroe Greenhalgh, United Artists exploitation head.

## Defense Shorts

Continued from page 1

overlooked for the sake of 'drumming up' national defense.

### Newsreels Ditto

Besides the features and shorts, all the newsreel companies weeks ago pledged their full cooperation to incorporate national defense footage and patriotism where feasible. The one single big effort along these lines was the July 4 special when all the reels used 'God Bless America' music as background for the patriotic subject matter.

Columbia is not definitely set on featuring its full propaganda angle but may reshuffle the script on 'Behind the Maginot Line', a story property on which no work has been done lately order to bring in this slant. 'Mad Men of Europe', yarn of present war dealing with parachute activities, already has been released. It deals with realities of modern warfare. Company also is making 'Our National Defense', the final in a series of Washington Parade shorts.

Metro announced four features at its recent New York sales confab which may be employed to bolster national defense. 'Flight Command', an aviation thriller, is slated to show ramifications of air service. Other three are 'Cause for Alarm', 'Combat Car' and 'Dawn's Early Light', last dealing with Revolutionary War patriotism. 'I Had a Comrade', dealing with war and Germany, may be put in same category. Company also has several shorts under consideration calculated to give a national spirit. Its 'The Flag Speaks' and other patriotic shorts will probably be reissued periodically.

### Other Majors

Paramount will make 'I Wanted Wings', an air story being produced with the full cooperation of the aviation corps of the U. S. Army at Randolph Field. Company also has 'Wings My Love' story about an American aviator who joins the British fighting forces abroad. What is described as an inspired propaganda speech to build up the strongest military air force in the world is incorporated into one of the film's closing passages.

RKO has two definitely lined up or completed for release on the patriotism angle for 'Citizen Kane', the Orson Welles picture. 'The Ramparts We Watch', already released, of course, is definitely propaganda for American national defense. 'Men Against the Sky', the other picture, tells the tale of a modern aviation battle and race against a foreign competitor.

20th Century-Fox may incorporate the patriotic flair into 'Charter Pilot', presently listed only as a straight aviation melodrama. Same treatment may be given 'Youth Will Be Served', saga of the CCC camp program. Understood also that the company's couple of other pending productions on mind to help the national defense.

United Artists' sole entry so far is 'Foreign Correspondent', but others may be shifted about to boost for American preparedness. Universal lists only 'Give Us Wings' as drumming up the martial spirit.

Warner Bros. probably will inject patriotic enthusiasm into four of its forthcoming productions besides turning out five shorts having to do with the nation's military. The features tentatively listed are 'Amazing Story of Sergeant York', which Jesse Lasky will make; 'Lost Battalion', story about a dramatic phase of the last world war; 'John Paul Jones', epic of early-day American naval hero; and 'Capt. Horatio Hornblower', nitty fictional yarn.

The Warner shorts include 'Service With the Colors', concerning army life; 'Young America Flies', dealing with young men training for the air service; 'March on Marines', 'The Tanks Are Coming', and an untitled one about the navy. First two have been completed.

## House Reviews

Continued from page 33

### ROXY, N. Y.

light comedy with his stunts, and Dick, Don and Dinah, comedy actors, who, it's to be regretted, weren't around when vaudeville playing was more prosperous. This is a crackjack act of its type, including two boys and a girl, latter having looks and gams of distinct tomboy stamp. They would have been sure two-day material, which isn't discounting their exceptional impression here opening night in front of sparse audience.

Day delivers five numbers and clicks easily with his smooth tenor. He goes Paddy with only one Irish tune, however, the rest being current pop faves. His style is nice and his stage manner easy, which is all to the good, particularly for a radio singer.

Early in the show, and virtually thrown at the audience, is a table tennis exhibition by Coleman Clark, who is said to have written the book and Billy Willard, also a clump of parts. This type of act is a frequent repeater at the Roxy and its presence in the show is a little surprising, an announcer, in this case Bob Larimer, calling the shots, which are only too obvious in themselves. Larimer's chatter, however, is pleasant and heightens rather than detracts from the novelty. After a few trick shots, Clark and Willard play a 15-point match. Opening night willard beat the champ, which he held alone in the illustration that it's all on the level. Audience interest is held all the way.

The Foster line really hasn't much to do this week, only one routine, and that is the one that is really important. But this was spoiled by the band being out of step with the line, or vice versa. Ben: Yost's New York variety act, appear to be on the way to becoming an institution here. They fit nicely, especially with 'Boog It', where, incidentally, it looks as though the line might also be used to advantage.

### EMBASSY, N. Y.

(NEWSREELS)

After plenty of weeks of lackluster domestic subjects and tired war shots from abroad, of which all everyone has had his fill, newsreels are a welcome change, a refreshing jolt. There are two exciting and dramatic sequences, one from home, one from Europe, that are principally responsible for the upturn. First is the fire in a Camden, N. J., paint and grease works and the second is the sea battle which took place between the English and Italian fleet in the Mediterranean a few weeks ago. While there are a few moments of interesting clips in the reels otherwise, these two make almost anything else look pretty tame.

Embassy uses shots of the Camden holocaust from two companies, Metro and Paramount. Metro's are by far the best, not only because they are more complete, but because they are much more human. They get away from the blaze itself frequently to show victims, families, firemen, crowds and other aspects of the fire itself. Spectacularism of the fire itself was not the point, or the newsreels, with explosions and the heat causing one high wall after another to topple. Both reels also have some of the Italian ships, although these are taken from a headline that they are not particularly revealing.

Scene of the Mediterranean naval battle (1) is one of the newsreel surprises of the way to date. Passed by the Italian censors, they nevertheless show to what a great extent the British fire was effective in damaging Italian ships. After the conflicting claims of the two countries while the battle was raging and immediately following, the truth is a revelation. There's no doubt at all that the Italian vessels were badly hurt and escaped complete annihilation only by scrambling under a heavy smoke screen. Shots were made from the Italian boats, apparently by a camera attached to the Fascist navy. Why Il Duce didn't put a match to the negatives is a mystery.

Almost all good clips of a Nazi air raid on an English town in the Channel. Distributed by Pathe, they show at length the German planes diving on their objectives, the puffs of anti-aircraft fire from the boats and several planes shot down. Scenes are both technically interesting and breath-taking. Particularly surprising are shots made by the pilot of a German plane with a camera synchronized with his machine gun. Every time he pulls the trigger the film grinds and the lens follows the path of his bullets.

Foreign coverage otherwise is rather limited. Fox shows a neat contrast of Bastille Day in France and Bastille Day in England. In the former, French troops are marching to prison, while in the latter, weeping civilians, while across the Channel, General De Gaulle is gathering free French forces into an

army that still hopes to send Hitler back, conservatively speaking, to paperhanging. Fox also has some standard shots of the Palace Guards, now in line, war repalia instead of shakos. Pathe produces some worn scenes of London kids being evacuated, but adds a modicum of human interest by the unconscious crash of the two royal princesses being very faintly evacuated by motor launch. There's one other London-located clip, also Pathe, of a fire in a lumber yard. It flares high but not very interestingly.

Defense problems naturally take up the major part of the serious domestic copy. Par has F.D.R. speaking defenses, while Pathe has him giving a similar o.o. to a navy yard. Par treats of three phases of defense otherwise: first, conscription; second, aid for England, and third, arms production. Fox shows Secretary of War Henry Stimson, a Congressional committee and Universal has William Knudsen reporting on defense progress. Like most men in public life, the Stimson has been showing him distasteful by coming in for his share of treatment by both Par and U. Latter's has been showing him distasteful by acceptance speech. Arrival of the S.S. America in New York harbor is handled from both water and air by Pathe in the usual shots.

Either the film nor sound track of comedy is provided in full measure by U with a bathing beauty contest for grandmothers—judged by grandpas—at Coney Island. Sports field is also outstanding this week with top notch pictures by Fox of racing at Hollywood Park and by Metro at the opening of Saratoga. Also attention-worthy are Fox's 'Saratoga' tennis match, the same company's shots of a hydroplane race and an ocean swimming race in California. Pathe comes through well with 125 tiny sailboats racing on the Coast. Low Lehr's bit is a 'rassle roly', about half a dozen toughies in a ring putting on a great show by slapping each other around. Universal gets in a few pictures, including the Daltons' Rode, by showing the star-attended opening in Coffeyville, Kan. Despite the ad copy, the films qualify. Embassy requires only one short, a Universal feature, to complete the bill. One of the 'Going Places' series, it's about the British West Indies and not enthralling. Herb.

## MARRIAGES

Helen Hoffman to Dr. Lloyd Silverstein, in Hollywood, July 29. Bride is niece of Louis B. Mayer.

Kathryn Case to Duke McHale, in Elktown, Md., July 2. Bride is with the Diamond Horseshoe, N. Y., ballet; he's the dancer.

Carol M. Stone to Robert W. McChon, in Forest Hills, N. Y., July 31. Bride is the youngest actress-daughter of Fred Stone.

Alice Hirst to Jimmy Kent in Moose Jaw, Sask., July 20. He is announcer with CKCK, Regina.

Mildred Mullen, Chicago radio singer, to Phil Crane, KIRO, Seattle, baritone in that city July 20.

Vicki Abbott to James Truex, June 29, in New York. She's legit and radio actress. He's son of Ernest Truax, currently at Monomoy theatre.

Loretta Young to Tom Lewis, in Beverly Hills, Cal., July 31. Bride is a film star; he's a radio exec.

Marguerite Taylor to William H. Courtney, in Hollywood, July 2. Bride is daughter of Laurette Taylor, and was formerly associate editor of 'Picturegoer'.

Jean Beaman to Robert Beaman, in Yuma, Ariz., July 28. Groom is a photographer for NBC.

Adele Schneider to Frank Newton in Chicago, July 20. He's a Des Moines radio writer.

Gwen Brower to Milton Atkinson, Fort Worth, Texas, July 30. He is assistant traffic manager for KGKO, Fort Worth.

Virginia Floyd to Robert Riley Clutcher, in Los Angeles, Aug. 3. He is screen-radio writer.

Helen Germaine to Frank Pittman, in Hollywood, Aug. 1. He is NBC sound effects man.

Florence Harris to Irwin Natove, in New York, Aug. 2. He's member of the continuity staff of WMCA, New York.

Agnes Hermansen to Bob Carter, in New York, July 30. He's an announcer on NBC and WMCA, N. Y.; she's an airline hostess.

Cole McLaughlin to Constantine Brown, in Port Royal, Va., skeddled for Aug. 10. Bride is legit player; he's a Washington political writer.

Bob Auman's orch. ex-West Chester Teachers' College crew, who finish season at Tom Bridge's Oak Grove House, Milford road near East Stroudsburg, Pa.



## Nazis' Grip On France

Continued from page 2

be seen disporting themselves on cafe terraces or in restaurants. Now it's just an appetitif where formerly an expensive concoction for his friends. Now it's a brandy and soda where previously it was a whiskey and soda. Now it's a less expensive restaurant where the food is good, but where the service is more modest. Diners are now prone to take a rapid glance down the right hand column of the menu before ordering their favorite dishes. Less attempt is now made to keep up with the Joneses.

Inversely, some are spending more than formerly and getting rid of their savings in a mad, mad splurge. This group has little confidence in the future and want to crowd in as much fun as possible while there is still time.

Another aspect of the problem which has not yet been given more than cursory attention is the fact that the German occupation of the Nazi-ruled French totalitarian lineup will undoubtedly bring about a purge of the theatrical, literary and artistic circles of its Jewish components. Although perhaps less than in some other countries, the Jews in France exercised a great influence in these fields and in many

and ranks and had a disastrous effect on Paris' nightlife. Legit folded completely, although others continued on a couple of cylinders. After the Low countries were crushed and the Germans entered French territory for the first time, most of the filmeries and variety houses shut down. "Dancing was outlawed and closing hour moved ahead thereby automatically forcing the shuttering of hotspots, bars, danceries and other hangouts. Although not obliged to do so, many cafes and restaurants pulled down the blinds since the mass evacuation had a disastrous effect on the capital, anything still open shuttered without a second invitation, and a few days later, when the Germans entered town, they found city without cafes, restaurants, cinemas, theatres and other entertainment spots. Radio headquarters had moved out with the army.

On June 10, with the Germans closing in on the capital, anything still open shuttered without a second invitation, and a few days later, when the Germans entered town, they found city without cafes, restaurants, cinemas, theatres and other entertainment spots. Radio headquarters had moved out with the army.

In the fatful days which followed, and until the armistice was signed, Paris was practically a dead city. Some cafes and restaurants did some biz and a handful of show-cases tried to carry on but it was a far cry from what it had been. Cinemas did good biz in Tours and

trend of events, and the remainder will be junked due to lack of capital. Cinemas in the non-occupied zones are doing well, many still showing Hollywood pictures. No new releases are being shown, although it is expected that shortly they will be feeding French audiences with the German UFA and Italian Luce variety.

### Population Tripled

#### In Temporary Capitals

The greatest story of the war, outside of its military phases, perhaps is the story of the life in the temporary capitals, first Tours and then Bordeaux. In these and other cities, towns and villages, the population was tripled and quadrupled by the rush of evacuees from Paris and northern France, and present-day authorities with some very peculiar problems.

Tours and Bordeaux were affected most since the moving of the government to these cities brought along thousands of others such as newspapermen, civil and military officials, larger garrisons, newsreel men, writers, adventurers, curiosity-seekers and their wives and families as well as the usual run-of-the-mill refugees. Feeding and housing these extra thousands was no easy problem.

People slept in cars, trucks, doorways, offices, corridors, roofs and park benches. Others rode or walked out to the outskirts of the temporary capitals each night to sleep under a tent or merely sprawl themselves out on a blanket in the grass. Every available spot was claimed hours in advance. Many slept five and six to a room—and not always in a hotel room. Many of the localities rented out a spare room or an unused attic or office.

American and radio correspondents were faced with the same plight. In Tours most of them had hotel rooms, even if they were cramped a bit, simply because their offices had had the foresight to make arrangements before leaving Paris. Bordeaux was a different proposition and they were lumped together with the other refugees. The Information Ministry promised to find rooms for them but they never got around to this. With Bordeaux' population boosted from 250,000 to nearly 1,000,000, it was a question of first come, first served. Correspondents slept on their work tables, on floors, in the censor's office and in the corridors of the buildings in which they worked.

One agency considered itself fortunate to rent the former office of the Austrian Consul in a wine house where seven tired correspondents slept nightly on mattresses given them by the American Red Cross. Although the mattresses were on the floor, the correspondents considered themselves fortunate and better off than many of their colleagues who slept with just a blanket wrapped around them and a telephone book to serve as a pillow. The wine house looked gay and the night the Germans came over and dropped bombs for two hours, because it had of the best-built cellars in the city. The boys felt secure even if a bit disgruntled.

Well-known actors, singers and entertainers, who only a few weeks before had their names a foot high in Parisian marquees, were no better off. Although recognized on the street, they made any fuss over them. Gone for the time being, at least, was the rush for autographs. They, too, slept on floors, in cars, if fortunate, in hotel rooms.

### Many Went Days Without Taking Off Their Clothes

Many went days without taking off their clothes, and all they could get was a hand and face wash. A bath was considered a luxury and many in the habit of taking daily baths suddenly learned that they could get along without them and still take any active interest in what was going about them—even if they felt a bit grimy. Some, more enterprising than others, holed it around town doing the rounds of the hotels until they found, not a room, but the use of a bathroom. When they did they came back to brag to their friends.

The food problem was even more serious, with restaurants crowded to the very rafters from the moment they opened their doors. The only assurance one had to get fed was to be at the restaurant door at noon and at 7 p. m. and rush in when it was opened. Waiting around until a taberna was empty was usually a most unfortunate experience because usually there was no food left by the time some one left to make room. Some got along on sandwiches in cafes, but even here the chances were slim. The great majority simply fed

### Slug of Milk, Please

Vichy, France, July 25.

Piercing the gloom that accompanied the food shortage in France was a note of humor that recalled American speakasy days.

In Marseilles, milk was the only shortage, and so the authorities decreed that none was to be served in the cafes, ordering it set aside for children and the sick. Consequently, cafes took on the aspect of speakasy for the service of milk.

It was no use griping, as a young Frenchman learned. He complained because a peach he was served was not as ripe as he thought it should have been. Immediately half a dozen soldiers and officers and other diners jumped up and let him have it. They thought it was a scandal for an able bodied civilian of military age to complain while others of the same age were fighting in the front lines. And they didn't hesitate to say so.

Cafes were packed from early morning until closing time. Sugar soon ran out of most of the Bordeaux cafes and saccharine was served in its place. It was served in liquid form and the drinker had to sprinkle his coffee through a hole pierced through the bottle cork. There was a heavy run on beer, and it could not be had in several cafes until new stocks were gotten in. Bread or rolls were difficult to get in cafes. Waiters pointed out the nearest bakeries to their clients. The extra effort was worth it, the refugee usually returning with a big bag of hot buns or crescents.

However serious this may have been, it hardly compared with the suffering and deprivation of the refugees on their trek from Paris and the north southward. Many came from Belgium and Holland, and before they had settled a few hours in a spot they were up and moving again because of the steady German advance.

The greatest traffic jam in history probably occurred June 9, 10, 11 and 12 out of Paris and in the days following from points further south. The line of refugees was so heavy that it took hours to advance a few kilometers. Sometimes the line was stopped for two or three hours without moving an inch. This correspondent took 13 hours to go from Paris to Chartres, a distance of 50 miles, on June 11. There were many accidents and breakdowns. There were thousands of cars stalled on the side of the road while hundreds of wrecks obstructed traffic. There was no progress at night because of strict "no lights" order.

Food Problem Serious; Time 'Too Valuable'

The food problem was serious. Thousands went foodless from 24 to 48 hours because they didn't dare to halt for fear of losing valuable time. When they stopped at night there was no food or shelter to be had. Many considered themselves fortunate to find a hunk of bread or bottle of mineral water. Others with a bit of foresight had taken sandwiches and canned food along.

At first they were not harassed by German planes but after the initial flow of refugees from Paris the Germans began to bear down and strangle the roads. One of the great moments for one group of refugees occurred some 15 miles from Chartres on June 11. A Messerschmidt suddenly dropped out of the clouds and started strafing the line of refugees. The line was bad because hot in pursuit was a French Curtiss. Within two minutes the Frenchman got his foe and shot him down with a volley of machine gun bullets. The shout that went up from the refugees was equal to that of any football crowd.

The greatest disappointment for them occurred only a few minutes later when young men coming from the opposite direction gave the clenched-fist salute and shouted that Russia had joined the Allies. This soon grew in proportion until the refugees had the United States, Turkey and some of the Balkan nations in the side of France and England. Great was their disappointment when they reached some large

city that night to learn that the reports were false.

Some had been on the road for days and had slept in their cars or had gone off to the side of the road and slept in the grass. Jean Grafis, correspondent for NEA, walked from Paris to Bordeaux, a distance of 400 miles and took a week to recover. Sam Dashiell and Steve Fulton, United Press correspondents, cycled the entire distance. The only time they slept in a bed was in Tours and that sleep lasted two hours because the Germans bombed them out of it. It is estimated that there are between six and 7,000,000 who have left their home and are now in the non-occupied areas.

### The Riviera Retained Vestige of Normalcy

Cities like Marseilles and other Riviera towns retained a vestige of normalcy before and after the Armistice. If it hadn't been for several German and Italian aerial bombings of the Riviera no one there would have known a war was being fought. That exactly the way people reacted there.

Although things were quite normal there after the Armistice, authorities admitted that reserves were being quickly used up and predicted serious consequences within a few months unless the French merchant marine could establish contact with its colonies and also because Germans were said to be picking up all the foodstuffs they could find in the conquered land for their own people and army.

In Marseilles only the smaller restaurants strictly applied the restrictions called for by the government, but the larger and tourist type of restaurant near the Vieux Port served anything that the client wished.

After the Armistice, and just before the occupation of Bordeaux by the German army, when only a few score of German officers were in town, it was quite a common sight to see them in cafes and restaurants. They usually paid in marks and if any question was raised they would reply that these marks were "occupation currency" and each mark worth 20 francs.

In every case the officers were polite and courteous. On some occasions French and German officers would be at adjoining tables. They always saluted each other.

The politeness of the Germans did not prevent certain pathetic situations. On one occasion three German officers came into a small restaurant near Bordeaux. The waitress called upon to serve them started weeping profusely. Fully aware of what was happening, one of the elder officers called over the waitress and explained that they meant no harm to her and only asked to be served like any other customer.

Filing news was the greatest problem. Even before the news outfits pulled out of Paris, Commercial and Western Union were cut off by the German occupation of the Channel ports. The only medium left was via radio. An American organization, Press Wireless, did yeoman service. Heading hard-working, capable staff was Louis Hout. He cleared 80,000 words daily for American and foreign newspapersmen who were obliged to relay their stories to the United States for Great Britain, Japan, and other points because all direct routes were cut off. If it had not been for Press Wireless, American readers would have not had a single word of what was happening in France during the month of June.

This channel worked until the German Armistice terms put the silence on all radio communications in France. Americans and others then tried flying to the United States through Madrid but the news often took between 24 and 72 hours to get to the States, killing all its news worthiness. American correspondents in the German-occupied zone were able to get their version of the story out much quicker.

The French censors were rigid but not unreasonable and they worked exceptionally well considering the pressure and what was happening to their country. So chaotic was the situation at one moment that the French authorities asked the American Hout, head of Press Wireless, to act as censor. He did his job as well as any French censor would have done it.

American newscasters did well. Columbia, NBC and Mutual correspondents broadcast many times daily but they all pulled out of Bordeaux a few days before the Armistice since by then everything had broken down.

## Paris Not Reconciled—Kerr

Walter Kerr, former Paris correspondent for the N. Y. Herald Tribune and sometime broadcaster on transatlantic gave a quiet but telling description of the old French capital under Nazi rule, on radio program "We, the People," Kerr, whom some listeners may have recalled for his graphic picture of the situation in Czechoslovakia two years ago, had just arrived via Clipper, after Nazi censor killed six or seven stories he wrote. Tale he related was different from those recently cabled and aired out of Paris.

Parisians and French people are not reconciled to German domination, he said. For the present they have to live, but someday they will find out who betrayed us and we will come back. Kerr stated Paris was plastered with posters showing German soldiers feeding French children. Despite death penalty for defacing them, he had not seen one which was not torn badly.

French people also give food and money to escaped British prisoners, although this also involves death penalty. In addition to telling of Nazis goose stepping, to band music, past tomb of Unknown Soldier every afternoon, with French ignoring parade. Kerr spoke of the most terrifying newsreels on bombings, etc., shown by Germans in Paris. The few French patrons who watch screenings give no outward indications of their reactions except occasional gasps.

were the mainstays. French and foreign Jews had large investments in all the branches of the film industry. This was also true of legit, musical and revue houses.

Although the outbreak of war in September placed a pall on all forms of entertainment, a serious effort was made to redress the situation and, as far as possible, to normalize it. The greatest handicap, of course, was the mobilization of actors, technicians and other male help. As soon as it became apparent that it was not to be a war of total air bombardments and orthodox type of warfare, biz picked up. Studios got together as many male actors, cameramen and directors as they could find and began producing new pics, some of the propaganda category. Showcases dressed up their marquee signs and advertised new and old French and American films. New revues were launched. Vaude houses did biz to packed houses. Legit crowded vaude for first place. Nudist shows were not far behind. Danceries were the last to reopen, but once the 'go' signal was given, floor space was not available. Horse racing in the fashionable Bois de Boulogne, football games, the boxing and other sports fixtures were held as if there was war going. Restaurants and cafes actually did as well as before the war.

Film studios are still shut and there is great likelihood that it will be a long time before they reopen. In any event, France, heretofore among top film-producing nations, has lost that distinction. The Germans and Italians will unquestionably make an effort to replace France as film producers. As soon as the European struggle is over, the totalitarian nations—should they win—will probably make play for the entire European and South American market. They may even utilize French acting and technical skill as a come-on for foreign markets.

### Not to Be Construed Things Were Normal

It must not be misconstrued, however, that things were normal. The blackout, restrictions on the sizes of audiences, a dearth of transportation facilities, early closing hours, food and drink restrictions, lack of man power, higher living costs, taxation, the constant threat of German planes—all combined to play havoc with the lighter forms of life. Families with sons, husbands and fathers at the front just did not care to be amused while others thought it unpatriotic to be seen in these gay spots. Everything considered, the situation was excellent in this first phase of the war.

The invasion of Belgium, Holland and Luxembourg brought the war home to Frenchmen of all classes

Bordeaux, although most of them had to show double feature programs or one picture garnished with several shorts and documentary films since they had run out of new releases. Nabe houses did alright since they flashed old newsreels on the screen. Sandwich men went from cafe to cafe distributing handbills, advertising the respective shows.

With the armistice, the Germans attempted to put some gayety back into the gay Paris. Cinemas reopened, and restaurants and cafes tried to give the city a normal appearance despite food and liquor shortages. The Cafe de la Paix again has its international clientele, but also its uniformed German officers who dominate the terrace section. Maxim's, too, is reported to be the favorite hangout for the conquerors. The Folies Bergere is unshuttered. The curfew is strict; however, and it's lights out at 9 p. m. and no fooling.

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Just what the fate of American distributors is to be still unknown but if what happens to them, Germany and Italy is any criterion, the going may be rough. The conquerors will in most likelihood eliminate the Americans from the European market completely by imposing very strict restrictions.

The French still have enough pix to carry on for an entire season. They had about 35 still to be released and an even larger number of first runs. There is more than a score of unfinished ones but most of them probably will never see the light of day. Some of the subjects are displeasing to the Germans, others outmoded because of the

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# VARIETY

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## GRIND 'AXIS' ON U. S. RADIO

### Henri Bernstein, French Dramatist, To Begin Career Anew, in U.S., at 64

By HOBE MORRISON  
After virtually a lifetime as one of France's foremost dramatist-producers, Henri Bernstein is, at 64, about to begin his career anew in America. His magnificent new theatre in Paris, his various homes and treasures and most of his fortune abandoned when he fled the Nazis, the celebrated playwright is now in New York, resting and recovering from the shock of his recent experiences.

With occasional telephone interruptions, the tall, gaunt, rugged-yet-handsome Frenchman sat in his hotel room last week and talked sadly of his country and his theatre, and with simple dignity of his plans for the future. Amid a clutter of newspapers that overflowed the sofa onto the floor, he was a sombre, impressive figure, obviously shaken by what he had been through, but without self-pity and with an ever-recurring gleam of humor seasoning his seriousness.

In perfect English, with an intriguing accent and groping only occasionally for the precise word to express himself, he said, "Soon I shall get away to the country for rest and quiet. Then I must write some articles for magazines. Also I may go to Hollywood, to direct the" (Continued on page 46)

### N. Y. License Comm'r Proposes \$5 Monthly Tax on Public Televisish

Although television is off at least until October, New York's License Commissioner Paul Moss sees possible revenue from that medium when it does come back.

Moss is laying plans to license every television set that's on exhibition in a public place, excepting, of course, stores where they are sold. The way Moss looks at it, television sets in bars, hotels, etc., are strictly come-ons for customers and therefore commercial.

License fee will be \$5 per month per set.

### MARY PICKFORD'S WAR CHARITIES IN CANADA

Regina, Sask., Aug. 13. Mary Pickford has offered her services to the Canadian government for the duration of the war and reports received here have it she will bring a series of gigantic shows, featuring prominent Hollywood stars, to such cities as Regina, Vancouver, Hamilton, Windsor, Ottawa, Quebec City, Edmonton, Victoria and Calgary this summer or fall. "If my idea meets with the ap" (Continued on page 46)

### Pope Honors Farrow

Montreal, Aug. 13. Lt. John Farrow, Hollywood director, now comptroller of naval information in the Canadian service, has been given the Grand Cross of the Order of the Holy Sepulchre by Pope Pius XII. Honor has rarely been conferred upon a commoner before.

Farrow, naval publicity man, gets pay check of \$8.60 per day.

### PIX' ANTI-NAZI CAMPAIGN VIA SHORTWAVE

Hollywood, Aug. 13. Five major film companies have joined in the drive to swell American picture grosses and to stem Hitler's economic gains in Latin-American countries. Campaign will be waged over shortwave radio via stations WRCA and WNBI, starting in September. Participating will be Metro, Warners, RKO, Paramount and Universal, which will make acetate records here. Other majors also are considering taking part in the move.

Broadcasts, consuming two half hours weekly in Spanish and two in Portuguese, will emphasize the American mode of living and benefits of democracy. Sandwiching in Hollywood glamor, film stuff and commercial plugs, is planned.

Deal was set on the recent trip here of Lunsford P. Yandell, New York NBC exec and RKO director, who worked through the Hays office.

### HITLER BALLY WINDS UP IN NEAR-RIOT

Des Moines, Aug. 13. A near-riot on the streets here Friday (9) resulted when Tri-States Theatre Corp. dressed up a couple of tall kids in uniforms like those worn by Adolf Hitler's personal bodyguard and sent them on a tour of the downtown streets in the interests of "I Married a Nazi," playing at the Paramount.

The young men got instantaneous attention by the swastikas on their armbands to the point where they were about to be mobbed by a growing crowd that had to be convinced it was just a publicity stunt. They were called back to the theatre after an exciting half-hour wait.

Although many disapproved of the gag, it got plenty of attention and made the front page of the morning paper with a two-column story and pictures.

### ALIEN ISMS SOUND OFF IN AMERICA

Broadcasters Resent Groups Partisan to Foreign Dictators Enjoying Privileges on U. S. Kilocycles in the Name of Democracy and Free Speech

#### 'STOP STOOGING'

San Francisco, Aug. 13. "Don't compel American radio stations to play stooge for foreign despots."

This is the essence of an appeal the National Association of Broadcasters has addressed to the United States Government. Radio stations want the broadcasting regulations amended so that stations don't have to grant time to groups taking their patter and cues from Berlin, Moscow. (Continued on page 47)

### Chaplin's \$2,200,000 'Dictator' to Be Shown At Upped 'Gone' Scale

Charles Chaplin's film, 'The Great Dictator,' on which he is rushing work with the hope of releasing it in three weeks, is probably the motion picture industry's greatest one-man show. It's Chaplin's picture from scratch to score, even to the financing, which was entirely with his own money. Film cost about \$2,200,000, not a cent coming from banks or other outside sources.

He is the producer, wrote the original story and screenplay, designed the sets, directed the picture, wrote much of the score and is now not only directing the orchestra which is recording it but is playing some of the music himself, doing all the editing—and took two roles in it.

After working in secret for months, Chaplin is now making the first cuts available. They reveal some of the plot, which is a mistaken identity (Continued on page 47)

### WANGER DOES IT AGAIN

Film Character, Coincidentally a Real Person, Brings Bees

Walter Wanger, whose propensity for coincidentally getting the names of living persons into his pictures, has caused United Artists both amusement and chagrin, has hit again. Latest complaint is on 'Slightly Honorable,' released some months ago.

Picture has a sequence at the beginning in which a road commissioner, who is a crook, is paradoxically killed as the result of bad machinery. (Continued on page 46)

### At Midseason Mark It's Conceded The N. Y. Fair's a Terrific B. O. Fliv

#### Wrong Show

Roosevelt hotel (N.Y.) contest in six cities brought winners into New York this week ostensibly to see the World's Fair.

The first point of interest they wanted to see was Radio City.

### FRESH MONEY FOR B'WAY LEGIT

Some of the new shows due on Broadway early in the new season will introduce fresh money in the production end of show business, though none is identified as film coin. New bankrolls are principally represented in 'The Little Dog Laughed,' which opened at the Garden Pier, Atlantic City, last night (Tuesday) and 'Bangtails,' to be offered by the Boyar Associates and now in rehearsal.

Backer of 'Little Dog' is Laura du Pont Carpenter, kin of the (Continued on page 45)

### CONSCRIPTION CUES USE OF USHERETTES

Theatre managers throughout the nation currently reported seriously considering more femme usherettes, inspired by the fact that many young men may be called up for conscription military service in the next couple of months, and exhibits don't want to be caught short-handed.

In some operations where there is a constant turnover of audiences and large crowds to handle many days weekly, theatre managers aver they have found it difficult in the past to supplant young men with girls but these spots are rated the exception.

The N. Y. World's Fair this year is a terrific boxoffice disappointment to date. Unless there is a phenomenal pickup at the main gates in the next two months it may wind up with only 15,000,000 total paid attendance, or 11,000,000 below the disappointing figure of 26,000,000 of 1939. Even with the marked pickup in the gate during the last two or three weeks, the 1940 attendance is only around the 8,500,000 mark, or about 30% below last year's 12,000,000 for a comparable period.

Failure of the exposition to draw as anticipated by veteran showmen is reflected by the means of concessionaires, class restaurant operators and others who had been sold on the idea that the Flushing Meadows show would draw at least as well as in 1939. Great White Way concession people, with large investments and heavy weekly overhead, are squawking. (Continued on page 47)

### Pat West Faces Knife; Hero of 500 Benefits Draws One in Return

Hollywood, Aug. 13. In 500 benefits there was always Pat West, vaude and screen comedian, ready to do his stuff for his less fortunate brethren. Now the scene shifts and Pat is in the Sawtelle hospital, seriously ill and facing a major operation.

The boys are putting on a boxing show for Pat at the James J. Jeffries Barn in Burbank next Monday night (19), and 50 name players have promised to attend.

### Willkie Big at the B.O., Rebooked on 'Info' Pic

'Information Please' short in which Wendell Willkie, G.O.P. presidential candidate, guest stars, is the biggest grossing short RKO has distributed since Walt Disney's 'Ferdinand the Bull.'

Republican nominee for President also will appear in a second 'Information Please' short, for release Oct. 4, being the second in the 1941 series.

### "Do you pamper your husband at night?"

— still another in the famous series of entertainment pieces composed by RAYMOND SCOTT and now being featured by his unique musical organization in the PANTHER ROOM, HOTEL SHERMAN—where his sensational 9 weeks old dance band is exciting both youngsters and veteran cab-goers around CHICAGO. His 12 weekly NBC broadcasts and his phonograph records are showmanly events you ought not to miss.

## Screen Players Bally a Brewery; Hays Froths, Ed Sullivan 'So-Whats?'

Hollywood, Aug. 13. Beer ad in the New Yorker is causing Will Hays organization to foam around the collar. Not that the office has any personal grudge against the amber fluid, but it has always frowned on the idea of screen personalities being used as stooges for alcoholic promotion. In this case four thespians and a columnist vote publicly and unanimously for a certain brew.

Star of the ad is Ed Sullivan, who columns for a living and is not restricted by any Hays office traditions. He utters the keynote of the production: 'My beer is the dry beer.' His motion is seconded by Arthur Treacher, Marjorie Weaver, Betty Jaynes and Bela Lugosi, whose portraits, registering liquid joy, surround that of Sullivan.

Ordinarily this scoff-law attitude would have incurred a spanking, but in this case there were ameliorating circumstances. The four players were members of Sullivan's troupe when he conducted his stage tour a few months ago. It is an old Hollywood custom to 'yes' executive, even when it comes to advertising a scuttie of suds. So the four thespians were let off lightly with a four harsh looks. But it must not happen again, warned the advertising purity squad. Meanwhile, Sullivan insists on his inalienable right to plug dry beer, even though the Hollywood 'drys' think it is all wet.

## CLARK ROBINSON FILES VOLUNTARY BKPTCY.

Clark Robinson, stage designer, of Tuckahoe, N. Y., filed a voluntary petition of bankruptcy in N. Y. federal court Thursday (8), listing no assets and liabilities of \$31,433. Robinson claims he has earned no money during the past year, and has been a stage designer since 1920. Among creditors are Harry Arthur, of the Roxy Theatre Building, owed \$13,000 on two bonds; Alfred E. Smith, Jr., \$500, on a judgment; The Todhunter School of N. Y., \$4,026 for educating Robinson's children; Robert Little, \$2,142 on a judgment; Vincent Astor, \$1,475 on a judgment; and the U. S. government, \$4,094 for income taxes.

## Astaire Signed by U For Pasternak 'Special'

Hollywood, Aug. 13. Fred Astaire has been signed by Universal as male topper in 'Special Delivery,' which Joe Pasternak will produce with Henry Kostner directing. Production will get under way about Oct. 1.

## PROFILE UPSET, SHE SUES

Ann Pendleton Wants \$11,600 from Roller Coaster Owner  
Los Angeles, Aug. 13. Ann Pendleton, actress, filed suit for \$11,600 damages against Jeff Asher, operator of a beach roller coaster concession.

Attress charges her profile was jostled out of shape by a defective car.

## De Mond Back at U

Hollywood, Aug. 13. Albert De Mond, once a top producer at Universal, goes back there after 10 years to produce an early California yarn, 'Trail of the Vigilantes,' for the Milton Schwartzwald unit.

Story is by Bob Leeds, Fred Rinold and Arthur Hornsby, and the screenplay is being handled by Peter J. Milne.

## 'Saint' Goes to Desert

Hollywood, Aug. 13. RKO has set 'The Saint in Fair Springs' as the title of the next feature in its series based on Leslie Charteris' novels. Most of the lensing will be done at the desert resort.

George Sanders continues in the title role, with Wendy Barrie opposite. Howard Benedict produces.

## Mae Murray's Custody Suit Put Off to Aug. 16

Albany, Aug. 13. Postponement of the hearing of the Mae Murray case has been made for the fourth time. Scheduled for Wednesday (1), testimony in actress' second attempt to gain custody of her son, Koran Mdivani, 13, was adjourned by Supreme Court Justice Francis E. Bergan until Aug. 16.

Edward S. Rooney, counsel for Mae Murray, and Daniel H. Prior, attorney for the Cummings of Averill Park, with whom the boy lives, would give no reason for the delay, except that the case had been adjourned by mutual consent.

## Conn Pockets Benny's 10G, Heads for N.Y.; Scripts Kling Program

Hollywood, Aug. 13. Harry Conn, radio writer, is en route to New York with \$10,000, less \$2,000 attorney fees, the amount of the settlement he received in his \$60,000 suit against Jack Benny. Conn charged the comic with breach of contract, filed his action in L. A. superior court, but later put the matter in the hands of a board of arbitration.

Under the agreement, both Conn and Benny retain rights to material contained in the 226 air scripts Conn wrote for Benny.

Scribbler is joining Ken Kling, originator of the Joe Asbestos newspaper strip, as scripser on Kling's radio show.

## Billy Rose's Autobiog Bid by Zanuck, Report

A reported bid for the autobiography of Billy Rose has been made by Darryl Zanuck for 20th-Fox filming, but no deal has as yet been made. Rose is presently in Hollywood talking over deals for the possible filming of his Aquacade show. Stanley Walker is doing the writing on Rose's life, which is titled 'Strange and Wonderful,' and Harper's is publishing next spring.

Rose, incidentally, is going ahead with plans for the presentation in key cities of his Aquacade show following its closing at the N. Y. World's Fair. The size of the water show would, of course, necessitate spots of stadium-like proportions. Rose's idea is to present the Aquacade with alternate, portable equipment layout. The purpose being this is to have one set of equipment in advance of a current booking so that the complex arrangements, such as heating and filtering the water, could be made in ample time.

## UA in Russe Song Suit

Suit for \$5,000 damages was filed against Universal Artists last week on charges that an old Russian song was used without permission in 'We Live Again,' made by Samuel Goldwyn in 1934. Picture was based on Tolstoy novel, 'Resurrection.' Serge Adelheim brought the suit in N. Y. supreme court. He claims words and music of 'Molchi, Grust, Molchi,' on which he alleges he owns the copyright, were used in the picture.

## U Signs Carol Bruce

Hollywood, Aug. 13. Carol Bruce, singer-dancer in the Broadway musical, 'Louisiana Purchase,' was signed by Universal and reports for work here at the completion of her stage run. Studio is studying material for a musical picture to mark her screen debut.

## Another Cafe Singer

Like Carol Bruce, who was even more advantageously spotlighted when at the Hotel Pierre's cafe than in 'Louisiana Purchase,' another nifty songstress, Nina Orla, has been signed by Universal. She sings with the rhumba band at the Stork Club; N. Y., and is due to leave for the Coast today (Wednesday).

## Still an Acrobat

Current show biz gag in England revolves around Joshua Lowe (Jolo), who has been chief of VARIETY'S London Bureau since World War I days. It's said Hitler's ace parachute jumper is a former acrobat and before taking off for London he radioed Jolo to catch him on the way down for a New Act review.

## BIG EAST-WEST AIR TREK BY SHOWFOLK

By BART PEEVART

A midsummer rush of coast-to-coast commuters hung up an all-time record for Hollywood-Broadway air business at LaGuardia Field. Airline executives at New York's new airport, which at times looked like a busy corner of Hollywood and Vine, held two factors responsible: preparations for fall activities and the annual hot weather wanderlust.

On one flight from the Coast a TWA Stratoliner unloaded Gene Tessel, John Boles, Lynn Farnol, Walter Kane, David Blankenhorn, Cosmo comic executive; A. A. Schubart, RKO manager of exchange operations; and Mrs. Christine Cortez. The Los Angeles-bound Stratoliner Thursday night carried out Anna Neagle, Herbert Wilcox, Ira Gershwin, Dan Kelly, of Universal; Roy W. Howard, Mr. and Mrs. Lynn Boston (she is D. A. Dewey's former aide and she is Barbara Boston, the new Nancy Randolph of the N.Y. Daily News).

Jessel was met by his young bride Lois Andrews, in blue silk farmerette pajamas, silver fox coat, white turban and diamond—Mama Jessel. He said he had come east to take Lois back to a permanent home in Westwood. Glowing with a healthy coat of tan, the comic said he had completely recovered from his recent illness.

Lynn Farnol, United Artists publicity director, brought to New York the first bill of Chaplin's long-awaited 'The Dictator.' Boles said he was en route to a six-weeks personal appearance tour of South America and Walter Kane planned to discuss concert plans with Maurice Chevalier and also to line up some radio shows.

Anna Neagle hopped off for Hollywood a bare 24 hours after flying in from Salt Lake City, where she wound up a 10-week, \$10,000-million personal appearance junky through the west and Canada. She came to New York only to make an 'Information Please' short.

Ira Gershwin, heading for his Coast home, revealed that he had just about finished up his share in the new Gertrude Lawrence show on which he has been working with Kurt Weill and Moss Hart.

Publisher Roy Howard left to connect at Los Angeles with Pan American Airways' inaugural Clipper flight to New Zealand. From Auckland, Howard plans to continue on a tour throughout the Far East, reporting his observations back to the Scripps-Howard papers.

Vivien Leigh and Laurence Olivier still laboriously trying to keep their goings and comings secret, ducked into a Stratoliner a half minute before departure time. Reporters spied them, but flying wedge of publicity and other representatives kept the newsmen at a distance.

The week's other arrivals on the new four-motored ships included Lou Holtz (for a stage engagement at Loew's State), Phil Baker and Myron Selznick. Among the departures were Billy Rose, H. V. Kallenborn and Sir Cedric Hardwicke. Edward Everett Horton went out on a TWA Douglas ship Friday, stopped at Chicago on business, continued by stratoliner to the Coast for a broadcast and returned east in time to open last night (Tuesday) at the Brighton Beach theatre, in 'Springtime for Henry.'

## Jessie Reed III

Chicago, Aug. 13. Jessie Reed, former Ziegfeld h-adline showgirl, is seriously ill in Orthopedic hospital here. Needs blood transfusions and donors have been requested.

## Harry Owens Back to Hawaii

### Unique Native Music Policy—Leave of Absence for Three Months Became Three Years

## York' Gets \$1,250,000 Budget, Sept. 15 Gong

Hollywood, Aug. 13. Warners will push 'The Amazing Story of Sergeant York' away to a belated start on Sept. 15. Picture, which will carry a budget of around \$1,250,000, was originally skedded to roll early in June, but has been set back from time to time to permit studio execs to further study the potential market for a vehicle based on the first World War.

Abner Finckel and Harry Chandlees are giving the screenplay its final polishing. Sgt. Alvin York, due here Aug. 24 from Fall Mall, Tenn., to serve as technical adviser on the film.

## Widow of 'Ambrose,' Early Chaplin Comic Aided, Plans Odd Suit

Request for an interrogation of United Artists execs N. Y. supreme court last week revealed preparations for a suit which attorneys regarded as one of the most unique in film history. It involves early Chaplin films.

Mrs. Pearl Gilman, in her request for permission to question the UA officials, declared that her husband, Eric A. Campbell, now dead, was at one time under contract to Chaplin as co-star under the name of 'Ambrose.' She said he appeared in many films, one of which was 'Easy Street.'

Subsequently, she claimed, sound was dubbed into 'Easy Street' and Ambrose was given a voice. Mrs. Gilman is seeking, therefore, to obtain royalties which she thinks are due her husband inasmuch as he now 'talks.'

Court tossed out the request for an interrogation as Campbell died in 1917 and UA was not formed until two years later, verifying the company's claim it is in no way responsible for the picture. UA also disclaimed ever having the picture for reissue or dubbing. Chaplin also maintained that he is not responsible for what happened to the film as he was not producing his own pictures in 1917. 'Easy Street' was made for Mutual.

## VAUGHN PAUL MADE U ASSOCIATE PROD.

Hollywood, Aug. 13. Vaughn Paul was upped from associate director to associate producer at Universal, where he has worked six years. He is a son of Val Paul, production manager for Edward Small, and former studio manager at U.

## Taylor, Sothern Top Metro's 'Hurricane'

Hollywood, Aug. 13. 'Tropical Hurricane' is slated as a co-starrer for Robert Taylor and Ann Sothern at Metro. Hunt Stromberg producing, from a yarn by Wilson Collison.

## RKO Wants Jack Benny

Hollywood, Aug. 13. RKO is dickering with Jack Benny on a one-picture deal. Comic has one more to make under his Paramount contract following 'Love Thy Neighbor.' 'Neighbor,' co-starring Fred Allen, is now in work.

## Lanes Set P.A. Tour

Hollywood, Aug. 13. Frisella, Rosemary and Lola Lane, currently working in 'Four Mothers' at Warners, are setting a personal appearance tour at the completion of the picture. Plans call for three months on the road.

## BEERY'S PRE-FORDER

Hollywood, Aug. 13. Wallace Beery is set at Metro to star in 'Get a Horse,' comedy meller of the early auto era. Edgar Selwyn produces.

San Francisco, Aug. 13. Harry Owens, who brought his Royal Hawaiians over for three months leave of absence and stayed three years, bids aloha to the St. Francis Mural Room here (29) to sail back to Hawaii.

During his mainland sojourn, Owens has hung up an assorted collection of records. For one thing, he hasn't played a pop tune—or anything but Hawaiian live—for two years and eight months. Boys are spending their rehearsal time now warming up on congas because that's what the folks will expect back in the islands. Over here, it's all Hawaiian.

Behind that is a saga unique in band history, which, like most sagas, had hunger in it. For years, Owens knocked around the Midwest with a small orchestra which gradually disintegrated with the depress. Laid put in about six months tightening notes on his belt when one day he got word from Arthur Benaglia of the Royal Hawaiian hotel that the place could afford a musical director and he did want to be it.

Batoner thereupon signed a four-month pact to salvage Hawaiian music from extinction. In three months time he wrote and junked 60 complete orchestrations, but finally got the swing of the thing and under the wire at option time. Idea was to use half-and-half band, Hawaiians to get the authentic flavor, Americans for swing. With virgin supply of native tunes to work from he built up his library, composing 100-odd items of his own on the side.

Next thing was to spread the word around. Owens promoted a short-wave radio program dubbed Hawaii Calls, which continues to this day. That, plus Bing Crosby and 'Sweet Leilani,' started the current Hawaiian vogue—still current after five years, which is something in itself.

After four years on the island, Owens aggregation jumped to Hollywood to make 'Coconut Grove' at Paramount. That was nearly three years ago and they're still here, during which time band has made two shorts and appeared in 'It's a Date' (U).

Troupe numbers 18, including four hula dancers and their chaperone. Eleven musicians are divided three sax, two fiddles, trumpet, steel guitar, piano, drums and string base, plus plenty of vocal combinations. Only three personnel changes have been made since departure from islands.

An MCA band, Owens prefers to handle all details himself, carries no manager and has no press agent. Attends to matters like boat tickets and reservations personally.

## L.A. to N.Y.

George Abbott.  
Howard Barnes.  
Harry Joe Brown.  
Trem Carr.  
Nick Castle.  
Harry W. Conn.  
Dick Dorrance.  
Warren Duff.  
Scott R. Dunlap.  
Wynne Gibson.  
Del Goodman.  
Howard J. Green.  
Bob Hines.  
Lou Halper.  
Sir Cedric Hardwicke.  
W. Ray Johnston.  
Mrs. Jerry Lawrence.  
Carol Irwin.  
Silvia Lilla.  
Mary Mason.  
S. Barrett McCormick.  
Joseph H. Moskowitz.  
Lydia Nelson.  
Ramón Novarro.  
Kay Vincent.  
Herbert Wilcox.  
William Wyler.

## N. Y. to L. A.

Bud Abbott.  
Lou Costello.  
Jerry Danzig.  
Helen Gahagan.  
Bob Gilman.  
Agnes Moorehead.  
Nina Orla.  
Red Skelton.  
Deems Taylor.  
Benay Venuta.

## SAILINGS

Aug. 9 (New York to Caracas)  
Tito Coral (Santa Rosa).



# PIX PLAN 5-STAR CASTS

## Tony Martin With Bob Zurke's Band Has a Petulant Milwaukee Evening

By JAMES S. POOLER  
Milwaukee, Aug. 13.

Treating this town to an exhibition of artistic temperament, Tony Martin, Hollywood film-radio singer and former husband of Alice Faye, was docked half of his night stand guarantee of \$1,050 for an appearance at the Modernistic ballroom in State Fair park because he allegedly reported for work an hour late and now faces court action for breach of contract instituted by the management. Incidentally, Bob Zurke's band, which accompanied the singer, busted up on the spot after being called out in the middle of a number and its stranded members had to be helped out of town by local musicians.

Booked by the William Morris agency for a personal appearance tour, Tony Martin was given the Bob Zurke band. For the last few weeks there was anything but harmony in the organization, partly because of finances and partly, according to the musicians, because Martin was hard to get along with. The contract for Milwaukee called for the appearance of 'Tony Martin and his orchestra' from 8:30 to 12:30 (Continued on page 39)

## H'wood Gets Influx Of Eastern Ether Shows; Bands Lead Coast Trek

Summer slump is about over insofar as the Coast facilities of NBC are concerned. Heavy influx of eastern air shows is headed for Hollywood starts during late August and early September.

Heading the list of imports is Bob Crosby, who opened his engagement at Catalina Sunday (11) and who began originating his Camel Caravan out of Hollywood Aug. 13. He'll broadcast from this spot for six weeks.

Horace Heidt and his band arrive Aug. 20 to work from the Coast for 15 weeks while camerating the film version of 'Pot of Gold' for James Roosevelt-United Artists. He will ether his Treasure Island Chest Tuesday nights over NBC's red and his Pot of Gold show each Thursday over the same chain's blue.

Abbott and Costello will air their Ipana program from Hollywood during Aug. 21, traveling over NBC's red net on Wednesdays.

Fitch Bandwagon, moves on Aug. 25 for three or four weeks' stay, during which it will use local bands still to be selected.

## Abbott-Costello's U Deal In Middle of Agcy. Tiff

Dispute over film projects for Abbott and Costello has been settled, not too amicably, with the pair leaving shortly to begin work on Aug. 25 in 'Riviera' for Universal, as had been originally planned. Efforts of Metro to snare the comics and an agency involvement so threatened the U deal they brought Dan Kelley, company's casting director, flying in from the Coast to make sure A & C were still with him.

William Morris office regularly books the duo and was working out a deal with Metro, which was anxious to have them, when Sam Lyons offered the boys the Universal pact. Figuring they had a bird in the hand, and it wasn't a razzberry, they signed. That left the Morris agency out on a long limb with Metro and there was no small amount of to-do. Attempts were made by the Morris office to break A & C away from the U contract on a claim of priority, but the pair was signed, sealed and had but to be delivered, so it was no legal go. Whereupon Kelley pulled out last Thursday for the trip back to the Coast.

## Ty Power, Bit Player

Hollywood, Aug. 13.  
Tyronne Power may tote a 20th-Fox starring contract in his pocket, but he's just another unidentified bit player in the Westwood lot's 'The Return of Frank James'.

Feature, a sequel to 'Jesse James', in which Power played the title role, picks up a shot of Jesse's fatal shooting, excerpt from the previous pic. Power doesn't even rate screen credit for the stint.

## PLAYWRIGHTS GET HARLEM COUNTERPART

'Big White Fog,' presented several years ago by the Federal Theatre Project, will be the first production of the newly-organized Negro Playwrights Co. Theodore Ward play, directed by Powell Lindsay, will open at the Lincoln theatre, Harlem, during the first week in October. Lincoln, now being refurbished, has been acquired by the Playwrights as a permanent home. They hope to keep it continuously alight with long runs of the works of Negro writers.

Group is being financed at start by contributions, but is aiming to become self-supporting. Among its plans is one to set aside 10% of its annual earnings for scholarships to promising talent, and another to set (Continued on page 40)

## EX-ATTORNEY SUES POWER FOR \$230,154

Hollywood, Aug. 13.  
Tyronne Power is huddling with his legal advisers, preparatory to going into L. A. superior court to contest a claim of \$230,154 filed against him by attorney Francis D. Adams, formerly his personal counsellor and business manager. Francis started suit for 25% of \$1,065,900, less deductions, which he estimates. Power has collected or will collect from Feb. 7, 1939, to Feb. 6, 1946.

Adams alleges he made a seven-year contract with Power for one-quarter of the actor's net earnings during that period, in return for which he (Adams) was to handle all Power's financial and legal affairs. He states he was discharged last July 10.

## Welles Shooting Film Around Himself at RKO

Hollywood, Aug. 13.  
Producer-director Orson Welles, working from a wheel chair, is shooting 'Citizen Kane' at RKO around star Orson Welles. He sprained his ankle while putting too much enthusiasm into piloting.

## NOT CLOWNING

'Clown' Suit by Writer Over Col.'s 'Mr. Smith'

Hollywood, Aug. 13.  
Norman Houston, film writer, is suing Columbia Pictures in Federal court here, charging plagiarism of his 'Clown' Congress' in 'Mr. Smith Goes to Washington.' Plaintiff demands \$1,000,000, alleging he submitted 'Clown' to Columbia July 1, 1936.

## CYCLE FATHERED BY 'BOOM TOWN'

Coast Crowd Sees Cramming Stellar Names Into Films As Chance to Lift B. O. Out of Doldrums and Boost Exhib Percentages — Vehicle Hunt Is On

## LOW GROSSES WORRY

Hollywood, Aug. 13.  
Five-star pictures—and Hollywood doesn't mean those little marks certain critics use in rating screen attractions—are on their way. Metro started it by tossing four stellar personalities into 'Boom Town', and now the thing threatens to become a cycle, with every cinema lot, big or small, trying to line up vehicles that will better the Culver City outfit's mark by at least one marquee name.

If John Q. Public is going to be stubborn in his anti-ticket buying attitude, then the talker-makers will be just as obstinate in their efforts to drag him through the turnstiles. Having tried everything else in recent months, the Coast crowd is now readying to throw the whole book at these potential customers who, (Continued page 47)

## Philly Musikers Won't Put Mrs. F.D.R. in Any Spot Due to Son's Pic

Philadelphia, Aug. 13.  
Local 77, Musicians' Union, is waiting for Mrs. F. D. Roosevelt's answer to their pleas that she not cross their picket line when she comes here to attend the world premiere of 'Pastor Hall' Aug. 22. The English-made film, presented under the banner of son James Roosevelt, will be shown at the Aldine, one of the Warner houses that has been picketed off and on since last December, when the union and Warner couldn't get together on a contract renewal. Jimmy is also scheduled to be at the premiere.

The letter to Mrs. Roosevelt contains an offer—unprecedented in local union circles—to withdraw the picket line if she decides to attend, (Continued on page 39)

## LOY, POWELL REJOINED IN METRO 'HONEYMOON'

Hollywood, Aug. 13.  
Next co-starrer for Myrna Loy and William Powell at Metro is 'Strange Honeymoon', which has been moved ahead of their 'Thin Man' story on the shooting schedule.

'Honeymoon' is a comedy with Reno and Sun Valley backgrounds.

## Norma Shearer Selects New Thalberg Sculpture

Norma Shearer, who came east a couple of weeks ago, has spent most of the time in the interim visiting studios of sculptors. She finally selected Robert Altken last week to do a new head of Irving Thalberg, her late husband, for the annual Thalberg award by the Academy of Motion Picture Arts and Sciences. Altken is probably the most distinguished of American sculptors with almost half a column in 'Who's Who.' Miss Shearer will remain east several weeks. She's presently in Saratoga.

## BILL CONSELMAN'S WILL

Hollywood, Aug. 13.  
Will of William Conselman, film writer, who died May 25, leaves his estate, valued in 'excess of \$10,000,' to his widow, son and daughter.

## Gene Austin's Tent Show Comes A Cropper On Trail of Rubber Checks

## New Curb Market

East and west of Broadway on 46th street is the center of many curious entertainment projects. Currently the principal activity is supplying talent to summer hotels and resorts, but there is a little industry in wildcat song-writing.

Youngsters who may some day be well-knowns in Tin Pan Alley will sell an ostensibly new ditty and lead sheet for as low as 25c. Singing waiters, always on the hunt for new lyrics, whether off-color or not, are the principal buyers. The deals may be made on the street or in a nearby cafeteria. Some of the numbers are entirely original, while quite a percentage are parodies.

## PAR VICTOR IN WM. HOLDEN'S SIT STRIKE

Hollywood, Aug. 13.  
One-man sitdown strike launched by William Holden against Paramount ended almost before it got under way. Thesp, who demanded an upward revision of the \$350-weekly salary clause contained in his contract, is back at work—at \$350 weekly.

Holden, whose pact is split between Paramount and Columbia, directed his assault only against former. He waited until almost the eve of the Par 'I Wanted Wings' troupe's skedded departure for Ran. (Continued on page 46)

## WILLARD ROBERTSON NOVEL STIRS INTEREST

Interest of virtually all major film companies has been evoked by 'Moonlight', first novel of Willard Robertson, vet actor. Robertson, who was brought to the Coast by Fox in 1930 as a writer, but has acted in more than 100 pictures instead, will have his initial book published by Carrick & Evans in early fall.

Another indication that Robertson is beginning to take his scribbling seriously is the publication of a short story by him in American magazine this month. 'Writing in 'Moonlight', a tragedy, is being compared by some story eds with that of John Steinbeck.

## Peggy Owen Playwright

Hollywood, Aug. 13.  
Reginald Owen has turned playwright and written a stage drama, 'The Sexologist', for preliminary production on the Coast, with Broadway as its final aim.

Actor has been working on the piece between picture jobs for a year.

## Metro Re-Skeds 'Grass'; Tracy, Loy to Co-Star

Hollywood, Aug. 13.  
Metro is whisking the cobwebs off Conrad Richter's yarn of the old cattle days, 'Sea of Grass,' as a co-starrer for Spencer Tracy and Myrna Loy. Tracy was originally assigned the top role two years ago, but vehicle was put back on the shelf.

Before he starts work in 'Grass,' Tracy is due for preliminary scenes in 'The Yearling,' which has also been hanging around long enough to run the Derby distance.

Charlotte, N. C., Aug. 13.  
The Gene Austin tent show, 'Models and Melodies', has folded after a period of distress lasting a month and trailing the show all over North Carolina. At several stands where the show paid for advertising, food, gasoline and supplies by checks drawn on a bank in Texas, the checks started bouncing back.

When those holding checks located the show at a new site it was explained that a business representative of the show, unidentified and since skipped, had failed to send daily deposits to the bank. The distress was blamed on this cupidry; the checks in many instances were taken up with cash and legal action was dropped.

But the trail of rubber checks continued. The bank had failed to receive many daily deposits, Austin said. Finally, when the outfit crossed over into Virginia and pitched at Newport News, North Carolina officers, with pockets full of legal papers, arrived on the scene after one show of a two-day stand. The tent and all equipment were stored in a garage there.

Meantime, 50 members of the Austin organization are high and dry. Members of the organization were quoted by newspapers as saying that the show had played to very good business.

## Gracie Fields Thinks 'Somebody's Just Trying To Be Funny' in England

Winnipeg, Aug. 13.  
Gracie Fields, English comedian, currently touring Canada, answered recent criticisms against her in the British House of Commons, while passing through here by TCA airliner on her way to Toronto. According to the charges she and her Italian-born husband, Monty Banks, (Continued on page 47)

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## Screen Thesps Patriotic, Fitts Says, Answering SAG's Anti-Red Protest

Hollywood, Aug. 13.

The Screen Actors Guild and its membership were given a clear bill of health by L. A. district attorney Buron Fitts after the SAG had protested Fitts' action in subpoenaing six members of the film industry. In a letter to Kenneth Thomson, SAG executive secretary, Fitts stated:

"The membership of the Screen Actors Guild has never for one moment even been questioned as to their loyalty, patriotism and their fine citizenship. Quite on the contrary, if any group in this country contributes more to the pleasure and happiness of our people in these troublesome times than the Screen Actors Guild, I do not know the organization."

"With a great number of them I have been on a personal basis for many years. For them I have a profound respect and friendship and for the organization as a whole I have the same respect and friendship. I am aware, for I have worked with them, of the contributions financial and otherwise, which this group has made to patriotic and charitable enterprises and I assure you I would be the last man in the world to detract even carelessly from that citizenship."

"I am quite sure that you realize that during the 12 years I have been district attorney that I have jealously guarded the good name of an industry that means as much to the welfare of this community as does the picture industry. I probably more than any other public official, know how sensitive public reaction is to the members of that industry and how the slightest misstep on the part of anyone is exaggerated far beyond similar misstep by a citizen in any other business. I feel that I have done everything I could to provide for the workers, the artists and others in the industry a condition in this city that has made for their happiness and security."

The SAG protest was made shortly after L. A. newspapers announced that Lionel Stander and others had been called in a Communist-murder investigation being made by Fitts. As a result of this publicity, Stander stated he had been dropped from Republic's 'Hit Parade'.

## WANGER'S RADIO AND GOODWILL TRAVELS

Walter Wanger, who arrived in New York last week with his wife, Joan Bennett, will remain until after the opening of 'Foreign Correspondent,' set for the Rivoli, N. Y., Aug. 28. Special preview will be held the preceding evening.

Meantime, Wanger will fill two radio dates in addition to his appearance on 'We the People' last night (Tuesday). Others are 'Ellery Queen' on Sunday (18) and 'Information Please' next Tuesday (20). He's also seeing authors and agents on possible scripts. He leaves about Sept. 2 for a good-will tour to address Variety Clubs, civic organizations and other groups in about a dozen cities.

John Leroy Johnston, Wanger press chief, who's been in New York for several weeks, will leave within a few days.

## 20th Re-Dusts 'Swing' For Fall Lens Start

Hollywood, Aug. 13.

'Giant Swing,' veteran of the 20th-Fox writing mills for several years, is in again, this time under the title, 'Dance Hall.' Latest of the re-write jobs, which have run up heavy story cost, is by Horace McCoy and Shepard Traube.

Lucien Hubbard is sending it before the cameras October.

## Hays Back in N. Y.

Will Hays, head of Motion Picture Producers & Distributors Assn., returned to New York yesterday (Tuesday) for a brief visit following his appearance as speaker at the O. O. McIntyre Memorial at Gallipoli, O., Sunday (11).

Stated at the Hays office that he is coming on to N. Y. only because Ohio is so close. Hays will return to the Coast to round out his summer visit after about a week east.

## Corwin's Fleischer Cartoon

Hollywood, Aug. 13.

Norman Corwin, radio producer-writer, leaves Aug. 27 for Miami to direct voices and write dialog for a Max Fleischer feature cartoon for Paramount release. He recently finished a screen writing job on 'Two On an Island' at RKO.

Meanwhile, Corwin is slated to direct two air shows here over CBS, Aug. 19 and 26.

## 20th's 'Tobacco Road' Depends On Hays' Title OK

Although officially announced by 20th-Fox during the past week that it had bought the film rights to 'Tobacco Road,' no deal has as yet been closed. Understood that while terms have been tentatively agreed upon, and 20th-Fox gets the rights following considerable negotiation, the signing of a contract is contingent upon clearing of the title with the Hays office. Unless 20th-Fox is permitted to use the original handle of the play, it is reported there will be no deal. That contingency might also make it cold for others who were interested.

Jack Kirkland acknowledged Monday (12) that although terms for the sale to 20th were agreed on a couple of weeks ago, papers have not been received for his signature and the deal may still encounter snags.

Sale price agreed on was approximately \$150,000 plus a 'liberal percentage' of the gross to Kirkland and Harry Oshrin, the producers, and Eakine Caldwell, author of the best-selling novel from which Kirkland wrote the stage play. Picture may be released, according to the terms, any time after Jan. 1, 1940, whether or not the legit version is still running.

Kirkland said the play would continue to operate on a week-to-week basis. It was announced a couple weeks ago to close Saturday (17), but a b.o. upturn which followed the announcement resulted in the decision to continue.

It was revealed this week that Wilmos Szekely, European producer who a few days ago entered into an agreement to turn out a picture for Alexander Korda, almost consummated long negotiations for 'Tobacco Road' a few weeks ago. Plan being evolved was to form a corporation in which Szekely would put \$175,000 and Kirkland and Oshrin the screen rights to 'Road.' These were to be considered equal to the \$175,000. Company was then to borrow another \$350,000 and make two pictures, second of which would be 'Road.' Szekely would own 50% and Kirkland and Oshrin the other 50% of the company.

## Zanuck to Produce

Hollywood, Aug. 13.

Darryl Zanuck has announced, for the third time in six months, the purchase of the screen rights to 'Tobacco Road,' adding that it will be put before the 20th-Fox cameras as soon as a shooting script can be readied.

Zanuck, who will personally produce, added that the Hays office has finally okayed the project.

## Lee, Danny Join Metro To Author 'Thin Man'

Hollywood, Aug. 13.

Manfred Lee and Frederick Danny (Ellery Queen) have checked in at Metro to write an original story for the 'Thin Man' series co-starring William Powell and Myrna Loy. Hunt Stromberg will produce.

## DOUBLE-HEADER WESTERN PRODS.

Hollywood, Aug. 13.

Harry Sherman-Paramount's 'Hop-along Cassidy' unit is about to hop along with the new economic trend, that of shooting two pictures simultaneously on one location, and whittling down a lot of unnecessary expenses. It is costing more and more to film westerns, due to the expense of traveling farther and farther from Hollywood.

The old western backgrounds have been seen so often that the customers are demanding new territory, which means longer treks for the film companies. Monogram was the first to grasp the idea, with Tex Ritter playing double-headers. Republic has done the same with its Three Mesquiteros and RKO is doing likewise with its two Tim Holt starrers at Kanab, Utah.

Train fares, horse and equipment transportation and other costs on far locations have made it necessary to twin up on production. Under current financial conditions, it costs too much to send a single low-budget company out into the wilderness for one picture.

## Loew's Clarifies Status Of Employees Called Into Military Service

The Loew-Metro policy under the compulsory training service proposals now before Congress will be to welcome back to the fold any employees called away from his job. One of the company's film salesmen, H. Russell Gaus of Oklahoma City, wrote the home office concerning the matter and Nicholas M. Schenck set forth in a letter to him what the Loew-Metro policy would be.

'You will be welcomed back to the Loew organization when you have completed your military service,' Schenck wrote. 'We had not intended making any announcement as to our emergency policies at this time, but since some of our employees may be worrying about the matter, we want to set their minds at ease. Naturally we will give our utmost cooperation to our employees and our country.'

Gaus holds a commission in the Officers Reserve Corps and wrote the letter concerning the status of his job if he had to leave for a year of training.

## Knowles, Tapley to Enlist

Hollywood, Aug. 13.

Patrick Knowles and Colin Tapley have gone to Vancouver to enlist in British forces.

RKO, which holds Knowles' contract, seeking replacement for 'Debutantes, Inc.'

## Seff Scripts Own Yarn

Hollywood, Aug. 13.

Manny Seff has checked in at Metro to develop screenplay around his original story, 'Married Bachelor.'

John W. Considine, Jr., will produce.

## New Defense Tax Hit Theatres At Worst Time, Pic Biz Claims

### Rogell Pilots 'Abner'

Hollywood, Aug. 13.

Albert S. Rogell has been signed by Vogue Productions to direct the initialer in the 'Li'l Abner' series for RKO release. Charles Kerr and Tyler Johnson have completed the script.

Rogell will spot screen unknowns in the top roles in order to fit picture's characters to those of the cartoon strip.

## Detroit Spots Cut-Rate B.O. To Lure Junes

Detroit, Aug. 13.

Under a new price schedule, kids of 13 through 15 will be admitted at 15c. to all houses run by Associated theatres, most of which have been charging adult fare of 20c. and 25c. Figuring that the saving means a lot to adolescents the circuit is looking for a boost on juvenile trade. It's also expecting increased attendance from families that have heretofore left kids at home or remained at home because of them.

Children's admish will stay at 10c. Associated operated houses are in Detroit, Wyandotte and Trenton, on Detroit's outskirts, and Flint.

## KRIMSKY, COCHRAN SUE UA OVER 'JONES'

Suit for \$250,000 damages has been instituted against United Artists by John Krimsky and Gifford Cochran, Inc., on the claim that UA 'failed to devote its best efforts' in distribution of 'Emperor Jones,' which they made. Also ask \$8,500 in income from England, which they maintain was withheld by UA, and a ruling by the court voiding a statement by they signed last February that UA had performed all conditions under the distribution contract for 'Emperor Jones.'

In their major claim for damages, Krimsky and Cochran declare that because distribution was not complete and efficient, receipts were not as large as possible. It is charged that UA leased 'Jones' at lower rentals than other pictures. Its schedule as an inducement to exhibitors to take the others. Other claims are that UA, without the permission of G&C, cancelled exhibition contracts already made. Also that the distributing company refused to reissue the picture and did not exploit 16 mm. rights.

In the request that the February agreement be voided, Krimsky and Cochran explain that Dec. 22, 1938, shortly before the expiration of UA's seven-year contract for handling the film, the owners asked release from the pact so that they could arrange with a third party for reissuing 'Jones.' On word of an unidentified UA exec that this could easily be done, K&C consummated their reissuing deal with the third party, UA, it is charged, then refused to release them from their contract unless they signed a statement that the company had satisfactorily carried out all conditions of its distribution pact. Because they had already made the contract with the third party, K&C declared, they were forced to sign the UA agreement in February which they now want cancelled.

Krimsky and Cochran are represented in the N. Y. supreme court proceedings by Fitchelson & Mayers. UA's counsel is O'Brien, Driscoll & Raftery.

### SMITH PILOTS 'FATHER'

Hollywood, Aug. 13.

Noel Smith drew the directing assignment on 'Father Knows Best,' slated to roll Aug. 26 at Warners. Robert Keen is working on the script. William Jacobs is producing.

Now that the new Defense Tax has had more than a month of trial, the whole industry has awakened to the realization of what a real blow it was to theatre receipts coming at the time it did. Had it been placed in effect Oct. 1 instead of July it not only would it likely have escaped much notice but also the tax would have been handled so that the entire admission price structure would have had up better, benefiting both the Federal treasury, as well as the theatre boxoffice.

By starting the new tax the first of July, when the first really hot weather arrived this year and when business generally was way off, exhibitors were forced in many instances to lower their scale rather than take a chance on scaring away the few remaining customers. Many instances have come to light where the exhib felt that he could not lift the admission price even 3c to 4c, result being that he reduced the admittance fee to escape the 21c bracket.

These fundamental reactions are being kept in mind by exhibs for the time when Congress meets to readjust the Defense Tax setup this fall, and they are hopeful that any new changes will be installed during the peak winter season. The fact that Congress will be asked to realign admission taxes to correct damage done so far and also to wipe out all artificial price ceilings in the business now is a real relief. Exhibs are now pointing to a realignment with the tax starting at 11c. Both exhibitors and apparently Congress are agreed that the 10c price ticket should remain because this takes in a majority of children admissions.

### Proposed Scales

Indications now point to a revamp of the tax to read this way:

Admissions of 11c to 25c, tax of 1c. Admissions of 26c to 49c, tax of 2c. Admissions above scaled about the same or at straight 10% basis.

Growing conviction in the trade and also among legislators is that this arrangement will provide the maximum return to the U. S. treasury with the least damage to all classes of theatre operations.

Present break at 20%, with 11c and all above at 10%, is regarded in the trade by a majority of officials as unsatisfactory. It is viewed bad because creating a new artificial tax ceiling at 20c in much the same way as it was at 40c previously. In contrast, trade opinion is that the 10c limit ducks any sort of artificial ceiling and will enormously benefit the exhibitor's whole admission price structure.

The 20c line of demarcation is not favored by the exhibitors because it forces the 25c theatre to dip to 20c; in many instances, thereby defeating the scale all along the line. This also raises havoc with theaters, which formerly charged 30c to 35c, forcing them to lower their scale eventually in many instances. This, of course, cuts down on the number of houses taxable and turns the 35c house into a 30c one, and so on down the line.

### Not Optimistic

St. Louis, Aug. 13.

Although several members of Congress who received copies of the resolution recently adopted by the MPTOA of Eastern Missouri and Southern Illinois, calling for an amendment to the recently enacted national defense tax on theatre admissions to include all prices of tickets, in favor of the change, there is little likelihood that the present law will be altered during the current session of Congress. Fred H. Wehrenberg, prez of local MPTOA, who drafted the resolution which was unanimously adopted, has received some encouraging replies but Congressman R. M. Duncan declared there was no chance to amend the bill at this session.

Duncan declared the bill as finally passed was one drafted after a give-and-take settlement. The resolution, however, has been presented to the Ways and Means Committee in the House of Representatives and will be placed on the calendar for discussion when the final session of the new Congress meets, probably shortly after the general election in November. Wehrenberg also reports that other MPTOA organizations in the country favor the idea embodied in the local resolution and are expected to throw their strength in an effort to amend the bill.

## Other News Pertaining to Pictures

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# GALLUP'S PAN ON PIX ADV.

## Another Curtis Publishing Survey Shows Ruralites Spend More Coin For Amusements Than Do City Folk

Initial comprehensive comparison of city and rural families, their salaries and how they spend their annual income is included in a new study developed by Curtis Publishing Co. showing how much coin is spent per family on amusements. Curtis outlined a new conception of the importance of the rural market under M. A. Sterner, statistician with the company, as reported exclusively in *Variety* a short time ago. New survey was made by Don Hobart of Curtis.

One of the questions answered by the new survey is whether the lower half of the city population, or the upper 50% of the total rural population, spends the most money for picture shows. Figures show that the ruralite not only has more money to spend but actually spends it. In the typical cities and rural communities treated, it was found that the upper half of the rural population, placed at 6,000,000, spends an average of \$42 per year on amusements and recreation while the average lower 50% in cities, represented by 9,000,000 population, averages only \$18 per year.

Many of the figures were secured from the comprehensive \$7,000,000 U. S. Consumer Purchase study, actual breakdown being required to illustrate typical points. The average income of the upper half rural family is placed at \$1,797 per year. Of this total, \$1,473 is spent in purchases about double what the lower half in the city spends—\$854. Figures show that the lower half city average family earned less than \$800 a year.

**A Break for Small Town Exhibits**  
That the small town theatre has a chance to develop its attendance also was illustrated by the amount spent on automobile outlay. The upper half rural family averaged \$161 per year for this while the lower half city family spent only \$39. Also it was found that 83% of this strata of rural family goes to more than one town per year to see picture program, indicating that its readily accessible transportation enables it to travel to more than one community for his cinema entertainment each year. Further, figures demonstrated that 65% of this rural population as being motor car owners.

That other industries realize the potency of the rural market is illustrated by the survey. There is a full concentration of chain stores, including 5-and-10's, in small towns. Two leading wholesale drug establishments showed that 65% of their sales were to rural drugstores; that one of the large mail order merchandise establishments increased the circulation of its catalogs regularly over the last three or four years; and that there is one or more beauty parlors in every community of 1,000 population.

**Good Roads a Factor**  
Seeking to appeal to the modern ideas in the rural territory, several mail order houses have streamlined their catalogs so they look like the smartest mail order pamphlets of big city stores. This trend in the rural market has been helped by good roads and the fact that more than 200,000 dress style demonstrators are given annually in small towns per year by the U. S. Department of Agriculture.

Survey also compares the upper half of the U. S. rural population with the upper half of city folks but most comparisons were between the upper half rural population and lower half city as most equitable in all respects. Upper half city income averages \$2,500, as against \$1,797 in the rural top 50%. But spendable income is tabbed as being virtually the same for each. Explanation for this is that city congestion (high food prices, rents and transportation, other than motor cars) cut into the amount available for spending in the city.

## REASONS FOR POOR FILM B.O.

**Explains Why 3,200,000 People Who Are 'Financially Able' Don't Attend the Theatre More Than Once Monthly**

### OTHER POLL RESULTS

Film industry's poor job of selling its product to the public via publicity and advertising is why 32,000,000 people, who are 'financially able' to march to the boxoffice, are attending theatres less frequently than once a month.

That's the opinion of Dr. George Gallup, expressed to *Variety* on Monday (12).

Figure on the colossal number of Americans who shun pictures was turned up in the recent poll on double features by Dr. Gallup's American Institute of Public Opinion. It has intrigued the industry

### Vox Popping the Poll

'Double feature problem, which was pretty much a private affair of the industry until Samuel Goldwyn carried it to the public in a *Statepost* article and the Gallup poll survey was released to 125 daily newspapers, will get an airing via the Columbia Broadcasting System on Saturday, Aug. 24.

Duals will be debated on 'The People's Platform' with the agita side being taken by Goldwyn, Karl Hoblitzelle, head of the Interstate Circuit, in Texas, and Mrs. Leo B. Hedges, state chairman of the motion picture division of the 'Parent-Teachers' Association of California. Those in favor will be L. E. Chadwick and Trem Carr, indie producers, and Mrs. Arthur Beck, housewife. Debate will be informal and unrehearsed.

to a far greater extent than the rather expected results of the poll itself, which showed 57% of the public against duals to 43% in favor of them. Dr. Gallup himself thinks that the 32,000,000 figure 'by far the most significant finding of his survey.'

'There is no doubt not merely one reason why more people don't go to movies,' the poll director declared. (Continued on page 19)

## If 43% of Pop. Still Want Duals Now's No Time To End 'Em—Silverstone

Gallup poll results are a conclusive indication that the industry should not attempt to put an end to double features at this time, Murray Silverstone, United Artists chief, declared Monday (12). With 43% of the population indicating it prefers duals, the distribution head asserted it would be folly to risk losing any of that patronage now. 'I am not advocating twin bills,' he said, 'because I would personally like to see them abolished—if it could logically be done. But this is no time to take chances or to experiment.'

UA head at the same time declared his company will take every legal means to prevent its pictures being tripled.

### HAYWARD TOPS 'GOB' CAST

Hollywood, Aug. 13. Harold Lloyd chose Louis Hayward for the top male spot in his naval comedy, 'Three Girls and a Cowboy,' the distribution head asserted it would be folly to risk losing any of that patronage now.

A prior commitment in 'They Met in Argentina' caused Maureen O'Hara to withdraw from the 'Gob' cast.

## Dave Selznick Confirms Jock Whitney's Bow-Out From S-I, But His 2 Next Pix Go via UA Regardless

### Sid Kent Resting

Sid Kent back to the Thousand Islands after the consent-decreed hoopla and masterminding which resulted in his nixing the proposals, as written, on behalf of 20th-Fox.

Prez of 20th is due to leave Aug. 20 for Salt Lake City to attend the world premiere of 'Brigham Young,' Aug. 23.

## Fed Up on Pix' Theory Refuted In Part in Mpls.

Minneapolis, Aug. 13.

Gratifying results attained by entertainment other than films the past week, when cinemas, collectively, had their worst seven-day period in several years, are setting the trade to wondering whether pictures themselves, rather than the war and generally adverse trade conditions, aren't responsible for the present boxoffice depression. Some of the exhibitors are beginning to feel that the public is tiring of films. Others assert there are too few worthwhile films and there are complaints that the 'vast bulk' of the product is 'rubbish.'

Those who doubt that the public is 'fed up' on pictures cite the fact that the State here, prior to last week, had five big weeks in a row with 'Ghost Breakers,' 'New Moon,' 'All This, and Heaven' and 'Andy Hardy Meets Debutante' (which last named ran a fortnight), and is enjoying prosperity again this week with 'I Love You Again.' 'Just give them the pictures and they'll flock to it,' it's asserted.

Coming into town when it was feared by the promoters that amusement-seekers' purses might have been drained dry by the Aquatennial shows which just preceded it, the roller derby has pulled 10,000 people and turned 'em away every night at the Auditorium the past 10 days. It's the biggest business by far the derby ever has done here in the four years that it has been staged.

Leo Seltzer, owner of four roller derby units, here during the week, says he's having his biggest year practically everywhere. He attributes this to a war-created desire for 'concentrated excitement,' which, he says, his show supplies.

Ringling circuses, here for two days, enjoyed its largest gate locally in 15 years. It had the customers out on the straw at all performances.

## LEVY'S 2 MORE FOR U BEFORE 'HELLZ' PIC

Hollywood, Aug. 13.

Jules Levy will make two more features for Universal for 1940-41.

Has Damon Runyon scripting 'Butch Minds the Baby' for November start, and launches 'Tight Shoes' in February.

'Hellzapoppin' rolls next July for 1941-42 sixed.

### Cowboy Tops 'Duanes'

Hollywood, Aug. 13.

George Montgomery, the ex-Montana cowboy who has been in the grooming process at 20th-Fox for a year, is being lead with the start of filming on Zane Grey's 'The Last of the Duanes.'

Norman Foster, now working on the script, will direct. Sol Wurtzel produces.

No matter under what corporate setup, they are produced, his next two pictures will be made for United Artists release, David O. Selznick emphasized to *Variety* on Monday (12). Selznick declared that he has two films yet to make under his UA pact and what corporation is technically the producer matters little inasmuch as the contract calls for his personal services.

Selznick said there is time limit in the contract during which the two films must be made, but that the next two pictures he produces, no matter when, must go to UA. Declaring that he hoped to get started on the first during the winter, Selznick said he has no idea what it will be. Only point that is definite, he avowed, is that two of the three femme stars he has under contract will be used in the picture and that one of the films will be directed by Ingrid Bergman. Gals are Vivien Leigh, Ingrid Bergman and Joan Fontaine.

As to the corporate shenanigans in which Selznick has been taking part, the producer confirmed the exclusive story in last week's *Variety* that steps preliminary to the dissolution of Selznick-International Pictures, Inc., were taken at the board of directors meeting Tuesday (6). He emphasized, however, that these were not final steps, but merely preliminaries which must be approved by a convocation of stockholders and directors late next month. He refused to say definitely that the company would be dissolved without adding the qualifying clause that final consummation depends on the forthcoming meeting.

There is every indication that the plan will be given the nod, inasmuch as the five directors at last week's meeting easily consented enough stock to shape the company's grave. They included John Hay Whitney, chairman of the board, whose determination to get out of the picture business is one of the major reasons for dissolution; Robert Lehman, of the banking firm of Lehman, Bros.; Selznick; his brother, Myron, and Loyd Wright.

**New Calif. Corp.**

Further emphasizing the action at last week's meeting was the step taken by Selznick the following day in incorporating a new producing company in California. Known as David O. Selznick Productions, Inc., directors listed in the papers are Charles E. Millikan, Glendale, Cal.; Richard M. Goldwater, Los Angeles; Herschel B. Green, North Hollywood; S. Earl Wright, Playa del Rey; and Earl C. Morris, Los Angeles.

Although playing cagey inasmuch as S-I has yet to be voted out of existence and a snag developing 'twixt saucer and snout' might make him appear premature, Selznick made it clear that obvious conclusions could be drawn as to the purpose of D.O.S. Productions.

Shelving of S-I is motivated by two factors. First is Whitney's desire to get out while the five-year-old company is in the throes of its first highly successful season and he has a fat profit to his credit. Second is the rapidly mounting state and Federal taxes due to his return on 'Gone With the Wind' and 'Rebecca.'

## HUBBARD'S 'LEAVE' FROM 20TH-FOX LOT

Hollywood, Aug. 13.

Lucien Hubbard, brought from Metro by 20th-Fox to produce eight pictures for 1940-41, is leaving the Westwood lot on what is referred to as several months' leave of absence.

Reason behind move not revealed, but it is known that studio heads were disappointed reviews accorded his first features, 'Street of Memories,' 'Youth Will Be Served' and 'For Beauty's Sake.'

## Some RKO Pix Handled by Other Ad Agencies But L. & T. Retain Main Acct.

Outside agencies are creeping into RKO in the handling of campaigns, in whole or part, on certain pictures turned out by producers releasing through RKO channels, but reports that the company itself was shifting from Lord & Thomas are denied. Accounts were that RKO might swing to the Buchanan agency.

Both RKO and Buchanan deny that L. & T. has had the RKO account for 11 years under working agreement that does not include a contract. Most large agencies do not have contracts, it is added.

A. O. Dillenbeck, head of the Buchanan agency, pointed out that they had been called in to work on pictures for a couple of RKO producers the same as they handle advertising for some of the UA producers, whereas UA itself is in Donahue & Coe.

Buchanan placed advertising and worked on the campaign for 'Irene' in behalf of Herbert Wilcox, its producer. It also did the same on 'Tom Brown's School Days,' produced by the Gene Towne-Graham-Baker unit in RKO, and will also probably figure similarly in connection with Towne-Baker's next, 'Little Man.'

It was reported John D. Hertz, Jr., who is credited with having swung Paramount from L&T to Buchanan, has had some talks concerning the RKO account, but that it has gone no further. His father, who is with the Lehman Bros. banking house and a director in Par. Likewise, Lehman Bros. is interested in RKO.

'Ramparts We Watch,' being distributed by RKO, is being handled by the Young & Rubicam agency entirely. Y. & R. spent \$10,000 on the Washington opening and got good results there, but elsewhere the picture isn't getting that kind of advertising backing. Theatres are squawking partly because enough money isn't being spent, and also because ads are not being spread around properly, with theatres being placed in an uncomfortable position with some papers because latter haven't been favored with business. In one large key, Y&R went into only one paper. The same is declared planned for another large key opening during the coming week.

Y&R is handling the campaign on 'Ramparts' because it is the agency for the Time organization.

## LANDAU DEAD AT 64; FIGURED IN NICK TRIAL

St. Louis, Aug. 13. Leo Landau, for 35 years theatre owner and manager in the St. Louis area; died Wednesday (7) while driving his automobile, stricken with a heart attack. Landau lost control of the car which crashed into a parked car. He was a prominent figure in the St. Louis theatre trials of John P. Nick and State Representative Edward M. Brady, both of whom were whitewashed of the charges. Landau testified in the Nick trial that Brady was the one to whom he paid \$10,000 while a wage increase parley for the operators was pending in 1936. Nick had been chief of the local IATSE at the time of the alleged extortion, but was ousted earlier this year, along with Clyde A. Weston, biz manager, by the membership.

Landau, 64, formerly operated in Granite City, Ill., and until a few years ago owned the Maryland here and the Coliseum in Manchester, Mo. At the time of his death he was manager of the Lemay and Southway, nabes owned by the South Side Amus. Co. His widow, mother, two sisters and two brothers survive.

## Old RKO Dissolved

The old RKO Corp., which on Jan. 27, 1933, filed a petition of bankruptcy in the N. Y. federal court and became one of the longest and most drawn-out bankruptcies in court history, ended Wednesday (7), when Federal Judge William Bondy, who has handled the case since its inception, signed an order dissolving the company.

Irving Trust Co., former trustee of RKO, made the application, explaining that since all assets were transferred to the new RKO on Jan. 26, 1940, the old company actually did not exist, and it should be dissolved according to Maryland law, under which it was incorporated.

## Studio Contracts

Edmund O'Brien drew a new term contract at RKO.

Charles Holland drew player ticket at Metro.

Paramount handed stock player packs to five Earl Carroll girls: Jean Wallace, Mary Peterbeck, Frances Gladwyn, Virginia Maples and Lois Platten.

Larry Darmour signed Manfred B. Lee and Frederick Dannay to continue their Elitzy Queen scripts for Columbia release.

Metro renewed Hugo Butler's writer ticket for a year.

## ATLAS' HEAVY BUYING IN RKO

Washington, Aug. 13. Heavy purchasing of RKO common stock by Atlas Corp. of Jersey City, beneficial owner of more than 10% of the registered securities of the film company, was reported for last June by the Securities & Exchange Commission.

In its monthly summary, issued Thursday (8), the SEC showed purchases made between June 20 and June 29 of 28,800 shares of common, plus three purchases of 100 shares each of the 6% convertible preferred. Atlas, at the end of June, held 564,189 shares of RKO common, and 29,881 convertible, plus 327,812 warrants for common stock.

Other transactions in RKO for the month showed the purchase, by L. Lawrence Green, New York director, of 1,000 shares common, bringing his holdings to 4,250 shares. American Co. was listed as owner of 268,230 shares of common by the Commish.

Some trading was done in June in Columbia Pix stocks by Samuel J. Briskin. Hollywood official of the company, Briskin dropped 600 shares of common voting trust certificates and acquired 2,627 options for common. Retained 13,134 options and 600 shares common at the end of the month.

Other transactions included sale of 2,000 shares of Loew's Inc., no par value common by J. Robert Rubin, of New York, and purchase of 30 shares of Loew's Boston Theatres by the parent company. Kenneth M. Young of New York shuffled off 100 shares of Pathe common (\$1 par) and Sidney R. Kent picked up 25 shares of 20th Century-Fox.

Rubin retained 25,615 shares of Loew's common stock on July 1. Loew's Inc. held 117,436 of the \$25 par common stock of its Boston subsidiary; Young was registered with 400 shares of Pathe, and Kent held 3,180 shares of 20th-Fox.

## Withers Finales Year's Chores With 'Hoofs'

Hollywood, Aug. 13. Jane Withers winds up her work for the current year at 20th-Fox with the completion of her next picture, 'Golden Hoofs,' which starts late this month. Her pact calls for not more than four films in 12 months.

Production of 'A Very Young Lady' has been deferred until next year. Miss Withers has finished 'Shooting High,' 'The Girl From Avenue A' and 'Youth Will Be Served.'

Lady was to have been Robert Kane's first production on the Westwood lot since his return from England. 'Breath of Discipline' takes its place on the Kane schedule.

## Gillham's Trip West

Bob Gillham left Sunday (11) for Chicago and St. Louis where he will make stopoffs on the way to the Coast.

Par's advertising-publicity head will be in Hollywood two weeks, during which, among other things, he will discuss the campaign and premiere plans for 'Northwest Mounted.'

## Well What?

Baltimore, Aug. 13. On way to the theatre after flying in to make an opening show appearance at the day-and-date playing of 'The Boys From Syracuse,' at both Keith's and the combo Hipp here, Jules Levey and Abbott & Costello ran into a bit of unexpected repartee. Clowning, Lou Costello kept shouting out of the side of the auto, "The Boys From Syracuse" will be here tomorrow!

To which a deadpan steel woods, came in "street car" demanded, "What are they doing here?"

## DIXIE CROPS HEAVY; TOBACCO ROAD TO B.O.

Atlanta, Aug. 13. Glibberish chant of tobacco auctioneer started sounding for keeps last week in South Georgia and Florida fine-cured leaf markets and with opening prices at higher-than-expected 18 and 19c per pound average, it appears as if 1940 crop is going to provide much cash for distribution—plenty of which will find its way into amusement biz channels.

Opening sales were heavy in volume, but growers are delivering tobacco to markets at much slower rate than during previous seasons, with quality rated as high. Season's gross sales for Thursday (8) opening day and Friday (9) were reported at 15,000,000 pounds for 17 Georgia and Florida markets with 1940 production of fine-cured tobacco in the Ga.-Fla. belt estimated at 82,205,000 pounds, compared with 115,890,000 pounds produced in 1939.

Annual tobacco sales always present a stimulant to biz in general in Southern leaf growing states, and amusement biz in general seldom fails to cash in. Tobacco being a cash crop, growers are ready, willing and able to spend a goodly portion of their take on 'having a good time.' Carnies, tent shows, picnics, etc., reap a coin harvest after usual doldrums that hit show biz during summer months, lasting until fall and regular harvest start.

## History-Knowing Quiz Winner Sues for Prize

Milwaukee, Aug. 13. History quiz show put on by Varsity theatre here will go to a jury for final answer, as result of a suit filed in circuit court Friday (9) by Gustav Collatz, resident of the swanky Gold Coast village of Shorewood, against the Fox Wisconsin Amusement Corp., operators of the downtown house.

Collatz, who says he knows his history, was asked in the quiz to name the three ships in which Columbus sailed to America in 1492 and claims he answered correctly by naming the Pinta, Nina and Santa Maria. However, jury of three persons chosen from the audience against him and awarded the grand prize, a Chevrolet sedan, to another contestant. That's the beef.

Now Collatz makes legal demand through a jury trial for either a duplicate of the motor car given to his competitor or its retail sales price—\$782.

## Santley Subs Mems On Rep's 'Melody'

Hollywood, Aug. 13. Joseph Santley moved in as director of Republic's western, 'Moonlight and Melody,' filling the place left vacant by the suicide of Gus Meins. Picture rolled yesterday (Mon.) with Robert North producing.

## \$12,000 THEATRE FIRE

Des Moines, Aug. 13. Fire last week (Aug. 9) destroyed the New Grundy, 35-year-old building modernized about three years ago, at Grundy Center, Ia. Damage estimated at \$12,000, with \$10,000 insurance in force.

John Marshall, formerly of Des Moines, who operated the theatre, said the fire apparently started in the basement. The theatre was owned by Frank Rubel, formerly of Des Moines and now living in California.

## To Examine Republic And 'Conquest' Writers In Sam Houston Suit

M. J. Siegel, president of Republic Productions, Inc., Wells Root, E. E. Paramore, Jr., Jan Fortune and Harold Shumate, writers, were ordered Saturday (10) to appear for examination before trial in California Sept. 5, in connection with Marquis James' suit against Republic on charges of plagiarism of parts of his book, 'The Raven,' a Biography of Sam Houston, in 'Man of Conquest.'

The author, who received the Pulitzer prize in 1930 for his work, seeks the examination of the defendants on the grounds that the named writers are listed by Republic as authors of the screenplay 'Man of Conquest,' which also deals with Sam Houston. Federal Judge John W. Clancy in N. Y., over the objections of the defendants, decided the examination was proper.

## TEXAS BOOM IN THEATRE BLDG.

Houston, Aug. 13. Interstate's new suburban house, the Alameda, opened officially Friday (9) night. The 13th theatre to be opened in Houston by Interstate and the 10th suburban house in the chain. Seats 1,000. Tom Howell manager.

One in Tyler, Too. Tyler, Texas, Aug. 13. Interstate's latest, the Tyler, opened here last week by R. J. O'Donnell, v.p. and g.m. of the circuit. Event was attended by theatre men from Dallas, San Antonio and other sections of the state.

City manager W. M. Shields will have supervision of the house.

Another in Texas. Stamford, Texas, Aug. 13. The State made its local bow here Aug. 3. House is owned by a combination of three, with L. C. Dennis, local undertaker, the active owner. Manager of the house is M. A. Payne.

## Cameron's New House

Dallas, Aug. 13. The Airway, Dallas' newest suburban theatre, owned and operated by P. G. Cameron, a veteran of 33 years in show business, opened Friday night (9). House seats 800, including a stadium type balcony and has a 'crying room' in the rear, air-conditioned with flexible sound. Another innovation in the balcony are 10 'love seats' that are double in seat dimensions and may be occupied either by romancers or overweight patrons. Cameron, formerly owned the Palace here, now Interstate theatre's ace house.

During his 33 years Cameron has been associated with 18 different houses. He also built a \$10,000 shine parlor with 42 chairs.

## New Drive-In in Ohio

Warren, O., Aug. 13. New drive-in opened Saturday (10) on Route 422, four miles east of Warren, O. J. S. Cagney, Cleveland, is manager.

## Grainger Sets Republic On Butterfield Circuit

Jimmy Grainger, now on a month's tour of the country on film deals, has closed with Butterfield, in which Par is interested, for Republic's entire 1940-41 product. Circuit comprises 11 theatres. E. C. Beatty, president, and J. Ollie Brooks closed for Butterfield.

Monogram's Cincinnati exchange has sold the company's product for '40-41 to the Newbolt circuit, that territory, operating in 11 towns, and to the Black Diamond chain, which has 10 theatres.

Ed Edwards, Film Alliance sales chief, closed two deals last week. One with Loew's metropolitan N. Y. circuit was on 'False Rapture,' initial film on company's new season schedule. Also made deal with Loew's Poli and for some of Feiber & Shea theatres.

## DE LEON PENS 'HUSBAND'

Hollywood, Aug. 13. Walter De Leon has completed the script for Warner's 'Her Temporary Husband.' Edmund Grainger has the associate producer chair.

## PIX CONSIDER PRIZE NOVEL HOOKUP

Plan of having a picture company participate in a prize contest for the writing of a novel, which will be suitable for filming is being mulled by at least one major studio. Producers have been presented during the past few weeks with the idea, which already has publisher backing, by Alan Collins, head of Curtis Brown, Ltd., literary agency.

Collins has arranged with Doubleday-Doran to publish the American edition and Michael Joseph, Ltd., the English edition. The two firms between them would contribute \$7,500 of the prize money and Collins is attempting to get one of the major film companies to put up another \$20,000. For this sum it would obtain screen rights to the winning novel and an advance peek at all the entries. In lieu of a sum as big as \$20,000, alternative is being offered of advancing \$10,000 and then paying the author an additional fee based on the number of copies of the book sold.

Rules of the contest, which would run about 18 months, would be that the book must be submitted under a pseudonym. This is to permit the entry of books by well-known authors who are prevented by exclusive contracts from presenting their work to any publisher but their own. Any book written in English and is eligible there would be emphasis on action and plot over character, background and atmosphere. Judges would be heads of the two publishing houses and the story editor of the participating studio. Unanimous choice would be necessary for selection of the winner, insuring the picture company that something unsuited to films would not be chosen.

Pic companies are chary of the idea not only because of cost, but because very few literary contests have ever produced a good film story. Warner Bros. three years ago participated in an international one with Farrar & Rinehart in which there were thousands of entries from 19 different countries. Winner was 'Street of the Fishing Cat' by Joan Folkes. It was a bust as far as the film company went.

## Metro's \$25,000 Buy

Metro last week purchased 'Some Day I'll Find You,' by Charles Hoffman, for \$25,000. Story, published as a complete single issue novel in Cosmopolitan mag, is about war correspondents in the recent Nazi occupation of Paris.

It's intended as vehicle for Clark Gable, Spencer Tracy and Hedy Lamarr. H. W. Swanson handled the deal on the Coast for Harold Ober.

## Story Buys

Hollywood, Aug. 13. Columbia bought 'Going to the Dogs,' comedy by Eleanor Griffin. Paramount purchased 'The Bride Went West' by Charles O'Neil and Duane Decker.

John Gannett and Jack Sobol sold their yarn, '30 Days Hath September,' to Warner. RKO acquired 'Straight and Narrow,' by Arthur T. Horman. Albert Duffy has sold his unproduced play, 'Man Alive,' to 20th-Fox, which has set Fred Kohlmar as associate producer.

## 20th Defers 'W.U.', Sets 'Hanna' in Its Stead

Hollywood, Aug. 13. Production of 'Western Union' at 20th-Fox has been shoved back several weeks and 'Chad Hanna,' in Technicolor, moved up to take its place, starting Aug. 19, with Henry King directing.

'Hudson's Bay' rolls on the same day with Paul Muni in the top role, say they'll close one of them.

## INT'L B.O. CASUALTY

Minneapolis, Aug. 13. Revised immigration laws, placing restrictions on travel between the U. S. and Canada, is raising havoc with theatre attendance in Minnesota border towns. In International Falls, Minn., Canadian attendance at the two theatres dropped from 2,000 to five within two weeks. Beehr Bros., owners of the houses, say they'll close one of them.



# 'CONSENT' COLD AGAIN

## SAG To Teach New Occupations To Extras About To Be Dropped

Hollywood, Aug. 13. With registered film extra list slashed from 20,000 in 1936 to a present 5,534, and further drastic cuts in offing, Screen Actors Guild's standing committee is trying to work out some method of vocational education to prepare those still to be dropped to become wage-earners in other fields. This move was disclosed by Kenneth Thomson, SAG executive secretary, addressing the annual meeting of the Guild's class B membership Sunday night (11).

Thomson said the average annual earnings of extras increased from \$105.63 in 1936 to \$358.80 in the first seven months of 1940, but that more than 2,000 B members were dropped Aug. 1 last for being delinquent in dues. Thomson reported SAG has piled up cash surplus of \$162,613 and now is operating within its present income.

Results in Screen Actors Guild election to fill 15 seats on the council will not be known for 24 hours at least, although tallies up to today (Tuesday), indicate that several incumbents are to be returned to office. It is estimated that approximately 2,200 ballots have been cast.

The National Labor Relations Board ordered a hearing for Monday (19) on petition of Screen Office Employees Guild for certification as bargaining representatives for 2,500 studio white collars. Session will determine proper collective bargaining unit before an election of workers is ordered. Meanwhile, NLRB and SOEG officials are trying to negotiate consent election to eliminate necessity of formal hearing before NLRB examiner. Considerable progress reported, with the 20th-Fox indie guild already agreeing.

Intervention to SOEG petition has been filed by the AFL in behalf of the American Federation of Office Employees, but this is not expected to act as a barrier to consent election, since it is generally agreed SOEG has big majority on most major lots.

Negotiations between producers and the American Federation of Office Employees, representing Central Casting Corp. and workers hit obstacles in demand for minimum hours and wages for casting directors. The producers are understood to be standing pat for \$37.50 weekly for 54 hours while the AFEOE is insisting on \$75 for 40 hours.

**No Republic-SPG Strike**  
A threatened strike at Republic was eliminated when E. H. Goldstein, studio general manager, agreed to sign a basic wage pact with the Screen Publicists Guild. After the facts had appointed a picket committee and had been assured of support by the painters and (Continued on page 10)

## EXPECT SETTLEMENT IN RKO VS. J.L. & S., CHI

Chicago, Aug. 13. Two suits were filed against Jones, Linick & Schaefer in an effort to collect money already due because of obligations assumed by J-L-S with the summer closing of RKO Palace here. Agreement supposedly made by J-L-S was that, if the Palace closed for summer they would take over responsibility for summer rental and picture commitments.

Suit for RKO Theatres was filed by Trude & Kahan, and for RKO Pictures by Spitz & Adcock. Out-of-court settlement is expected.

## 'Thirties' Rolls Sept. 2

Hollywood, Aug. 13. Director Edmund Goulding will signal the start of production on 'Warner's The Fabulous Thirties' on Sept. 2. Mark Hellinger wrote the original story with Milton Krims and Norman Rellly Raine handling the screenplay.

John Garfield has the top role.

## Shearer, Raft Teamed By Metro for 'World'

Hollywood, Aug. 13. Norma Shearer and George Raft are to be co-starred in Metro's 'The World We Make'. Picture, which will be Miss Shearer's next chore, will be put into production as soon as Raft completes his assignment in Warners' 'South of Suez', which gets the gun Aug. 20.

'World' is based on Sidney Kingsley's stage version of Millen Brand's novel, 'The Outward Room'. John Lee Mahin is giving the script its final polishing. Hunt Stromberg produces.

## U, UA AND COL. SCOFF AT DECREE

Hollywood, Aug. 13. Universal, United Artists and Columbia will refuse to sign any consent decree regardless of how much the Government eases terms of proposed agreement to end anti-trust suit. Three outfits give two reasons for stand, viz.: (1) that they should never have been dragged into the battle in the first place in view of fact they have no theatre holdings; and (2) that had it not been for their help with first run product this summer, many theatres, including some owned by 'Big Five', would have been forced to close for lack of pictures.

They cite fact they have even released films skedded for fall distribution in an effort to assist theatre operators.

Heavy pressure has been brought to bear on Edward C. Raftery, attorney for UA, in an effort to get him to aid in swinging his clients over to the consent idea, but so far the campaign has been fruitless.

## 10 EX-IATSE MEMBERS SUE BROWNE FOR 250G

Hollywood, Aug. 13. George (Curley) Davis and nine former IATSE members who are seeking a \$250,000 judgment against prey George E. Browne and other IA officials, filed an amended complaint in superior court yesterday (Monday). Document embodies a copy of an apology to Willie Bioff, which the plaintiffs allege they were told to sign if they expected to have cards returned to them enrolling them to work.

Complainants were expelled from IA because of activities in the IA election fight with United Studio Technicians Guild. Apology to Bioff was supposedly for any remarks they might have made about IA or Bioff during the election campaign.

In addition to damages, plaintiffs are seeking restoration of an IA charter to Local 37 and appointment of a committee for the extinct local's funds.

**Jurisdictional Tiff**  
First general membership meeting of Studio Utility Employees Local 724 since 1937 has been called for Sunday (18). Vice-pres Joseph Marshall and international rep Albert Smith will attend. Understood jurisdiction tiff with IATSE will be discussed.

Strike at Universal was threatened last week by IA locals when Local 727 charged 724 was encroaching. Situation was temporarily ironed out by Pat Casey, producer labor contact, but line of job demarcation between the two locals is still unsettled.

## 20TH, PAR LEAD 'BIG 5' REJECT

**Gov't Wants to Know Why and D. C. Reported Cueing Thurman Arnold on Settlement of the Suit Regardless**

### WANT 'OUTS'

Following a board meeting of 20th-Fox yesterday (Tues.) to discuss reasons for unwillingness to accept the consent decree as it now stands, formal notification of what amounts to a rejection, but with counter-recommendations, in order to possibly effect a settlement, is expected to be made by the end of the week. The feeling is expressed that the Government will want to know by then. Formal rejection of the decree, with its application for further negotiation, may go to Washington today (Wed.).

An official statement by the 20th board yesterday afternoon (Tues.) said it had considered drafts of the more important sections of the proposed consent decree. It was added that S. R. Kent stated that he expected that negotiations with the Government would continue and that the company would have no public statement to make until the matter was finally disposed of one way or the other. Kent was not present at the meeting.

Paramount has held no further meetings this week on its position, having decided to wait to see what 20th-Fox officially determines for conveyance to Washington. Its desire is said to be to go along with 20th-Fox if there is no reason for having an opposite view to the stand of that major, which is declared unlikely. Par has not scheduled a board meeting though one may be hurriedly called.

Twentieth-Fox, at the insistence of Kent, wants an 'out' on the consent decree for itself nine months after it has been placed in operation if its percentage of profits should fall down. The company wants this 'out' under an escape clause without regard to whether other majors among the Big Five get the same. Par also wants that same out.

Both 20th and Par are also in opposition to the clause concerning remedy for discrimination against independently operated theatres which restricts arbitration to complainants having no more than five theatres. Now suggested is raising it to 15 theatres. Believed Par and 20th will seek arbitration for all chains, regardless of size.

**Block of 5 OK**  
While selling pictures in blocks of five is looked upon unfavorably, it is reliably reported both 20th and Par are willing to try this method of sales if each will be allowed to step out of the consent decree after a trial period of nine months. The theatre operators appear to be more dubious (Continued on page 16)

## Kuykendall on 'Consent'

Promising that the Motion Picture Theatre Owners of America will be very much heard from at the proper time, Ed Kuykendall, president, advises that the executive committee is giving the consent decree very careful study. He calls the present settlement plan "rather vague and far from complete or official."

MPTOA head, at present in Columbus, Miss.; his home, points out that it may be changed completely because of so much dissension among distributors themselves as well as exhibitor interests. He believes that any definite decision at this time would be premature.

In a general bulletin to all members of the MPTOA, dated yesterday (Tues.), Kuykendall reviewed the consent decree for its membership.

## New, Improved Gadgets Would Automatically Record Ticket Sales As to Time, Etc.; Quick Check on Biz

## Mae West's Husband's Suit For \$105,000 in L.A.

Los Angeles, Aug. 13. Frank Wallace, vaude-nitery actor, identifying himself as Mae West's husband, has filed \$105,000 suit against James Tifony, actress' business manager, and five 'John Does', in superior court.

Plaintiff alleges a nationwide conspiracy fostered by Tifony and others to prevent him from earning a livelihood in profession and to block attempts to contact Miss West.

## 26 MAJOR FILM SUITS STILL PENDING

Twenty-six anti-trust actions involving the film industry, in addition to the major Government suit, are currently in the courts. Four of the legal battles are suits brought by the U. S. Department of Justice, aside from the major one, and the others are between indie theatres, affiliated circuits and distributors.

Three of the actions are now awaiting decision, six are awaiting hearing on pending motions, two are awaiting the filing of pleadings, five are awaiting the taking of depositions and the others are in various stages, such as awaiting bills of particulars, filing of interrogatories, etc.

Government suits pending are those involving Crescent Amus. Co. in Tennessee, Balaban & Katz in Chicago, Griffith Amusement Co. in Oklahoma, and Schine circuit in New York.

Suits awaiting decision are Westway vs. 20th-Fox and others in Maryland, Quomos vs. Warner Bros. and others in New Jersey, and Batin vs. Cocalis and others also in New Jersey.

Other suits include Savannah vs. Lucas & Jenkins and others in Georgia, Bridges vs. Interstate and others in Texas, Cassil vs. Paramount and others in Missouri, the Netcong, Westor and Courter cases in New Jersey (all lumped together), Johnson & Hartman vs. Minnesota Amus. Co. and others in South Dakota, 395 Amus. Co. vs. Randforce and others in New York, Folley vs. Randforce and others in New York, Gorham vs. Kurson and others in Vermont, Polard vs. Maine and New Hampshire Theatres and others in Boston, Miami Drive-in vs. Loew's in Boston, United Exhibitors vs. 20th-Fox and others in Pennsylvania; River Theatre Corp. vs. Skouras and others in New York, Whittaker vs. Vita-graph and others in Utah, Apollo Amus. Co. vs. Warners and others in Indiana, Ryers vs. Murphy and others in Virginia, La Crosse Theatres vs. Paramount in Wisconsin, and Shapiro vs. Warner Bros. and others in Pennsylvania.

## MONO'S SIESTA ENDS; 'GYPSY' GIVEN GUN

Hollywood, Aug. 13. Production resumes at Monogram tomorrow (Wed.) after a five-day lull, with the start of 'Crossed Cavalier', a Gilbert Roland starrer directed by Alexis Roland-Taxis.

Next day Paul Malvern rolls 'Drums of the Desert', first of his seven pictures for Mono's 1940-41 program.

A ticket register which stamps the time the ducal is sold and the use of a light beam to record the number of persons entering the theatre are new methods under experiment in the effort of theatre operators to get a better check on business at the b.o.

The new ticket machine is known as the Union and is being put out by the General Register Corp. of New York. It is being installed in the Paramount, Peckskill, N. Y., this week and shortly, according to Ralph Budd, of Warner Bros., it will be tried at the Strand, N. Y.

Gadget from the new register automatically stamps the time the tickets are sold as well as the number of tickets punched out at one time up to a total of five. Where two ducats are bought, they come out together, with '2' stamped on the back, and where it is five bought in one bunch, the number on the reverse side is then '5'. This gives the ticket-taker a quick check on the number of ducats in the batch. Very often, it is claimed, when big crowds are being handled, the man at the door may let six people in on five tickets by mistake.

**Easily Tabbed**  
Also, the tickets are in two colors, one-half of it white, and the center of the tickets lengthwise is perforated for easy tearing. All tickets now are torn in the center crosswise. The patron gets the white portion, while the other half torn lengthwise goes into the chopper. Different colors are provided for different price changes, which with the time noted, gives the theatre a complete check as to business done and during what hours. Also, this enables the theatre to standardize on ticket prices according to price.

At opening of the theatre a ticket is stamped by the machine and attached to the boxoffice report, which with the circuits go to the home office as a record of business done. Other tickets are attached to the report on each hour, if desired, on a price change and at closing.

The Union machine is silent in operation, fast and foolproof, it is claimed by those who have investigated it. The cost of the two-color perforated tickets is a little more but a special paper is used that can't be counterfeited.

Applying the 'pencil beam' which (Continued on page 10)

## 'CHAN' NAME DROPPED FROM VET FILM SERIES

Hollywood, Aug. 13. 20th-Fox is dropping the Charlie Chan name from the titles of all future pictures based on the activities of Sidney Toler as the Oriental detective. Thus passes, from tags at least, the identification of Hollywood's oldest surviving bread-and-butter group.

Step is being taken at the suggestion of Herman Wobber, sales manager, who believes the Chan monicker on the marquee is confusing to patrons. Wobber insists too many potential customers pass up 'Charlie Chan' as a 'Wax Museum' because they are unable to differentiate between that and 'Charlie Chan in Panama'. 'Charlie Chan in New York', recently completed, will be renamed.

End of the Chan tag follows closely a similar deletion on the 'Cisco Kid' series.

**Leeds Pilots 'Vaquero'**  
Hollywood, Aug. 13. Herbert I. Leeds has been signed by 20th-Fox to direct 'Ride On Vaquero', which Sam Engel is scripting as the next Cisco Kid picture. Cesar Romero will star with Sol Wurtzel producing.

## No Squawks At S. F. Admish Boosts; Loy-Powell, 20G, 'Ramparts', 15G, Big

San Francisco, Aug. 13.  
A solid week of fine weather, plus extra attractions at the Expo, failed to dent first-run grosses this week, bearing out contention of Orpheum's Hal Neidus that good pix draw and poor ones don't, regardless.

Price tilt at five first-runs, raising figures to even 35-40-50 levels, is being accepted without comment by customers according to preliminary check by managers.

**Estimates for This Week**  
**Fox (F-WC)** (5,000; 34-40-50)-  
**Heaven Too'** (WB). Bette-Boyer  
 opus didn't do so well as a road-  
 show, but on regular run is expected  
 to hit \$15,000. First time house has  
 had a single in some time. Last  
 week, 'Drive by Night' (WB) **BYD**  
**Faces West'** (Rep). healthy \$19,000.

**Golden Gate** (RKO) (2.850; 39.44)  
—'Ramparts We Watch' (RKO) and  
Major Bowes' unit. Preparedness  
dick is terrific; looks like \$15,000.  
Best in weeks. Last week, 'Villain  
Pursued Her' (RKO), spurred by  
vigorous campaign but slumped to  
\$10,500.

**Orpheum (F&M)** (2,440; 35-40-50)  
—'Daltons Rode' (U) and 'Blondie  
Servant' (Col). Looks for \$15,000;  
big. Last (2d) stanza, 'Syracuse' (U)  
and 'Academy' (Col) nice \$7,200.

**Paramount (F-WC)** (2,740; 35-40-50)—'Great McGinty' (Par) and 'Pier 39' (20th). Customers going for this pair with fine \$13,000 in view. Last week, 'Man Married' (20th) and 'Heartbeat' (20th), average \$9,500.

**St. Francis (F-WC)** (1470; 35-40-00)—'Drive by Night' (WB) and 'Faces West' (Rep). Moveover from Fox should continue healthy pace for \$7,000, fine. Last week, 'Gold Maisie' (MG) and 'Golden Gloves' (Rep), as expected at \$4,000.

**United Artists (Cohen)** (1,200; 35-55-75)—'Our Town' (UA) (2d wk). Shows out at \$5,500 on second week. Last week okay \$9,000. Wednesday (14) sees world premiere of 'Pastor Hall' (UA), which Jimmy Roosevelt

Warfield (F-WC) (2,680; 35-40-50)  
—'Love Again' (M-G) and 'Mystery  
Sea Raider' (Par). Popular Powell-  
Toy team should net house socko  
\$20,000. Last week (2d). 'Pride  
'Prejudice' (M-G) and 'Ladies Live'  
(WB), okay \$7,500.

**BOOM TOWN'  
GREAT \$18500**

**IN INDPLS.**

Indianapolis, Aug. 18.  
(Best Exploitation: Loew's)  
Loew's is making the biggest noise in the downtown sector this week, with 'Boom Town' headed for an all-time boxoffice record. Helped by prices upped a nickel in the afternoon and a dime at night, and play-

Indiana is doing okay at nights, but business is thin in the afternoon for 'They Drive by Night' and 'Pop Culture Rock Circle' millionaires.

Loew's went in heavy to plug a dinner with tieups in newspapers and downtown department store

Windows showing Hedy LaMarr and Claudette Colbert, wearing new styles in dresses and furs. Also had cards in 70 Standard Oil Stations, cards in railroad stations within a 10-mile radius of town, and 10,000 emeralds in Liberty Magazine.

**Estimates for This Week**

**Circle** (RKO-Dolbe) (2,600; 25-30-40)—'Man Talked' (WB) and 'Love Jack' (WB). Fair \$6,000. Last week, Maryland' (20th) and 'Sailor, Lady' (20th), second week, fair \$4,500.

**Indiana** (Katz-Dolbe) (3,100; 25-30-40)—'Drive Night' (WB) and 'Pop Days' (RKO). Okay \$7,000. Last

Loew's (Loew's) (2,400; 31-40-54) —  
Doom Town' (M-G). Best bet in  
history of house with terrific \$18,500.  
Last week, 'Pride Prejudice' (M-G)  
and 'We Are Young' (M-G),  
\$7,500.

**Lyric (Lyric)** (1900; 25-30-40)-  
'scatterbrain' (Rep) and 'Sunny  
side Up' on stage. Red \$6,500. Last  
week, 'Faces West' (Rep) and  
'unzafire' on stage, fair \$7,800.

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week, 'Faces West' (Rep) and  
'unzafire' on stage, fair \$7,800.



## Chi Perks, 'Heaven's' 2d With Martin Good \$34,000, 'Ramparts' Fair 9G, Names Hypo 'Gambling' to \$21,700

Chicago, Aug. 13. (Best Exploitation: Palace)  
Business is generally good, exception is the Palace, which is extra advertising on 'Ramparts We Watch', even giving the hours the picture starts (a first for a major theatre in loop), yet is getting a disappointing gross at \$30,000.  
Topping the list in comparative business will probably be the Oriental, which has a jitterbug-appeal lay-out on stage and 'Gambling On the High Seas'. Extra shows are being done at Chicago with 'All This, and Heaven Too', in second week, and Tony Martin on stage.  
Apollo will have one of its better weeks due to the Walt Disney Festival (four shorts and 'Snow White') billed over 'We Who Are Young'. State Lake will be up with 'Phantom Raiders' bolstered by Count Basie's orchestra on stage.

**Estimates for This Week**  
Apollo (B&K) (1,200; 35-55-65-75)—'Snow White' (RKO), Disney prize-winning shorts and 'We Are Young' (M-G). House is splurging on the Disney lineup and looks to take around \$55,000, good. Last week, 'Our Town' (UA), discouraging \$3,800.

Chicago (B&K) (1,500; 35-55-65-75)—'Heaven Too' (WB) (2d wk) and Tony Martin on stage. Will drop to around \$34,000, profitable, as against last week's \$42,000, when Gene Krupa band was coupled with picture.

Garfield (B&K) (900; 35-55-65-75)—'Way of Flesh' (Par). No exploitation done on picture and little business expected; around \$30,000.

House of Mystery (B&K) (1,500; 35-55-65-75)—'Phantom Raiders' (RKO) and 'Cross Country Romance' (RKO). Lots of publicity given 'Ramparts', but only fair gross in sight.

State Lake (B&K) (1,500; 35-55-65-75)—'Drive By Night' (WB). Getting bigger play than was expected. Should do around \$14,500.

United Artists (B&K-M-G) (1,700; 35-55-65-75)—'Pride and Prejudice' (M-G) (2d wk) good \$9,800, after bright \$13,000 in first.

Woods (Essaness) (1,200; 75-110-165)—'Gone' (M-G) (29th wk). Still going, and although last few days sign has been up six weeks, it'll probably last the month out. This week about the same as last, \$5,400.

## BOOM TOWN BIG 19G, CINC

Cincinnati, Aug. 13.  
Sensational hot-weather take of 'Boom Town' is upping combined gross of major houses to a lousy gain over last week. It's a cinch for first-run tenancy at the Capitol for four or five weeks. On last few days, currently is limited capacity and running time of pic, which received dandy reviews.

Down under this week are 'Ramparts We Watch' (RKO) and 'Man I Married', at Palace. Encore of 'Snow White' at the Lyric is on the nice side.

**Estimates for This Week**  
Albee (RKO) (3,300; 39-47)—'Ramparts We Watch' (RKO). Looks like good \$7,000. Last week, 'Pride and Prejudice' (M-G), big \$14,000.

Capitol (RKO) (2,000; 42-60)—'Boom Town' (M-G). Test-dating at advance scale. Nifty notices and, although last few days running time of pic and theatre's capacity. Zooming summer \$19,000 figure. Will hold for several weeks. Last week, 'Love Bait' (WB) (2d run), at regular 39-47-cent scale, fair \$4,000.

Family (RKO) (1,000; 15-28)—'Girl Room 313' (20th) and 'La Caine Wright' (UA) split. Last week, 'Doomed Die' (M-G) and 'Carolina Moon' (Rep). Seasonal \$1,000. Same last week on 'Lucky Cisco Kid' (30th) and 'Girls of Road' (Col), di-

vided with 'Haunted House' (Mono) and 'Hold Woman' (Prod.).  
Keith's (Libson) (1,500; 39-47)—'Pride and Prejudice' (M-G). Moveover from Albee for second week. Fair \$4,000. Last week, 'Turnabout' (UA), okay \$5,000.

Lyric (RKO) (1,400; 39-47)—'Snow White' (RKO). Disney revival to nice \$500. Last week, 'Leopard Men' (Select), poor \$3,000.

Palace (RKO) (2,600; 39-47)—'Man Married' (20th). Slow \$8,000. Last week, 'Daltons Ride' (U), fairly good \$9,000.

## GARSON-OLIVIER BIG \$16,000 IN PITT

Pittsburgh, Aug. 13.

(Best Exploitation: Penn)  
The shoe shopping again, and only the fitting of the shoe. For a change, too, the public agrees with the critic, and two flickers for which they beat the drums are the only ones getting anywhere at all.

'Pride and Prejudice' is going great guns at Penn and looks like cinch to hold somewhere downtown, and Alvin is getting its best session of summer since 'Li, Russell' with Man I Married.

Elsewhere, it's a rout.  
Penn tied up the class trade for 'Pride and Prejudice' with book stall and department store window displays, also spotting radio plugs near upper-crust programs, at the same time inviting the masses with ads heralding what happens when 'Mrs. Chips Meets Rebecca's Husband'.

**Estimates for This Week**  
Alvin (Married) (1,850; 25-35-50)—'Man Married' (20th). Got great sendoff from critic, who called it better piece of anti-Nazi propaganda than 'Mortal Storm' (M-G). Looks like \$6,000, first-rate summer biz here. Last week, 'Snow White' in Walt Disney Festival (RKO), fine \$5,200.

Leopard (Shea-Hyde) (1,750; 25-40)—'Leopard Men' (Select). Exploitation picture got pretty good opening on strength of heavy campaign, but fell off to nothing after that and comes out tonight (13) after six days. Will be lucky to grab \$2,100, poor. Last week, 'Daltons Ride' (U) in five days of second week, around \$2,400 on heels of \$4,000 picture.

Penn (Loew's UA) (3,300; 25-35-50)—'Pride and Prejudice' (M-G). A natural for all strata, with Olivier and Keatinge in it. Present pace indicates something pretty close to \$16,000, which makes it a cinch for h.o. Last week, 'Pagopago' (UA), way out of the money at \$3,200.

Ritz (WB) (800; 25-40)—'All Flesh' (Par) and 'We Are Young' (M-G). Won't get better than \$1,200, one of the worst week's first-rate summer biz has had since going first-run in January. Last week, 'Andy Hardy' (M-G), fine \$3,300 after two previous big stashes at \$14,500.

Stanley (Par) (3,600; 25-35-50)—'Safari' (Par). A weakie at around \$6,300, worst week house has had since switching from combo policy to straight pic. Last week, 'Drive by Night' (WB), b.o. lulu at \$14,500.

Warner (WB) (2,000; 25-35-50)—'Drive by Night' (WB). Moved here from Stanley and still in the coin. Better than \$5,000 looked for. Last week, 'Tom Brown' (RKO) and 'Sporting Blood' (M-G), better than average \$4,500.

**PREJUDICE-MAISE**  
OK \$10,000 IN DENVER

Denver, Aug. 13.  
'Pride and Prejudice' and 'Gold Rush Maisie', at the Orpheum, are turning in the best gross currently.

'South of Pago-Pago' and 'Ladies Must Live', at the Denver, are running second.

**Estimates for This Week**  
Aladdin (Fox) (1,400; 25-40)—'Drive by Night' (WB), after week at Denver. Good \$4,000. Last week, 'Our Town' (UA), after week at Denver, was fair \$3,500.

Broadway (Fox) (1,040; 25-35-40)—'Ramparts We Watch' (RKO) and 'Pop Pays' (RKO), after week at Orpheum. Fair \$2,000. Last week, 'Heaven Too' (WB), nice \$3,000, after week at each the Denver, Aladdin and Rialto.

Denham (Cockrill) (1,750; 25-35-40)—'Mystery Sea Rider' (Par) and 'Love Me Tonight' (Par). Poor \$4,000. Last week, 'Great McGinty' (Par), okay \$5,000 in second week.

## First Runs on Broadway (Subject to Change)

Week of Aug. 13  
Aster—'Gone With the Wind' (M-G) (35th wk).  
Capitol—I Love You Again' (M-G).  
(Reviewed in Variety, Aug. 7)  
Criterion—Three Faces West' (Rep) (17).  
Globe—The Ghost-creeps' (Mono) (17).  
Music Hall—'Pride and Prejudice' (M-G) (2d wk).  
Paramount—The Great McGinty' (Par) (14).  
(Reviewed in Variety, July 30)  
RKO—Return of Frank James' (20th) (2d wk).  
Strand—The Sea Hawk' (WB) (2d wk).

Week of Aug. 22  
Aster—'Gone With the Wind' (M-G) (35th wk).  
Capitol—I Love You Again' (M-G) (2d wk).  
Globe—River's End' (WB) (2d).  
Music Hall—Ramparts We Watch' (RKO).  
(Reviewed in Variety, July 24)  
Paramount—The Great McGinty' (Par) (2d wk).  
Rialto—Golden Gloves' (Par) (23).  
Rivoli—Foreign Correspondent' (UA) (27).  
Rocky—Young People' (20th) (23).  
Strand—The Sea Hawk' (WB) (3d wk).

40)—'Mystery Sea Rider' (Par) and 'Love Me Tonight' (Par). Poor \$4,000. Last week, 'Great McGinty' (Par), okay \$5,000 in second week.

Denver (Fox) (2,525; 25-35-40)—'Pagopago' (UA) and 'Ladies Live' (WB). Good \$9,000.

'Drive by Night' (WB) and 'Slightly Tempted' (U), good \$10,500.

Orpheum (RKO) (2,600; 25-35-40)—'Pride and Prejudice' (M-G) and 'Gold Rush Maisie' (M-G). Nice \$10,000. Last week, 'Ramparts We Watch' (RKO) and 'Pop Pays' (RKO), fair \$8,000.

Paramount (Fox) (2,200; 25-40)—'Daltons Ride' (U) and 'Pier 13' (20th). Nice \$4,500. Last week, 'Phantom Raiders' (M-G) and 'Military Academy' (Col), good \$4,000.

Rialto (Fox) (878; 25-40)—'Our Town' (UA), after week at each the Denver and Aladdin, and 'Passport to Alcatraz' (Col). Fair \$1,700. Last week, 'Maryland' (20th), after week at each the Denver and Aladdin, and 'Last Alarm' (Mono), good \$2,500.

**Bernie, 'Scandals'**  
Each Big \$15,000  
In Hot Buffalo

Buffalo, Aug. 13.  
Mark up the current can't as one for the book. 'Scandals' is here. Although the mercury is pushing off the top of the tube, the present mid-August stage and screen offerings are as positive as the weather. Competitive as at the height of the season. Downtown wickets are experiencing feverish activity and the fringe will see some of the markers running up into well-rounded figures.

Both Ben Bernie, at the Buffalo, and George White's 'Scandals', at the 20th Century, are sporting solid neck and neck for tall tales. But even with these milking the town's amusement coin there is plenty left for 'Drive by Night', which is riding to a fine gross at the Lakes and 'Boys from Syracuse', dandy at Lafayette.

**Estimates for This Week**  
Buffalo (Shea) (3,500; 35-40-60)—'We Are Young' (M-G), with Ben Bernie orch, Henry Armand on stage. Showing plenty of power and will hold out swell \$15,000, or better. Last week, 'Pride Prejudice' (M-G), \$12,400 on heels of \$13,500.

Great Lakes (Shea) (3,000; 35-55)—'Drive Night' (WB) and 'Golden Gloves' (Par). Should trap hefty \$12,500. Last week, 'Ladies Live' (WB) (2d run), pretty fancy second unwinding at \$6,500.

Hipp (Shea) (2,100; 30-45)—'Man Married' (20th) and 'Girl Avenue' (20th). Both are sporting solid neck and neck for tall tales. But even with these milking the town's amusement coin there is plenty left for 'Drive by Night', which is riding to a fine gross at the Lakes and 'Boys from Syracuse', dandy at Lafayette.

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## 5 B'way Combo Houses Get It All; 'Pride' Sock \$100,000, 'Hawk'-Spitalny Big 50G, 'James' 35G, Joan-Holtz 25G

(Best Exploitation: Strand)  
Broadway's five stage-show houses are getting the lion's share of the business this week. Two of them, the Music Hall and Strand, are riding high for smash takings. Week-end was generally strong with improvement reported shown also in the neighborhoods.

'Pride and Prejudice' is socking through for a gate of \$100,000 at the Music Hall, where it tied off with a bang Thursday (8). A remarkably steady trade, with Monday (12) being as good as the opening day, is recorded.

The Strand is packing 'em in like July 4 at Coney Island. The 2,700-seater finding it difficult to handle the crowds. Lack of inner lobby space makes it tougher for this house to get 'em in the street than for the other combination theatres. 'Sea Hawk', current with Phil Spitalny on the rostrum, was previewed Thursday night (8), final day of the prior show, and it was necessary at one time to stop selling tickets.

It looks like \$50,000 with 'Hawk' and the Spitalny show, might grossing for early in August. Hold-over begins Friday (16), while second week for 'Pride' starts tomorrow (Thurs.).

Return of Frank James', with a stand at the RKO, 'Sea Hawk' and 'God' (2d run) and 'Vaude at the State' and the second final week of 'Boys from Syracuse' at the Par. All the other combination stands collecting the dough.

'James' will get about \$35,000, all right, while the State, which has Lou Holtz and Diosa Costello in person, should hit approximately \$25,000. Par wound up its second week with 'Syracuse', plus Xavier Cugat, Allan Jones, Irene Hervey, Ray Bolger, last night (Thurs.), at \$37,500, very nice.

Warner Bros., long at work exploiting 'Sea Hawk' and the Strand in handling the current engagement, have done a sweet job on the picture, which is being reflected at the boxoffice.

**Estimates for This Week**  
Aster (1,012; 75-85-110-165-220)—'Gone' (M-G) (35th week). Christmas is coming, but this picture is going yet. Last week, the gross shot up \$600 to \$9,400, as compared with \$8,800 the prior stanza.

Capitol (4,520; 25-40-55-75-110-165)—'Hardy Meets De' (M-G) (2d final week). After 10 on hold-over to less than \$15,000, mediocre. First week came close to \$25,000, o.k. though under hopes. 'I Love You Again' (M-G) due tomorrow (Thursday).

Criterion (1,662; 25-40-55-65)—'Snow White' (RKO-Disney), plus four Disney shorts (3d final week). Looks around \$7,000 on the wings, after getting \$10,500 last week (2d) and nearly \$15,000 the first for nice chunk of black.

Radio City (1,700; 25-35-55)—'Secret Seven' (Col). Another meller that's not so swell, this side of \$4,000. Last week 'Military Academy' (Col), only \$3,500.

Palace (1,700; 25-35-55)—'My Love Came Back' (WB) (2d run) and 'Pier 13' (20th) (1st run), doubled. Maybe \$7,000, mild. Last week, 'Maryland' (20th) (2d run) and 'Dr. Christian' (RKO) (1st run), \$6,100, poor.

Paramount (3,664; 25-35-55-88-99)—'Great McGinty' (Par) and 'Cab Calloway' (Par) open this morning (Wednesday). 'Syracuse' meller that's a stage bill consisting of Xavier Cugat, Allan Jones, Irene Hervey and Ray Bolger, had two excellent weeks here, the final trip being \$37,500. First week was \$30,000, swell net for both U and the theatre.

Radio City Music Hall (5,930; 40-60-84-99-165)—'Pride and Prejudice' (M-G) and stage show. One of the best summer weeks ever here will go into the records currently: \$100,000. Last week, \$100,000 holds over, of course. Last week, 'Pagopago' (UA), nose dived to \$80,000.

Rialto (750; 25-40-55)—'Karanga' (RKO). Not so hot, about \$5,000. Last week, 'Prison Camp' (Col), only \$4,700.

Roxy (5,836; 25-40-55-75)—'Frank James' (20th) and 'Competition from Hall and Strand particularly strong, and no doubt holding gross down somewhat; however, at \$35,000, satisfactory and holds over. Last week, 'Man I Married' (20th), over \$30,000.

State (3,450; 35-55-75)—'Susan and God' (M-G) (2d run) and heading 'Boys from Syracuse' (U) and 'Diosa Costello'. A vast improvement is being shown this week; around \$25,000. Last week, 'Mortal Storm' (M-G) (2d run) and Harry Richmond, \$18,000, mildish.

Strand (2,767; 25-50-55-75-85-99)—'Sea Hawk' (WB) and Phil Spitalny. It's elegant, the way tickets are being sold here; the initial week, ending tomorrow night (Thurs.), should add them up to \$50,000. On only five weeks since October, 1938, when policy went in, has the gross exceeded this amount, and but one of them was in summer weather. Begins holdover Friday (16). Last week, second for 'They Drive By Night' (WB) and George Raft in person (plus Wally Cole), a very strong lining brought the take to \$38,000, excellent, following first seven days' \$48,000.

**'SYRACUSE' FINE**  
\$24,000 IN TWO BALTO SPOTS

Baltimore, Aug. 13.  
Considerable improvement noted all around here, with nice product lineup and favorable weather contributing factors. Out from 'The Boys from Syracuse', combined in day-and-date booking at the combo Hipp and Keith's, two indies. Given an exceptionally strong advance ballyhoo stressing tradition-breaking move of two downtown houses, joining in presentation of a film, biz has been consistently strong from the opening gun.

Also strong is 'I Love You Again', at Loew's Century, attracting some extra heavy daytime trade.

**'SYRACUSE' FINE**  
\$24,000 IN TWO BALTO SPOTS

**Estimates for This Week**  
Century (1,000; 15-28-44)—'Love Again' (M-G). Holding highly consistent pace with extra strong daytime response helping to satisfying \$12,000. Last week, 'Pride and Prejudice' (M-G), okay \$10,400.

Hippodrome (Rapaport) (2,205; 15-28-39-44-55-66)—'Boys Syracuse' (U) plus stage 'Gray Show'. Well sold in advance and getting strong \$10,000. Last week, 'Cross Country Romance' (RKO), owing it all to p.a. of Orrin Tucker and Bonnie Baker, was around \$12,300.

Keith's (Schanberger) (2,406; 15-28-39-44)—'Boys Syracuse' (U). Day and date with Hipp and attracting nice \$9,000. Last week, second of 'Daltons Ride' (U), added steady \$5,900 to first week's \$5,300.

New (Mechanic) (1,581; 15-28-35-55)—'Frank James' (20th). House better suited to film of movie (emine appeal). Will draw the usual \$4,500. Last week, 'Gold Rush Maisie' (M-G), not bad at \$4,200.

Stanley (WB) (3,280; 15-28-39-44-55)—'Ladies Live' (WB) (2d run). Building better well and indicating possible \$9,000. Last week, third of 'Heaven Too' (WB), brought total to strong \$26,000, in spite of strong resistance occasioned by stretch of torrid weather.

**'MAN MARRIED' SLOW**  
\$5,000 IN PROVIDENCE

Providence, Aug. 13.  
Waning summer doldrums still holds the main stem in its grip, and complaints about weak product with which to buck the tide are many. Only house doing anything is Loew's State with 'I Love You Again'.

**Estimates for This Week**  
Carlton (Fay-Loew) (1,400; 26-39-50)—'Pride Prejudice' (M-G) and 'We Are Young' (M-G) (2d run). With no cooling system to help, house is just getting along. Looking for so-so \$1,800. Last week, 'Drive Night' (WB) and 'Ladies Live' (WB) (2d run), week \$1,500.

Rialto (2,000; 15-28)—'Bulleted Code' (RKO) and 'Haunted House' (Mono). House paced at fair \$3,000. Last week, 'Ranger Lady' (RKO) and 'On Spot' (Mono), fair \$2,800.

Majestic (Fay) (2,200; 26-39-50)—'Man Married' (20th) and 'Manhattan Heartbeat' (20th). Also caught on slow track, with only weak \$3,000 in prospect. Last week, 'Syracuse' (U) and 'Fugitive Justice' (WB), slow \$3,000.

Loew's (2,000; 26-39-50)—'Love Again' (M-G) and 'West Peppers' (Col). Managing to hold steady pace for swell \$12,000. Last week, 'Pride and Prejudice' (M-G) and 'We Are Young' (M-G), held for nice \$12,300.

Strand (Indie) (2,000; 28-40-50)—'Mystery' (Seid) (20th) and 'Scatterbrain' (Rep). Biz practically nil here, with weak \$4,500 spotted. Last week, 'Golden Gloves' (Par) and 'Orny' (Rep), fell to new low with \$3,000.

## Laughs Pay in Mpls.; Loy-Powell Big \$10,000, 'Drive Night' Good \$7,000

Wage demands for studio title writers will be drafted this week and will be presented to the Producers by Herbert Sorrell, business representative of Moving Picture Painters Local 644. The title writers recently withdrew from the Society of Motion Picture Artists and Illustrators to affiliate with the painters.

committee from the membership at large are Robert Armstrong, Margaret Hamilton, Donald Woods, Pierre Watkin and Adolphe Menjou.

**Morgan Nixes 3d Term**

Ralph Morgan has announced that he would not accept the nomination for a third term. A majority of members are said to favor the selection of Edward Arnold, who is popu-

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# PREDICTING THE BIGGEST HIT OF 1940-41!

(Read every word of this telegram from Stanley Brown, United Artists Theatre, Long Beach, Cal.)

"Tonight we previewed Metro-Goldwyn-Mayer's \*Strike Up The Band, starring Mickey Rooney, Judy Garland, Paul Whiteman and his Orchestra, June Preisser, William Tracy! The running time was two hours twenty minutes. There aren't enough adjectives in the book to describe this picture. The audience reaction was simply terrific, spontaneous applause greeted the opening title and intermittently throughout the picture sustained rounds of applause completely drowned out dialogue. Mickey Rooney tops anything he has ever before been seen in. He is simply stupendous. He sings, dances, plays the drums like a Gene Krupa, directs huge swing bands and steals every scene he appears in. Judy Garland slayed them with her singing numbers and her overwhelming personality completely matched Mickey's mugging. Not a soul left theatre throughout entire two hours and twenty minutes of Strike Up The Band and without a single exception the comment cards acclaimed it to be great entertainment. Great credit is due Busby Berkeley for his marvelous direction. The ensembles are typically his, but the production as a whole excels anything he has ever directed. Strike Up The Band should be a top grosser and without question is A-plus."

\*Screen Play by John Monks, Jr. and Fred Finklehoffe.  
Produced by Arthur Freed

## Australian Picture-Goers Favor Duals, 25c Admish for 3-Hr. Show

Sydney, July 24. Intensive checkup by VARIETY reveals that Aussie picturegoers educated thusly over a prolonged term, demand duals when buying screen fare, and more so than ever it's the duals that bring payees from their radios to seek relaxation from war headaches. In the industrial sectors it must be duals particularly if biz is to continue, and this also applies in the stix. Aussies are given three hours' pic entertainment for 25c, and nothing less than the latter will make them walk to the boxoffices.

[This is contradictory to the general viewpoint of American audiences who favor singles.]

City shows change their policy from time to time to fit with the product on tap, but mainly they stick to duals because they find them the most payable in the long run. When 98% of city houses spot duals it's a good indication which way the b.o. wind blows, and in the nabes and stix the percentage reaches the 100 mark.

Under the dual idea it takes a lot of fare to keep Australia's 1,375 theatres operating, and the only chance for singles would be should there be a heavy curtailment of U. S. product, something which many major execs here fear may come to pass owing to wartime crippling of boat-building facilities, plus the possibility of a U. S. production curb insofar as this territory is concerned. Charles Munro, of the Hoyts chain, has already suggested that distibs should endeavor to keep three months' product on hand to meet any possible setbacks.

For year ending July, 1940, the number of features released here amounted to 453, made up as follows: War, 37; RKO, 56; 20th-Fox, 54; Universal, 50; Col, 49; Warner, 49; British Empire, 47; Metro, 41; UA, 22; G-B, 19; Continental, 8; Atlas, 1.

## U.S. TRADE LINK IN S. A. URGED

American company foreign departments have been advised by their monetary experts that restrictions on foreign currency will continue in the next 12 months and that the only way additional restrictions may be halted will be to adjust trade balances with various foreign nations where U. S. distributors hope to expand their business, such as in the Latin-Americans.

Efforts are being made to establish a big revolving credit purchase fund for the South American market.

## STOKI SYMPH GETS BIG SO. AMERICAN BUILDUP

Buenos Aires, Aug. 13. Leopold Stokowski and the All-American Youth Orchestra, due here within the next week, are getting a film road-show buildup. In contrast to Arturo Toscanini and the NBC Symph, which played the municipally-owned, No. 1 house, the Colon, Stokowski is booked for the Gran Rex, deluxe film emporium on Corrientes, Broadway of B.A.

In addition, local exploitation is being handled by Nat Leibeskind, RKO's South American manager.

Outfit has also been getting a big buildup in Rio, where it opened last week (8) to a tumultuous ovation.

Moore-McCormack Steamship Co. offices revealed that they had agreed to delay the sailing of the S.S. Uruguay—the same boat that carried the NBC crew—for 90 minutes in the Brazilian capital in order to allow Stokowski to fulfill the first engagement there.

Time is to be made up before the liner reaches Santos. Four concerts two on the southbound and two on the northbound trip, totaling given in Rio; four in Sao Paulo, four in Montevideo, four here and one in Rosario.

Sydney Bans 'Susan and God'

Sydney, July 24. Censor has banned Metro's 'Susan and God'.

An appeal has been lodged, but success is doubted.

## Oct. 1 Trial Ordered In French 'Serenade' Case

Dispute over the rights to the U. S. distribution of the French film, 'Serenade,' starring Lilian Harvey, was settled temporarily Monday (12) in N. Y. supreme court, when Justice J. Sidney Bernstein denied an application for an injunction by the plaintiff, Arthur Ziehm, Inc., and ordered trial for Oct. 1. Defendant, in Geo. Filine, alleged which an injunction, accounting of profits and damages is sought.

It is claimed by the plaintiff that on Aug. 10, 1939, it purchased the U. S. distribution rights for \$5,000 from the producer, Societe Symphonie Films of France. It received a print May 28, 1940, and the defendant also acquired a print and is threatening distribution. The defense, on the other hand, claims that Astra-Paris Films is the actual producer, and that it purchased the distribution rights for \$7,000 francs from Astra. It asks a dismissal of the suit and a declaration that the film belongs to Astra, which is valued at a minimum of \$100,000.

## NAZIS' EXIT OF DUALS SOCKS U.S. PIX

Double features' apparent elimination by executive order of the Nazis in German-controlled nations is described as a serious blow to American distribution efforts in Europe. While American pictures now are virtually banned by the Nazis is most Hitler-dominated countries, such summary orders may be tempered subsequently, according to vet picture company observers in N.Y. who believe the edict on the maximum length of a theatre's program will be lifted is another thing.

Nazi rules for business in German-controlled European countries make the maximum length of a theatre's screen program 3,800 meters or about 12,300 feet. This precludes the use of two features, in the opinion of N.Y. film officials. Such edict, of course, works to the benefit of Germany's film business, especially if the Nazis dub a couple of hundred German features into French, as they intend doing. It lets in these dubbed pictures and leaves out U.S. films on the preferential list.

Question arises before American film officials as to just how long such a Nazi regulation could hold up because numerous European cinemas demand two features. Unless the German government wants to pay for operating theatres, exhibitors may be forced to shutter in many European nations if the Nazi rule stays in effect, these execs state.

Industry chiefs recently back from Europe recall that double features have proved a godsend to American distributors throughout Europe. In such countries as France, Belgium and Sweden, where strong French or Swedish local product is available, many theatres would be unable to play and playing time for American features if two pictures were not shown.

## 20 KILLED IN MEXICAN THEATRE COLLAPSE

Mexico City, Aug. 13.

Mexico's worst cinema disaster has claimed 20 lives, including four women and five children, when the roof of the Cine Teatro Mariano Escoedo, at Montemorelos, northwestern orange town, collapsed during a tropical rainstorm while the house was crammed to capacity.

Seventy-five were injured.

## Al Daff in U.S.

Hollywood, Aug. 13.

Al Daff, Universal's far eastern chief, has arrived from Bombay. He huddled with studio execs before heading east.

## Censorial Note

Buenos Aires, Aug. 13.

Brazil has a censorship on all musical programs as the Malls Bros. here for stage and radio appearances, discovered while in Rio recently.

Censor had manager Arthur Lake submit the list, thumbed through it till he eyed a number called 'Bam, He's the Rhythm Man.' Lake and the boys tried to explain how it went, they called in a couple of localities and tried to put the sket-on skat-on into Portuguese. But no go.

Finally, the boys were enabled to retain 'Bam,' having the translator explain that there was nothing dirty in the number, which seemed to be the point the government nixer was after.

## WB REOPENING LONDON STUDIO

London, Aug. 13.

Warners intend reopening its Teddington studios for the production of at least three films at an outlay reported to be \$300,000 for each.

Negotiations are on for the import of directors and stars from Hollywood.

The Warner home office in New York reveals tentative plans for the production of four or five films in England, but it's unlikely that stars or directors will be shipped to England for the pix.

Original idea was to send Errol Flynn and Miriam Hopkins to England for one of the films, 'You Can't Escape Forever,' but this has been shelved with the likelihood that British players will be used instead.

## Menzies Eases Control Of Antips' Info Bureau After Strong Protest

Canberra, July 24.

Following strong outcry against move by Sir Keith Murdoch, Minister of Information, to take complete control of press, radio and pic theatres, Prime Minister Robert Menzies has decided to ease the setup.

Commercial radio, while not pressing government severely, are said to be against radio control passing from Postmaster General Thorby to Murdoch's department. Already commercials are giving 30 minutes nightly to the Information moguls for a special news service, which means plenty in lost sponsorship. Radios, while ready to aid the government's war aims in every possible way, are not keen to be curbed in any 'undemocratic' fashion, seeing in a complete government say-so the end of free airways. It's anticipated now, however, that governmental officials will play ball with the radio people in return for the continued splendid cooperation in evidence ever since war began.

## BLACK SET ON THREE WEST END MUSICALS

London, Aug. 1.

George Black is playing a game of postoffice with his three new shows due in the West End.

Teddy Brown, now in the Hippodrome show, 'Black Velvet,' goes into the new Holborn Empire production east on which is headed by Max Miller. Florence Desmond is to have co-starred with Miller, but will be out due to expected addition to the family. Others in cast are Vera Lynn, The Dolinoffs and Raya Sisters and Doris Hare. Show opens Aug. 19.

Palladium show has Flanagan and Allen, Nervo and Knott, Tommy Trinder and Pat Kirkwood, who steps over from 'Black Velvet.' Negotiations with Evelyn Laye fell through due to disagreement on billing. This one debuts Aug. 26.

New Hippodrome musical, which won't arrive till late September, will have Jack Buchanan replacing Vic Oliver, who has been at loggerheads with George Black. Also signed are Bebe Daniels and Ben Lyon, who were to have starred with Flanagan and Allen in the coming Palladium show.

## So. Americans Proud of Knowing U.S. Better Than Yanks Know So. America

Another in a series on the increasing importance of show business in South America.

By RAY JOSEPHS

Buenos Aires, Aug. 13.

South American theatre execs who make this metropolis their headquarters are now squawking more than ever that representatives of the North American entertainment industry—the film companies with their permanent setups being an exception—come down thinking all the territory south of the border is one vast field of tropical palm trees, senoritas and strapping guitarists when they aren't taking siestas.

What burns South Americans is that they seem to know the States far better than the U. S. know their territory. The average South American speaks two or three languages. He can give you a once-over-lightly in U. S. history that would put a 42d street to shame. And through newspapers, the films, radio and the phonograph, he has pretty good idea of what he likes for entertainment.

Naturally, conditions in one part of South America vary from those in another. Another difficulty is that most of the artists who come down spend even less time in any one place than most of the traveling newspapermen. Two days in Rio while they unload the boat, or a stopover in Santiago, Chile, between planes seems to give most of the travelers time to break out in a full expose of the 'inside story on South America.'

Argentina is the No. 1 market for films and entertainment in general. Buenos Aires is the top city of South America. With a population of almost 3,000,000 it has many ultra-modern film houses and newsreel theatres. There's also a big concert-going audience.

The Ballet Russe de Monte Carlo gave more than 31 consecutive performances recently and was standing in the aisles when it left. Arturo Rubenstein is able to tickle the ivories for 50 concerts in four weeks without shifting theatres. There are more theatres, pic palaces, cafes, radio stations, etc., than in any other metropolis on the continent.

## Lead House in B. A. Is 3,500-Seat Colon

Government is very generous towards visiting talent. There's a 3% tax on amounts up to \$20,000 in pesos and a sliding scale of up to 15% after that. But coming in and getting out is no trouble.

Lead house is the 3,500-seat Colon. Owned by the municipality (Buenos Aires is a federal capital, like the District of Columbia), it takes many U. S. opera stars, housed the NBC Symph and personally handles such artists as Rubenstein and Heifetz.

House produces its own operas and ballets, loses several million pesos every year, which the town papers make up without grumbling. General Administrator C. Grassi-Diaz is the permanent head. Others shift every season or two. Colon is operated by a non-salaried board headed by Dr. Adolfo Ormaiztegui, a big-shot lawyer with a pile of cash. Only musician on the board is Rual Espoile. While foreign talent is hired either through the Met in New York or agents, the local selections must have more than a little of the 'who-do-you-know'.

Particularly with the revolving stage and sets, the Colon makes the Met look like a strawhat outfit. Visiting theatre men are usually a state for swooning after looking over the layout. Ballet is good but orchestra is second rate. The Colon operates a summer season—winter here is summer in the U. S.—at popular prices in Palermo, a kind of local Central Park. Prices for this average 10c in Washington money. Colon prices go from five pesos—\$1.25 U. S.—to 25 pesos on gala nights. Throughout South America, incidentally, gala nights are special events held on patriotic holiday eves, at which the same show is sold for twice the money. And there are plenty holidays down here.

Next to the Colon, there are about 25 houses which operate in season, either with visiting talent or with stock companies. The Politeama, which ranks next to the Colon, is an 1,800-seater. The Monte Carlo Ballet, Ruth Draper, Marion Anderson and others have played there. It's not considered a fashionable spot. The Odeon, closer to the center of

town, has lately housed the Jooss Ballet.

## Local Shows Fall Into Two Classes

Local shows fall into two classes. Revues—either political satire as in the Maipo—or musical spiced with local, double-meaning humor; and melodramas, where they chew the scenery. Shows rarely move from the capital. When they do they usually get good business, but the expenses are so high that most leading actors don't consider the trouble worth while.

The lack of touring means that there's no smalltown territory in which to train stars. Strawhat circuits are unknown.

Of the regulars on the Buenos Aires stage, Rosita Moreno, who lives in Hollywood and spends several months a year here in musicals, is perhaps best known to U. S. showmen. She's been in several California-made Spanish language pix and has also played in local flickers as well as having toured Central and South America.

Other stars include Paulina Sinnerman, another Argentine-born of Lithuanian parents; Libertad Lamarque, onetime vaude star who jumped boxoffice value through the films; Mecha Ortiz, middle-aged, married to the nephew of ailing President Roberto M. Ortiz, has her own stock company, and Rene Rocher, French comic, who makes an annual visit with his own company.

Male comics depend on the double entendre and a lot of slapstick. They include Luis Sandrini, who's worked with Miss Moreno and is always busy; Pepe Arias, who does his own dialog for shows and musicals, can best be described as a little like Slim Summerville and has a p.d. of dough; Fernando Ochoa, who does a light type of comedy that kids the gaucho; Paquito Bustos, rival of Arias.

Radio is so linked with the stage that it is hard to separate the two. Buenos Aires has about 15 stations, with only two on anything like U. S. par. They are Radio Mundo and Radio Belgrano. Others—and the pair named—jam their programs with phonograph records. U. S. jazz gets a big play in the mornings and afternoons and the tangos fill in.

Mundo made a deal with the Mills Bros. Marjorie Egger and others from the U. S. while playing here. A few of the other stations also do this. Jean Sablon, who played as the feature act of one of the local revues, also did a radio stint. These deals must be worked out in advance they are no go as several visiting artists have discovered.

Comedy shows take local talent almost exclusively. The language factor means that only U. S. singers already known through recordings would be worth anything to local stations. RCA Victor, which has a big plant here and extensive dealer tieups, could probably put across anyone it wished to sponsor, but doesn't seem to feel the buildup is worth the trouble. Decca boosting South American sales, has done some work in this direction.

Surprising to U. S. radio men may be the fact that whereas San Francisco and Schenectady, N. Y., are heard throughout the continent, there is no station down here big enough to compete. All South American stations also fill you to the spewing point with commercials. Three were recently ordered off the air for a day each because of excessive advertising gab.

## Biggest Niteries Have American-Type Bands

The biggest niteries, Embassy, Ciro's and Faisan d'Or, have American-type jazz bands. So has the Ta-Ba-Ris, only after-dark location using much imported talent. Difficulty that hinders shows is that the license fee for a cabaret with floor shows is five or six times as great as that for a no-show spot. The smart local crowd doesn't care for the show and therefore the Ta-Ba-Ris gets a lot of the tourist trade and the pesos of the lads wealthy and interested enough to pay the steep prices.

There is a big call for a personal of a U. S. name band. Difficulty, according to local showmen, is that the difference in the exchange rate between the dollar and the dollar would make the deal almost prohibitive for any such unit.



HE'S ROMANCING WITH  
ANOTHER FELLOW'S  
SWEETIE...

*and does she love it!*

IN  
THE FIRST OF THE  
NEW PARADE  
OF BIG HIT SHOWS  
FROM  
RKO RADIO!....



*Ronald*

*Ginger*

**COLMAN ★ ROGERS**

**LUCKY PARTNERS**



WITH  
**SPRING BYINGTON • JACK CARSON**  
**CECILIA LOFTUS • HARRY DAVENPORT • HUGH O'CONNELL**  
**HARRY EDINGTON** Executive Producer • Directed by **LEWIS MILESTONE**  
Produced by **GEORGE HAIGHT**

SCREEN PLAY BY ALLAN SCOTT & JOHN VAN DRUTEN - ADAPTED FROM THE STORY, "BONNE CHANCE" BY SACHA GUITRY

(Continued on page 19)



# Sea Hawk



**HAS BEEN RUNNING SINCE  
8 A. M. FRIDAY AT THE STRAND,  
N. Y. . . . AND PROVING EVERY  
MINUTE THAT IT IS BEYOND  
ALL DOUBT 1940'S BIGGEST  
WARNER BROS.**

# Smash!

ERROL FLYNN in 'THE SEA HAWK'

with BRENDA MARSHALL • CLAUDE RAINS • Donald Crisp • Flora Robson • Alan Hale • Directed by MICHAEL CURTIZ  
Screen Play by Howard Koch and Seton I. Miller • Music by Erich Wolfgang Korngold • A Warner Bros. First National Picture

# Four Big UA Pix Due in September; See War Cueing Fewer '41-42 Films

'September will be the most distinguished month in the entire 20-year-history of United Artists,' Murray Silverstone, UA chief, declared on his return to New York Monday (12) from a two-week visit on the Coast. Company will deliver during the 30-day period four pictures each of which cost \$1,000,000 or more to make. There will be one, and perhaps two, additional, which are coming close to the \$1,000,000 mark, Silverstone explained.

Films are Samuel Goldwyn's 'The Westerner,' which ran just about \$1,000,000; Charles Chaplin's 'The Great Dictator,' which cost \$2,200,000; Alexander Korda's 'Thief of Bagdad,' in Technicolor, which will tally up to almost \$2,000,000; and Walter Wanger's 'Foreign Correspondent,' which set the producer back \$1,600,000. In addition, certain to be released is Edward Small's 'Kli Carson,' and, possibly late in the month, Walter Wanger's presentation of John Ford's production, 'Long Voyage Home.' Both are comparatively expensive films, although they cost less than \$1,000,000.

Tremendous ad and pre-selling campaigns are being staged on the films, with about \$750,000 earmarked for this purpose. 'Westerner' and 'Carson' will both have out-of-town openings, the former in Fort Worth, Tex., and the latter in Denver. Whole force is being set up, in addition, on the Chaplin film. Ed Stein, formerly of the Goldwyn staff, started on Monday (12) handling special publicity and a couple of femmes have been hired to introduce Chaplin to the younger generation.

UA program, Silverstone said, shows the company's determination to compensate for the loss of foreign markets by turning out better pix to cash in on the full potential of the domestic scene.

Fewer films in '41-42. Because of foreign losses, Silverstone predicted fewer pictures from all companies in 1941-42 than in 1940-41. Balance sheets haven't yet begun to show the dents they eventually must, he said, when distributors write off losses of European assets. UA chief pointed out that Nazis had taken over the company's entire business in France and when these assets are lopped off the books, as they must be, it will make 'bad hole in the statement.'

Although the company will probably have no more pictures in 1941-42 than for the coming season, Silverstone said it will definitely have two additional 'important' producers. He admitted having been in negotiation with them during his recent Coast stay.

Silverstone denied reports that there have been recent confabs to end the Goldwyn lawsuit.

## Aircooled Dept. Stores Cut Into Filmieries' B.O.

St. Louis, Aug. 13. 'Air-conditioning of two of this burg's largest downtown dept. stores, the Stix, Baer & Fuller Co., and Famous-Barr (May Dept. Stores Co.), this summer is clipping the b.o. activity at Fanchon & Marco's downtown deluxer, the Ambassador, according to Chauncey B. Nelson, personnel director. Until this season neither of the stores was equipped with cooling systems.

Nelson, who has made a personal survey of these two stores, one located cat-a-corner from the Ambassador and the other but two blocks distant, said he has found the shoppers, particularly femmes, are basking in the cool atmosphere of the stores instead of the talker houses. Nelson has not figured how many dollars the Ambassador has been clipped this season, but he knows it has been plenty.

## Trotti Scripts 'Starr'

Hollywood, Aug. 13. Any doubts that Hollywood would have had that 20th-Fox would push 'Belle Starr' back another whole season were wiped out when Lamar Trotti was assigned to write the screenplay. It will be filmed as a big-budget picture. Kenneth Macgowan is associate producer on vehicle, which was originally sketched for the 1939-40 season.

## Consent Decree

Continued from page 7

about trying to buy films in blocks of five after trade showings than the distributors are in attempting to sell in that manner. In this connection some exhib opinion has been that the distrib is in a much safer position under that system of selling than the theatres are.

One of the questions under a nine months' escape clause seemingly is whether one of the Big Five could withdraw from it if it could prove losses and the other four didn't. Twentieth's disposition, ostensibly is to be assured it can pull out if it alone finds the decree unprofitable to the business. The same would go for Par.

Kent went back to his summer retreat at the Thousand Islands over the weekend and there have been no conferences in New York with Government representatives for the past week although there have been telephone calls to Washington. The calls that have been made would indicate that the U. S. is willing to have further huddles with respect to Par's and 20th's position on the decree.

Early Trial Doubtful. Reports from Washington Friday (9) that the Department of Justice had decided to throw out the decree if it isn't placed into operation as written and go to trial on the government suit are in conflict with the insistence of the telephone conversations had by attorneys. Another story was that investigators and other workers on the film case had been told to take their vacations early so that they could be available to prepare for a possible early trial.

More recently reports from Washington are that administrative officers high in Government places are urging the Dept. of Justice to settle the suit against the majors at any cost. A decree, according to these accounts, is favored at the best possible terms to avoid prosecution of the suit in view of the cost, as well as the fact this is an election year and, secondly, that the film industry is cooperating as an important factor in defense preparedness plans.

Donovan's F.D.R. Weekend. Col. William Donovan, one of the country's foremost defense figures and counsel for RKO in the Government suit, spent the weekend with President Roosevelt, but whether it was to discuss defense or the consent decree could not be learned. Thurman Arnold, who has been more desirous of pushing the suit than settling it, arrived in N. Y. Friday (9), but is not known to have had any talks with film attorneys. He is thought to have come up principally on the monopoly case instituted against companies working under foreign patents and making materials required for defense.

Arnold refused to discuss the film case, or reports emanating from Washington, but it is believed in inner industry circles that he has not yet shut off all negotiations on a settlement with the majors. This is not the understanding at least, it is declared, although unofficial.

The question also arises as to whether or not the Government is going to delve into the complaints of theatre organizations and operators who believe they should be heard. Somewhat paradoxical is that the intent of the Government suit was to obtain relief for exhibitors, whereas a countrywide complaint against the decree, which would settle that suit, has arisen among both large and small exhibs.

These theatre operators, as well as the Big Five, are against various features of the decree, but favor some suitable arbitration machinery. One high source in a major company stated he believed everyone would welcome a fair system of arbitration and that then the much-discussed Section 7 dealing with discrimination would have a lot of good points about it.

The opinion still prevails that if Par and 20th, or either one of these two, do not come in under a consent decree on compromise covering disputed clauses, the decree would be off for all majors and the suit would go to trial.

Action of Par and 20th amounts to rejection of the decree in the sense that they are unwilling to continue negotiating to negotiate further with a view to making accord possible under modifications and agreement, principally, on an escape clause.

Last weekend saw production at its lowest ebb in months, two studios being without production entirely, and films in work in others ranging from two to eight, for a total of 34. United Artists and Monogram were completely at a standstill as regards production when

## Columbia

(1940-41)

	From- Prod.	Re- leased	Shut- ing	Now Cutting	To Be Shot in Work
Features	44	0	2	7	36
Westerns	16	0	0	2	11
Serials	4	0	0	4	4
Totals	64	0	2	9	51

Pictures in cutting rooms or awaiting release:

**THE GREAT PLANE ROBBERY**, formerly **KEEP 'EM ALIVE**, meller; producer, Larry Darmour; director, Lewis D. Collins; screen play, Albert DeMond; cast: Jack Holt, Marjorie Reynolds, Henry Kolker, Jonathan Hale, Sidney Blackmer, Douglas Fowley, Tom Kennedy, John Walker, Dick Boteler.

**THE GREAT SWINDLE**, formerly **TAMPERED EVIDENCE**, formerly **MISLEADING EVIDENCE**, meller; producer, dir., Lewis D. Collins; script, Eric Taylor, Al DeMond; camera, James S. Brown, Jr. Cast: Jack Holt, Marjorie Reynolds, Henry Kolker, Jonathan Hale, Sidney Blackmer, Douglas Fowley, Tom Kennedy, John Walker, Dick Boteler.

**THE DURANGO KID**, western with songs; prod., Leon Barsha; dir., Lambert Hillyer; orig. screen play, Fred Myton; camera, George Meehan. Cast: Charles Starrett, Lenore Currie, Sons of the Pioneers, Paul Sutton, Hank Bell, Jack Rockwell, Bob Nolan, Tim Spencer, Ben Taggart, Ernie Adams, Francis Walker, Dick Boteler.

**THE LADY IN QUESTION**, formerly **IT HAPPENED IN PARIS**, formerly **GRIBOUILLÉ**, drama; prod., B. B. Kahane; dir., Charles Vidor; screenplay, Lewis Meltzer; original, Marcel Pagnol; camera, Lucien Andriot. Cast: Brian Aherne, Rita Hayworth, Glenn Ford, Irene Rich, Evelyn Keyes, Edward Norris, Curt Bois, Frank Reicher, Julius Tannen, Lloyd Corrigan, George Coulouris, Philip Van Zandt, William Strack, James B. Carson, Jack Carson, E. J. Hannon, Greene, William Castle, Frank Hillard, Carlton Griffin, Roland Alexander.

**BE STAYED FOR BREAKFAST**, comedy-drama (1939-40); prod., B. P. Schulberg; dir., Alexander Hall; screenplay, P. J. Wolfson, Michael Pfeiffer, Ernest Vajda, Carlos Vidor; camera, Melvyn Douglas, Loretta Young, O'Connell, Eugene Pallette, Alan Marshall.

**FIVE LITTLE PEPPERS IN TROUBLE**, formerly **FIVE LITTLE PEPPERS AT SCHOOL**, comedy-drama (1939-40); prod., Jack Fier; dir., Charles Barton; no writing credits; camera, Benjamin Kline. Cast: Edith Fellows, Dorothy Ann Seese, Dorothy Peterson, Ronald Sinclair, Charles Peck, Rex Evans, Pierre Watkin, Shirley Mills, Rita Quigley, Tommy Bond, Don Beddoe, Shirley Ricketts, Charles Graham, Antonio Oland, Beverly Mitchellson, Judy Lynn, Bruce Bennett.

**SO YOU WON'T TALK**, formerly **CLAY PIGEON**, comedy; prod., Robert Sparks; dir., Edward Sedgwick; orig. screenplay, Richard Flourney; camera, Alan Seigrist; cast: E. Brown, Frances Robinson, Vivienne Osborne, Bernard Nedell, Tom Dugan, Dick Wessel.

**WIZARD OF DEATH**, drama (1939-40); asso. prod., Wally MacDonald; director, Nick Grindie; no writing credits released; camera, Benjamin Kline. Cast: Boris Karloff, Evelyn Keyes, Bruce Bennett, Edward Van Sloan, Ben Taggart, Kenneth MacDonald, Don Beddoe, John Tyrell.

**REFORM 101**, drama (1939-40); prod., Ben Hecht and Douglas Fairbanks, Jr.; dir., Ben Hecht; original by Ben Hecht; camera, Lee Garmes. Cast: Douglas Fairbanks, Jr., Rita Hayworth, Thomas Mitchell, John Qualen, Charles Marshall, Ethelreda Leopold, Stanley Brown, Jack Roper.

**THE HOWARDS OF VIRGINIA**, drama; asso. prod., Jack H. Skirball; dir., Frank Lloyd; story, Elizabeth Page; screenplay, Sidney Buchman; camera, Bert Glennon; cast: Cary Grant, Martha Scott, Sir Cedric Hardwicke, Alan Marshall, Richard Carlson, Paul Kelly, Irving Bacon, Elizabeth Risdon, Ann Revere, Richard Alden, Phil Taylor, Rita Quigley, Libby Taylor, Richard Gaines, George Houston, Ralph Byrd, Dickie Jones, Buster Phelps, Wade Boteler, Mary Field, R. Wells Gordon, Charles Francis.

**THUNDERING FRONTIER**, western; asso. prod., Jack Fier; dir., D. Ross Lederman; screen play, Paul Franklin; camera, George Meehan. Cast: Charles Starrett, Iris Meredith, Raphael Bennett, Alex Callam, Carl Stockdale, Fred Burns, Bob Nolan, John Tyrell, Francis Walker, John Dilson.

**BLAZING THE OKLAHOMA TRAIL**, western, asso. prod., Jack Fier; dir., Sam Nelson; no writing credits; camera, George Meehan. Cast: Charles Starrett, Francis Carson, Sons of the Pioneers, Stanley Brown, Richard Fisk, Bob Nolan, Tim Spencer.

**ARIZONA**, western drama (1939-40); prod.-dir., Wesley Ruggles; screen play, Claude Binyon; original by Clarence Budington Kelland; camera, Joseph Walker. Cast: Jenn Arthur, William Holden, Warren William, Porter Hall, Paul Harvey, Regis Toomey, Edgar Buchanan, George Chandler, Emmett Lynn, Uvaldo Valera, Earl Crawford, Colin Tapley, Byron Foulger, Wade Crosby, Syd Saylor, Jules Cowles, Ralph Peters, Frank Darica, Nina Campana, Frank Hill, Earl S. Dewey, William C. Cagney.

**NOBODY'S CHILDREN**, drama; asso. prod., Jack Fier; dir., Charles Barton; no writing credits; camera, Ben Kline. Cast: Edith Fellows, Lois Wilson, Lillian West, Billy Lee, Janet Chapman, Cynthia Crane, Walter White, Georgia Caine.

**THE FOR RENT**, drama; asso. prod., Wallace MacDonald; dir., D. Ross Lederman; no writing credits; camera, Franz Klenner. Cast: Anita Louise, Roger Pryor, Frances Robinson, June McCloy, John Tyrell, Paul Fix, Eleanor Sooehoo, Selmer Jackson, George Anderson, Jini Legon, Myra Marsha, Ivan Miller.

**INTO THE CRIMSON WEST**, western; asso. prod., Leon Barsha; dir., Sam Nelson; no writing credits; camera, George Meehan. Cast: Bill Elliott, Evelyn

week closed. Republic, with one going in Friday (9), just escaped a goose-egg.

Total of 94 pictures were listed as in cutting rooms as of Aug. 10, either awaiting preview or release. There remain approximately 400 features, westerns and serials to be made for the new season, in keeping with sales convention pronouncements.

Young, Kenneth Harlan, Dud Taylor, Ray Teal, Jim Thorpe, Walter Taylor, Lucien Maxwell.

## Columbia Pix Now in Production

**BLONDIE PLAYS CUPID**, formerly **BLONDIE GOES TO THE COUNTRY**, comedy; asso. prod., Robert Sparks; dir., Frank Strayer; screen play, Richard Flourney, Karen DeWolf; camera, Henry Feulich. Cast: Fanny Singlet, Arthur Lake, Larry Simms, Danney Mummet, Daisy.

**THE LITTLE PROFESSOR**, drama; asso. prod., Ralph Cohn; dir., Max Neffek; no writing credits. Cast: Paul Kelly, Rochelle Hudson.

## Metro

(1940-41)

	From- Prod.	Re- leased	Shut- ing	Now Cutting	To Be Shot in Work
Features	44-55	0	0	1	0
I. Goldsmith	1	0	0	1	0
Totals	44-55	0	0	1	0

Pictures in cutting rooms or awaiting release:

**BUSMAN'S HONEYMOON**, drama (1939-40); being produced in England by Ben Goetz; director, Arthur Woods; original story, Dorothy Sayers. Cast: Robert Montgomery, Constance Cummings, Leslie Banks, Seymour Hicks, Robert Newton, Louise Hampton, Gwen Francy Davies.

**WE WHO ARE YOUNG**, formerly **I DO**, formerly **TO OWN THE WORLD**, drama (1939-40); producer, Seymour Nebenzahl; director, Harold S. Bucquet; writing credits released; camera, Karl Freund. Cast: Lana Turner, John Shelton, Gene Lockhart, Don Castle, Jane Drummond, Jack Rice, Richard Crane, Sherry Ward.

**GOLDEN FLEECE**, comedy-drama (1939-40); prod., Edgar Selwyn; dir., Leslie Fenton; no writing credits; camera, Len Smith. Cast: Lew Ayres, Rita Johnson, Virginia Grey, Nat Pendleton, Leon Errol, Richard Carlye, George Lessey, E. Mason Hopper, King Baggot, Edward Kilroy.

**ESCAPE**, drama; producer, Lawrence Weingarten; director, Mervyn LeRoy; from novel by Ethel Vance; camera, Robert Planck. Cast: Norma Shearer, Robert Taylor, Nazimova, Felix Bressart, Paul Lukas, Bonita Granville.

**IL DOLCE**, drama; prod., Edgar Selwyn; dir., S. Sylvan Simon; no writing credits; camera, Charles Lawton. Cast: Ann Sothern, Ian Hunter, Billie Burke, Dan Dailey, Jr., Reginald Gardiner, Lynne Carver, Roland Young, Hans Conried, Guinn Williams, Joe Yule.

**STARS LOOK DOWN**, drama; produced in England; original by A. J. Cronin; director, Carroll Reed. Cast: Emlyn Williams, Margaret Lockwood, Michael Redgrave.

**STRIKE UP THE BAND**, musical; producer, Arthur Freed; director, Busby Berkeley; no writing credits released; camera, Ray June. Cast: Mickey Rooney, Judy Garland, June Preisser, Betty Jaynes, Douglas McPhail, Phil Silvers, William Tracy, Margaret Early.

**BAD MAN OF WYOMING**, formerly **WYOMING**, western drama; prod., Milton Bren; dir., Richard Thorpe; no writing credits; camera, Clyde De Vinna. Cast: Wallace Beery, Marjorie Reynolds, Douglas MacPhail, Lee Bowman, Bobs Watson, Sara Haden, William Tamm, Russell Simpson, Paul Kelly, Joseph Calleia, Chief Thundercloud.

**DR. KILDARE GOES HOME**, drama; director, Harold S. Bucquet; camera, Harold Rosson. Cast: Lionel Barrymore, Lew Ayres, Lorraine Day, John Shelton, Nat Pendleton.

## Metro Pix Now in Production

**BITTER SWEET**, musical; asso. prod., Victor Saville; director, W. S. Van Dyke; novel by Noel Coward; no screen play credits; camera, Oliver Marsh. Cast: Wally MacDonald, Nelson Eddy, Paul Lukas, Fay Holden, Edward Ashley, Lynn Carver.

**THE PHILADELPHIA STORY**, drama; asso. prod., Joseph L. Mankiewicz; director, George Cukor; original by Philip Barry; no screen play credits; camera, Joseph Ruttenberg. Cast: Katherine Hepburn, Cary Grant, James Stewart, John Hodiak, John Farrow.

**THIRD FINGER, LEFT HAND**, comedy drama; asso. prod., John W. Considine; dir., Robert Z. Leonard; no writing credits; camera, George Folsey. Cast: Myrna Loy, Melvyn Douglas.

**LITTLE NELLIE KELLY**, musical; asso. prod., Arthur Freed; dir., Norman Taurog; no writing credits; camera, Ray June. Cast: Judy Garland, George Murphy, Charles Winninger.

## Monogram

(1940-41)

	From- Prod.	Re- leased	Shut- ing	Now Cutting	To Be Shot in Work
Features	36	0	0	8	35
Westerns	24	0	0	2	24
Totals	60	0	0	10	59

Pictures in the cutting room:

**ARIZONA FRONTIER**, western (1939-40); asso. prod., Edward Finney; dir., Al Herman; no writing credits. Cast: Tex Ritter, Jim Thorpe, Dennis Moore, Slim Andrews.

**QUEEN OF THE YUKON**, drama (1939-40); asso. prod., Paul Malvern; director, Phil Rosen; screen play, Joseph West; original, Jack London; camera, Harry Neumann. Cast: Charles Bickford, Irene Rich, June O'Donnell, Charles O'Brien, Melvyn Lang, George Cleveland, Guy Usher.

**THAT GANG OF MINE**, comedy; prod., Sam Katzman; dir., Joseph Lewis; orig. screen play, William Rorley; camera, Bob Cline. Cast: Bobbie Jordan, Leo Gorcey, Clarence Muse, Dave O'Brien, Joyce Bryant.

**THE ARE MAN**, drama; prod., W. P. Lackey; dir., William Rorley; screen play, Richard Carroll and Kurt Siodmak; camera, Harry Neumann. Cast: Boris Karloff, Maris Wrixon, Gertrude Hoffman, Henry Hall, Gene O'Donnell.

**UP IN THE AIR**, comedy; prod., Lindsley Parsons; dir., Howard Bretherton; screen play, Ed Kelo; camera,





# THEY'RE OFF...

## OPENING THE NEW PARAMOUNT SEASON

### WITH A BANG





## Gallup's Pan On Adv.

Continued from page 5

'but about 27 reasons, of which three are probably important. And of the three, it seems to me that a poor selling job is the prime one. Advertising and publicity is too channelized, always going to the same group. The people who read it are already film fans who do attend theatres regularly. The advertising and publicity does not reach the audience—mostly in the higher 'financially able' brackets—who is only casually or less than casually interested in pictures.

'It is this group which makes up the 32,000,000 people mentioned in our report. The advertising and publicity must be widened out. It catches this potential audience. It must be guided out of the ordinary channels, which, of course, are easiest for it to slip into, and made to cover the country fanwise in order to attract the attention of every possible person.

Gallup's opinions on advertising and selling are given added weight by the fact that he is a major exec of Young & Rubicam ad agency.

## What Keeps 'Em Away?

To learn why 32,000,000 persons are such occasional theatregoers will be the next task of Gallup's Institute of Audience Research, presently being financed by RKO. While the American Institute of Public Opinion is a quasi-public affair supported wholly by syndicating its findings to 125 daily newspapers, IAR is an independent, research affiliate of it. It was organized a couple months ago on the initiative of George J. Schaefer, RKO presy. Other companies are expected to join in later, as it is well-agreed that one of the industry's major failings is a lack of statistical data or an organization to amass it.

Significant in this regard is another figure turned up by the Gallup dual survey. That is that the number used by the industry for years for weekly attendance, 85,000,000, is far too optimistic. According to Gallup, an accurate estimate of tickets sold between the week of July 13 to 19 was 50,000,000. Weekly average for the year, Gallup admits, can only be established by subsequent checks, but it is no doubt not 85,000,000.

(VARIETY'S boxoffice reports for the week July 13 to 19 reveal it was an average seven-day period for summer. There was an exceptional number of patrons in big cities, which held grosses down somewhat, but pleasantly cool weather over the weekend in large areas of the country compensated considerably. Total grosses for the week compiled by VARIETY in 26 key cities were \$1,416,300 as against \$1,930,400 in 1939 and \$1,190,000 in 1938).

## \$5,000,000 a Mystery Figure

Figure of \$5,000,000 resembles Topsy in that it just grows and no one will take responsibility for it. Hays office quotes U. S. Department of Commerce as authority for it and the Commerce Department vice versa. Hays office admits it is just the 'roughest sort of a guess.'

Query put by the Gallup surveyors in making the poll was: 'Would you rather go to a motion picture theatre showing a single feature or to one showing a double feature?' That poor pictures is an important factor is the switch from the 57-43% results when a further question was asked. Queried as to whether they would change their attitude if both films in a bill were good, the vote for double features became majority—56% to 34% opposed.

Dr. Gallup takes this to mean that while a majority of the American public prefers singles, it would be untrue to say that duals are directly responsible for keeping many persons away from the boxoffice. The switch when the question on both pix being good is put indicates that the adverse vote on double bills is more a reaction to poor pictures commonly found on them than to fatigue and length of time involved in seeing a double bill.

Reasons most frequently given by those opposing double bills in order of importance are: (1) that either or both of the features is likely to be poor; (2) that sitting through a double feature is fatiguing and takes too much time; and (3) that seeing two full-length pictures is confusing because, as one woman put it, 'You generally think about a picture when you get home and a double feature gets you mixed up.'

## 'Why I Like Duals'

Those who like duals give for their reasons: (1) they get more for their money; (2) if one picture is bad, the

other is good and in any event adds variety; and (3) 'double feature gives those who attend a chance to 'kill more time'.

Breakdown of preference by age and income groups shows a sharp preference for duals among kids under 18 and in lower income levels. This factor is important as Gallup estimates that 60% of all theatre tickets are bought by persons under 30. Tables show:

	AGE GROUPS		INCOME GROUPS	
	For Single	For Double	75%	25%
Aged 6 to 12.....	23%	77%		
Aged 12 to 17.....	42	58		
Aged 18 to 24.....	60	40		
Aged 24 and over.....	68	32		

	INCOME GROUPS	
	75%	25%
Upper Income Group.....	63	37
Lower Income Group.....	47	53
On Relief.....	42	58

Another striking fact is that New England is the only section where a majority of the whole population prefers duals. All other territories vote against double features by majorities of 55% more. Results show:

	Single Double	
	Features	Features
New England.....	43	57%
Mid. Atlantic.....	65	45
East Central.....	62	38
West Central.....	57	43
South.....	58	42
Rocky Mountain.....	62	38
Pacific Coast.....	58	44

There is little difference in the attitude of the two sexes, male and female preference following that of their respective age, income and territorial groups. There is considerable variation, however, according to admish paid. Among those who pay less than 30c, sentiment is about evenly divided; while among those paying more than 30c, preference is for singles by a two-thirds vote. Survey also established that although many complain about double bills being too long, only 10% walk out without seeing both pix through.

## Duals Needed in Some Spots

Recognizing a point long hammered in Variety by patrons vote for singles but buy duals, Gallup gives an explanation for this seeming paradox. He declares: 'Theatres which draw a large part of their business from children and poorer classes, and theatres located in a part of the country which favors double features, would obviously suffer by changing to single features, particularly if the single features are not of sufficient quality to attract customers in the higher age and income levels.'

Taking another angle on this, Gallup asserts: 'From the point of view of the industry itself the single feature policy, however, is clearly indicated. Only by making pictures of greater appeal to those people who have sufficient money and who could attend theatres more often can the revenue of the industry be materially increased; and it is precisely these people in the higher age and income levels who register the greatest opposition to double features.'

This statement, issued for consumption of the lay public, Dr. Gallup doesn't take up bad advertising and publicity, mentioned above, which he expostulated on to VARIETY for benefit of the trade in an off-the-arm discussion.

## SON OF ROARING DAN

(Continued from page 12)

In football for the U. of Alabama, plays his long-lost son. It's a masquerade for the purpose of throwing the murderers of the lad's father off the track.

Roaring Dan is played very effectively by Robert Homans. Another departure from routine taken by the picture is in having two girls in the action, Nell O'Day and Jeanne Kelly. It's a question for a time which one Brown will go for, but it's Miss Kelly and the other girl is more or less forgotten about, though around. 'Story moves at a good pace, is well plotted and considerable action is provided, including a couple of swell fist fights. The one between Brown and the girl is the best. The picture is of the latter thrown in, is a pip.

The Texas Rangers, a group of singing cowboys, are woven into the action unobtrusively, singing 'Worry Me Away' and 'Powder River' and an opening 'Yippee' tune. Char.

(Continued from page 17)

era, J. Roy Hunt. Cast: George O'Brien, Virginia Vale, Hobart Cavanaugh, Charles E. Rogers, Harry Cording, Martin Garralaga, William Haade, Roy Barcroft.

**DREAMING OUT LOUD**, formerly **MONEY ISN'T EVERYTHING**, comedy (1939-40); a 'Voco production; prod., Jack Votion and Sam Coslow; dir., Harold Young; original, Bob Andrews and Barry Trivers; screen play, Andrews, Trivers and Howard Green; camera, Phil Tannura. Cast: Lum and Abner, Frances Langford, Frank Craven, Bess Watson, Irving Bacon, Robert Wilcox, Donald Briggs.

**LADDER**, drama; prod., Cliff Reid; dir., Jack Hively; script by Bert Green from novel by Gene Stratton Porter; camera, Harry Wilde. Cast: Tim Holt, Virginia Gilmore, Joan Carroll, Spring Byington, Robert Barrett, Miles Mander, Esther Dale, Sam McKim, Joan Brodel, Martha O'Driscoll, Rand Brooks, Doris Lloyd, Peter Cushing.

**THE STRANGER ON THE THIRD FLOOR**, meller; prod., Lee Marcus; dir., Boris Ingster; original and script, Frank Partos; camera, Nick Musuraca. Cast: Peter Lorre, John McGuire, Margaret Tallichet, Charles Waldron, Elsie Cook, Jr., Charles Hallon, Ethel Griffies, Cliff Clark, Oliver O'Brien, Alice Craig, Otto Hoffman.

**MEN AGAINST THE SKY**, drama (1939-40); asso. prod., Howard Benedict; dir., Leslie Goodwin; original story, John Twist; screen play, Nathaniel West; camera, Frank Redmond. Cast: Richard Dix, Kent Taylor, Edmond Lowe, Louise Barrie, Granville Bates, Charles Quigley, Grant Withers.

**TRIPLE JUSTICE**, western (1939-40); asso. prod., Bert Gilroy; dir., David Howard; original, Arnold Beland; Jack Roberts; screen play, Arthur V. Jones, Martin Grant; camera, J. Roy Hunt. Cast: George O'Brien, Virginia Vale, Paul Fix.

**LUCKY PARTNERS**, formerly **BON CHANCE**, drama (1939-40); prod., George Haight; dir., Lewis Milestone; screen play, Allan Scott from play by Sacha Guitry; camera, Ted DeRasse. Cast: Ronald Colman, Ginger Rogers, Jack Carson, Spring Byington, Billy Gilbert, Leon Belasco, Eddy Conrad, Lucile Gleason, Olin Howland, Benny Rubin, Andrew Tombes, Tom Dunne, Ray Mowbray, Charles Lang, Paul Guilfoyle.

**DANCE, GIRL, DANCE**, formerly **HAVE IT YOUR OWN WAY**, formerly **ONE OF SIX GIRLS**, drama (1939-40); producer, Erich Pommer; director, Roy Del Ruth; original, Vicki Baum; screen play, S. Lee Minter and Frank Davis; camera, Joseph August. Cast: Maureen O'Hara, Louis Hayward, Lucille Ball, Virginia Field, Carl Esmond, Mary Carlisle, Maurice Moskowitz, Katharine Alexander, Harold Huber, Ed Brophy, Louis Borel, Ernest Truex, Chester Clute, Lola Jenson, Corinne Kruger, Emma Dunn, Ralph Bellamy, Walter Abel.

**WILDCAT BUS**, meller; asso. prod., Cliff Reid; dir., Frank Woodruff; script, Lou Lusty; camera, Jack McKenize. Cast: Fay Wray, Charles Lang, Paul Guilfoyle.

**TOO MANY GIRLS**, musical; asso. prod. and dir., George Abbott; script, John Twist from musical by George Marion, Jr.; camera, Frank Redmond. Cast: Lucille Ball, Richard Carlson, Desi Arnaz, Eddie Bracken, Frances Langford, Hal LeRoy, Ann Miller.

**THEY KNEW WHAT THEY WANTED**, comedy-drama; asso. prod., Erich Pommer; dir., Robert Kanin; play by Sidney Howard; screen play, Robert Aronson; camera, Harry Stradling. Cast: Charles Laughton, Carole Lombard, William Gargan, Frank Fay, Harry Carey.

**I'M STILL ALIVE**, comedy, asso. prod., Frederic Ullman; dir., Irving Reis; original story and screen play, Edmund North; camera, Roy Hunt. Cast: Kent Rogers, Linda Hayes, Howard da Silva, Ralph Morgan, Alec Craig, Don Dillaway, Edith Wilson.

## RKO Pix Now in Production

**LITTLE MEN**, drama; prod., Gene Towne and Graham Baker; dir., Norman McLeod; story and screen play, Gene Towne and Graham Baker; camera, Nick Musuraca. Cast: Jimmy Lydon, Ann Gillis, Charles Esmond, Richard Nichols.

**MEXICAN SPIRIT OUT WEST**, comedy; asso. prod., Cliff Reid; dir., Louis Goodwin; screenplay, Charles E. Roberts and Jack Townley; camera, Jack McKenize. Cast: Lupe Velez, Leon Errol, Donald Woods, Elizabeth Risdon, Linda Hayes, Cecil Calaway, Lydia Billbrook.

**WAGON TRAIN**, western; asso. prod., Bert Gilroy; dir., Edward Dmytryk; story by Bernard McConville; screen play, Martin Grant; camera, Harry Wild. Cast: Tim Holt, Martha O'Driscoll, Ray Whitley, Emmet Lynn, Ellen Lowe.

**CITIZEN KANE**, drama; prod. dir., story, Orson Welles; camera, Gregg Toland. Cast: Orson Welles, Dorothy Comingore, Ruth Warrick, Joseph Cotten, Everett Sloane, Richard Baer.

**YOU'LL FIND OUT**, musical comedy; prod.-dir., David Butler; no writing credits; camera, Frank Redmond. Cast: Kay Kyser ork, Boris Karloff, Peter Lorre, Dennis O'Keefe, Bela Lugosi, Helen Parrish, Alma Kruger.

## Republic

(1940-41)

	From-Ised	Re-leased	Shoot-ing	Now Cutting	To Be Shot	Scripts
Features.....	26	0	1	3	21	21
Westerns.....	32	0	0	3	27	27
Serials.....	4	0	0	1	2	3
Totals.....	62	0	1	7	51	51

Pictures in cutting rooms or awaiting release:

**TULSA KID**, western; producer-director, George Sherman; no writing credits; camera, John MacBriene. Cast: Don 'Red' Barry, Luana Walters, Noah Berry, David Durand.

**SHOULD WIVES WORK?**, family comedy (1939-40); prod.-dir., Gus Meins; no writing credits; camera, Jack Martin. Cast: James Lucile and Russell Gleason, Harry Davenport, Lois Ranson, Tommy Ryan, Eric Blor, Bill Bixby.

**OKLAHOMA RENEGADES**, formerly **OKLAHOMA OUTLAWS**, western; associate producer, Harry Grey; director, Nat Watt; camera, Reggie Lanning. Cast: Bob Livingston, Raymond Hatton, Duncan Renaldo, Florence McKinney, Albert Lavette, James White, William Ruhl, Harold Daniels, James Seay.

**KING OF THE ROYAL MOUNTED**, serial; asso. prod., H. S. Brown, Jr.; co-dir., Jack English, Wm. Witney; no writing credits; camera, Wm. Nobles. Cast: Alan Ladd, Robert Williams, Bob Kelton, Lila Conroy, Robert Strasser, Bryant Washburn, Harry Cording.

**RIDE TENDERFOOT, RIDE**, western; asso. prod., Wm. Burke; dir., Frank McDonald; original story, Betty Burbridge and Connie Lee; screenplay, Winston Millhiser. Cast: Andy Devine, John Storey, Slimmy Burnett, Mary Lee, Warren Hull, Firooz Murray.

**GIRL FROM HAVANA**, comedy; asso. prod., Robert

North; dir., Lew Landers; screen play, Karl Brown; camera, Ernie Miller. Cast: Claire Carleton, Dennis O'Keefe, Gordon Jones.

**COLORADO**, western; asso. prod., Joseph Kane; dir., Joseph Kane; no writing credits; camera, Jack Marta. Cast: Roy Rogers, George Hayes, Pauline Moore.

## Republic Pix Now in Production

**HIT PARADE**, musical; asso. prod., Sol C. Siegel; dir., John H. Auer; no writing credits; camera, Jack Marta. Cast: Frances Langford, Kéeny Baker, Mary Boland, Hugh Herbert, Ann Miller, Patsy Kelly, Borah Minevitch, Jan Garber ork.

## 20th Century-Fox

(1940-41)

	From-Ised	Re-leased	Shoot-ing	Now Cutting	To Be Shot	Scripts
Totals.....	52	0	0	3	36	36

Pictures in cutting rooms or awaiting release:

**ELSA MAXWELL'S PUBLIC DEB NO. 1**, comedy-drama; prod., Gene Markley; dir., Gregory Ratoff; screen play, Ed Verdier; camera, Ernest Palmer. Cast: George Murphy, Brenda Joyce, Mischa Auer, Charlie Ruggles, Elsa Maxwell, Ralph Bellamy, Maxie Rosenbloom, Bertie Churchill, Frances Langford, Lloyd Corrigan.

**CHARLIE CHAN IN THE WAX MUSEUM**, meller; prod., Ralph Dietrich and Walter Morosco; dir., Lynn Shores; screen play, John Larkin; camera, Virgil Miller. Cast: Sidney Toler, Joan Valerie, Marguerite Chapman, Sen Yung, Marc Lawrence, Hilary Vaughn, Archie Twitchell, Harold Goodwin, Ted O'Brien, Eddie Mart, Mike Visaros, Charles Waggenheim.

**FOR BEAUTY'S SAKE**, comedy-drama; prod., Lucien Hubbard; dir., Shepard Traube; screen play, Wanda Tuchock, Ethel Hill, Walter Bullock; camera, Charles Clarke. Cast: Ted North, Marjorie Weaver, Richard Lane, Lenita Lane, Ned Sparks, Joan Davis, Pierre Watkin.

**THE GREAT PROFILE**, drama; asso. prod., Raymond Griffith; dir., Walter Lang; no writing credits; camera, Ernest Palmer. Cast: John Barrymore, Mary Beth Hughes, Gregory Ratoff, Anne Baxter, John Payne, Willie Fung, Lionel Atwill, Charles Lane.

**BEIGHAM YOUNG**, picture; prod., Kenneth Macgowan; dir., Henry Hathaway; screen play, Lamar Trotti; based on story by Louis Bromberg; camera, Arthur Miller. Cast: Tyrone Power, Linda Darnell, Jean Jagger, John Carradine, Brian Donlevy, Jane Powell, Sam Rogers, Moroni Olsen, Willard Robertson, Mary Astor, Vincent Price.

**DOWN ARGENTINE WAY**, musical; asso. prod., Harry Joe Brown; dir., Irving Cummings; screen play, Darrell Ware; dir. Tunberg original, Rian James, Ralph Spence; camera, Leon Shamroy. Cast: Don Ameche, Betty Grable, Carmen Miranda, Charlotte Greenwood, J. Carroll Nash, Leonard Kinsky.

**CHARLES PILLOT**, comedy-drama; ex. prod., Sol Wurtzel; dir., Eugene Forde; no writing credits; camera, Lucien Andriot. Cast: Lynn Bari, Lloyd Nolan, Arlene Whelan, George Montgomery.

**YOUTH WILL BE SERVED**, comedy with music; asso. prod., Lucien Hubbard; dir., Otto Brower; no writing credits; camera, Edward Croninger. Cast: Jane Withers, Robert Conway, Jane Darwell, Elyse Knox, Lillian Porter, Joyce Bryant.

**YESTERDAY'S HEROES**, drama; ex. prod., Sol Wurtzel; dir., Herbert I. Leeds; no writing credits; camera, Charles Clarke. Cast: Jean Rogers, Ted North, Robert Sterling, Katharine Aldrid, Russell Gleason.

**CHARLIE CHAN IN NEW YORK**, meller; ex. prod., Sol Wurtzel; dir., Harry Lachmann; no writing credits; camera, Virgil Miller. Cast: Sidney Toler, Marjorie Weaver, Sen Yung, Joan Valerie, John Sutton, Donald MacBride.

## 20th-Fox Pix Now in Production

**THE CALIFORNIA**, drama; asso. prod., Raymond Griffith; dir., Rouben Mamoulian; no writing credits; camera, Arthur Miller. Cast: Tyrone Power, Linda Darnell, Basil Rathbone, Gale Sondergaard, Eugene Pallette, J. Edward Bromberg.

**THE GAY CABALLERO**, formerly **GHOST OF THE CISCO KID**, western; prod., Ralph Dietrich and Walter Morosco; dir., Otto Brower; screen play, Albert Duffy and John Larkin; camera, Ted North and Albert Duffy; camera, Edward Croninger. Cast: Cesar Romero, Chris-Pin Martin, Robert Sterling, Sheila Ryan, Janet Beecher, Edmund MacDonald, Jacqueline Dalya.

**ENNIE**, comedy drama; prod., Sol Wurtzel; dir., David Burton; no writing credits; camera, Virgil Miller. Cast: Virginia Gilmore, Dorris Bowdon, George Montgomery, Rand Brooks, Joan Valerie, William Henry.

## United Artists

(1940-41)

	From-Ised	Re-leased	Shoot-ing	Now Cutting	To Be Shot	Scripts
Goldwyn.....	1	0	0	1	0	0
Schickel.....	2	0	0	0	0	0
Wanger.....	4	0	0	0	0	2
Chaplin.....	1	0	0	0	0	0
Beach.....	5	0	0	0	4	4
Korda.....	3	0	0	0	2	2
Edw. Small.....	1	0	0	1	0	0
Leslie.....	2	0	0	0	2	2
Lubitsch.....	2	0	0	0	2	2
Loew-Lewin.....	2	0	0	0	3	3
Bronson.....	3	0	0	0	3	3
Ed. Bowland.....	1	0	0	0	1	1
Fiscal.....	1	0	0	0	0	0
Totals.....	26	0	0	2	16	16

Pictures in cutting rooms or awaiting release:

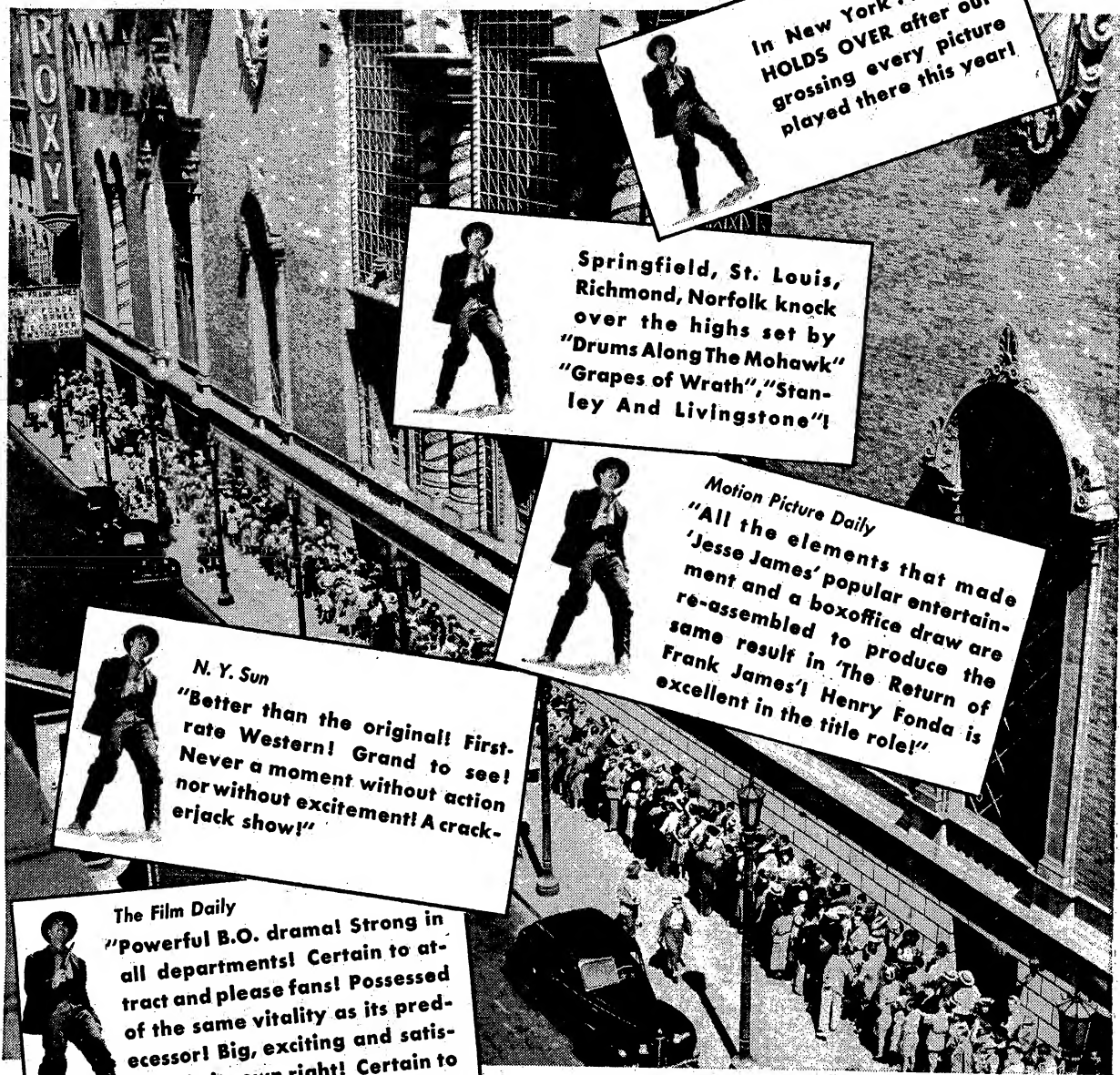
**THE WESTERNER**, western drama; producer, Samuel Goldwyn; director, William Wyler; no writing credits released; camera, Doug Roberts. Cast: Gary Cooper, Walter Brennan, Fred Stone, Doris Davenport, Dana Andrews, Tom Tyler, Virginia Gilmore, Paul Hurst, Lupita Tovar, Forrest Tucker, Chill Wills, Charles Laughton.

**FOREIGN CORRESPONDENT**, drama; producer, Walter Wanger; director, Alfred Hitchcock; screen play, Charles Bennett, Joan Harrison; dialog, James Hilton; camera, Rudolph Mate. Cast: Joel McCrea, Laraine Day, Herbert Marshall, George Sanders, Albert Basserman, Robert Benchley, Eduardo Ciannelli, Edmund Gwenn.

**THE LONG VOYAGE HOME**, sea drama; producer, the Argosy Corp. (Walter Wanger-John Ford); director, John Ford; screen play, Dore Schary; based on story by four one-act plays by Eugene O'Neill; camera, Gregg Toland. Cast: John Wayne, Thomas Mitchell, Ian Hunter, Barry Fitzgerald, John Qualen, Arthur Shields, Joseph Sawyer, Ward Bond, Wilfrid Lawson, J. M.

(Continued on page 44)

# RECORD-BREAKING DAYS ARE HERE AGAIN!



In New York... Roxy  
HOLDS OVER after out-  
grossing every picture  
played there this year!

Springfield, St. Louis,  
Richmond, Norfolk knock  
over the highs set by  
"Drums Along The Mohawk"  
"Grapes of Wrath", "Stan-  
ley And Livingstone"!

Motion Picture Daily  
"All the elements that made  
'Jesse James' popular entertain-  
ment and a boxoffice draw are  
re-assembled to produce the  
same result in 'The Return of  
Frank James'! Henry Fonda is  
excellent in the title role!"

N. Y. Sun  
"Better than the original! First-  
rate Western! Grand to see!  
Never a moment without action  
nor without excitement! A crack-  
erjack show!"

The Film Daily  
"Powerful B.O. drama! Strong in  
all departments! Certain to at-  
tract and please fans! Possessed  
of the same vitality as its pred-  
ecessor! Big, exciting and satis-  
fying in its own right! Certain to  
pack houses in every territory!"

## THE RETURN OF FRANK JAMES

IS THE RETURN OF SMASH BUSINESS!





# FILM BOOKING CHART

(For information of theatre and film exchange bookers VARIETY presents a complete chart of feature releases of all the American distributing companies for the current quarterly period. Date of reviews as given in VARIETY and the running time of prints are included.)

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Rev. in Var.—Reviewed in Variety Key to Type Abbreviations R. T.—Running Time  
M—Melodrama; C—Comedy; CD—Comedy-Drama; W—Western; D—Drama; RD—Romantic Drama; MU—Musical

WEEK OF RELEASE	Rev. in Var.	TITLE AND COMPANY	TYPE	TALENT	R. T.
6/14/40	7/24	GIRLS OF THE ROAD (Col)	D	M. Dvorak-L. Lane-H. Mack	61
6/12	7/24	THE MORTAL STORM (M-G)	M	M. Sullivan-J. Stewart-F. Morgan	100
5/22	7/24	SAFARI (Par)	RD	M. Carroll-D. Fairbanks, Jr.	82
7/3	7/24	GRAND OLD OPRY (Rep)	C	C. Weaver Bros.-Elvyr-L. Ranson	68
7/24	7/24	CARSON CITY KID (Rep)	W	R. Rogers-G. Hughes-B. Steele	68
6/28	7/24	TOM BROWN'S SCHOOL DAYS (RKO)	D	J. Lydon-F. Bartholomew	88
5/29	7/24	FOUR SONS (20th)	D	D. Ameche-M. B. Hughes-A. Curtis	88
5/22	7/24	SANDY IS A LADY (U)	D	Baby Sandy-M. Auer-N. Grey	62
7/10	7/24	FUGITIVE FROM JUSTICE (WB)	M	R. Fryor-L. Fairbanks	64
6/28	7/24	PAIRIE LAW (RKO)	W	G. O'Brien-V. Vale-D. Hogan	59
6/21/40	6/26	THE CAPTAIN IS A LADY (M-G)	CD	V. Grey-B. Burke-C. Coburn	63
6/12	6/26	THE GHOST BREAKERS (Par)	C	B. Hope-P. Goddard-R. Carlson	83
6/19	6/26	POP ALWAYS PAYS (RKO)	C	L. Errol-D. O'Keefe-A. Pearce	65
5/8	6/26	CHAN'S MURDER CRUISE (20th)	M	S. Toler-M. Weaver-L. Atwill	70
	7/31	I CAN'T GIVE YOU ANYTHING BUT LOVE, BABY (U)	D	J. Downs-P. Moran-B. Crawford	59
	7/31	GAMBLING ON HIGH SEAS (WB)	D	W. Morris-J. Wyman	56
6/28/40	7/10	BLONDIE BEWARE (Col)	C	P. Singleton-A. Lake-L. Sims	60
7/10	7/10	RETURN OF WILD BILL (Col)	W	B. Elliott-I. Meredith-L. Walters	60
6/19	7/10	ONE MAN'S LAW (Rep)	D	D. Barry-J. Waldo-G. Cleveland	57
7/3	7/10	NEW MOON (M-G)	MU	J. MacDonald-N. Eddy-M. Boland	105
6/19	7/10	QUEEN OF THE MOB (Par)	M	R. Bellamy-W. Henry-J. Cagney	60
6/19	7/10	ANNE OF WINDY POPLARS (RKO)	D	A. Shirley-J. Ellison-P. Knowles	85
5/29	7/10	LUCKY CISCO KID (20th)	RD	C. Romero-M. B. Hughes-E. Venable	67
7/5/40	7/10	OUT WEST WITH PEPPERS (Col)	C	E. Fellows-D. Peterson	63
7/3	7/10	AND HARDY MEETS DEBUTANTE (M-G)	C	M. Rooney-L. Stone-J. Garland	87
	7/10	GOLDEN TRAIL (Mono)	W	T. Ritter-J. Guest	52
5/29	7/10	WAY OF ALL FLESH (Par)	D	A. Tamiroff-G. George-W. Henry	82
6/26	7/10	DR. CHRISTIAN MEETS WOMEN (RKO)	CD	J. Hersholt-E. Kennedy-D. Lovett	65
7/3	7/10	SAILOR'S LADY (20th)	CD	N. Kelly-J. Hall-J. Davis	67
6/13	7/10	PRIVATE AFFAIRS (U)	CD	H. Herbert-N. Kelly-R. Young	75
7/3	7/10	MAN WHO TALKED TOO MUCH (WB)	D	G. Brent-V. Bruce-B. Marshall	76
7/12/40	7/10	SPORTING BLOOD (M-G)	D	L. Stone-R. Young-W. Gargan	81
7/10	7/10	STAGE COACH WAR (Par)	W	W. Boyd-R. Hayden-B. Wood	61
7/10	7/10	SCATTERBRAIN (Rep)	C	J. Canova-A. Mowbray-R. Donnelly	70
6/5	7/10	MANHATTAN HEARTBEAT (20th)	CD	R. Sterling-V. Gilmore-J. Davis	71
6/26	7/10	BLACK DIAMONDS (U)	M	R. Arlen-A. Devine	60
6/26	7/10	MY LOVE CAME BACK (WB)	RD	O. de Havilland-E. Albert-J. Wyman	81
7/19/40	8/7	MILITARY ACADEMY (Col)	D	T. Kelly-B. Jordan	66
	8/7	HAUNTED HOUSE (Mono)	M	M. M. Jones-J. Moran	67
7/17	8/7	WE WHO ARE YOUNG (M-G)	CD	L. Turner-J. Shelton-G. Lockhart	78
7/17	8/7	SARON OF HORRORS (Rep)	W	G. Autry-L. Elmore-J. Storey	65
6/28	8/7	CROSS COUNTRY ROMANCE (RKO)	RD	G. Raymond-W. Barrie	66
7/3	8/7	MARYLAND (20th)	RD	W. Brennan-F. Bainter-B. Joyce	98
7/17	8/7	SOUTH OF PAGO PAGO (UA)	D	V. McLaglen-F. Farmer-Jon Hall	100
	8/7	ARIZONA CYCLONE (U)	W	J. M. Brown-F. Knight-B. Baker	100
	8/7	LADIES MUST LIVE (WB)	C	W. Morris-B. Lane	67
7/26/40	8/7	BLONDIE HAS SERVANT (Col)	C	P. Singleton-A. Lake	68
	8/7	BOYS OF THE CITY (Mono)	M	East Side Kids	68
7/31	8/7	GOLD RUSH MAISIE (M-G)	C	A. Sothern-L. Bowman-V. Weidner	82
6/26	8/7	UNTAMED (Par)	RD	R. Milland-F. Morison-A. Tamiroff	82
	8/7	STAGE TO CHINO (RKO)	W	G. O'Brien-V. Vale	51
7/17	8/7	MILLIONAIRES IN PRISON (RKO)	M	L. Tracy-L. Hayes-V. Vale	63
7/17	8/7	YOU'RE NOT SO TOUGH (U)	M	Dead End Kids-N. Grey	71
8/2/40	8/7	LADY IN QUESTION (Col)	C	B. Aherne-R. Hayworth-G. Ford	78
7/10	8/7	PRIDE AND PREJUDICE (M-G)	RD	G. Garson-L. Oliver-M. Boland	117
	8/7	GOLDEN GLOVES (Par)	M	R. Denning-J. Cagney-R. Falgo	69
	8/7	THE SEA RAIDER (Par)	D	H. Wilcoxon-C. Landis-O. Stevens	76
	8/7	QUEEN OF DESTINY (RKO)	RD	A. Neagle-A. Walbrook	76
7/17	8/7	THE MAN I MARRIED (20th)	RD	J. Bennett-F. Lederer	76
	8/7	MODERN MONTE CRISTO (U)	D	V. McLaglen-A. Nagle	76
	8/7	RANGER AND THE LADY (Rep)	W	R. Rogers-G. Hayes-J. Wells	76
8/9/40	8/14	THE SECRET SEVEN (Col)	C	B. Bennett-F. Bright	62
	8/7	I LOVE YOU AGAIN (M-G)	CD	W. Powell-M. Loy-F. McHugh	62
	8/7	DOOMED TO DIE (Mono)	M	B. Karloff-E. Ford	47
	8/7	CHAMBER OF HORRORS (Mono)	M	L. Banks-L. Palmer-G. Malo	47
	8/7	ONE CROWDED NIGHT (RKO)	M	B. Seward-D. Costello-W. Haade	67
	8/7	GIRL FROM AVENUE A (20th)	CD	J. Withers-K. Taylor-K. Aldridge	71
	8/7	STREET OF MEMORIES (20th)	RD	J. McGuire-L. Roberts	71
	8/7	CAPTAIN CAUTIOUS (U)	D	V. Mature-L. Platt-R. Cabot	84
	8/7	BOYS FROM SYRACUSE (U)	MU	A. Jones-M. Kaye-J. Penner	72
	8/7	SING, DANCE, PLENTY HOT (Rep)	MU	R. Terry-J. Downs-B. Allen	72
	8/7	RIVER'S END (WB)	M	D. Morgan-E. Earl-V. Jory	72
8/16/40	8/14	THE DURANGO KID (Col)	W	C. Starrett-L. Walters	62
	8/14	GOLDEN FLEECE (M-G)	CD	L. Ayres-R. Johnson-V. Grey	62
	8/14	LAUGHING AT DANGER (Mono)	M	F. Darro-J. Hodges-G. Huston	61
	8/14	COMIN' ROUND THE MOUNTAIN (Par)	C	B. Burns-U. Merkel-P. Barrett	62
	8/14	STRANGER ON THIRD FLOOR (RKO)	D	P. Lorre-J. McGuire-M. Tallchett	62
	8/14	RAMPARTS WE WATCH (RKO)	D	March of Time production	62
	8/14	RETURN OF FRANK JAMES (20th)	D	H. Fonda-A. Leeds-J. Cooper	92
	8/14	ALL THIS HEAVEN TOO (WB)	D	B. Davis-C. Boyer-B. O'Neill	140
8/23/40	8/14	HE STAYED FOR BREAKFAST (Col)	CD	M. Douglas-L. Young-U. O'Connor	86
	8/7	HAUNTED HONEYMOON (M-G)	D	R. Montgomery-C. Cummings	99
	8/7	MISSING PEOPLE (Mono)	D	W. Wyffe-L. Harding-K. Walsh	62
	8/7	ARIZONA FRONTIER (Mono)	W	T. Ritter-S. Andrews-E. Finley	62
	8/7	RANGE BUSTERS (Mono)	W	R. Corrigan-J. King-L. Walters	62
	8/7	THE GREAT MCGINTY (Par)	C	B. Donlevy-M. Angelus-A. Tamiroff	81
	8/7	LUCKY PARTNERS (RKO)	C	G. Rogers-R. Colman-F. Wray	67
	8/14	PIER 13 (20th)	D	L. Earl-L. Nolan-J. Valerie	67
	7/24	THE SEA HAWK (WB)	D	E. Flynn-B. Marshall-C. Rains	127
8/30/40	8/14	PEPPERS IN TROUBLE (Col)	C	E. Fellows-D. Peterson-R. Sinclair	62
	8/7	QUEEN OF THE YUKON (Mono)	D	C. Bickford-L. Rich	117
	8/7	BOOM TOWN (M-G)	D	C. Cable-S. Tracy-C. Colbert	62
	8/7	THE GREAT PROFILE (20th)	C	J. Barrymore-M. B. Hughes	62
	8/7	RHYTHM ON THE RIVER (Par)	C	B. Crosby-M. Martin-B. Rathbone	62
	8/7	DANCE, GIRL, DANCE (RKO)	C	M. O'Hara-L. Hayward-L. Ball	62
	8/7	THEY DRIVE BY NIGHT (WB)	M	G. Raff-A. Sheridan-H. Bogart	93
	8/7	OKLAHOMA RENEGADES (Rep)	W	R. Livingston-R. Hatton-D. Renaldo	62
	8/7	KIT CARSON (UA)	W	L. Bar-J. Hall	62
9/6/40	8/7	LIFE WITH HENRY (Par)	C	J. Cooper-L. Ernst-E. Bracken	58
	8/7	CHAN AT WAX MUSEUM (20th)	M	S. Toler-S. Yung-J. Valerie	58
	8/7	FUGITIVE FROM PRISON CAMP (Col)	M	J. Holt-M. Marsh	58
	8/7	ESCAPE (M-G)	D	N. Shearer-R. Taylor-C. Veldt	58
	8/7	ARGENTINE NIGHTS (U)	MU	Ritz Bros.-Andrews Sisters	58
	8/7	RIDE, TENDERFOOT, RIDE (Rep)	W	G. Autry-S. Burnette-J. Storey	58
	8/7	MEN AGAINST THE SKY (RKO)	RD	R. Dix-K. Taylor-W. Barrie	58
	8/7	CALLING ALL HUSBANDS (WB)	C	G. Tobias-L. Fairbanks-E. Truax	58
9/13/40	8/7	HOWARDS OF VIRGINIA (Col)	D	C. Grant-M. Scott	58
	8/7	BAD MAN OF WYOMING (M-G)	W	W. Berry-L. Carrillo-A. Rutherford	58
	8/7	I WANT A DIVORCE (Par)	D	J. Blondell-D. Powell-G. Dickson	58
	8/7	DREAMING OUT LOUD (RKO)	C	Lum and Abner-F. Langford	58
	8/7	BRIGHAM YOUNG (20th)	RD	T. Power-L. Darnell-D. Jagger	58
	8/7	HIRE A WIFE (U)	CD	K. Russell-B. Aherne-R. Benchley	58
	8/7	NO TIME FOR COMEDY (WB)	C	J. Stewart-R. Russell-C. Ruggles	58

## Inside Stuff—Pictures

Loew's directors took no action on the common dividend at the meeting last Wednesday (7) but this does not preclude subsequent action on the third quarter divvy, it was reported in informed circles. In past years, such action was necessary so that the distribution could be made early in September because of the tax on undistributed profits. But this year, the tax bite has been changed and no immediate action is necessary under the new setup.

Common dividend action consequently may be taken later this month or at the regular monthly meeting in September. Loew's has paid \$1 on the common already this year on an annual basis of \$2 per share. Preferred dividends also have been maintained. Last report of earnings indicates the company would be in a position to declare an extra cash dividend this year unless desiring to conserve reserve funds.

The national presidential campaign will sock the boxoffice additionally this fall when the politico speechmaking reaches fever heat. Cinema box-office always has been hurt by presidential elections but the enormous amount of interest in both Roosevelt and Willkie is expected to cut even more severely into film theatre business.

While the industry has been comparatively well satisfied with the way radio competition has sized up in recent months, freeing of national networks for F. D. R. and the G. O. P. candidate is expected to attract millions of potential theatre patrons. For example, the Willkie acceptance speech next Saturday (17) is expected to take away 5,000,000 Saturday night customers who otherwise would be in picture houses, according to estimate of one industry official.

Monogram expects to have its annual report covering the fiscal year ending last June 30 ready for publication in about a month. It will be the first 12-month statement since the corporation shifted its operating year to run from June to June. No inkling as to the extent of loss or profit, but recent transactions in the shares on the N. Y. Curb exchange indicate a loss for the fiscal year.

Monogram shares have been extremely inactive on the Curb and showed marked weakness until recently. Company apparently has ironed out most of its production headaches, and is going ahead with 1940-41 producing schedule with more speed than at any time since the present corporation began operating.

A technically important experiment is being used by Hal Roach on 'Turnabout' when sent to the Latin-Americans for distribution. Instead of the usual American dialog sound track, plus superimposed titles in Spanish, a running Spanish-language commentary explaining to the audience what is happening will be included on the same sound track as the American dialog whereas a dialog hull occurs.

Other majors are watching the experiment closely and may follow suit if they find that the method clicks. Whole idea is aimed at potential audiences in South and Central America where patrons do not understand English and are unable to read the Spanish titles.

Sam Isseks, who as special assistant to Attorney General Robert Jackson, is in New York supervising the investigation into alleged monopoly of companies controlling materials needed for defense manufacture, was an important figure in Paramount several years during reorganization.

In Par he headed a large staff of attorneys who represented the trustees in administration of the company's affairs and its reorg. Formerly with Root, Clark, Buckner & Ballantine, he went from Par to Brooklyn, joining the staff of special prosecutor Amen, who has been working on Murder, Inc.

George Arliss' 'My 10 Years in the Studios' (Little Brown) makes diverting light reading with some amusing running comment on picture-making in Hollywood and in London. Book is marked by a dry British humor. Incidentally, Arliss' English home is on the Dover Cliffs, right in the path of most of the recent Nazi bombings. Manuscript of his book was completed last September just as war broke out.

## New York Theatres

**GONE WITH THE WIND**  
G.W.T.W. will not be shown except at special engagements. Last night only. For Reservations Call C1 4-6444. Air-Conditioned.  
**ASTOR** Theatre  
ALL SEATS RESERVED  
Twice Daily 2:15, 8:15 p. m.

**THERE'S A BETTER SHOW AT THE RKO THEATRES**

**LOEW'S State** Theatre  
Starts Thurs., Aug. 15  
Last Time Wed.  
BOB HOPE  
Pauline Goddard  
"The Ghost Breakers"  
Joan Crawford  
Freddie March  
"SUNAN AND GOD"  
Big Stage Show

**Capitol** Theatre  
Starts Thursday  
America's Most Popular Mr. & Mrs.  
William Powell  
Myrna Loy  
"I LOVE YOU AGAIN"  
A Metro-Goldwyn-Mayer Picture

**RADIO MUSIC HALL**  
WELD OVER  
"PRIDE AND PREJUDICE"  
Spectacular Stage Productions

**PARAMOUNT**  
On the Screen  
"The Great McGinty"  
CAB CALLOWAY and His Band  
Midnight Screen Shows

**COHEN WITH MCGUIRE**  
Hollywood, Aug. 13.  
Philip Cohen, film attorney, has become associated with Neil McGuire in the production of jukebox tunes.

Held Over 2nd Week  
**ERROL FLYNN**  
In the  
"SEA HAWK"  
A NEW WARNER BROS. TRUMPER  
In Person  
PHIL SPITZALNY AND HIS ALL GIRL ORCHESTRA  
Air-Conditioned  
**STRAND** Broadway & 47th St.

## N.A.B.'s Gridiron, Pleasant Novelty, Is Marred by Length and Pacing

By BEN BODEO

San Francisco, Aug. 13. National Association of Broadcasters made its first attempt at doing a Gridiron Club satire on its own industry last Wednesday night (7) during the dinner which closed the association's convention and the results were more interesting than exciting. Much credit is anyway due Ed Kirby, the N.A.B.'s promotion director, for the innovation. It was a welcome relief from the stuffy song talk and dance shows that have for years been the second desserts of these convention dinners.

The ideas, issues, practices and personalities which served as the targets of the bladder swinging were timely and pertinent, but the professional touch was lacking most of the time. The fun-poking was capricious and "Greener Pastures." With the exception of the opening scene, in which the Federal Communication Commission was on the receiving end of some cute needling, the show was badly overwritten, clumsily played and poorly paced. It ran much too long.

### Little Outstanding

Only outstanding performances were those of the blackface pair in the role of the Lewed and Gabriel, with the latter making it always evident that he knew how to build up a line into a laugh. The script opened with this twosome in some crossfire which led to the creation of radio. In the next scene seven young fellows, togged after Disney's dwarf characters, came romping on the stage to the tunes of "Heigh-Ho" and "Whistle While You Work" (ASCAP) and after a song and dance about their work as FCC commissioners the troupe took seats at a table and behind name cards marked Payne, Craven, Walker, Fly, Brown, Thompson and Case. Each impersonator, excepting Brown's, carried with him a toy representing his own specialty in the department. Character in Brown's spot kept his pan hidden most of the time behind a large book captioned, "Governor Cox on Politics."

In the satire of a typical FCC session which ensued the innuendos and references drew lots of laughs from the insiders. Also the parodies on such songs as "Love for Sale" (ASCAP), which became "Time for Sale" and "St. Louis Blues," which lyrics were converted into the "FCC Blues," and a bit of stripping by one of a line of six shapely lookers. There was much chatter during this same scene about the procedure of getting a franchise from the commission but the audience reactions were not so hot. The central character in the struggle for recognition is an applicant called "T. J. Slowie," which gives vent to his exasperation with a parody on "Chloe" (ASCAP).

From the FCC the action hopped to the office of this selfsame Slowie, equipped now with a license, station and multiple headaches. In this rambling bit the objects of wisecracking ranged from public interest and James C. Petrillo (AFM prez) to ASCAP's red goodwill men, Dr. Studenker and Blackett-Sample-Hummert's business placing methods. It was at about this point that the dinner attendees started dozing off, but there were few walk-outs.

The show started at around 9:45 and wound up at around 1 a.m. The place was the California ballroom in the San Francisco Fair on Treasure Island. J. Kenneth Jones was credited as co-writer and producer.

## DUANE JONES QUILTS HUMMERT

Duane D. Jones, executive v.p. and general manager of the New York division of Blackett-Sample-Hummert, is leaving this agency and taking the Bab-O account with him. Jones is joining the Maxon agency and leaving with him is Henry Turnbull, who handled the account of B-S-H. Bab-O's shift becomes effective tomorrow (Thursday) day. Jones himself moves in Monday (19). Jones has been with Frank Hummert for over eight years.

### Cat Doesn't Tune In

New Castle, Pa., Aug. 13. Station WKST here figures it has some remarkable listeners, but it still doesn't have 100% coverage. The other day a distraught housewife phoned the station and bought spot announcements to seek the return of her trained canary, which had escaped from its cage. Then a nearby suburbanite took announcements to advertise two lost Irish setters.

The dogs were returned the same day the announcements were aired, but there hasn't been a trace of the canary.

## TRAMMELL SETS EXEC STAFF AT NBC

NBC reorientation of authority, following the election of Frank Mullen to be general manager, have the following departments reporting to Mullen, who in turn reports to Niles Trammell:

- Red Sales
- Blue Sales
- Program
- Information (press)
- Legal
- Stations
- Continuity Acceptance
- Treasury
- Chicago
- West Coast
- Washington
- Reporting separately to Mark Woods, as NBC's number three administrative official, are:
- Artists Service
- Engineering
- Television
- General Service
- Radio Recording
- Auditing
- International

Trammell will have three aides: James R. Angell, Clay Morgan and John Almonte.

## Art Mayhew, Son of Fern And Madera of Vaude, Quits Radio for Army

Red Bank, N. J., Aug. 13. Art Mayhew, 23, has resigned from station WBB to join the United States Army for a three-year period of enlistment. He's now with the Signal Corps at Fort Monmouth.

Young Mayhew, who was an announcer and singer with the station for five years, is the son of the old vaudeville team known as Fern and Madera. Mrs. Mayhew is now managing the radio station and her husband is a prominent Red Bank personage. The son grew up in radio station environment and can turn his hand to nearly any ordinary task called for in broadcast operation.

## CBS' Six-Month Profit Up \$200,000

Net for First Half of 1940 Is \$2,957,276—Report Taxes, Other Fiscal Details

Net profit of Columbia Broadcasting System and subsidiaries increased more than \$200,000 in the first six months ended June 29 as compared with first half of 1939. Net profit for the 26-week period was \$2,957,276 as compared with \$2,732,527 for the six months last year or equivalent of \$1.72 per capital share against \$1.59 a share in 1939.

Net income before interest, depreciation, federal taxes and miscellaneous income was \$4,138,735 or about \$500,000 ahead of last year. CBS gross income for the 26 weeks was listed as \$24,952,293 or more than \$3,750,000 ahead of the \$21,195,532 reported for the first 26 weeks last year. Results for both quarters reflect the operations of Columbia Re-

### WICK CRIDER'S TOUR

J. Walter Thompson Agency Sends Him on Annual Lux Swingaround

Wick Crider, of the J. Walter Thompson publicity staff, departs Aug. 15 for a swingaround of 17 key cities of the east and midwest. He will prime the publicity pumps for the return on Sept. 9 of the Lux Theatre of the Air.

Calls on all stations, radio editors and others in every centre involved.

## Quaker State Network Gets First Commercial, Fels Extends R. Lloyd

Philadelphia, Aug. 13. Starting next Monday, Aug. 19, WFIL's "Golden Bars of Melody" becomes the first commercially sponsored program for the Quaker State Network, regional conceived back in 1936 for political airings by Roger W. Clipp, WFIL general manager. Deal was inked by Clipp with Cyril G. Fox, sales and manager for Fels Naphtha Soap Co. to expand the sponsorship of the local show to seven additional major cities throughout the eastern half of Pennsylvania joined in the web.

Stanza started on WFIL early in May and currently pumped to Bridgeton, N. J., for WSNJ listeners. Includes solo singing of Rhonda Lloyd and true stories of early frontier life as handed down in Miss Lloyd's family.

"Golden Bards" will continue to originate at the WFIL studios, feeding to WGAL, Lancaster; WKBO, Harrisburg; WORK, York; WRAY, Reading; WEST, Easton; WAZL, Hazleton; and WSNM, Allentown.

## WIBG'S JOB PROMISE TO DRAFTED MEMBERS

Philadelphia, Aug. 13. Paul F. Harrow, WIBG prexy, has given the staff official notification that if any have their numbers called for conscription, they don't have to worry about their jobs. "I'll be waiting for 'em when they get back."

## Breckenridge, Sherwood Set for Canada's Series

Montreal, Aug. 13. BBC is rebroadcasting entire series of "Let's Face the Facts" programs which achieved world-wide fame through the initial Dorothy Thompson talk aired over the Canadian Broadcasting Corp. network. Radio papers in England, Australia and New Zealand have asked permission to publish the talks. John Lane, British publisher, wants to bring the whole series out in book form.

Frederick Birchall, Gregory Clark, Florence Reed and Frederick Griffin have already spoken. Others slated to speak are Henry Breckenridge, who broke with Lindbergh over the fiercer anti-British attitude, and Robert E. Sherwood. Sherwood served with the Canadian forces in the last war.

### Lanny Ross' Concert

Lanny Ross and Florence George, coloratura soprano, will co-star in a concert in Milwaukee, Aug. 20.

Event will be under the direction of the Milwaukee County Park Commission.

## Trammell, Klauber Promise Weiss That Mutual Won't Lose on ASCAP

### Guaranteed Pure

Albany, Aug. 13.

WABY, precedes several Italian-music commercials (sponsored by macaroni companies, etc.) with the statement: "This program has been checked and found to contain no foreign propaganda."

Both singing and announcing on the half-hours in Italian.

## REMODEL NBC 6TH FLOOR OFFICES

Extensive alterations are in progress on the sixth floor of the National Broadcasting Co. at Radio City, New York. These changes are brought about by the recent elevation of Niles Trammell to the presidency and the transfer from RCA of Frank Mullen as NBC general manager.

Several of the changes will see the restoration of various executive comforts identified with the M. H. Aylesworth regime, but banished by Lenox Lohr when he was head of the web. This includes the barber chair in a small room adjacent to the suite Trammell will occupy. A massage room will also be restored from its recent character as a file closet. The dining room, which has served James Rowland Angell, NBC's educational director as an office, will be reborn as a refectory for clients and agencies.

Mullen will move into the corner vacated by Trammell. Mark Woods, who will be number three man at NBC, will have the next office and partitions being knocked out nearby for the secretaries and immediate clerical staff of the two execs. Rearranging of space necessitates new offices for Angell and Clay Morgan, both of whom classify as presidential aides (besides having other titles and duties).

About \$15,000 in remodeling will take place.

## Mayor of Salt Lake City Arouses Citizens on KDYL, Got New Fire Equipment

Salt Lake City, Aug. 13.

The power of radio as a potent factor in civic affairs has been proved here by the purchase of some \$55,000 worth of fire fighting equipment by the local fire department, an addition which can be largely credited to "The Mayor Reports," a program introduced over KDYL.

On this program Mayor Ab Jenkins of automobile racing fame answers questions on civic problems sent in by the listening audience and incidentally, gets in many a plug concerning civic situations which he considers disturbing.

Mayor Jenkins' descriptions of Salt Lake's antiquated fire fighting equipment aroused such a hue and cry in Salt Lake that old horse drawn vehicles remade into motorized equipment with solid rubber tires have been replaced with most modern of hook and ladder turnouts. In addition, 16 men have been added to the force.

Police department has also been on the firing line and now the tightening up of traffic safety regulations are definitely noticeable.

No results as yet on the latest campaign, poor street lighting, but then that has only had a few weeks of airing.

Program was originated by the KDYL program department as a sustaining but is now written and sponsored by the editorial department of the Deseret News, evening newspaper.

### HOLLINGSBERRY HAS SAVANNAH

George P. Hollingsberry Co. has been selected exclusive national representative of WSAV, Savannah.

Rep firm has offices in New York, Chicago, Detroit, Atlanta and San Francisco.

San Francisco, Aug. 13. Lewis Allen Weiss explained last week that he agreed to line up the Don Lee Network with Broadcast Music, Inc., after Niles Trammell, NBC prez, and Edward Klauber, CBS executive v.p., assured him that in the event they worked out a deal with the American Society of Composers, Authors and Publishers they would not insist on the insertion of a "favored nations" clause in the contract. Trammell and Klauber, Weiss added, told them they would give him this promise in writing.

ASCAP has agreed to treat Mutual on a different basis than NBC and Columbia because of Mutual's cooperative setup and Weiss wanted to make sure that this difference would be preserved in the event of a settlement with ASCAP. A "favored nations" clause would require ASCAP to apply the same terms to all three webs.

## BING CROSBY GIVES VIEWS ON BMI

Hollywood, Aug. 13.

Radio will have to get along without Bing Crosby unless he is permitted to sing tunes turned out by the American Society of Composers, Authors and Publishers. That is the decision announced by the warbler in the war between ASCAP and the National Association of Broadcasters.

Crosby is serving notice that his new contract with the J. Walter Thompson agency, which handles the Kraft Music Hall air program, will be renewed in December only with an inserted clause allowing his withdrawal if or when ASCAP songs are no longer available for his broadcast.

Pointing out that neither himself nor his fellow air songsters are taking sides in the ASCAP-NAB quarrel, Crosby asked: "How can one publisher (meaning Broadcasters Music, Inc.) supplant 137 publishers by the first of the year?" In other words, what'll we have to sing?

Larry Crosby, the star's brother and personal business manager, explained that neither side in the controversy has had any consideration for the name singers on the air. He said:

"There are 1,100 authors writing ASCAP numbers, and their works are being made available through 137 publishers. Bing and other singers need this flow of songs. Bing, himself, sets up around five tunes a week, and the only place he can get them is through ASCAP."

## FLY SPEAKS AS WWJ TICKS OFF 20TH ANNI

Detroit, Aug. 13.

Dr. Frank Black, NBC's musical director, will direct WWJ's augmented concert orchestra during station's special celebration of its 20th anniversary next Tuesday (20). Ruby Mercer and Conrad Thibault, network vocalists, and Mischa Kottler, WWJ concert pianist, will assist.

James Lawrence Fly, chairman of FCC, will speak during program, which is being produced by Jack Hill, of WWJ, and announced by Victor Linford. Show, hitting ozone at 10:15 p.m., will mark 20 years of broadcasting by Detroit's News-owned WWJ, which claims to be first station in America to air regularly scheduled programs.

### Percy Faith Auditions

Percy Faith, Canadian conductor who recently batoned several "Carnation Contended" shows out of station's program, is auditioning a new musical program for the same sponsor.

Erwin-Wasey obtained the musicians, singers and arrangements, leaving Faith merely to conduct.



# BRITONS' WRY WAR HUMOR

## Orders Australians to 'Be Breezy'

Sydney, Aug. 13. A new edict just promulgated by Postmaster-General Thorby orders every Australian radio station, A's and B's alike, to remove all horror serials, crime gore and similar programs. Australian government is thus making conscious effort to brighten the entertainment offered citizens during the war period.

## JOHN ROYAL'S 'RESTRICTION' PEEVE

'Restricted' song list, a prime cause of resentment among broadcasters who cannot understand the application of this exception-to-the-rule on ASCAP numbers brought a reaction last week from John Royal, NBC program v.p. He ordered NBC not to use any number appearing on the ASCAP restricted list for which special okay was needed. NBC wouldn't ask any publisher for "favor" of releasing a particular number, Royal ruled. NBC production department reported immediate disposition of pubs to remove and forget the restrictions.

## Ed Wolf Office Sells Unusual Script Show For Wheatena (NBC)

Wheatena Playhouse, originally called 'The Fatinee Playhouse', a daytime quarter-hour series offering adaptations of famous books, plays and films, will make its bow late in September. Schedule will be on the basis of five times a week and each script will run around four weeks. First serial will be 'Dark Victory', which has been made into both Broadway play and picture.

John McMillan, of Compton agency, made the buy. Ed Wolf, of Wolf Associates, will produce and Carlo De Angelo will direct. Number of stations on NBC red and time to be determined.

## WFBL TRAFFIC JAM ON DISCOVERY LANE

Syracuse, Aug. 13. WFBL is trying to find an open spot on Wednesday mornings so that it can air locally a singer that it discovered and feeds to a CBS hook-up. She's Betty Kero, 16, who graduated from a local high school last fall.

The local CBS ally gave the girl an audition several weeks ago and was so impressed by her talent that it sent a transcription to Columbia in New York. The network arranged to have her picked up from Syracuse Wednesdays from 9:30 to 9:45 a.m.

WFBL has this period under commercial commitment.

## Into Each Other's Mail

Minneapolis, Aug. 13. Because many listeners-in apparently have been unable to keep straight the identities of Rollie Johnson, WCCO sports newscaster, and Charlie Johnson, Star-Journal sports editor, who also broadcasts over WCCO, and the two have been getting each other's mail, they decided to do something about it.

Consequently, this week they will combine their shows into a single half-hour program, with plenty of time out on the initial broadcast for introductions and identifications.

## Hal Tate to Peoria

Chicago, Aug. 13. Hal Tate and his 'Radio-Movie Tattle' program to move to WMBD, Peoria CBS affiliate, for weekly 30-minute airings as a quiz show. Broadcast will be from stage of Palace theatre and include audience participation.

## FORJOE REPRESENTS ASSBURY-RED BANK

Forjoe & Co. has been named exclusive national representative for WCAP, Asbury Park, N. J., and WBRB, Red Bank, N. J. Time will be sold on each station individually and on the two in combination. Thomas F. Burley, Jr., of Radio Industries Co., owner of the stations, made the appointment.

## Nazis on Radio Abuse Irwin, Ex-NBC, Now BBC

Warren Irwin, American newspaperman who worked for a time in Berlin and now works in London for the British Broadcasting Corp., is the target of some Nazi abuse over shortwave radio. Some of Irwin's comments over the air from England irked the Germans, who countered by declaring over their own programs that Irwin was 'discredited member of the American network, NBC.'

Later remark is reported to have embarrassed the National Broadcasting Co., which on the one hand wishes to be neutral and not handicap its regular personnel working under Nazi authority, and yet does not wish to be a party to the statement that Irwin was a 'discredited employee.' Actually, NBC explains that Irwin's work was very satisfactory so far as NBC was concerned. He was hired on a temporary basis and did special assignments for several months in Norway and other countries. He worked under Max Jordon, NBC's long-time rep, out of Berlin.

Irwin was for 13 years a New York Times man in Switzerland. Germany is apparently miffed that one who has been inside Germany and German-occupied lands should now be a propagandist for the British.

## Elevator Jams as Nelson Escorts Trammell, Mullen On NBC Frisco Tour

San Francisco, Aug. 13. Niles Trammell got first hand demonstration of present inconvenient conditions at NBC headquarters when crowded elevator stuck between floors during tour of offices last week.

At Nelson, local manager, was escorting new web proxy, attending recent N.A.B. convention, through quarters which are scattered from second to 22nd floor. During lift hop between levels—and in midst of Nelson's explanation of need for new building—elevator jammed.

'How much did this demonstration at you?' quipped NBC general manager Frank Mullen, who was in party.

## 'POT OF GOLD' ON 96

'Pot of Gold' adds four stations in the Florida group to its NBC blue (WJZ) hookup Thursday nights, beginning Oct. 3. Brings the total out-lets to 96. New stations are WJHP, Jacksonville; WMFJ, Daytona Beach; WKAT, Miami Beach; and WTMG, Ocala. Lewis-Howe Co. bankrolls the series to play Tums. Stack-Goble is the agency.

## YANKS ADMIRE WIT UNDER FIRE

Shortwave Radio Has Occasional Flashes of Kidding Which Americans Appreciate—Has Continued Under Grim Conditions

## SPOOFS ENEMY

By ROBERT J. LANDRY

News from Europe may read in American newspaper headlines like one long nightmare, but there is none of this moaning and hand-wringing in either the voices or the phrases, used by British radio announcers as heard on shortwave programs in the United States. Instead, the British sense of humor shines through. Facing the greatest dangers overhanging a besieged nation in modern times, the news bulletins and commentaries of the BBC regulars are marked by witticisms, dry observations and picturesque phrases.

In a quiet, unstressed, casual way, this strain of British humor and character has already made many friends, even grudging ones, on this side of the soup. Indeed some Yankees who used to entertain the illusion that the British were slow on comedy touches have, with the war, revised their ideas. Yankees in particular like the cool nerve and sturdy sanity that grins and wisecracks through the wreckage of bombs and the nerve strain of being constantly on guard.

Not that humor is anything more than an overtone and a by-play to the BBC news services. But it is the one thing that marks them apart in the minds of many American listeners to shortwave programs and it is, of course, unique with the Britons.

A prize quip referred to a seashore boarding house 'with large, bright rooms facing the enemy.' Another that caused Yankee grins was the BBC quotation about the recent Mediterranean meeting of Italian and British naval units, viz: 'Italy won the boat race.'

Recalled is an interview with Royal Air Force lads who at the time were dropping propaganda leaflets in Germany. One said he simply dropped the leaflets, whereupon a second chimed in 'why, you might have hurt someone.' Again, an aviator who was a late returner, said he was delayed because he had stopped in Germany 'to stuff the leaflets under their doors.'

Apocryph the network of balloons anchored in the skies above London, there was the Cockney quipped as saying 'there isn't room for a humming bird to get through.' When the Germans were reticent on a certain point, the BBC commentator spoke of 'an explosion of silence.' An argument advanced in Berlin was summed up as 'acrobatic.'

## British May Use Transcriptions Cut For Normandie, Luxembourg Comms'ls

## JAMES V. McCONNELL SETS 3 AREA REPS

James V. McConnell, manager of national spot, and local sales for NBC, has made three more sales appointments in the field. Donald G. Stratton takes over the Cleveland district which includes the Detroit and Pittsburgh territories; Elmer Kettell will operate in the New England States out of Boston, and J. S. DeRussy will cover Newark and Philadelphia out of the New York office.

Stratton has been with NBC since 1932, while Kettell comes from KYW, Philadelphia.

## Intimations of AFRA Strategy

Appears Actors Union Hopes to Benefit by Timing New Codes

## British Commentators

Under recent revision of the BBC commentator series from 8:30 New York time every night, on 19, 25 or 31 meters, the following schedule of speakers prevails:

J. B. Priestley (Tues., Thurs., Sun).  
Wickham Steed (Friday).  
Leslie Howard (Monday).

Alter Bakes.  
Sir Hugh Walpole, Harold Laski, Noel Baker, Clemence Dane, Somerset Maugham.

With an agreement apparently still a long way off, the American Federation of Radio Artists and the radio networks have extended for another month the present code covering sustaining broadcasts. It is also probable that the agreement will be extended still another month before the new expiration date, Sept. 12, is past. With AFRA's annual convention scheduled for late this month in Denver, the important issues of the negotiations with the networks will almost certainly be submitted to the membership.

Understood the NBC, CBS and Mutual representatives have offered extensive concessions for a new sustaining contract. However, several new complications have arisen to stymie an agreement. AFRA's negotiations with the transcription makers, networks and agencies for a code governing recordings is one complicating angle. AFRA is reluctant to sign one code without the other, figuring it can get a better deal on each by withholding agreement on both. Also, with the commercial code expiring next January, AFRA heads likewise believe they will have an additional bargaining weapon at that time.

In addition, there is the matter of the networks' artist bureaus. AFRA may make concessions on that front in return for advantages regarding the sustaining and transcription codes, so that is also hanging fire. Also, with the networks already in an uncertain position with the musicians because of the fact that their agreement with the American Federation of Musicians is merely going along on the old basis pending resumption of negotiations, it may be that AFRA may be able to take advantage of the multiple network headaches. Besides that, the network-ASCAP tussle is due for showdown Jan. 1, so the broadcasters would presumably find actors even more essential if they increase the rates of dramatic programs to musical ones.

## AFRA Members for Free To Aid Army Buildup In WMCA Dramatizations

Three-week 30-minute dramatic serial built around the training experiences of a U. S. Army Air Service cadet, acted by AFRA members working on cuffs, will begin over WMCA, New York, next Monday (19). It will air at 7:30 p.m., Mondays, Wednesdays and Fridays thereafter and will run for a year, paralleling the regular 12-months' training course for army aviation recruits. Series is as yet untitled.

Bob Sloan, director of the 'Betty and Bob' recorded serial for the C. D. Morris office, will script and direct the service show under the supervision of Lt. John J. Doerr, of the Mitchell Field training base. All talent will be AFRA members. Sloan and the actors will work gratis and the station will contribute the time. Idea is 'to dramatize rather than glorify' the air service and, as far as possible, typical conditions and experiences will be described, it's stated.

## GRANT AGENCY, DALLAS, NOW HAS N. Y. BRANCH

Albany, N. Y., Aug. 13. Grant Advertising, Inc., with headquarters in Dallas, Tex., now maintains an office for the conduct of a general advertising business in New York State, in KGA-Bucks, N. Y. C. Claude R. Miller is listed as vice-president and capital stock at \$20,000, \$10 par value, in papers filed with Secretary of State in Albany. Claude R. Miller of Dallas filed statement.

## Marshall Field's Radio Plans For Refugee Kiddies

Marshall Field, in behalf of his United States Committee for the Care of European Children held a gathering Monday (12) afternoon at his Park Avenue apartment in New York. Present, with members of the radio trade press, were Don Francisco of Lord & Thomas, John L. Anderson of McCann-Erickson, Kenneth Larson of Young & Rubicam, Koway Hawks of Bolton & Bowles. Committee is anxious to have its work favorably understood by the country and will ask radio stations to carry publicly designed to stimulate financial contributions and also to open American homes to refugee children. Committee will send material to local stations for inclusion in their station news or general programs.

Jerry Crowley who formerly was with the Philadelphia agency, Crowley, La Brun, is handling the publicity assignment for the committee.

## DEATH ENDS 'BRADCASTS'

WWJ Newscaster One of First in Industry—Started in 1925

Detroit, Aug. 13. Funeral services were held here Friday for C. C. Bradner, 61, one of America's first newscasters at WWJ here, who died last Wednesday (7) following a short illness. He had prepared to leave on a vacation Aug. 3 when he collapsed.

With the Detroit News operating WWJ, Bradner in 1925 became its first regular newscaster, a post he held to his death. His twice daily programs (sponsored) were known as 'Bradcasts' and rated highly in this area.

Survived by a daughter and a son, John Bradner.

## Advertising to Reach Advertisers

**'Air-Rhythmic'**—In its latest piece of promotion, 'Air-rhythmic,' Mutual uses the index stepoff format to tell the story of the network's new 'Volume Purchase Plan.' Examples are given for the costs of various time segments on the basis of from 26 to 52 weeks. The promotional packet that accompanies each example in concise, pointed and well put. For a novel touch there's a pencil attached to the cover of the compendium.

### RECENT BROCHURES, ETC.

**CBS Forecast**—Each of the 14 programs giving summer auditions publicly over CBS Monday nights has been the subject of an attractive descriptive folder mailed just ahead of broadcast.

**Grand Old Opry**—Fourteen-year old program of WSM, Nashville, gets a booklet with a calico cloth cover cross-stripped and stamped in blue denim. Hailing hick classic in radio programming.

**Scrapbook**—WSYR, Syracuse plugs its 'service department' and quotes prominently from the last Variety Showmanship Survey.

**Large man in red flannels**—But red is the device of KFBI's Herb Hollister to get attention focussed on coverage in Wichita zone.

**Margaret Cullin Banning**, novelist newly turned broadcaster from WBBG in her home town, Duluth, the subject of a brief public service brochure by NBC.

**Walter Winchell's** own telegraphic style is employed in the text of a Jergen's success story told by the revitalized Blue network.

**Politicians, Please**—NBC—Stations of Washington are united in a pre-tentious handbook on what time and discs cost; what office-seekers should, shouldn't do on air.

### Modern Kids

San Francisco, Aug. 13. Put 'em in front of a mike, and even four-year-olds will talk politics. At least, that's what Jo-Jo is finding out at Treasure Island. Known to the census-taker as Howard Rider, Jo-Jo handles a daily interview with anyone from 20 to 40 mopees as windup for a 'Fairy' land Fantasy, one of various free shows in which clowns participate.

One tyke expressed desire to 'recite Roosevelt's speech,' and before clown could interpose, kid was bellowing 'we're having a dam lot of trouble—Boulder dam, eastern dams, western dams.'

Equally surprising are unexpected retorts to queries. Example: 'Are you going to be a politician when you grow up?' 'No, I'm going to be a man.' Asked how she knew the answer to question, one lass drawled, 'Why, my brains told me.'

All of 'em want to sing 'God Bless America.'

## NO VISITORS DURING WAR

Canberra, July 24.

Wartime edict by the Australian government prohibits any radio station allowing visitors into studios, near mikes airing apparatus. Violation of edict will bring heavy penalty including license cancellation.

Special censors now look over every script before ethered, and there's a possibility that birthday announcements used in kiddie sessions will be wiped from the air lanes, as it's believed that such calls could be used as code to convey information to the enemy.

Ministry for Information has taken control of national, both A, and commercial B, stations' time every week night, between 7 and 7:30 and 9 p.m. to 9:30 p.m. Sundays to air special sessions covering war activities. Commercial have had to rearrange programs to fit these times, but the governmental move has been backed by the Federation of Commercial Broadcasters headed by Frank Marden. At 9:30 each night, the nationals and many commercials also rebroadcast BBC news, and this, for commercials in particular, has also meant the rearrangement of programs.

### Uniforms at KYW

Philadelphia, Aug. 13.

KYW studio guides, elevator operators and mailroom staff go Roxy usher this week. Swank new uniforms consist of military type shirt of airplane cloth, navy blue coat with powder blue trim, navy blue pants also with light trim, a pair of powder blue pants with dark blue trim. Coat and pants are of tropical worsted. Coats have gold buttons and gold KYW insignia.

Regulations uniform will be as follows: light trousers and shirt for summer, light trousers and coat for fall and dark coat and dark trousers for winter. A navy blue tie also is regulation.

### Safford, Ariz., on NBC

Station KGLU, Safford, Ariz., joins NBC red (WZLX) Sept. 1 as a bonus outlet for sponsors using KTAZ, Phoenix, a supplemental station of the California network. New affiliate is owned by Gila Broadcasting Co. and operates on 1420 kc., with 250 watts power. Operates on unlimited time.

NBC cut-in announcement rate will be \$6 at night and \$4 day.

## THREE MONTH TREND OF STATION BUSINESS

(For All Markets Regularly Reported by 'Variety')

NATIONAL SPOT		LOCAL		NETWORK		TOTALS	
Week Ending	Units	Week Ending	Units	Week Ending	Units	Week Ending	Units
May 25	61,407	May 25	90,822	May 25	95,160	May 25	248,007
June 1	62,049	June 1	91,559	June 1	94,493	June 1	248,211
June 8	61,153	June 8	89,536	June 8	93,339	June 8	244,028
June 15	62,101	June 15	89,130	June 15	93,619	June 15	244,850
June 22	62,595	June 22	89,996	June 22	94,666	June 22	247,227
June 29	62,145	June 29	90,375	June 29	90,034	June 29	242,554
July 6	61,217	July 6	89,334	July 6	92,641	July 6	243,222
July 13	62,054	July 13	90,015	July 13	89,929	July 13	241,998
July 20	60,556	July 20	88,582	July 20	85,031	July 20	234,169
July 27	56,646	July 27	87,309	July 27	87,240	July 27	231,195
Aug. 3	56,588	Aug. 3	87,745	Aug. 3	87,756	Aug. 3	232,089
Aug. 10	54,599	Aug. 10	86,147	Aug. 10	87,387	Aug. 10	228,133

### JOHN LOESCH, CBS VETERAN, VERY ILL

John Loesch, veteran CBS producer, is critically ill at his New York home with a blood clot in a main artery near his heart. One side is paralyzed.

Formerly a chief assistant on recording to the late Thomas Edison, Loesch is widely known and liked in the trade.

### Lambdin Kay Participates In West Point, Ga., Start

West Point, Ga., Aug. 13. Civic leaders, business officials and notables participated in christening of WDAK Saturday (10) evening from stage of Riviera theatre here. Lambdin Kay, public service director of WSB, Atlanta, took part in opening program festivities. Valley Broadcasting Co., of this city, is licensee of WDAK, a 250-watt with unlimited time and 1,310-kilocycle frequency.

WDAK's staff is headed by Thomas C. Phillips, formerly of WFTJ, Athens; J. L. Williams, formerly with WCOS, Columbia, S. C., is chief engineer, assisted by G. C. Hunt, Jr., formerly of WCRA and WMGA. Bob Hess, well known Atlanta theatre organist, is mill's musical director.

Immediately following dedicatory broadcast WDAK transferred to Lanett theatre, just across Chattahoochee River in Lanett, Ala., where musical program was aired by Louis Armstrong and ork filling a date there.

Formal full time operation of WDAK started Sunday. L. J. Duncan, who operates string of theatres in this section of Georgia and Alabama, is owner of station.

### WDZ'S SOFT BALL TEAM

Draws More People to Game Than Live in Tuscola

Tuscola, Ill., Aug. 13.

Staff of local station WDZ recently formed a softball team and proceeded to lose its first few games with rival outfits from around town. Boys were taking a razzing about their low C.A.B. rating, so they held some strenuous practice and managed to win their next contest. Now they're expecting sponsor.

Station has plugged the games on the air, urging local residents to come out and watch their favorite entertainers and announcers cut up on the diamond. Attendance was about 600, 1,000 and 3,500, respectively, for the first three games.

Final turnout was greater than the town's population.

### Bond Buys Transradio

Bond Clothes signed a hefty tract Monday (12) for three programs to run 52 weeks over WOR-Mutual, New York. Deal was through Neff-Rogov agency. Two of the pacts were renewals.

Company starts Sept. 9 to bank-roll Confidentially Yours', Transradio stunt with Arthur Hale, 15 minutes Monday, Wednesday and Friday nights. Program has had several sponsors in the past, the last being Pa-Pi-A. Renewals, both also for 52 weeks, are the 45-minute John Gambling musical-chatter series Mondays, Wednesdays and Fridays, starting Sept. 16, and a 15-minute stanza of Transradio news Sundays, with Frank Singiser.

### BALTIMORE REPORT

National Spot Units Up 5.1% in Maryland City

Baltimore, Aug. 6.

Not much change all around here. Rather satisfactory however, is steadier seasonal market compared to last year with future prospects inclined to look rather rasy also. Station execs quite bullish about general radio set-up.

WCBM: Signed a major network program on recently confirmed Mutual tie-up with McFadden Publications' 'True Story' 15 min. weekly airing.

WFBZ: American Chicle with six announcements a week lined up through Beader & Hersey. Miracle Rub, renewed four announcements a week for a year via Young & Rubicam. Iowa Soap, through Weston-Barnett, participation announcements in 'Every Woman's Hour and Studio Party'.

### Aug. 3 Compared to July 27

Network	Local	National	Total
Units	Units	Spot Units	Units
7,075	4,696	2,314	14,085
7,035	4,888	2,195	14,118
+0.5%	-3.8%	+5.1%	-0.2%

(Included: WBAL, WCAO, WCBM, WFBZ)

### LESS TIME, MORE PAY MAKES WAGA GRINS

Atlanta, Aug. 13.

Howard Donahoe, former program director for WLOK, Lima, Ohio, last week assumed similar post at WAGA, here, vice Paul Overbay. Donahoe was with WWVA, Wheeling, and WMMN, Fairmont, W. Va., and has been with Fort Industry Co., which recently took over AGA, for 10 years.

Don. Ioset, general manager of WAGA, is preparing to move his family here from Lima, where he was general manager of WLOK before moving to Atlanta.

One of Ioset's first moves was to reorganize his staff and put station's personnel on five-day week and further bringing smiles to faces of his announcing staff with general pay raise.

WAGA, NBC Blue outlet, bears down on sports and broadcasts home and road games of Atlanta Crackers, Southern Ass'n. entry, under sponsorship of General Mills (Wheaties) and Goldrich Rubber Co. (Tires).

Station has United Press for its news service.

### Minus Sign Up in Cincy

Cincinnati, Aug. 13.

Start of radio's bog month finds time sales of Cincy stations holding up satisfactorily and better than a year ago.

WKRC last week added 45 minutes for Mutual weekly 'Til Never Forget' series for Macfadden Publications' True Story mag. Placed through Arthur Kudner, Inc., New York. On spot bid, WKRC took on Wiedemann Brewing Co. for nine minutes weekly, via Strauchen & McKim, Cincy agency, and five one-minute announcements on the Woman's Hour for E. E. Thomas Candy Co., local, through Swafford & Koehl, Cincy agency.

### August 3 Compared to July 27

Network	Local	National	Total
Units	Units	Spot Units	Units
4,470	8,457	5,477	18,374
4,500	8,454	5,462	18,438
-0.6%	+0.03%	-0.6%	-0.3%

(Included: WCFO, WKRC, WLW, WSAZ)

Golden Gate Quartet from Cafe Society, N. Y., on CBS Forecast next week, also for the Lanny Ross Franco spaghetti show.

### TIME PLUGS 'RAMPARTS' ON KDYL, SALT LAKE

Salt Lake City, Aug. 13.

Network and national spot business stays on the healthy even-keel trend, but hot weather is really 'raisin' cain with local stuff. Next couple of weeks could see local pick up quite a bit of political coin.

KDYL: Johnson & Johnson (Tek toothbrushes), through Ferry-Hanly, 26 announcements. Associated Books, announcements. Time Magazine took a block of announcements to plug its first feature length film, 'Ramparts We Watch.'

KSL: International Harvester, through Aubrey, Moore & Wallace, one-min. spots. Union Pacific States, through Beaumont & Hohman, 15 announcements. Henry Stamped, announcements. Four quarter-hour political broadcasts set for the next two weeks.

KUTA: Covey Investment Co., 300 announcements. Weiss Jewelry, 300 announcements. Forty quarter-hour political programs are under contract.

### Aug. 10 Compared to Aug. 3

Network	Local	National	Total
Units	Units	Spot Units	Units
6,140	1,846	1,194	9,180
6,110	2,068	1,182	9,358
+0.4%	-10.6%	+1%	-1.9%

(Included: KDYL, KSL, KUTA)

### The Story in San Antonio

San Antonio, Aug. 13.

With state political run-offs slated next month, local as well as state candidates will take to the air here, helping to bolster sagging local and regional biz. Network continues strong.

WOAI: Brown & Williamson (Big Ben tobacco), through Russell M. Seeds, 'Renfro Valley Folks' 30-min. weekly. American Chicle Co., announcements. Johnson & Johnson (Tek toothbrushes), through Ferry-Hanly, 26 announcements. Welch Grape Juice, through H. W. Kaster, renewal of Irene Riggs. Political talks include Lierke Brothers, Olin Culbertson, Judge Lattimore and Judge Lattimore and Judge Alexander. Republican state convention will be carried next week.

KABC: Double Dandierine, through Blackett - Sample - Hummert, tri-weekly quarter hours on Texas State Network. 'Short, Short Stories'. St. Louis Cleaners, announcements. Milam Chevrolet Co., five quarter-hour newscasts weekly. Joske Bros. announcements. Owl Radiator Co., daily announcement. F. E. Mueller Co., two announcements weekly. Olin Culbertson, quarter-hour political talks.

### Aug. 10 Compared to Aug. 3

Network	Local	National	Total
Units	Units	Spot Units	Units
4,948	7,471	1,939	14,358
4,782	8,224	2,214	15,220
+3.4%	-10%	-14.1%	-5.6%

(Included: KABC, EMAC, KONO, KTSB, WCAU)

### WCAU With AFM 'Til '42

Philadelphia, Aug. 13.

WCAU has extended its year agreement with the musicians' union to run for a second year until 1942, doing the additional binding to get additional rehearsal time for Joey Kearns' staff orchestra. Contract is retroactive as of Jan. 17, 1940.

Kearns getting CBS shots now, station sought better woodshed sessions for the band, but union denied the request. Half hour granted is restricted to preparations for local shows only.

### PRISONERS CAN TUNE OUT WARDEN DOWD

Michigan City, Ind., Aug. 13.

An added 2,600-listeners can now be marked up in this area by the three networks, NBC, CBS and Mutual, with the installation of 2,000 head-phone sets and a master three-station receiver in the Indiana State Prison at Michigan City.

Besides being able to hear their preference of programs over the three networks, prisoners can hear the warden by means of a microphone in the prison office. That may not work out, says Warden Dowd. 'You see, any inmate could flip a switch and tune me out.'

### Newspaperman at WAKR In Head Sales Role

Akron, O., Aug. 13.

Kenneth Keegan has been named commercial manager for Akron's third radio station, WAKR, by Bernard Berk, owner. Keegan, former advertiser and editor of the old Akron Times-Free, already has taken over the new post.

The station is now constructing a transmitter south of the city and is planning on downtown studios.

Meantime William O'Neill, general manager of WJW, is negotiating for a Mutual network outlet.



# BAMBERGER'S WNEW DEAL

## BALLOT DRIVES TO AID L.A. AIR SALES

Los Angeles, Aug. 13. Boss broadcasters, returning from the Frisco convention, were assured by sales chiefs that all indications pointed to better things.

Effects of the approaching political campaigns—national, state and county—are already being felt, with everything forecasted a generally bleaching of candidate bankrolls before another 10 days has passed.

KFWB: Basic Foods, Inc., 15-min. program weekly for 52 weeks; Samaritan Institute, through Smith & Bull, 10 10-min. programs weekly until further notice; Dockweiler political campaign, through Lockwood-Shackelford, one quarter-hour; A. E. Nugent Co., through Shadel Adv. agency, 10 one-min. spots.

KFI: Chelsea Cigars, through Warwick & Legler, Inc., 13 announcements; 13 participations in 'Bridge Club'; Southern Pacific R.R., through Lord & Thomas, three additional half-hours; Manhattan Soap Co., through Franklin Bruck, 39 15-min. newcasts at rate of three weekly; Coast Federal Savings & Loan, through Robert E. Dennis, 48 150-word participations in 'Art Baker's Notebook' and 'Mirandy's Garden Patch'; Buron Pitts campaign, through Milton Weinberg, three 15-min. programs; Los Angeles County Fair, 28 announcements; Gilmore Oil Co., through Botsford, Constantine & Gardner, six announcements; Eagle Oil & Refining Co., through General Adv. agency, five one-min. transcriptions.

KECA: Los Angeles County Fair, 13 announcements; Bimini Baths, through Western Adv. Co., 26 announcements; Jones-for-District-At-Large campaign, through Advertising Arts agency, nine 15-min. programs; Western Federal Savings & Loan, through Elwood Robinson Co., six 15-min. programs; Bullocks, Inc., through Dana Jones Co., 65 15-min. programs (renewal).

KNX: L. A. Dollar Day campaign, through Hillman-Shine agency, one week's participations in two daily programs plus 14 time signals; Panages theatre, through Milton Weinberg agency, one week's participation in two daily programs; Power Seal Co., through Mayers Co., four weeks' three-weekly participation in news broadcasts; Cudahy Packing Co., through Erwin-Wasey, 13 weeks' participation in two daily programs; J. W. Robinson Co., through Mayers Co., two weeks' participation in news broadcasts; Florsheim Shoes, through W. Austin Campbell, six participations in one daily program.

Aug. 10 Compared to Aug. 3

Network	Local	National	Spot Units	Total Units
9,560	8,383	1,653	19,650	
8,335	8,263	1,641	19,439	
+0.3%	+1.5%	+0.7%	+1.1%	

(Included: KECA, KFI, KFWB, KJH, KNX)

## Wheatena Playhouse And Vick Yawn Club to WWJ

Detroit, Aug. 13. With biggest loss sustained in network volume, local radio biz shows second consecutive dip currently, but course is due to reverse itself soon as fall accounts start hitting ozone.

WWJ: Wheatena Corp., 'Wheatena Playhouse' (ETP), 15 mins., five times weekly, for 26 weeks; Vick Chemical 'Yawn Club', 15 mins., three times weekly, 26 weeks; played by Morse International.

WXYZ: Manhattan Soap Co. (Sweetheart Soap), two daily 15-min. newcasts, five days a week, played by Franklin Bruck.

Aug. 10 Compared to Aug. 3

Network	Local	National	Spot Units	Total Units
7,108	10,551	4,978	21,827	
7,405	10,371	4,999	22,775	
-2.8%	+1.7%	-0.4%	-4.1%	

(Included: OKLW, WJLB, WJR, WMBE, WWJ, WX12)

## Chicago In August

Chicago, Aug. 13. Household Finance, Standard Oil, Swift and others are apparently ready to spread radio buying in the autumn.

'Cartune-O' musical 30-min. game was renewed on WGN for National Tea through Schwimmer & Scott agency as of Aug. 16.

Aug. 10 Compared to Aug. 3

Network	Local	National	Spot Units	Total Units
9,005	5,547	10,210	24,563	
9,003	5,380	10,189	24,572	
-0.6%	+0.2%	-0.04%		

\* No change.  
(Included: WBBM, WENR, WGN, WIND, WJLB, WLS, WMAQ)

## FRISCO SALES BUSY DURING N.A.B. MEET

San Francisco, Aug. 13. Despite preoccupation with N.A.B. convention details, Frisco stations did not neglect business, the graph turning upward last week, gains being recorded in local time sales particularly. KFRC lost two hours and 45 minutes of network time when Wings ciggies dropped 'Saturday Night Swing Party,' which had been on a week-to-week basis, but picked up five quarter-hour weekly participations in the 'Breakfast Club' with Johnson & Johnson (Band-Aid) agency.

KPO: George H. Benloff, Inc. (turs), three quarter-hours weekly, 24 weeks, 'Musical Clock'; Orowast Baking, through Brischard-Davis, 104 announcements weekly. Drake Hotel, four participations in 'KPO Fashion Window'; Panama Pacific Line, through J. Walter Thompson, 13 one-min. spots. Southern Pacific Lines, through Lord & Thomas, renewal of 70 announcements. Chemical Distributing Co. (Par-Ful), through Sidney Garfunkel, 18 participations in 'International Kitchen'; Strawberry Resort, through F. L. Newton, six ET spots. Andrew Jergens Co., through Lennen & Mitchell, 28 announcements.

KFRC: Hastings (clothing), through Brischard-Davis, local sponsorship of nightly quarter-hours, 'Fulton Lewis, Jr.', Mutual co-op show, Fels Napha Soap, through Young & Rubicam, three quarter-hours weekly, 'Breakfast Club'; Landreger Bakeries, through Leon Livingston, 45 spots. National Funding Corp., through Smith & Bull, 70 participations in 'Rise and Shine'. Chemical Distributing Co., through Sidney Garfunkel, 18 participations in 'Morning Hostess'.

KSPF: Mark Morris (tires), through Xoemans & Foote, weekly ET quarter-hours. Hale Brothers, through Theo. Segall, participations 'Housewives Protective League'. Langendorf, through Leon Livingston, five quarter-hours weekly, one year, John B. Hughes, news. Association of California Architects, weekly quarter-hour. Sweetheart Soap, through Franklin Bruck, tri-weekly quarter-hour newcasts. Chandler's (shoes), seven one-minute spots.

KROW: Gardner Nursery, through Northwest Advertising, six 5-minute ET's weekly. Harvey's Chewing Gum, three quarter-hours weekly, 26 weeks. George A. Hillback (real estate), six quarter-hours weekly, one year, Capwell, Sullivan & Purdy (department store) through Ryder & Ingram, 12 one-min. spots. Good Housekeeping Shops, six quarter-hours weekly, 26 weeks. Sather Gate Book Shop, announcements, 34 weeks. E. A. Patterson (political), 30 announcements.

Aug. 10 Compared to Aug. 3

Network	Local	National	Spot Units	Total Units
8,280	4,838	2,278	15,396	
8,323	4,355	2,107	14,785	
-0.5%	+6.4%	+8.1%	+2.7%	

(Included: KFRC, KGO, KJBS, KFO, KSPF)

## RADIO IS ONLY MEDIUM USED

Bargain Basement Will Confine All Advertising to Broadcasting in Most Significant Contract and Test of Kind

### N. Y. LOOKS UP

Radio has long contended it could top any other medium—meaning newspapers—in selling department store merchandise, and starting tomorrow (15), radio will be put to its most severe test when L. Bamberger & Co. of Newark, gets under way with a morning half-hour show on WNEW, New York indie.

Bamberger's will plug its Basement Store, which in gross biz is the third largest of its kind in the country. Cash and Carry department of the Basement, opening Tuesday (20), will use no medium other than WNEW to attract customers. No newspapers, no cards and no throw-aways. To further make radio, and WNEW, do it the hard way, no 'specials' will be advertised on the air—only regular merchandise at regular prices—and commercials will be limited to 3 1/2 minutes to the half-hour, a distinct departure from the usual blurb-filled department store programs.

WNEW show, tagged 'Breakfast with Bamberger's Basement,' will be aired from 7:30 to 8 each weekday morning. Transcribed sweet pop music will be used, interspersed with AP headline flashes. Dennis James will m.c.; John Flora will read the news flashes. At start of 50 announcements in addition to program will be used to boost the products and show.

In making the solicitation, it was pointed out that the total cost of the show, \$621.78 weekly (\$471.78 for time, \$150 for talent), would buy only a 1/4 page in N.Y.'s leading tabloid. VARIETY's recent 'Department Store Tests' proved very useful in presenting radio's story to Bamberger execs, according to WNEW sales department.

WHN's Old Gold Deal. Another substantial contract of the week was signed for Old Gold cigarettes, using heavy schedule of sports news on WHN. Cigarettes will break-in with from 5 to 15 minutes—whatever is available—from 2 to 6 p.m., giving inning-by-inning baseball results, racing results and scratches, sports previews and resumés. Lennen & Mitchell placed P. Lorillard.

Drop in national spot is due to end of Lucky Strike's 2 1/2-minute announcement schedule.

WMCA: Koobe-Cola, 15 announcements weekly. Roxy and Paramount theatres, announcements. Vim Stores, through Sternfeld-Godley, 30 announcements weekly, 52 weeks. Dr. Shirley Wynne's Food Forum increases from 30 to 45 minutes, effective Sept. 23.

WHN: Double-Bubble Gum, through N. W. Ayer, daily quarter-hour, 'Don Winslow of the Navy', discs. Foster-Milburn Co., through Street & Finney, ET announcements. WNEW: Jersey Tire Co., through Scheer Advertising, daily 10-min. 'Fashions in Rhythm', 26 weeks. Roxy theatre, announcements. Paramount Pictures, through Buchanan, five announcements daily.

Aug. 10 Compared to Aug. 3

Network	Local	National	Spot Units	Total Units
645	10,190	10,403	21,238	
645	10,002	10,390	21,577	
+1.8%	-4.8%	-1.1%		

\* No change.  
(Included: WHN, WMCA, WNEW, WOR, WQXR)

A. W. Dannenbaum, Sr., WDAS Philadelphia prez, got back from his Maine camp over the weekend but is all set to return Aug. 21 when that ol' debbil hay-fever renews its option.

## 5.8% Off In Kaycee

Kansas City, Aug. 13. Either biz maintaining its regular summer status quo. Station chases jumbled with excess NAB-ing on the West Coast and vacations causing doubling-up at most studios. Summer slack is again evidenced by slight drops, but biz expected to be on upgrade soon.

Aug. 10 Compared to Aug. 3

Network	Local	National	Spot Units	Total Units
6,245	5,168	7,084	18,497	
6,480	6,362	6,790	19,632	
-3.6%	-18.7%	+4.3%	-5.8%	

(Included: KCKN, KCMO, KITE, KMBC, WDAF, WRD)

## 12 QUARTER HRS. FOR COLORADO PEACHES

Denver, Aug. 13. Sales continue to increase with KLZ selling a daily newscast for a year and KOA reporting a 156 15-minute program sale, along with a seasonal sale of 12 quarter-hours to the Union Pacific R.R. to promote the sale of Colorado peaches. American Bird Products renewed on KFEL with their quarter-hour weekly on 'Radio Warblers.'

KLZ: Morey Mercantile Company, through Ball-Davidson agency, 15-min. newscast daily, one year; Pinex Co., through Russel M. Seeds, five daily and four Sunday weather announcements, six months; Johnson & Johnson (Band-Aid), through Young & Rubicam, 260 one-min. spots; American Furniture Co., through Raymond Keane, 104 announcements; Del Teet Furniture Co., 104 announcements; American Chicle Co., through Badger, Browning & Hershey, 78 spots; Young Men's Democratic League, through Conner agency, four quarter-hours; Kerr Glass Mfg. Co., through Kingshall agency, 26 one-min. spots; Time, through Young & Rubicam, 29 spots; Interstate Distributing Co. (Froglet Heaters), through Driver agency, 60 spots; Denver Dry Goods Co., 12 chain breaker; Colorado Springs Radio, six spots; Lehman Jewelry Co., three spots.

KOA: Another Bros., through Raymond Keane agency, three quarter-hours weekly, one year; Union Pacific, through Caples agency, 12 quarter-hours; Johnson & Johnson, through Ferry-Hanley Co., 20 announcements; General Electric Supply Co., 90 announcements.

KFEL: American Bird Products Co., through Weston-Barnett agency, 26 quarter-hours; Leeds Shoe Co., Broadway Dept. Store, through Ted Levy agency, 48 announcements; Nelson Calco Service Station, eight announcements; Paramount Cleaners & Dyers, 26 participating announcements; B. K. Sweeney Electrical Co. (Stokol), 30 announcements.

Aug. 10 Compared to Aug. 3

Network	Local	National	Spot Units	Total Units
6,593	3,926	1,420	11,939	
6,563	4,048	1,462	12,073	
+0.4%	-3%	-2.9%	-1.1%	

(Included: KFEL, KLZ, KOA, KVOD)

## Manhattan Soap Buys Newcasts From WFBR

Baltimore, Aug. 13. Uneventful doings all around here with some slight activity reported by WFBR. NBC Red outlet lined up Manhattan Soap for a strip of newcasts through Franklin Bruck agency and sold five announcements a week to Johnson & Johnson, for 'Toothpaste via Ferry-Hanley. Also tied up 39 daytime one-min. transcriptions for Perfection Stone Co., to start Aug. 21, McCann-Erickson negotiating.

Aug. 10 Compared to Aug. 3

Network	Local	National	Spot Units	Total Units
7,115	4,899	1,704	13,518	
7,075	4,686	2,314	14,085	
+0.5%	+0.04%	-26.3%	-4%	

(Included: WDAF, WCAQ, WCEM, WFBR)

## WHO, DES MOINES ORDER FLOOD FOR FALL

Des Moines, Aug. 13. Lots of new contracts were signed—but starting dates are scheduled for next month. Meanwhile the slump continues.

WHO: Dean Studios, through Lessing Advertising, 12 quarter hours. Quaker Oats, through Stierman & Marquette, 26 half-hour ET's. Davidson Co., through Son de Regger & Brown, 14 quarter-hour discs. Pioneer Hi-Bred Corp., through Wallace Adv., 26 200-word spots. Allied Mills, through Louis E. Wade, 130 announcements. John C. Wisdom Co., farm news. Iowa State Fair, through Fairall agency, 63 65-word spots. Paxton & Gallagher, through Thomas agency, 258 quarter hours. White Labs, through William Esty, 39 announcements. Brown & Williamson, through B.B.D.&O., 26 chain breaks. Skelly Oil Co., through Henri-Hart-McDonald, 100 quarter-hour newcasts. Consolidated Products, through Mace agency, 26 half-hour participations in Iowa Barn Dance Frolic. Perfection Stone Co., through McCann-Erickson, 39 announcements. Vick Chemical, through Morse International, 52 quarter-hours.

Aug. 10 Compared to Aug. 3

Network	Local	National	Spot Units	Total Units
6,620	2,644	3,806	12,870	
6,525	2,818	3,672	13,015	
+1.4%	-6.1%	-1.8%	-1.1%	

(Included: KRNT, KSO, WHO)

## 30 MINUTE ONE-TIMER ON WSAI, CINCINNATI

Cincinnati, Aug. 13. Time sales of local stations in the shade for second successive week, yet broadcasters pleased that general biz for this natural bog month is ahead of same period last year.

WSAI last week carried a one-time 30-min. interview program from the City Loan Co.'s revamped downtown headquarters. Same sponsor is using 10 announcements weekly. Also carrying announcements on the Chrysler smallie are the Chrysler Corp., through Ruthrauff & Ryan, and the Weidemann Brewing Co., placed by the Strauchen & McKim agency, Cincy.

Aug. 10 Compared to Aug. 3

Network	Local	National	Spot Units	Total Units
4,445	8,404	5,458	18,307	
4,470	8,457	5,447	18,374	
-0.5%	-0.6%	+0.2%	-0.3%	

(Included: WCPQ, WKRC, WLW, WSAI)

## All-Auto Participation Program at KWK, St.L.

St. Louis, Aug. 13. Seven automobile dealers in the St. Louis area have joined sponsoring 'The Automotive Hour,' a daily a.m. program over KWK. The 30 min. program that started last week includes transcribed music and the tunes are so arranged that each dealer gets a 50-word spot between numbers. Most dealers are plugging a used car bargain while others used institutional copy prepared by the station scribes. Dan Cochran has been assigned to the program. Sponsors are the West Side Bick, McCarthy Motor Co., Fred Evans Motor Co., L. M. Stewart, Inc. South Side Chevrolet Co., John T. Dolan Motor Co., and the Chambers Motor Co.

## Colgate Considers

Benton & Bowles last week made a transcription of a new five-a-week show, 'A Woman of America,' for submission to Colgate. Account is now mulling it.

# KIRO, Seattle, Sues Tacoma C. of C.

Meantime FCC Rebukes Latter for Attitude—CBS Has Perfect Right to Prefer KIRO Over KVI

Washington, Aug. 13.

If the Columbia Broadcasting System prefers KIRO, Seattle, to KVI, Tacoma, outlet for its programs, there is nothing that the Federal Communications Commission can do about it. In a letter to T. A. Stevenson, manager of the Tacoma Chamber of Commerce, Acting Commission Chairman T. A. Craven last week declared that the FCC has no jurisdiction over the matter, if CBS finds that KIRO—with its newly-acquired power of 10,000 watts is a better medium for the broadcasting of its programs.

Craven declared that legal questions involved the grant of additional power to KIRO—which KVI already has appealed—will be passed upon by the courts. Nothing, however, can be done about asserted injustice to KVI by the Commission—unless evidence can be presented showing that past or present conduct on the part of KIRO is such that it should be deleted from the air.

Craven rebuked the Chamber of Commerce official for his wails against the granting of KIRO's application for a boost to 10 kw.

Your opening statement suggests that the Commission should not have authorized Station KIRO without benefit of hearing, Craven wrote. I would like to explain that the Commission does not hold hearings in cases where there is no protest or

submission of evidence to indicate that the granting of increased power would be contrary to the public interest, convenience or necessity.

When KVI filed a petition for rehearing, its only argument was passed on the prospect of losing its Columbia Broadcasting System contract to KIRO, Craven charged. The petition was "properly denied," he said, under the rule laid down by the U. S. Supreme Court in the Sanders case, which "eliminates the consideration of adverse effects which may result to an existing station through competition from an applicant station."

Stevenson was reminded by the acting chief of the FCC that KVI filed an application for a boost from 1 to 5 kw, shortly after KIRO's application was received. This application also was granted without a hearing, Craven pointed out, and both stations have been enabled to serve Tacoma with substantially stronger signals, as a result.

Final settlement of the squabble between KIRO and KVI rests with CBS, Craven indicated.

Under the existing law, the Columbia Broadcasting System is entirely free to determine which stations shall carry its own network programs, he wrote. "In this connection, it should be recalled that even prior to the filing of this application, Station KIRO was already affiliated with CBS as was stated by

## Luckies' Hint

Opening announcement on Lucky Strike "Hit Parade" program over CBS last Saturday night (10) for the first time included the statement that the program offers:

The 10 leading hit tunes 'available for radio.'

KVI in its petition for rehearing, and was even then serving the Tacoma area with Columbia programs.

Regardless of which station CBS chooses for an outlet, Tacoma's listening public will continue to receive programs, and with stronger intensity than heretofore, Craven told Stevenson.

## KIRO Files

Tacoma, Aug. 13.

Bitter dispute between KVI, Tacoma, and KIRO, Seattle, seems headed for the courts. The Seattle station has served a \$100,000 libel suit upon T. A. Stevenson, secretary-manager of the Tacoma Chamber of Commerce, and 26 members of the board of directors for statements concerning the dispute between the stations appearing in Tacoma Progress, a Chamber publication, and also a letter from Manager Stevenson to Chairman James Fly of the FCC.

KVI is on notice that it will no longer be northwest outlet for Columbia Broadcasting System program after KIRO goes to 10,000 watts.

The complaint served on the local Chamber attributed to remarks in the pamphlet in which the loss of CBS service to Tacoma was protested by Stevenson and in which he attributed the Seattle station's growth to "The political management of Sol Hass, collector of customs for the Washington district and influence of Senator Homer T. Bone."

Manager Stevenson and Tacoma's Mayor Harry P. Cain are in Washington, D. C., to protest the Seattle station's increased wattage. They are to appear before the FCC to plead for "investigation of station."

This action recalls a case of two years ago by KOL against Senator Homer T. Bone, Collector Haas and others. This action was later dismissed on the plaintiff's motion.

## KMBC AND WRC DUE TO ASK 50 KW

KMBC, Kansas City; WRC, Washington, and KFWB, Los Angeles, joint occupants of the 950-kilocycle band, may apply soon to the Federal Communications Commission for permission to go 50,000 watts. All three outlets are now licensed for 5,000 watts.

Discussions on the subject have been held among the Kansas City and Los Angeles outlets and NBC, which operates WRC, but the date for taking preliminary has been set.

## Texas Radio Educators Hear Leonard Power

Austin, Tex., Aug. 13.

In a conference at the University of Texas, Leonard Power, research director of the Federal radio education commission told the gathering that now and then broadcasting by community service organizations defeated its own purpose. Civic leaders and teachers meeting to consider problems of broadcasting were told by Power that unless a program ran continuously at a given time over a period of at least a year, it is almost impossible to build satisfactory listening audience.

Conference discussions leaders included Frances Scarborough, of station KTSA, San Antonio; J. Marble Clark and Merle McMurry of Austin; Mrs. J. C. Van derweide, radio chairman for the Texas Congress of Parents and Teachers and Jack McGrew of Houston.

Technical problems were discussed by Emory Horger of the Texas State College for Women, Espie Young of the North Texas State Teachers College; John Rosser, radio director of Texas A. & M. College; S. B. Kovacs of Baylor University and A. L. Chapman, J. Howard Lumpkin and Mrs. Elithe Hamilton Beal of the University of Texas.

## Inside Stuff—Radio

Super-power question is getting warm again in the wake of trade gossip that WLW, Cincinnati, is about to request another 500 kw permit on the ground that such operation will promote "national defense." Theory is that ties with Latin America could be tightened if the Cincinnati transmitter's programs were available beyond the Rio Grande.

Attention was directed to the question recently by Senator Burton K. Wheeler, sponsor of the resolution by which the Senate two years ago declared it does not approve use of power above 50 kw. In questioning Commissioner Thad H. Brown about FCC practices, the Montana Democrat showed displeasure at rumors the Crosley crowd may try to get back its 500,000 wattage.

But there are apparently well-founded reports that some feelers were sent out. Most persistent story has Crosley legmen trying to convince the State Department that our international policy would be promoted if WLW programs could be picked up wider area. They supposedly trying to sell the diplomats, in the hope that the State Department will proposition the White House about commanding the commission to back down from its 1938-39 stand.

If such a desire is in the mind of the WLW owners, their Washington representatives profess ignorance. Without going so far as to say there is no basis for the yarn, the two new Crosley front men—former FCC General Counsel William J. Dempsey and former Assistant General Counsel William L. Koplowitz—indicate they are in the dark. They suggest the story is without any foundation since it would be logical for the Cincinnati group to ask them to find out if the wind is still blowing in the same direction before going out on any limb. This, they maintain, has not been done.

Talbot Mundy, 81, lived through all sorts of real life adventures in Africa and other remote parts of the world and ended up as the writer of the radio serial, "Jack Armstrong, the All-American boy," died in his sleep at Bradenton Beach, Fla., Aug. 5.

Born in London, his picturesque adventures in Portuguese, German and British East Africa provided him with material for scores of novels, many of them big sellers and several of them made into motion pictures.

Some three or four years ago he began turning out radio scripts for the Knox Reeves agency, Minneapolis, on behalf of General Mills.

Walter O'Keefe is working on Willkie campaign radio staff. Humorist goes to Elwood, Ind., to arrange human-interest airings to go on networks in advance of Republican candidate's formal notification speech. After that O'Keefe will ditto for McNary, notification in northwest.

Also employed on GOP band, Roger B. Doulsen, former radio press agent who's been radio aide to Gov. Raymond E. Baldwin of Connecticut. Doulsen will spot Republican programs through large eastern territory.

Anything for a gag, so Jim Backus, who's on the "Big Sister" show, sent what he thought was a funny postcard from Asbury Park, N. J., to a friend last week. It was accompanied on arrival by a G-man. Card, to Richard Midgely, of the cast of "Kiss the Boys Goodbye," at the Windsor theatre in the Bronx, read:

"Dear Gautier (district leader): Spending a few days here with my camera. Coastline ideal for small landing parties. Get it? Jim."

Fran Striker, author of WXYZ's "Lone Ranger" programs, currently is penning a book on the western hero, strictly for adults, at request of G. P. Putnam, tagged "The Lone Ranger Rides." Due to reach bookstands around first of year.

Striker has written several books for kids, anent the Ranger, for Grossett & Dunlap during the past two years.

Clerk who departed abruptly from a broadcasting organization when he heard the boss had resigned was two jumps ahead of the auditors. It appears the clerk had failed to turn in luncheon money for which the boss had habitually dunned his colleagues in the organization. It amounted to quite a bit when added up over months.

Sidelight on N.A.B. conventions: Bill for San Francisco cocktail party tossed by CBS to wind up festivities at conclave was \$1,000. Some 500 guests attended.

**14 WBBM CONTRACTS SIGNED IN FOUR WEEKS. NOW 96% OF ALL LOCAL BUSINESS ON RENEWAL BASIS—66% FOR "52 WEEKS"**

**ADVERTISER**

**AND WHAT Advertisers DO FOR A STATION INDICATES PRETTY CLEARLY WHAT THE Station IS DOING FOR ADVERTISERS**

**WBBM**

**50,000 WATTS CHICAGO**

**OWNED AND OPERATED BY THE COLUMBIA BROADCASTING SYSTEM**

**CALL US OR, IN NEW YORK DETROIT, ST. LOUIS CHARLOTTE N.C. LOS ANGELES OR SAN FRANCISCO CALL RADIO SALES!**

**"MEMO"**

**IN CINCINNATI - WSAI IS NOW 2ND ONLY TO WLW IN TOTAL BUSINESS**

**5000 watt WSAI in 93 quarter hours of business ahead of the 50,000 watt CBS station here. And thus, will its paid-for programs totaling 285 quarter hours during the typical week starting July 28th is exemplifying the truth that most sponsors prefer the station with superior selling power.**

**THE NEW WSAI - Cincinnati's Own Station**



# MUTUAL TIES UP SERIES

## MAY PRECIPITATE POLITICAL ISSUE

**Washington Awaits Possible Repercussions in Political Circles as One Network Alone (Gillette Sponsorship) Has Rights to Gala Week of National Sport**

### MONOPOLY?

Washington, Aug. 13.

Both trade and political circles are waiting with bated breaths for repercussions to Mutual's announcement that for the second successive season rights to air the world series baseball games have been tied up under an exclusive contract, with Gillette Razor sponsoring the pitch by pitch accounts.

Interest has been heightened by the critical comments about last year's situation contained in the chain-monopoly committee report. Trio of probers condemned MBS for depriving the public service, through refusal to grant rival outlets an opportunity to join the web. Nothing has been done, though the other chains last year fussed and did their best behind-scenes to get the FCC to step in and give Mutual the woodshed treatment.

Whether the games will be offered to other stations and whether CBS and NBC, as last year, will wave a club in the direction of any affiliate

flirting with Mutual, intrigues local watchers. Admittedly, a legal rum-pus would occur if the Commish tried to compel Mutual to loosen up or to punish the other chains for not releasing their affiliates. But the way the regulators have looked down the nose at the industry in the past year provides basis for being alert to the possibility that some official heat will be turned on.

### Of Real Importance

With the chain-monopoly report hanging over the industry's head, the proposition is of much greater importance than it was a year ago. If there are many squawks—from listeners or from stations—about Mutual's exclusive arrangement, regulatory faction feeling exclusivity should be banned in the 'public interest' will be in a stronger position. So far, there have been no bleats, but there is plenty of time.

There is no indication at this end that such will be the practice, but suggestions have been thrown out that MBS would be smart if it offers to let CBS and NBC carry the games at regular card rates, with the credit line reserved for Mutual. It's not expected the rivals would go for such an arrangement, but at least by making an overture Mutual would head off complaints it is trying to monopolize a program of widespread interest in a way that may deny many listeners a chance to hear the descriptions.

The matter of Federal interference with the Mutual arrangements probably will be chewed over by the regulators after the vacation season. Though not on any agenda, the public welfare issue as spotlighted by the chain-monopoly committee's discussion of what happened last October is bound to be brought up.

Des Moines.—Boris Radoff is now member of Buddy Webster's Borderland Buckaroos at WHO, Des Moines, Iowa.

## MECHANIZATION MENACE

**WCCO Mobile Unit' Upsets the Farmers' Bovines**

Minneapolis, Aug. 13.

Livestock in the rural sections are getting their first taste of radio broadcasting as station WCCO (CBS) sends its new mobile unit out into the country. And farmers are complaining that the loudspeakers, turned on full blast, are frightening cows so much that, in some instances, milk yields have been reduced.

Truck not only broadcasts current radio programs, but also has a p.a. system and equipment to make transcriptions. It was used effectively here to help direct parade traffic during the Aquatennial celebration and it's now visiting county fairs where the WCCO artists' bureau is staging shows.

## Costly Local Musicales Shifts to WJR, Detroit, As Tums Preempts WXYZ

Detroit, Aug. 13.

Stroh Brewery's local half-hour musical show, highlighting Gus Haenschen and a 36-piece string orchestra, moved last week from WXYZ to WJR after 13 weeks on King-Trendle station. Change was forced by shift of Tums 'Pot-o-Gold' program to NBC-Blue, and hence WXYZ, in same spot formerly occupied by Stroh show.

New contract with WJR calls for 39 weeks and show will again comprise Thomas L. Thomas and Margaret Daum, soloists, who, like Haenschen, make weekly trips from New York for program. It'll continue to emanate from Consistory chapel of Masonic Temple here before live audience.

## Local Baseball on Web Stations A Dilemma For Columbia In 1941

Question of baseball broadcasts next season on Columbia affiliates has already come up and discussions are being held. The afternoon time in 1941 is reported likely to be sold

to national advertisers. Some of the time has already been tentatively okayed, although network officials assert that no actual deals are set.

Attitude of the affiliates toward any network business that might force the local baseball broadcasts off the air is uncertain. Their rights in the matter would depend on individual contracts with the network. However, even the managed and operated stations would probably not be forced to relinquish the baseball games if they insisted, according to CBS execs.

Columbia's attitude as a network is dissatisfaction with the idea of having to hold open afternoon time year around for sponsors of baseball games to use from April to October. Moreover, there's always the possibility that, after holding open the afternoon hours over the winter, rights to the games might not be obtainable or sponsors interested in the spring.

However, a number of the affiliates are believed to be strongly opposed to relinquishing games and web is apparently reluctant to be forced into making a final decision on the matter at this time and is trying to feel out various propositions. WABC, the network's New York outlet, carries the Yankee and Giants home games for Camel cigarettes. If baseball is dropped for next year, it's figured NBC may try to grab them for its blue hookup (WJZ). However, WOR, which now has the Brooklyn Dodgers games for Wheaties and Ivory soap, might want to switch.

## WSB VOX POPS 'EM ON FARM

Atlanta, Aug. 13.

Bynum (Bill) Prance, WSB's farm director, bringing his stories of the Georgia farmer to the early morning listeners by way of the transcription route. Prance found that when the rural folk got in front of a studio mike they tightened up, so he now takes his recording apparatus to the orchards, cottonfields and back of barns and interview. his subjects, and with much better results.

Prance has the 5:30 to 6:15 a.m. period for his program which in addition to these interviews consists of music, news, farm info and talks by state or federal agricultural experts. He's the m.c.

Arthur Simon, WPEN Philadelphia general manager, in canoe Sunday with wife, was rammed by a speeding motor boat. Cut craft in two. All they got was a wetting.

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50,000 WATTS  
CBS**

**With the largest habitual audience in the West, KNX extends its primary night-time coverage over seven million people in 272 counties in eleven Western states.**



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**COLUMBIA'S WORKSHOP IN THE WEST**

## From the Production Centres

### IN NEW YORK CITY

Zita Johann added to 'Mr. Keen, Tracer of Lost Persons' cast... Florence Lake has left same show for Catalina Island visit with her brother, film actor Arthur Lake... Kay Brinker joined 'Our Gal Sunday' cast... Ray Collins went to the Coast last week for about a week's work in the Orson Welles picture, 'Citizen Kane'... Everett Sloane follows in a few days for a part in the same film... Roman Tollenberg, Ralph Hersh, Fima Fidelman and Francis Tonhazy, members of the WQXR instrumental group, appearing in a solo series over the station at noon Sundays during August... Ray Katz, of WHN program department, and Arthur Weill, of the accounting department, vacationing... Al Grobe taking over noon news session over WINS while B. S. Berovitch is away for a rest... W. C. Alcorn, general manager of WBNX, on month's trip to the Coast... Sue Royal, of the same station's production department, vacationing at Fernside, N. Y... Walter Holmes, announcer, and Harold Miller, technician of WBNX, back from tour of the south.

'Legion of Safety,' discs with Allen Prescott as 'The Back-Seat Driver,' Jerry Sears' orchestra and soprano Llewellyn Moss, presented under the auspices of American Legion in cooperation with Automotive Safety Foundation, are being turntable one night weekly via WGY, Schenectady, and elsewhere. Engagement announced of Ulla Marianna Brodd, of Stockholm, Sweden, to Herbert Ogden Fox, son of President and Mrs. Dixon Ryan Fox of Union College, Schenectady, and an employee of Columbia Concerts Corp... CBS' Dr. Frank Stanton flabbergasted by discovering man of same name is one of the honored dead of ASCAP... Stanton went to N. A. B. convention with Mrs. S. along... she finally agreed to fly.

William Saroyan's radio play 'A Special Announcement,' to be published by House of Books... it was aired on WHN's 'Tonight's Best Story' series week ago (Tuesday)... during Alton Cook's vacation, Maxine Cook (no relation) is doing the World-Telegram radio column, but sans by-line... Max Wyllie, CBS script ed, spending month at Lake George... Karl Swenson, of 'Our Gal Sunday,' written out for week's vacation... Boyd Crawford dittoing from 'Amanda of Honeymoon Hill' beginning Monday (12)... Florence Robinson added to 'Betty and Bob' and Peggy O'Donnell on same show, replacing Mary Mason, who's visiting her family in Hollywood... Milt Hill of WHK, Cleveland, seeing New York for first time... Les Gottlieb of Mutual his guide... KWOS, Jefferson City and WSGN, Birmingham, newcomers to Mutual membership.

John McMillin, Compton agency radio director, vacationing in New Hampshire... Edward MacHugh, the 'Gospel Singer,' starts next week to record a new batch of his P. & G. waxed series... Raymond Jones, of the Compton radio department, to Nantucket for several weeks... Sandra Michael recuperating at her Silvermine (Conn.) home from an appendectomy... during Quincy Howe's vacation, his news-comment series over WQXR will be handled by Gustav Richter, Austrian refugee; Leo M. Cherne, author of 'M. Day,' and Harry Scherman, economics expert.

The George Zacharys (Marian Shockley) have joined the radio flotilla of Long Island yachtsmen... Carol Irwin, Young & Rubicam daytime radio head, who returned last week from the Coast, planned to Boothbay Harbor, Me., over the weekend... Tonight's (Wednesday) 'Manhattan at Midnight' edition was scripted by Richard Dana... Arthur Hale, weekend in Bucks county (Pa.), was down back and forth to New York three times by private plane for his broadcast... Dolly Dawn added to Morey Amsterdam's 'Laugh and Swing Club'... Jimmy Scribner's 'Johnson Family' off the air until fall.

Ronnie Goldenberg, WNEW auditor, will be married Sunday (16) to Laura Whitehorn... Cliff Corbett, Bill Reilly and Maria Little, of WNEW staff, all off for vacationing, and Ruth Frank, of same station, back at the grind... Walter Gross, pianist on 'Hit Parade,' 'Crime Doctor' and 'Ray Block Presents,' is now batoning 'Summer Cruise,' with Buddy Clarke and 'Accent on Music'... Dr. I. Q. will have a 'preview' showing of his program Friday night (16) from Madison Square Garden... moves his broadcasts to the Capitol theater stage Monday (19)... Jerry Danzig, WQR drum-beater, going Hollywood.

New band remotes over WOR, New York, include Larry Clinton from Manhattan Beach, N. Y., beginning Aug. 25; Joe Venuti replacing Cab Calloway from Meadowbrook, Cedar Grove, N. J., and Xavier Cugat, from the Waldorf-Astoria, N. Y., beginning this week.

Maj. Leonard Nason, Mutual's military dooper, will cover and participate in the army maneuvers at Plattsburg next week as a reserve corps major of cavalry... Gabriel Heatter's Wednesday and Friday news shots over WOR-Mutual add six more stations... Edward Padula, formerly a television program director for NBC, staged 'No Time for Comedy,' with Francis Lederer, at Saratoga... Virginia Godfrey, daughter of the late Sam Godfrey, and a member of the Spa theatre company, at Saratoga, broadcast from Albany last week.

Alfred J. McCosker, WOR prez, visiting Rudy Vallee in Maine, then continues his vacation at Murray Bay... Selena Royle, the radio actress, has scripted a legit play, 'Era's End'... she's the daughter of Edwin Milton Royle, who wrote 'Squaw Man' and other plays... Ida Bailey Allen's home economics series returns to WMCA beginning Aug. 26... Mrs. Jerry Lawrence, wife of the producer-announcer of Mutual's 'Vagabond Trail' east after a month's stay on the Coast.

### IN HOLLYWOOD

Robert Moss bowed off NBC's production staff to become night program supervisor. He succeeds Marvin Young, who steps down to write and produce for the net... Lewis Allen Weiss and Fox Case have been appointed to the California committee on defense... Buddy Twist moves

#### ACETATE

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in on the Sperry newscast over NBC while Sam Hayes grabs off a two-week vacash... Deanna Durbin will be the first guest star when Chase & Sanborn resumes its airtel Sept. 1... Harry Lubeck, Don Lee net's television head, is in N. Y. for the FCC-visio huddles... Edgar Bergen finally brought his new plane into port... Bob Hope is golfing at Del Monte... Jim and Marian Jordan (Fibber McGee and Molly) are in town after a six-week siesta in Kansas City... Tracy Moore becomes western division sales manager for NBC blue, while Syd Dixon, Division sales chief, concentrates on real deals... Al Span, CBS sound effects director, is east for home office confabs... Joe Bigelow takes over the Kraft Music Hall scripting chore while Carroll Carroll treks eastward to recuperate from his recent illness... Bill Wright, who has been Zeb to Al Pearce's Eb, makes his screen debut in Columbia's 'Blondie Plays Cupid' after 12 years in radio... Bob Crosby launches his Camel broadcasts from NBC studio here Aug. 15. He opens a four-week stand at Catalina Aug. 11... Arch Oboler has completed his Metro writing stint and started work on his fall radio series for Radio & Gamble, which gets under way Oct. 4 under the title, 'Everyman's Theatre'... Wicks Chemical's new thrice-weekly quarter-hour variety show gets the signal Sept. 30 over NBC's red although make-up of the program has not yet been decided... Arthur Church, head of Midland Broadcasting Co., operating Kansas City's KMBC, dropped into Hollywood to install Bob Braun as the outfit's Coast rep. Braun resigned as radio department chief for the Edington-Vincenz agency, which is farming its kilocycle talent to Nat Wolff on a split-commission basis.

Frances Langford, Kenny Baker, David Broekman and his orchestra and the balance of the current Texaco air setup has been signed on a five-week extension, holding over until Fred Allen moves... Oct. 2... Lloyd Brown, field, ex-Jimmie Fidler news rustler, has been added to Hal Roark's CBS publicity staff... Chet Lauck and Don Ameche have split up as racing stable partners, with Lauck taking over the breeding stock and ranch and Ameche claiming the running nags. Lauck is now at Saratoga to line up added stock, after which he heads for New York for radio huddles... Fibber McGee and Molly off for Frisco in their new trailer... Harvey Helms, Al Pearce writer, has been discharged from Good Samaritan after recovering from flu... Bill Moore, Coast program supervisor for William Eby shows, pulls out for New York Friday (16) for a month in the home office... Hal Phillips and Bernie Dooler, latter from N. Y., take over here during his absence... Prexy Forrest Barnes, Radio Writers Guild, is on his Idaho farm for some fishing... Everett Sloane arrived from Manhattan to make his screen debut via Orson Welles' 'Citizen Kane'... Cecil B. DeMille and Louis Silvers have inked new Lux deals... already set by DeMille for the next season, which gets the signal Sept. 9, are Laurence Olivier and Edna Best in 'Goodbye Mr. Chips,' Claudette Colbert and Cary Grant in 'The Awful Truth,' Barbara Stanwyck and Brian Aherne in 'Wuthering Heights,' Bette Davis and Spencer Tracy in 'Dark Victory,' and Charles Laughton and Elsa Lanchester in 'Sidelwinks of London'... Almond's double feature controversy gets a coast-to-coast airing over CBS Aug. 24, when Samuel Goldwyn, Darryl Zanuck, I. E. Chadwick, Trem Carr, Prof. F. P. Woellner (UCLA) and Mrs. Leo B. Hedges (P-TA) add their views via the People's Platform.

Arch Oboler has turned out a book of 15 radio plays, out of his experience as a producer-writer for the air waves, to be published by Random House, Oct. 4. Volume carries a foreword by Lewis Titterton, chief of the NBC script staff in New York. Oboler leaves Hollywood today (Wed.) for an Idaho vacation after winding up a scripting job for Metro.

### IN CHICAGO

Donald McGivney gets a six-week news schedule on WBBM at 4:15 a.m. Muriel Bremner added to 'Road of Life,' Dorothy Francis to 'Scattergood Baines'... Lee Childs into the loop Late-Lake... Don McNeill, Jack Baker, Nancy Martin, Evelyn Lynne, Escorts and Betty, Dinning Sisters of the Breakfast Club show to Lakeside Park in Dayton for a quick weekend date on Aug. 23... Phillips Holmes doubling from the 'Wings for America' show on WGN-Mutual to a military training course at nearby Fort Sheridan...

John Hess joins WGN continuity gang to scribe for the Bill Bacher productions... Added to 'Romance of Helen Trent' are Chris Ford, Dorothy Day, Howard Hoffman and Frank Behrens... Cliff Carr joins cast of 'Scattergood Baines'... Don Pedro on WGN for 10th year for Evans Food firm... Jeanne Juvon and Henry Hunter added to 'Midstream,' Kathryn Carr, Hugh Rowlands and Laurette Fillbrandt to 'Lone Journey,' Ray Lary and Bill Rose to 'Ma Perkins'... Alma Dubus and Bob Dryenforth to 'Woman in White'... Kirsten Flagstad in town for some concert dates.

Roy C. Witmer, NBC v.p., and Ken Dyke, advertising and sales promotion manager, in from N. Y. for a couple days... Ken Ellington, former WBBM 'Roving Reporter,' back to that job again after three months in Hollywood and six in New England for Wrigley airters... Stuart Dawson, WBBM-CBS assistant program director, in Springfield to cover State Fair.

Jess Pugh, title role player in 'Scattergood Baines,' has petitioned Rush County court to change his name to Scattergood Baines... A. Craig Smith, advertising manager for Gillette razors, and Searle Wallace, of Maxson ad agency, in Chicago to arrange Mutual airing of World Series... Don Pedro back on WGN, this session marking his seventh year on station... Mac and Bob, and Red Foley picked as favorite radio entertainers at picnic of Chicago chapter of National Grandmothers Club.

### IN SAN FRANCISCO

NBC staffers always get a thrill of pride when they pass Teleneues theatre and see 'KGO's' Information, Please' billed on marquee... outlet recently got similar billing at Golden Gate... Frank Denke, NBC staff pianist, has whacked out a concerto... takes 15 minutes to play and had its preem on KPO's 'Musical Heritage' Sunday (11)... next performance, Cincinnati Symphony, Dec. 12... CBS delegates to N.A.B. meet are taking roundabout way home... left Frisco Friday (9) for the south via Yosemite, arriving Los Angeles Tuesday (13)... party included Arthur Hayes, J. Kelly Smith and Howard Meighan of Radio Sales, N. Y.; Merle Jones, KMOX, St. Louis; A. E. Joseelyn, WBZ, Charlotte; Harold Fellows, WEEL, Boston; Kingsley Horton, same station; Arthur Kemp and Henry Jackson of Coast sales staff... KROW looking for boy announcer... lad will be used on a youth program and will be selected from winners in man-on-street quizzier... age limit, 8 to 16... Same station has found a new place to run a line—a bread factory... Kathleen Jensen airs cookery dope direct from Remar Baking company plant six days a week... John B. Hughes moves fast on occasion... ate at INS luncheon for NAB last week, dashed across town to do news broadcast on CBS and got back in time to appear on entertainment portion of party.

### More U.S. Internationals

Washington, Aug. 13. Chest-expansion for United States international broadcast stations continued last week with five additional transmitters upped to 50 kw, by the Federal Communications Commission.

Bringing to nine the number that have reached the maximum power which the commission deems necessary for satisfactory international service, NBC's stations, WRCA and WNBI, at Bound Brook, N. J., Columbia's WCBK, Wayne, N. J., and General Electric's WGEA, at Schenectady, and KGEI, San Francisco, joined the parade.

## Dean Maddox Names Amateurs Who Made Good

San Francisco, Aug. 13. To celebrate five years of running an amateur show, Dean Maddox of KFRC undertook Saturday night to demonstrate in 3,000-seat War Memorial Opera house that many of his amateurs are earning folding money today. Maddox (known as 'Budda' rounded up a flock of talent, which got its initial break on his show, aired 8 to 9 p.m. weekly under sponsorship of Marin-Dell Dairies (which renewed for sixth year this week).

George and Will Newcomb, aged 17 and 18, working musical saw, broom-stick fiddle and musical bottles, were credited with a gross intake of \$6,800 since debuting as amateurs four years ago.

Two discoveries dashed over from Treasure Island between shows at Aquadade, police escort and everything, to do their shift. One, Marie Montell, 16-year-old tapper, was aired two months ago. The other, John Collins, bass baritone, member of the Fred Waring glee club, who assertedly got his telltale break on an early edition of the take-a-chance hour, becoming staff baritone at KFRC for a time and later singing in opera.

Maddox told audience that younger who first confronted Mike less than three years... 20-year old Frank Arthur was sports-casting successfully and earned \$5,000 in the interim. He aired St. Mary's Fordham game from New York.

Ruth Peterson who did recitation two years ago was described as an MGM starlet who also plays 'Linda' in Hawthorn House on NBC.

Beatrice Laidlow, known as Tszgania and Her Gypsy Violin, booked for the Rainbow Room, New York, with a Chicago booking en route.

Closer in Maddox discoveries rally was Louise Randall, torch singer who jumped from KFRC tryout into niteries. Sang originals by Howard Eastwood, staff pianist for the Maddox show.

Following broadcast portion, Maddox recalled his own days in vaude when he and Jack Kirkwood of KFRC Breakfast Club had an act together. Team went into old-time patter and laid radio fans in the aisles.

### Swayze Joins KMBC

Kansas City, Aug. 13. John Cameron Swayze, newscaster, columnist and Journal reporter, joins the staff of KMBC as newscaster effective Aug. 25. Swayze joins up to handle increasing news commercials, a daily 10-minute stint for National Biscuit and six Sunday newscasts for Mid-Continent Petroleum Co. (DX gas and oils) as opening assignments.

This brings station news staff to four with Erle Smith, chief, handling broadcasts for Bond Clothes and for Ford Dog Food (Swift & Co.), while John Farmer takes the B. C. Headache Powder and Ideal Dog Food (Wilson & Co.) turns and the sustaining early morning news, Harold Addington, of the Transradio bureau, also works as member of KMBC staff.

New connection marks return of Swayze to station on which he made his debut... 1931. Since then as member of the Journal staff he handled at various times, radio, drama, films and a personal column.

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# STALL 4-NATION AIR PACT

## CLEAR CHANNELS DIVIDES FCC

**Time Grows Short for Action in Harmony With Havana Treaty Now Ratified by Canada, Cuba and Mexico—Fly Promises Action But Washington Fears Schism**

### RIVAL CONCEPTS

Washington, Aug. 13. Conflicting ideas about the value of this country's clear channel policy jeopardize the North American agreement, long desired insurance against Mexican border stations muscling U. S. frequencies. With only six weeks to go, the FCC has made nothing but the most elementary moves toward throwing the switch that will start the re-shuffling machinery whirling. And before any final move is made, a fight must take place, according to all signs. Unless this country by Sept. 29 notifies Canada, Cuba, and Mexico, the other three signatories of intentions, the pact will wind up as another of those fine ideas for ending international squabbles but of no material value to U. S. broadcasters harassed by foreign intruders.

Word from San Francisco that Chairman James L. Fly promised requisite preliminaries will be over time, received here last week, occasioned general surprise. For the industry watchers have been perplexed at the Commission's what-

the-hurry attitude for several months. Under terms of the Havana concord, each signatory must notify the other six months before the effective date how he will use the stripes tagged for his exclusive use. Inasmuch as Mexico's delayed ratification became formal on March 29, the deadline is the end of next month. So, if this country has not turned in a catalog of the Class 1 A and other ribbons by that time, everything's off.

Fundamental differences about the best way of promoting U. S. A. public welfare appear to explain the time-wasting. It comes down to the clear channels. Under the pact, this country keeps 25 of the 40 on which a single transmitter is licensed to function after dusk. One wing of the regulatory body thinks policy is 'monopolistic' and that these deluxe frequencies ought to

be opened up for use by several round-the-clock outlets; opposing faction still adheres to the decades-old concept that rural areas are dependent on interference-free secondary service.

**Questions**  
As a result, the industry is waiting for these answers:

Question No. 1.—If we fail to use the 25 ribbons tagged 1A for 1A outlets, do we sacrifice the promised degree of protection for these outlets that may be spotted on these frequencies? There's a legal and diplomatic controversy about that.

Question No. 2.—Shall the industry's economic foundation be under-

mined without further consideration, especially since nobody has come forth yet with a practicable proposition for supplying programs to the remotely-situated audiences which now can tune only the reflected sky-wave signals of far-away clear channel, 50 kw plants? This has been going on for several years.

## Dallas-Ft. Worth Deal Pending; Carter Sells 50%

Dallas, Aug. 13. Dallas News, which owns and operates WFAA, has obtained permission from the Federal Communications Commission to buy a half interest in KGKO, Fort Worth, for \$250,000. Amon Carter, publisher of the Fort Worth Star-Telegram and owner of WBAP, Fort Worth, is doing the selling. He will retain the other 50% in KGKO for himself. Deal will give the Dallas News all day and night air facilities. Its WFAA shares times on 570 k.c. with Carter's WBAP. WFAA will maintain separate studios and staff in Dallas and KGKO under the joint management will do the same in Fort Worth. KGKO is affiliated with the blue network.

## Buys WLW Jumble-Words

Cincinnati, Aug. 13. Scramby Amby, jumble-word quizzier, which bowed Friday (9) on WLW as a sustainer, goes commercial Sept. 8 for the Walter H. Johnson Candy Co., Chicago, blurring Powerhouse candy bars. Program runs 30 minutes and is on at 7 p.m. EST. Has Ray Shannon comic m.c. and has instrumental and vocal relief. Eight-piece band is directed by Phil Davis. Warbler is Anita, a newcomer on the Crosley staff and who recently completed work in the 'Strike Up the Band' pic in Hollywood. Jimmy Leonard does the announcing.

It's an audience participation show. Contestants receive musical, rhyme, classification and descriptive clues in bidding for cash prizes. Listeners are offered \$3 apiece for accepted scrambles and get an added \$2 for stumblers.

### Miller's Concert Party.

Philadelphia, Aug. 13. LeRoy Miller, who spins the platters on KYW's 'Musical Clock' during the early ayeams, rounding up station talent for a 'KYW Radio Revue' to make a series of personal appearances. Bill Smith, local agent, lining up the dates that include already an Aug. 23 at Spring Mountain House, Schwenksville, on the Pennsy borsch route, and Aug. 25 a week's running at Hamid's pier at Atlantic City. Miller will be at the emcee controls.

### 15,000 KIDS AT WMBD EVENT

Peoria, Ill., Aug. 13. Station WMBD gives its annual juvenile theatre park show today (13), with talent from children appearing weekly on the studio's Saturday morning 'Juvenile Theatre,' assisted by staff musicians and artists. As usual, the show takes place at Glen Oak park.

Milton Burns, WMBD announcer who handles the 'Juvenile Theatre,' trains the youngsters. Attendance of 15,000 is anticipated.



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3. ONE-THIRD THE COST of any New York network station.
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CKAC	68.06%
Station "A"	42.46%
Station "B"	23.02%
Station "C"	20.04%
Station "D"	15.67%

\*Week of May 1940: 5 to 11 p.m.

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"Canada's Busiest Station"

A CBS Affiliate

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# SENATE GROUP HEARS INS, OUTS OF '32 CONSENT OF RCA, G. E., WESTINGHOUSE

**Thad Brown Forgotten Man at His Own Hearings  
as Many-Sided Activities in Washington and  
Wilmington Are Probed**

Washington, Aug. 13.—Far-reaching repercussions, considered here almost certain to result in the long-anticipated congressional probe of broadcasting and the FCC, echoed through the Capitol last week from the 1932 settlement of the Justice Department's monopoly suit against the radio patent pool. Inquiry into the fitness of Thad H. Brown to continue on the regulatory board has now turned into a sweeping study of RCA's maneuvers that brought a consent decree involving the often condemned Westinghouse leases to NBC. Senate quiz also seemed like the first installment of a probe into the way the Delaware Federal court functions.

With Thad Brown shunted into the dim background as the forgotten man at his own hearing, the Senate Interstate Commerce Committee dragged from dusty records and foggy recollections the detailed account of how hushed-up activities coincided with the sudden postponement of the scheduled trial. But all the participants strongly denied there was any unethical or improper conduct.

Explanations of the way the case was ended left many committee members still skeptical and indignant. Frequent criticism was voiced by Senators Burton K. Wheeler, committee chairman; Charles W. Tobey, Clyde Reed and Sherman Minton. Repeatedly they showed clearly they feel many of the participants shook down RCA.

Whether the testimony will affect

Brown himself remained conjectural, inasmuch as some legislators showed they see no reason why any FCC member should be held responsible for these RCA actions. At the same time, most senate committee members considered it unbelievable that the commissary veteran never heard even suspicion-stirring hints of hidden attempts to enter the U. S. court via the back door. Plenty of oratory certain when hearings end.

While the decree involved the virtual transfer of control of several Westinghouse and General Electric stations to NBC, last week's hearings bore no direct relation to broadcasting. Point was made several times by Tobey, however, that Brown either was extremely dumb and lax or did not wish to find out the facts when he failed completely to direct attention of the later chain-monopoly investigators to the RCA activities.

Failure of the regulators to take cognizance of statements about the case made numerous times in House debate was chalked up as a black mark against Brown individually and all of his colleagues by implication.

## E. O. Keller Accusations Started the Affairs

When the committee recessed for the week-end Friday (9) after listening to testimony from approximately a dozen witnesses—most of them called via subpoenas and all placed under oath—the record contained circumstantial and direct support for most of the accusations in a sensational affidavit by E. O. Keller, who described himself as a local estate man and also is reputed to be undercover sleuth for organized labor.

The story was one of hush-hush conversations—with so much secrecy attached that even Col. Manton Davis, the RCA general counsel, never heard of them until years later—involving roundabout remuneration to individuals who steadfastly maintained they did not bring about postponement of the 1932 trial or the consent decree. Incidentally, great doubt was cast on the sanctity of the court, with committee members still wondering how far the money was passed.

From the parade of witnesses, the committee obtained a detailed account of the way four D. C. real estate operators acted as go-betweens and led to the hiring by RCA of a prominent local political lawyer, Roger J. Whiteford; the surreptitious week-end jaunt to Concord, N. H., to enlist aid of former senator George H. Moses; the hiring of former senator Daniel O. Hastings of Delaware; the secret huddle between Hastings, and H. C. Mahaffy, clerk of the Wilmington court.

A good many angles still remain to be checked. Some controverted points may never be cleared entirely, but neither will some of the ex-

planations ever be accepted at face-value. The usual "can't recall" alibis blocked the legislators at several points, while stern repetition of some testimony as "absolutely untrue" left the committee befuddled on a few vital points.

Suggestions that former senator Moses was brought in to try and put heat on the Justice Department, that former Senator Hastings rigged up the sudden postponement and that Mahaffy was compensated for delaying the proceedings all were flatly denied. The disclaimers did not, however, satisfy most of the senators.

## 'Fees' and What They Were for, Big Debate

High points of the testimony were admission of Whiteford and Hastings that they received good fees even though each indignantly denied he had any part in accomplishing the RCA objective. When they said they accepted remuneration, Tobey placed great emphasis on their contentions that their participation had no effect on the outcome of the litigation. Hastings acknowledged he was displeased with his \$2,500 retainer and later received an additional \$5,000 in response to his demands; Whiteford told how he got a \$2,500 down payment and an identical amount later.

Just why, if it was felt they rendered no service, RCA was willing to pay \$4,250 to three of the real estate men who brought Whiteford into the picture remained puzzling to the solons. Several times Tobey and Wheeler made it plain they feel the payments were hush money, that the willingness to appease these intermediaries indicates a guilty conscience on the part of the other participants. The fourth broker, E. O. Keller, got \$4,000 for various "contact" work performed for Robert D. O'Callaghan, of the RCA legal crew.

Details of the real estate crowd's activities were generally agreed upon, although several disputed bits of testimony remained in the record. There was disagreement whether O'Callaghan ever said settlement of the case would be worth \$50,000 to the individual who could bring postponement; whether Whiteford read the blackmail statute to Percy Keller, Levin Handy, and Whyland Shaffer; who took E. O. Keller and Handy on the trip to Concord; and Moses, and lesser points.

Sworn statements that Mahaffy, the court clerk, got part of the payoff were denied by several persons. This elderly individual who has been on the judiciary payroll for 45 years, firmly repudiated the yarn that he was compensated by checks handled through Lord & Thomas Advertising Agency or ever received any cash from Hastings. But the committee dug rather deeply into his financial affairs, keeping him under subpoena for further checking.

Conflict between the stories of Mahaffy and Hastings regarding a conversation which preceded postponement of the trial troubled the lawmakers. Mahaffy said he was summoned to New York, where he conferred with the ex-senator in a Waldorf-Astoria corridor about the state of the case; Hastings said he was sure the clerk is "mistaken," although agreeing he did talk with Mahaffy about what had happened at prior continuances and the attitude of Judge John P. Nields regarding possible further delay. Senators were derisive toward the accounts of the conversation, with Tobey and Wheeler unconvinced Hastings did not use the clerk as messenger to let the judge know he was in the case. (Hastings appointed Nields, whom he defended vigorously as thoroughly honest and unapproachable.)

With sarcasm and lamentations, Hastings readily told the committee how he operated. Denying he put the fix on, he justified collecting \$7,500 with the statement that he devoted a lot of time to the matter, though he agreed he was in the case only a few days and termed his part "simple." The ex-senator agreed he made a considerable blunder by not appearing openly in the maneuvers, but insisted his conduct still was entirely proper. He denounced as a lie the statement of his former partner, C. Edward Duffy, that he once said he had to pay \$2,500 of his fee to the court clerk, warning that he is the victim of a "sneak campaign"

plotted by a public utility company fighting one of his clients.

## Called on Justice

**Dept. to Seek Delay**  
Efforts to call off the Justice Department hounds were made before Hastings was dragged into the case, the committee found out. One of his first chores, Whiteford testified, was to call on former Attorney General William D. Mitchell and plead for more time to work out the consent decree. At that proposition, he related, because Special Assistant Warren Olney, who directed the government efforts, threatened to walk out if more stalling took place.

## RCA Doesn't Maintain 'Radio Lobby'—Sarnoff

During his return appearance Wednesday (7), Sarnoff was given some rough handling by Tobey and Wheeler, who could not agree it was "natural" to consult two senators when so much high-priced talent already was on the payroll. He explained that settlement of the case was urgent, particularly since it involved national defense as well as the big companies and 89,000 independent stockholders. Reason for talking with Moses, he declared, was to outline the serious danger to public interest if, by a government victory, the RCA-RCAC-NBC group suddenly was thrown on its own. Persons on the other side (the indies who cranked up the Justice Department) were telling their version to several solons, so RCA was justified in doing the same, he remarked.

RCA does not maintain any 'radio lobby', Sarnoff argued when quizzed about numerous charges pressure is applied to the FCC and Congress by industry front men. He disclaimed any part in bringing about defeat two years ago of the Connery resolution for a special committee probe of broadcasting and the regulators.

The company head voiced resentment at suggestions he carries his troubles to President Roosevelt, insistence on the part of the acquaintance with Thomas Corcoran, one of the most influential brain trusters. He admitted Corcoran told him present FCC Chairman James L. Fly had the confidence of the government and that he has talked with Fly at considerable length about various matters. In the connection, he showed he has not gotten over his wrath at the Commission's savage indictment of RCA's television advertising this spring.

## Pershing Made Own Request for Airing

Trade gossip that Fly persuaded the networks last week to carry General John J. Pershing's speech urging sale of destroyers to England was discredited by Sarnoff. He said the World War military chief made his own request for microphone opportunity and that Fly had nothing to do with the arrangements.

The committee encountered trouble getting O'Callaghan's story. Brought to the stand under subpoena, the lawyer first refused to answer questions because of the privileged lawyer-client relationship. After RCA waived any right to object to his telling his version, O'Callaghan demurred because he feared he might be incriminated or degraded. This did not stop the committee, which wanted to know when he finished just what he feared might result in injury. Wheeler derisively said part of his story is "pretty fishy" and charged he paid off the real estate men to keep them quiet.

Activities of O'Callaghan and Whiteford were condemned bitterly by Senator Reed. At one point, the Kansas Republican said the inquiry

has brought to light 'a lot of indication that comes pretty close to corruption,' a criticism which Col. Davis 'resented and denied.' The RCA lawyer's story was ridiculed by Wheeler, who remarked that no Congressional group could be expected to believe some of the explanation and reasons, particularly for paying the real estate operators. When O'Callaghan related how the intermediaries threatened to sue, Wheeler snorted "do you expect us to believe that RCA paid a contact man to get a couple of real estate men to recommend a lawyer who could find a Senator who would recommend hiring another lawyer in the Senate?"

While he denied knowing anything about the reported payments to Moses, at the wind-up O'Callaghan declared he had heard so much talk about who got paid in the case he could not be sure if he ever heard the reports that the former Republican senator was compensated. He maintained the only cash he handled was that which went to Whiteford and the trouble-making real estate operators.

## RCA Introduces Court Record of Witness

Attempts of RCA to supply a startling anti-climax to the yarn of Keller backfired. When Judge Proskauer began cross-examination, Keller readily admitted he once was indicted in a bad check case, pleaded guilty and received a suspended sentence. Proskauer offered a copy of the court record, angering Tobey who was suspicious about the move to discredit the witness. The New Hampshire solon was intrigued at the RCA 'discovery,' made only a couple of days ago according to testimony of Proskauer and Davis, and declared Keller had been a 'good witness.'

Testimony that William Mahaffy, brother of the court clerk, was paid \$50,000 to bring about modification of the consent decree in 1935 was unequivocally repudiated. Readily admitting they had retained him for many years in patent cases, RCA offered a statement showing his total compensation from 1930 to his death in 1939 was \$37,947, representing fees for 28 different legal assignments.

Suggestions that money for Hastings was transmitted through Whiteford in order to conceal the ex-senator's employment were denied. Hastings agreed RCA records might not disclose the fee to him, but said there was no effort to hide the fact as far as he was concerned. Whiteford likewise said there was no 'intent' to cover up, although he admitted that was the effect of having him compensate the former legislator.

RCA Attorney Davis finally admitted he would not have approved bringing in the senat. The RCA chief counsel said he reprimanded O'Callaghan when, six years after the maneuvers, he found out what went on, and commented he is not in the habit of discussing company affairs with outsiders, particularly real estate men, at any time. His expressions of regret prompted Senator Wheeler to observe that 'this ought to be a lesson to keep away from using political influence... it's disgraceful to see a great corporation get to the point of having dealings with scum. You might just as well get the idea you've got to do business above-board.'

**WBAL**  
means business  
in Baltimore

## FIRST in PHILLY C. E. HOOPER SURVEYS

Audiences of Philadelphia Network Stations  
(9:30-10:15 A.M., Mon. thru Fri.—4 Ms. Avg.)

WFIL	15.1%
WCAU	10.8%
KYW	10.4%

% Listeners Identifying Station and Program  
FIRST WITH 48 OTHER PROGRAMS

For LOWER COST Circulation  
BUY WFIL

Music for  
**ELLERY QUEEN**  
Composed and Conducted  
by  
**LYN MURRAY**

Mgt. COLUMBIA ARTISTS, Inc.

Lively  
Showmanship  
WINS LARGER AUDIENCES  
in the  
**INTERMOUNTAIN  
MARKET**  
FOR  
**KDYL**

Representative  
**JOHN BLAIR  
& COMPANY**

The POPULAR Station  
Salt Lake City

NBC  
RED  
NETWORK

## DON'T MISS PALMOLIVE'S

## "HILLTOP HOUSE"

STARRING  
**BESS JOHNSON**

By Adelaide Marston

Dedicated to the women of America.  
The story of a woman who must  
choose between love and the career  
of raising other women's children.

WABC-CBS—10:30-10:45 A.M. E.D.S.T.  
78 Stations Coast-to-Coast

Direction BENTON & BOWLES, Inc.  
Management ED WOLF, RKO BUILDING, New York



**'CRIME DOCTOR'**  
With John McIntyre, Alan Reed, Jack Smart, Gretchen Davidson, Edgar Stebbins, Walter Vaughn, Jeanette Nolan, Jackie Grimes, Tommy Donnelly, Bobby Redick, Warren Mills, Bill Redfield, Charles O'Connor, Ray Bloch orch  
25 Mins.  
PHILIP MORRIS  
Sunday, 8:30 p.m.  
WABC-CBS, New York  
(Blow)

New series for Philip Morris makes three the ciggie firm now has on the air, the first of the new heard Tuesdays and Friday nights. 'Crime Doctor,' a kinda whodunit with you-decide-it-for-yourself angle, is scripted by Max Marcin, the impresario of meller, who also writes the 'Perfect Crime' dramatic spot on the same sponsor's Johnny Presents show Fridays. On the basis of last Sunday night's (11) edition, 'Crime Doctor' is a likely commercial bet, its only competition 'One Man's Family,' a symphony program and a forum.

Format of the show is a prison parole board, with the stars telling his story in an effort to win release from the clink. Yarn is a combination of first-person narrative and dramatization, after which each of two members of the parole board express opinions for and against his release. Listeners are then asked to send in letters advocating one side or the other, best of each kind to receive prizes of \$50, with 10 other \$10 prizes to be awarded.

Prize letter angle should provide a strong listener pull, with the yarns themselves strong enough to hold attention. One caught was a push-over for sympathy, yet the characters were believable and the action well paced.

Production was only so-so, with a few transparent sound effects and a couple of slow pickups, but the acting was convincing, particularly Alan Reed ('Eddy Bergman') as the tough-luck con. Ray Bloch's orchestra handles the bridging and Philip Morris' familiar musical theme, the bit from Ferde Grofe's 'Grand Canyon Suite.'

Pageboy Johnny also contributes the usual 'Call for Philip Morris' signature. Two main commercials in Charles O'Connor's commercial draw plugged medical recommendations for the cig's ease on the throat and made a please-believe-us appeal. Hobe.

**'OF STARS AND STATES'**  
With John Boles, Knox Manning, Nan Grey, Virginia Vale, Don Barry, Dickie Jones, Texas Rangers, Lee O'Daniel  
30 Mins.  
CBS Forecast No. 7  
Monday, 9 p.m.  
WABC-CBS, New York

Described as a '48-chapter biography of America' the premise of this proposed Columbia series is the premise of Major Bowes' salute to Podunk—lavish, nation-wide praise for a locality, here a state instead of a city. As the hook for the production the weekly change of guest stars is to include personalities from the state saluted.

An hour proved much too long for the entertainment possibilities and the Battle of the Alamo was re-fought again for the nth time on air and screen with results very close to boredom. Parts of the dialogue were breezy and the longwinded but humorous spiel of W. Lee O'Daniel, governor of Texas and himself a hillbilly emcee, was droll. But on the whole it was not compact and speedy. For commercial purposes it needs trimming and fixing. Land.

Jerry Smith, yodeling cowboy, with station WHO, Des Moines, for five years, taking a leave of absence to make 'The Range Busters' Monogram in Hollywood starting production Sept. 1.

IN BALTIMORE  
IT'S WATER  
WBNX  
NATIONAL REPRESENTATIVES  
EDWARD PETRY & CO.  
ON THE NBC RED NETWORK

Now! 5000 WATTS  
DAY AND NIGHT  
YOUR BEST NATIONAL SPOT BUY  
A NEW APPROACH TO THE NEW YORK MARKET

**LORETTA YOUNG**  
With Elliott Lewis, Cy Kendall 'Angle'  
30 Mins.  
CBS Forecast No. 5  
Monday, 5 p.m.  
KNX-CBS, Hollywood

Tailored to the taste of the dis-tasters with a film star thrown in to lift it out of the mill run of chapter plays. Its chances of joining the nets' regulars next fall will depend in no small measure on the mail response, solicited without pulling punches. As a serial starter it proved a good selling sample of what is to come if the cork is pulled under.

Housewives should find this tale of the Red Cross a meaty morsel, something to duck the dishes for; if the intro is any indication of what is in store as the cliffhanger unfolds. Heavily in its favor is Loretta Young, who would give it its early pull. The crack Silver Theatre combo of Glen-hall Taylor, producer, and True Boardman, scripter, will take care of it the rest of the way. They know femme values in the kilocycle sense.

In this tale of the angels of mercy, Loretta Young is given ample opportunity to display many facets of her acting talent. She opens as a grandmother, writing her memoirs, skips lightly into lighter romantic moments, then full tilt into heavy dramatics. It was no easy assignment but she took the emotional hurdles in stride. In approved cinematic cutback style, the play unfolds in retrospect, allowing the full play of the star's versatility. Elliott Lewis, local stock player, performs competently enough with what little he has to do but should figure prominently in the chapters to come. For what is a serial without a male heart-throbber.

Main ingredients for the compounding of such a fare were provided in the initial full stanza. That's the presentation aspect for the check-writers. For that reason it may have listened a little jerky in the beginning, but considering its primary mission it showed no lack of production skill. Romance, high drama, devotion to duty and the all powerful theme of the Red Cross spurred the drama. Plunged into the quest but bridged without letdown to the knob spinners. Those tricks are old stuff to CBS Producer Charles Vanda and the Taylor-Boardman duo.

Tale didn't get far enough along to merit an appraisal of the dramatic content contained in the full series. Miss Young quits schoolmarriage in a huff when accused of divers indiscretions and is about to leave the midwest town for keeps when a flood maroons the community. She plunges into the rescue work and takes over until a Red Cross director arrives on the scene. Gradually getting over her disdain of what is to her a domineering attitude, she sparks to his manliness. Once the danger over, she and her partner parts to carry out his work of mercy. She follows and therein romance takes hold. Then comes the plea for letters, if you want to hear the remaining chapters. Helm.

### Radio Followup

Gus Van told, via 'We, the People,' and on 10th anniversary of death of Joe Schenck, a touching, nostalgic story of careers which took them from operators of a Brooklyn trolley car in 1919 to the peak as a harmony duo. One angle which may have caused listeners to wonder was fact all Van's emphasis seemed to be on musical comedy rather than vaudeville appearances, the latter being more familiar to the run of people. No reference to Jack Laiz's tag, Pennant-Winning Battery of Songland. Van, who has done considerable broadcasting since Schenck passed away and who reads a script in same firm baritone that he uses in singing, made a gentle plea that patrons remember entertainers no longer in spotlight. He explained twosome's first real chance: a party, given by C. B. Dillingham, to which they were summoned when a performing monkey became ill, and Flo Ziegfeld heard them.

Bob Hawk is properly precise yet ingratiating as occasion demands in emceeding 'Take It Or Leave It,' the double-your-money show on Sunday nights for radio. It's a fast-growing audience-participationer, the idea of pyramiding \$1 up to \$64, seven double-up sequences, making for sturdy audience appeal.

**P. G. WODEHOUSE SERIES**  
With Edward Everett Horton, Alan Mowbray, Helen Wood, Myra March, Donald Morrison  
'Leave It to Jeeves'  
30 Mins.  
CBS Forecast No. 9  
Monday, 9:30 p.m.  
WABC-CBS, New York

Columbia has now unveiled nine of its proposed 14 summer public auditions. Of the nine programs to date, two are doubtful entries, seven are plausible and among the seven four seem of especial commercial merit. Four, to recapitulate, are, respectively, Raymond Paige's 'Battle of Music,' Alfred Hitchcock's 'Suspense Series,' Dave Elman's 'Life of the Party' and the program whose credits lie above this stretch-of-type.

A Hollywood effort by adaptor Stuart Palmer and director Ken Niles to translate P. G. Wodehouse to radio, this sample was conspicuously successful.

The story, 'Leave It to Jeeves' was told with sharp, clear strokes. It had a beginning, a middle and an end, characteristics of the Wodehouse short stories which seem to be obvious material for radio and, best of all, which exist numerously as a reservoir to draw upon. The deliciously addie-brained Bertie Wooster and his loyal brain trustier, the priceless Jeeves, are pair whose extensive literary adventures provide, in ready-made form, the makings of a swell radio entertainment. While not a universal audience in terms of radio circulation, the magazine and book readership of Wodehouse represents achieved success in other popular media. Success-snobbish and comedian-allergic sponsors will probably appreciate that.

The yarn of the rescue of Bertie from a gold-digger unsprung on well-to-do bobbins, with Edward Everett Horton and Alan Mowbray a sure-fire English team. The continuity was tight, the dialog generously borrowed from the original texts and intelligently edited to further pace and clarity. The whole thing was steadily diverting with frequent and strong giggles. Supporting parts were proper hands.

The spontaneous gaiety of this Wodehouse type of farce, and the fact that it would be the only comedy dialog show of its genre on the air, makes it seem a challenge that advertising agencies, even those that hate everything they didn't think of themselves, may have to recognize as a hot bet. Land.

**'EVENING CALL'**  
With Agnes Moorehead, Dwight Weist, Herbert York, James McCallion, Josephine Lyons, John McIntyre, Lawson Zerbe, Elliott Reed  
30 Mins.  
Sustaining  
Saturday, 8 p.m.  
WJZ-NBC, New York

Dwight Weist, one of the busier radio actors, made his first try as a script writer with a lugubrious piece called 'Evening Call,' adapted from a story by Alice Beal Parsons, on last Saturday night's (10) edition of the NBC Radio Guild series over the blue net (WJZ). Howard L. Nussbaum directed and a cast of AFRA regulars, including Weist, did the emoting. It was grim going.

Yarn about a homicidal maniac who gets loose on a stormy night to threaten with an ax the summer residents of a cottage on remote Long Island wavered between creeps and comedy without quite being either. Subject of crazed killers is in doubtful taste at best and in this case suffered from inept handling. Characters were distinctive, but the script was cluttered with more of them than Weist was able to handle. As a result, he failed to keep most of them included in the dialog, so while one or two people in last long speeches, the others might as well have gone out to rehearse another program. Fact that there was not a single scene change or break in the entire script also made the action seem static.

There was one serious flaw in logic. It was several times explained by the maniac father that he had left the ax in the chopping block where his son could find it. Later he promised to keep it hidden in future. Yet, he explained, when he hated his home, the lad said his parents made him work too hard, always forcing him to chop wood. Such lapses as this, as well as failure to keep all the characters present in the dialog, should have been caught by the director. Acting was generally competent within the limits of the script. Hobe.

**FORSYTHE, SEAMON, and FARRELL**  
Variety  
Saturday, 8:15  
BBC, London

Wired from the New Hippodrome theatre, Coventry, these Yankee funsters seemed to tear the house to bits. Topical gags around war, Nazi chiefs and patriotism had the audience wild, for could the comedians complain. Act was solid with the patrons after m.c. explained that Seamon and Farrell were booked for the Washington and the safety of U.S., but preferred to stay and 'take it.' At this rate of going they'll collect.

**'THE LIFE OF THE PARTY'**  
With Dave Elman, Harry Salter Orchestra  
Novelty  
30 Mins.  
CBS Forecast No. 8  
Monday, 9 p.m.  
WABC-CBS, New York

Dave Elman, impresario of 'Hobby Lobby,' has a bright bit of easy-going novelty entertainment in 'The Life of the Party.' It is an odds-and-ends kind of program, half audience participation, half professional, a mingling of prominent personages of talent and unknowns with eccentric accomplishments. It is reminiscent of Elman's own 'Hobby Lobby' and of 'We, the People' and of Mort Lewis' celebrity minstrels, and of all the nut interviews and parlor game stunting that has bobbed up in recent seasons. It was smartly backgrounded and bridged by Harry Salter's orchestra.

Radio is usually keen for the show that supplies comedy without needing a four-figure comedian. This one promises to achieve good chuckle results at nominal overhead and would seem to rate high among the most-likely-to-be-sold of the varied showcased samples in the CBS Forecast series.

Elman, with a canny sense of bizarre values built up through his familiarity with hobbyists, devised a strainless half-hour that began with a gent who tapped out music and dance routines on a typewriter and concluded with a quartet composed of members of the Brooklyn Dodgers. Mixed in was a gent from Hoboken who creates tunes from a fire extinguisher, and a Brooklynite who squeezes the palms of his hands together to render 'Mary Had a Little Lamb.' Fred Hall contributed a gem of nostalgia, an old Nickleodeon film parlor piano rendering mood music. David Ross delivered, straight, an Elizabeth Browning poem and the vivid Hildegard from the niteries did a song in which the French sentence, 'has English and English,' was repeated. Shirley Warner, the addling mama from 'Hellzapoppin' tossed in some wallflower grouch patter.

The time sped by pleasantly, suggesting that the program is simple, practical and commercial. Land.

**'ORIGINAL YANKEE SWAPPER'**  
With Carl Moore, Ray Girardin, Art King  
15 Mins.—Regional  
H. HOOD & SONS, DAIRIES  
WEEI, Boston

Borrowed from Robert Sagendorph's New Hampshire Magazine, 'The Original Yankee Swapper' is designed to appeal to New England shrewdness and Yankee trading instinct. Swaps are distributed through 5,000 H. P. Hood ice cream dealers throughout New England and can be had free. Listeners are invited to send in the magazine's offices in Dublin, N. H., descriptions of articles they will swap for those in the published lists, or for anything else in particular.

At each broadcast, different swappers are invited into the studio and are interviewed. Last show caught, one interview was gagged cleverly. Man wanted to exchange something in return for some knickknacks for his whatnot. Another concerned Mrs. Sagendorph, wife of magazine publisher. A young woman wanted to swap her baby for a short time while she and her husband went on vacation. Mrs. Sagendorph took in the child, said it was an easy way to get one.

Carl Moore, WEEI handyman, took the main assignment as the head swapper. Ray Girardin, his sometime stooge, assists. Plugs for Hood products, especially ice cream, are handled by Art King. In plugging the products, he stresses 'value received' as in swapping. Program lasts only 15 minutes and moves along rather swiftly. It was sometimes forced, and could stand either in humor or more serious trading but otherwise looks like a smart merchandising idea for New England. Riley.

pin' tossed in some wallflower grouch patter. The time sped by pleasantly, suggesting that the program is simple, practical and commercial. Land.

## CBS in the West



... just like 3739 local programs!

IN 3739 scattered cities and towns of the West, where 99% of Western retail sales are made, Columbia's brilliant programs are listened to regularly at night... just as though they were local shows!

### Big audience—low cost

With more listeners, during more quarter hours, than any other network in the West, Columbia-Pacific springboards your program off to a better start... to a bigger audience.

Yet you can fill the Western air with your programs for as little as \$397.50 per broadcast (daytime—time and talent). That's less than 13¢ for each of the 3074 towns in Columbia's daytime primary coverage area!

### One market—one campaign

Columbia-Pacific is powered to span the West's great distances, to surmount its difficult terrain. It merges these thousands of scattered communities into one easily sold market... spreads your sales story wherever sales are made... not in hundreds of costly, troublesome little schedules, but ever-so simply in one overall regional campaign.

To sell the richest per capita market in the nation (100 Westerners buy as much as 142 other Americans!) use the network which covers all the West—with "local" potency—for as little as 13¢ per town. Use the...



Columbia Pacific Network

A DIVISION OF THE COLUMBIA BROADCASTING SYSTEM  
Palmer Hotel, San Francisco—Columbia Square, Los Angeles  
Represented by RADIO SALES: New York... Chicago... Detroit... Charlotte, N.C.

# "NO RIGHT TO A PERSONAL INTEREST IN 'GOD BLESS AMERICA,' BERLIN IS TOLD

Program Director of KGVO, Missoula, Mont., Enunciates Theory That Greatness of Song Deeds It to the Country for Unpaid Performance

Irving Berlin views a letter from James Alden Barber, program director of Station KGVO, Missoula, Mont., with frank suspicion. The latter wrote the songsmith an 'open letter' with the suggestion that 'God Bless America' be thrown into the unrestricted class. In Berlin's reply, the songwriter openly stated that "your letter obviously has for its true purpose an attack upon the American Society of Composers, Authors and Publishers, which represents the songwriters of the world against stations such as yours which seem willing and anxious to confiscate for their free use all music, that it does not merit any reply in respect of the suggestions made and intended as a peg upon which to hang your attack."

Long before Barber's proposal, Berlin states he weighed the idea of ultimately making his 'God Bless America' free for all usages, but under his scientifically mapped plan to preserve the longevity of the song, especially in view of its economic benefit to the Boy and Girl Scouts of America, to whom all royalties are given outright, he has been rigidly restricting the number and types of performances. Eventually, however, he will have to take off all limitations but the fact that the song has now gone over 500,000 in sales which, at the 8c. royalty, plus accruing mechanicals, has already earned some \$50,000 for the Scouts, substantiates his judgment, Berlin believes.

## Chorus Did It

Right now Harry Richmond is putting at Berlin, Inc., for curbing the song's performance because Berlin took exception to a chorus-girl routine while the singer was at the Chez Paree, Chicago, recently. That's precisely the way Berlin doesn't want the ballad handled, hence the strict ASCAP restriction.

Due to the increasing American defense problem the song has taken a tremendous jump in recent weeks, the last three especially being abnormal. Some 8,000 copies a week have moved out to the stockroom to dealers, against the average 3,000-4,000 copies per week.

Berlin's brushoff to radioman Barber is preceded by "I try always to be courteous and it is for that reason alone that I acknowledge receipt of your open letter" of July 22. The suggestions contained therein as to the disposal which I should make of the song 'God Bless America' would I think be in much better taste if advanced by an executive of a radio station which had not been a party to defrauding composers and authors of their royalties for a period of years, under legal machinations which made it possible for them so to do."

Barber's original letter to Berlin follows:

(Copy)

An Open Letter to Irving Berlin

Dear Mr. Berlin:

We have noted with approval and applause your magnanimous gesture in turning over to the Boy and Girl Scouts of America the royalties derived from your patriotic hymn, 'God Bless America,' and the stirring, if somewhat unnecessary defense of your actions in the matter, by VARIETY. If more of the revenue derived by ASCAP, and its favored few composers, was put to some charitable and worthwhile use, perhaps broadcasters would not protest so much at the bleeding they have suffered from that organization.

Your gesture in turning over the 'God Bless America' royalties to the Scouts is patriotic. Mr. Berlin, but it is not enough. I respectfully submit that you are in the position of having written a song that no longer belongs to you, to Miss Kate Smith, or even to ASCAP. It rightfully belongs to the American people as a whole. You have a duty to the nation to retrieve this song from the ASCAP grip, and make it available to the American people without restriction—even without the restriction that no one

can sing it over the air but Miss Smith.

You have surpassed yourself in writing 'God Bless America,' Mr. Berlin. Oh, I'll grant you that you've written great songs before—but they were 'Tin Pan Alley' songs. Mr. Berlin, and they rarely rose above the tawdry sentimentality that makes a 'Tin Pan Alley' song a success. When you, out of a heart full of gratitude to the country whose people's acceptance of your ditties made you a success, wrote this hymn, you won for yourself an acclaim and an immortality that will far outlast the catchy little rhythm of 'Alexander's Rag-time Band.' 500 years from now some scientist may unearth a copy of one of your 'Tin Pan Alley' effusions, play it over and wonder why on earth it ever achieved any success. But if he comes across a copy of 'God Bless America' he'll sense the genuine emotion of its lyrics, the moving simplicity of its melody, and he'll call you great because of it, not because of anything else you may have achieved. And that Mr. Berlin is, or should be, your only reward for having written 'God Bless America.' Even ASCAP can't change the fact that the greatest deeds men do rarely bring them more than the glory of having achieved greatness.

If you were one of the 'starving composers' whom ASCAP claims it sustains against the predatory instincts of the broadcasters, it might be unjust to ask you to give up your personal rights in 'God Bless America.' But since you are obviously not in need of the royalties from this song, we suggest that you give this song to the American people with no strings attached. In return, and because such action on your part would take those royalties away from the Boy and Girl Scouts, the American people will pledge themselves to continue to support those two grand organizations with all the money they need, just as they have always done.

You, Mr. Berlin, have no more right to a personal interest in 'God Bless America' than the descendants of Abraham Lincoln have a right to a restricting copyright on the Gettysburg Address. That great document passed into the public domain as the result of his will. I dare to suggest, Mr. Berlin, that you present your song to the United States Government, so that it may be played and sung everywhere, at any time, without the possibility that an ASCAP could assess punitive measures against a musician, singer, hotel, a barroom, a church, or a radio station, whose patriotism led to an infringement of your, and ASCAP's, doubtful rights in the performance of the song.

Patriotically yours,

Radio Station KGVO

James Alden Barber,

Program Director.

## Ike Ragon Resumes

Kansas City, Aug. 13.

Ike Ragon, former orchestra leader, again is taking up the baton to head a group formerly under direction of Herb Haskett. Crew is completing a summer engagement at Shadow Lake in Noel, Mo., Ozark resort town.

New leader has crew of 12 with Dorothy Reid as soloist. Ragon formerly held post as arranger and first trumpet for Boyd Reburn. About five years ago he headed a recording crew for Vocalion, and has string of compositions to his credit.

Following completion of its contract at Shadow Lake, Sept. 2, band will go east for string of dates. It's under management of Bert Knighton, former manager for Dusky Rhoades and Phil Levant.

## British Best Sellers

(Week Ending July 20, 1940)

(Sixpenny Numbers)  
Singing Hills.....Connolly  
Arm in Arm.....Wood  
Don't Pass Me By.....Gay  
Tiger-Boo.....Maurice  
Made Me Care.....Norris  
Dreams Grow Old.....Feldman  
Oh Johnny.....Day  
Round-up Song.....Day  
Dreaming.....Southern  
Dancing Doll.....Gay

(Shilling Numbers)  
Woodpecker Song.....Sun  
Nightingale Song.....Maurice  
Fall in Love Again.....Maurice  
Man Paint Face.....Prowse  
Begunne.....Chappell

## VON TILZER SUES JERRY VOGEL

Seven copyright song infringement suits rolled into one were filed in the N. Y. federal court Thursday (8) by Harry Von Tilzer and the Harry Von Tilzer Music Publishing Co., against Jerry Vogel Music Co., Inc., Jimmy Lucas, William Dillon, Jack Mahoney, Jennie A. Browne Tafari, the estate of Howard Graham, and the estate of Jean Havez.

Actions seek an injunction against further publication and an accounting of profits, royalties and damages. The first song involved 'Down on the Farm,' music to which was written by Von Tilzer in 1902. Raymond Browne assisted Von Tilzer in revising the lyrics. A new copyright was secured in 1900, and subsequently Vogel also published the song, claiming to have been assigned the song by Jennie Tafari, widow of Browne. The second song is 'I Want a Girl Just Like the Girl Who Married Dear Old Dad,' written in 1911 with Dillon revising the lyrics.

A renewal of copyright was secured in 1938, and Vogel is accused of having infringed by later publication, claiming assignment from Dillon. The third song written in 1911 is 'All Alone,' also in collaboration with Dillon, with the renewal being secured in 1938, and Vogel having published subsequently, again claiming assignment. The fourth, written in 1908, is 'Summer-time,' with Jack Mahoney having written the second verse of the lyrics. A renewal was secured in 1935, and Vogel, claiming assignment, published subsequently.

The fifth song, 'I'll Lend You Everything,' 'Got Except My Wife' was written in 1910, with the lyrics by Jean Havez. Here the renewal was secured in 1938, with Vogel publishing thereafter, claiming assignment from the estate of Havez. The sixth song is 'When Harvest Days are Over,' Jessie Dear, written in 1900, with lyrics by Andrew Sterling.

Copyright on this one was renewed in 1928, and the defendant is accused of having infringed subsequently. The last of the seven is 'I Love, I Love My Wife, But Oh You Kid,' written in 1910 with the title suggested by Jimmy Lucas. The song was renewed in 1938, and it is claimed the defendant Vogel subsequently published an inferior song entitled 'I Love My Wife But Oh You Kid,' which is so similar in title to the plaintiff's work, that much in the way of royalties has been lost, through on the part of the buying public, which believed it was purchasing the plaintiff's song.

Billy Hinds booked for both Butler (Pa.) County and Allegheny (Pittsburgh) County Fairs in September. He's the KDKA, Pitt., announcer who organized couple of months ago and broke in there at Hotel Schenley.

Woody Herman topped the all-time record Saturday (3) at Hunt's Pavilion, Wildwood, N. J., by drawing 3,500 customers.

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

Following is a totalization of the combined plugs of current tunes on NBC (WEAF and WJZ) and CBS (WABC) computed for the week from Monday through Sunday (Aug. 5-11). Total represents accumulated performances on the two major networks from 8 a.m. to 1 a.m. Symbol \* denotes film song, † stage musicals, all others are pop. Rhythmic numeral after the title indicates how many weeks the song has shown up in these listings.

TITLE	PUBLISHER	GRAND TOTAL
I'll Never Smile Again (9).....	Sun	41
You're Lonely and I'm Lonely (13).....	Ben	32
Fools Rush In (11).....	BVC	33
Sierra Sue (14).....	Shapiro	32
Practice Makes Perfect (2).....	BMI	29
When the Swallows Come Back (7).....	Metromark	29
Mister Meadowlark (8).....	Metromark	29
Danny Boy (14).....	American	27
I'm Nobody's Baby (9).....	Feist	27
Bill This, and Heaven Too (6).....	Remick	26
Blueberry Hill (18).....	Chappell	24
I'm Stepping Out with a Memory Tonight (9).....	Robbins	24
Six Lessons from Madame La Zonga (9).....	BVC	24
Breeze and I (15).....	Marks	23
Nearness of You (9).....	Famous	23
Orchids for Remembrance (6).....	Miller	19
That's for Me (1).....	Famous	19
You Can't Brush Me Off (11).....	Louisiana Purchase	18
Get the Moon Out of Your Eyes (11).....	Paramount	17
Stare Old Story (2).....	BMI	16
I Can't Get Indiana Off My Mind (2).....	Santly	16
I Can't Resist You (12).....	Ager	15
I Can't Love You Any More (15).....	Olman	14
Near My Song, Violette (12).....	Crawford	13
You Think of Everything (2).....	Robbins	13
It's a Lovely Day Tomorrow (5).....	L.A. Purchase	12
Love Lies (2).....	Feist	12
Never Took a Lesson in My Life (2).....	ABC	12
We Could Make Such Beautiful Music (6).....	BMI	12
Call of the Canyon (2).....	Shapiro	11
Make-Believe Island (16).....	Miller	11
Meet the Sun Halfway (14).....	Santly	11
On a Summery Summery Day (2).....	Lands	11
Imagination (18).....	ABC	10
Maybe (2).....	Robbins	10
Polkadots and Moonbeams (7).....	ABC	10
A Lover's Lullaby (8).....	Jewel	9
And So Do I (2).....	Ward	9
Down by the O-hi-o (7).....	Forster	9
Fable of the Rose (7).....	Harms	9
Halfway Down the Street (5).....	Words-Music	9
Good-Won't Talk (2).....	Santly	9
Playmates (18).....	Santly	9
Sailing Through the Sunbeams (1).....	Loeb-Lissauer	9
Where Was I? (19).....	Remick	9
Woodpecker Song (10).....	Robbins	9
Devil May Care (11).....	Robbins	9
Please Take a Letter, Miss Brown (5).....	Paramount	8
Shout, I Am an American (1).....	Mercer	8
There I Go (2).....	BMI	8
Time Wines (1).....	Harms	8
Where Do You Keep Your Heart? (1).....	Harms	8

## Band Reviews

JACK MEAKIN ORCH (13)  
with Paul Pen-  
Riviera, Pittsburgh

Jack Meakin has something here. Outfit is less than four months old but it's going places. Maestro himself, both musician and arranger, having been studio band conductor for years on Coast, he has a gild-ed asset. She's the gal whose record with Eddy Duchin of 'Old Man Mose Kicked the Bucket' sold over a million copies and who has been a name in the band biz ever since.

Orchestra has five reeds, bass, drums, four brass, piano and Meakin at the Novachord when he isn't batoning. And it's the reed section, around which everything is built, that's going to get newcomer to the ranks talked about. In it, in addition to the regular sax-clarinets-trumpets, are three flutes, two bass clarinets, oboe, piccolo and English horn, and what Meakin has done with this layout is melodious.

Even in flock of swing arrangements, he has his usual reeds beating out and counter-melody against the brass department is a socko idea. But actually, the musical sense Meakin hand-picked his men out of the New York local, and he's been that not only sounds good on paper but in grabbing off a bunch of musicians who had something on the ball as soloists as well as company men. If he can only keep 'em together until the right break comes along, Meakin's certain to land among the top-notchers, and swiftly, too.

For a leader, he has what it takes. Meakin's young, good-looking, personable and has a natural ease out front that's bound to make his friends. He does most of his own arrangements, and they run out the string, although getting some help from that end from obnoxious Ben Harrod, who died to be chief arranger for Lennie Hayton. The set-up has the out-of-ordinary reeds featured chiefly in the ballads; going reedy in the stuff only occasionally, and the result is melodious magic. Brass section has what it takes, too.

Miss Norman is cutest who gets plenty out of a tune. Gal started several years ago with Paul Pen-darvis, and has since moved with him at the William Penn Hotels and Chatterbox, but since has improved in pose, delivery and also voice. She's a hardworker, giving out every third number at Hotel Astor, stepping down on the dance floor couple of times an evening to sell a cycle, which the crowd eats up. Miss Norman is a color ditty, such as 'Lost It at the Astor,' and shoot it across

like a nursery rhyme. It's what she does with her cutie.

Meakin also carries two male vocalists, Johnny MacAfee, formerly with Duchin, who specializes on the pop, and Johnny Smith, on the comedy stuff. Each of them has his own right and they pair off well with Miss Norman in trios and duets. Meakin's Novachord is plenty high-class and uses some of the panoplies for Miss Norman are a great break for the missus. Hard to see how this outfit can miss.

Cohen.

CARL RAVAZZA ORCHESTRA  
Sky-Hy Reef, Hotel Continental  
Kansas City, Missoula

This aggregation in at the Continental for a three-week stand is of west coast origination. The leader put his crew together about a year ago and most of a year was spent at the Mark Hopkins hotel in San Francisco. Current trip is its first eastward and thus far has included only dates in Chicago and St. Louis along with a few night-ingers before coming in here.

Essentially the group is organized for a hotel spot as Ravazza has no live in his album and uses swing only once in three or four numbers. Group is keyed by the violin section and the leader's fiddling to the softer and sweeter tempos. In addition the piano thumping of Ned Bondshue, who also draws salary as arranger, is featured.

In a vocal way Ravazza handles the solo work himself giving out in a baritone range. Also carries the m.c. chore and has a set of good looks to bolster his work. Band is long on special vocal arrangements as a quartet, The Four of Us, and a glee club take regular turns.

The violin trio, besides the leader, carries Joe Coates and Russell Dossoras, who doubles on guitar. A fourth violin is available from Marshall Crum, who spends his main time sliding the trombone. Pair of trumpets are Paul Durant and Bud Crossman, completing the brass. In reed the orch has George Porter, Les Raine and Paul Faria, and personnel is completed by George Hewitt at the drums and Jack McGager on the string bass. Durant, Porter, Randolph and Ravazza make up the Four of Us, and glee club includes all except drums, piano and guitar who hold to their instruments.

Band is similar to styles of others brought into this summer spot, and while it's a little more prominent around of George Hamilton who opened the room. Distinctly different than bands from the east, where a more brassy style is characteristic, where where swing has a more prominent part.

Quin.



# CONCERT SOLOISTS AN ISSUE

## Price War on Classical Records Narrows Dealer Profit Badly

A price war has begun between the Victor and Columbia companies over classical recordings. Following closely on the heels of the announcement last week by Columbia of 50% cuts in the prices of its classical recordings, the RCA Manufacturing Co., maker of Victor records, in a telegram to its thousands of dealers throughout the country Friday (9) stated as follows: "We will shortly set new prices on all Victor Red Seal Records. With very few exceptions 12-inch records will list at \$1 and 10-inch at 75c."

The price slashing started about a year ago, when Columbia, which had been trailing Victor for years in quality of recording, price and numbers of name artists, launched a campaign to regain its former status. It ranked on top. It raided the Victor list in an attempt to secure popular artists and secured such personalities as Nino Martini, the N. Y. Philharmonic Orchestra and Leopold Stokowski. Prices were drastically slashed and the quality of recording considerably improved. Not stopping there, the company continued to battle its competitor and slashed prices again on its 1940 catalog, last week, reducing the prices to \$1 for 12-inch records and 75c for 10-inch. About a month ago, Victor attempted to meet the competition by installing a Black Seal catalog in which records were sold at about one third off the regular price of \$2 and \$1.50 and name singers such as Caruso and Gigli and famous orchestras were included. This did not meet Columbia's growing competition, so RCA decided recently to go the whole way.

### Leblanching Rampant

Victor dealers are upset over the situation. It is no secret that despite the signing of pledges promising no reductions in list prices, cuts from 10% to 25% can be secured on any Victor record in many, perhaps most, of the stores in New York. Despite a feeling that the cut in prices will aid sales slightly, it is felt that the 40% from list allowed the dealer will hardly allow him to make a living if he, through competition, is forced to sell a \$1 record, purchased from Victor at 60c for 75c. A 15c margin hardly covers breakage in stock, let alone upkeep.

Especially hard hit will be the large east side salons which cater to a well-to-do clientele and refuse to cut the list price. The few records which may not be cut are those in which certain name artists are still being paid on a royalty basis. Whether Caruso's recordings would come under this category yet is not known, as the tenor's contract with Victor expired in 1933, 12 years after his death. His estate is still receiving royalties from his recordings.

In the earliest days of recording Victor was the first to put out classical recordings, pressed from European masters in 1902 under the 5,000 and 91,000 series. Columbia a year later issued the first series of American recordings placing such persons under contract as Edeard De Reszke, Ernestine Schumann-Heink, Antonio Scotti, Marcella Sembrich and others. Victor raided Columbia and within a few years acquired all the famous Columbia artists with the exception of De Reszke, and with the acquisition of Caruso, obtained an advantage which has lasted to this day.

Prices, however, have continually been on the down grade. About 30 years ago a Caruso single-faced record cost \$3 as did those of other artists of similar calibre. The sextet from "Lucia" with Caruso, Sembrich, Scotti, etc., sold for \$7 each with the quartet from "Rigoletto" priced at \$6. In 1923 Victor again meeting Columbia competition, reduced its prices, double-faced its records, and sold 12-inch recordings at \$2 and 10-inch at \$1.50, a price which has lasted from 1923 to this time.

### Latouche in ASCAP

In the advance announcements of its "Tribute to Radio" broadcast from the two world fairs Aug. 3, the National Assn. of Broadcasters made particular mention of the fact that the opening dramatic portion of the show, "Ode to Radio," was written by John Latouche, lyricist of "Ballad for Americans."

What the broadcasters apparently overlooked was that Latouche's application for membership had been accepted some time before by ASCAP, the special target of N.A.B. and the network-sized BMI.

## SEE-BOX SCALE SET BY AFM; \$30, 3 HRS.

American Federation of Musicians has set the scale for film recordings used in coin-operated machines. It's \$30 for three hours and \$7.50 for each additional three minutes. The contracts provide that the film made for such machines must not be used for other purposes.

Leader salary as usual double the scale for musicians.

## 18 Hours of Rehearsal Kills HaverEn-Nordoff Piece on Air Salute

San Francisco, Aug. 13. Elaborate composition by Carl HaverEn and Paul Nordoff was to have been broadcast as part of the "Tribute to Radio" program from the two fairs on Aug. 3, but was dropped because it was too complicated for presentation without extensive preparation. Piece had taken about two months in composition.

Plans first called for Frank Black to conduct a 70-piece orchestra and 40-voice chorus in the selection. However, Black was unwilling to accept the assignment, so Howard Barlow was called in. After studying the score, Barlow estimated it would take about 18 hours of rehearsal to do such a complicated and difficult piece. That would have involved a cost of considerably over \$3,000. That ended it for that program.

## MILLER DENIES VOGEL'S CHARGES OVER 'SLEEP'

Miller Music's reply to infringement action of Jerry Vogel Music Co., Inc., N. Y. federal court, generally denies and counter claims affirmatively. Vogel, as owner of the copyright of "Visions of Sleep," written 1923 by Adam Geibel, charged Miller's publication of "Sleep" by Geibel and Earl Burnett infringed its copyright. Miller Music claims there is no infringement; that the songs are dissimilar; and for its counterclaim asserts that the repeated statements of infringement by Miller has injured the prospective sales of "Sleep" as customers are afraid to license and are refusing to credit the defendant with royalties. An injunction against further interference by the plaintiff is sought, as well as a court declaration that there is no similarity between the songs.

## MUSICAL GUILD IS CHALLENGED

Petrillo Demands All Join Musicians' Union by Labor Day, Although Most Belong to Four A's Affiliated Union—All Are Within A.F. of L.

### BOSTON TARGET?

Question of jurisdiction over solo concert instrumentalists, never fully clarified, has been made an open issue by James C. Petrillo, president of the American Federation of Musicians. Nearly all such performers are now members of the American Guild of Musical Artists, but Petrillo has announced that all must join his union by Labor Day, Sept. 2.

Both AGMA and AFM are AFL unions, AGMA being an affiliate of the Associated Actors & Artists of America. Latter organization last year was involved in a costly dispute with the International Alliance Theatrical Stage Employees (stagehands). Fact that AFM and IATSE have a working agreement is seen in some quarters as possible motive for the new move by Petrillo.

Real point of pressure of the AFM, however, is figured to be the Boston Symphony orchestra and other such non-union organizations. AFM has never been able to obtain a foothold there, but since any orchestra is largely dependant on soloists to draw at the boxoffice, Petrillo could presumably organize them if he controlled the name soloists.

According to Henry Jaffe, AGMA attorney, the AFM has had jurisdiction in the musical field for 40 years, yet until the present has never made any effort to organize the solo instrumentalists. He professes to be at loss to understand why Petrillo is suddenly so concerned about the situation. Petrillo was quoted as saying that many solo instrumentalists want to join AFM. But Jaffe points out that any having such a desire are at liberty to do so any time they want.

Then, nothing in the AGMA regulations to bar its members from joining AFM and, in fact, a few who have come up from the ranks of orchestra.

(Continued on page 34)

## Lorraine Now in Top Spot With Chappell-Crawford; Spitzer's Plans

### Leeds Sues U. S. Record

Leeds Music, Inc., has brought suit against the U. S. Record Corp. (Eli Oberstien) the N. Y. City court to recover \$3,000 in royalties alleged to be long overdue.

Bernard L. Miller, who filed the action, claims that repeated efforts over a period of four months to get even a part payment failed to get anywhere.

## GENE BUCK'S TALK TO L.A. MEMBERS

Los Angeles, Aug. 13.

There is no cause for alarm over the threat of other music replacing the output of the American Society of Composers, Authors and Publishers, prexy Gene Buck told 190 ASCAP members at a dinner at the Ambassador hotel here. It was the largest ASCAP gathering ever held in Hollywood.

Buck explained in detail what ASCAP is asking from the broadcasting industry under the new contract, effective next Jan. 1. Demands from the smaller radio stations are being reduced, he said, while increased revenue is being sought from the large networks. He disclosed that the turnover in royalties from CBS to ASCAP in 1939 was only \$360,000, calling it a small amount in view of the great volume of business done by the network. Big music programs on the air, he added, are in dire need of ASCAP tunes.

Buck announced an ASCAP Day at the San Francisco Fair late this month, with eastern and western memberships combined in a two-hour musical program on Treasure Island. He will emcee the show himself.

## 55 Sign With BMI After Mutual Says At N.A.B. It Is Not Goin' ASCAP

Broadcast Music, Inc., announced yesterday (Tuesday) that it signed 55 more stations during and after the National Association of Broadcasters convention in San Francisco last week. The newcomers in a large measure are Mutual affiliates, this rush to the bandwagon resulting from that network's announcement at the convention that it would not accept the new ASCAP contract.

Also among the new joiners are the Hearst stations, excepting WCAE, Pittsburgh, WOW, Omaha and WHK and WCLE, Cleveland. Only 15 of the 55 are without network affiliation.

ASCAP publishers attribute Tommy Dorsey's sudden romance with BMI to bitter peeve on the part of the bandleader which dates back to last fall when he was putting out his giveaway fan paper, Bandwagon. Dorsey asked the pubs to support his paper with advertising, but the Music Publishers Protective Association, taboed the angle as in violation of the association's code. The paper shortly afterwards folded. Dorsey currently, these pubs also point out, is working for agency, Lord & Thomas, which handles the RCA and NBC accounts.

### TURNPIKE JINX ENDS

Bad Month Broken By Weather and Ted Weems

Lincoln, Aug. 13.

Cool weather upped Ted Weems' b.o. at the Turnpike Tuesday (6) to \$650 gross, tops since the Glenn Miller on July 2. Advance pasteboards went for 85 cents, tariff was \$1.10 at the turnstiles.

Date was first winner in month for eight-miles-out spot. Blue Baron's due here Friday, 16th.

### Jack Hess Departs MCA

Chicago, Aug. 13.

Resignation of Jack Hess as head of press department of Music Corporation of America here, effective Saturday (17), with reason given as due to unmanageable inter-organization politics set-up of Chicago office, makes him another in the list of Chi. MCA p.a.'s who have scrambled after a few weeks at the post.

Bill Green was Hess' immediate predecessor. No successor has been named for Hess.

Sid Lorraine has been upped by Max Dreyfus from Coast rep for Crawford Music to general professional head. It's a spot that dovetails into the previous duties held down by Henry Spitzer, resigned exec with the Chappell and Crawford music firms.

Under Lorraine will continue Al Porgie, topping the Crawford Music pluggers, and Eddie Wolpin, on the Chappell end. Reports of these two looking askance at another Dreyfus employee being brought in over them are denied all around, as was a report that they offered to resign. Porgie, for one, states he's sticking on to cooperate with Lorraine and coordinate with the general Dreyfus music setup.

This leaves Louis Dreyfus, evacuated brother of Max, and head of Chappell of England, free to worry about his British show biz and music interests.

Spitzer, meantime, whose contract expired last month and who was paid thereon through July although leaving Dreyfus, after long association, in the spring, is looking around for a catalog. He's virtually set to align with songman Abner Silver as publisher-partner. Latter, in turn, is bowing out of his Mayfair Music partnership with Willie Horowitz. Latter may merge with Larry Spier, as and when Silver bows out officially.

Spitzer-Silver have been talking to Lincoln Music and Melrose Music for catalog takeovers.

With Lorraine shifting east, it leaves the Coast spot at Crawford still open. Joe Nadell reps Chappell in Hollywood.

## 12 Years Managerial Tie Of Will Osborne-Romm Is Cut by Bandleader

One of the longest dance band managerial associations known in the trade has ended with the split between Will Osborne and Harry Romm (General Amus Corp.). Romm managed Osborne for more than 12 years, but still is in the dark in regards to why Osborne suddenly switched over to the William Morris office.

As a parting gift, Osborne gave Romm a wrist watch, but no reasons for his breaking away. Ironically, Osborne's salary, recently at the Strand, on Broadway was the highest in his career and negotiated by Romm.

Romm handled Osborne and kept him in the limelight during the Rudy Vallee era. At that time Osborne maintained that Vallee had copied his crooning style and held much bitterness to Vallee, who is never known to have replied to the lifting charges.

There was no contract between Romm and Osborne for the past few years. Two pacts had run out and then Romm and the bandmaster, because of their close friendship, decided that contracts between them were unnecessary.

## HENDERSON & BROWN SCOUT BASE CATALOG

Ray Henderson and Lew Brown, who have decided to re-enter the music publishing business under the old name of Brown & Henderson, Inc., are scouting around for a catalog which would serve the nucleus of their enterprise.

It was reported that they were dickering for the Sun Music Co., but this was denied.

### JIVE PATRIOTISM

San Francisco, Aug. 13.

Linda Ware, Hollywood starlet, introduced new patriotic number of her own composition at Exposition Sunday (11). Calls it "Your Uncle Sam."

It's on the five side.

## Night Club Reviews

### TERRACE ROOM

(HOTEL NEW YORKER, N. Y.)

Woody Herman Orch. (15), and Dillagene; Ice Revue with Erna Anderson, N. A. H. a Walley, Alfred Trenkler, Ronny Roberts, DuReine Farley, Edith Dustman, Daphne Poole, Lillian Tribby, Grace May, DeLorries Ziegfeld, Jerry White; Peter Kent Orch. (6); Grace Shannon at piano; dinners from \$2; cover, 75c, and \$1.

Again, the Terrace Room of the Hotel New Yorker has been given a facelift, a regular occurrence with each new band and a neat change of pace in decor that interprets itself in favorable comment and good business. With Woody Herman's crack combination in for six weeks or longer, the aircooled room has been given a switch in its Alpine motif, as befits a setting for the ice show. Business has been terrific, and the three shows daily, including the complete ice revue for luncheon. Dinner is no problem; a hand's draw is measured there solely by the supper bill when the 75c and \$1 cover obtains.

Herman has brought in with him a smooth rhythmic organization, not too hard-driving yet ter-p-compelling. His team of four saxes, three trumpets and four rhythm (piano, string bass, guitar and drums) is supplemented by the maestro featured on his licorice stick. Herman, who first came to attention with Isham Jones, is a topflight clarinetist and knows how to handle himself, and his support when sounding off. A tall person, he's a good find for the hotel.

Another highlight personality to the fore is the very photogenic Dillagene who makes up for her vocal shortcomings with killer-liner personality. She's a looker whom Herman picked up at Oklahoma A. & M. and the rep that the southwest enjoys on its pulchritudinous batting average is more than sustained by Dillagene who handles vocals in solo and in combo with one of the boys.

Ice revue is better than ever, a newcomer, Erna Anderson, from Norway, whamming 'em with a big league ballet solo work, including a waltz and later an original rumba creation on the skimmers, matched by an equally distinctive couter creation.

Nathan Walley, world's undefeated pro figure-skating champ, proves why with his solo opportunities. The change of pace in comedy and novelty are supplied by Alfred (Freddie) Trenkler, comedy, and Ronny Roberts with extraordinary stunt stuff. DuReine Farley, out of the ice ballet of six, is a looker who does solo specialties, and Edith Dustman is another given solo opportunities with Walley in graceful double routines, stepping out of the line. The supporting sextet in ensemble (an unusual collection of 30).

Final "Dutch Garden" staging exceptionally well costumed and conceived. Jerry White (nee Radio Franks) is a tiptop m.c.; Grace Shannon does musical interludes, and Peter Kent's combo is the relief band. Herman and his Woodchoppers get off in more heated fashion at supper, holding down on the torridity for the dinner sessions, a cue that the veteran Max, the maitre d'hotel, wisely passed on to Herman. Like Paul at the door of the Persian Room; Francois who presides at the Rainbow Room's rope; Joe Lopez, the v.p. in charge of keeping them out of the Stork Club, and other personality front-men in the high spots around town, Max, jealously presides over his Terrace Room, a veteran since the late Ralph Hitz days and still carrying on for the new Frank Andrews administration. Abel.

### ROSS FENTON FARMS

(ASBURY PARK, N. J.)

Asbury Park, Aug. 10. Ethel Waters, Eddie Oliver's Orch. (9) with Jay Jerome and Anne Judson; minimums, week days and Sundays, \$1.50; Saturdays and holidays, 3.

Ross-Fenton Farms, now under the aegis of society's aestro Meyer Davis, is still keeping up the tradition that has made it the class spot along the Jersey coast for years. Although prices have been cut since the stiff tariffs of the boom days of Asbury Park, they are still high enough, however, to attract the patronage to the well-heeled social registers and the good spenders.

Since the opening at the beginning of the summer, Davis has kept the policy of giving the customers one good act instead of a conglomeration of mediocre ones. This week the attraction is Ethel Waters, and again the show is clicko. (Previous bills here have included Joe E. Lewis, Danny Kaye, the Hartmans; coming, Hildegarde).

Miss Waters lives up to her reputation as a super-salacious woman of songs. Her only fault—if it is a fault—is in leaving the customers literally with their topers hanging out begging for more. Cutting short her stint at this catching (Saturday, supper served as a come-on to keep the diners at their places for the midnight show).

Her first two numbers are in the semi-spiritual style and done with plenty of zing. They are "Half of Me" and "Ain't Got No More." She then swings into a half-swing, half-talk version of Cole Porter's "Miss Otis Regrets," winding up with her two standby faves, "Stormy Weather" and "Dinah." No amount of persuasion by the audience could bring an encore. Bandleader Eddie Oliver, who doubles as m.c., added that they remain for the late show to get the rest of Miss Waters' repertoire.

Oliver's crew (Band Reviews) is ear-soothing and danceable. Jay Jerome and Anne Judson handle the vocals smoothly. The entire layout is in keeping with the atmosphere, which is rich and relaxing. The Farms are built on the banks of beautiful Deal Lake. *Shal.*

### BLACKHAWK, CHI

Chicago, Aug. 7.

Herbie Kay Orch. (12) with Ken Nealy, Ellen Connor, Jimmy Byrnes, Don and Beverly.

Evidence of what can be done with a name is found week after week in the Blackhawk. Here is a room laid out distastefully, with posts, hiding the floor to a good part of the customers; yet business remains profitable.

Herbie Kay, for a long time now a Chicago fave, has the current band in here and is doing a good job of it at the gate and on the hoof music. He is still remembered locally for his introduction of Dorothy Lamour, who later became his wife. But Kay doesn't need Lamour. He is doing all right; and so is the Blackhawk, which will always do well as long as there are name bands to make the customers forget the posts, etc.

Herbie's current aggregation is a smooth, sweet group that is far removed from shaggy and swing. He goes in for ballads and soft music, a trend adopted by many bands of late.

Serious lack in Kay's current setup is novelty. He uses one or two novelty songs but they are frankly identified with other orchestras. Kay should go out on the search for some musical novelties and make them distinctly his own.

With Kay are a couple of young, generally okay singers. Ken Nealy

has a nice voice but indicates a need for salesmanship and delivery. Ellen Connor goes into the same category though she has the edge because of a good appearance.

In the floor show are two repeaters. Jimmy Byrnes has been playing stock in this spot and fits in well enough with his simple tap routines. Don and Beverly are a meaningless little dance team that has as its best selling point a quick and mediocre run-through of various types and styles of dancing. The whole pop appeal, this gem by Gold.

### MARDEN'S RIVIERA

(ENGLEWOOD, N. J.)

Englewood, N. J., Aug. 9. Chandra-Kelly Dancers (3), Chester Hale Line (16), Harry Richmond, Sophie Tucker, Joe E. Lewis, Leo Reisman and Pancho Orchi; \$3.50 and \$4 minimum.

In the evolution of freedom of thought, expression and intimate cafe modes and manners which all combine to spell 1940, under the bill of Rights in these "glorious" United States of America: lots of changes have taken place. For example, you probably remember way back when Fanny was merely a girl's name; certain epithets weren't unobtrusively accepted as polite-parlor conversation; any reference to being the second jerk from the end on a tug-of-war team didn't connote something else again.

Which is an indirect approach to Sophie Tucker's idea of "Vivian" comedy at her Riviera (Englewood, N. J., roadhouse) debut. The lyrics (presumably by her favorite author, Jack Yellen) have to do with the Bronx version of the conga, and if Ben Marden wants to endow his beautiful Riviera with a neo-Bronx affair that's his affair. As it is also Miss Tucker's. But if they don't (Continued on page 43)

### Concert Soloists

(Continued from page 33)

chestras, such men as Leopold Stokowski are already members of both unions.

#### Previous Status

Apparently Petrillo, either in ignorance of what has chosen to ignore the action of the AFM executive board two years ago, as outlined in a letter from the then AFM president, Joseph M. Weber, to AGMA. In that communication, the AFM board was understood to have conceded AGMA's right to represent solo instrumentalists, although reserving nominal "jurisdiction" over such lists.

Despite Petrillo's ultimatum AGMA leaders claim there is little that the AFM can do to seriously interfere with AGMA or otherwise force soloists into the musicians' ranks. Apparently the only thing Petrillo could do would be to refuse to let AFM members work with AGMA members.

Orchestras without guest soloists cannot draw consistently at the b.o. Therefore, a ruling that AFM members couldn't work with AGMA members would almost certainly kill such concert series as Petrillo's own pet project, the Grand Park, Chicago, series of concerts, which have drawn tremendous audiences and profits on the strength of such name guests as Lily Pons, Grace Moore, etc. Furthermore, solo instrumentalists can and frequently do give concerts with only a single accompanist.

Most serious angle of the situation may be the possibility that, if no settlement is reached, Petrillo might extend his battle into the whole Four A's field, involving radio, films, legit and vaudeville-niteties. Such a development is admittedly remote and, in any case, the name performers in the Four A's membership would have a clear advantage over the rank and file musicians. In the last analysis, the boxoffice power of the actor-singer names was the determining factor in the Four A's victory last summer over the IATSE.

Seen possible that Petrillo's move to include solo instrumental and accompanist performers in the AFM membership may have quick repercussions in the vaude-nitery field. Stage or nitery acts using musical instruments or instrumental accompaniment would presumably be covanted in any extension of the Petrillo demand and, in fact, such a ruling was passed a couple of years ago by the AFM. However, it caused little notice at the time. If vaude and nitery performers were forced to join the musicians' union it would necessitate their holding two cards, since AGMA's jurisdiction from the Four A's covers this field. AGMA already has closed shop agreements at numerous spots.

## 15 Best Sheet Music Sellers

(Week ending Aug. 10, 1940)

I'll Never Smile Again.....	Swan
God Bless America.....	Berlin
Sierra Sue.....	Shapiro
I'm Nobody's Baby (Andy Hardy Meets Deb).....	Faust
Playmates.....	Santly
Fools Rush In.....	BVC
Blueberry Hill.....	Chappell
Make-Believe Island.....	Miller
Breeze and I.....	Marks
When the Swallows Come Back.....	Witmark
I'm Stepping Out With a Memory Tonight.....	Robbins
Nearness of You.....	BVC
Six Lessons from Madame La Zonga.....	BVC
Woodpecker Song.....	Robbins
Down by the O-hio.....	Forster

\*Fimulical

### On The Upbeat

Tommy Dorsey, set to open the new Hollywood Palladium Oct. 15, will be followed by five other bands, which are already set. They are Glenn Miller, Artie Shaw, Kay Kyser, Glen Gray and Larry Clinton.

Jan Garber checks out of the Casa Manana, Ft. Worth, today (Wed.) for a tour of West Coast ballrooms.

Jimmie Lunceford and his orch. follow Jan Garber into the Casa Manana, with an innovation of weekly jam sessions every Monday night.

Lani McIntire checks out of Willows, Pittsburgh, tomorrow (15) after month's run, and will be followed next night by Billy Yates for indefinite stay.

Clyde Knight band opened return engagement Monday (12) at West View Park, Pittsburgh, replacing the Manny Prager outfit.

Johnny Wiles into New Penn, Pittsburgh, for two weeks, succeeding Herbert Fritsch, and will be followed Aug. 23 by band of Joe Villella, KQV announcer in that city.

Harry James one-nights Sunday (18) at Rotton Point Park, South Norwalk, Conn.

Tommy Reynolds ends season at Playland, R. N. Y., Aug. 30.

Charles Harding's and Billy Diehl's bands alternate at Wilmer Vogt's Tavern, Mountaintop, Pa.

Bob Auman's West Chester Teachers' College Crew will finish summer season at the Oak Grove House, near East Stroudsburg, Pa.

Artie Shaw is taking his new band to San Francisco Sept. 12 for a long-term booking at the Palace hotel.

Ben Eaton's band at the grill at Bockwood Inn, Shawnee-on-Delaware, Pa.

Tony Pastor started week's engagement at Hamid's Million Dollar Pier in A. C. on Sunday (11). Mal Hallett ended week's stay Saturday (10).

Larry Clinton began week's stay at Atlantic City's Steel Pier on Saturday (10). Orrin Tucker's band and Bonnie Baker played Sunday (11). Alex Bartha alternated with both.

Bill Nappi, Birmingham maestro has signed for an indefinite summer stay at Panama City, Fla. Beach. The band opened there Monday (5).

Wally Stoefler playing at Idora Park, Youngstown, O.

Gene Beecher recently opened (3) a limited engagement at Yankee Lake, near Sharon, Pa.

### Freddy Martin, Jim Grier At Plantation, Dallas, After Houston Spot Burns

Dallas, Aug. 13. Plantation Club in Dallas is currently giving its customers two name bands, Freddy Martin and Jimmy Grier, for the price of one, as the result of the former being burned out of another spot, the Plantation Club in Houston. Rather than pay off Martin and let him idle, Dick Wheeler and Joe Landwehr, joint owners of the two clubs, decided to bring the two bands together. Grier opened last Wednesday (7) for a week's stay, while Martin was slated to open for a lik run last Saturday (10). The fire occurred early that day.

Despite the double bill the Dallas Plantation Club retained its scale of 55c week nights and 64c on Saturday. The Houston spot has one of the largest dance floors in the state. Loss was estimated at \$45,000.

### Music Notes

Ray Whitley and Fred Rose slefled three songs for RKO's "Wagon Train." Numbers: "Wagon Train," "Why Shore" and "Roundup Time in Dreamland."

Dr. Richard Hageman conducts a 44-piece orchestra to record his own score for Frank Lloyd's "The Howards of Virginia."

Leeds Music publishing "Conga Chain," a new number by the writers of "Six Lessons from Madame La Zonga."

Toby Prim, WCCO, Minneapolis, music librarian, crashed the national network (CBS) with one of his compositions for the first time when Gene Autry, broadcasting from the Auditorium here, used his "Blanket Me With Western Skies of Blue."

Anthony Collins is working on musical arrangements for "No, No, Nanette."

Felix Bernard will be married to Natalie Stevens, a non-pro, of Newark, Saturday afternoon (17) at The Brook, Summit, N. J. Bernard composed "Dardenella."

### JIMMIE LUNCEFORD

And His Orchestra  
CASA MANANA  
CULVER CITY, CAL.

Mgt. HAROLD OXLEY  
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Woods Theatre Bldg., Chicago

## "DOLIMITE"

RECORDED BY JIMMY DORSEY ON DECCA  
—ERSKINE HAWKINS ON BLUE BIRD

LEWIS MUSIC PUB. CO., INC., 1619 Broadway, New York



# Bands at the Boxoffice

(Presented herewith, as a weekly tabulation, is the estimated cover charge business being done by name bands in various New York hotels. Dinner business (7-10 P.M.) not rated. Figures after name of hotel give room capacity and cover charge. Larger amount designates weekend and holiday price.)

Band	Hotel	Covers Per Week	Total Covers On Date
Will Hudson	Lincoln (225; 50c-\$1)	1	450
Woody Herman	New Yorker (400; 75c-\$1.50)	1	675
Russ Morgan	Pennsylvania (500; 75c-\$1.50)	1	525
Tommy Dorsey	Astor (900; 75c-\$1)	12	3,225
Ray Kinney	Lexington (300; 75c-\$1.50)	13	1275
Alvino Rey	Biltmore (300; \$1-\$1.50)	7	4,220

\* Asterisks indicate a supporting floor show, although the band is the major draw. † Total represents three days.

## Frank Palumbo Sues MCA for \$25,000

### Alleges Booking Irregularities Cost Him Coin—Burns at AFM Threat on Stable

Philadelphia, Aug. 13. Frank Palumbo, who operates the night club here bearing his name, the Renault Tavern in Atlantic City and the Club Avalon in Wildwood, N. J., filed suit on Thursday (8) in United States District Court here against Music Corporation of America, asking for \$25,000 damages on breach of contract charges involving the booking of bands by that office for his Renault Tavern. Suit was filed by Edward W. Furia and Charlie Solt, Palumbo's attorneys, and papers were served the same day on Dick Ingram, exclusive booker for the spot. Ingram opened his own office here several years ago after leaving Rockwell-O'Keefe in New York. Although not joined as defendant, Ingram is characterized in the bill of complaint as an employee or agent for MCA.

Palumbo's burn came on the heels of a ruling from the AFM that he would have to honor Dick Stable's contract or stand the possibility of having all his three nighteries placed on the union blacklist column. As a result, Sonny James, booked in by Consolidated Radio Artists, pulled out Saturday (10) to let Stable, lined up by MCA earlier in the season, play the week he lost out when he cancelled a week of one-nighters to make the Atlantic City spot. Since then MCA lost the account to CRA, which had it originally, only to lose it before the season started when they couldn't clear dance remote time on CBS. There no NBC outlet at the seashore resort. James comes back Saturday (17).

#### Sub Musicians

Allegations made in the bill of complaint are many. First of all, claims that MCA failed to make the personnel of the bands known with the result that substitute musicians were being used. Further, charges his contract gave him protection on the bands, providing that they wouldn't play in the vicinity of the resort during the 1940 summer season, but one of the bands did play in the vicinity just before coming in for him.

Contract was further voided, bill alleges, when the promised network

time wasn't forthcoming. Claims MCA binder guaranteed two and a half hours of network shots a week and the agency failed to deliver. Also avers that contract with MCA provided that if a band proved unprofitable, plaintiff had the privilege of cancelling all future contracts on bands.

As a result, claims that he engaged another band with the full knowledge of the defendant. However, Stable, originally set for two weeks, insisted on getting in that one week he lost on the cancelled one-nighters. Union subsequently upheld Stable.

While the bill of complaint mentions only the Stable situation, MCA bands referred to can only mean Eddie LeBaron and Ina Ray Hutton, each playing two weeks for the office with James following Hutton for CRA. It is known that LeBaron had to call on sub musicians the night he opened, several boys in the band being banged up in an auto accident while making the Atlantic City jump from the Baker Hotel in Dallas. Also, Ina Ray played a one-nighter the Saturday previous to her opening for Palumbo at the Gateway Casino, nightery just outside of Atlantic City at Somers Point.

Opening night at Renault Tavern almost created a similar situation with two bands holding contracts ready to play. Don Bestor, originally set to start the fortnightly CRA band parade, called Palumbo the day before and said he was set to go. Union at that time nullified Bestor's contract and cleared the way for Eddie LeBaron to open for MCA. Most of the remotes during LeBaron's tenure were blitzed by the Petrillo-radio remote strike and political conventioning.

#### Witmark's Blossom Rights

Witmark end of the Warner Bros. publishing group has obtained the copyright renewals on the works of the late Harry Blossom. Deal was made with the latter's widow, Mary Wilson Blossom.

Blossom wrote the lyrics for a number of Victor Herbert's operettas, including 'Mademoiselle Modiste,' 'Princess Pat,' 'Aileen' and 'The Only Girl.'

## Donahue Unmovable Until Oct., AFM Rules

Al Donahue has been barred by the American Federation of Musicians from switching his booking affiliation from General Amusement Corp. to the William Morris office until October, when his contract with the former organization expires. Ruling was made after Frank Walsh, Donahue's manager, had cited GAC before the union for an adjudication of the contract dispute between the band leader and the GAC. Morris office had Donahue set for a stay this month at the Chez Paris, Chicago, night club, and General Amusement had put Donahue on notice against accepting the date. In addition to warning the Morris office against interfering meanwhile, the relations between Donahue and GAC the union made it plain to General Amusement that it must make every effort possible to obtain work for Donahue between now and October.

## MUSIC STRIKE THREAT IN ATLANTA

Atlanta, Aug. 13. American Federation of Musicians last week threatened to withdraw union musicians from this burg's Henry Grady Hotel as result of boycott imposed on hostelry by Atlanta Federation of Trades resulting from alleged dismissal of two union employees. Threatened withdrawal of union tooters from hotel was contained in telegram from James C. Petrillo, prez of American Federation of Musicians, to Juddie Johnson, manager of hotel's Spanish Room town's only dine and dance spot active in summer months.

Johnson, declining to affirm or deny receipt of Petrillo's ultimatum, which gives hotel until Aug. 24 to settle its differences with union, said: The Spanish Room will continue to have music from now.

Pickets are on duty at both front and side entrances of Henry Grady and union taxi drivers are lending sympathy by refusing to pick up or discharge passengers at hotel.

Walter Powell orchestra, featuring Woody and Betty, are current in Henry Grady's Spanish Room.

## Court Rules Mills Must Defend in California; Pair Charge Song Lift

Hollywood, Aug. 13. Music publishing houses maintaining branch offices in California come under jurisdiction of its laws. According to ruling handed down by the state appellate court in denying appeal of Mills Music Co. from suit brought by Louis Gilbert and Selma Shelly charging song infringement. Mills argues that pair should have been filed in New York where outfit has headquarters. Decision throws case back to superior court for trial.

Plaintiffs charge Mills firm, Irving Mills and Henry Nemo, composer of 'Blame It On My Last Affair,' lifted music from their song, 'Longing for You.' They demand share in profits.

#### LONDON PUBS IN N. Y.

Campbell Here, Connelly and Dash Near Deal

Jimmy Campbell is another London music publisher just arrived in the U. S. on business. He's with Noel Gay now.

Ex-partner Reg Connelly, in New York for some weeks, is now awaiting arrival, probably this weekend, of his wife and 16-year-old son Pat. Connelly has just bought 'I'll Never Smile Again' from Tommy Dorsey (Sun Music) and in turn has placed several of his English copyrights for American publication.

Irwin Dash, American, now back in the U. S., returned from his native Denver this week and will probably consummate a long pending deal whereby Dash and Connelly take over Superior Music, an indie outfit in New York, which Dash will operate.

## Noisy, Showoffy Jitterbugs Provoke Suburban Crisis; Neighbors Weary

### Sues on Song Used In

#### WB 'British Agent' Film

Suit of Serge Adelheim, assignee of one Beresonsky, Russian composer (first name unknown), against Warner Bros. Pictures, Inc., was revealed Wednesday (7) in the N. Y. supreme court when the film company filed an application for a dismissal on the grounds that the court had no jurisdiction over the matter, and the complaint failed to state a cause of action. Warner's request will be argued Aug. 16.

Adelheim seeks \$5,000 damages, claiming that the Warner film 'British Agent,' used a song entitled 'Be Still My Grief, Be Still,' written by Beresonsky.

## ENJOIN RIOTOUS CAFE IN ATLANTIC CITY

Atlantic City, Aug. 13. New Jersey's Court of Chancery raised its eyebrow Thursday (8) at the Renault Tavern's after-midnight noises. The swank Traymore Hotel, next door complained this Boardwalk niterie was keeping its guests awake, and after listening to lawyers on both sides for an hour, Vice-Chancellor W. F. Sooy issued an injunction against the tavern.

Injunction prohibits Renault Tavern from beating tom-toms and drums and sounding cymbals and brasses after midnight 'in such manner as to disturb hotel guests.'

Ina Ray Hutton, whose band left the tavern a week previously, would have been plenty sore to hear the defense put up by Frank Palumbo and John D'Agostino, proprietors of the tavern. Palumbo said Miss Hutton 'disobeyed my instructions and played loud music. Then he poured: ... but our present band, Sonny James, plays music that's soft, sweet and soothing.'

#### Petrillo Keeps Park Job

Chicago, Aug. 13. James C. Petrillo, President American Federation of Musicians and of Chicago local AFM, was re-appointed a Commissioner of Chicago Park Board Friday (9), by Mayor Edward J. Kelly.

Appointment is for four more years.

Mary Marshall's all-girl band is at Craig Beach, near Youngstown, O.

Detroit, Aug. 13. Neighbors of Bob's Swing Bowl, nickel-in-slotting at Dearborn, Detroit suburb, decided last week they'd had enough of juvenile exuberance and decided to do something about it. A petition signed by 100 swing-weary neighbors was submitted to the City Council demanding that the Swing Bowl license be revoked. But youth revolted and marched en masse on the council bearing placards which screamed 'Keep the Swing Bowl Open' and 'We Like Pop and Ice Cream—Not Beer and Whiskey.'

The petitioners weren't sure about the latter, however. They said some of the kids carried flasks, and that there were empties strewn on neighboring lawns.

Petting parties were also frequent, they said, and there was much profane and obscene language. Complainants also objected to the impromptu and uproarious motorcycle parades which were held around the Bowl. They said as many as 15 cyclists took part at a time, with the intent of impressing their girl friends.

Councilman Clarence Doyle became a rug-cutters' friend by remarking that the fault was that of the police department for not curbing excessive noise. He pointed out that Hobart Hirsch, the proprietor, kept good order within the Bowl, but couldn't be held responsible for the outside racket.

The complaint all ended with Council members promising that the noise outside the Swing Bowl would be stopped.

Inside Miller, the Dorseys, Krupa et al will continue to delight the unrestrained patrons of the district's most popular juke box joint.

## TOMMY REYNOLDS DUE INTO PARAMOUNT, N.Y.

Tommy Reynolds, who's been at the Playland Casino, Rye, N. Y., for the season, inked a long term contract with MCA which provides for a stand at the Paramount theatre, N. Y., early in October.

Simultaneous with the agreement's consummation the following changes have been made in the band's personnel: Lenny Ross supplants Peanut Hucko on tenor, Joe Kurtz supersedes Whitley Orton as drummer, and Tom Bell takes over the trombone and voicing from Joe Neil and Gene Saunders respectively.

## Thanks—Gentlemen of the Press

From SHAPIRO, SEELEN AND LEE

Writers of "Who Gets Top Billing?"

Starring 'Harry, Sophie and Joe' at Ben Marden's Riviera

PARADE OF HITS

## LOVE LIES

A New Ballad by Carl Sigman, Ralph Freed, Joseph Meyer

### I'M NOBODY'S BABY

Sung by Judy Garland in M.G.M.'s, "Andy Hardy Meets Debutante"

### CHARLIE WAS A SAILOR

A Truly Original Novelty Song

ON THE WAY!

Watch for the most Novel Song Campaign ever attempted on

## OUR LOVE AFFAIR

from the Mickey Rooney - Judy Garland - Paul Whitman M.G.M. Picture, "Strike Up The Band"

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LEO FEIST, Inc.  
ION MOONEY, Prod. Mgr.  
1622 BROADWAY NEW YORK

## PA. NITERY OPS BURNING AT BOOZE BD.

Pittsburgh, Aug. 13.

Growing resentment locally and elsewhere among cafe and restaurant owners over dictatorial attitude of State Liquor Control Board may result in strong night club lobby at next session of Pennsylvania legislature. Talk of organization is already widespread and is expected to assume more concrete form in next couple of months.

Nitery operators claim strict and endless new regulations of booze licenses are making it tougher and tougher for them to make a living. Every other week or so, they point out, control board comes up with another one, each tougher than before and all designed to make an honest penny in the cafe field next to impossible.

Latest ruling banning all mixing with customers of house employees, in show or otherwise, has cut severely into several spots here, since it's practically eliminated the stage, upon whom hot spots could count for a great share of their nightly receipts. Even the father of a chorus girl, under the present law, can't invite her to his table for a spot of food or drink.

It's generally agreed that Pennsylvania licensees are the toughest in the country, and understood in the trade that this can be traced directly to Governor Arthur James, known to be an ardent dry.

## INTL. CASINO LIABLE FOR \$4,304 IN SALARIES

American Guild of Variety Artists has won an award of \$4,304 in a dispute with Chester H. Canning and the defunct International Casino, in a ruling handed down by the American Arbitration Assn. over claims for back salaries. Contract with Canning, as operator of the Broadway nitery, called for arbitration of disputes.

Award involved salary for 37 choruses (\$45 and \$50 a week) and 16 principals (\$100 to \$600 a week), plus 6% interest. Canning claimed some of the performers involved signed releases, but that was disallowed by the arbiters.

However, the management was not held to strict application of an agreement to give a week's notice of intention not to pick up the cast's contracts for an additional four weeks. When the Casino closed, the cast was paid off by checks, on which payment was subsequently stopped.

## Cafe Society Sets Uptown Branch

Opening of Cafe Society Uptown, 57th st. branch of the Greenwich Village, N. Y., spot, has been set for Sept. 27. Jack Guilford, former m.c. at the downtown Cafe Society and currently "Meet the People," legit, in San Francisco, will handle the reins of the new setup. Rest of the show will be moved up from the Village and will include Albert Ammons, Meade Lux Lewis, Golden Gate Quartet and Hazel Scott. Same boogie-woogie music policy will prevail at both spots.

Pete Johnson and Joe Turner will remain in the Village, while Billie Holiday, who was there some time ago, will be brought back. Small name band is also being talked for one or the other of the niteries.

## COLONIAL, DET., PLANS VAUDE RESUMPTION

Good boxoffice during the past season has prompted the return of a stage show policy for the Colonial theatre, Detroit, starting Sept. 22. Ray Schreiber, exec with the Mid-west Theatres, Inc., of which the Colonial is a link, and Sol Berns, booker with the circuit, are coming to New York Aug. 19 to set talent. The New York end of the booking is being handled by Charles Allen, long associated with Berns as his Gotham rep.

Presently, the policy of the house is straight pix. Last season was the first for the Colonial with regular stage shows.

## NEW RECEIVER ON PHILLY CAFE

Philadelphia, Aug. 13.

The court battle over who is to run the swanky Arcadia Restaurant wound up in the appointment of a Federal receiver Wednesday (7). Federal Judge Guy K. Bard named Francis E. Webster, credit manager of Abbott's Dairies, the cow-judge concerning a heavy creditor with \$10,519 in unpaid bills. Webster replaced another receiver appointed week previous by Common Pleas Court and will be the official boniface for 14 days only and then report back to court as to whether the Arcadia, long a fashionable downtown spot, should be continued.

New receiver represents setback for Mrs. Anne Kugler Derham, daughter of the late William Boothby Kugler, prominent restaurant figure who took the cafe over after it faltered under the name band and act policy of Arthur Padula. Harry Truly and John M. Roberts, former associates of Kugler, joined in asking for the new receiver. It was against the two that Mrs. Derham directed her suit in Common Pleas Court on the ground they had proved themselves 'disloyal friends' of her late father in seeking to oust her from control of the club. To complicate the proceedings further, David D. Goff, attorney for Albert M. Greenfield, agent for the Widener estate, which owns the Arcadia property, told Judge Bard the estate seeks early repossession of the premises, 'cafe company assertedly being \$21,000 behind in rent and nearly \$15,000 in arrears in maintenance charges for electricity, refrigeration and elevator service.

## 2 Vaude Spots Resume Shortly in Philly Area

Philadelphia, Aug. 13.

Vaude returns to this locale soon at two indie houses, Fay's here and the Towers, Camden, N.J., but Warner Bros., is evidently still adamant in its stand against the musicians' union's demands.

Camden house resumes stage shows Aug. 23, while Fay's relights Sept. 7. Latter house operated and booked by Eddie Sherman, who also buys the shows for the Towers. Indie Carmen here has been operating with vaude throughout the summer.

## Puffs Dancer's Illness

Milwaukee, Aug. 13.

Buying costly newspaper space to advertise the fact that its attraction is out of its show is something unique in nitery promotion, yet this is exactly what Old Heidelberg, a suburban roadhouse, is doing. In its paid space, the nitery announces: "Due to illness, Donna Lu Pae will not be here for several weeks."

## CBS BOOKING VAUDE HOUSE

Chicago, Aug. 13.

Columbia Artists Bureau, subsidiary of Columbia network, will book the Riverside, Milwaukee, starting week of Sept. 6. Marks first time in history of radio and vaudeville business that a network artists bureau will book a vaude house.

Arrangement for the booking was made through Riverside theatre's advertising agency here, Goodkind, Joice & Morgan.

Ed Weisfeldt, for many years manager of the Riverside and who has done an outstanding job of money-making in a situation fraught with obstacles, particularly the lack of picture product, continues as director of the theatre under new booking setup and is in conference already on first shows, which indicate will include several changes from present policy. Herbert I. Rosenthal, executive head of Columbia Artists, was in Chicago to complete deal along with New York chief of Chicago office of Columbia Artists.

Lew Goodkind, Weisfeldt and Charles Schwerub, owner of property, indicated that house will be booked out of Chicago office of Columbia Artists by Nan Elliott, with New York also handling for eastern attractions.

## CHI AGVA FAILS TO MUSTER QUORUM

Chicago, Aug. 13.

Membership meeting called Thursday (8) by local American Guild Variety Artists for purpose of nominating a new executive secretary in the second session, which had to disband without conducting business. Less than 10 paid-up members attended.

Blame for small attendance was laid to heat by officers.

Temperature has been over 100 in Chicago for past couple weeks. Thursday it was 85.

## 3-DECKER AMUS. CENTER?

Spanish Refugees Plan Cinema-Nitery-Vaude Spot in Mexico City

Mexico City, Aug. 13.

Spanish political refugee interests are arranging to establish in a prominent local downtown spot a three-decker amusement center, the first floor to house a cinema, the second a European style cabaret and the third a sort of continental vaudeville show.

The center is to be known as Magerit, the Arabic name for Madrid. It is expected to get going in mid-winter.

## •15 YEARS AGO•

(FROM VARIETY)

Stage-struck youngsters were on the increase, and they were willing to pay high as \$1,000 to take courses in theatrical schools.

Indie vaude agents predicted that there would be over 200 U. S. theatres, available for acts during the forthcoming season.

A blanket injunction against nitery activities was possible for Texas Guinan following her latest brush with the authorities.

Vaudeville as an English product was on the wane, said William Morris, upon his return from Britain. He summed it all up by stating that American talent was the means to keep the field alive there.

Vaude biz was so big that Bert Levey was planning the addition of another agenting office. Levey was just one of many agents mulling a similar procedure, and for the same reason.

British vaude managements were willing to forgive Frank Van Hoven for broken contracts. The result was that the magician-comedian was set for 22 weeks.

Margalo Gillmore chosen for 'The Green Hat' role originated by Ann Harding, who remained under A. H. Woods' management and was to appear in 'The School Mistress.'

## SOUTH SEAS MOTIF SPREADING FURTHER

Monte Proser-Walter Batchelor, who operate Beachcomber niteries on Broadway and in Boston, the Zombie at the World's Fair and the La Conga in Hollywood, will open two more Beachcomber spots. One will be in Miami Beach and will preem in time for the winter season, the other is to unshutter shortly in Providence.

They're also looking for an east side New York spot along the same South Sea idea. Proser is additionally partnered with Batchelor, talent agent in the operation of the Stamford (Conn.) Community theatre, a strawhat.

## ENCORE ON A. C. GAMBLING RAIDS

Atlantic City, Aug. 13.

On July 28 Mayor Tom Taggart and 50 cops descended on Club Harlem, Wonder Bar and Belmont Club, three niteries with gambling rooms on the side, and captured 32 prisoners and three truckloads of gaming paraphernalia. Last Thursday (8) the Mayor went back to the same places with a group of detectives, broke in and found brand new gaming equipment had been installed and apparently the places were ready to open up for biz again. New gadgets were taken to City Hall and broken up, but no prisoners caught.

Mayor is avowedly 'burned up' at presence of men with criminal records around local night spots. He hurriedly rounded up 17 of them, including several night spot proprietors.

Max (Boo-Boo) Hoff, former Philadelphia night club luminary, is out under \$5,000 bail as material witness in latest gaming raid. 'Nig' Rosen, another Philly nightspotter, is being sought; Mayor announced.

## Saranac Lake

By Happy Benway

Saranac, N. Y., Aug. 13.

John Dempsey, who stage manages the Fenway, Boston, Mass., here for balance of summer - o. and checkup.

The Nat (Morris Office) Letkowitzes are creating a disturbance among the Lake Colby Camp Intermission fish; the misadventure landing the fish while Nat is landing a tan.

Pauline Russell, who came here years ago as an entertainer and ozoned for two years, is now the matron and housekeeper of one of the leading cottages. She was formerly of the sister team of Hastings and Russell.

Ernie Wilcox, who claims to have tooted a sax with Paul Whiteman years ago, here for a general checkup.

The O. J. Bach shows, which Fairgrounded it here for a week, didn't click. Rained out the first three nights, while the bluesonets put the damper on most everything the last three nights.

Francis Dee, hooper, who packed some of this ozoning trouble at one time, was recently admitted into the U. S. Army.

William Headley, Wilmington, Del., ex-theatre manager, here for an examination.

Pete Munn, who at one time was with the Mike Sack show, camping on St. Regis lake.

William (Duke) Duquette, formerly with Ray Karn's orch. is now tooting the tuba with the local town band. Nifty comeback for a once very sick boy.

Bob Fournier, singing waiter at the Birches nitery, called to Syracuse to attend the funeral of his brother. Colony would like to hear from Chris Hagedorn, Al Borne, Bobby Hatz and Frisco DeVere.

Write to those who are ill.

## BURLEY SOLONS NIX THEATRE BID IN N. Y.

Variety Revue Theatre Assn., which is the layman group set up by Mayor LaGuardia back in 1937 to regulate burlesque, evidently has the power to stop showmen who plan to enter the field, or reopen a former house of that type. This is evident by the association's refusal to admit to membership Harlem Shows, Inc., involving Sidney Gordon and Dave Rosen, who want to reopen the Triboro theatre on 125th streets as a burlesk spot (or 'Follies' as now politely called in New York).

Association requires that each member theatre post a \$1,000 cash bond to insure its living up to a moral code; also another initial \$500 for quarterly expenses of administering the code. The 'expenses' are replenished each quarter, the amount depending on how much is spent. If a house is found delinquent, or violating the code, it is fined. Latter comes out of the bond and goes into the general, or extensive fund. Theatre must immediately kick in the amount of the fine so that there's always a full \$1,000 bond on hand.

In turning down Gordon and Rosen, John G. McCormack, who is secretary of the association, stated that the nix was due to the Association's belief that the neighborhood was not suitable for burlesk, and that the house was one of those which put on undesirable shows in the past. He emphasized that neither Gordon and Rosen were personally involved in the turnaround, adding that relationships with Rosen, who once managed the Triboro, were always good.

Without admission to the association, burlesque theatre can't get a permit from License Commissioner Paul Moss, who pulled the original purge on burlesque at the behest of Mayor LaGuardia. Result is that Gordon and Rosen have asked the association for a hearing, which McCormack stated will be granted some time next week, when other members of the association return from vacations.

Board in full is comprised of City Magistrate John F. X. Masterson, chairman; Harry Zeitz, v.p. of Martin's department store; John G. Wilcox, who is with Iron Age, trade paper; Col. G. C. Ackerman, of the 101st Cavalry Regiment, National Guard, and McCormack, who is a Brooklyn lawyer.

In actuality, the association is the only layman group of censors in New York powerful enough to crimp a theatre project.

## JOEY FAYE OWES \$2,191, FILES IN BANKRUPTCY

Joseph Faye Palladino, comedian, known as Joey Faye, who, with Mandy Kaye, replaced Abbott and Costello in the 'Streets of Paris' at the N. Y. World's Fair, filed a voluntary petition of bankruptcy in N. Y. federal court Saturday (10), listing no assets and liabilities of \$2,191. Faye is employed by Merle Amusement Corp. (Mike Todd) and avers that from August, 1938, to August, 1939, he earned \$1,800, and from August, 1939, to date, \$2,500.

Among creditors Harold Minsky, Gaity theatre, N. Y., \$50; Edward Sherman, Inc., \$500; Sam H. Harris Theatrical Enterprises, Inc., \$200; Rudy Valley Orchestra Units Corp. and Rudy Valley \$150; Henry Souvaine, Inc., \$77; Merle Amusement Corp., \$175, all on monies borrowed.

## WALTER (Dare) WAHL BILLY ROSE'S 'FRISCO AQUACADE

## CAROL HUGHES

OPENING PERSONAL APPEARANCE TOUR AT

ORIENTAL THEATRE, CHICAGO

(Week August 9)

Direction: DANNY GRAHAM

LEE

LOMAY

## SIMS AND BAILEY

CURRENTLY

CHASE HOTEL, ST. LOUIS, MO.

Direction: NAT KALCHEIM, William Morris Agency



# INDIE CHISELING BURNS ACTS

## 1940 Road Co. of Freeport's Famed Lights Cuts Up on Freeman's Lawn

By JOE SCHOENFELD

Freeport, Long Island, which in its day was the vaudeville Hollywood of the country, was the scene Sunday night (11) of another send-off for Charles J. Freeman to his new post with the Interstate Circuit in Texas. Freeman leaves Aug. 18, so some of the boys cooked up a surprise show on the former chief RKO bookers' lawn.

Actually it was about as much a surprise as a piece of fish to a trained seal, but welcome just the same. John Hickey, the agent, and Harry Puck, who is looking for an agent, framed the show, but not as many actors as they had hoped for showed up. Result was that Freeman and the missus, Carrie, had to do the entertainment, doing a snappy cakewalk up ahead of the 'Auld Lang Syne' finale.

Rae Samuels, doing a rube song; Ruby Rothour (Mrs. Harry Puck), singing 'Song of Songs'; Hal Neiman, working 'What's the Matter with Me'; comedy delivery of 'Mandala'; Tyler Mason, in blackface for 'I Need Somebody to Lullaby Me'; Hughie Diamond and Arthur Havel were some of the a.k.s. and near-a.k.s. in the show. Harry Puck was the orchestra at a baby upright and Joe Laurie, Jr., who is no baby himself, was the m.c.

A good part of the audience was composed of non-pro neighbors, but nothing happened the first 10 minutes so they had plenty of time to study the stage, which was the basketball court dressed up with an old vaude drop and a proscenium made of cornhusks. The week previous, Buddy Freeman, who is 24 and claimed by his father to be a purchaser for a leaff, presented a parody of 'Our Town' on the same stage, with neighboring kids in the cast. This was a rib on Freeman, Sr., and claimed to have been better than what the pros put on. Laurie introduced Buddy early as 'the worst m.c. in the world.' Buddy put the show right back in Laurie's lap, saying 'this place is under new management and it's all loused up.'

**Still Nothing Happened**  
Then Laurie let Puck, Havel, Diamond and Neiman do their stuff, but still nothing happened. Laurie, who remembers back when the Lights Club put on some real shows in Freeport on Saturday nights, then remarked: 'You can read this label off a tomato can and top anything that has happened so far.'

Tyler Mason preceded his specialty by saying that the number he was going to sing brought him a route at \$500 weekly from Freeman bank in the '20's. Later, Freeman said that if he paid Mason \$500 weekly because of the way he sang that song it's no wonder he was out of a job—as was Mason. Latter is now an agent, associated with Eddie Smith.

Miss Samuels (Mrs. Marty Fort-Kins) and Ruby Rothour got over, but later there was 'Babes in Arms' switch and four youngsters really showed the a.k.s. how it's done nowadays. Miss Samuels brought on Mildred Law, her protegee just returned from filming 'Too Many Girls' at RKO on the Coast, and she did a rhythm tap taught her by Bill Robinson, putting it over nicely despite the handicap of a cement floor. Sigrid Dagnie, a cute

### Ex-Muscle Man

John Hickey wanted one of the oldtime physical culture acts for the surprise vaude show given. Charley J. Freeman in Freeport Sunday night (11). He contacted one of the two performers of that type he knows. 'I'm sorry, the former picture of health replied, 'but I haven't got any more muscles.'

blonde dancer in 'Higher and Higher,' who simulated a toe routine, and Lyda Sue, also a pro and a cracker-jack high-kick acro dancer, followed and scored. Buddy then brought on Don Maxwell, a local kid who does imitations, and his takeoffs of Mr. and Mrs. Roosevelt got the house.

A number of acts scheduled failed to show; Will Morrissey was one and J. Francis Dooley another. Dooley had to take care of his 'saloon,' so Mrs. Dooley (Corinne Sales) begged off for both of them.

**Freemans' Their Own Toppers**  
Charlie and Carrie Freemans' cakewalk was the show's topper and, when Freeman shouted at Harry Puck to play the music faster, Puck's retort, 'don't holler at the orchestra,' brought the evening's strongest laugh.

The audience found the seating arrangements catch-as-catch-can—either on the grass, or benches, or, if lucky, a stray chair. Later most everybody crowded into the Freemans' home for hot dogs and sauerkraut, washed down with beer from a tap in the garage, plus English music by Arthur Havel.

Latter was better in the house than on the lawn.  
Freeman hasn't yet sold the house, but he and his family are leaving for Texas regardless. Only one remaining in Freeport will be Buddy, who already has passed one examination for the U. S. Air Corps and expects to go into the service by Jan. 1. Until then, and while the bankroll is in Texas, he's acquired a job with the telephone company.

**Yesteryear Colony**  
Departure of the Freemans decimates Freeport's show biz colony even more. Town, which was most famous during the Lights Club era, once buzzed with performers and managers who lived either in Freeport or the near vicinity. The names who might have been at Freeman's surprise party years ago, but were missing Sunday night for one reason or another, included: Barry and Wolford, Dugan and Raymond, McKay and Ardine, Conlin and Glass, Ed and Gracie Carr, Norwood and Hall, Middleton and Spellmeyer, Norman and Grace Manwaring, Moore and Littlefield, Sam Hearn and Helen Eley, Crawford and Broderick, Conlin, Steele and Carr, Morton and Glass, Sam and Kitty Morton, Mike Mulvey, B. S. Moss, Arthur Deagon, Carmeli and Harris, Sam and Bright Tauber, Vic and Bob Milo, Minnie the Mermaid, Barber and Jackson, Bobby Henshaw, Ed and Gracie Parks, The Three Lightnings, Wood and Wyde, Alan and Lou Dinehart, Diamond and Brennan, Craft and LaMont, Masters and Kraft, McConnell and Simpson, Mr. and Mrs. Norman Prescott, The Sharrocks, Puck and White.

### Sues Burley Over Photo

Los Angeles, Aug. 13.  
Dual suits for \$28,000 damages each have been filed in superior court here by Rose Plumer and Dave Daggett against the Burbank (burlesque) theatre.  
Libel and wrongful use of pictures of Miss Plumer are charged.

## RKO, LOEW'S ALSO ON PAN

Some N. Y. Bookers Cited for Low Pay on One-Day Dates—Performer Had to Play 4 Houses in 3 Days for \$65

### CONTRACT-FLASHING

Some of the New York indie bookers have broken out in a rash of old-fashioned chiseling methods, including contract-flashing. Situation, on top of the low salaries paid for one, two and three-day dates (from \$3 to \$5 per person a day), is causing a major burnup among performers involved.

Also on the pan, besides the indies, are RKO and Loew's, both of which have some one-night stands, and pay \$5 per person. RKO is cited for low salaries; ditto Loew's. Later pays the same amount even for performers playing the Globe, Bridgeport, 140 miles away, Saturday nights. Circuit also includes bus fares, but the actors aren't paid salaries' expenses until the following Tuesday noon, the payoff being made at the h.o. cashier's window in N. Y. Performers state they wouldn't accept the \$5 date if they didn't need the coin, so hence the payoff should be forthcoming the night of the engagement.

Contract-flashing is attributed to Abe and Joe Feinberg, booking some small Pennsylvania stands. One performer was recently spotted by them to play what practically amounted to four houses in three days at a total salary of \$65. Actor played the Lyric, Honesdale, Pa., at noon, was then rushed to the Ritz, Hawley, 10 miles away, for an afternoon show, and returned to Honesdale for a night performance. He was offered \$9.50 for this bicycling, with the balance of the \$65, less booking fee, to come from three days at the Family, Scranton. Idea behind the \$9.50 payoff was to enable the Feinbergs to show houses booked by opposition show-buyers how cheaply they can buy acts.

George Godfrey, who was once chief of the RKO booking office and is now buying shows for one and two-day houses, is involved in another angle. He booked a performer into a Jersey house at \$10, less \$1 commission. When the actor left for the town, Godfrey gave him a letter, which he seemingly forgot to seal, for the house manager. Letter stated that the actor was to get \$20 and his performer took in check form. He had a photostatic copy made of it before bringing it to Godfrey, who gave him \$9 change.

### 'Hellz' Suit Vs. Meroff Unit Comes Up In Sept.

Chicago, Aug. 13.  
With hearing set for September in New York supreme court, Al Borde and Benny Meroff have retained Louis Nizer to defend them in suit brought by Olsen & Johnson against title 'Hellzafre,' which Borde and Meroff were using for a vaudeville unit.

Olsen & Johnson obtained an injunction against Borde and Meroff, preventing title from being used, and are suing for damages, allegedly incurred while unit operated under name 'Hellzafre.' Since then it has been using tag of 'Funzafre.'

### Wilkes-Barre Biz Off

Wilkes-Barre, Pa., Aug. 13.  
For the first time in eight years this city has two houses playing vaude and units.

The Irving plays vaude three days of each week. The Penn opened Friday (9) with Major Bowes' '1940 Prize Winners.'

Business is poor, however, despite the pleas of natives to 'give us stage shows and we'll jam the houses.'

## Sally Rand, Tomack-Reis Bros. Reach Settlement on Pact Breach

### Hot or Cold

Ten minutes after Harry Carlin, cafe booker, was found dead in his New York office last week, another booker phoned one of his cafes and informed the owner that Carlin had died. He then asked the operator to turn the spot over to him for booking. 'Why don't you wait until the body is cold before phoning,' said the operator.

Hot or cold, I want to book your spot,' was the reply.

## N. Y. AGENTS NIX AGVA DEMAND

Despite a request from the American Guild of Variety Artists, the Artists Representatives Assn. of New York, has advised the vaude-unitary union that none of its member agents will submit copies of contracts and data on bookings. I. Robert Broder, counsel for the ARA, wrote Hoyt Haddock, AGVA's executive secretary, explaining ARA's stand.

Haddock in turn has threatened reprisals, including revocation of agents' AGVA franchises, but ARA is standing firm. Agents' group claims there is nothing in its basic agreement with AGVA that makes it mandatory for them to furnish AGVA with the details requested. There will shortly be a joint committee meeting to thrash out the matter.

Besides taking the position that AGVA has no right to request all the minute details of agents' business, the ten-percenter also want to duck the clerical work involved in furnishing such reports, which, they claim, would cause unjustifiable expense.

ARA insists that it is living up to the letter of its basic agreement with AGVA, especially far as representing only actor-members of AGVA.

### Diamond Gets K.C. Tower

Chicago, Aug. 13.  
Booking of Tower, Kansas City, has been taken over by the Billy Diamond agency here.  
Initial layout from Diamond office will open Sept. 6.

Sally Rand and the comedy trio of Sid Tomack and the Reis Bros. have arrived at a tentative settlement of their dispute evolving from Miss Rand's cancellation of the act after the first week in the Cocoonat Grove at the Park Central Hotel, New York. Deal was made after a conference including both parties, Dewey Barto, president of the American Guild of Variety Artists, and Hoyt Haddock, executive secretary. It rests now until a final okay from I. Robert Broder, attorney for the trio.

As the settlement stands on the trio's contract, which called for another 10 weeks, at \$500 weekly, from Miss Rand, the fanner will include them at a higher salary when her unit plays the Brandt vaude-films this fall, about two and a half weeks. She'll pay off the balance, she says, from her salary at the Club Bali, Philadelphia, which will either precede or follow the Brandt dates. Total amount of monies the boys may receive from any work contracted for between now and what would have been the normal completion of their contract with Miss Rand will be deducted from the total amount (\$5,000) she owes 'em.


The dispute between the act and Miss Rand almost resulted in a cause celebre at AGVA. Act accused Phil Irving, N. Y. local exec sec, of being incapable of handling a claim involving important money. Irving in turn stated first that the boys should not have called in a lawyer, (2) that complications had arisen because the hotel management was now partially guaranteeing salaries of the Rand troupe, (3) that he was working hand in glove with the musicians and stagehands unions for an eventual settlement. Inasmuch as both Miss Rand and all her performers are AGVA members, it was pointed out that cooperation of outside unions wasn't necessary to collect a valid claim. Haddock and Barto were in agreement on this and called for the conference with Miss Rand and the trio.

### Sara Strauss, Harry Puck Form Prod. Partnership

Sara Mildred Strauss and Harry Puck, both recently returned from Irving, N. Y. local exec sec, of being in New York for dance direction and production.

They are now staging their first unit.  
Maxine Lewis moved into Bill Jordan's Bar of Music, Hollywood.

## The THEATRE of the STARS



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## RENEE and ROOT

500 CLUB . . . Atlantic City, N. J.

"Renee and Root, team whose grace is reminiscent of the DeMarcos or Veloz and Yolanda, dance brilliantly."

—Atlantic City Press.

## STATE, N. Y.

Sailors follow with balance of their act, the rope-skipping hoolery which rings the bell fairly well and serves to set Cass Daley. Singing a wingerood can sell a shouting vocal in good style but selection of number hasn't changed either since last night here.

Lucienne and Ashour close. Very solid duo of Apache' dancers ending funny twist of the femme dish- ing out the punishment after taking the usual beating.

Burr



# ROXY, N. Y.

Johnny Woods, Alice Dudley and Kenneth Bostock, Sylvia Foursome, Ben Yost's New Yorkers, Gae Foster House Line, Paul and House Band, 'Return of Frome James' (20th), reviewed in this issue.

Sylvia Foursome tops an otherwise uninspired, mid-summer quickie show at the Roxy this week. Quartet, consisting of three guys and an extremely petite female, is tossed about with the gal as the to-bee. Formerly working as the Gracella Dancers, the turn is a real breathaker. Femme is thrown high in the air from one of the men to the other.

Johnny Woods, mimic, holds runner-up position in the show. Although imitation stunts is beginning to wear thin, he runs through a wide repertoire, including all the usuals, in rapid-fire fashion. Roxy gives him some questionable production buildup for the endeavor, by having him do a 'Punchy' routine, a loud announcer and four gals go through a brief routine of phoney commercials and chimes.

From the recently-exited Broadway musical, 'Walk with Music' come Alice Dudley and Kenneth Bostock (New Acts). Terming themselves 'dance statisticians,' it is difficult to determine what they are, except a couple kids unsuccessfully trying to be funny.

Ben Yost's New Yorkers, who are becoming virtually a fixture at the Roxy, are back once again, number seven to have taken the lot, however, for there are only four couples in the warbling company instead of the six which was seen here before. They do 'Six Lessons from Mame,' 'La Zonga' and follow up to a Latin-American routine by the line, 'Tune is ably arranged and sung.'

Opener by the Gae Foster gals is a pip, but is fairly offbeat, a punko routine which begins later in the show. The teoff is a Spanish number in which the gals have a tom-tom (or the south of the border equivalent) fastened to each hip. As they dance they bang sometimes on their own drums, sometimes on a neighbor's. Bit of hip-tossing now and then, too, of course, is nicely exaggerated by the swinging line. Set of the number is also imaginatively done.

Final appearance by the gals is plenty corny. It's one of those old Indian routines, with the female wearing feathers which they toss like tom-toms. It's effective on the ear, but hardly a pleasant sight.

Herb.

## LYRIC, INDPLS.

Indianapolis, Aug. 9. 'Sunny Side Up,' Carl Freed's Harmonica Troupe, Nan Rae and Maude Davis, Burns and White, The Ryans (3), Helene Denison, House Line (12), 'Scatterbrain' (Rep).

For the same reasons that a bowl of healthy oranges, bananas and pineapples doesn't make a good fruit salad, Nick Bolla's collection of acts presented this week under the review title 'Sunny Side Up' doesn't make a good show. Good production could make an entertaining 60 minutes of stage fare out of what is now just an hour of effort with little entertainment effect.

The pit orchestra is moved to the stage and augmented by four extra pieces. However, the show's acquaintance at show caught kept the boys from getting together on the score. The show needs pacing; Carl Freed, who should have handled the entire job, is held in the wings until the bill is half over. He then comes on to take over the reins for the remainder of the time.

Acts are poorly spotted, too. After the opening line number, The Ryans engage in knockabout antics, with quite a bit of dancing. They are followed by an unbilled tarp act in Hawaiian outfits. This act looks like it was using the same show cut through the theatre. They come out under an elementary tarp, and the two men and woman continue the same steps until they reach the other opposite site of stage. Helene Denison follows with another dance. She is graceful and won a nice hand with her low work on a ballet of 'Over the Rainbow' followed by a double number. However, three dance acts in a row is a bit wearing. The line follows with another dance to make it less exciting. Burns and White follow with more dancing and comedy. Routine of the farmer's daughter is familiar here, but okay to break up the solid run of terpsichore.

Nan Rae and Maude Davis are standouts. Have a new approach to comedy when Miss Rae comes out to interview audience. Gets Miss Davis, who gets off deadpan gals regarding family life. For a finish, Miss Davis sings a ballad, 'I'm in a double talk.' Is first time that act has appeared here, and shows that vaude could be vastly improved by getting a few new angles on comedy. Carl Freed and his harmonica troupe also score with a series of live tunes on the mouth organs. Freed has played house several times and has something of an air about him due to his appearance over WLV, which is plugged in the introduction.

Line finishes with military number. Scrim is lowered and waving flag is projected to insure a hand for final curtain. Biz thin at third show Friday (9) with no profit in sight for the week.

## 20TH CENTURY, BUFF

Buffalo, Aug. 9. George White's 'Scandals' with Ella Logan, Ben Blue, Billy Hayes, Craig Mathews, Kim Loo Sisters, Kristine Sorensen, Lester Ford, Fran English, 'Beyond Tomorrow' (RKO).

This booking takes on local significance from the fact that Jack Yellen, who did the show's lyrics, also owns, with his family, the 20th Century (under lease to Basil Dippolite) and thus has a high prestige the name of White or the advertised array of talent adds to a picture box office is questionable. Here, they add up mostly as caviar to the high school crowd. The trade, which is looking for nudity and little else. Fortunately, the show is well spotted at this house as the management for some time back has been specializing in this type of stage presentation.

Current tap version of the Broadway show is better than most present ones. Kindness here and there, although still somewhat short of the top productions. It suffers from overemphasis on Broadway high-hat. Most of the wisecracking is over the top of the picture mob. The comedy is definitely for adults only, and some of the blackouts had even the burly habitus gasping. On the spectacle and costume side the proceedings move with much volume, even though the picture crowd is accustomed to flash presentations and expects plenty for its money without too much regard for quality.

The show is loaded with talent although the four-performance daily grind has most of the cast working in a trance. Ella Logan leads the ensemble with her usually sure vocalizing and Ben Blue carries off completely the comedy honors. Blue is a natural for the type of material handed him here and his efforts were received with plenty of palm-whacking by the stuholders. His nonchalant style helped take the curse off the worst of the show's comedy.

Billy Hayes is a smooth m.c. and also contributes his novelty juggling monolog. In both, more conservatism would help his contributions. Craig Mathews temors with much volume and considerable melody. Kim Loo Sisters are pressed into almost every kind of service. The Knight Sisters are excellent in their adagio and Lester Ford's 'Mythos' elongated Broadwayized hula earned her well-deserved returns. Fran English straight for the comedy.

A number of people, such as Ross Wyse, Jr., and June Mann, though billed, failed to appear at this catching. Late arrival of the show resulted in considerable confusion and delay the first day, but the proceedings ran off in surprisingly smooth fashion notwithstanding. Attendance for the second (Sunday) show opening day.

## TOWER, K. C.

Kansas City, Aug. 10. Rich and Gibson, Bernhard and Ketrout, Terry Houser and Co., Chicago Wind, Lester Ford's House Line, Herb Six House Orchestra, 'Sailor's Lady' (20th).

Something more than the usual drawing strength is offered in the film this week, leaving a lighter chore for the 40-minute vaude. Under title of 'Broadway on Parade,' the show is a standard combination of three imported acts with the house regulars and weekly amateur discovery, and rates with the usual bill of this type.

Opening is turned over to the line, which stages a fashion parade and sets scene for Rich and Gibson to take over in a tarp routine. Couple roll out a xylo and take in the solo act which combine in a duet. Final combines terping with hammering for acceptable results. M. C. Lester Harding makes his entry with a song and dance. Williams, five-year old amateur in a song and dance to 'My My.' Youngster is on purely for audience curiosity. Return to the standard acts brings on Bernhard and Ketrout. Ketrout does an inept acro turn of merit, working in some sleight-of-hand and making handstands the basis of act. Partner is mostly for looks but does one toward end with some stunts done in duo.

Singing piece by Harding is 'Sierra Sue' in good baritone, and he goes into 'Pleasure Take a Letter, Miss' and finishing with a rhythm sobbing. Stage is then given over to Terry Howard, with Jack Talley stooging his little-girls in a comedy go low comedy standard routine.

Bit of production is offered as finale with Nita Bernhard, of the acro act, doing a specialty 'Jungle Girls' follow theme with a zulu routine to 'Savage Serenade' and wind up the show.

## ORIENTAL, CHI

Chicago, Aug. 9. Eddy Howard, Jackie Coogan (3), Carroll and House, Seror Twins, Carl and House, 'Gambling on the High Seas' (WB).

For the two-bit week-day matinee, when this house gets a lot of high school kids, the bill, headlining Jackie Coogan and Eddy Howard, is almost perfect. For any other audience it's almost perfect, but not so good.

All the little high school girls wait patiently for Howard's spot, they squeal delightedly when they hear his first soft tones coming from off-stage, and when he comes on, topped by his curly, shining, black hair, they go nuts. They love the way he grabs the mike with both hands, pulls it toward him, and then tears back in pose all the while like a high school girl's dream of Apollo, as his silky croon drenches mously through the theatre. But even they, the 10,000, get a little weary of him by the time he's finished, and the rest of the audience is like a bunch of old maids who've had to sit through a strip dance they didn't want to see.

Coogan begins his act with a series of gags such as the late Ted Healy might have told, but, unfortunately, Coogan, not Healy, does the telling. After the first gag, which is a canny work, he is interrupted by two stooges hauling a piano, which instrument hasn't anything to do with the act, and then, after only good thing they do is to interrupt Coogan's monolog. Their part of the act is a bit of rough-house and the accompanying of Coogan for his final, the EDDIE, is doing a canny fan dance with newspapers, something which hasn't been seen in Chicago in about two weeks.

Carol Hughes is also featured, and as a singer, she is good. She dressed nicely, talks badly and sings in the stilted manner of most band singers. She needs the experience she's getting, but plenty, and she should teach her among other things, that no successful performer, except radio announcers on daytime radio serials, ever work down to an audience.

Jean Carroll and Buddy Howe, man and woman chatter team, are good, and would be excellent if they were better. They do a good job, seemed tired. Close with challenge.

Seror Twins, males, open show after house line routine. Novelty turn, the twins, with their gaudy effects, and closing with hoofing, act needs some editing for purpose of gaining speed.

Howard does two good routines, opening and closing. Opener showed plenty of tapping ability. Unbilled when caught was Martha Raye, who sat in front row, wearing a beard, and then came on in an attempt to blow up Coogan.

There was a lobby line by end of first show opening day. Loop.

## EMBASSY, N. Y.

(NEWSREELS)

After some excitement last week, newsreels settle down to pretty much the usual again this session. Only thing in the way of a rapid heart throbber is a feature in the English channel. Clips, supplied by Paramount, are more thrilling than somewhat similar ones last week because of more planes and more action, and a few more on clarity. Distance and a channel fog apparently hurt. They show, nevertheless, German dive bombers attacking a ship, and anti-aircraft puffing up the sky. RAF pursuit planes shoot the raiders, but not before the camera dramatically catches a direct hit on the stern of one ship.

War news otherwise includes stock shots of the current African theatre (Metro and Fox); the British cruiser, Alcantra, damaged by Nazi torpedoes, coming into Rio (Pathe), and some feature stuff on English soldiers and sailors from Pathe. In America there are shots of army preparation in the United States, and of the country all from Paramount. Most interesting are those of neophyte parachute jumpers learning how at Hightstown, N. J., from a tower. The newsreels are good. Fair. Army practicing with wooden guns no less at its encampments brings dismay. Universal busts into the war preparations with some mildly interesting stuff of troops using new Pennsylvania super-highway and of a new electric machine gun. Latter shots are quite good.

Five Column's also come in for treatment, combined with a composite of recent bomb scares. It's all kind of belabored and overworked to make a point which is vague. Fox shot of J. Edgar Hoover at the Washington convention on Fifth Columnists is overlong and dull. And Par's reprise of World's Fair bombing is old stuff, despite efforts of commentary.

Clips of Lindbergh and Pershing giving their speeches of last week are provided by Par, also. In the realm of politics, the Embassy, in New York, is currently edited, takes a chance on being accused of having a side bet on Willie. While F.D.R. is seen very briefly welcoming South American

JOAN EDWARDS. With Bob Knight Ore (6) Songs Cafe Pierre, N. Y.

Alumna of the Paul Whiteman organization and a young sort of radio, Miss Edwards is an effective songstress who makes for a mild name in the better grade cafes. Here she's not so zowie as is her due, because of a tough sentence in bookings, but registers none the less. Coming in on the heels of Carol Bruce, doubling from 'Louisiana Purchase,' who took the town a bit by storm as something of a new s.a. songstress, it makes it pretty tough for Miss Edwards, who is, incidentally, a niece of Gus Edwards.

On the other hand she delivers handsily with expert vocals in the ultra modern manner of rhythmic balladeering. She dresses well and, unlike her past performances, now she's getting a little more of a make. In this intine room it's a question if Miss Edwards needs the amplifier, as she has powerful range.

At Felix Ferry's Cafe Pierre in the Hotel Pierre has become the town's newest class spot, getting a \$2.50 minimum in what might be interpreted as the 'wrong' possible room getting the right people. A reformed powder room, it's a long interior, with lots of wall space but no ringside to speak of. Nonetheless, Ferry's following has made it click and, accordingly, it's a topflight showcase for whatever act comes in. Only one turn, doing a midnight session, with Bob Knight's otherwise expert dancers holding forth in a marathon dancipation, Knight is a good musician, specializing on an odd electric guitar contraption, surrounded by strings, piano, bass and drums; no brass. It's a sprightly rhythmic yet tuneful combo that well fits into any class cafe. Abel.

KENNETH BOSTOCK and ALICE DUDLEY Dance Satisfire 6 Mins. Roxy, N. Y.

Alice Dudley and Kenneth Bostock come to the Roxy this week from an engagement in 'Walk with Music,' tune show which recently shuttered an abbreviated Broadway visit. Dudley is billed as dance statistician, in comparison with even much less skillful pairs in that line than the Hartmans, they scarcely fit into the category of dancers holding forth anything else, a couple of kids trying to be funny. And not succeeding, if the stoniness of this Roxy audience was any criterion.

Fair follow a rhumba routine by

delegates and Henry Wallace is losing a beard, and the other one, Willie, is shown twice making the same speech and getting some sly little digs in at the Administration. Once would be perfectly okay, but when the Embassy goes to 'Pathe' and make sure no one's going to miss the Republican candidate (he's there in an 'Information Please' short, too), it appears biased in its view about showmanship. Political clips are also showmanship.

Among the general stuff, firefighting parachutists being dropped into the midst of forest conflagrations is a good thing. The 'Pathe' also has a load of human interest, although there's little imagination used in the shots, which merely show them playing ball. Shooting some of the sports stuff, with skiing in bathing suits, a U entry, is runner up. A Lew Lehrman has a 60-year-old woman high diving with the ever young stunt of projecting the pictures in reverse to make her fly back to her perch.

the Gae Foster line and does a kind of mimicry thereof. Attempted humor is not of the slapstick variety, but more subtle. Both members of the team are small and blonde and the girl is a little older. She's considerably more appealing than her partner, principally because she uses a deadpan technique while he mugs outrageously in the manner of a kid trying to be cute. Maybe there'd be better just dancing.

## PRINCE MENDES

Nixon Cafe, Pittsburgh

Young sleight-of-hand wiz can stand up with the best of the wand-wavers. He's glib, casual and nicely-mannered; has nice bag of tricks and the audience, instructed for maximum results. The stand by card manipulations and chain cigaret stunt are, of course, part of Mendes' repertory as is a howl and a socko everybody in the trade, but he has a flock of cuties of his own, too. That one of pulling half a dozen ringing alarm clocks out of his high-silk hat is a little sets him up solidly with the crowd.

Mendes is also something of a Bergen and his topper is a bit in which he calls upon somebody to climb the stairs and the willing stooge to move his mouth up and down whenever prodded in the back, Mendes then proceeds with a two-man act that's a howl and a socko to turn. Gets across some embarrassing ones for uninitiated knee-sitter, but he does it so good-naturedly nobody takes any offense, particularly the star of the show.

Magician has a fast, engaging line of patter and looks the part in his legdemane card and tails. Cohen.

## RAT AND TRENT

Acrobats 12 Mins. Music Hall, N. Y.

Ray and Trent are obviously vaude vets, but they aren't in VARIETY's New Act files, so this is for the record. Pair do a solidly entertaining bit of lift and balance acrobatics, with touches of farce and comedy in the Music Hall's current stage bill, getting a deserved response.

For this appearance they're in convivial garb, making their entrance from the back of a freight car upstage. Comedy bit is brief and the dancing is negligible, but their balance stuff is of the best. Do about all the tricks of the trade, and a few extra of their own. All tough, all cleanly done, with a nice sense of timing, showmanship and comedy tinged in vaude, interludes and a good ending in revues.

his rights in docking Martin for an hour's pay. When Rose told this to Martin he flew into a rage and rushed back to the bandstand, and ordered the Zurke bandmen to 'Cut it, boys, we're getting out of this dump.'

Band Scrums

The band stood in the middle of the number and left.

Steve Swedish and his orchestra, which alternates with guest bands, finished out the night's program.

'We cater to the public, not to band leaders like Tony Martin,' said Manager Rose. 'Zurke did a good job and I regret his boys have to be hurt, but we had to have a show down with Martin.'

Dahlstrand, the union chief, supported Rose and said:

'Martin was paid for time when he wasn't there, and he'll be penalized some more for pulling his band out early. Some of these name bands that come to town are high hat and we have to cool 'em off.'

'Rose was really rude to me,' said Martin. 'He let me go all night without telling me what he intended to do. Yes, I was late. After all, I sing, you know. My job is to sing and sing in front of an audience. But wauke's a nice town and I'm not angry, but I suppose I'll have to get a lawyer about this.'

**Mrs. F. D. R.**

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in order to spare her embarrassment. Any hopes that the dispute, now in its ninth month, might be settled soon, suffered a setback by the start of a new policy—simultaneous opening of the same film in two downtown Warner houses, Stanley and Earl. 'Come With the Wind' ran in two houses at the same time, with different policies; one had reserved seats, the other first-come, first-served. 'I Love You Again' opens in both houses at popular prices. Talk is that that's the solution agreed on to keep biz at the Earle, which has been suffering from second-rate product. Out-of-town shoppers who go to the Earle wouldn't walk the light extra blocks to the Stanley, and now they'll get the town's best.

## Tony Martin

Continued from page 3

at the Modernistic ballroom, but it was nearly 9:30 before singer showed up, although the program was supposed to be broadcast over WTMJ from 9 to 9:30.

Although it was Sunday night, only 2,100 persons had been attracted to the ballroom, but they were aware of the singing. Tony Martin put in his appearance and exchanged dirty looks with the musicians. He crooned as if he were doing the audience a great favor to even appear before it, although his appearance was so late that already a number of patrons had demanded their money back. When Martin sang, his singing bells there were a great clatter of cowbells from the drummer's corner, and when Martin played a clarinet the saxophone section, smirked behind his back.

Martin had been paid \$225 in advance, and about 11:30 he visited the office of Manager C. S. Rose to collect the other 50% of his contract price. Rose in the meantime had conferred with Vollmer Dahlstrand, president of the Musician's Association (AFL Local No. 8) and was told he was quite within





## Equity Council Confab (20) May Decide Sunday Shows and League Agreement

What may be a most vital Equity council session from a managerial standpoint, as possibly affecting the season of 1940-41, will be held next Tuesday (20). Special order of business will include Sunday performances; also the extension of the agreement with the League of New York Theatres, a pact which for the past two seasons committed Equity not to change policy without the assent of the managers.

Sundays are considered the major matter of the 20 at this time. Equity has been advised by the League that it has definite agreements with the stagehands that regular rate of pay will apply for Sabbath performances, granted that the actors are not paid extra salary. The nods from the back stage and pit unions are regarded as the longest step in the direction of Sundays that has been accomplished. Last season, when some progress was made, the stage hands balked. Their subsequent change of mind may be the lever that will result in Equity withdrawing from its no-Sunday attitude. Present regulation is that actors get double pay for Sundays, which stymied the managers.

Council itself can order Sunday shows, although it is not generally realized. It is the controlling body of the legal actors' association and can act without placing the matter before the membership. Membership can reverse the council, but it is believed that, in light of unemployment, the rank and file would be quite willing to enter into what may be an experiment.

### May Prolong Engagements

There are some diehards in Equity who are still opposed to Sundays. Other leaders are in favor of such performances on the strength of the managerial theory that they would make for the lengthening of Broadway engagements. If Sundays come in it will be for the entire season, that is from September to the end of next May, and, if proving successful, could be extended indefinitely. Sundays would be expected to especially help moderately successful attractions, but a proportion of hits would probably play Sundays, too, although whether some stars would appear on such days is problematical. As for performance time, most shows would have curtains around three in the afternoon, Sunday nights in the winter, which would mean that Sunday night performances would be played only if the matinee were dropped.

Law in New York stipulates that players appearing on Sunday in legit must have 24 hours rest during the week. When Sabbath shows were tried in a disreputable way a year or so ago, Mondays were dropped. The curious quirk of the statute is that other types of shows and sports events do not have the same restriction, so that the Sunday law is evidently discriminatory. It's been pointed out that Equity people who said 'not on the Sunday' thus have appeared on Sunday in radio and vaudeville houses, where upward of five shows are given sometimes.

An amendment to the present law so far as legit is concerned may be sought by the managers later on, idea being to strike out the 24 hours rest provision. It will probably be opposed, but the discrimination argument may win. Shows at the World's Fair operate on a seven-day basis, though some are classed as legit—by Equity at least. Stage hands, except for some department heads, do not work seven days, in vaudeville, burlesque and other spots, being required by the union to lay off one day. Same applies to musicians.

Extending the agreement against changing rules is also important to the managers. It is likely that Equity will assent, but the plan to raise the minimum salary from \$40 to \$50 is still a hot topic among many of the moderately paid players. There may be a string to extending the pact because of that. Some Equityers think that such a pact would result in chipping out bit parts and therefore not be of general benefit to actors, but it is understood that quite percentage of the membership favors the increase, regardless.

### Siegel Gets 'Premiere'

Hollywood, Aug. 13. Max Siegel has obtained the rights to 'World Premiere,' new play by Alex Gottlieb and Edmund Joseph. He plans to give the piece a Broadway production in the fall.

## ABBOTT EAST TO READY B'WAY SKED

George Abbott, who last week finished shooting 'Too Many Girls' at RKO, due east around the beginning of next week, the exact date depending on releases for the picture. He'll first handle rehearsals on the legit version of 'Girls,' which opens a tour Labor Day in Chicago. Then will begin readying his season's schedule for Broadway.

First show on the list is 'Pal Joey,' the musical with book by John O'Hara and score by Rodgers and Hart. Other two Abbott items are 'And One for the Lady,' straight comedy by John Cecil Holm, which the author is rewriting, and the modern musical version of 'Much Ado About Nothing,' for which Vernon Duke, John Latouche and Ted Fetter have completed the score and Robert Buckner is at work on the book. Whichever script is ready in time will be the second show on Abbott's schedule.

## 'Road's' N. Y. B. O. Up, So Maybe It'll Stick Around Another Yr.

'Tobacco Road' advertised to close Saturday (17) at the Forrest, N. Y., but the management was still doubtful early this week whether the record run drama would definitely stop or not. When attendance jumped last week the show's operators were so jubilant that one said 'Road' might still be on the Broadway boards next August. There is no advance sale and, like most other survivors, most tickets are sold at the boxoffice just before curtain time.

Show's gross last week was quoted at \$5,200, which at \$1.10 top is very good money and provides a goodly profit for this one-setter. Increase last week was around \$2,000, previous week's gross, being about \$3,300—show makes coin at that level.

Road show of 'Road' played Atlantic City last week and the takings of around \$5,000 were quite profitable. Out-of-town 'Road' usually grosses considerably more than the Broadway company, using a higher admission scale.

## OLDEST L.A. THEATRE DUSTED FOR REPERTOIRE

Los Angeles, Aug. 13.

Oldest theatre in Los Angeles, the Merced, is about to be restored to its original lustre and devoted to civic repertoire. It was the city's tallest and most elegant structure in the early 1880s, when it was built by William Abbott. Adelina Patti and contemporary celebrities trod its stage.

It was abandoned as a theatre years ago and turned over to small stores and dust.

Restoration of the old playhouse, financed by Mrs. Crystal Coststock Cotland, is part of the plan to preserve historic structures in the Old Pueblo district.

## Rural G. & S. Troupe Due on Broadway

With the D'Oyly Carte troupe not coming to America this year because of the war, Daltrey Opera Co., which has formerly restricted itself to summer Gilbert and Sullivan engagements, will come into New York about Sept. 24. Theatre hasn't been decided on yet, but it will be a Shubert house.

Company, which has been operating for the past four seasons, will be making its Broadway debut. It will be christened with a new label, still not selected, when it arrives. It is under the direction of Joseph S. Daltrey.

## Helen Ford Due Back In Husband's Musical

Helen Ford is due back on Broadway next season to star in a musical comedy called 'Green in Your Eye.' Book and lyrics were written by her husband, George Ford. Arrangement with a composer to write the score has not been signed, though the numbers are in the hands of a publisher.

Play is set in Ireland in the 1870's. Miss Ford did some summer stock appearances recently, but has been away from Broadway for some seasons.

## JOLSON, WYNN DUCK BIG HOUSES

Neither Al Jolson nor Ed Wynn want to repeat in large Broadway theatre in their respective musical shows, both due in the early fall. Jolson, with 'Hold On Your Hats,' is due into the Shubert, opening date being mentioned as Sept. 11. House relighted last week with the resumed engagement of 'Higher and Higher.' Latter's business was under expectation, but the office of Dwight Deere Wiman, who produced 'Higher,' says it will continue there.

Wynn's 'Boys and Girls Together' is set for the Broadway, that attraction being dated for October. It was first slated for the Majestic, but the comic mixed the idea. 'Hats' was mentioned for the Winter Garden, which holds 'Hellzapoppin'.

'Keep Off the Grass' was the tenant at the Broadhurst early in the summer, but suspended after playing six weeks. It was announced as resuming in August, but there now is no definite relighting date. Shubert office states the 'Grass' revue will go on later in another spot. Possible resumption is dependent on the results of Jimmy Durante from Hollywood, but the Schnozzle has not indicated when he will be back.

## TWO MUSICALS SET FOR PHILLY

Philadelphia, Aug. 13.

It's been a long time since a Philly legit season's bowed in before Labor Day. Even that holiday, once a tradition for the start of activities, has seen all houses shuttered during recent years. The 1940-41 season, however, will get started the week previous to Labor Day. The show is the Al Jolson musical, 'Hold On Your Hats,' and it will open at the Forrest, Aug. 27.

Initial ads here specify 'five day engagement,' but it's definitely understood Jolson production will hold for second week.

Forrest's stage looks doubly promising as the Ed Wynn musical, 'Boys and Girls Together,' is set for Sept. 16. Locust Street probably won't bow until end of September. There's no word on the Erlanger.

## MEMPHIS OPERETTAS SHOW \$4,000 PROFIT

Memphis, Aug. 13.

Memphis outdoor operettas wound up a five-week season \$4,000 in the black, on the basis of preliminary estimates given business manager Joseph Cortese.

'Chocolate Soldier,' final Memphis Open Air Theatre show, of about 100,000, a good take in view of the \$5,200 weekly over-all budget.

Other grosses for the summer were: 'Merry Widow,' \$6,000; 'Little Jesse James,' \$3,700; 'Naughty Marietta,' \$9,000, and 'Mary,' \$3,500. On total budget of \$26,000, MOAT' approximate \$30,000 gross represents a safe margin with a small nest-egg for interim operations until 1941.

Only important changes contemplated for next season are lengthening the season from five to six weeks and construction of peripatous pavilions to shelter crowds during occasional

## Red Charges Heat Up Equity Council Meeting; TAC Refuses To Name Officers, Membership

## 'SHOW BOAT' MAY NOT SAIL ON B'WAY REVIVAL

Proposal to revive 'Show Boat' as outlined by Nick Holde and Albert Johnson in the fall has been shelved, for the time being, at least. Oscar Hammerstein and Jerome Kern, who write the score, want the show spotted in the Center, N. Y., but that house is not available. An ice revue is due there. Sonie Henie is interested in the rink show, but will not appear in it.

Plan was to present 'Boat' with a name cast, using none of the original players, but Holde and Johnson are of the opinion that the Center is too large for a book musical such as 'Boat.' New managerial team still has a deal pending with Hammerstein and Kern for musical play with San Francisco as the background.

## Equity Gives N. Y. Co-op Group Green Light; Will Reopen Ex-Burly House

A cooperative theatre group, the first given the go signal by Equity in some years, is slated to start operating at the Irving Place, former New York burlesque house near the 14th street zone. Group headed by Robert Breen is composed of six actors who will operate the venture without any managerial connection. Stated that a number of name players will appear in their presentations, but under different conditions than applicable to the group.

Arrangement made with Equity is that the Breen coterie are to work entirely as co-op. When other players are used, the co-op people must file security of cash guaranteeing that the others receive at least \$40, the minimum set by Equity. Guest stars and directors called in are otherwise to work on the same percentage as the operators up to the agreed on figure, net takings there, after being distributed according to the relative importance of the performance contributed by those temporarily appearing.

Announcement that the co-op outfit had the sanction of the stagehands led to the impression that the crew would work on the same basis as the co-ops. Solly Pernick, of local No. 1, who handled the deckhands' end, stated that the men would not work co-op and that the union is unalterably opposed to such employment. He added that because the theatre is off the beaten path, the stagehands would make some concessions, though the scale would remain as is.

Five or six plays are scheduled for showing during the season, first to be either new translation of 'Hedda Gabler' with Mady Christians, or 'The Idiot' (Dostoevski) with Jacob Ben-Ami. Possibilities are Strindberg's 'Master Olof,' with Sam Jaffe; 'Dawn in Lynesse,' adapted by Thomas Job, with Aline MacMahon; 'Macbeth,' with Flora Robson; 'Adam the Creator,' by Karel and Josef Capek; Sherwood Anderson's 'Winesburg, Ohio,' Peter Among the Horns, adapted by Ramon Naya; 'Adam,' by Ludwig Lewisohn; 'Off-Shore Wind,' by B. K. Simkovich; 'Paul and the Blue Ox,' by E. P. Conkle, and 'A Cow in a Trailer,' a musical with the book by Lynn Riggs and Ramon Naya, score by Jerome Moros.

## 1st Colored Entry

First colored show next season will probably be 'Little Joe,' described as fantasy with music, which may tenant the Martin Beck, N. Y., in October. Show is slated for presentation by Al Lewis and Milton Bender, but others may become interested following an audition which was held early this week. Cast is headed by Ethel Waters, Cab Calloway and band, Katherine Dunham and her dancers. 'Joe' is slated to open in Boston Sept. 16 at the Colonial.

Charges of radicalism against members of Equity's council by Congressman William P. Lamberton of Kansas have not sizzled out. In fact, the legislator has created a white hot situation within the organization and at last week's council session there were bitter statements made, session coming close to a riot. The proceedings on that afternoon, torrid outside and in the meeting room, were described 'disrespectful excitement.'

Meeting was attended by 15 members of the controlling body and the entire time was devoted to the Lamberton allegations. One definite result was a resolution that reversed one of two weeks previously, when the council decided to print the charges of the Kansan in Equity's monthly magazine.

Charges in full had been ordered into print, together with the full statements of those involved, all having denied that they are Communists, fellow travelers, sympathizers. Council, however, was advised by its legal department that by so doing the members named would be libeled. Attorneys for other talent unions expressed the same opinion and it was then voted that none of the Lamberton material be used at all. The magazine was due to go on the press last Wednesday (7), but instead it was set back until other material could be readied.

### Nix Whitewashing

During the meeting some surprising statements were made by councilors and officers, whose position in the situation has not been made clear. One wanted to whitewash the six named by Lamberton, but that idea was stoutly opposed by others who are seeking to limelight the charges and make it definite, once and for all whether they are Communists. Those leaders are of the opinion that the charges are a severe blow to the standing of the actors' association, if not the whole profession.

One of those who denied the charges sought to introduce a resolution which would revoke the council for the second time on the same day. He bitterly attacked the Dies Committee investigating Un-Americanism and declared the proceedings of that committee are un-American. His resolution to withdraw the demand for investigation by Dies was defeated, otherwise a new war would have started in Equity.

Referring to the Lamberton charges, which some Equityites insist are not supported by satisfactory proof, another named by the Congressman admitted that he signed the petition favoring the Soviet system that was printed in the Daily Worker last year. He explained, however, that that was before Russia invaded Finland and that he no

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## 5 LEGIT BOOKINGS PEP HUB'S FALL SCHEDULE

Boston, Aug. 13

Outlook for coming legit season here is promising, with an early opening of activities on Aug. 19. 'The Little Dog Laughed,' new play with music, book by Joseph Schrank and score by Harold J. Rome, is scheduled to preem then at the Shubert, with Eddie Dowling staging. Paul Draper, Tess Gardella and Philip Loeb are cast.

'Boys and Girls Together,' the new Ed Wynn musical, is booked into the Shubert for Sept. 2. Wynn is producing and writing the book, slated to open here with Jane Pickens, Dave Apollon and The DeMarcos in the lineup. 'The Male Animal' is penciled into the Wilbur, Sept. 2, but undecided yet whether Hub will get original or a road company.

A new, untitled comedy by George S. Kaufman and Moss Hart, to be staged by Sam Harris, is marked for Sept. 23 opening at the Plymouth, but preem will be in Hartford, according to present plans. Ernest Truex, Jean Dixon and Ruth Weston are among those cast.

Helen Hayes is expected here in 'Twelfth Night' sometime in October under auspices of Theatre Guild and Gilbert Miller.





## Alec Templeton's 12,503 Turnout Big Finale to Bad Season at Philly's Dell

Philadelphia, Aug. 13. Alec Templeton at Robin Hood Dell last Thursday (8) drew a record-breaking crowd of 12,503, for a 11-year tops. Mob was so great it was necessary to start the concert 15 minutes earlier than usual at 8:15 p.m. Previous all-time attendance record at the Dell was set last month, July 18, by Marian Anderson, Negro contralto, with a crowd of 12,477. Earlier, in the season, Oscar Levant, leading in an all-Gershwin show, pulled some 10,000 and a Lily Pons-Andre Kostelanetz combo accounted for 9,000. Dell is normally packed with 6,000.

Templeton flew in from California, accompanied by his father and by Mrs. Juliette Vaiani, of Beverly Hills, a Templeton fan, who said she "just had to fly east to hear Alec play the Grieg Concerto with the marvelous Philadelphia Orchestra."

Concert came the night before the Dell season called it quits, one week short of the scheduled eight-week season. July rains caused numerous cancellations and on other occasions, threats of storms kept thousands away with the result that the Dell is about \$20,000 in the red. Overcast afternoons with threats of rain depleted audiences for Kirsten Flagstad, who drew under those conditions only 2,200 paid admissions, and only 1,000 for "Madame Butterfly" when it was finally sung. Main losses were suffered from "Carmen" and "Aida," operas presented during the June cold spell, setting the Dell back some \$10,000.

Samuel R. Rosenbaum, Dell chief, speaking during the intermission at the Templeton concert, suggested that city be prevailed upon to contribute to support of the Dell concerts. "We cannot go on otherwise," he said. "And it just seems to me that the Dell ought to be one of the mugs of Philadelphia." Decision to cancel the eighth week was announced the week previous to give subscribers a chance to clean up their coupon books.

### Strawhat Tryouts

(This Week)  
(Opened Monday (12), unless otherwise noted.)

"The World Walks In," by John Campbell Crosby and John Golden, at Ridgeway, White Plains, N. Y.  
"Dollars and Horse Sense," by Philip and Frances Fox Dunning, at Lakewood, Skowhegan, Me.  
"Ghost for Sale," by George Jeans, at Cambridge, Mass.

"Very Liberal Arts," by Muriel Roy Bolton, at Coach House, Oconomowoc, Wis.

"The Astonished Astrich," by Archie Menzies, Lomboro, Santa Barbara, Cal.

"Not in Our Stars," by Reginald Lawrence, at Newport (R. L.) Casino (opened last night—Tuesday).

"Man in the Moon," by John Triggs, at Montowese playhouse, Branford, Conn. (opened last night—Tuesday).

"Romantic Mr. Dickens," by Henry H. and Marguerite Harper, at Spring Lake (N. J.) Community theatre (opens tonight—Wednesday).

"Jeff Comes Home," by John Simon Rodell, at Parrish Memorial Hall, Southampton, L. I. (opens tonight—Wednesday, postponed from last week).

"Somewhere We Live," by H. B. Witte, at Theatre-in-the-Dale, Marble Dale, Conn. (opens tonight—Wednesday).

"Once Upon a Time," by Achmed Abdullah and Hubert Osborne, at Barter theatre, Abingdon, Va. (opens tomorrow—Thursday).

(Next Week)  
(Open Aug. 19, unless otherwise noted.)

"Johnny Belinda," by Elmer Harris, at Garden Pier, Atlantic City.

"Safe Crossing," by Courtenay Savage, at Coach House, Oconomowoc, Wis.

"Many Happy Returns," by S. K. Lauren, at Spring Lake (N. J.) Community theatre (opens Aug. 21).

### Engagements

Hugh O'Connell, Sammy White, Marjorie Lord, John Call, Ann Thomas, Jack Leslie, Joseph De Santis, Fred Ardeth, Emily Ross, Lily Bettger, James Fuller, Edwin Walter, William Foran, Jack Lambert, Percy Helton, Robert Mulligan, "Bangtails."

### Shows in Rehearsal

"Boys and Girls Together"—Ed Wyman.  
"Jupiter Laughs"—Barney Klawans.  
"Bangtails"—Boyar Associates.  
"Two Many Girls" (road)—George Abbott.

## Armitage Barn Again Beset By Coin Headache

Financial troubles, which forced the closing of his County theatre, Suffern, N. Y., strawhat, a couple of weeks ago, continue to plague Walter Armitage. Papers filed at the office of the Rockland County clerk, in New City, N. Y., included a mechanic's lien of \$1,191 against the Bowlder Farms Theatre, Inc., and the County Theatre, Inc., for services and materials allegedly furnished between June 12 and July 2. Bowlder Farms is one of the County theatre's corporates. Lien and the affidavit accompanying it were in the name of the Tuxedo Park Assn., Tuxedo Building Co., of Tuxedo, N. Y., Vincent Macaluso, president.

Although Armitage is still talking about reopening the spot, his one-week bond with Actors Equity has been exhausted and no further coin posted. Besides the bond, salaries for a second week are in default and a third week's rehearsal money is also unpaid.

When the season started Armitage, who bought the spot this spring from Robert Cutler, was reported to have a bankroll of about \$25,000. And later the figure mentioned was upped to \$45,000. However, expenses were terrific, with heavy paid for alterations, new equipment, elaborate sets, name players, well a night club and restaurant, neither of which clicked.

### H. O. Crimps Honeymoon

Clinton, Conn., Aug. 13. Natalie Hall's honeymoon plans were typhoid when "After the Bell" musical in which she is appearing at Clinton Playhouse, was held over for a second week.

Actress was married Saturday (10) at Clinton Congregational Church to Edward C. Rowe, head of the Borden Co.'s legal department, and had planned to leave for her home in Mai.

### Play Abroad

### Women Aren't Angels

London, July 30. Farce in three acts by Vernon Sullivan, presented by O'Brien, Linnit & Dunne, directed by Richard Bird, at Strand theatre, London.  
Mrs. Featherstone..... Ethel Coleridge  
Macfarlane..... James Hayter  
Wilma Poppy..... Alfred Drayton  
Alfred Drayton..... Judy Kelly  
Frankie..... John Valentine  
Sydney Butch..... Norman Pierce  
Miss Trelow..... Barbara Lee  
Thea..... Ruth Mulligan  
Elizabeth Poppy..... Constance Lorne  
Miss Gault..... Lloyd Vernon  
Pierce..... Wilfred Hubbard  
O'Brien..... Elizabeth Kent  
Special Feature..... Frederick Morant  
Military Policeman..... Stanley Dorrill

This is the fifth consecutive farce at the Strand in which Alfred Drayton and Robertson have been starred. It arrived in the West End suburban tour of several weeks. Seldom has a show been greeted with almost continuous laughter. Offered at popular prices, it promises financial success. Show runs almost three hours, and the numerous complications and supporting characters could not probably be compressed into lesser time. The piece suffers from incoherence, but it progresses, especially in the last act, one begins to balk at the premise of two partners, apparently in business, for number of years, not being acquainted with each other's wives. Cutting off half an hour should be beneficial. Jolo.

### Red Charges

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longer feels that way about the Soviet.

Theatre Arts Committee had been asked to name its officers because that organization had been charged with being a front for the Communists. Adelaide Bean, former actress, who is the TAC executive secretary, stated to VARIETY that the identities would be revealed this week. But TAC people evidently ruled otherwise and a letter was sent to Lamberton, who also asked for the same information, to the effect that his request was "undemocratic." That is precisely the same argument used by some of those who were named in the charges and by others in show business who are frankly Red.

So far as Dies is concerned, there are opinions criticizing his methods by people in other fields, but it is generally conceded that his committee had brought out some important Fifth Column data and it is understood that Dies investigators are in close contact with the Federal Bureau of Investigation.

### Miss Bean Answers Lamberton

Dear Congressman Lamberton: I regret that I was unable to answer your letter before today, but as I believe my secretary has already informed you, I have been for nearly a month on vacation from this office.

In connection with your clearly undemocratic request that I furnish you with a list of our officers, executive committee or governing council and present membership, I should like to say first that your actions, past and present, make such a request open to suspicion. Your unwarranted attacks on individuals, and through them on unions, in the entertainment field make it apparent that far from being genuinely concerned with restoring the Federal Theatre Project you are anxious only to weaken the progressive demand by theatre people for such Federal relief. It was for that reason alone that you loosely and falsely imputed "red" connections to theatre, variety, and radio workers; for that reason alone that you ever concerned yourself with the entertainment field, and more specifically, with the Theatre Arts Committee.

Consequently, Congressman Lamberton, I can find no justification for turning over to you our membership lists. As for the names of our executives, the various divisions of the Theatre Arts Committee are currently in their annual process of electing new chairmen and new officers; as soon as these elections are completed, the names of such officers will be open as they have traditionally been, to the public.

### Legit Cues

Robert E. Sherwood is summering at East Hampton, L. I.; S. N. Behrman at Nantucket; Maxwell Anderson in the New City (N. Y.) home, and Elmer Rice has taken a house at the same spot. All are due back in town in a couple of weeks to start reading Anderson's "Journey to Jerusalem," the playwrights' first fall production.

Augusta Roeland, to tour with Ruth Gordon in "Here Today." She's the wife of Harry Essex, company manager of "Ladies in Retirement."

Artists' Producer-Cooperative, a year-round repertory company, being readied by Margaret Hatfield for opening Washington in the fall.

Remy Horton, wife of Anthony Buttila, press agent for "The Lost Colony," at Roanoke Island, N. C., has had three sculptured works purchased by the New York Metropolitan Museum, although she's been sculpting only a few months. During the winter Buttila is a concert pianist.

Virginia Godfrey, daughter of the late Sam Godfrey, production assistant at the Spa theatre, Saratoga, N. Y.

Maurice Maeterlinck, author of "The Bluebird," has agreed to write a new play which Clare Tree Major will adapt from the French; direct and produce on Broadway and the road in the fall. It will be another children's piece. Playwright recently arrived in the U.S.

## B'way Picks Up, But 'Higher,' \$15,500, Under Expectations; 'Hellz' Again 24G

### '8:30' BIG \$23,000 IN L.A. FOR BRIT. RELIEF

Los Angeles, Aug. 13. Biltmore opens its 1940-41 season Monday (19) with two weeks' engagement of Flora Robson in "Ladies in Retirement." Company jumped here direct from New York, and filled in last half of last week with a date at Long Beach and two days at San Diego.

Bulk of biz last week went to El Capitan, Hollywood, where flock of film stars is presenting Noel Coward's "Tonight at 8:30" for British war relief. Booking is for three weeks with a new bill of three plays each week. First six days, with a Saturday matinee, brought \$23,000, virtually all the house can hold.

"Meet the People" winds up its long tenancy at the Hollywood Playhouse (17) and moves, following day to Must Box theatre, which has been leased by the Hollywood Theatre Alliance, sponsors of the revue. Last week's take ran close to the \$5,000 mark, despite fact that piece has been running for several weeks with a brand new cast and new skits, but with absolutely no mention made to the public.

## 'Father,' \$14,000, Moves Upward In Chicago

Chicago, Aug. 13.

Going into second half of August, operators of the town's two shows are still cheerful. Business is holding up despite heat, despite competition from other amusement fields. "Hold On to Your Hats," with its run increased for an extra two weeks, could stay even longer.

"Life with Father," off the beaten theatrical path, also has "em trekking to its door after six months. It spurred \$3,000 last week.

Estimates for Last Week

"Hold On to Your Hats" (Grand 4th week) (\$3,000; \$2,850). Hot in town, but gross held up well. Got profitable \$19,500, only slightly less than week before.

"Life with Father" (Blackstone 25th week) (\$1,200; \$2,750). Citizenry considers this a "mstu." Got over \$14,000.

"Road" OK 5:30 in A.C.

Atlantic City, Aug. 13. "Tobacco Road," with John Barton, grossed approximately \$4,500 at Garden Pier theatre here last week which is very good for a legit show in this town. It was on par with "Pins and Needles," which set previous local record this season.

Eddie Dowling's "Little Dog Laughed" opens tonight (Tuesday) for tryout week's engagement.

### Current Road Shows

(Week of Aug. 12)

"Hold On to Your Hats" (Al Jolson, Martha Raye)—Grand Opera House, Chicago.

"Kiss the Boys Goodbye"—Flatbush, Brooklyn.

"Ladies in Retirement" (Flora Robson)—Municipal Auditorium, Long Beach, Cal. (15); Russ Auditorium, San Diego (16-17).

"Life with Father"—Blackstone, Chicago.

"Meet the People"—Geary, San Francisco.

"Meet the People"—Playhouse, Hollywood.

"Pins and Needles"—Adams, Newark.

"Sailor, Beware"—Ringside, Long Beach, L. I.

"Skylark" (Gertrude Lawrence)—Curran, San Francisco.

"Spartacus for Henry" (Edward Everett Horton)—Brighton, Brighton Beach, N. Y.

"The Little Dog Laughed"—Garden Pier, Atlantic City (13-17).

"Tobacco Road" (John Barton)—Windsor, Bronx, N. Y.

"Tonight at 8:30" (Binnie Barnes, Freddie Bartholomew, Constance Bennett, Gladys Cooper, Douglas Fairbanks, Jr., Basil Rathbone)—El Capitan, Hollywood.

Estimates for Last Week  
Key: C (comedy), D (drama), R (revue), M (musical), F (farce), O (operetta).

"DuBarry Was a Lady," 46th St. (36th week) (\$41,375; \$4,400). Wednesday matinee was the big draw of the week all along the line; overcast sky helped most shows sell out; somewhat better here; rated over \$16,500; figure used previous week due to typographical error.

"Hellscapeppin'." Winter Garden (99th week) (R-1,671; \$3,300). Best thing on Broadway for coin with the exception of the front-running Louisiana Purchase; jumped over \$3,000 to \$24,000.

"Higher and Higher." Shubert (13th week) (M-1,405; \$4,400). Resumed engagement started well, then faded off and the first week's take for the spring musical under expectations; estimated at \$15,000.

"Life with Father." Empire (40th week) (C-1,095; \$3,300). Picked up with better theatre weather, and no doubt about sock coming lasting far into next season; more than \$16,000, which was nearly \$1,000 over previous week.

Louisiana Purchase. Imperial (11th week) (M-1,450; \$4,400). Hopped back to capacity pace; with the gross again close to the \$33,000 level, musical tourist should stay well into the new season.

"Man Who Came to Dinner." Music Box (43d week) (C-1,012; \$3,300). Improvement for the front straight show leader, too; laugh provoker bettered \$10,000 and is slated into the fall period also.

"Separate Room." Plymouth (20th week) (C-1,075; \$3,300). Spanning the summer as first expected; getting modest grosses, but making some profit right along; gross approached \$6,000; widely cut-rated.

"Tobacco Road." Forrest (27th week) (C-1,107; \$1,100). Final and 25th week announced; but may hold over as last week's attendance spurred and the gross was quoted at \$5,200.

### SUSPENDED

"Keep Off the Grass." No date for show resuming; management still claims the revue will eventually re-light.

"There Shall Be No Night." Suspended at the Alvin last week; dated to re-light Sept. 9 for two months prior to touring.

## 'ROSALIE' OPENS WELL IN ST. LOU; 'WIND,' \$30,000

St. Louis, Aug. 13.

Ziegfeld's "Rosalie" returned with a star-studded cast for another week's engagement last night (Monday) in the Forest Park Alhambra Playhouse. Cooling rains dropped mercury and an opening night mob brought estimated \$3,000. Good. Lee Dixon, on a two weeks' leave from "Higher and Higher," clicks in the role of Billy-Delroy that he played here two years ago.

Co-starred with Dixon are Hope Manning, (soubrette) who clicked in "Knickerbocker Holiday" several weeks ago, and Robert K. Shafer. In support are William Lynn, Vera Marshe, Helen Raymond, Al Downing, Bob Lawrence, Fred Macauley, Miss Marshe. Miss Raymond, Doug Leavitt and Downing are sock in the comedy roles. Vivien Fay, ballerina, was brought from Hollywood where she had role in "Dance, Girl, Dance."

"East Wind," with Sterling Holloway, Nancy McCord and Walter Cassel in top roles, ended week stand Sunday (11) with a gross of approximately \$30,000, below average. Goofy weather, with one performance Friday (8) presented during a light rain and rain on two other nights, which to certain time, dampened b.o. activity.

## S.F. Still OK for Legit; 'Skylark' Big \$19,000

San Francisco, Aug. 13.

According to Eddie Cook, who has been bringing shows to San Francisco since the gay '90s, the of burg is just as good a show town as it ever was, if you've got a show. Must be something in it, as company he currently represents, "Skylark," did approximately \$20,000 on its first week at the Curran here, wound up its second with estimated \$19,000, and will stay at least four weeks, bowing out (24).

Next door at the Geary, "Meet the People" is rolling nicely at around \$10,000 per week. Currently fourth week.

## Literati

## Advance Production Chart

(Continued from page 19)

**Wright, Jr., Vice Casey**  
Leo Casey, reported for weeks considering a publicity post in the presidential campaign, resigned Saturday (10) as publicity director for N. Y. World's Fair to become national director of publicity for 'Democrats for Willkie' organization in national presidential election this fall. Hamilton Wright, Jr., takes over the vacant office.

Casey held the publicity job at the fair since Aug. 1 last year. He had left the N. Y. Daily News to direct publicity for Thomas E. Dewey in his campaign for governor of New York state, subsequently returning to the News, only to leave when offered the post at the fair.

Wright was publicity director for the city of Miami and is v.p. and general manager of Hamilton Wright, Inc., which his father heads. Latter handled publicity for the Panama-Pacific International Exposition in San Francisco in 1915, and currently represents foreign nations' travel accounts, including Cuba, Mexico, Alberta and Quebec (Canada), South Africa and Egypt. Prior to the Nazis, it handled Czechoslovakia and Poland.

## PM Takes a Stand

PM, N. Y.'s new daily, got away last week on the initial editorial news campaign to which it feels its status as a non-advertising-supported paper gives it special privileges. Tackled with the cudgel on "watered meat," meaning certain cuts which are hyped full of aqua by wholesalers. Stories mentioned names and brands.

Makeup of the paper has been changed somewhat in the past few weeks. Its a kind of evolution to obtain a less-jumbled appearance and easier reading. Result gives the impression that fewer pictures are being used, but the opposite is actually the case, about 60% of the space now being photos and other art. What has been done is to concentrate the pics on picture pages instead of scattering them through the text.

Additionally large-scale advertising and publicity campaign for the sheet is being planned. Other New York newspapers will be used principally for the ads. Tom Fizzle organization, which has been handling blurring since before publication began, will continue on that end.

PM attracted attention last Friday (9) in connection with its material on Fifth Column activities by carrying a box calling readers' attention to a series on the subject appearing in the New York Evening Post and tabbed by PM as "excellent."

Almost unknown for one day to publicize another in this way.

## Six N. Y. Newsmen on Hop

There are six New York newspapermen aboard Pan-American California Clipper, which is making its maiden flight from Los Angeles to New Zealand. Plane landed at Honolulu Sunday (11), completing the first leg of the long-scheduled air journey.

Aboard the ship are Ward Morehouse of the Sun, making his 11th globe-girdling trip by plane; Harold Callender, Times; Ansel Tabert, Tribune; Michael Foestadt, King Features; W. W. Chaplin, INS; and Roy Howard. Though the latter is part owner of the Scripps-Howard newspaper chain, he is traveling as one of the working press. There are also a number of Coast newspapermen aboard the Clipper.

Morehouse will write his 'After Dark,' name of the locale commented on preceding the columnar name, material to be transmitted by radio and air mail.

## Speed Canadian Delivery

Delivery of American newspapers and magazines to Canadian subscribers delayed because of the 10% war import tax which involved customs inspection, is being speeded up. Arrangement has been made for pre-payment of the tax directly to the Revenue Department, following representations from the American Newspaper Publishers Association and the National Publishers Association of N.Y.

Publications exempt from the tax will include those maintained by and in the interest of religious, educational, scientific, philanthropic, agricultural, labor or fraternal organizations or associations, not organized for profit and none of the income of which inures to the benefit of any private individual, but not

including publications which are sold by dealers.

## Memphis' New Daily

A new independent daily called The Memphis Democrat is reported prepping for publication in the Tennessee city Sept. 3 in opposition to The Commercial Appeal and Press-Scimitar, morning and afternoon sheets operated there by Scripps-Howard.

New rag will be published by Joe Rosenfield, advertising man formerly associated with the Scripps dailies. Staff said to include Bob Pigue, former Press-Scimitar sports editor, and Marie Wathen, former women's editor of The Commercial Appeal.

Backing is obscure, announcement of any kind having been made concerning The Democrat, but it is understood it will be 100% New Deal and for local Crump machine without reservation. Only two dailies here now the Scripps papers are opposing Roosevelt third term, stand which has provoked widespread controversy among Commercial Appeal's traditionally Democratic readers.

## New Giveaway Radio Mag

New bi-monthly radio fan magazine with a free controlled (mailed free to askers) circulation to start with 500,000 copies Oct. 1, and cover five midwestern states. Tagged Dial Lie, mag. will be published by Radio Publications Corp., Chicago, of which R. E. Lindgren is president, and R. L. Baker and Kenneth Carpenter are officers. Carpenter, for past 10 years, has been with NBC.

Publication is to be slick paper, regulation 8 1/2 by 10 1/2 size, and run about 24 pages. Advertising already contracted is chiefly farm product merchandise and mail order stuff. Plenty of pictures to be used.

## Business Digest Folds

After three and a half years of publication, Business Digest has folded with the August issue. In a cover-page valedictory, the editors have explained that "...we have endeavored to market this little magazine at a profit without advertising, but either we have not done a good job, or there is not sufficient place for such a publication to warrant its continuance."

Also included in the farewell is an emphasis on the mag's anti-New Deal policy. Arrangements are being made for the disposition of unexpired subscriptions.

## LITERATI OBITS

**E. Lee Remo**, 67, co-owner of the St. Charles Mo., Cosmos-Monitor and former postmaster of the town, died at his home last week from heart disease.

**Charles M. Campbell**, 88, founder of the Hamilton (O.) Daily News, died of pneumonia Aug. 11 in New York. Leaves widow and two sons. **James Alden Miller**, 81, veteran newspaperman who served on the Kansas City Times as city editor and was one editor and publisher of the Long Beach (Cal.) Press, died Aug. 10. Pasadena, Cal.

**William F. Kenney**, 73, for 28 years executive editor of the Boston Globe and former Florida correspondent of the Wall Street Journal, died Aug. 9 after a brief illness in Boston.

## CHATTER

**Charles Douglas Jackson** named v.p. of Time, Inc., last week.

**William J. Scripps**, Detroit News, is in Hollywood looking over the studios.

**Frank Mittauer** back with the Los Angeles News, replacing Leo Simon in drama department.

**John Truesdell** has been signed for daily Hollywood column and Sunday film layout for Esquire syndicate.

**Ernest Hemingway** in New York correcting proofs on his new book, 'For Whom the Bell Tolls.' It'll be published in early fall.

**P. I. O. Nafe**, former feature editor of Christian Science Monitor, has purchased McDowell News, Marion, N. C., from F. B. Morgan.

**T. M. Pridgen**, Charlotte (N.C.) News staffer's new novel, 'Tory Oath,' will be published in spring by Doubleday, Doran and Co.

**Ursula Parrott** is taking flying lessons at her Connecticut home. She's planning to buy a plane if and when she learns to handle one.

**John N. Paine**, new magazine, Common Ground, bows next month and his latest book, 'From Many

Kerrigan, Jack Pennick, Harry Tenbrook, Raffalo Ottiano, Constantine Romanoff, Carmen Morales.

**THE GREAT DICTIONARY**, production, direction, screen play, Charles Chaplin, camera, Karl Struss and Robert Taylor, cast: Charles Chaplin, Paulette Goddard, Henry Daniell, Emma Dunn, Maurice Moscovitch, Max Davidson, Nellie V. Nichols, Esther Nicholson.

**CAPTAIN CARRINGTON**, drama; producer, Hal Roach; director, Richard Wallace; screen play, Grover Jones, based on the Kennell Roberts novel; camera, Norbert Brodine, cast: Victor Mature, Louise Platt, Bruce Cabot, Leo Carrillo, Vivienne Osborne, Miles Mander, Robert Barratt, El Brendel, Andrew Tombes, Roscoe Ates.

**KIT CARSON**, western; producer, Edward Small; director, George Seitz; original screen play, George Bruce; camera, Jack Mesall. Cast: Jon Hall, Dana Andrews, Lynn Bari, Ward Bond, Harold Hubert, Renie Riano, Clayton Kopp, Raymond Hatton, Charles Stevens, Rowena Cobb, Harry Straub, Blaney Harris, Al Kikume.

**THE SON OF MONTE CRISTO**, costume drama; prod., Edward Small; dir., Rowland V. Lee; script, George Bruce, from Alexandre Dumas novel; camera, Guy Robinson; music by Edward Ward. Cast: Louis Hayward, Joan Bennett, George Sanders, Florence Bates.

## Universal

(1940-41)

Features	From-Is	Re-leased	Shooting	New Cutting	To Be Shot	Scripts
Arden-Devine	40	0	1	1	6	6
Acting	7	0	1	1	4	4
Westerns	4	0	1	1	1	1
Frank Lloyd	3	0	0	0	3	3
Totals	51	0	3	3	14	14

Pictures in cutting rooms or awaiting release:

**WINNERS OF THE WEST** (1940-41 serial); producer, Henry MacRae; directors, Ford Beebe, Ray Taylor; original screen play, Charles R. Condon, George H. Plympton, and Basil Dickey; camera, Jerry Ash. Cast: Foran, Anne, Al, Charles, William, Tom, Fadden, William, Ed, Keane, Charles Stevens, Charles Morrison, Edgar Edwards, Edmund Cobb, Roy Barcroft, Bill Hunter, Slim Whitaker, Robert Long, Grace Cunard, Ed Cassidy, Trevor Bardette, Jim Farley, Viola Von, Jeannette.

**SOUTH TO KANGAROO**, meller (1939-40); asso. prod., Marshall Grant; director, Harold Schuster; original screen play, Edmund L. Hartmann, Stanley Rubin; camera, Jerry Ash. Cast: Foran, Anne, Al, Charles, William, Tom, Fadden, William, Ed, Keane, Charles Stevens, Charles Morrison, Edgar Edwards, Edmund Cobb, Roy Barcroft, Bill Hunter, Slim Whitaker, Robert Long, Grace Cunard, Ed Cassidy, Trevor Bardette, Jim Farley, Viola Von, Jeannette.

**MARGIE**, comedy with songs; asso. prod., Joseph G. Sanford; co-directors, Otis Garrett and Paul Gerard Smith; original and script, Scott Darling and Erna Lazarus; camera, Stanley Cortez. Cast: Tom Brown, Nan Grey, Joy Hodges, Mischa Auer, Edgar Kennedy, Allen Jenkins, Eddie Quillan, Richard Lane.

**JUNIOR G-MEN**, serial (1940-41 release), associate producer, Lowry Knaus; director, Scott Darling and John Rawlins; original screen play, George H. Plympton, Basil Dickey and Rex Taylor; camera, Jerome Ash. Cast: Billy Halop, Huntz Hall, Gabriel Dell, Bernard Punsley.

**THE MUMMY'S HAND**, meller, producer, Ben Pivar; director, Christy Cabanne; original by Griffin Jay; script, Griffin Jay and Maxwell Shane; camera, Elwood Bredell. Cast: Dick Foran, Peggy Moran, Wallace Ford, Cecil Kellaway, George Zucco, Charles Bickford, Tom Tyler, Siegfried Arno, Charles.

**ARGENTINE NIGHTS**, musical (tentative title) associate producer, Ken Goldsmith; director, Albert S. Rogell; story and script, Arthur T. Horman, Sid Kuller and Ray Golden; camera, Elwood Bredell. Cast: Ritz Bros., Andrews Sisters, Coconuts Moore.

**RAGTIME COWBOY JOE**, western (1939-40); asso. prod., Joseph Sanford; dir., Ray Taylor; no writing credits; camera, Jerry Ash. Cast: Johnny Mack Brown, Fuzzy Knight, Nell O'Day, Harry Tenbrook, El Custer, Marjory Merrick, Walt Soderling, Harold Goodwin, Wilfred Lucas.

**LAW AND ORDER**, formerly **MAN FROM KENYON**, western; dir., Ray Taylor; screen play, Sherman Lowe; camera, director, Scott Darling and John Rawlins; original screen play, Larry Rhine, Ben Chapman, Maxwell Shane; camera, Stanley Cortez. Cast: Richard Arlen, Andy Devine, Astrid Allwyn, Horace MacMahon, Shemp Howard, Eddie Gribbon, Douglas Fowley, Charles D. Brown.

**THE WIFE**, comedy (1940-41); asso. prod., Glenn Tryon; dir., William Seitz; script, Richard Connell and Gladys Lehman; orig., George Beck; camera, Milton Krasner. Cast: Rosalind Russell, Brian Aherne, Virginia Bruce, Robert Benchley, Richard Lane, Hobart Cavanaugh.

## Universal Pix New in Production

**SPRING PARADE**, drama with songs (1939-40); prod., Joe Pasternak; dir., Henry Kostel; original, Ernst Marischka; script, Bruce Manning, Felix Jackson; camera, Joseph Valentine. Cast: Deanna Durbin, Robert Cummings, Beulah Annen, Samuel S. Hinds, Allyn Josely, Reginald Denny, George E. Stone, Charles Clement, Tracey Hays, Herbert Haywood, Frank Scully, Butch and Buddy, Anne Gwynne, S. Z. Sakall.

**A LITTLE BIT OF HEAVEN**, comedy-drama with songs (1940-41); prod., Joe Pasternak; dir., Andrew Marton; original screen play, Grover Jones; script, Jones, Daniel Taradash, Harold Goldman; camera, John Seitz. Cast: Gloria Jean, Robert Stack, Nan Grey, Hugh Herbert, C. Aubrey Smith, Billy Gilbert, Butch and Buddy, Nana Bryant, Frank J. Mks.

**SEVEN SINNERS**, romantic drama, prod., Joe Pasternak; dir., Tay Garnett; original story, Tugend Fodor and Vadnal; screen play, John Meehan; camera, Rudolph Mate. Cast: Marlene Dietrich, John Wayne,

Lands, will come off the press in October.

Raymond R. Camp, rod and gun editor of the N. Y. Times, has sold some labeled 'Fishing in the Surf' to Little, Brown for publication early next spring.

Series of six profiles on Walter Winchell, published in the New Yorker mag will be issued in book form in September by Viking

Mischa, Auer, Broderick Crawford, Oscar Homolka, Albert Dekker, Anna Lee.

**THE DEVIL'S PIPELINE**, comedy; asso. prod., Ben Pivar; dir., Christy Cabanne; orig. screen play, Paul Huston; camera, John Boyle. Cast: Richard Arlen, Andy Devine, Jeanne Kelly, James Flavin, James McDonald, John Eldredge, John H. Williams, John Rogers, Jay Novello, Mala, Harry Fleischman, Nestor Paiva.

**THE PONY POST**, western; asso. prod., Joseph G. Sanford; dir., Ray Taylor; orig. story and screen play, Sam Robins; camera, William Sackner. Cast: Johnny Mack Brown, Fuzzy Knight, Nell O'Day, Dorothy Short, Kermit Maynard, Tom Chatterton, Stanley Blystone, Ray Teal, Eddie Cobb, Lane Chandler, Jack Rockwell, GREEN HORNET STRIKES, serial; asso. prod., Henry MacRae; dirs., Ford Beebe and John Rawlins; screen play, George H. Plympton, Basil Dickey, Sherman Lowe; camera, Jerome Ash. Cast: Warren Hull, Anne Nagel, Wade Boteler, Keye Luke, James Earl Ray, Harry Fleischman, Robert Blair, Frede Clift, Kenneth Rhoades.

**MEET THE WILDCAT**, drama; prod., Joseph G. Sanford; dir., Arthur Lubin; story and screen play, Alice Gottlieb; camera, Stanley Cortez. Cast: Margaret Bellamy, Ralph Bellamy, Joseph Schildkraut, Allen Jenkins, Jerome Cowan, Robert O. Davis, Frank Puglia.

**FIREMAN SAVE MY CHILD**, comedy; asso. prod., Burt Kelly; dirs., Otis Garrett, Paul Gerard Smith; screen play, Jane Storm, Sy Beletti; camera, Elwood Bredell. Cast: Baby Sanyal, Stuart Erwin, Una Merkel, Edgar Kennedy, William Flanagan.

## Warners

(1940-41)

Features	From-Is	Re-leased	Shooting	New Cutting	To Be Shot	Scripts
Studio	48	0	1	1	0	0
Capra-Riskin	1	0	1	1	0	0
Lasky	1	0	0	0	1	1
Totals	50	0	2	2	1	1

Pictures in cutting rooms or awaiting release:

**TUGBOAT ANNIE SAILS AGAIN**, comedy, prod., Edmund Grainger; dir., Lew Seiler; original, Norman Reilly Raine; camera, Arthur Edson. Cast: Marjorie Rameau, Alan Hale, Ronald Reagan, Jane Wymann.

**KNUTE ROCKNE-ALL AMERICAN**, formerly **THE LIFE OF KNUTE ROCKNE**, biographical drama; prod., Robert Feller; dir., Lloyd Bacon; original screen play, Robert Buckner; camera, Charles Rosher. Cast: Pat O'Brien, Gale Page, Ronald Reagan, Albert Basserman, Donald Crisp, Owen Davis, Jr., William Marshall, Kane Richmond, Gaylord Pendleton, Nick Lukats, Dorothy Tree, John Qualen, William Sheffield, John Sheffield, Dickie Jones, Sonny Bupp, Egon Brecher.

**NO TIME FOR COMEDY**, comedy; producer, Robert Lord; director, William Keighley; from play by S. N. Behrman; camera, Ernest Haller. Cast: James Stewart, Rosalind Russell, Charles Ruggler, Louise Beavers, Allyn Joslyn, Clarence Kolb, J. M. Kerrigan, Lawrence Grossmith, Robert Greig.

**THE MAN FROM FLEET STREET**, drama; prod., Henry Blanke; dir., William Dieterle; no writing credits; camera, James Wong Howe. Cast: Edward G. Robinson, Eddie Albert, Edna Beatty, Albert Basserman, Otto Kruger, Gene Lockhart, Montagu Love, Frank Reicher, Egon Brecher, Edward McWade, John Qualen, Harry Green.

**THE LEVER**, drama; prod., Robert Lord; dir., William Wyler; original, Somerset Maugham; camera, Tony Gaudio. Cast: Bette Davis, Herbert Marshall, James Stephenson, Gail Sondergaard, David Newell, Bruce Lester, Tetsu Komai, Willie Fun.

**CITY FOR CONQUEST**, drama; producer, William Cagney; director, Frank Capra; orig. story, Abe Kan del; camera, Sol Polito. Cast: James Cagney, Anna Sheridan, George Tobias, Frank Craven, Arthur Kennedy, Anthony Quinn.

**FLOWING GOLD**, drama (1939-40); prod., William Jacobs; dir., Alfred Green; script, Ken Gamet, Fred Reed; original, Rex Beatty; camera, Sidney Hickox. Cast: Pat O'Brien, John Garfield, Frances Farmer, Cliff Edwards, George Tobias.

**CALLING ALL HUSBANDS**, comedy; asso. prod., William Jacobs; dir., Noel Smith; screen play, Robert E. Kent; no camera assignment. Cast: Ernest Truex, George Reeves, Lucille Fairbanks.

## Warner Pictures in Production

**SANTA FE TRAIL**, historic western; asso. prod., Robert Fellows; dir., Michael Curtiz; orig. screen play, Robert Buckner; camera, Sol Polito. Cast: Errol Flynn, Olivia de Havilland, Raymond Massey, Ronald Reagan, William O. Allen, Charles Rogers, Gale Page, Hilda Rains, Ray Robson, Jeffry Lynn, Frank McHugh, Eddie Albert, Dick Foran, Vera Lewis.

**MEET JOHN DOE**, drama; Frank Capra-Robert Riskin production; dir., Frank Capra; orig., Richard Connell; screen play, Robert Riskin, Frank Capra, Miles Connolly; camera, George Barnes. Cast: Gary Cooper, Barbara Stanwyck, Edward Arnold, Walter Brennan, James Gleason, Rod LaRoque, Granville Bates, Pierre Watkins, Henry O'Neill, Warren Hymer, Pat Flaherty, Ann Doran.

**HONEYMOON FOR THREE**, comedy; asso. prod., Henry Blanke; dir., Lloyd Bacon; original, Allen Scott and George Haigh; screen play, Earl Baldwin and Phil Epstein; camera, Ernest Haller. Cast: George Brent, Alan M. Ladd, Charles Ruggler, Jane Wymann, William T. Orr, Lee Patrick, Johnnie Downs.

**FOUR MOTHERS**, drama; asso. prod., Henry Blanke; dir., William Keighley; screen play, Steuhen Morehouse Avery; camera, Charles Rosher. Cast: Francis Lane, Rosalind Russell, Edna Beatty, Gale Page, Hilda Rains, Ray Robson, Jeffry Lynn, Frank McHugh, Eddie Albert, Dick Foran, Vera Lewis.

**HIGH SIERRA**, drama; asso. prod., Mark Hellinger; dir., Raoul Walsh; story by W. R. Burnett; screen play, John Ford and W. R. Burnett; camera, Tony Gaudio. Cast: Humphrey Bogart, Ida Lupino, Joan Brooks, Alan Curtis, Arthur Kennedy, Anthony Quinn, Henry Travers, Henry Hull, Willie Best.

## ALTEC-PANTAGEES SIGN

Hollywood, Aug. 13.

Deal has been set by Rodney Pantages, head of Rodney Pantages Inc., whereby Altec Corp. will service and maintain remote control music boxes put on market about a year ago by the Hollywood theatre man.

Service being was concluded by Pantages during recent visit here of G. L. Carrington, v.p. of Altec.



## Broadway

Paul Dullzell at home for serum treatments.

Chic Johnson 'building' a farm near Carmel, N.Y.

Walter Graza of Equity back from his vacation.

Mike Todd being 'profiled' in Colliers soon by Bryan Hill.

Jim Moore nicknamed Ernest McCauley with the front name of Corn.

Irving Morris, formerly of the Windsor, to manage the Lyceum, N.Y.

Tito Coral to Caracas, Venezuela, for eight weeks' concert and radio dates.

William Gargan and Harold Lloyd to from the Coast for huddles at RKO.

Joe Cook pulled leg tendon while playing tennis at his place at Lake Hopatcong.

Bob Royer, manager of Academy of Music, Roanoke, Va., in town seeking roadshow bookings.

Don Prince, RKO exploiter in south, has had his novel, 'Tom', published by Julian Messner.

Bill Bradley, who formerly had theatrical furniture studio, is props with 'The Little Dog Laughed.'

Tex Ritter's tour of persons in New England and back to New York after which he will return to Hollywood.

Norman Stein, after treatment at the Westminster hospital, with broken back, due out on a wheel chair.

Milli Monti, currently touring in 'Little Dog Laughed', probably will follow Joan Edwards into the Cafe Pierre.

S. Barret McCormick, RKO advertising-publicity chief, back from three weeks inspecting new product out the Coast.

Bert Lahr's birthday party at his Great Neck place Sunday (11) was plenty something. Jack Haley also birthdaying.

Attorney Louis Nizer, accompanied by his wife, sailed over the weekend for a vacation in California. Will be gone a month.

Ted Hammerstein specializing in manuscripts, radishes and beet at his summer place near Great Barrington, Mass.

Marie Dubas, French film star and songstress, due over after her Lisbon and Spanish variety dates. Will go to Canada first.

Tomorrow (Friday) is 'Cafe Society Day' at the Fairview Black p.p. for the Village nitty bearing that act, arranged it.

A. Szekei, general manager in Brazil for Universal, is in New York for huddles with foreign chief Joseph H. Seidelman.

Mike Gordon, of the Group Theatre, back in Manhattan after motor glide through New England and upstate New York straight.

Fred Perry, who formerly conducted the gaming casino in Havana, and w.k. in sports circles here, seriously ill at Polyclinic hospital.

London advises that Will Fyfe and Adele Dixon received offers for a Shubert musical show. Over here report is said to be just conversation.

William Gargan, who just wound up role in RKO's 'They Knew What They Wanted', in New York for weeks to show his two sons the sights.

Bill Hargrave, former voice double for Adolphe Menjou and now on the air, made a hole in one at the Beth Page golf course on Long Island.

Jack Gould, of the N. Y. Times dramatic staff, and Carmen Lewis (Mrs. Gould) back from bicycle trip through upper New York State and New England.

Times Square hotels staging cocktail quaffing party next Thursday (22) at the Taft, shindig to determine the winner of a Times Square Cocktail contest the hoteliers have been promoting.

Radio Harris, who has sold a yarn on Gertrude Lawrence to Harper's Bazaar and one on the Laurence Olivier-Vivien Leigh team to a fan mag, leaves later this week for a tour of summer theatres Cape Cod and in Maine.

Nick Lorang, Hotel Astor Hunting Room's vet maitre d'hotel, saved the day for three clerics, who came in sans coats one hot day, by lending them three jackets from his own wardrobe, which admitted them to the dining room.

## Pittsburgh

By Hal Cohen

Variety Club tossing annual picnic at Camp O'Connell on Aug. 25.

Art England to Rochester, Minn., for his annual checkup at the Mayo Clinic.

Ex-Penn manager Livingston Lanning now doing publicity for Milwaukee Auditorium.

Benny Davis' new unit will hit the Stardust trail in this territory Sept. 5 for booker Joe Hiller.

Ex-bartender Joe Sala has set Aug. 29 for the opening of his El Chico, formerly the Plaza Cafe.

Gabe Rubin, singer, few days to line up remaining foreign film product for his Art Cinema.

Tecapades' management had feuds out for Al Carter, singer with B.J. Marisco's orch, but no deal.

Dr. C. E. Herman, the Carnegie

exhib, holding his annual corn roast for the trade next Monday (19).

Penn Manager Marty Burnett vacationing on Lake Michigan, and assistant Walter Kessler filling in.

Carnegie Theatre's grad Arthur Kennedy termed by WB as result of performance in 'City for Conquest.'

Dick Barstow in Hollywood helping Meriel Abbott fashion dances for her gals in Benny-Alan flicker.

Yacht Club maestro Herman Middleman laid up with an injured foot and pianist Hal Ide is substiting for him.

George Abbott's 'Too Many Girls' booked into Nixon for week of Nov. 4, preceding Lunts in 'There Shall Be No Night.'

Byron McGrath, leading man with Mountain Players at Jennerstown, ticketed by Playwrights for 'Journey to Jerusalem.'

Jackie Heller, who's from Pittsburgh, to do 'The Country Club, Cincy, when he winds up this week at Loew's State in N. Y.

## Australia

By Eric Gorrick

Nabe show biz sinking rapidly.

Hal Thompson, U.S. performer, appearing in Lux radio shows.

Gladys Moncrieff, former legit, now air warbling for government-sponsored programs.

Graham Willis moves in as assistant to Hal Carleton in all Metro advertising.

Wipeout of gambling joints throughout Queensland has upped biz in all theatres.

Charles Chauvel will boat to Hollywood with 40,000 'Horsemen' for U.S. takeover by Universal.

Film Commission may nix further theatre building owing to governmental cut on coin for other than war purposes.

Stream-lined 'Charley's Aunt' is doing nicely at Minerva, Sydney, for Fuller-Carroll-Martin. Charles Norman heads cast.

Leslie Howard's talk on London in wartime was rebroadcast coast-to-coast by the Australian Broadcasting Commission.

Government has nixed a third try by U.S. trading interests to have ban eased on U.S. mags. Dollar exchange is still the main stumbling block.

Nazi measles, flu and extreme cold spell responsible for sliding biz down in the city filmieries at night. Only powerful attractions coping down presently with U.S. product leading boxoffices.

## B'way Coin

Continued from page 1

munitions clan. She is said to have provided \$80,000 for the production. It is a book musical by Joseph Schrank and Harold J. Rome, who supplied considerable material for 'Pimp and Madeline.' Show has a welter of gadgets, including treadmills.

Production was measured for the St. James, N. Y., and final rehearsals in the settings were held there. 'Little Dog' is due on Broadway the first week in September, going into Boston after the seashore date. St. James booking indicates that Dowling and Boris Said, who operates the house, have resumed business relations. They were associated in 'Thumbs Up' and afterward had a percentage of Maurice Evans' 'Richard II.' Dowling then produced shows, including 'Shadow and Substance' and 'White Steed,' with Lee Shubert as silent partner. Last season he had a tieup with the Theatre Guild in presenting Saroyan's 'The Time of Your Life' and 'Love's Old Sweet Song.' Guild may be in on the same author's coming plays, such as 'Sweeney in the Trees,' which Dowling has optioned. Another new Saroyan play, highly regarded in script form, is 'The Well Known Soldier,' also called 'Something About a Soldier.' It is to be tried out at the Bucks County playhouse. It is not under option.

Schrank's book for 'Little Dog' is described as having 'social significance.' There seems to be some difference of opinion between the author and presenter over how the leading comedy part is to be played. Philip Leeb having the role. Schrank is said to insist that what is considered 'messy' be played straight, while the others concerned believe that is a strange idea for a musical show. There may be a cast change. Bobby Clark, being asked to look over the opening performances.

'Bangtails' play with a horse racing atmosphere, it being the first of several productions to be presented by the Boyar group. Latter comprises mostly people in show business who have not been active in financing shows. Another racing play, 'Dollars and Horse Sense,' by Philip Dunning and his wife, Virginia, is being tried out at Skowhegan, Maine, this week and is an autumn possibility.

## St. Louis

By Sam X. Hurst

Lee Dixon and band h.o. at Forest Park Highlands.

Shep Field and band currently at Meadowbrook Country Club.

Because of b.o. activity, Town Square theatre, strawhatt, extended run of 'Two Merry Gentlemen.'

With Frank Panus directing, St. Louis WPA orch gave five cuffo concerts in various parts of this burg last week.

Arnold Berger, manager of the Drive-In Theatre, Des. Peres, Mo., Congre. using spot announcements over KXOK to keep 'em coming.

Chester Markett, former dance director at the Ambassador, Missouri and Fox theatres, now playing an organ in Kenosha, Wis., nitory.

Charles Kier, former manager for B. N. Judell, Inc., until bankruptcy overtook the organization, distributing Astor Pictures in this territory.

Hugo Schick, local maestro, will wave baton at the Grand burlesk managed by H. K. Minsky, New York, for the second consecutive season.

Paul Beisman, manager of the American theatre and Municipal Theatre Assn., New York on biz for both organizations. It's his 15th air trip since Jan. 1.

Ted Frio, RKO orch journeyed to Jefferson Barracks, Mo., to entertain the hospitalized A.E.F. veterans while keeping an engagement at the Meadowbrook Country Club.

James E. Darr, manager of the City's \$7,000,000 Municipal Auditorium, attending the annual convention of the International Auditorium Managers Assn., Houston, Tex.

James Jovany, head of Imperial and Superior Pictures, with St. Louis as headquarters, will distribute Mohawk product in the Illinois-Indiana-Western areas.

Henry N. Fries, 65, former circus clown, who lost in his attempt to gain the Democratic nomination for Congress, is over a year ago at Belleville. He married his housekeeper last week.

Dick Zeisler, of the Izzy First New York orch, in town supervising the \$20,000 worth of improvements at the Garrick theatre, burlesk, skedded to open the season late this month or early in September.

Ruby Senco back from a double-barreled mission to New York. He looked into the foreign film situation and also consulted a bone specialist about his neck, which was broken in an auto accident a year ago.

Autumn crock is current at Civic theatre. St. Louis country strawhatt. Cast includes Robert Kames, Lenore Griffith, Betty McGraw, Katherine Bernick, Eugene Wood, Mathilde Leimkuhler and Elvi Porges.

Orch-towners shopping in film row include: Marvin Griffith, Cairo, Ill., booker for the Rodgers Circuit in northern Illinois; Ted Coleman, Mt. Vernon, Ill.; Ed. Clarke, Mattoon, Ill.; Mrs. Harry Pinner, Fairfield, Ill.; Charles Weeks, Jr., Dexter, Mo.; Everett Hayes, Sullivan, Ill.; H. S. Butler, Clay City and Louisville, Ill., and Robert Cluster, Salem, Ill.

## Stroudsburg, Pa.

By John Bartholomew

Mal Hill's band one-nighted for color Biks Lodge in Armpit.

'Button' current Shawnee Players presentation at Worthington Hall.

Jan Linderman's Bobolino Players summer in West End between Allen-town shows.

Dorothy Lisette, Roxy Gang soprano, sponsors student group for resort appearances.

Fred Wang m.c. and Ralph Paul's Music Masters set for Pocomo Mts. Horse Show Ball at Buckwood Inn.

Nicolas Macsoud of New York's Beaux Arts Artist Ball in charge of Pocomo Manor Inn's Red, White and Blue gala.

Ralph Pendleton, Wesleyan University dramatic director, in complete control of Buck Hill Players during playwright-director Cornelia Stabler Gillingham's indisposition following serious operation.

## Atlantic City

Julian Street is here completing a mag story.

Eddie Thomas joins show at T-K-9 Club.

Bobby Lee's orch playing.

Lex Carter, manager of Garden Pier productions, back to work after short illness.

Ethel Jackson, original 'Merry Widow' of Clarence hotel.

Personnel of Hamid's Million Dollar Pier entertained by A.C. Rotary Club at Seaside hotel Thursday (8).

Lex Carter and Caskey, ballroom dancers, returned to Traymore's Stratosphere room Saturday night (10).

Musicians' Protective Association to conduct annual benefit ball at Ambassador hotel tomorrow (Thursday).

Joe Morrison heading new show

at President hotel's Round-the-World Room. Show includes Maurice and Norva dancers.

Frank Crumit and Julia Sanderson resting up at Traymore hotel in preparation for joining Phil Cook's morning show on CBS this week.

Bill Madden, conductor of Traymore concert orch, was guest soloist at Ocean City Symphony concert on Ocean Pier Sunday night (11).

Gracie Barrie back at the Bath and Turf Club Saturday and Sunday nights (9-10). Don De Vodi's orch here now, together with Lolita Gomez, dancer, and Juanita Juarez, singer.

## Night Club Reviews

Continued from page 3

know when fun's fun, and where to stop, that's just bad judgment and worse—poor showmanship.

Soph also errs on ribald lyrics which exceed her usual standard. It's the next thing to smoker stogie and that tag about between the sheets in one lyric as subtle as French postcards.

More significant also is that this three-pley show, co-starring Harry Richman, Sophie, and Joe E. Lewis, reading from left to right, puts two strikes on the first two headliners and gives Lewis an extra base on balls just by comparison. They suffer so much comparatively it makes the Richman-Tucker booking a dubious proposition as to judgment, in view of Lewis' w.k. penchant for murdering the customers. More than anything, the contrast between his ultra-modern 1940 technique and a yesterday tradition is too tough a hurdle for the veteran Soph and Richman. Latter still struts and warbles well, discounting of course that bad cold opening night.

For the rest the show is standard, holding over the expert Chandra-Kaly Dancers (3), plus the Chester Hale lookers, and two crack bands, Leo Reisman and Pancho's. Reisman plays for the show as well as ban eased, and delivers handily both ways. Finale is a somewhat corny reprise of nostalgic 1880 ballads which, somehow, points up the general backwardness of the entire proceeding and all the more. But then there's always Joe E. Lewis.

No cover; minimum \$3.50 and \$4 on Saturdays. Biz terrific from the Thursday night. (8) barrier as befits what looks like a \$10,000 show. Richman and Sophie are in at \$2,000 each reportedly; Lewis \$1,500. Abel.

## PADDOCK CLUB

(MIAMI BEACH)

Miami Beach, Aug. 9.

Cliff Winchell, Gloria Whitney, 3 Ex-Gentlemen, Poli-Mar Dancers (6), Tony Lopez Orch. (6), Rhumba Orch. (4).

A late starter, Paddock breezes into commanding lead with current lineup, and looks set for top first honors as sockiest local show of summer.

Spot has been heavy favorite during winter, with these in show biz, and turns in town usually trouping in after working hours to catch the late goings-on. In reopening for summer, manager Tom Williams has taken cognizance of fact that while Miami is enjoying unprecedented summer nitory boom, majority of customers are Georgia and Alabama draws bent on living up to Charles of Commerce boast, 'have a millionaire's vacation on two weeks with pay.' With this in mind he has cannily booked a revue that crosses the corn with class.

Cliff Winchell, considering his years on boards, should be in his dotage (when caught he was celebrating 25th anniversary of a prop coat). Instead, he romps through this opus in high, contributing a brace of riotous routines. Ventrilo bit with dummy and strip tease bucky are minor items.

Three Ex-Gentlemen are of some lusty cut, but trifle more on sophisticated side. Warm up on a couple of rousing ditties and wind up with roughhouse radio parody that has the lights flickering.

On the class side of the bill photogenic Gloria Whitney, Svelte songstress in a Russ Morgan summa and leaves little to be desired either in delivery or choice of songs. A diminutive brunet, she is not without considerable s.a., husky-timbred voice adapting itself well to either torchy or tropical tunes. Arrangement of 'Haven't Got Faith in Myself,' an original, is especially good.

Poli-Mar, duo of two sets of femmes, trained by Polly and Margaret Stevenson. Aside from undeniable orb appeal, line possesses real terschicron ability, a rarity here this summer. Stand up is slick conjuring routine, with lassies doing tricks with paper hats, hankies and cigarets in tempo.

Dance orchestra work is expertly handled by Tony Lopez's orch, takes unbilled congarumba combo takes over during rests.

## Hollywood

Frank Kerwin sued for divorce.

Bud Westmore laid up with fever.

Larry Darnour vacationing up north.

William Guthrie to Washington on business.

Tom Foudy joined the Warner publicity outfit.

Spencer Tracy returning from Alaskan vacation.

John Humphreys on a two-week airplane vacation.

Elaine Crosby granted a divorce from Larry Crosby.

R. Williams returned from an eastern business tour.

Susan Fog recovering from emergency appendectomy.

Crane Wilbur returned from a six-week vacation in east.

John Boles showed off for a concert tour of South America.

Winfield Shaw moved to Del Mar for the racing season.

Don Roberts ties to Orson Welles' film staff as a unit publicity man.

Albert Morin back from four months of stage work in Los Angeles.

Dalton Trumbo left RKO lot after two years, moving to Paramount.

Larry Goodkind in from Manhattan for story huddles at Universal.

Hal B. Wallis won a trophy for landing a 23½-pound marlin off Catalina.

Ben Gross here to dig up facts about television for N. Y. Daily News.

W. E. Callaway planned to Ft. Worth, Tex. to attend his father's funeral.

Vivien Leigh and Laurence Olivier announced their intention to wed in the fall.

Lynne Overman in training to drive his three trotters at the L. A. County Fair.

Rena B. Borge filed a cross-complaint in the divorce suit brought by Frank Borge.

Don Gordon and Ardele Ray joined the RKO story staff as assistants to Colson Young.

Raymond Maltby laid up with powder burns caused by the accidental discharge of a film-set pistol.

Wallace Beery cut short his vacation on his way to the beach in which added scenes in 'Bad Man of Wyoming' at Metro.

Jimmy Durante is here with plans to do a picture over the summer and return to Broadway in the fall for a new legit.

The Singer midgets due here after two years' encampment in Frisco. Midget 'n' wife wear in Los Angeles troupe was featured, folded recently.

## Minneapolis

By Les Kees

Al Hill, Pantages manager, fishing in northern Minnesota.

Zeulch, M-G head booker, to Detroit, for a vacation.

Al Stern, RKO office manager, off to Canada for vacation.

Eddie Rader in northern Minnesota for a few days rest and fishing.

Ben Blocky, Columbia booker, back at desk after a fortnight in New York.

Bill McInerney resigned as National Screen Service booker and off to New York.

Clayton Bostad, Seventh Street theatre assistant manager, daddy of seven-ponies.

Bill Soper, Universal ad sales manager, in Fairview hospital with bronchial pneumonia.

Twine City country club to hold second and final golf tournament of season at Breezy Point Aug. 30.

'Lost of Mrs. Cheyney, Old Log (strawhatt) here offering, to be followed by 'Personal Appearance.'

A. K. Evidon, Warners ad sales head, sending money to his runaway son in Hollywood to get him back home.

Sol Lebedoff, Northwest Allied treasurer, back from northern Minnesota vacation, fully recovered in health.

W. J. Heineman and Peck Gomersall, Universal western sales and district manager, respectively, here for sales' conference.

## Philadelphia

Al Johnson's 'Hold On to Your Hat' due here Aug. 27.

Jack Rogers, Fox booker, and Jim Flynn, Columbia ditto, back from Canada.

Samuel Finestone, papa of Ezra Stone, has started building new theatre, the 'Theatre of the Future.'

C. C. Pippi, Metro salesman, fractured arm in auto smashup, sent to Stroudsburg hosp.

Cliff Mayer, Studio, got socko editorial in 'The Road to Nowhere' when he revived film.

Lewen Pizor, UMPTO chief, handing out cigars; daughter Dorothy came across with a baby girl.

Warnerites on vacation along Jersey coast include Jack Flynn, Dom Lucante, Jay King, Bill Kanefsky, Mat Rosenbluth.

Ev Calow, Warner publicity brains, back from vacation. So are Ellis Shipman, Barney Fellman, Joe Feldman, George Lawson, in other Warner depts.

# OBITUARIES

## ALESSANDRO BONCI

Alessandro Bonci, 70, celebrated Italian tenor and a contemporary of Caruso, died Aug. 9 in Milan, Italy. Endowed with a fine, natural lyric tenor, Bonci eschewed the vocation of a shoemaker when urged by Pietro Mascagni, the composer, to study voice.

Making his debut at the Teatro in Parma as Fento in "Falstaff" in 1896, Bonci later appeared in concert engagements in leading cities of the Continent, London and South America, where he was particularly esteemed. Seeking a name to challenge Caruso, Oscar Hammerstein retained him for his troupe at the Manhattan Opera House, N. Y., where he debuted in 1906.

The late impresario was caused much anguish when Bonci abrogated his contract and switched to the Metropolitan in 1908 after he became established as boxoffice for Hammerstein. According to the tenor's contract, any dispute had to be settled in an Italian court, but Hammerstein decided not to exercise his privilege. Apparently, a man of temperament, Bonci also miffed with

(8). Widow, seven children and a number of grandchildren survive.

## WALTER LAW

Walter Law, 64, stage and screen actor, died Aug. 8 in Hollywood. He was a thespian for 37 years and played heavy roles in the early film days for William Fox at Fort Lee, N. J., with such stars as Theda Bara, Geraldine Farrar and William Farnum. On the stage, Law played in the original "Sign of the Cross" company, and toured in vaudeville for several years in a playlet, "The Seal of Silence." In Hollywood, his outstanding work was with Eddie Cantor in "Whoopie."

Surviving is his widow, Betty, Marvin Law.

## GEORGE H. WILEY

George H. Wiley, 71, film industry pioneer, died recently in Buffalo, Wis., last connected with Film Classic Exchange there, was once head of a silent-producing unit which introduced Pearl White and many silent western stars.

In the early days, he made comedy subjects for Paramount and other major distributors.

Remains sent to Reno for interment.

## JOHN H. (JACK) FILMAN

John H. (Jack) Filman, 43, radio sports commentator, who was regarded as an authority on ice hockey and lacrosse, died in a New York hospital, Monday (12) after an illness of about six months.

He was believed to have been the first to broadcast ice hockey and had aired the games from the Madison Square Garden over WMCA from 1925 to 1939.

Surviving is his widow and a step-son.

## LOUIS DORNAY

Louis Dornay, 64, operatic tenor and teacher, died at his Huntington, L. I., summer home Monday (12) of heart disease.

Dornay, survived by widow, two daughters and two sons, had sung with the Royal Dutch Opera Co. at the Hague, Covent Garden, London, and in Berlin before coming to the United States some 15 years ago.

## JOHN GILMORE

John Gilmore, vocalist who won the title of "The Welsh Nightingale" during a performance in English music-hall in the turn of the century and received a royal purse from the late King Edward of Britain, died in Lansford, Pa., Aug. 9.

Since coming to America 30 years ago Gilmore was affiliated with a coal company.

## FRED E. GREEN

Fred E. Green, 50, veteran actor who played Simon Legree in "Topsy and Eva" with the Duncan Sisters two decades ago, died last week from injuries received in an automobile accident near his San Mateo, Cal., home.

He had been working as costume custodian on Treasure Island at the Frisco Fair. Widow survives.

## C. C. BRADNER

C. C. Bradner, 61, newscaster at WWJ, Detroit, since 1925, died suddenly Aug. 3 as he was preparing to leave for his vacation.

Further details in radio section.

Mrs. Louis Nottingham Cook, wife of Samuel H. Cook, president of Onondaga Radio Broadcasting Corp., operator of WFBL, Syracuse, died suddenly Wednesday (7) in Syracuse. She had been ill since 1938, when she suffered a stroke. Death came while her husband was attending the NAB convention in Frisco.

Sir Hugo Gerald De Bathe, 68, second husband of Lily Langtry, died of pneumonia June 30 at Cannes, France. A member of one of the oldest and wealthiest families of Britain, he had never appeared on the stage.

William J. Condon, Sr., for years night superintendent of Steel Pier, died at his home Aug. 5 in Atlantic City following a heart attack. Surviving are widow, son and two daughters.

Mrs. Anna Schine, 76, mother of J. Myer and Louise W. Schine, of the Schine film theatre chain, died at her home in Buffalo Friday (9) following a long illness.

Mother 62, of Jonas Arnold, in press book department of Paramount

at the h.o., died of a heart attack at her home in Far Rockaway, L. I., Aug. 12. Another son and daughter survive.

Mother, 67, of A. Louis Ginsberg, manager of the Majestic, Paterson, died in Albany Aug. 9.

## Mary Pickford

Continued from page 1

proval of the Canadian authorities," she said, "I will ask such Canadian actresses and actors as Raymond Massey, Norma Shearer, Deanna Durbin and Walter Huston to participate. I am sure they will all join hands with me."

Idea is that all stars would donate their services and that 100% of the receipts would be turned over to the Canadian Red Cross.

Also with a view to helping the Canadian government raise war relief funds, Miss Pickford is reported to have said she will credit all her old films and combine the highlights into a cavalcade with a modern prolog.

Too, she is expected to go to Vancouver or Victoria in October, or November where a piece of jewelry she has contributed will be auctioned. It is expected the auction will raise about \$25,000 for war relief purposes.

## Par vs. Holden

Continued from page 3

dolph Field, Texas, before filing his demand for fewer roles and more money, using his lead assignment in the aviation picture as his lever. Par's reply was brief, but firm. Holden was informed that he could accept the part or face suspension.

Thesp has been on the Par roster for 18 months, doing little during the first six months of his deal, for which he was paid \$50 weekly. When he went into Columbia's "Golden Boy" Par boosted the ante while recent option lifts have added the balance.

## MARRIAGES

Dale McCarthy to Robert K. Joslin in Taunton, Mass., July 29. She's Charles E. McCarthy's (20th-Fox) second daughter to get married at 18.

John Ellis to Otis Manning in Akron, O. July 31. Bride is a songstress; he's a comedy magician.

Natalie Hall to Edward C. Rowe, in Clinton, Conn., Aug. 10. Bride is legit player; he's an attorney.

Gloria Williams to Edward Scott, in Toledo, O., Aug. 10. Bride was member of the Three of Us girl vocal trio, heard over WSPD, Toledo.

John Doolittle to Victor Taylor in Evanston, Ill., Aug. 10. Bride is with Mutual Broadcasting in Chicago.

Betty Gemmill to Lloyd Westmoreland, in Regina, Sask., Aug. 6. He's an announcer with CKCK, Regina.

Selma Sober to Buddy Brown, in Ellenville, N. Y., Aug. 3. Both comprise the tap dancing team of Buddy and Judy Allen.

## BIRTHS

Mr. and Mrs. Aaron Jones, Jr., son, in Chicago, Aug. 3. Father is member of midwest film theatre firm of Jones, Linick & Schaefer.

Mr. and Mrs. Russ Morgan, daughter, Aug. 5, in New York. He's the band leader.

Mr. and Mrs. Charles T. Anton, son, Aug. 6, in Atlantic City. Father in Hamid Million Dollar Pier (A.C.) executive.

Mr. and Mrs. Mervyn Bogue, daughter, Hollywood, Aug. 9. Father is Ish Kabibble in the Kay Kyser orchestra.

Mr. and Mrs. Julian Amois, son, in San Antonio, Texas, Aug. 3. Father is owner and operator of the Royal theatre, San Antonio.

Mr. and Mrs. Jimmy Prichard, son, in Memphis, Aug. 7. Father is manager. Universal film exchange in Memphis.

Mr. and Mrs. James Warmoth, daughter, in Hollywood, July 31. Mother is Laurel Carlisle of the films.

Mr. and Mrs. Albert J. Cohen, daughter, in Hollywood, Aug. 6. Father is chief of Republic's story department.

Mr. and Mrs. Henry Burger, son, in Pittsburgh, Aug. 3. Father's manager of M. Oliver theatre there.

Mr. and Mrs. Lester Stepper, son, in Chicago, Aug. 7. Father is manager of Laskie theatre, Chicago.

Mr. and Mrs. Joseph Ziegler, son, Aug. 12, in Newark, N. J. Father, formerly in vaudeville, operates The Brook, Summit, N. J.; mother, the former Kay Warren, was pianist and nitery performer.

# Bernstein Begins Anew

Continued from page 1

last week of rehearsal of my play, "Melo." Charles Boyer hopes to do it there with an all-star cast for war relief. Dudley Murphy, president of the Theatre Guild of Southern California, has asked my permission to do the play and naturally I granted it. Of course it would be without royalty," Boyer, he explained, did "Melo" when it was originally produced in Paris, playing it successfully for two years. Basil Rathbone and Edna Best appeared in it Broadway, but it failed.

"Few of my plays have been successful in America," Bernstein continued. "The last one tried here was 'Promise,' which Gilbert Miller did. I told him it could not succeed in America, that your audiences wouldn't understand it. But he wanted to do it, so I told him to go ahead. He had once told me, 'Henri, you are a good director, but terrible playwright.' After 'Promise' failed here I cabled him, 'Anyway, I hope you still think I'm a good director.'"

## Hollywood, Maybe

Bernstein intends to write and possibly produce plays for Broadway, but he has no scripts even started. Naturally he has ideas and, being a dramatist, believes he can express himself best in that medium, so he hopes, he will presently be ready to resume his writing career. He is vague about films, except that he would like to visit Hollywood, which he has never seen. "They have offered to have me out there at their expense, just to look around," he says. And, referring to his financial plight, he adds, "Naturally I'll accept; I'm obliged to."

As head of the French Dramatists' Society, Bernstein tried during many visits to the U. S. to bring about a working agreement and generally closer understanding between his organization and the Dramatists Guild of America. He also has many friends among the leading playwrights of this country, particularly Robert B. Sherwood and S. N. Behrman. He tells of how, after seeing Sherwood's "There Shall Be No Night" recently, he wrote the author that he had known fine artists he didn't like and poor artists he did like, but that "you make it easy to admire your work."

The dramatist has little hope for the future of the French theatre, films or art, at least for a long time. Even if the Germans are defeated and quit France, he believes, the country's arts and letters will have to arise again from the ground. It will take several generations, he predicts. As for himself, he has no idea of whether or not he'll ever see his theatre again. "Not as long as the Germans are in Paris," he says.

## Won't Talk Politics

Bernstein refuses to discuss politics. "It would be imprudent to do so," the country, which has so generously offered me its hospitality and shelter," he explains. "Besides, it would be resented—and rightly so! The Americans should make up their own minds what their course should be. They will decide what is right for them."

In speaking of his theatre, Bernstein displays the pride of a father talking of his only son. Flushed only last January, the house cost a fortune and was the finest in the world, he says, "I believe in small theatres," he points out, "and this had only about 700 seats, with a balcony and gallery. It had been a film house, but I rebuilt it, making it much smaller. It has the most beautiful and luxurious theatre I have ever seen. I haven't heard what has become of it."

The theatre, Les Ambassadeurs, opened in January with Bernstein's latest play, "Elvire," anti-Nazi drama about an Austrian countess refugee in Paris, starring Elvire Popescu. Although ticket prices were much higher than in other Paris theatres, the house had capacity business every night until the German invasion of the Lowlands, when attendance fell off. However, it remained open until the Germans were within a few miles of Paris, when the company went to Tours.

## 2,000 on Boat for 120

After a few days there, Bernstein went to Bordeaux and finally obtained passage on a boat leaving for England. "You have probably read about that trip," he says. "There were 2,000 of us on a vessel built to accommodate 120. Conditions were indescribable, with ill-lit, no staterooms, foreign diplomats, famous artists and writers among the horde huddled on deck. We were machine-gunned in the harbor, but weren't molested after that, although I don't

know why, as we would have been easy victims."

"It took us five days to reach England. The ship was too crowded for anyone to lie down; even on the deck, so no one slept. Sanitary accommodations were almost nonexistent, so conditions soon became sickening. It was a nightmare, particularly for the women. I had a wound on my chest which is supposed to be dressed every day. I never dared open my shirt during the trip, so when I finally landed in New York from London, I had a slight case of blood-poisoning and had to go to the hospital."

In his career of 40 years in the Paris theatre, Bernstein has written scores of plays. The city of Paris even named a street in his honor. He bought his first theatre, Bouffes Parisiens, in 1911 and operated it until he went into the French army in 1914. In 1919 he bought the 100-year-old Gymnase, rebuilt it and operated it until last January, when he opened his new Les Ambassadeurs, in the Place de la Concorde.

"I'll always remember your Paris correspondent's review of my play at the opening of my new theatre, 'Old Bernstein has done it again,' he wrote. 'Old Bernstein.' How I laughed at that."

## Wanger

Continued from page 1

terial he ordered put into a highway. Guy is never seen, but a newspaper headline in the film identifies him as Clarence Buckman. While he is being carried out a step is anticipated. Sully Arnold remarks: "This is the first time Buckman has ever been on the level."

Last week UA received a complaint from an attorney in Bucks county, Pa., whose name, it seems, is Clarence Buckman. Not only that, but he served as chairman of the highway committee while a member of the Pennsylvania state senate.

No legal action has been taken yet by Buckman, although unless a satisfactory settlement can be made out of court such a step is anticipated. It is feared, will be particularly hard to defend because of the fact the Buckman in the film is not seen. Otherwise it could be pointed out that the character in this picture obviously doesn't look like him.

Another similar Wanger coincidence occurred a couple years ago on "I Met My Love Again." Locals were Vermont and the town of Brattleboro was mentioned, although that wasn't an actual scene of the story. At any rate, the writer, seeking a good old New England name, picked Bradley and had one of the characters remark: "Those cocktail-drinking, fast-talking, nit-witted Bradleys."

Sure enough, up sprang a family named Bradley in Brattleboro. Three members of the clan sued for a total of \$100,000. Claim was settled out of court for \$375.

Despite casual checking on such names, all companies occasionally run into difficulty, as it is naturally impossible to page through every telephone book and directory in the country. Wanger, however, with four or five such scrapes to his credit, seems to be particularly unlucky on these coincidences. Disclaimers of responsibility which all companies now use at the beginning of pictures are suitably meaningless as a legal defense.

## Roach Wins in P.A. Suit

Los Angeles, Aug. 13

Hal Roach won a decision in Superior court suit brought by Marion Kerby, who claimed she was damaged \$50,000 worth by a letter sent from the studio as a publicity stunt for the picture, "Topper Takes a Trip."

The letter, signed Marion Kerby, read: "Dearest: Don't breathe it to a soul, but I'm back in Los Angeles and more curious than ever to see you. Remember how I cut up about a year ago? Well I'm raring to go again and believe me I'm in the mood for fun."

Court ruled that "Marion Kerby" was a fictional character, played in the picture by Constance Bennett, and that the actual Miss Kerby had no legal comeback, even though 10,000 letters had been mailed.

Four Inkspots, having concluded a 16 week stay at the Little Rhapsody, Philly, start a four week stretch at Chicago's Black Hawk restaurant Aug. 24.

In Loving Memory of My Dear Wife

## MAUDE RYAN

(Aug. 15, 1936)

WM. T. RYAN  
CHAS. INNESS  
(Brother)

the Met and sailed for Italy, angrily declaring the Met had treated him unfairly.

## LOUISE RIAL

Louise Rial, 90, retired actress who made her stage debut as Eliza "Uncle Tom's Cabin" some 62 years ago, died Aug. 9 at her home in New York. The widow of Jay Rial, then a prominent theatrical manager who produced the "Uncle Tom" in which she appeared, Mrs. Rial was active on the American stage for almost a half-century. Her more important parts included such plays as "Too Many Cooks," "A Woman's Way," "Fortune's Fool" and "A Woman's Way."

She closed her career in 1917 while a member of the cast of "The Cinderella Man." A daughter, Vira Rial, survives. Funeral services were held yesterday (Tuesday) in N. Y., under auspices of the Actors Fund. Interment followed in the Fund plot, Kensico, N. Y.

## ELINAR SWAN

Elinar Swan, 37, composer and arranger, who had been in charge of arrangements for Raymond, Paige and the Westinghouse Symphony Orchestra, died Aug. 8 in Greenwood Lake, N. J.

Originally a saxophonist, with Tommy Dorsey and Vincent Lopez, he later turned to arranging and worked for Gustave Haenschen, Dave Rubinoff and the Paramount theatre, N. Y., among others, in that capacity. He composed the tune "When Your Lover Has Gone," made prominent by Kate Smith, and collaborated with Albert Smithman in clefting "In the Middle of a Dream" and "A Room With a View."

His widow and two children survive.

## HARRY CARLIN

Harry Carlin, 49, for 15 years a Keith booker and more recently a buyer for small-time cafes died of a heart attack Aug. 7 at his office in the Palace Theatre Bldg. on Broadway. Alone when taken ill, he was discovered leaning over his desk gasping for breath by a client when he opened the door. Upon the arrival of a physician he was beyond medical aid.

Survived by widow, from whom he had been separated for about four years, and two children. Funeral services were held in Brooklyn Thursday (8) and burial took place at Mt. Hebron Cemetery, Queens.

## ABRAHAM WAX

Abraham Wax, 82, owner of chain of Philadelphia theatres, died at his Atlantic City home Wednesday (7). He had suffered a stroke a week before.

Wax, born in Russia; contributed to various Palestine organizations and spent a year there studying problems of the Jews. He built the Keystone and Royal theatres, Philadelphia, and was interested in theatre properties in A. C.

Funeral services held Thursday



## Fair's B. O. Fliv

Continued from page 1

ing because they see small chance of recouping their original investment. A few have been outspoken in saying they hope the fair would fold, since it would permit them to duck further financial outlay.

There have been many things blamed and alibis offered for the failure of the fair to create the expected b.o. draft. Tourist travel from spots 800 to 2,000 miles away is off 30% compared with 1939, while vacation travel has slumped more than 20%. New York hotel bids is down 25-30%, and travel tours claim their business has declined 18%. All are contributing factors. But aside from this, many of last year's mistakes have been repeated at the exposition. Tabbed a magnificent spectacle even by skeptical show people who have visited the fair, its very proximity to thousands in New York City has prompted innumerable persons to pass it off with a shrug of the shoulders as being just another attraction. The disappointing low town attendance has fallen far below expectations, whether a backdraft from the early 1939 unfavorable press because all travel is down. No question but that the crowds from the metropolitan area have been badly hurt by the war and preparedness.

## Bad Weather Breaks

Granted that rainy weather put a damper on early attendance and that the war hurt and is hurting additionally via the nation's preparedness drive, nevertheless the '40 Fair, as a magnet for attracting crowds to New York today is regarded by show business as pretty much a bust. The expected huge crowds from the hinterlands were depended on to put the exposition over; in fact, the main excuse for the fair was that N. Y. City needed new visitors and business to its area. But this same absence of crowds from outside the city has hurt the night club and theatre business in general.

Where last season a weekday crowd of 100,000 was regarded as ordinary, this year one reaching this figure is exceptional. The fair management has realigned its exploitation and promotion setup, placing Claude Collins, veteran newsreel man, in charge of stirring up public interest. This has produced a batch of 'special days,' special parties from nearby communities and contests. Move, however, may have been taken too late and doesn't cover the voice of early months. The special events division has been a weakie this year, while the publicity has been on a high scale, whereas last season until August, the reverse was true.

Drive to pulmotor the gate may succeed, since attendance last week showed signs of reviving with daily paid average being \$8,000. Fair is able to break even on a daily operation of \$7,000 paid admissions under the present economy setup.

## High Prices Still

Many are convinced that the exposition still is oppressed by the errors of last year, with some mistakes being repeated despite obvious danger signals. The 75c. scale, something all veteran exposition men said was a mistake, undoubtedly held back the exposition last season, with a carryover this year. For one thing it established the exposition as a class affair. The food prices, so widely publicized outside N. Y. in 1939, helped back up this belief.

Although the admission this season started at 50c. and has remained there, that old curse of high prices lingers on. As has been pointed out, perhaps the fair needs a lower scale—say 25c.—or maybe it lacks enough special events, some were scheduled starting this week. Finally, in any event, the Flushing Meadows show has limped along ever since the early rainy weeks and unfavorable war news blasted a good opening.

Two unforeseen factors also have come to light. One, of course, is the decline in tourist travel. The other is that industrial cities which sent groups of 4,000-15,000 last year, are missing this season because workers are occupied nearly 24 hours daily on war orders.

The public apparently is convinced that it costs plenty of coin to take in the N. Y. Fair. They then either cut outlay for getting around the grounds, with 10c. the minimum fee for any sort of transportation, and wheel chairs costing more than N. Y. taxicabs. Idea of trying to combine Coney Island atmosphere, this type of crowd and purse with night club minimums and high meat prices hasn't

clicked any more this season than last. Public in and about New York that goes for Coney Island simply won't go for minimum charge stuff and excessive liquor prices.

## The Gypola

Some examples of these have been called to the attention of the Fair. Recently, a rainy night, benches on which the audience were supposed to sit for the outdoor performance were too wet for use. Chairs and tables at a nearby cafe, giving a view of the performance, were dry. They were available to anybody desiring to pay \$1 minimum per person, with few takers. The clip is on at several spots for liquor, the listed cheaper drinks seemingly never in stock. All of which does not bring repeat customers or help the word-of-mouth.

Of the four larger shows, outside the Aquacade, which is sure of a net profit, the exposition management probably will wind up behind the eight-ball on at least two, with backers already wishing the Fair was shuttered. Four most frequently mentioned by concessionaires are Gay New Orleans, Hall of Music, Dancing Campus, and American Jubilee. G. C. Macent, Pach, vice president in charge of finance, is given official responsibility for contracts made for all four and only he knows exactly how much profit or loss has been shown to date.

## Chaplin

Continued from page 1

theme in which Chaplin plays (1) a dictator who looks like cross between Charlie Chaplin and Adolph Hitler, and (2) a poor fellow who looks just like the dictator and is always being taken for him. Picture is done entirely in a comic vein, with the satire subordinated to laughs as much as possible. Jack Oakie plays a jutting-jaw Mussolini.

## Setting Policy

Distribution and exhibition policy on the film will be determined in a super-session of the brains of United Artists, the distributors. Those who will fly to the Coast in a week or so for contacts with Chaplin on the policy will include Murray Silverstone, UA chief; L. Jack Schlaifer, Harry Gold, sales managers; Arthur Kelly, v.p. in charge of foreign distribution; Lynn Farnol, head of publicity and advertising; and Monroe Greenhalgh, exploitation topper.

Only points definitely determined to date are that it will be roadshow and will be exhibited at upped admission prices. This is a departure from Chaplin policy in the past, which has been to hold admission down in order to allow as many people as possible to see his pictures. Depleted foreign situation necessitates the switch. 'Dictator' is virtually certain to have its premiere in New York. It will be attended by Chaplin.

Details of distribution and exhibition plan are being left to Gold and Schlaifer and won't be definitely set until they talk to the producer. However, what they are considering is a policy similar to that of 'Gone With the Wind.' Pic would open in half-a-dozen key cities immediately after the New York prem. It would play two houses in each city, one on a two-day, reserved seat policy with a top tap of \$1.50; the other on a continuous grind at 75c or \$1 top. Picture runs two hours and 10 minutes.

Chaplin is now doing the editing and scoring. And although he is endeavoring to get it out in three weeks, UA officials, knowing his passion for painstaking, have declared they will be satisfied if he got it to them in six.

## Grind 'Axis'

Continued from page 1

cow and Rome. Under existing rules the enemies of democracy can demand, and get, in the name of democracy, the right to praise dictatorship and autocracy and ridicule free institutions. From this deep-rooted dilemma, American radio would like Uncle Sam to excuse them.

Paul Kesten, v.p. of the Columbia Broadcasting System, explained the industry's hope of relief in addressing the N. A. B. convention here last week. This phase of the convention came after the ASCAP-BMI issue, was disposed of in the form of unanimous endorsement of the

broadcaster-financed music publishing house.

Two outstanding angles brought out on alien topics were that (1) the N.A.B. had petitioned Congress to revise the radio law so that Communists and Nazis could be refused time and (2) that the Republicans would be given free time for their presidential candidate, Wendell Willkie, if and when they could convince broadcasters that President Roosevelt's fireside chats during the campaign were partisan and colored with electioneering fare. Paul Kesten, CBS, v.p. and member of the N.A.B. code committee, was the source of the latter information. Kesten said that while the code committee had arrived at this policy for the coming presidential campaign he said that he thought that the broadcasters ought to pursue a line of reason and courtesy—the question.

Another CBS, Harry Butcher, told the conventioners steps had already been taken to save broadcasters from the embarrassment of having to give equal time to Communists and Nazis on political matters. The amendment recommended to Congress would make it possible for radio stations to refuse time to parties subversive to foreign power or seeking to overthrow the Federal government.

## Miller Gets \$35,000

Neville Miller, N.A.B. prez, came out of the convention with an extension of his contract for another year and a raise in salary from \$25,000 to \$35,000 a year. His old contract had a year to go.

Abe Schechter and Paul White, directors, respectively, of news and special events for NBC and Columbia, never got around to deliver the talks that they had come primed with for 3,000 miles. Before their turns came on the speaking agenda Wednesday morning it was found that the delegates had to clear out of the meeting room so that it could be prepared for luncheon being tossed by International News Service. As they descended from the platform Schechter and White were surrounded by friends who congratulated them on their highly informative speeches.

## 5-Star Pix

Continued from page 1

currently, seem to insist on remaining just that.

Studio story editors have been instructed to scan both their own shelves and those of the play and screen markets for yarns that can be built into scripts of sufficient import to warrant the grouping of quartets and even quintets of high-minor actors and actresses in each. Casting offices are searching their own plant's thesp rosters as well as those of other studios in an effort to work out player combinations that will hold the greatest appeal to the customers.

That Hollywood is worried about the present state of the domestic b.o. is no longer a secret. Producers have been burning the midnight tinstuns for weeks in an effort to hit upon something that might serve to stimulate an extra flow of coin. They are united in churning the news that the weak state of their revenues must be changed, but quick.

## Biggest See New Hope

For a time they thought that outdoor action epics based on historical themes might do the trick, but while these somewhat stemmed the adverse tide, they failed to completely do so. Comedies also provided a ray of temporary sunshine, but they, too, let the Coast lads down.

Frowns, however, have momentarily turned to smiles, for, the moguls believe, Metro has at last pointed the way by playing Clark Gable, Spencer Tracy, Claudette Colbert and Heddy Lamarr in its \$1,600,000 'Boom Town.' Now all that's necessary is to let the stories and the actors, they insist.

The star-studded cast, Hollywood biggies are guessing, is not only the solution to the empty theatre-seat problem, but it's also the key to boosting percentages—the exhib.

Paramount, hopeful of quickly hopping onto what is hailed as the latest in gravy trains, couldn't quite make the grade as a five-starrer, or even a four-starrer, as a beginner, but it's pushing ahead with full speed on a three-starrer. Fred MacMurray, Paulette Goddard and Patricia Morison have been singled out to share top billing. 'The Bride Goes West.'

Meanwhile, Par's story sleuths, along with those from the other plants, are in a hail of prospective five-star material.

## WHAT THEY THINK

## U. S. Artists' Ambulance Fund

Editor, VARIETY:  
On the advice of your London office we are writing you, the full details of the American Artists Ambulance Association of 16 Old Bond Street, in offices kindly lent to us by the Music Corp. of America, who are helping us to the utmost of their ability.

The Four A's are raising subscriptions from Americans in all branches of the theatrical profession both in England and at home for Trailer Ambulances to be supplied to the British Red Cross and local governments for use in small villages and towns throughout the country.

These ambulances, which are after the style of the California covered wagon, are equipped to hold two stretcher cases and four others. They were chosen because of their adaptability, being readily attached to any form of automobile or if needed, and if no auto or petrol is available, they can be drawn by a horse, and also because of their great mobility.

We Americans in the Theatre in England appeal to our colleagues in the States to help in this respect and to send contribution, however small, towards this very necessary cause. Whatever the donation it will be most gratefully received.

Our big idea is to have a dollar drive right through the Theatre Personnel of America and we would therefore be grateful for any co-operation you could give in this respect, as we are fully aware that through VARIETY is the only means of reaching the hearts of our friends in the theatre.

The price of a Trailer Ambulance is £80 or approximately \$350, and should by any chance an individual contribute the full amount we shall be very pleased to name the Ambulance after the source from whence it came. We feel very strongly that our friends in the American theatre would feel honored to have this active representation of their personal sympathy and support in active service over here.

At the present moment contributions are being sent to address here.

Barbara Blake,  
(Mrs. Francis S. Blake, 2d)  
Hon. Secretary.

American Artists Ambulance Assn. has Mrs. Winston S. Churchill honorary president; George Black, C. B. Cochran, Sam Eckman, Jr., David E. Ross, Lawrence L. Tweedy, honorary v.p.s; Stuart D. D. Pearl, hon. treasurer, and committee, comprising Francis S. Blake, 2d, Sarah Churchill, Bebe Daniels, Harry Foster, Claire Luce, Ben Lyon, Victor Oliver, Val C. Parnell and wife, Leigh Stafford.

## Saphier Clarifies

Editor, VARIETY:  
Although I dislike writing you about these things, there is a misleading headline concerning me in VARIETY, July 24, which I would like to have corrected. The headline reads: 'Saphier to Hollywood, Gosch His New York Representative,' the first half of which is entirely correct; the second half entirely incorrect. Gosch and Harris are two of four writers who have been employed by Jerry Lester for the summer series, and Gosch is being very helpful with production details, but is in no sense my New York representative.

I have high regard for Marty Gosch, but I would appreciate it if you make this correction.

James L. Saphier.

## B. &amp; G. Shows' Union Jam

Editor, VARIETY:  
The 42-car train of the Beckmann & Gerety shows arrived in Muskegon Sunday (14) afternoon for a week's showing here, under the auspices of the Veterans of Foreign Wars. They were met by Stroud Hester, organizer of the Circus, Carnival, Fairs and Rodeo International Union, and Ralph Whitehead, president of that union. The troupe was told it could not unload unless all its members were union. A picket line of more than 50 men was thrown around the train.

Because the B. & G. shows had taken radio spots on WKBB, asking people to come down and watch them unload, more than 2,000 spectators were on hand. Hundreds kept up an all-night vigil, expecting the troupe to unload, despite picket lines.

By Monday (15) afternoon, matters were still deadlocked, although it was still expected that the show would be able to unload and open Monday night on schedul. Whitehead explained to this reporter that negotiations had been in progress a week ago when the carnival played in Milwaukee. However, the negotiations were broken off abruptly by the show's managers. Carnival next played Kalamazoo, while Whitehead and Hester came to Muskegon to wait for them. There is no question of wages or hours, according to Whitehead. Instead, the international union (AFL) wants merely recognition by the troupe. Members of the troupe, however, claim that their membership in Showmen's League of America is sufficient. Spokesmen here for the VFW claim that they understood carnival was all union.

Louis T. Dyer,  
WKBB News Dept.

## Swiss Viewpoint

Lausanne, Switzerland.

Editor, VARIETY:  
May I add something to what was printed in VARIETY, June 26, on the subject of exploitation foreign countries.

Here you have Switzerland which was not even mentioned. I am not going to suggest that this country is a very important one for your foreign business, but even if it is small business, still it is business. With 4,000,000 inhabitants and 365 theatres which usually present, beside French German pictures, American ones, either with subtitles or dubbed, for many years this country has been profitable for the American film industry.

Now the exploitation is nearly about normal, but we shall be in great need of merchandise for the next season beginning in September. As you know, all the American agencies established here were dependent on Paris or London. I do not believe we can wait for the re-establishment of the head-offices in Paris. So it must be the duty of the big firms to send without delay copies of their best pictures. All the firms ought to join their efforts and, together, send the films by boat to Lisbon, and from there by truck to the Swiss border if by that time normal railway traffic is not established. The French and German subtitles could be printed either in the States or here.

I honestly believe that American producers will not fail to help the Swiss theatres in moments of need and that they will find profit by doing so. But to achieve that purpose they must send their goods directly to their agencies in this country.

Oscar M. Lavanchy,

Theatre Manager,  
Member of Board of the  
Swiss Motion Picture  
Association.

## Gag

New York.

Editor, VARIETY:  
I don't wanna be a tattle-tale or anything, but has anyone stopped to balance this?

Tommy Dorsey, who published and popularized the song, 'I'll Never Smile Again,' is on the air sponsored by Pepsi-Cola Tootsie, famous for its 'Pepsodent Smile.'

All that remains now is for one of us to make a crack about something or somebody getting the brush.

Jack Egan.

## Gracie Fields

Continued from page 3

look out more than the customary £10 when they left England.

Said Miss Fields, 'I've never made a cent for myself since the war started. I'm giving my services now to help others. Somebody's just trying to be funny. I don't care one more than the law allowed. You sometimes feel like telling them to go to the devil, but you don't. You just keep on going. Let the government look into their files. They will soon find I haven't taken everything out of the country.'

Miss Fields will return to the Coast and then continue with her tour. She is booked into Winnipeg Aug. 18-20.

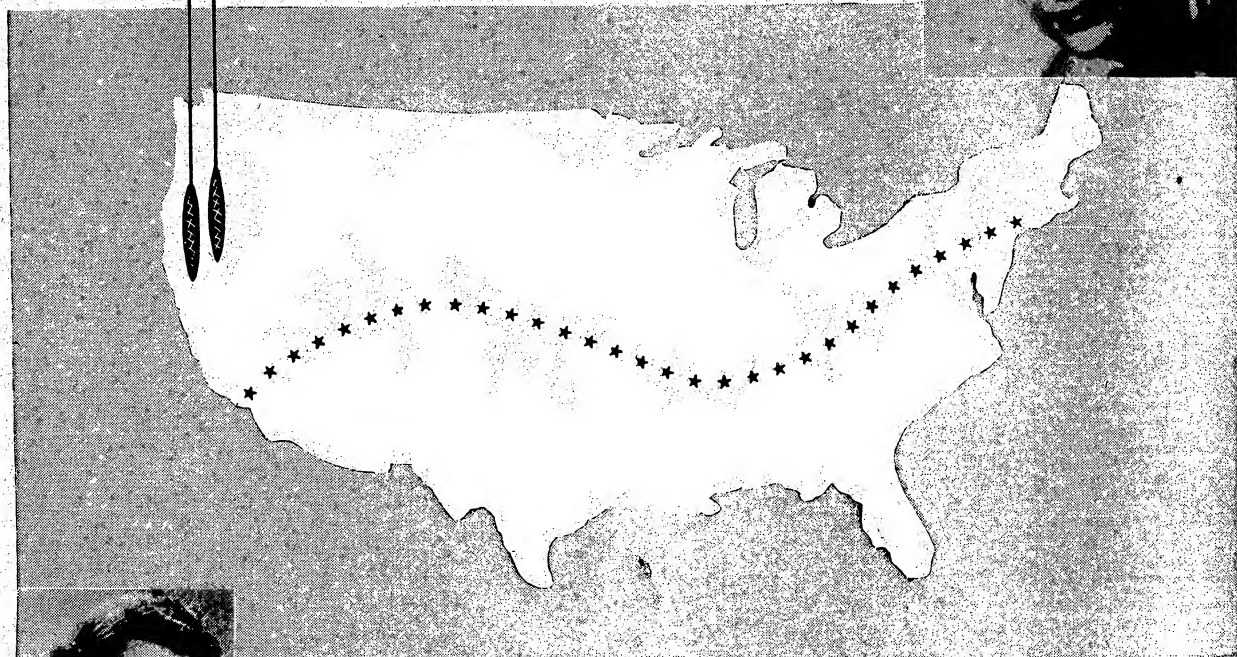
## Apology to Miss Fields

Hollywood, Aug. 13.  
Gracie Fields and Monty Banks have received cabled apology from Baldwin Webb, secretary of Britain's Parliament, for recent accusations made against the duo in the House of Commons that they took large sums of money out of England when coming to America. Webb said the Comedienne continues war relief fund work in Canada.



FROM COAST-TO-COAST  
IT'S **Tommy Tucker** TIME

TOMMY



AMY



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# VARIETY

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VOL. 139 NO. 11

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## WHY THEY DON'T GO TO PIX

### Stripper Ann Corio Surprised When Applauded in Legit with Clothes On

By HERB GOLDEN

In the five weeks she's been in the strawhats this summer, Ann Corio has broken attendance records at two houses. Both previous marks, it so happens, were set by Ruth Chatterton in 'Private Lives.' Miss Corio, with understandable modesty, doesn't think this detracts from La Chatterton's reputation.

It merely shows what a G-string will do for you, she observes.

Not that she's wearing her indisputable in legit. Far from it. She's almost fully clothed, she declared. She wears a hula outfit. Show has been 'The Barker.'

Miss Corio expatiated on her future and the future of legit in her tiny dressing room in the Eltinge, Max Rudnick's burley bullpen on 42d street, N. Y., last week. But what was she doing at the Eltinge in the midst of a successful season of summer stock?

I had to take a week off to get new pictures and costumes for fall and I figured there was no use wasting time inasmuch as the strawhats are such a financial sacrifice, she explained. So when Mr. Rudnick of-

(Continued on page 61)

### RADIO LOOKS TO ARMY COIN

Now that the U. S. Army has tagged the N. W. Ayer agency to handle its \$250,000 appropriation for enlistment baldhoo, the broadcasting industry is interested in knowing how much of this will be allotted to radio. Latter has heretofore given lots of free time for the same thing.

Ayer received the designation last week in competition with several other agencies.

### Victor Bringing Back Billy Murray, Veteran Of 4,000 Recordings

Billy Murray, probably the most popular of the old-time vocalists, has come out of a 12-year retirement to record an old favorite, 'It's the Same Old Shillelagh,' for RCA Victor's Bluebird records. Leonard Joy's orchestra accompanies the singer.

Murray started in the early days of records in 1897, and between that time and 1928 he recorded over 4,000 songs. Over 2,000,000 copies of his 'Casey Jones' were sold by Victor, setting a new high in popular records. The increasing popularity of old songs induced Victor to bring Murray out of retirement. He may be the prelude to a greater use of old-time name favorites.

### Raze 'Oldest Playhouse'

Mexico City, Aug. 20. America's oldest existing playhouse, the Teatro Principal here, which has been running consecutively since 1752, is to be razed and converted into an office building. The Principal, operated as a legit until Feb. 29, 1931, when it was gutted by a fire that broke out during a midnight show and claimed 12 lives. The house has since been operated as a cinema.

### POLITICOS TO GET NO CUFFO ACTORS

Free appearances by actors at political rallies, formerly a fairly common practice, will probably be barred this year. Although no official ruling on the matter has been made, it is indicated that the Associated Actors & Artists of America executive committee, in charge of benefits, will nix all free appearances by actors for any purpose whatsoever, with the exception of those strictly for charity. Even appearances for the latter will be okayed only if 15% of the gross

(Continued on page 22)

### JOE COOK, NOT ON SKATES, IN ICE SHOW

Joe Cook is virtually set for the Sonja Henie-Arthur Wirtz ice show to preem at the Center theatre, N. Y., the latter part of September. Cook would be the only Broadway name and the only member of the cast not on skates. Plan is to tag him 'King of the Ice' or some similar title to accentuate his inexperience on the slippery stuff.

Other talent for the show includes Hedy Stenif, Viennese gal now in this country, who was three times Olympic runner-up and is making this her first appearance as a pro; Caley Sisters, who are also turning, dropping their amateur status; Four Bruisers, European male comedy troupe; LaVerne Busher, gal who has skated in numerous previous shows, and Skipper Baxter, top male whizzer.

Leon Leonidoff is staging and Norman Bel Geddes designing the production. Peter DeRose, Mitchell Parish, Vernon Duke and Albert Stillman writing the tunes.

### NOT ENOUGH GOOD FILMS, 1 REASON

First of Nationwide 'Variety' Surveys to Determine Causes for Film Business Falling Off

#### DIVERS CAUSES

Thirty-two million people, 'financially able,' attend pictures less frequently than once a month, Dr. George Gallup revealed 10 days ago. VARIETY, in the interim, has had its reporters in 35 key cities from coast to coast seek out representative members of the '32,000,000' and ask them: 'Why don't you go to the movies?'

First group of answers, in order of their importance, tote up like this:

1. Not enough good pictures.
2. Objection to double features.
3. Preference for sports, both participating and as a spectator.
4. Preference for listening to the radio.

There are, of course, hundreds of other reasons in addition. Some are so specious and so seldom heard they are scarcely worth repeating, for even Paradise is reported to have its dissatisfied tenants. Then there

(Continued on page 52)

### Bandleaders Hot For Americanism Songs on Platters

Started by the Gray Gordon-Bluebird recording of 'I Am An American,' which broke the ice surrounding putting patriotic tunes on wax, maestros are currently hopping on the 'bandwagon' thick and fast and cutting any and all tunes with a patriotic flavor. Many, of course, are confining themselves to doing the current faves, 'American' and Irving Berlin's 'God Bless America,' but others are going back for World War I tunes and standard marches.

Horace Heidt for one has already cut two musical flag wavers for Columbia and during the next week or so will make four more. He'll do 'Yankee Doodle Dandy,' hot version of 'Stars and Stripes Forever' with a live piano break by Frankie Carle, 'God Bless America' and 'I Am An American.' Orrin Tucker made 'Your Flag and Mine' for the same record outfit. Dick Robertson cut 'American' and 'Grand Old Flag' for Decca. Barry Wood and Jack Leonard have made Berlin's hit for Okeh. There are others still to come.

Dick Jurgens will cut an anti-war tune titled 'Goodnight Mother' for Okeh. As well as recording it Jurgens will attempt to use it a sign-off theme on his sustaining radio broadcasts. The latter isn't likely to materialize, as there are restrictions on the use of patriotic tunes on the air.

### N.Y. and Chi Cops Probe New Wave Of Clip Joints; Born of Bad Biz

#### ZaSu Pitts' Legit

Hollywood, Aug. 20.

ZaSu Pitts makes her Broadway legit debut this autumn in 'Our First Murder,' to be produced by Russell Lewis from story by Torrey Chanslor. Robert Presnell is doing the dramatization.

Miss Pitts played her first stage role here this week at El Capitan theatre in Noel Coward's 'Hands Across the Sea.'

### WILLKIE'S AIR PERSONALITY HELD POOR

Radio circles confirm the general impression that Wendell L. Willkie as a radio personality suffers greatly in comparison with President Roosevelt. Opinions are based on the acceptance speech by Willkie Saturday (17) in Elwood, Indiana, which was broadcast by all the networks.

Willkie's acceptance speech, however, got a rating of 37.8 from the Co-operative Analysis of Broadcasting. The percentage represents 21,000,000 homes. It's the largest rating ever recorded by the CAB on a political speech. Gov. Alfred Landon's acceptance spiel in 1936 garnered a rating of 28.5, and that was at 10:30 p.m.

CAB has never checked an acceptance (Continued on page 52)

### CIRCUS-LOVING BANKER JOINS COLES AS CLOWN

Spokane, Aug. 20.

Harper Joy, v.p. of a local banking concern, likes clowns and circuses so well that he's joined the Cole Bros. show as a clown for a few stands in the northwest.

Joy, former national prexy of the Circus Fans Assn., takes his annual vacations with one of the tent shows.

### Horace Heidt Bobs His Schnoz For Pix

Hollywood, Aug. 20.

Clark Gable is going to have nothing on Horace Heidt when the band leader makes his film debut in Jimmy Roosevelt's 'Pot o' Gold.'

Stopover by Heidt at Chicago, on his way to the Coast, it was revealed upon his arrival here, was to have his nose bobbed.

Bad biz that always accompanies clip-joints caused the clampdown in Chicago and the police order

New York, by Commissioner Lewis J. Valentine, to fingerprint all nitery employees in Greater N. Y. It's been no secret around Gotham that taxi-steerers were rampant, with more 'hostess joints' in full swing the past few months.

West 52d street, N. Y., the 'Montmartre of America,' prides itself on nothing shady in any of its more than 20 bistros, cafes and restaurants that are jammed into the one street between 5th and 6th avenues. The 52d street bonifaces point to the action of one police captain not so long ago. He heard there was some mild clipping in one remote spot and forthwith ordered the cops to clean out the joint. In a few minutes the place was a shambles, with its bar, furniture and fixtures on the sidewalk and the management was 'dared' to raise a beef to any higher police authorities. That was an object lesson to the street once and for all, just in case the boys got careless.

What touched off Valentine's or-

(Continued on page 55)

### DUALING BANDS A LA PICTURES

Moe Gale, manager of the Coleman Hawkins and Savoy Sultans orchestras, will borrow an angle from film exhibitors next month and offer one-night ballroom ops two bands at a time. Gale will couple the two above named crews and send 'em on the road as a 'musical double-feature' for single dates, the outfits to alternate on the stand.

'Pair will tour the south and middle west starting Sept. 15. Both outfits are currently at the Savoy Ballroom, New York, which is owned by Gale.

### Back to Pre-Radio Songplug Methods, Irving Berlin's Idea

Irving Berlin, as head of his own music publishing company, will inaugurate a new type of songplugging which may become the keynote of the general popular music business in its deal to the broadcasters. Berlin states he will recourse to VAIKING's routes and enlist the plugging cooperation of every act and band in hotels, cafes, ballrooms and whatever vaudeville and presentation houses there are left, and thus, in effect, go back to the yesteryear, pre-radio method of songplugging.

Admitting this will be a more (Continued on page 59)

## 10:30 Curfew Too Much for Danish Carl Brisson When Touring England

Carl Brisson, who cut short a music hall tour that had until 1941 to run to come to this country from England a few weeks ago, revealed the reason why in New York last week. His Danish birth, he said, made life untenable for him in Britain after Germany invaded his homeland. Although the treatment by the English was friendly, the singer and film player declared, he was nevertheless technically an enemy alien and the restrictions placed on him were too binding for comfort.

One of the principal nuisances, Brisson moaned, was the 10:30 p. m. curfew imposed on all aliens. Detectives each night appear in the wings of whatever theatre he was playing with a 'Come on, Carl, Time to go to bed.' Brisson, who counts among his close personal friends the Duke and Duchess of Windsor, is obviously not accustomed to donning 10:30 p. m. pajamas.

In addition, the entertainer beefed, his tour necessitated his checking in and out of police stations so frequently people were mistaking him.

(Continued on page 46)

## BERLIN WEST TO O.O. B'WAY MUSICAL TALENT

Irving Berlin flies to the Coast today (Wed.) to o.o. possible talent for his next Broadway stage musical. Berlin timeshifted the current 'Louisiana Purchase' (also owns 50% thereof with B. G. DeSylva) and is planning a second show. Playwrights Co., which has talked having its member-producers contribute the scenes to a topical Berlin revue, may still be in on this venture.

Berlin, while committed to other 20th-Fox film musical, will probably ease out of that as he has bids from Universal (Henry Koster) and Paramount (Mark Sandrich). DeSylva, incidentally, just became a Par producer, committed to two filmicals this fall and winter.

Berlin will be back east in a week.

## 'James' Bally Proves Detroit's a Tough Town

Detroit, Aug. 20. This town must have plenty of desperate looking characters.

The Fox, in the Return of Frank James, advertised that on three days last week a bemustached double of the title character would be walking the downtown streets. The vicinity in which the made-up character would appear was given and varied for each of the three days. Candid camera fans were invited to up and shoot 'Frank James' to their heart's content. The best 50 pictures made of the character were to win two passes each for the camera fans.

It brought a heavy response—excepting that almost half the pictures submitted turned out to be shots of just average citizens of Detroit.

## Little Theatre Stager To Asst. Direct at 20th

Kansas City, Aug. 20. Zolley Lerner, director of the Resident theatre here, has signed with 20th Century-Fox as an assistant director. He was with the Resident theatre past seven years, coming here from University of Nebraska, where he led the University Players, college drama group.

Harry Schwimmer, president of the Resident theatre, said the theatre had no one signed as director for the coming season as the Lerner pact came suddenly. Theatre is now negotiating for a director for the fall and winter season.

**Training Course First**  
Hollywood, Aug. 20. W. Zolley Lerner, director resident theatre, K. C., signed by 20th-Fox as future talker pilot, reports immediately to start six months course in production department before being given his first directorial assignment.

**VILA TO U.S. SEPT. 15**  
Hollywood, Aug. 20. Alberto Vila, South American actor, who will play opposite Maureen O'Hara in RKO's 'They Met in Argentina', is due here Sept. 15. Vila planes up from Buenos Aires.

## Landlord a Flop

Philadelphia, Aug. 20. Manager of the Casino, Indian house in an outlying section of northeast Philly, refused to book Paramount's 'Those Were the Days', in which Broadway actor-director Ezra Stone makes his film debut. Explanation was that it wouldn't do business with our neighborhood audiences.

Exhibit leases the theatre, which was built a couple of years ago to increase the value of real estate in the immediate vicinity. Owner of the property is a native of that section—Ezra Stone.

## Ezra Stone Becomes Producer With 'Son'; Teams With Hayman

Ezra Stone, whose previous show business activities have been confined to acting in legit, films and radio, plus a few stage directing jobs, also becomes a producer next month. He and Bernard Hayman will be coproducers of 'Your Loving Son', comedy by Abby Merchant. Stone and Hayman together dug up the coin for the venture, but only Hayman will be billed as producer. Stone will play the lead and direct. Show is being rehearsed this week for a one-week tryout at the Brattle Hall strawhat, Cambridge, Mass.

(Continued on page 56)

## COWARD ON COAST TO SET BRITISH ORPHANS

Hollywood, Aug. 20. Noel Coward left for San Francisco today after setting his fellow Britons in the film colony to arrange for homes for 58 English orphans.

He said he had dropped all his theatrical affairs until the fighting is over.

## De Rochemont's 9-Yr. Old Son in Bad Fall

Louis de Rochemont, producer of the March of Time, was summoned hastily to Laconia, N. H., last Friday (16) evening when his son, Louis, Jr., nine years old, was critically injured by a fall from a horse. Lad's condition now is improved but still very serious.

Youngster, summering at a boys' camp, was thrown when a bee stung the horse. Animal's hoofs flailed into him as he fell. Elder de Rochemont and his wife have been at the hospital with him continuously since Friday evening. Meantime, plans for a revision of the finale of MOT's initial feature, 'The Ramparts We Watch', have been brought to a temporary halt.

## Buzzell, Bucquet Get New Deals at Metro

Hollywood, Aug. 20. Metro has renewed its director deals with Eddie Buzzell and Harold S. Bucquet.

Bucquet is piloting his second Marx Bros. feature, 'Go West', and Buzzell is tied up with the Dr. Kildare series. His latest job was 'Dr. Kildare Goes Home'.

## Disney's Benchley

Hollywood, Aug. 20. Robert Benchley has finally affixed his signature to a Walt Disney contract calling for him to star in the human sequences of Disney's 'The Reluctant Dragon', which will be made as a combination live action cartoon feature. Plan is to start production around Jan. 1.

Camera will record the adventures of Benchley wandering about the new Disney plant at Burbank, after which there will be a switchover to animation via Kenneth Grahame's fantasy from which the offering takes its name.

## Disappointed

Kid rushed up to a film actor, asking for his autograph. He got it and began signing it. 'Oh, that's who it is,' he chirped a bit sullenly.

## Calloway, Agent In N.Y. Paramount Backstage Fight

Magistrate Leonard McGee in West Side court, New York, yesterday (Tuesday) postponed till Aug. 22 the hearing on assault charges brought against Cab Calloway, colored orchestra leader, by Nat Nazario, agent specializing in colored talent. Nazario, who claims Calloway slugged him backstage at the Paramount, N. Y., opening night last week (Wed.), secured a summons for Calloway's appearance in court.

Stories of the fracas differ. Nazario claims Calloway was incensed because he saw Nazario, who says he was sitting in the third row of the orchestra, walk out before the show ended. The agent claims he went backstage to stump one of his acts, Stump and Stumpy, included in the Par's show, and that Calloway began to abuse him and then swung at him, knocking off Nazario's glasses.

The Calloway version is told by Doug Whitney, of Mike Todd's staff at the N. Y. World Fair, who was backstage with Jeff Bernie, Ben's brother, to the orch leader. Whitney says that Nazario came backstage and started shouting at Calloway for ruining the Stump and Stumpy performance. It seems that Calloway mopped his brow while the agent was wailing. Calloway, according to Whitney, at first thought that Nazario was kidding and replied that at the next show he would 'take his pants off.' At this point, Whitney relates, Nazario began to call Calloway some very nasty names and the bandleader reached out to take the agent's glasses off before socking him. Nazario's glasses fell down and shattered, but Bernie grabbed Calloway and pulled him away before any further damage could be done.

The next item on the agenda was Nazario's appearance Friday (16) in Magistrate's court to get a summons for Calloway. The adjournment was requested by Calloway, who stated that he winds up at the Par next Tuesday night (27) and would be free the following day for an extensive hearing, if necessary.

## HELEN HAYES OKAY, BUT NOT CBS SPOT

Proposition of Lipton Tea bank-rolling Helen Hayes in the Sunday 8-8:30 p.m. spot on CBS, opposite Edgar Bergen, is still up in the air. Lever Bros. has okayed Miss Hayes for the series, but it hasn't approved the period suggested for the program by Young & Rubicam, agency on the tea account.

'One Man's Family,' which follows Bergen, also peddles tea (Chase & Sanborn).

## Gert Lawrence Show For British Funds

Vancouver, B. C., Aug. 20. Gertrude Lawrence will appear here in 'Skylark,' her recent New York success, at the Lyric theatre Aug. 28 and 30, under the auspices of Hilker-Allen Enterprises, proceeds to be for the assistance of refugee children, the purchase of ambulances and the dispatch of food. She is expected to make an international broadcast from Vancouver.

## Junior Grows Up

Hollywood, Aug. 20. Jack L. Warner, Jr., supervises his first production, 'Ed Sullivan's Hollywood,' a short subject, rolling Sept. 9. He has been on the Burbank bureau production staff for six months. Director is Jean Negulesco.

## 'Actors Fund Benefit Handicap,' At Saratoga, Clocked by Joe Laurie, Jr.

### Santa in the Groove

Chicago, Aug. 20. Music Corp. of America orchestra leaders write, phone or call on the MCA office in Chicago immediately and ask for your Christmas presents. Stenog rummaging through her desk at the MCA office here last week discovered a flock of presents which had been sent to MCA to be forwarded to various band leaders.

They got lost in the shuffle of the MCA routine and would probably still be lost if the girl hadn't been looking for her compact.

## Norma Shearer, Raft Fly West on Same Day But Not on Same Plane

Norma Shearer and George Raft, Hollywood's current gift to the romantic rumor market, flew back to the Coast Thursday night (15) but on different planes. They tried hard to get on the same ship but solid bookings, regulating the priority rather than romance, were responsible.

Earlier in the week they had flown down from Saratoga together. Raft and his bodyguard, Mack 'Killer' Gray, had sought reservations several weeks ago for the Stratoliner, but Miss Shearer got her bid in too late and had to leave some three (Continued on page 48)

## HOPE, CROSBY TO STAR IN DE SYLVA'S PAR PIX

Hollywood, Aug. 20. Bob Hope and Bing Crosby respectively will head the casts for the two pictures, Buddy DeSylva is to produce for Paramount. Decision was reached before DeSylva headed back to New York to ready his stage production, 'Panama Hattie'. He is due to return to the studio Nov. 15 to start preparations for the Hope picture.

**Hope at Calif. Fair**  
Sacramento, Aug. 20. California State Fair is going in for name talent this year, with Bob Hope, Benny Baker and four name bands on the program, which runs from Aug. 30 through Sept. 9. Orchestras are those of Skinnay Ennis, Horace Heidt, Orrin Tucker and Kay Kyser.

Deal was made by the Music Corp. of America. Fair is departing from its 55-year-old custom of staging musical revues with unknowns.

## Swing May Spiel New War-Map Film Cartoon

Raymond Gram Swing may do the commentary in a new kind of war picture being milled on the Coast. Idea is for an animated cartoon map of Europe showing the war developments and boundary changes, plus an explanatory background. Would be filmed on the Coast, with Swing dubbing in his commentary 'the east. Deal is only in the vague conceptual stage at the moment. Tom Sticks representing Swing. Commentator, whose radio appearances are sponsored over WOR-Mutual by White Owl cigar, is turning down all lecture dates for the duration of the present at least. His contract with White Owl calls for a three weeks vacation after Christmas.

## Ken Murray's Musical Comedy on Conventions

Hollywood, Aug. 20. Ken Murray has set Ashmead Scott, stage and radi playwright, to pen the book for a musical comedy based on happenings at the recent political conventions. He is now dickering with Rodgers and Hart to do the score. Idea is to get the vehicle on Broadway some time this fall.

Saratoga, Aug. 20. On Sunday evening (18) Owner 'Uncle Dan' Frohman ran his Actors' Fund Handicap at the Convention Hall track, at Saratoga Springs. Many of the entries were shipped from N. Y. by special train and although there were a few scratches, there were enough added starters from the local Night Club Stables to make it a great card.

It was too bad that Uncle Dan caught the boys at the end of a 'sustaining' season. Some of the boys were even trying to figure a way of putting an outboard motor on the porch chairs of the Grand Union hotel to get them home. Hence there was as much activity in the boxoffice as in a bear's hollow tree home in the winter time. But the actors put up a grand race to a photo finish for home.

Weather was fair; going slippery. Uncle Dan sat in the first row of the Convention Hall club house. Trainers Keane Waters and George Brinlet were in the paddock giving instructions to the boys. The grand master of master of ceremonies George Jessel, with Lyle Talbot, acted as tipster and didn't give one loser during the night, while Hollywood producer, Harry Joe Brown, (Continued on page 12)

## WELLES EYES FARCE AS NEXT RKO CHORE

Hollywood, Aug. 20. Orson Welles, currently filming 'Citizen Kane', serious drama, is thinking seriously of switching over to the other extreme—farce comedy—as his second for RKO. He has optioned and is now eyeing Guy 'Trosper's original', 'Joker's Wild', a logical vehicle for the shift.

Should the deal go through, Welles will confine his efforts to producing and directing, leaving the starring spot to someone else. He handles all three jobs in 'Kane'.

## SAILINGS

Aug. 29 (San Pedro to Honolulu), Helen Edwards (Lutline).  
Aug. 15 (San Pedro to New York), Raymond Griffith (Washington).  
Aug. 14 (New York to Vera Cruz), Mr. and Mrs. Robert J. Landry (Monterey).

## L.A. to N.Y.

Charles Brown.  
Harold Fellows.  
Johnny Gibson.  
Harold Green.  
Hal Horne.  
A. E. Joscelyn.  
Edwin Lester.  
Frank Lloyd.  
Howard Meighan.  
L. C. Merrick.  
Ray Milland.  
Wayne Miller.  
Lee Mortimer.  
Frank E. Mullen.  
Louis Pollock.  
Al Ritz.  
Jerry Schwartz.  
Jack Skirball.  
Lynn Starling.  
Bianca Stroock.  
James Stroock.

## N.Y. to L.A.

Neil F. Agnew.  
Irving Berlin.  
Ben Berni.  
Edna Best.  
Madeleine Carroll.  
J. Cheever Cowdin.  
Leif Erikson.  
Irene Hasty.  
Henry Hull.  
Jose Iturbi.  
Henry Jaffe.  
Mr. and Mrs. George Jesse.  
Allan Jones.  
Gilbert Miller.  
Frank Orsatti.  
George Raft.  
Joseph M. Schenck.  
Norma Shearer.  
A. C. and Maria Szekler.  
Lawrence Tibbett.  
Vernon Walker.  
Nat Wolf.

## ARRIVALS

S. Hurok and Ballet Russe de Monte Carlo company, Mrs. Marie Pons, Mr. and Mrs. Rene Clair, Jose A. Borges, Millard F. Calhoun, William W. Copeland, Dave Charnay, Ed Fisch.



# FILMS FIGHT 'RED' CHARGES

## 'Communists' in Hollywood

Wire story from Hollywood during the past week that the names of a score or more of film personalities had been furnished 'secretly' to the Los Angeles grand jury as contributors to, students of, or fellow travelers in the Communist political party, provided page one copy for most of the nation's newspapers. The yarn was a natural, containing some topflight names, mixed with a Hollywood tie-in of fifth column activities. It was a chance to kick around some of the folks right here at home, and the dailies didn't pass up the opportunity.

Of course, the followup accounts fell pretty flat. Within 24 hours all the individuals named entered their denials of the charges. They were shown to be victims of untrue accusation and the news story, promising in its prospects of besmirching an industry and profession which can point with real pride to its patriotic record, was buried away on the inside columns, next to laxative advertisements and Business Opportunities.

The cold, truthful and unglamorous fact is that the 'list' was supplied, without any semblance of supporting testimony or corroboration, by a certain John R. Leech, an ex-Communist functionary. The N. Y. Times (15) handled Leech's credibility in an editorial comment, follows:

Mr. Leech is the same Mr. Leech who testified in the Bridges deportation case and whose testimony was discredited in strong terms in the report turned in by the special trial examiner, Dean James M. Landis of the Harvard Law School.

There were interesting sidelights to the 'red expose'. Representative Martin Dies, chairman of the house committee on un-American activities, was in Los Angeles delving into alleged subversive activities in manufacturing industries when the story accusing certain film players, writers and technicians was published. Some three months ago Dies had charged that Communism was thriving in Hollywood, although he withheld any names. Taking advantage of his official position he immediately offered an opportunity for any of the accused film people to appear before his group. Those who did so had the benefit of an immediate hearing and their denials were widely published. Dies' gratifying bit of help to the individuals, and to the industry generally, was acknowledged by Y. Frank Freeman, president of the producers' association.

On the other hand, testimony before grand juries is confidential, and Burton Fitts, district attorney of Los Angeles County, is criticized for the publicity given to the Leech charges. In past elections Fitts has had heavy backing from the film colony.

American public is not in the mood currently to countenance any implication that its screen favorites hold any political beliefs that are contrary to sound, patriotic principles.

Fortunately, for all concerned, the current charges have been dispelled and reprisals checked.

## Film Lots Rush War Aviation Cycle; Uncle Sam Sees Benefits, Gives Aid

Hollywood, Aug. 20.

With the air momentarily filled with war planes and war talk, Hollywood studio chiefs are suddenly showing a renewed interest in aviation stories, and, thus, another film cycle is born. Practically every lot, major and indie alike, will contribute at least one, each, in a more or less guarded way, aimed to help Uncle Sam get over the idea that this country must have a sky armada second to none.

Metro starts the ball rolling with 'Flight Command', starring Robert Taylor; Paramount falls in line with 'I Wanted Wings', with William Holden toplined; and Warners is scrambling toward the tape with '50,000 Flyers', which will have Ronald Reagan, Dennis Morgan, Brenda Marshall and Wayne Morris (Continued on page 22)

## HEPBURN BACK INTO LEGIT FOLLOWING PIC

Hollywood, Aug. 20.

Katherine Hepburn, it was revealed today, will return to the stage for a 12-week road tour. 'The Philadelphia Story' immediately after preview of Metro's screen version of the play.

Miss Hepburn also plans to do another Broadway show, now in preparation, before making more films.

## Abbott, Costello Set For Start of U Film

Hollywood, Aug. 20.

Abbott and Costello tomorrow (Wednesday) stage their first Ipana broadcast from this coast. (NBC), then settle down to preparations for the start of Universal's 'Riviera', which gets the signal about Friday. Comics pulled in last Thursday (15) from New York, followed by Ipana's Benay Venuta, who arrived three days later.

Comedy duo will remain here for six weeks, possibly longer.

## ASK CONVICTION OR CLEAR BILL

Producers, SAG Join in Pledge to Purge Industry Of Any Proved Guilty of Communist Party Ties — Congressional Prober Asked to Hear Those Accused in Fitts Quiz, Then Render Verdict

## FREEMAN TAKES HAND

Hollywood, Aug. 20.

Turning from the L. A. Grand Jury, where many film industry tops heard themselves branded as Communist party sympathizers or contributors, actors and executives have moved in on the Dies Committee with a demand that those named by John L. Leech, ex-Communist organizer, be given a clean bill of health or be adjudged guilty. Y. Frank Freeman, prexy of the Producers' Association; Kenneth Thomson, executive secretary of the Screen Actors Guild and Laurence W. Beilenson, legal counsel, spent (Continued on page 22)

## Mae Murray Gives Up Custody Fight for Son, 13; Mdivani Settles

Albany, Aug. 20.

In lieu of a monetary arrangement with Prince David Mdivani, her divorced husband and father of Koran Mdivani, 13-year-old son of Mae Murray, the blonde star of the old silent films, has given up her fight for the custody of the boy. All arrangements for the mother's allowance and home for the boy were made in the past few days, just prior to a scheduled resumption of habeas corpus proceedings before Supreme Court Justice Francis E. Bergan in Albany, Aug. 16.

Her attorney, Edward S. Rooney, made application to Justice Bergan to withdraw the custody proceedings. In the terms of the settlement, the boy will remain with the Cunningham family at Averill Park, it was understood. He has been in the care of Dr. Daniel Cunningham of N. Y. City, and his brothers John and Cortland, and sister, Bessie, since undergoing a mastoid operation a few years ago.

Miss Murray began her court fight for custody of the boy a year ago in a suit against Prince Mdivani for \$60,000 for her support. After Justice Bergan ruled against her, until such a time as she could show she would provide a suitable home for the boy, the California courts granted her \$400 a month for care of herself and son.

On this ground, the actress renewed her petition before Justice Bergan, retaining Rooney as attorney. At a recent hearing, it was shown she was receiving the \$400 monthly allowance and had rented a home at Encino, Cal.

Adjournment was taken Friday (18). In the interim, representatives of Mdivani asked Miss Murray to return to California to negotiate a settlement, it was reported.

## TURPIN'S ESTATE OF 100-200G TO WIDOW

Los Angeles, Aug. 20.

Estate of Ben Turpin, who died July 1, goes to his widow, Babette Turpin, under terms of his will, which was admitted to probate in Superior court. Veteran film comic named only one other beneficiary, Mrs. E. E. Knies, a sister, who receives a 'satisfaction' gift of \$5. Turpin is believed to have left between \$100,000 and \$200,000, most of which was in business property and securities.

## Fund for Refugee Writers In U. S. Opposed on Ground It May Create Cheap Writing Labor Market for Pix

### It Had To Happen

Lynchburg, Va., Aug. 20. Highway Commissioner Henry G. Shirley's new office building has been completed. Richmond.

Wits lost no time christening it 'Shirley Temple.'

Plan has been suggested to studios that they form a pool to subsidize with weekly salaries, the many almost destitute foreign writers who are now refugees in this country. All companies are interested in the idea, but are hesitating to go forward with it because of opposition from American writers who fear that it will throw some of their number out of work.

As far as can be learned, the protests against the scheme have not arisen from such authorized sources as the Screenwriters Guild, the Dramatists Guild, or the Authors League, but from individuals. Nevertheless, it has been strong enough to make studios hesitant for fear of being called un-American, or being accused of employing cheap labor to undermine pay of SWG members.

Plan, worked out, would not only support those refugee writers already here enough to relieve them of most economic worries and allow them free minds to return to writing, but contemplates bringing additional (Continued on page 48)

## CBS 'Forecast' Shift Aimed To Tap Pix Talent

Hollywood, Aug. 20.

Reason for shifting of the final program in Columbia Broadcasting's 'Forecast' series from New York to this Coast Sept. 2 is to tap the picture talent supply.

Word has gone out to the player agents that CBS has removed the strings from its bankroll for the full-hour dramatized extravaganza, which will take the form of a rally championing Americanism.

Charles Vanda will produce, with Brewster Morgan, who planned here from the east, directing.

## SPA CAN'T RECOVER FROM GAMBLING NIX

Saratoga, Aug. 20.

Although due to hit its peak this and next weekend, nothing can offset the buff given Saratoga and adjacent communities by the gambling clampdown in this, the first year of New York's pari-mutuel betting system.

Towns near the spa aver that 'when the bookmakers came they brought with them the spenders,' and that now—between the betting machines and the strict tabu on the casinos—they might just as well pull in the sidewalk. 'It used to be champagne; now it's a two-bit trade,' according to the cafes and eateries hereabouts.

## Burns, Allen Trek East For Three Broadcasts

Hollywood, Aug. 20.

Burns and Allen head east later this month with their Hornel show for three broadcasts.

Comics will take along the entire troupe, doing the Sept. 23 and 30 programs from New York and the Oct. 7 alter from Minneapolis.

## Benny's Writing Team Authors a Stage Play

Hollywood, Aug. 20.

Bill Morrow and Ed Beloin, Jack Benny's radio writers, wind up their scripping chore on Paramount's 'Love Thy Neighbor' Saturday (24).

They sail a few days later for Honolulu, where they will spend a month polishing a stage play which they've been co-authoring.

## Howard Leaves Par

Hollywood, Aug. 20.

John Howard yesterday (Monday) was permitted by Paramount to terminate his contract following several months of bickering with the studio.

Player has been with Par for six years, but recently has worked mostly on loanouts.

## Gable Protest Wins; 'Witch' Subs 'Osborne' As Star's Next Film

Hollywood, Aug. 20.

Metro's plans to shove 'Osborne of Sing Sing' to the camera line as Clark Gable's next starrer are understood to have received a setback, with 'Witch of the Wilderness' being substituted as a vehicle for the lot's No. 1 male star. Gable himself is reported to be responsible for the sudden switch, having voiced objections to playing the Osborne character.

King Vidor, who was to have piloted 'Osborne', also shifts to 'Wilderness'. Edwin Justus Mayer is giving the script a final polishing. Irving Asher produces.

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## Longest Pix Bankruptcy Ends; RKO \$2,025,214 Claims Settled for 638¢

Federal Judge William Bondy in New York on Friday (16) closed out the seven-year RKO bankruptcy by allowing attorneys and helpers in the reorganization a total of \$638,073 of the \$2,025,214 claims filed for fees. The Atlas Corp., proponent of the plan of reorganization, which had requested the most, was paid almost all in stock, receiving 120,000 shares of the common valued at \$3 a share.

Allowances are as follows: Atlas, besides the 120,000 shares of stock, received \$10,000 cash to pay Simpson, Thacher & Bartlett, its attorneys, and further disbursements of \$20,516. The judge remarked I am of the opinion that the payments made to Rathvon & Co., W. J. Merrill and Leo Spitz, for which Atlas requests compensation, not reimbursable as costs, expenses within the meaning of the plan of reorganization, or the Bankruptcy Act, but that such expenses are properly to be considered, determining the value of Atlas' services. Atlas had asked disbursements of \$875,037 in cash, besides 100,000 shares of stock. Included in this request for cash had been \$300,000 to Simpson, Thacher & Bartlett.

Lehman Bros., participant with Atlas in the reorganization, had asked \$76,772 for payments to Leo Spitz made during the reorganization period but this was disallowed.

The other fees are: Irving Trust Co., as receiver in equity and trustee of RKO, \$80,000. Irving Trust had asked \$95,000. William J. Donovan, attorney for Irving Trust, received \$87,500 plus \$42.89 disbursements out of \$100,000 requested. Donovan also received \$65,000 plus \$3,637 expenses out of \$85,000 asked for his services to RKO in defending the Government anti-trust suit against it.

### Claims

Neil P. Cullom, attorney for the U. S. National Bank of Denver, an unsecured creditor, received \$500 of the \$1,500 asked. The Chemical Bank & Trust Co., as trustee under a secured 6% Gold Note indenture, received \$20,000 plus \$967 disbursements as against \$38,125 asked. Wright, Gordon, Zachry & Parlin, attorneys for Chemical Bank, asked for \$25,000 and received \$10,000. Central Hanover Bank & Trust Co., as successor trustee under a 10-year 6% Gold Debenture Indenture, received \$100,000 plus \$141 disbursements out of \$162,250 asked. Larkin, Rathbone & Perry, attorneys for Central Hanover, received \$7,500 of \$12,500 asked. City Bank & Farmers Trust Co., as trustee under Extended 6% gold notes of RKO, received \$1,900, which is what was asked. Delafeld, Marsh, Porter & Hope, attorneys for City Bank, asked for \$1,900 and got \$1,200.

J. W. Seligman & Co., depositors under agreement with RKO, received \$7,500 out of \$8,750 sought. The Stockholders Protective Committee, which sought \$36,500, only got \$4,750, but received \$49,825 in expenses out of \$50,687 sought. Sullivan & Cromwell, attorneys for the Stockholders Protective Committee, received \$5,000, had sought \$20,000.

The Independent Protective Committee of Common Stockholders asked \$9,000 and received \$2,250 plus \$1,725 expenses. George L. Schein, attorney for the committee, asked for \$100,000 but received \$8,000 plus \$1,225 expenses.

Abel Goldheimer and Bernard Bercu, accountants for the Independent Protective Committee of Common Stockholders, received \$2,000 of \$30,000 asked. The Unsecured Creditors' committee seeking \$10,000 got \$1,000.

(Continued on page 12)

## ROACH TRIMS STAFF FOR PRODUCTION LULL

Hollywood, Aug. 20. Hal Roach, entering a production hiatus scheduled to continue until October, has trimmed his studio organization to a skeleton staff. Policy department, however, will be kept intact.

Roach has just sent 'Road Show' to the cutting rooms. Meanwhile director Roy Del Ruth has checked in to start preparations for filming 'Topper Returns', which will be the lot's initialer when activity is resumed.

'Road Show' contains 17,500 feet in rough form, with 8,000 feet to be eliminated in the editing process.

## Republic's 'Mr. D.A.'

Republic has purchased screen rights to 'Mr. District Attorney' Phillips Lord's cliffhanger which airs over the ABC-RKO network Wednesdays at 9:30 p.m. Studio will turn out a single feature based on the show.

Supposedly made up of authentic crime stories from the files of a D.A. and somewhat resembling 'Gang Busters', program is currently sponsored by Vitalis (Bristol-Myers).

## Pettijohn May Join Selznick Agcy., Reported

Reported C. C. Pettijohn may resign from the Motion Picture Producers & Distributors of America to join the Myron Selznick agency in Hollywood, with which, it is said, he recently opened talks in that direction. He is at present on the Coast.

Hays' office attorney and lobbyist, with the MPDPA since its inception, holds a six months' renewal under his contract, which will be up in November, it is said. He is reported receiving \$40,000 a year under it.

Originally from Indiana, Pettijohn was always very friendly with the Selznick family, including the late Lewis J. at about the time the MPDPA was founded. For many years, in addition to his other legal duties, Pettijohn supervised the activities of the old Film Board of Trade, remnants of which exist today, although vast powers under the old compulsory arbitration provisions of the Standard Exhibition contract were lost about 11 years back.

## MANNING U PRODUCER; BOOST DIVIDES TEAM

Hollywood, Aug. 20. Completion of Universal's 'Spring Parade' marked the windup of U's writer-director team of Bruce Manning and Henry Koster, with Manning moving into a producer berth. He is now searching for a yarn for his first picture, which he hopes to get before the cameras in November.

Manning has scripted all of Koster's American directorial efforts, including four Deanna Durbin starrers and Danielle Darrieux feature.

## Autry's First A Film Gets Signal Sept. 10

Hollywood, Aug. 20. Gene Autry's first high-budget picture at Republic, 'Melody Ranch', docketed at more than \$250,000 and aimed at the A houses, is set to start Sept. 10.

It will be producer Sol C. Siegel's first Autry chore in more than three years.

### Con. Film's 25c Divvy

Consolidated Film Industries has declared a 25c dividend on its preferred stock.

It is payable Oct. 1 to holders of record Sept. 13.

## Par's 'Virginia' Home

Hollywood, Aug. 20. Paramount's 'Virginia' troupe returned to the studio after month of shooting on location at Charlottesville, Va.

Filming was resumed with E. H. Griffith directing and Madeleine Carroll and Fred MacMurray in the top spots. Interior will require about four more weeks.

## Marshall Faces Knife; Roosevelt's 'Gold' Is Handed New Setback

Hollywood, Aug. 20. Prospects of James Roosevelt pushing off 'Pol of Gold', his first United Artists production, on Sept. 15, as planned, drew a setback when it was disclosed George Marshall, who will direct, is to undergo a major surgery. Marshall has been in Good Samaritan hospital for two weeks in preparation for the operation, which will be performed later this week.

Medicos said it would be at least three weeks more before he leaves the hospital. Meanwhile, Horace Heidt, who stars in the film, has arrived here to make ready for his camera stint.

### Huddle on Slot Films

Gordon Mills, Mills Novelty Co. exec, and James T. Mangano, outfit's ad chief, are here from Chicago for huddles with Roosevelt on future product for Mills coin-in-the-slot projectors. Roosevelt's Globe, which is making the Mills timefilms, will preview its first group of eight brevities for the trade on Sept. 16.

Mills expects to have its projectors rolling on line production by that time.

## SONOVISION SET UP FOR TALK-A-VISION

Albany, N. Y., Aug. 20.

Sonovision Corp. has been chartered to do business in motion picture machines, etc., in New York. Capital stock is 100 shares, no par value. Directors are Herman L. Mehr, William Feinstol and David Michaelson, all of New York City. Salvatore A. Corrao filing attorney.

Corrao said in Manhattan Monday (19) that Sonovision will be the distributing agency in New York for Talk-A-Vision, see-boxes being produced by John E. Otterson and Yermi Stern.

Directors named in the corporate papers, Corrao admitted, are merely straw men named for filing purposes. He said he was unable to divulge at this time who the actual principals are.

## Wood Pilots 'Devil,' Ross-Krasna's First

Hollywood, Aug. 20.

Sam Wood gets the pilot job on the Jean Arthur starrer, 'The Devil and Miss Jones', the first picture to be made by the new Frank Ross-Norman Krasna Productions, Inc. Miss Arthur has a double interest in the company as a stockholder and wife of Ross, former vice prez at the Hal Roach studio.

Filming starts in eight weeks, when the Rosses return from their vacation in the Puget Sound district. RKO will release 'Devil'.

Meantime Krasna has a separate deal with Universal to script the next 'Mildred' picture, which will be produced by Joe Pasternak. Contract calls for the delivery of the completed document in 12 weeks. Title still a deep secret because the screen rights to the original have not been completely cleared.

## Ultimately the War Will Make U.S. More Foreign Film-Minded—Rosener

### Schlom Goes to Vogue

Hollywood, Aug. 20. Herman Schlom, former Republic producer, has been signed by Vogue Productions as production manager. Outfit is making the 'Lil Abner' series for RKO release.

Earl Rittig, Hal Roach casting director, moves over to a similar spot with Vogue for the duration of Roach's shutdown. His first chore in new spot will be to cast 'Abner.'

## Wall Co.'s New Camera Promises Huge Pix Savings

Syracuse, Aug. 20.

Their silence broken through pre-market leaks in Hollywood, officials of the J. M. Wall Machine Co. Inc. of Syracuse, have revealed details of a new type film camera expected to save hundreds of thousands of dollars annually in the country's motion picture studios.

Result of a year's experimentation, the new type camera is the first developed which is so soundless in operation that it will no longer be necessary to keep it enclosed in glass. As a result, camera units are reduced in weight from the present 400- to 500-pound 'blimps' to approximately 90 pounds, including tripod and magazines.

According to David Walters, general manager of the company here, the lowest point recorded on sound meter tests of the operation of present cameras is 28 decibels. The new camera now being made available is so quiet that it often fails to register on the sound meter.

Because of the elimination of the sound-proofing now required, the new cameras can be set up quickly and many minutes saved daily. Statisticians figure that the saving on this alone will approach \$25,000 on any one picture filmed. It is claimed the new machine, known as the Cine-Simplex, will save a studio two hours a day in shooting time.

Walters also claims that the new camera will eliminate all distortion. This feature was tested. Special models used to film 'Brigham Young' and 'The Californian.'

At present the camera sells for around \$12,000, minus lenses. The company has gone into mass production, however, which is expected to reduce the cost considerably. In appearance, the new machine is similar to the familiar boxes of the silent days.

## U TOPPERS HUDDLE ON COAST, TALK BUDGETS

Hollywood, Aug. 20.

Topics ranging from the proposed consent decree to business in the Far East were discussed over the weekend at Universal, where home office and studio toppers held their first major huddles since last spring. Much time was devoted to budgets on forthcoming productions. Participating in the sessions were J. Cheever Cowdin, board chairman, who planned from New York; Nate Blumberg, prexy; W. A. Scully, general sales manager; Joe Seidelman, foreign distribution head; Cliff Work, studio general manager; and Al Daff, Far-East sales supervisor, who arrived from the Orient early in the week.

Visiting execs had screened for them an imposing backlog of completed pictures.

## LaCava Dickered As RKO 'Man' Director

Hollywood, Aug. 20.

Gregory LaCava is being negotiated by Gene Towne and Graham Baker, RKO producers, for the directorial spot on their 'How to Meet a Man.'

LaCava's more recent assignments on the RKO lot have been as a producer-director.

San Francisco, Aug. 20. War has dealt heavy blows to the foreign film field in the U. S., but it's far from folding yet and what has been lost now will be more than made up when sanity is restored, in opinion of Herbert Rosener, Coast's major exhibitor and distributor of art picture.

Supports first contention by pointing at clicko 'Baker's Wife' (French) is now doing. On second line of thought, Rosener admits that future may look black at moment, but contends that war news is educating a lot of folks to places and peoples they never heard of before. Figures some of this interest will stick, just as similar situation sent hosts of tourists Europeward after last Armistice. All of which will make fans more curious about or receptive to screen fare from the spot.

Operating theatres in Hollywood, San Francisco, Portland, Seattle, Salt Lake, Kansas City and Cleveland, nearest thing this country has ever had to a foreign-film chain, Rosener has learned a lot about the vagaries of public opinion.

When he first crashed the biz 10 years ago, German pix were top grossers in the field and everybody there was peddling a Prussian print of some kind. Then came Hitler and that ended that.

### Country By Country

Russia then became a profitable bet and paradoxically enough, the best supporters of the red flicks, on at any rate, were the White Russians. They were peddling a familiar country and hear their language even if they didn't agree with what it said to them. For a time, a nice chunk of coin was contributed by average Americans who weren't Communistically inclined, but just curious. All that ended when Russian troops crossed the Finnish border.

Italy loomed as a good source for a time, but again a move toward war cramped an angle. With regard to latter country, Rosener looks for day when Italy will do its bit for musical cinema, a la 'Life of Verdi.' Points out that nation has operatic and artistic background, plus natural scenery. In this line of film, it is ever possible to steer clear of propaganda. He feels there is a big field for more Italian films similar to 'Verdi.'

Regarding propagandistic trend, Rosener laughs at idea that foreign nations can ever make progress in this country via cinema. After screening thousands of flicks from every country, he has yet to find a single one which could picture anything anywhere near equal to the American way.

Although certain of good future for foreign films, Rosener believes exhibition thereof will never reach beyond intimate exhibition stage. Flicks require specialized handling and recipe for success calls for genuine personal interest in each individual can of film. You've got to like 'em well enough to stay with 'em even if it costs money.

Just the same, many a small house is overlooking a bet by not playing occasional arty pictures for special groups of matinees and the like. Rosener contends. Folks who are interested are so loyal that he has even had bookings in private homes, and for this reason has fostered Cinema Clubs wherever possible, helping to arrange showings at nominal rentals, figuring cooperation as an investment toward building wider audiences. Size of town has little to do with result.

French pictures have made greatest strides during recent years but at the moment the individual flick is more important than the nationality, in that a good Czech picture would be as acceptable as a good French film.

## Griffith East With Bids from 2 Majors

Hollywood, Aug. 20.

Raymond Griffith, former 20th-Fox associate producer, now on route to New York via the canal, expects to announce a new major studio connection shortly after arrival in the east. Griffith, who has bids from two companies for full producer spots, will decide between them following Manhattan confabs.

He will close deals for two pictures he has had under consideration for several weeks.

## Other News Pertaining to Pictures

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# PIX PLOT MARKET SLUMPS

## THAT 'CONSENT' MESS

With almost daily shifts of position by various film companies and the Government attorneys on points at issue in the framing of a consent decree which will terminate the anti-trust suit against eight major producing and distributing firms, it has seemed unwise, and perhaps unfair to the negotiators, to comment on the proceedings. The week's developments, however, produce a virtual impasse in the negotiations, and settlement of the suit by agreement is being viewed throughout the trade as extremely remote, or, at best, unsatisfactory.

Earlier in the negotiations, which now have extended over more than two months since the trial was abruptly suspended in its early stages on representation to the court that the parties believed it possible to agree to a consent decree, three of the defendant companies withdrew from the conferences and declared themselves unwilling to subscribe to any restraining court order. These three—Columbia, Universal and United Artists—took the position that, because they are not interested in ownership or operation of theatre properties, the Government's complaint does not rightfully include their activities. For more than two months the remaining five theatre-owning companies—Paramount, Loew's, RKO, Warner Bros. and 20th-Fox—have continued the discussion with attorneys of the Department of Justice.

It now appears that 20th-Fox and Paramount are not reconciled to specific proposed clauses in the decree. "The former has notified the Government that it cannot sign the decree in its present form without an avenue of escape, if the provisions, after a reasonable trial period, result in undue hardship. The Government is adamant to this proposal. From the beginning of the conversations, Paramount has been hesitant about accepting all the terms of the settlement.

There is the possibility, therefore, that the three remaining 'affiliated' companies may sign a decree, and the others will face the charges in a trial action.

Whatever the next developments, it is evident that the present confusion and complication are the result of an ambitious but misdirected effort on the part of both sides to reconstruct the business methods of the film industry through the hard and fast rules of a Federal court order.

In attempting so to do, some radical and revolutionary innovations are being suggested. Some of these are wholly restrictive and injunctive in character and untried in practice. The ukase against blockbooking and blind selling of feature films by substituting a five-picture package plan is a hazardous experiment, offering questionable merit. Blockbooking is a menace to the creative factors; but the proposal is a makeshift and its adoption is not likely to stimulate the making of better pictures, or insure better showmanship in their presentation.

Another criticism is that a consent decree in an anti-trust suit is being used as a hook on which to hang a whole program of trade practices, including the machinery for arbitration of buyer-seller disputes arising between individual theatres and film exchanges, inevitably affecting the interests of other theatres and exchanges not directly concerned with the original controversy.

In short, in their efforts to stamp out monopoly in the film industry, the Government attorneys are seeking a legal panacea which in one gulp will settle all the ills of all the ramifications of the business.

However worthy the objective, experience is showing that the means of achieving it through a consent decree are almost impossible.

Settlement of the anti-trust action without a long, drawn-out and costly trial is much desired by all factions in the film industry. The suit has been dangling since June, 1938. The issues have passed the academic stage of legal discussion and debate, and have reached the point where the future of the industry, and all its component parts, is being jeopardized by indecision, delays and discord.

Instead of creating a new and better order of business procedure, mutually beneficial to production, distribution and exhibition, the course of events is leading to a chaotic period in industry affairs. Unless the trend is checked quickly, and with complete grasp of the situation, the mechanics of the entire industry are likely to be tossed so far out of gear as to bring about radical alterations of the structure.

### 'Lone Wolf' Hits Snag

Hollywood, Aug. 20. Scripting difficulties forced setting back the start on Columbia's 'Alias the Lone Wolf,' due to roll yesterday (Mon.).

Warren William has the title role, Sidney Salkow directing.

### Orsatti Back West

Frank Orsatti, talent agent and partner of Sam Sax in Phonovision, jukebox picture outfit, left New York for the Coast Friday (16) to line up names for films for the machines. "Production is expected to start in two weeks, probably at Eastern Service Studios, Astoria, L. I. Orsatti is expected back in three to four weeks.

## PRICES FALL OFF, DEMAND IS LIGHT

Original Yarn That Formerly Brought \$10,000 Is Rated at \$1,000 Now—Studio Backlogs Held Down As Story Editors Scan Changing Trends—Buy Little Beyond Immediate Needs

### OUTLOOK GLOOMY

Hollywood, Aug. 20. Film story buying, like maintenance of a dole beneficiary's larder, has become a hand-to-mouth game. Era, when execs of any major lot lived in fear of a script famine unless there were 5,000 or more un-filmed yarns in the files has passed into the limbo along with other traditions of the golden period that was, and now acquisition of even a \$500 manuscript practically calls for a meeting of the board of directors to say nothing of favorable nods from a couple bank presidents.

Things just aren't what they used to be for those members of the cinema-scribbling fraternity who live on the spasmodic output of rented typewriters. In fact, conditions have not been the same for some time, and each passing day seems to cause the film biggies to take added hitches in completing pulse-strings.

The fellow who a few years ago dashed off a 1,000-word synopsis in the morning, slipped it to a producer-friend over the luncheon table and had a \$10,000 check delivered to his door before 5 p.m., now considers himself fortunate if he receives \$1,000 for a similar chore after a wait, following completion of his plot, of anywhere from 30 days to 12 months. Chances are, too, that in the interim he'll be summoned by the story department chief with a request that he give the piece a rewrite or two.

\$1,500 for 'Mr. Smith'

Low Foster, established scenarist, garnered a mere \$1,500 for the picture rights to his novel, 'Mr. Smith Goes to Washington,' and that only after Columbia had held the tome under option for almost a year. "Offer for another 'Gone With the Wind,' with a best seller record already behind it, for \$100, and they'd try to argue you down to \$97.50," is the way one old-timer, who has lived on both the 'fat and the lean sides of Hollywood, sums up the situation that currently exists.

Revamping of the costly-hit-or-miss story-purchasing system got underway when unions and guilds began making their mass assault on the celluloid barons, resulting in heavily-upped overhead charges. Then came the wars—smalltime and

(Continued on page 22)

## Upping Admissions Only for Truly Extra-Value Pix Favorably Viewed As Means to Win Back a Waning B.O.

### Melford's Par Unit

Hollywood, Aug. 20. Century pictures, which already has a two-picture releasing deal with Paramount, dickering for two more with the same outlet, all for 1940-41.

Producer Frank Melford, Century head, has set 'Trading Post,' based on Milton Krims' novel, to follow initialer, 'Silver Queen.' Latter rolls Oct. 10 with 'Post' following Nov. 10.

## PAR EXECS TO CONFAB IN CHI ON THEATRES

Another meeting of Paramount operations and associates in Chicago, to be attended also by home office theatre executives headed by Barney Balaban, scheduled for the end of this week to go over a varied number of matters, plans for the new season, etc. In addition to Balaban, h.o. theatre higher-ups going out will include Leonard Golden-son, Sam Dembo, Jr., and Leon Netter.

Balaban, Goldenson and Netter leave today—(Wed.) for Scranton, Pa., for stopover there to hold conferences with the Comerford people.

Now functioning on general theatre department matters in addition to operating the Paramount, N. Y., Bob Weitman yesterday (Tues.) huddled with the Adams Bros., of Newark, a Par partnership which also takes in Paterson. He will go into the situation today (Wed.) with the Fabi people concerning the three-way Par-Warner-Fabian pool in Brooklyn, and tomorrow (Thurs.) will tour Staten Island where Par is also interested with Fabian.

## SIDNEY ROLLS FIRST AS METRO PRODUCER

Hollywood, Aug. 20. Louis K. Sidney, former producer of Metro's Good News radio show, rolled his first picture, 'Hullabaloo,' yesterday (Mon.), on the Culver City lot. It deals with backstage stuff in the jr studios.

Frank Morgan heads the cast and Edwin L. Marin directs.

If a sufficient number of the bigger pictures, carefully chosen by the distributors, are turned out to warrant increased admission scales, when they are played, the industry has an excellent opportunity in this manner to offset the losses from abroad, meantime upping revenue in this country that the public will be willing to bear.

Film showmen are of the opinion that there is little danger of alienating the public when it is asked to pay more for pictures that are worth more than the general run. Cautious, however, is that the distributors will have to play fair and not ask the exhibitor to jump the admission if the picture is not able to sustain it, regardless of what it may have cost the producer to make.

An angle in connection with the picking of certain better-grade, or outstanding films for titling at the boxoffice is that, if the pictures are actually worth it and the public isn't kidded, those persons who now seldom go to film theatres might be encouraged to support the worthwhile attractions even if costing more to see. A large slice of the public is believed staying away from pictures because so many of them are bad rather than because of the price hung up at the b.o.

**Variable Scales**  
Distribution contention is that better pictures should cost the public more the same as with legit, sports events, etc., which vary in scale. A bad picture may not be worth the regular prices charged by a given theatre but others are worth more and there should be some flexibility in selling the picture to the public, based on its intrinsic value.

It is held likely that the average exhibitor will cooperate with the distributors in any general effort, such as now under experiment, to obtain higher returns on the outstanding films as they come along. While distributors are now seeking higher percentages and better terms on flat deals, the success of any movement to get larger receipts into the theatres when the films justify it would tend to relieve the trade of higher terms that are otherwise necessary under contracts.

In playing to the same number of persons at a higher admission the exhibitor is also offsetting from the steeper prices charged. The distributors are not increasing the percentages when the exhib agrees to up his b.o. scale.

**Metro's Findings**  
Metro, which got some accounts to up prices for 'New Moon' and is currently experimenting with 'Boom Town,' takes the position that increased returns should come not from higher percentages but from greater earning power of the pictures meriting the special treatment. William F. Rodgers, general sales manager of Metro, raises the point that the public has given approval to the special price policy for 'Boom Town,' based on nine test engagements in widely-separated parts of the country.

The fact that these engagements topped previous record gross attractions not only in money but in attendance is significant, Rodgers stated. In the nine test dates, 'Boom Town' on the first week totaled \$155,475 in gross. In the same theatres the grosses with \$104,931 for 'Test Pilot,' a very big b.o. picture; \$117,865 for 'San Francisco' and \$104,931 for 'Boys Town.'

Metro is submitting its business results to the exhibs in asking the latter to raise their prices proportionately. Company is asking a one-third tilt except where this increase brings the price above 75c. Metro's policy on increased admissions with 'Gone With the Wind' is not accepted as a reliable guide as to what the public will stand, because 'Gone' was a picture in 10,000. Nor was Warner's try with 'All This Heaven Too' at minimum mat (Continued on page 27)

## Indies' Comparison of New Film Prices Scored as a 'Conspiracy'

Minneapolis, Aug. 20. Some of the independent exhibitor leaders here are known to have voiced complaints with the Department of Justice relative to distributor trade practices, but now they're threatened with having the tables turned on them. Under fire of certain distributors is the present Allied plan to have exhibitor members report to its executive secretary the details of film deals which have been offered to them. After comparing and studying the various contract proposals, the executive secretary is supposed to advise the exhibitors whether they should buy at such terms.

Now a few of the exchange heads here, feeling that the action smacks of conspiracy in restraint of trade,

are taking the matter up with their home offices. They believe it's time for a 'showdown.' They say they want to know if the anti-trust and conspiracy laws work only one way and if only one film faction is not immune to prosecution under them.

On their part, however, Northwest Allied heads scoff at the intimation that their present buying plan can be construed as a violation of any part of the anti-trust law, by the wide stretch of the imagination. They declare that the 'exchance of information' is not only perfectly proper, but good business and essential as well for the exhibitor. Under present selling methods, it's declared, the exhibitor has no other way of knowing whether he's getting 'skinned' or not.

# SEE 20TH AND PAR JOCKEYING U. S. INTO ODD POSITION ON CONSENT

**U.S. Proposal to Drop Anti-Trust Suit Against Three of the 'Big Five' Leaves Gov't in Curious Spot—Many Facets**

Although it is claimed Paramount and 20th-Fox still have hopes of getting together with the U. S. on a compromise in spite of Washington's action last week in speedily turning down their counter-proposals on a consent decree—if both will not yield sufficiently by the end of this week—the decree may be revised so that it can go into effect for Loew's, RKO and Warner Bros. These companies several weeks ago agreed to the settlement plan as written, while 20th and Paramount, on their own as individual companies, but in accord generally, declined to submit to the consent decree unless counter-recommendations were agreeable to the Government.

This included unconditional escape clause after a nine months' trial of the consent decree, as well as objections to the clause pertaining to discrimination by a distributor and restrictions under arbitration. The Government took the position it could go no further but, in Par-20th quarters, it is believed there still exists a chance to avoid going to trial on the suit.

One slant taken is that Par and 20th had jockeyed the Government into an odd position, making it seem to legalistic opinion that although only two parties are necessary for conspiracy, it couldn't be seen how the Government could proceed against them while dropping the suit against WB, Loew's and RKO.

**How About UA, Col and U?**  
However, later developments would indicate that the U. S. is weighing the possibility of placing the consent decree into operation for Loew's, RKO and WB while proceeding with suit against Par and 20th. Question of proceeding against United Artists, Columbia and Universal is also under discussion. These are the non-theatre companies who have been outside of the consent decree negotiations carried on with the Big Five.

Government attorneys express the opinion that this week should determine whether the consent decree can be revised for the benefit of the three distributors desiring it or whether trial would have to proceed against them, too. The question of divorcement is the big issue since under prosecution of the suit, unless changed, the Government would seek to divest Par and 20th from their theatres while permitting competitor distributors to retain theirs.

Attorneys expressed the view that if Par and 20th had to give up their theatres under a victory for the Government on the suit, at the end of three-year consent period, others might be asked to do the same.

The decree, if entered into, would be for three years, starting with the 1941-42 season, it now develops. At the end of that period, the situation would be re-examined to decide whether the decree should be incorporated into law, renewed or dropped altogether.

**More 'Big Five' Confabs**  
In a further effort for accord among all of the Big Five, attorneys for Loew's, RKO, WB, Par and 20th, met yesterday morning (Tuesday) among themselves and later in the day were to meet with the Government men but didn't. They may huddle today (Wednesday) instead. These conferences will continue through most of this week in the hope of ironing out the situation.

Meantime, it is understood Metro, RKO and Warners, in accord on the settlement plan, going ahead with plans covering arbitration machinery. Understood that should the Government go to trial against Par and 20th, it will not use evidence gathered against the others.

**MPTOA Stance**  
The Motion Picture Theatre Owners of America, concerned largely with the protection of buying of pictures in blocks of five, sent out the following statement Monday (19):

"Ed Kuykendall, MPTOA President, is urging all exhibitors regardless of affiliation to register their protest as to the '5 picture limit' (Continued on page 27)

## Tuttle Turns Producer

Hollywood, Aug. 20. Director Frank Tuttle is going into film production on his own. His Frank Tuttle Productions is now negotiating a major release.

## DISNEY'S OWN DISTRIB FOR 'FANTASIA'

For the first time in his film career Walt Disney is going into the distribution field, with direct bookings through his own organization for the roadshow release of his musical concert feature, 'Fantasia.' Move is actuated by the extraordinary nature of the picture, which requires the setting up of special sound units, separate from the regular equipment, for every theatre where the film is to be shown.

To do full justice to the music of Leopold Stokowski's and the Philadelphia Symphony Orchestra, both RCA and Disney sound technicians are working on special equipment in the hope of completing 12 units in time for October release. Plan is to start roadshowing the picture in a dozen key cities and continue construction of sound units to take care of additional dates.

Another reason for Disney's entry into the distribution field is that 'Fantasia' is so different from other pictures that it will require a selling technique all its own. His other two full-length cartoons, 'Snow White' and the Seven Dwarfs' and 'Pinocchio,' were released through RKO.

'Fantasia,' nearing completion after about two years in production, will cost approximately \$2,500,000. To get this money back, it will be necessary to continue the roadshowing of the picture throughout what would ordinarily be its general release.

## Hays Back in H'wood

Hollywood, Aug. 20. Will H. Hays returned to the Coast yesterday (Monday) for an indefinite stay.

He came east about 10 days ago to address an O.O. McIntyre memorial meeting in Gallipoli, O., and continued on to New York.

## Final Meeting Tomorrow Will Wash Up Selznick-Int'l Pictures

Final meeting of the directors and stockholders of Selznick-International Pictures, Inc., will be held tomorrow (Thursday) at company's offices in Radio City, N. Y., unless an attack of influenza, which bedded David O. Selznick on Monday (19), necessitates a postponement.

Meeting is for the purpose of the officers and directors resigning and the appointment of a liquidating committee of three to run the business while assets remain outstanding and until they are distributed. Committee will consist of Selznick, John Hay (Jock) Whitney and L. F. Altstock.

Selznick is prez. of S-I. Whitney chairman of the board and Altstock personal adviser to Whitney. Without holding an official title Altstock has long been close to Whitney financial affairs, not only so far as the picture industry goes, but in all his activities.

Liquidating committee will serve for a period of two years, during which it is expected the major part of outstanding assets will be recovered and distributed. Virtually the only asset that will require administration during the two years is 'Gone with the Wind,' which, when it comes present distribution at upped admissions, will be re-released next year, probably at a reduced scale.

## WB RENEWS BRENDA; ATWILL OFF 20th LOT

Hollywood, Aug. 20. Payroll traffic of the week: Warner Bros. lifted its option on Brenda Marshall. Lionel Atwill has wound up his 20th-Fox contract and left lot. Frank Swan, stock player at 20th, has been dropped.

**Other Contracts**  
Rudolph Ising has been handed a new term continuing him a Metro cartoon producer. Republic has tied Rufe Davis for six more 'Three Mesquiteers' sagabushers under an option lift. Paramount renewed Leo Tover's cameraman ticket.

Edward Buchanan drew a player pact at Columbia. Paramount hoisted Rod Cameron's actor option.

John Sutton inked a player tract at 20th-Fox. Franz Waxman inked a composer-conductor deal at Metro.

Emmett Lynn, known in vaude as 'Pappy' Lynn, inked to term contract with options by RKO. He'll be assigned to the new Tim Holt series which replaces the George O'Brien westerns.

Henry O'Neill signed Metro term.

## 20th 'Zorro' Series Off; Rep Owns All but One

Hollywood, Aug. 20. Twentieth-Fox has called off its plan to shoot a series of 'Zorro' adventures to follow 'The Californian,' with Tyrone Power in the top role. Studio owns 'The Mark of Zorro,' on which 'The Californian' is based; but Republic has an exclusive right to the Zorro character, except for that one picture.

Three years ago Rep made a deal with Johnston McCully, author of the tales, for five-year rights to the sequels. Since then the Valley lot has made 'Zorro Rides Again' and 'Zorro's Fighting Legion' as cliffhangers. Twentieth obtained 'mark' from the late Douglas Fairbanks.

## Long-Dragging Suit

James Young's \$2,000,000 suit against RKO Corp., RKO Pathe Pictures, Inc. and Adela Rogers St. John, which has been pending in N. Y. supreme court since Nov. 16, 1938, came up again Monday (19), when the plaintiff sought court's permission to examine Herman Zobel, treasurer of RKO Pathe before trial. The action has been discontinued against RKO Corp., and Miss St. John was never served. Suit claims 'the plagiarism of Young's story, 'What Price Sex' in Hollywood,' the RKO film, 'What Price Hollywood.'

## Big N.Y. and Hollywood Junket to 'Brigham' Preem

Returning from the Thousand Islands on the weekend, Mr. and Mrs. Sidney R. Kent left yesterday afternoon (Tuesday) by train for Salt Lake City to attend the preem of 'Brigham Young' there Friday night (23). Herman Wobber and J. Walter Hutchinson, other 20th-Fox h.o. execs, fly out tomorrow (Thursday).

Coast contingent, planning to Salt Lake Friday morning (23) include Darryl F. Zanuck, William F. Goetz, Jason Joy, Louis Bromfield, Tyrone Power, Annabella, Linda Darnell, Mary Astor, Dean Jagger, James Withers, Brenda Joyce, Cesar Romero, Nancy Kelly, Jean Rogers and Ken Murray.

## F-WC'S TERM PIX DEAL, OTHER CONTRACTS

Los Angeles, Aug. 20. Three-year product deal has been signed by Fox-Warner-Columbia with Metro, effective with the 1940-41 season. Circuit has also closed a two-year deal with Paramount, covering the entire circuit with the exception of first-run in Los Angeles, which continues to go to the Paramount theatre here.

Larry Kent, F-W-C film buyer, is now in New York discussing product for the new year, with indications it will be six weeks to two months before deals are entirely set.

F-W-C sewed up with 20th-Fox for its entire output in this territory, and setting of deals is a formality. Detail for the various theatres comprising the circuit remain to be worked out, however.

Two-year product pact with Universal expires with the close of the current season, and new deals will also have to be engineered for RKO, Columbia, Republic and Monogram product. Indications are that Warners will continue to sell away from F-W-C, but so far as the Southern California area is concerned, only probable first-run customer outside the circuit will be Mrs. Jenie Dodge at Ventura.

Warners consummated several deals away from the circuit in Northern California and the Pacific Northwest for the 1939-40 season, after circuit and Grad Sears. Warners sales chief, were unable to come to terms, and indications are these same accounts will have first call for the new product.

Major distributors report varying headway by 1940-41 deals in this territory, with comparatively few contracts so far signed. Indies, for the most part, holding back until season gets under way Sept. 1, and circuit deals are hanging fire only to permit individual house deals to be threshed out.

## RKO Sells Widely

Andy Smith, RKO sales manager and C. E. Smith, western-southern division head, left Monday night (19) for Chicago on sales matters and film deal negotiations. They will huddle with Walter Branson, midwest district manager and Jack Osserman, Chicago branch head, as well as circuit buyers in that territory.

Other deals sewed up by RKO include the Sparks circuit in Florida; the Manos chain of 14 houses western Pennsylvania and the Notopoulos circuit, also in Pennsylvania, numbering 13 theatres. Deal with Sparks calls for the RKO product in 101 houses. Ned Depinet and Bob Morrie, eastern division manager at the RKO, have negotiated the Sparks contract with E. J. Sparks, head of the circuit, and Frank Rogers.

Negotiations have been completed between RKO and the Butterfield circuit calling for the RKO product 100% during the 1940-41 season in the 51 situations in which Butterfield, a Paramount partnership operates. Smith, h.o. sales manager; Charlie Boasberg, central district mgr., and J. F. Sharkey, Detroit branch mgr., sat in with Ed Beatty on the buy.

Commonwealth chain in Iowa, Kansas, Missouri and Arkansas has signed up for RKO's 1940-41 product for 25 towns in which it operates. Contract negotiated by Branson, RKO district manager of Chicago, and T. R. Thompson, Kansas City branch head.

## Detroit Police Nix Further Film Censorial Power

Detroit, Aug. 20. Moves to increase the scope of police censorship of films were turned down here by the police themselves. In this town where the banning of 'Primrose Path' and 'Strange Cargo' by police last spring provoked a national uproar, a major move was made to have the same censorship body rule on all propaganda pictures. Chief sponsors of the move were the Mothers of the United States, who pointed out 'Blockade,' 'Beast of Berlin' and 'Nurse Edith Cavell' as propaganda films. Through their spokeswoman, Mrs. Beatrice Knowles, they petitioned the City Council to amend the Detroit motion-picture-censorship ordinance to enable the police censor to bar any films which are propaganda or are objectionable to him from any standpoint.

Their contentions were that propaganda films stirred up bitter feelings among the American people against the peoples of other nations and that they served as a means of leading us into war. However, the ordinance in its revised form would have been so sweeping as to let its operation be whimsical.

However, Frank D. Eaman, police commissioner, appeared before the Council to beef against extension of the police censorship powers.

The Michigan Supreme Court has ruled, he said, that the police may reject any film that is indecent or immoral in the ordinary sense of the words. That court also has authorized us to suppress any picture—involving social problems, politics, religion or any human activity.

The police department has a big enough job without being called upon to pass upon the propriety of so-called propaganda pictures. The department has neither personnel nor organization to do this and if it were attempted the censor would be involved in constant controversy.

He suggested that if the Council wanted to do anything about propaganda pictures that a proper board of review be set up outside the police department.

The Council, however, decided to let well enough alone and added no further police censorship powers.

## HENRY HULL JEETERS FOR 20TH'S 'TOBACCO'

Hollywood, Aug. 20. Henry Hull, the original Jeeter Lester in the stage production of 'Tobacco Road,' gets the same role in the screen version of the play, slated to start at 20th-Fox shortly after Jan. 1.

Nunnally Johnson, doing the screenplay and John Ford will direct.

## Raft Balks at WB 'Suez'; RKO Can't Have Morgan

Hollywood, Aug. 20. With George Raft understood to have balked at role in Warners 'South of France,' studio today cancelled loan of Dennis Morgan to RKO, where he was skedded to play opposite Ginger Rogers in 'Kitty Foyle.' Morgan is being held as a possible alternate in 'Suez' in case Raft doesn't change mind by next Monday, when picture is slated to roll.

Raft arrived from New York yesterday, but neither he nor his agent would discuss the situation.

## PLUG PUGH FOR PIX

Fals of Air's 'Scattergood' They Want Him on Screen

Hollywood, Aug. 20. Group of former Chicago radioists now here are campaigning to plant Jess Pugh, who does the title role in the 'Scattergood Baines' air show originating from the Windy City, in the same spot in the series of pictures which Pyramid is building around the character for RKO release.

Ex-Chicagoans who have worked with Pugh and who are leading the campaign, include Barbara Luddy, Harlow Wilcox, Truman Bradley, Chet Lauck, Bill Lawrence and Don and Jim Amecche.



# 'NO BALLYHOO' BEEF IN CHI

## Metro's Featurettes to Combat Duals May Cue Other Producers

Metro's idea of making two and three-reel featurettes of marquee value to cut into double feature dates is attracting the attention of other studios and may presage a whole new type of picture. Warner Bros. was also thinking of the scheme during the past winter as part of its shorts program for the new season, but has taken no definite steps. Metro's success with the one featurette it is now making will probably cue the activities of the other companies along this line.

The briefs, on which production started last week, is 'The Happiest Man in the World,' from a short story by Albert Maltz. It appeared in Story mag in 1938. Jack Chertok and Richard Goldstone are co-producing. Should the experiment prove profitable, Metro will use other short stories for similar pictures.

Short stories generally have insufficient number of incidents for full-length features and when bought for films are expanded by studio writers. Metro is using 'Happiest Man' pretty close to the way it was originally written. O. Henry vignettes, with their tricky endings, are being culled as a likely source for future featurettes.

**WB's Shorts Confab**  
In that 'we in the short subject field are literally fighting for our existence,' Warner Bros. is holding a preview of 1940-41 subjects in New York and all its branches tomorrow (Thurs.), with exhibitors invited to attend. A total of eight shorts have been selected for the special screenings, similar to some held in the past to get reaction from the trade.

Representatives of trade sheets will also view the subjects screened in New York.

## SCRIPTS WON'T JELL, SO 20TH SHELVES 2

Hollywood, Aug. 20.  
20th-Fox has shelved two vehicles planned for the 1940-41 selling season because scripting problems developed that even a whole staff of writers couldn't iron out. Yarns are 'Escapade' and 'The Governor's Story.'

Both were on the slate of associate producer Milton Sperling.

## H. M. RICHEY SWINGS FROM RKO TO METRO

H. M. Richey, veteran exhibitor leader and theatre operator, who has been in charge of special exhibitor relations for RKO for two years, has resigned to join Metro in a similar capacity Sept. 1. In his new post he will act as assistant to William F. Rodgers, general sales manager, in connection with exhibitors as well as trade relations.

On swinging to Metro, Richey will spend much of his time in the field contacting exhibitor customers of Metro with a view to maintaining close relations between the distributor and its accounts.

Before coming into the RKO hoo, Richey was head of the Motion Picture Theatre Owners of Michigan and long a leader in exhib politics.

## Jas. Roosevelt's Flu

Hollywood, Aug. 20.  
James Roosevelt suffered an attack of influenza yesterday (Monday) which the studio said will probably keep him from flying east for the preem of 'Pastor Hall' at the Aldine, Philly.

Roosevelt was due in New York Thursday and was to go there to a press party in Philadelphia.

## Goodwins on 'Malvina'

Hollywood, Aug. 20.  
Les Goodwins gets the director assignment on the RKO feature, 'Malvina Swings It.'

Howard Benedict produces.

## 'Serious' Note

Interesting figure compiled by Gallup and Roper surveys on March of Time's 'Ramparts We Watch' involves a query on whether or not audiences want serious pictures on important topical subjects, long a matter of debate in Hollywood.

Better than 65% of the public wants such films, both research outfits agreed.

## 'RAMPARTS' TO GET NEW ENDING

March of Time is putting a new ending in its initial feature, 'The Ramparts We Watch,' after the most scientific research job ever done on a film in pre-release. Picture has had 11 dates and after each one a complete survey was taken on the town played. Dr. George Gallup did some of the polls and Elmo Roper, public opinion researcher for Fortune mag, the others.

Revised finale comprises an entire new last reel on the seven-spool picture. Its effect will be to strengthen the point which producer Louis de Rochemont wants to get across, that censorship and preparedness in every way are necessary at once. It will not necessitate any retakes, merely re-editing. Film will be released in the revised form at once.

MOT chief revealed this week that the film has had three different endings used on it in various cities. New one will combi some points from the other three with much new material. Amusing point in connection with the varying fadeouts is that the blue-ribbon audience of newspaper and magazine writers and picture company officials who were guests at a Waldorf-Astoria, N. Y., preview a couple weeks ago thought there was something peculiar about the finish but were too reticent to remark about it very loudly. MOT was well aware of what was causing the head-scratching—it had put on two endings.

Gallup and Roper surveys sought to learn what percentage of the pop-

(Continued on page 12)

## U BOOSTS LOT LOAD WITH 4 MORE FILMS

Hollywood, Aug. 20.  
Four pictures take off this week in a heavy production schedule at Universal. It began yesterday (Mon.) with a Dead End Kid feature, 'Give Us Wings,' with Ken Goldsmith producing and Charles Lamont directing.

'Trail of Paradise,' a western serial, rolled today (Tues.), starring Johnny Mack Brown and featuring Fuzzy Knight and Nell O'Day. Other starters are 'Riviera,' a high-budget picture, and 'Flotsam,' a Dave Loew-Lewin production to be made on the U lot for United Artists release.

'Flying News,' a Richard Arlen-Andy Devine feature, goes before the cameras Monday (26).

## M-G Cartoonery's Facelift

Hollywood, Aug. 20.  
Face-lifting operations and the installation of new equipment have closed the MGM cartoon studio at Metro until Labor Day.

Meanwhile, Fred Quimby, shorts department chief, is vacationing.

## EXHIBS ALLEGE NO 'EXCITEMENT'

Distributors Put Onus on Theatre Men—Charge They've Lost the Knack—As Result, 'Going to the Movies' No Longer a Thrill

## PROS AND CONS

Chicago, Aug. 20.  
There's a fight going on in this part of the country, and, as usual, it's between the exhibitors and distributors. This one's on the subject 'how about some ballyhoo?' and the net result so far seems to be that the only thing getting any ballyhoo is ballyhoo.

Distributors claim exhibitors have lost the art, that they don't know the first thing about it, and, even if they did, they'd be too lazy to get up out of their chairs and do any. Exhibitors claim the opposite is true. They say that pictures have lost the most essential ingredient of all show business—excitement—but give 'em some excitement (something to ballyhoo) and they'd go to town.

With business bad as it is, there's no question about ballyhoo being needed. The question is whether it can or cannot be done. Distributors claim the exhibitors have lost their nerve. They say there isn't an exhibitor in the country with nerve enough to do anything more than add two inches to their regular newspaper ad when they have a highly touted picture. They say there isn't nerve enough in a whole community of exhibitors to hire a press agent who'll go in for stunts—one, for instance, who'll bet, personally, that such and such is the best picture ever filmed, and that if it isn't, if it gets one dissenting vote from an audience, he'll be willing to crawl on his hands and knees from the theatre to the water-works—after the picture's run.

## 'Lack of Initiative'

Distributors claim that the lack of initiative on the part of the exhibitor has made coming to the theatre about as exciting as going into a delicatessen and asking for a corned beef sandwich, and that when a branch of show business lacks excitement, it goes into a decline. But quick.

Exhibitors tell their side of the story with statements that ballyhoo just isn't possible until the distributors revise their methods of distribution. They blame much of the lack of ballyhoo on double features, claiming all they can do with 'em is to sit back, grind 'em out like hamburgers, and hope for the best.

About all that the claims and counterclaims have done thus far is to bring about a realization that

(Continued on page 27)

## Payne Wins His Feud, Gets Adviser's Chair On Mrs. Carter's Biog

Hollywood, Aug. 20.  
Feud between Warners and Louis Payne widower of Mrs. Leslie Carter, has been settled, with Payne, as the victor, moving in as technical adviser on the shooting of 'The Lady With Red Hair,' based on Mrs. Carter's biog.

Payne sold the studio rights to the yarn shortly after the death of his one-time Broadway star two years ago. Understanding was that he was to have a say in the scripting and also that he would sit in during shooting. Then Warners is reported to have backed out on that part of the pact, so Payne called in his legal adviser.

Miriam Hopkins plays the Carter role originally talked for Bette Davis. Bryan Foy produces with Edmund Grainger as his associate. Milton Krims is now giving the screen play a final polishing.

## 10% Tax-Absorbing Has Revised Prices Downward with Result Film Distributors Are Worried Over Rentals

## Pass the Blankets

Hollywood, Aug. 20.  
It may be August to you, but it's the middle of February to the boys and gals working for Frank Capra in his Warner picture, 'Meet John Doe.' Gary Cooper, Barbara Stanwyck and Edward Arnold are wearing itchy undies and heavy overcoats.

They are doing winter scenes inside the largest ice plant in town.

## EDW. ARNOLD NOMINATED AS S.A.G. PREZ

Hollywood, Aug. 20.  
Edward Arnold last night (Mon.) was nominated for prexy of the Screen Actors Guild. Other selections by the nominating committee included George Murphy, Paul Harvey, Walter Abel, vice-president; Lucille Gleason, recording secretary; Porter Hall, treasurer.

Candidates named for board of directors include Ralph Morgan, retiring prexy; Lucille Gleason, Russell Hicks, Boris Karloff, Claude King, Robert Strange, Roy Gordon, Tim Holt, Lou Jean, Heyd, Heather Angel, Lydia Westman.

Election probably will take place Sept. 15.

## REP. SHELVES 'LADY' SCRIPT, STARTS OVER

Hollywood, Aug. 20.  
Republic is making another stab at getting a picture out of the title, 'Lady From New Orleans,' which has been on and off the fire for the past two years. Latest move is to toss out the script and sign Guy Endore to do a new treatment.

Studio has had a dozen or more writers trying to whip story into shape, and at one time went so far as to seek Mae West for the title role.

Republic put its 'Frontier Vengeance' before the cameras yesterday (Mon.) with director Nate Watt and producer Eddy White substituting for producer-director George Sherman, who is ill.

Don Barry has the top role with Betty Moran opposite.

Republic is substituting 'Dr. Satan' for 'Superman' on its 1940-41 cliff-hanger sled. Reason behind the move is said to be Rep's inability to clear the rights to the 'Superman' from its newspaper strip owners at a price satisfactory to the valley studio.

'Superman' was to have been made in 15 installments. There is a possibility that a deal will be set later, in which case Rep will re-sket the vehicle for 1941-42.

## Capra Sets 'Quixote' For Start on Jan. 1

Hollywood, Aug. 20.  
Next picture by the Frank Capra-Robert Riskin combination, 'Don Quixote,' based on the Cervantes classic, is slated to start around Jan. 1.

Their current production, 'Meet John Doe,' for Warners, is expected to go into the editing stage about Sept. 1. No release has yet been set for 'Don,' but Warners is figured as the best guess.

Because a vast majority of their deals are on percentage, the distributors are becoming aroused over the fact that certain exhibitors have revised their prices downward following the imposition of a 10% tax starting at all admissions over 20c. The heat is being put on with a view to getting such theatres to go back to their old scales.

Pressure is principally directed against exhibitors who have juggled their admission scales so that the tax, in effect, is absorbed by the theatre rather than paid by the public. According to distributors, there has been no apparent trouble with the public where the 10% tax was simply added onto the regular scales.

In addition to the distributors who are working on the exhibs through the field sales forces, various exhib associations are urging their members not to disturb prices because of the tax that went into effect July 1. Due to the fact that under the emergency defense tax, admissions up to 20c are exempt and various theatres juggled prices downward to escape the levy, when the bill comes up for revision the first of the year efforts will be made to get a 10% tax on all tickets, including those selling at 10c. This figure is the minimum provided for in sales contracts, no exhib being able to buy film unless he sticks at this minimum.

**Sales Mgr's Attitude**  
A typical letter from the general sales manager of one of the majors, sent to all district heads, branch managers and salesmen, reads as follows:

'There has been considerable discussion in connection with admission prices as shown on contracts, now that the U. S. Defense Tax has gone into effect. While it is generally conceded that most exhibitors are maintaining their usual admission prices, adding the U. S. Defense Tax to their admission prices, there are exhibitors who have lowered their prices in order to absorb the tax for the customer. For example, if the usual admission price was 30c, many exhibitors have reduced their price

(Continued on page 27)

## MONO HEADQUARTERS MOVED TO THE COAST

Reportedly for purposes of economy mostly, Monogram voted at meeting of the board of directors Friday (16) to set up home offices on the Coast, leaving only the foreign sales department, which is small, and the New York exchange staff, in the east. Home office space occupied by the RKO building will be given up entirely.

W. Ray Johnston, president, who came east last week to attend the board meeting and lay plans for the transfer to the Coast, told the directors that larger space will be sought in Hollywood to handle production and house the administrative and sales staff. Move westward will be effected in about 90 days.

Those attending the board session were, in addition to Johnston, O. Henry Briggs, Trem Carr, Scott R. Dunlap, Thomas P. Loach, Steve Brody, John Mangham, J. A. Sisto and Col. T. C. Davis.

Date for the annual stockholders' meeting of the company was set at Oct. 2.

## 'Wanted' Gets Retakes

Hollywood, Aug. 20.  
Director Garson Kanin has recalled Carole Lombard, Charles Laughton and Frank Fay for retakes on RKO's 'They Knew What They Wanted.'

New footage, which gets under way tomorrow (Wed.), will require about two days.

## Fox-W. C.'s \$265,000 Facelifting; New Exchange Setup in N. B.; Lampe Upped By Schine; Other Briefs

Los Angeles, Aug. 20. Fox-West Coast launching \$265,000 rehabilitation program covering remodeling of 15 Southern California theatres. Heaviest outlay will be in San Diego, where \$100,000 will be expended for modernization of Balboa, \$45,000 on Century and \$12,000 on Orpheum. West Coast at Long Beach gets \$45,000 overhaul, while Inglewood and Academy theatres, in Inglewood, come in for \$13,500 outlay, including fluorescent aisle carpets for latter. California theatre, San Bernardino, set for \$12,000 in improvements, including new sound equipment.

Grauman's Chinese, Hollywood, awarded \$12,000 for new seats. Four Star and Uptown, L. A., also in for fixing up. Alexander, Glendale, draws \$33,000 for improvements.

Circuit shortly opens two new houses, State in San Diego, and San Carlos, at San Carlos, built at cost of \$335,000.

### Cols Own St. John Branch

St. John, N. B., Aug. 20. A change in the film distributive map for the eastern provinces and Newfoundland is involved in the decision of Columbia to establish its own exchange here. Maritime Films, distributor for Columbia for some years, has done a complete fadeout after losing the basic client, Joseph Lieberman and Mitchell Bernstein, who had been partners in Maritime, have closed this exchange, and Lieberman has been appointed manager of the new Columbia distributing entity. The staff of the Maritime Films has been taken on by Columbia. Bernstein will direct the expanding chain of film theatres assembled by Lieberman and himself during the past seven years, all having been taken over from operators. There are seven houses in the Lieberman & Bernstein circuit, five of these being on the upper St. John River, on both sides of the U. S.-Canada boundary. The N. B. exchange, owned by Lieberman, is presently owned by Perth-Andrew, Edmundston, N. B., Madawaska and Van Buren, Me. The others are at Chatham, N. B., and Antigonish, N. S. The operating base will continue in St. John.

The N. B. exchange here now not being operated by producers is that of Regal Films, distributing in this territory for about 20 years and is affiliated with Famous Players-Canadian, occupying the same building with Paramount, also controlled by F.P.C. Besides the three named, Universal, United Artists, 20th-Fox, Warner Bros. and RKO have their own exchanges in St. John.

### Andy Phillips Out

Disturbed at the continued losses at the local Capitol, one of the largest theatres in the maritime provinces (seating 1,700), Famous Players lopped a human theatre landmark from the payroll. He is Andy Phillips, treasurer of the Capitol since it was established about 20 years ago as the Imperial, and a total of 35 years with that house and predecessor, the Nickel, in the Keith-Albee chain. The F.P. added the Capitol to its chain about 10 years ago but the house is still owned by RKO. A rigid adherent to class consciousness policy in handling customers, and with appeal directed at the aesthetic and upper-stratum, the Capitol has been a financial loser over a long period.

### Lampe's Zone

Syracuse, Aug. 20. Promotion of Gus Lampe for nine years manager of the RKO-Schine, Syracuse, to the post of zone manager in the Schine organization, embracing territory including western and eastern New York, Ohio, Pennsylvania's votes in the electoral college next December if Wendell L. Willkie wins the November election. Harris is a nephew of Allegheny County Republican Chairman Frank W. Harris, one of the original Willkie men in this state.

Two WB theatres in this district undergoing complete remodeling jobs and will be ready around first of month, according to zone manager Harry Kalmine. They're the

### G.O.P.'er J. H. Harris

Pittsburgh, Aug. 20. John H. Harris, head of theatre circuit bearing family name and national president of Variety Clubs, has been named a G.O.P. presidential elector, who with 35 others will cast Pennsylvania's votes in the electoral college next December if Wendell L. Willkie wins the November election. Harris is a nephew of Allegheny County Republican Chairman Frank W. Harris, one of the original Willkie men in this state.

Two WB theatres in this district undergoing complete remodeling jobs and will be ready around first of month, according to zone manager Harry Kalmine. They're the

Plaza-Bloomfield and the Strand in Ridgeway, Pa. Another spot getting a face-lifting is Crescent in nearby Mahoningtown, Pa. It's owned by Louis Perretta and job will be completed in three weeks.

Matthew Paskey, former chief of service at Stanley, upped to assistant manager of WB's Plaza-Bloomfield and Albert Cooper, ex-usher, named chief of service at Loew's Penn.

Ed Leiby and Bob Lynch, film men for years, honored at Conneaut Lake, Pa., yesterday (20) by more than 100 exhibitors, distributors and friends at one-day outing tossed by Charlie Truan, manager of Park in Meadville, Pa. Leiby and Lynch, with 25 years' service each as film salesmen, quit the business couple of months ago to go with an industrial concern in Erie, Pa. Briefs: Caroline Bauers, sent to WB auditor Ben Steerman, mother of a boy... Ray (WB exchange ad sales man) Hoon's young son recovering from serious illness at Mercy hospital. Mike Manos renovating his Indiana, Pa., theatre... Jim Slancius, former Midland, Pa., exhibitor, plans to build an 850-seater to cost \$50,000 in Chambersburg.

### WB Theatre Confabs

Following up last week's zone manager meeting at the home office, Joe Bernhard, Warner circuit head, left for Newark yesterday (Tues.) to hold a session there with all district managers and house managers in the northern New Jersey area.

Harry Goldberg, advertising manager for the Warner circuit, also attended.

### Schnitzer's O.O.

Eddie Schnitzer, eastern district sales manager for Warner Bros. making headquarters at New York, left Monday (19) for Boston to hold conference with exhibitors and change staff and will also look in on the New Haven branch.

Phil Engel, in charge of exploitation for the N. B. exchange, accompanied Schnitzer to Boston to lay plans for the campaign on 'Sea Hawk' in New England.

### Bourgeois Goes Southwest

O. K. Bourgeois has resigned as general sales manager of Astor Pictures, operated by the St. Clair Theatre Corp. He has acquired the Astor franchise for Texas, Arkansas and Oklahoma City. Headquarters will be at Dallas. William J. Figueroa succeeds at N. Y.

### Facelifting Two

Toledo, Aug. 20. Work has begun on remodeling of the adjoining Rivoli and Palace, operated by the St. Clair Theatre Corp. Houses will get new fronts, new paint and new decorations throughout.

### Bob Dame's New House

Buffalo, Aug. 20. Robert A. Dame, former service chief of the Shea theatres, appointed manager of new S. H. Niagara.

Canisteo, Canisteo, N. Y., closed by George Lynch, buyer for Schine circuit, to be married shortly to Marian Kearney, Gloversville.

Bernard McCarthy, formerly with RKO at St. Louis, named RKO salesman at Buffalo office, in charge of Rochester territory.

U. J. Hoffman refurbishing the Legion, Watford, N. Y.

Robert Emory, formerly in charge of the Babcock Bath, N. Y., appointed new manager at Schine's Riverside.

Robert Davis new booker at Universal.

### Theatre Receivership

College Station, Texas, Aug. 20. Ben Ferguson has been appointed receiver for the recently opened Campus theatre here following a suit filed by V. A. Walker against Sam Hyman asking for the receivership. Ferguson is now in charge of the house.

Walker is one of the co-owners of the Campus and has been its manager since it opened. Hyman is another of the co-owners and has other interest, one the Jackson in Jacksonville, and the Sabine in Port Arthur.

## P. A.'S MILLENNIUM

Press Hungry for Photo Stills on Chaplin's Film

Two-year tantalization of the press by Charles Chaplin is apparently bearing fruit now. With the producer refusing not only stills but even an idea of what the story of 'The Great Dictator' is about while it was in production, newspapers, mags and syndicates are now going for the 'stuff, which is ready for release, with a vengeance. Flack department is finding it difficult not in placing stills and stories, but in holding them back to coincide more closely with the release date of the film. Latter's still not certain, but will probably be between Sept. 15 and 30.

Among unusual layouts of pictures already achieved for 'Dictator' was 10 pages in PM in New York on Sunday (18). Captions comprised a synopsis of the film, N. Y. Times photo section also went for a full-page layout consisting of about nine stills. In addition, it used a production picture in the regular drama section, virtually all the picture mags and every picture syndicate have also been lined up for large spreads. Look will devote its cover to one of the stills.

## Rep's 'Parade' Draws \$100,000 Bally Budget

Hollywood, Aug. 20.

Herbert J. Yates, Republic chairman, has set up a budget of \$100,000 bally for Rep's 'Hit Parade of 1941' which is now before the cameras. 'Parade's' exploitation allotment beats by \$40,000 the outlay for similar purposes for the company's two previous biggies, 'Man of Conquest' and 'Dark Command,' and is even greater than the Valley outfit was cutting loose for filming costs on its programme a year ago.

'Parade' production costs will run around \$750,000.

Yates, who arrived from New York last week, is set for an eight weeks' stay, most of which will be devoted to ironing out production problems with M. J. Siegel, studio production boss. Yates, among other things, will swell Rep's roster of producer-directors by naming one each for the Higgins Family and Judy Canova groups.

He will also participate in the Coast division's quarterly sales meeting.

## 'KIT CARSON' WHOOP-UP ALL SET FOR DENVER

Four theatres and 14 players have been lined up by United Artists for preem of 'Kit Carson' in Denver next Monday and Tuesday (26-27). A fifth theatre has also been tentatively set and will be used if demand for tickets for the unveiling necessitates it. Houses are the Denver, Paramount, Broadway and Rivoli, with the Aladdin the contingent. Denver and Par will hold the film for 25 regular run, while the others will be used for the opening night only.

Among players names lined up from all sources to take a Union Pacific special to the festivities are Simone Simon, Joe Hall, Fay Wray, Carole Landis, Anita Louise, Olympia Bradna, Sabu, Bruce Cabot, Victor Mature, Ward Bond, Muriel Angelus, Harold Huber, William Farnum, Jack LaRue, Raymond Hatton and Ralph Byrd. They will be guests of 1,200 business and professional men at a Chamber of Commerce luncheon on Monday, and at a ball for the townfolk after the opening.

Another UA stunt in pre-selling the pic is a tour by Kit Carson III, grandson of the American scout and adventurer who is the hero of the film. Carson III, who in a resident in Sanford, Col., will take with him the costume, pearl-handled gun, knife and other accoutrements of his forebear. He will cover 21 cities, winding up in New York, Sept. 12 for the preem of the film in that city.

## BREAK FOR A.K.'S

San Antonio, Aug. 20. The Cameo, Negro nabe here, recently opened, has instituted a new policy. Anyone over 65 will be given free admission to the theatre every Wednesday. House is owned by Carl Milentz.

## Detroit's New Parking Provisos Being Fought by Theatre Builders

Detroit, Aug. 20.

Theatre owners here, particularly those contemplating added expansion, are fighting heavily the city's new proposed zoning ordinance, which despite revision, imposes a heavy penalty on future theatre building in Detroit.

As redrafted and submitted to the Common Council by the City Planning Commission, the building laws would require that all theatres and auditoriums hereafter built will have to provide parking space for one car (200 square feet) for each 10 seats in the building. Thus, for a 1,500-seater the operator would have to reserve an additional 30,000 square feet for parking space.

The parking problem has become one of Detroit's bugaboos since the town, naturally, is cluttered up with cars. Safety requirements due to heavy traffic death toll, have lined up the public behind the idea that adequate parking is needed. Besides, what does the public care about cost, as long as when it drives off to the pictures it can find plenty of free space in which to ease the car?

Probably the threat of the new ordinance has been one of the reasons why new theatres have been mushrooming all over Detroit the past year. The boys are getting under the wire and expansion has been heavy here.

However, while the exhibs are fighting the new proposed law—if they own the parking lots they'll be an adjunct of the theatre and under stiff taxation while at the present time they can rent or deal more cheaply with nearby owners of space—there's an odd sidelight and a contradiction to their battle.

Downtown Detroit houses, have been harassed through their inability to provide ample parking space. Some estimates are that it reduces biz as high as 20% through the present inconvenience and most of the major first runs have resorted to all manner of dodges to deal with the situation. At the present time, Michigan, Fox, et al. are offering reduced parking rates in the regular garages at 10c—in conjunction with the admission tickets.

Meanwhile the nabes with good parking facilities are booming. Farsighted owners have seen the advantage they had and even are advertising 'Free Parking.' In many localities, the nabes share lots with such outfits as A. & P. stores, using the lots by night while the stores use them days.

So, there is the funny sight of theatre owners fighting an ordinance which will require them to put in what admittedly is a boon to their business. It may run initial costs up but the houses here which have been paying off are those that with other things can provide the motorist with free parking.

### St. Louis Zone Active

St. Louis, Aug. 20.

The Varsity, 900-seater, newest in the Rodgers Circuit, opened in Carbondale, Ill., George Hayes manager. Jesse Bizzle rushing to open his new 300-seater in Gondola, Ill., this month.

The New Comet, 980-seater Negro nabe in St. Louis, opened. Tommy James owner, The Laclede, another new local Negro nabe, also lighted.

S. E. Pirtle, head of Pirtle Circuit headquartered in Jerseyville, Ill., completed facelifting his house in Carrollton, Ill.

J. F. Janssen, owner of the Oklaw, 300-seater, Pinney, Ill., has disposed of house to O. T. Winkley, Shilohville, Ill. Janssen has leased 350-seater, New Badem, Ill. from Fred Hocker.

Fox Ozark Theatres Corp., affiliate of the Fox Midwest, has let a contract for new 1,000-seater in Sedalia, Mo.

The Majestic, 250-seater, Memphis, Mo., renamed Time and undergoing facelifting by Eben Hayes who owns and operates theatre.

Robert Cluster, Salem, Ill., to build new theatre in Sandoval, Ill. Town depended on traveling portable talker outfits for his once-a-week film entertainment.

F. W. Anderson has opened his new Time, 425-seater, Morris, Ill. William Sheedy is manager.

Complete facelifting job just completed at the Freeport, Freeport, Ill. Joe Bennis owner.

### Teeter Expanding

Austin, Texas, Aug. 20. It present plans go through, this city will be the site of a new burley-

tab house in the group now operated by Tol Teeter.

At present time the Joy, Houston, and the Joy, San Antonio, are playing vaudeville and any run of pictures for 10c in the group managed by Teeter. It is understood that plans call for still another house somewhere in the state.

### Meretsky's Park

Windsor, Ont., Aug. 20.

Newest addition to the Simon Meretsky chain of theatres operating in Windsor, Ontario, and the border cities is the newly-opened 750-seater, the Park. Swank little house tossed 160 of its seats into smoking ages. The house will be managed by Charles Ducharme, former assistant manager at the Palace which with the Tivoli and Capitol now comprises the Meretsky group. Another of the string, the Regent, was closed with the opening of the Park.

### New Atlanta Nabes

Atlanta, Aug. 20.

Grant & Fairview Amusement Co., operators of Temple and Fairview (nabe), unveiled their third house, Garden, Friday (16) in heart of swank North Side suburban town. Has 500 seats. Jack Anderson, ex-ass. mgr. of Kirkwood theatre here, mgr. of Garden.

Same company's 800-seat Peachtree, now under construction, scheduled to light up Sept. 1. Solomon Miller is boss of Grant & Fairview Co., with Charles A. Adams gen. mgr.

### R. & R.'s New Houses

San Angelo, Texas, Aug. 20.

One house and possibly two, is planned for this city by Robb & Rowley-United Theatres. Adoption of final plans will be handled here by H. B. Robb, B. H. Rowley and C. V. Jones. Two lots have been selected by D. G. Bell, engineer for the group.

One of the houses will be built in the center of the city while the other will be a nabe. Construction is expected to get under way in the near future.

### Beverly W. Va. House

Huntington, W. Va., Aug. 20.

Construction work starts immediately on new Beverly, located in suburb of that name. House will be a 600-seater, to be completed by Dec. 1.

## PAR'S 'MAGIC MUSIC' PREEM NEAR DETROIT

Detroit, Aug. 20.

Indications are that 'Magic Music in Music,' Paramount picture based on the national Music Festival held annually at Interlochen, Mich., will have its premiere in the nearby Traverse City. Idea for the picture was submitted to the studio by officials who conduct the music camp for talented youngsters.

Dicker is on through E. C. Beatty, president of the Butterfield theatres, operating houses in Traverse City.

## D. W. Griffith Exhibit By N.Y. Museum of Art

David Wark Griffith, as an American artist who has won international importance, will be the subject of an exhibit at the Museum of Modern Art, N. Y., starting Oct. 20. It will include a pictorial analysis, step by step, of sequences from two of the producer-director's films—one early and one more mature—so that his actual technique may be studied closely.

Documents and photographs never before seen, according to the Museum, and posters and other material drawn from the museum film library's collection of Griffithiana, will be supplemented by continuous projection of film in the gallery and by the showing of a cycle of Griffith films in the Museum auditorium.

### NEW 'SPANKY' TERMER

Los Angeles, Aug. 20.

New contract for George (Spanky) McFarland, starring Loew's, Inc., has been approved here in Superior court.

Termer covers juve's services with Metro, for whom he has been playing in Our Gang comedies for a number of years.



# Love Back-Ritzes High \$40,000 in Chi; 'Syracuse' Great \$15,000, Loy-Powell Taking Nice \$14,000

Chicago, Aug. 20.

Each week sees a flock of new films come in, but there is little the theatres are doing to indicate that they consider them worthwhile. The pictures are simply announced in ads which haven't been changed as to ideas or style in years. The only thing different is in the title; otherwise the picture setup is dull, uninspired and uninteresting, and the public is reacting in kind.

Currently the big boxoffice-item is not a picture but persons by the Ritz Bros. in the Chicago and Eddie Howard at the Oriental. Ritz trio are turning in a big session in the Balaban & Katz house, and singer Howard has smashed all tradition with his holdovers by Jones, Linnick & Schaefer in the Oriental. Scored a mighty take last week and is the hottest item in these parts.

On the picture side, the leader is unquestionably 'Boys From Syracuse,' which is scoring a fine figure at the Palace.

## Estimates for This Week

**Apollo (B&K)** (1,200; 35-55-75) — 'Man I Married' (20th). Not particularly bright, but the Ritz trio will be lucky to snatch \$4,000, week. Last week, 'Disney Festival' (RKO) and 'We Are Young' (M-G), satisfactory \$5,200.

**'Love Back' (WB)** (4,000; 35-55-75) — 'Love Back' (WB) and Ritz Bros. on stage. Latter accounting for most of the business. Pounding through to healthy \$40,000, at least. Last week, 'Young Martin on stage failed to stimulate the boxoffice to any great extent with second week of 'Heaven Too' (WB). Gross was \$34,200, 30-50.

**'Syracuse' (B&K)** (1,200; 35-55-75) — 'Syracuse' (B&K) and Ritz Bros. on stage. Latter accounting for most of the business. Pounding through to healthy \$40,000, at least. Last week, 'Young Martin on stage failed to stimulate the boxoffice to any great extent with second week of 'Heaven Too' (WB). Gross was \$34,200, 30-50.

**'Earthbound' (20th)** and stage show. Eddy Howard holding over as headliner. Latter got big gross for house last week and hopes to repeat, to excellent \$18,000. Last week with 'Gambling Seas' (WB), great \$21,900.

**'Palace' (B&K)** (2,500; 33-44-66) — 'Syracuse' (B&K) plus 'Saint Takes Over' (RKO). Comedy coming through solidly for \$15,000, brilliant. House put on bangup press campaign, and even got 'Man I Married' (20th) over from Michigan. 'Your Hats' musical to make a little personal. Last week, 'Ramparts' (RKO) plus 'Country Romance' (RKO), near \$18,000.

**'Roosevelt' (B&K)** (1,500; 35-55-75) — 'Drive Night' (WB) (2d week). Holding to good \$7,500 currently, after taking fine \$13,000 in first week. State-Lake (B&K) (2,000; 28-44) — 'Girls of Road' (Col) and vaude. Marie Rosenberg listed headliner. Just another week in the offing at \$15,000. Last week, 'Phantom Raider' (M-G) with Count Basie band, good \$16,700.

**United Artists (B&K)** (1,700; 35-55-75) — 'Love Again' (M-G). Good Saturday (20th) and looks strong on Powell-Loy monikers. Should mean happy \$14,000. Last week, 'Prejudice' (M-G), \$7,400, oke. **'Woods' (Esaness)** (1,200; 75-110-120) — 'Gone With the Wind' (WB). Holding to steady profit. Taking \$5,500 currently, following fine \$6,500 last week.

## 'FRANK JAMES' HOT \$7,500 IN MEMPHIS

Memphis, Aug. 20.

Jesse James' little brother is stealing the cash honors here this week. With spotty opposition, 'Return of Frank James' is having a field day at Loew's State. Local audiences in ecstasy over ribbing given Yankees in courtroom scene. 'We Are Young' and the folks are turning out in droves.

Only substantial opposition is offered by the other Loew house, Palace, which is giving the local Disney Festival of Hits a run limited to four days after holding over 'I Love You Again' for three. Latter was smashing success last week and didn't do badly on brief repeat.

**Loew's State (Loew)** (2,600; 10-33-44) — 'Frank James' (20th). Color shoot-em-up, loaded with notices and good responses, possibly for nifty \$7,500. Last week, 'Man Married' (20th), four days, and 'Anne Windy Potters' (RKO), three days, \$2,700, week.

**Warner (Warner)** (2,300; 10-33-44) — 'Drive Night' (WB) (2d wk). Should get around \$2,700 on h.o. Last week, \$5,800, very good. **'New Male' (Esaness)** (2,800; 10-33-44) — 'Alias Deacon' (U), three days, 'Lady in Question' (Col), three days, Fairish \$3,000. Last week, \$7,800.

**'Daltons Ride' (U)**, five days, 'Adventures' (20th), three days, \$4,000, not bad. **'Palace' (Loew)** (2,200; 10-33-44) — 'Love Again' (M-G) (2d wk), three days, 'Disney Festival' (RKO), four days. Former got around \$2,800 on repeat, with latter likely to send week's gross to \$5,000. Last week, 'Love Again' (M-G), \$8,400, terrific. **'Strand (Lichtman)** (1,000; 10-22-33) — 'Favorite Wife' (RKO) (2d run), M-G, with 'And One Beautiful Night' (M-G). Should be average week, around \$1,500. Last week, 'Golden Gloves' (Par), three days, 'Secret Even' (Col), two days, 'Outsider' (Alliance), two days. Total, \$1,200, poor.

## J. Dorsey-Wheeler Plus 'Untamed' OK \$28,000 in Detroit

Detroit, Aug. 20.

Stage shows still are coming along here occasionally enough to punctuate the usual summer doldrums with exclamation points. Michigan is catching this wave with Jimmy Dorsey's band and Bert Wheeler. They will do all right with its 'Return of Frank James'.

United Artists will reopen Aug. 22 with 'Boom Town' after the shortest summer shuttering in its history—two weeks.

## Estimates for This Week

**Adams (Balaban)** (1,700; 30-40-55) — 'Syracuse' (U) and 'Girl Goes Country' (Rep). Former moved from Fox after n.s.g. week. Not better than dull \$4,000. Last week, 'Daltons Ride' (U) and 'Man Married' (20th), oke \$5,500.

**Fox (Fox-Michigan)** (3,000; 30-40-55) — 'Frank James' (20th) and 'Chan at Wax' (20th). Headed for big \$20,000. Last week, 'Boys Syracuse' (20th) and 'Beyond Tomorrow' (RKO) poor \$12,500.

**Michigan (United Detroit)** (4,000; 30-40-55) — 'Untamed' (Par) and Jimmy Dorsey band, Bert Wheeler on stage. Healthy \$28,000 indicated. Last week, 'Pago-Pago' (UA) and 'Sporting Blood' (M-G), fair \$15,500. **'Palace' (United Detroit)** (3,000; 30-40-55) — 'Love Again' (M-G) and 'Gold Rush Maisie' (M-G) (2d wk). Holdover here after being moved over from Michigan. An additional \$7,500 looms, on top of \$11,000 last week.

## 'McGINTY' NIFTY \$9,000 IN BALTO

Baltimore, Aug. 20.

Business here holding up rather seditiously at better than moderate pace. Chalking up its ninth anniversary, the combo Hipp is laying it on rather thick with 'The Lady In Question,' tied to vaude headed by Andrews Sisters.

Also sprightly is 'They Drive By Night' at Stanley, and 'The Great McGinty' at Keith's.

## Estimates for This Week

**Century (Loew's UA)** (3,000; 15-28-44) — 'Love Again' (M-G) (2d wk). Holding very nicely at okay \$9,000. Last week, 'Boys Syracuse' (20th) and 'Love Again' (M-G), opening round which built to \$12,200.

**Hippodrome (Rappaport)** (2,200; 15-28-44) — 'Lady Question' (Col) plus vaude headed by Andrews Sisters. Making big splash on second week of house's ninth anniversary under direction of Izzy Rappaport. Should reach highly successful \$17,000 on strength of advance building.

**Keith's (Schanberg)** (2,400; 15-28-33-39-44) — 'Great McGinty' (Par). Pointing to favorable \$9,000. Last week, day and date showing of 'Boys Syracuse' (U) with combo Hipp, \$8,600, fair.

**New Mechanic** (1,581; 15-28-35-55) — 'Frank James' (20th) (2d wk). Getting fair \$3,500, after initial session at \$2,500. **'Stanley (Night)** (3,280; 15-28-39-44) — 'Drive Night' (WB). Maintaining excellent pace, with \$10,000 looked for. Last week, 'Love Back' (WB), disappointed somewhat with \$7,800.

## First Runs on Broadway (Subject to Change)

**Week of Aug. 22**  
**Astor** — 'Gone With the Wind' (M-G) (36th wk.).  
**Capitol** — 'I Love You Again' (M-G) (2d wk.).  
**Criterion** — 'Mystery Sea Raider' (Par) (24).  
(Reviewed in VARIETY, Aug. 7)  
**Globe** — 'River's End' (WB) (24).

**Music Hall** — 'Pride and Prejudice' (M-G) (3d wk.).  
**Palace** — 'Anne of Windy Poplars' (RKO).  
(Reviewed in VARIETY, June 19)  
**Paramount** — 'The Great McGinty' (Par) (2d wk.).  
**Blaito** — 'Golden Gloves' (Par) (20).  
**Roxy** — 'Young People' (20th) (23).  
**State** — 'When the Daltons Ride' (U).  
(Reviewed in VARIETY, July 31)  
**Strand** — 'The Sea Hawk' (WB) (3d wk.).

**Week of Aug. 29**  
**Astor** — 'Gone With the Wind' (M-G) (37th wk.).  
**Capitol** — 'Boom Town' (M-G).  
(Reviewed in VARIETY, Aug. 7)  
**Music Hall** — 'Lucky Partners' (RKO).  
(Reviewed in Current Issue)  
**Paramount** — 'Rhythm on River' (Par) (28).  
(Reviewed in Current Issue)  
**Blaito** — 'One Crowded Night' (RKO) (27).  
(Reviewed in VARIETY, Aug. 21)  
**Two I** — 'Foreign Correspondent' (UA) (27).  
**Roxy** — 'Young People' (20th) (2d wk.).  
**Strand** — 'The Sea Hawk' (WB) (4th wk.).

## SHERDAN-RAFT GOOD \$5,500 IN L'VILLE

Louisville, Aug. 20.

'They Drive by Night' is doing staidie biz at the Mary Anderson and h.o. a safe bet. Moveover of 'Love You Again,' dualed with 'Out West with Peppers,' likewise show a robust box. Likewise, new pics at other downtown houses are of the so-so class and grosses are mediocre.

Weather continues plenty hot and hot, picture ball game, boating, swimming and under-the-stars dancing all still going strong.

## Estimates for This Week

**Brown (Loew's-Fourth Avenue)** (1,000; 15-30-40) — 'Love You Again' (M-G) and 'Out West with Peppers' (Col). Moveover from Loew's State indicates \$2,800, excellent. Last week, 'Pride Prejudice' (M-G) and 'Military Academy' (Col), weak \$1,500.

**Kentucky (Swift)** (1,200; 15-25-35) — 'Lillian Russell' (20th) and 'Bill Divorcement' (RKO). This pair showing b.o. strength, pointing to oke \$1,000. Last week, 'Typhoon' (Par) and 'Adventure' (20th), split with 'Turnabout' (UA) and 'Earthbound' (20th), satisfactory \$1,400.

**Loew's State (Loew's)** (3,100; 15-30-40) — 'Captain Caution' (UA) and 'Blondie Servant' (Col). Victor Mature, pic's lead and local law played up in the ads. Pulling some adolescent trade, but nights on light side. Heading for \$5,500, just so-so. Last week, 'Love You Again' (M-G) and 'Out West Peppers' (Col), swell \$9,000.

**Mary Anderson (Libson)** (1,000; 15-30-40) — 'Drive Night' (WB). Getting better than satisfactory, on strength of Sheridan-Raft names. Looks like current pace will show way to good \$5,500. Last week, 'Love Back' (WB), second week, weak \$3,000.

**Rialto (Fourth Avenue)** (3,400; 15-30-40) — 'Comin' Round Mountain' (Par) and 'Mystery Sea Raider' (Par). Last week, 'Man Married' (20th) and 'Girl Avenue A' (20th), medium \$5,400.

**Strand (Fourth Avenue)** (1,400; 15-30-40) — 'Tom Brown' (RKO) and 'Girl Goes Country' (Rep). B.o. traffic pretty light for this pair of programmers, although 'Tom Brown' rated well by newspaper reviews. Around \$2,600. Last week, 'Lost Horizon' (Col) and 'A Wolf in Sheep's' (Col) (reissues), okay \$3,000.

## 'ALIVE' SCRIPTERS SET

Hollywood, Aug. 20.

Karl Tunberg and Darrell Ware have been picked by 20th-Fox to script 'Man Alive,' mystery farce by Alvin Karpis. 'Duo is currently writing on same lot 'Ready, Willing and Beautiful'.

# B'way Firm; Powell-Loy Nice \$40,000, 'McGinty' Calloway 45G, 'Pride' on 2d \$95,000, 'Hawk' Spitalny Big 44G H.O.

(Best Exploitation: Paramount)  
Shows of better than average boxoffice draught, plus weather that's been conducive to keeping folks in town combine to give Broadway a much healthier tone this week than has been the case recently.

Two potent holdovers, with a third that is comparatively good, plus two new pictures are all serving to get the managerial smiles. In no house, including the smallies, is the business bad.

A sleeper in 'Great McGinty,' which starts its second week at the Paramount today (Wed.) and 'I Love You Again,' to also be held at the Capitol, are the newcomers among the major first runs. 'McGinty,' which got surprisingly good notices, has Cab Calloway on the Par stage far company. The first week, ended last night (Thurs.), added to a stout \$45,000, aided by a good exploitation campaign, including effective ads.

The Powell-Loy item at the Cap is pushing toward \$40,000, very nice business, and begins its second stanza tomorrow (Thurs.). As a special attraction for Monday nights only, house has 'Gone With the Wind' distributing \$1,000 in cash awards. It's in for eight weeks. On Monday night (19) there was no special response at the b.o., though this may have been due to the rainy weather.

'Pride and Prejudice' at the Music Hall, and 'Sea Hawk' plus Phil Spitalny at the Strand are both on second weeks and very hefty. As result, both shows go a third round. 'Pride' looks \$95,000 at the Hall, while the Strand go should be \$44,000 on both bases this represents sockful takings.

The Roxy has 'Return of Frank James,' which winds up a fortnight tonight (Thurs.), with a good profit. Regardless of the stiff opposition against the picture, it will hit about \$32,000 on the holdover, as compared with \$25,000 in its initial seven days. The 14 days thus return a satisfactory amount of black. 'Young People' comes in Friday (23). State should top \$20,000, okay, with 'Globe Breakers' (20th) on run and in person, Mildred Bailey, Al Trahan, others.

The Rivoli, shuttered for around two months because of untimely product, reopens Tuesday night (27) with 'Foreign Correspondent,' bought from United Artists.

**Estimates for This Week**  
**Astor** (1,000; 15-25-35-55-75-110-120) — 'Gone With the Wind' (M-G) (36th wk.). Last week (35th) gross again built, hitting \$11,000. This compares with \$9,400 the prior stanza. Renewed vigor no doubt due to out-of-towners in on August vacations.

**Capitol** (4,520; 25-40-55-75-110-125-151) — 'I Love You Again' (M-G). Picture's b.o. good, but the chances looking good to hit \$40,000, nicest business here in some time. Holds over. Last week, second for 'Holds over' (M-G), under \$15,000, fair.

**Criterion** (1,662; 25-40-55-65) — 'Three Faces West' (Rep). Doing fair, about \$5,500. Last week, third for 'United Artists' (20th) and 'Unit of Four Disney shorts, over \$7,000, fine.

**Globe** (1,700; 25-35-55) — 'Ghost Creeps' (Monro). Not bad for the time of week, indicating point to \$5,200. Last week, 'Secret Seven' (Col), \$5,000.

**Palace** (1,700; 25-35-55) — 'Man I Married' (20th) and 'Queen of Destiny' (RKO) (1st run), dualed. Probably \$7,200, not so hot. Last week's doubleton, 'My Love Came Back' (WB) (2d wk.) and 'Pier 13' (20th) (1st run), \$6,800.

**Paramount** (3,664; 25-35-55-89-99) — 'McGinty' (Par) and Cab Calloway (2d-wk final). Booked in for just one week, but doing so well that show holds over starting today (Wed.). The first seven days which wound up last night (Tues.) showed \$45,000 in 'McGinty' and \$25,000 in 'Cab Calloway.' Last week, second for 'Boys from Syracuse' (U) and stage bunch including Xavier Cugat, Allan Jones, Irene Hervey and Ray Bolger, \$45,000, good, to have merited a third stanza.

**Radio City Music Hall** (5,980; 40-60-84-99-151-155) — 'Pride and Prejudice' (M-G) and stage show (2d wk). Exceptionally steady and strong draw means \$95,000 or better on the holdover after snagging a smash \$101,000 the first week. Goes a third round. 'Lucky Partners' (RKO), slated to follow.

**Rialto** (750; 25-40-55) — 'Golden Gloves' (Par), the first from Par to play this house in several years, opened yesterday (Tues.). Double bill of revivals, 'Gorilla' (20th) and 'Round of the Baskervilles' (20th) went only four days, grossing small \$2,500. Last week, 'South to Kharanga' (U) got \$4,800, disappointing. **Rivoli** (2,092; 25-40-55-75-99) — 'Dark for about two months, relights Tuesday night (27) with 'Foreign Correspondent' (UA).

**Roxy** (5,836; 25-40-55-75) — 'Frank

**James' (20th)** and stage show (2d-anal week). Comparatively stronger on holdover than on first week, looking about \$32,000. Initial seven days only \$44,000 more or \$36,000. On the 14 days, total provides a good bit of black. 'Young People' (20th) opens Friday (23).

**State** (1,550; 35-55-75) — 'Ghost Breakers' (Par) (2d run) and Al Trahan, Mildred Bailey, others, on vaude show. Despite that 'Breakers' went three solid weeks at the Par first-run, business with it is all right here albeit not powerful at more than \$20,000. Last week 'Susan and God' (M-G) (2d run), with Lou Holtz and Diego Costello, \$25,000, good.

**Strand** (2,767; 25-50-55-75-85-99) — 'Sea Hawk' (WB) and Phil Spitalny (2d wk). Proceeding at very substantial b.o. pace, with a chance to top a smart \$44,000. The first week within inches of \$50,000, second best summer business house has ever had under its pit-band policy. Third round begins Friday (23).

## Clyde McCoy Ups 'Ave. A.' to Nice \$11,000 in Indpls.

Indianapolis, Aug. 20.

The spotlight left the local theatres, at least for the weekend, and centered on the small town of Elwood, Ind., where Clyde McCoy, 'Willie' was speaking. Film biz fell off while over 200,000 folks milled around in Elwood.

Loew's leads the way again with h.o. of 'Boom Town' after terrific first week of \$19,500. The Lyric is getting some of the sugar with Clyde McCoy's band. The Circle is doing just fair with a revival of Walt Disney hits, matinees doing most of the biz.

**Estimates for This Week**  
**Circle (RKO)** (Dolls) (2,600; 25-30-40) — 'The Great McGinty' (RKO) and Disney shorts. Just fair \$5,500. Last week, 'Man Talked' (WB) and 'Love Back' (WB), \$4,900, poor.

**Indiana (Katz-Dolle)** (3,100; 25-30-40) — 'Frank James' (20th) and 'Dr. Christian Women' (RKO). Fair \$8,200. Last week, 'Drive Night' (WB) and 'Pop Pays' (RKO), n.g. \$5,500.

**Loew's (Loew's)** (2,400; 31-40-54) — 'Boom Town' (M-G) (2d wk.). Still booming at \$19,000. Last week broke all records at \$19,500.

**Lyric (Lyric)** (1,900; 25-30-40) — 'Girl Avenue A' (20th) plus Clyde McCoy's org. Okay at \$11,000. Last week, 'Scatterbrain' (Rep) and 'Sunny Side Up' on stage, very poor \$4,400.

## 'RAMPARTS' NICE \$8,000 IN BUFF.

Buffalo, Aug. 20.

Activity at downtown b.o.s has quieted down somewhat for the current canto, after a smacking session featured by ace stage and screen offerings last week.

'Ramparts We Watch,' at the Lakes, is grabbing fine take. 'Love You Again,' at Buffalo, also good.

**Buffalo (Shea)** (3,500; 35-40-60) — 'Love You Again' (M-G). Will probably snag around \$12,000, good. Last week, 'Beyond Tomorrow' (RKO), plus Bernie, Henry Armetta on stage, fine \$17,500.

**Great Lakes (Shea)** (3,000; 35-55) — 'Ramparts' (RKO) and 'Golden Fleece' (RKO). Showing plenty of velocity and looks geared for dandy \$8,000. Last week, 'Drive Night' (WB) and 'Golden Gloves' (Par), neat \$5,000.

**Hipp (Shea)** (2,100; 30-45) — 'Drive Night' (WB) and 'We Are Young' (M-G) (2d run). Displaying strength on moveover for maybe \$6,000. Last week, 'Man Married' (20th) and 'Girl Avenue A' (20th), \$5,000, fairish. **Lafayette (Hayman)** (3,300; 30-40) — 'Lady Question' (Col) and 'Island Doomed Men' (Col). Will saw up only ordinary \$5,000, if that. Last week, 'Boys Syracuse' (U) and 'Love, Honor' (U), woken up \$5,000. **With Cugat** (Dipson-Basil) (3,000; 30-40) — 'Anne Windy Poplars' (RKO) and Dixie Dunbar on stage. Not too fancy at \$9,000. Last week (30-50) — 'Beyond Tomorrow' (RKO) and George White's 'Scandals' on stage, bullish \$15,000.

# Mpls. Looks Up, Kaye-Man Talked'

## Big \$16,000, 'Pride' Fine \$6,000

Minneapolis, Aug. 20. Boxoffice things are looking up again. A sturdy lineup of attractions plus more moderate weather is turning the trick. And gloom, temporarily at least, is in full retreat.

Newcomers chasing the blues away are Sammy Kaye and his stage array at the Orpheum and 'Pride and Prejudice,' which is lifting the Century from the depths once more. Two holdovers, 'I Love You Again' and 'They Drive By Night' have been giving a good account of themselves, too.

Still drawing turnaway crowds of 10,000 nightly to the Auditorium, the roller derby continues to be tough opposition for the showbusiness. It has another nine days to go.

**Estimates for This Week**  
**Aster** (Par-Singer) (1,000; 15-25)—'Lucky Cisco Kid' (20th) and 'Sailor's Lady' (20th), dual first-run split with 'Man Emper' (WB) and 'Stage to China' (RKO), also dual first-runs. Looks like fair \$15,000. Last week, Captain Lady (M-G) and 'South Karanga' (U), dual first-runs, split with 'Lucky Cisco Kid' (20th) and 'Sailor's Lady' (20th), \$17,000, fair.

**Century** (Par-Singer) 1,600; 28-39-40—'Pride Prejudice' (M-G). Given effective exploitation campaign. Getting big play from femmes after special opening Thursday night (15). Good \$6,000 indicated for first seven and half days. Last week, 'Tom Brown' (RKO), yanked after five days, \$1,000, poor.

**Esquire** (Gillman) (290; 28)—'Dark Command' (Rep). Should be helped by favorable word-of-mouth. Satisfactory \$900 in prospect. Last week, 'Boys Syracuse' (U), good \$1,000 after fairly good \$5,300 first week at Orpheum.

**Gopher** (Par-Singer) (998; 28)—'Sporting Blood' (M-G). Centering at mid price and \$2,200 in prospect. Last week, 'Young Man' (M-G), light \$1,800 in six days.

**Orpheum** (Par-Singer) (2,800; 39-44-55)—'Man Talked Much' (WB) and 'Sammy Kaye' (WB). Its bang-up stage show that's drawing them in. Picture no help whatsoever. Heading for big \$16,000, with nights a sellout, but matinees leaving room for improvement. Last week, 'Drive By Night' (WB), \$6,100, good.

**State** (Par-Singer) (2,300; 28-39-44)—'Love Again' (M-G) (2d wk). This has caught on. Its buyers are in market for laughs. Powell-Loy team also help grease turnstiles. Stretching toward fine \$7,000. Last week, \$10,000, big.

**Uptown** (M-G) (28-39)—'New Moon' (M-G). First neighborhood showing. Good \$3,500 indicated. Last week, 'Ghost Breaker' (Par), first neighborhood showing, big \$4,000.

**World** (Par-Singer) (350; 28-39-44-55)—'Drive Night' (WB) (2d wk). Moved here after good week at Orpheum. Good \$2,000 in prospect. Last week, 'Married Adventure' (Col), \$1,200, light.

## 'Love Again' Fine 13G, Holding in Denver

Denver, Aug. 20. All first-run shows are running above normal, with 'I Love You Again,' coupled to 'Dr. Christian Meets Women,' good enough at the Orpheum and 'Aladdin' and 'Snow White' on a return with Disney shorts is doing nicely at the Aladdin.

**Estimates for This Week**  
**Aladdin** (Fox) (1,400; 25-40)—'Snow White' (RKO). Good \$4,000. Last week, 'Drive by Night' (WB) nice \$4,000 after a week at the Denver.

**Broadway** (Fox) (1,040; 25-35-40)—'Pride and Prejudice' (M-G) and 'Gold Rush Maizie' (M-G), after a week at the Orpheum. Okay \$3,000. Last week, 'We Watch' (RKO), after a week at the Orpheum, average \$2,500.

**Denham** (Columbia) (1,750; 25-35-40)—'Comin' Round the Mountain' (Par). Fine \$6,000. Last week, 'Mystery Sea Raider' (Par) and 'Love Me Tonight' (Par), poor \$4,000.

**Denver** (M-G) (2,525; 25-35-40)—'Frank James' (20th) and 'Blondie's Servant Trouble' (Col). Nice \$11,000. Last week, 'Pogo Page' (U) and 'Ladies Must Live' (WB) okay \$9,000. Orpheum (RKO) (2,600; 25-35-40)—'Love You Again' (M-G) and 'Dr. Christian Meets Women' (RKO). Very good \$13,000 and holding. Last week, 'Pride and Prejudice' (M-G) and 'Gold Rush Maizie' (M-G) good \$10,000.

**Paramount** (Fox) (2,200; 25-40)—'Married Nazi' (20th) and 'River's End' (WB). Satisfactory \$4,500. Last week, 'Daltons Rode' (U) and 'Pier 13' (20th) okay at \$4,500.

**Rialto** (Fox) (878; 25-40)—'Drive by Night' (WB) after a week at the Denver and 'Boys of the City' (Mono). Nice \$2,200. Last week, 'Our Town' (UA), after a week at the Denver and Aladdin, and 'Passport to Alcatraz' (Col), fair \$1,700.

## Loy-Powell Click \$4,900 in Lincoln

Lincoln, Aug. 20. Continued cool weather isn't helping at the b.o. as expected, but Loy-Powell's 'I Love You Again,' at Lincoln, is dragging a good play.

So-so biz is likely till State Fair here fortnight hence. Houses are laying off heavy exploitation till then.

**Estimates for This Week**  
**Lincoln** (Paramount-Cooper) (1,503; 10-25-34-40)—'Love You Again' (M-G). Loy-Powell-Loy, coming to Lincoln, is dragging a good play. Last week, 'Boys Syracuse' (U), \$4,300, okay.

**Nebraska** (Paramount-Cooper) (1,236; 10-20-25)—'Safari' (Par) and 'Sailor's Lady' (20th), split with 'Sandy Lady' (U) and 'Hidden Gold' (Par). Picked up considerably after last week's flop. Looks for good \$2,500. Last week, 'Earthbound' (20th) and 'Can't Fool Wife' (RKO), miserable \$1,600.

**Stuart** (Paramount-Cooper) (1,894; 10-25-40)—'Man I Married' (20th). Looks like \$3,000, not bad. Last week, 'Untamed' (Par), \$2,700, poor.

**Varsity** (Noble-Federer) (1,017; 10-20-25)—'Our Town' (UA) and 'Scat-Loy' (M-G). Local boy in second feature helping to better-than-average \$1,800. Last week, 'Snow White' (RKO), hit comfortable \$2,000 with heavy juve aid.

## 'JAMES', \$10,200, GOOD IN OMAHA

Omaha, Aug. 20. Cool nights with intermittent drizzles make the theatre the only good place to go over the weekend, with excellent boxoffice results. The good records of last week look likely to repeat, with the Omaha 'Love You Again' moving toward nice \$10,000.

The Orpheum won't do another \$21,800, because it hasn't any Sammy Kaye but 'I Love You Again' will pull in at least \$10,200. Return of 'All This, and Heaven Too,' at popular prices, will give the Brandeis \$5,500.

**Estimates for This Week**  
**Omaha** (Tristates) (2,000; 10-25-40)—'Love You Again' (M-G) and 'Sporting Blood' (M-G). Will do neat \$10,000. Last week, 'Pride Prejudice' (M-G) and 'Captain Lady' (M-G), faded to \$6,700, not so hot.

**Brandeis** (Mort Singer) (1,500; 10-25-40)—'Heaven Too' (WB). Returning at popular prices after road-showing in June. Will get \$6,500, good. Last week, 'Ramparts' (RKO) and 'Can't Fool Wife' (RKO), fair \$5,800.

**Orpheum** (Tristates) (3,000; 10-25-40)—'Return Frank James' (20th) and 'We Are Young' (M-G). Will reach \$10,000, okay. Last week, 'Love Back' (WB) and 'Sammy Kaye' (WB), at advanced prices, got \$21,800, an all-time house record.

**State** (Goldberg) (900; 10-20-25)—'Four Sons' (20th) and 'Susan God' (M-G), split with 'Saturday's Children' (WB) and '40 Mothers' (M-G). Will get fair \$1,600. Last week, '20 Mule Team' (M-G), split with 'Wagon Westward' (Rep) and 'Women War' (Rep), pretty good \$1,800.

**Town** (Goldberg) (1,500; 10-20-25)—'Gaucho Serenade' (Rep), 'Ski Patrol' (U) and 'Saturday's Children' (WB), split three ways with 'Black Friday' (U) and 'Stage Door' (RKO), good \$1,000 only, and 'Cowboy Sunset' (Mono), 'Zanzibar' (U) and 'Saps at Sea' (U). Set for good \$1,500. Last week, 'Tear Gas Squad' (WB) and 'Saint Lover' (RKO), split three ways with 'Houses' (WB), 'Gables' (U), 'Blind Alibi' (RKO) and 'Golden Trail' (Mono), and 'Raffles' (UA) and 'Oh Johnny' (U), only fair \$1,600.

**Avenue-Military-Dundee** (Goldberg) (950-800-300; 25)—'My Son' (UA) and 'Susan God' (M-G), split with 'The Murder Cruise' (20th) and '40 Little Mothers' (M-G), fair \$1,100. Last week, '20 Mule Team' (M-G) and 'Girls Broadway' (M-G), split with 'Women War' (Rep) and 'Wagon Westward' (Rep), okay \$1,600.

**Rep Films in Month**  
 Hollywood, Aug. 20.

Armand Schaefer sends three pictures into production at Republic next month, beginning with 'Friendly Neighbors,' a Weaver Brothers and Elvira feature, slated to roll Sept. 4. 'Bait' and 'Follies' starts Sept. 17 and 'Gangs of Kansas City' goes three days later.

## Schaefer Launches 3

### Rep Films in Month

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## B'KLYN HOLDOVERS HOT; 'HARDY DEB' OOMPH 19G

Brooklyn, Aug. 20. Both Fabian houses, Paramount and Fox, are doing well with strong holdovers, former displaying 'All This, and Heaven Too' and 'Cavalcade of Academy Awards,' and latter 'They Drive By Night' and 'Scat-Loy.' Loew's Metropolitan opened fine with 'Andy Hardy Meets Debutante' and 'Florian.'

**Estimates for This Week**  
**Albee** (RKO) (3,274; 25-35-50)—'Boys From Syracuse' (U) and 'Manhattan Heartbeat' (20th) plus March of Time. Satisfactory \$18,000. Last week, 'Married' (20th) and 'Lucky Cisco Kid' (20th), weak \$13,500.

**Fox** (Fabian) (4,089; 25-35-50)—'Drive By Night' (WB) and 'Scat-Loy' (Rep) (2d wk). Strong \$16,500. Last week, nifty \$22,000.

**Met** (Loews) (3,618; 25-35-50)—'Andy Hardy Debutante' (M-G) and 'Florian' (M-G). Attractive \$19,000. Last week, 'They Drive By Night' and 'Sporting Blood' (M-G) (2d wk), okay \$14,000.

**Paramount** (Fabian) (4,126; 25-35-50)—'Heaven Too' (WB) and 'Cavalcade' (WB) (2d wk). Strong \$18,000. Last week pair got first \$25,000.

**Strand** (WB) (2,870; 25-35-40)—'Military Academy' (Col) and 'Lighting at Danger' (Mono). Dull \$4,000. Last week, 'Leonard Men' (Select) and 'One Night Paris' (Foreign), mild \$3,500.

## CANADIAN PICTURE PIONEERS' NEW UNIT

New Brunswick, Aug. 20. A transcontinental auto hop from Vancouver, B. C., to St. John, Pacific to the Atlantic, was made by Sid Taube, organizer for the Canadian Picture Pioneers, Toronto, to establish a maritime unit for the C. P. P. He said just finished launching a similar group at Vancouver for British Columbia and the Yukon.

The maritime unit is to hold its first meeting in September and special activities will then be started. Archie Mason of Springhill, N. S., is the first prexy. There are two secretaries, Reg. March of St. John, and Bob Roddick of Halifax. Coverage for the provinces of New Brunswick, Nova Scotia, Prince Edward Island and the island colony of Newfoundland.

The charter members of the new unit are: exhibitors, Joe Franklin of St. John, and Myer Herschorn of Halifax, operating the Franklin & Herschorn chain; F. G. Spencer and A. A. Fielding of St. John, heading the Spencer chain; W. H. Cuzner of Sydney Mines, N. S.; Fred M. Gregor of New Waterford, N. S.; J. J. Mason of Springhill, N. S.; R. C. Roddick, manager of the Capitol, Halifax and theatre supervisor for famous Players Canadian; John Butler of Moncton, N. B.; distributors, Reg. March, manager 20th Century-Fox; Abe Smith, manager Regal Films (M-G); Mitchell Bernstein, manager Maritime Films, and also of Bernstein & Leiberman, exhibitors.

## M-G's Amateur Orch Contest to Plug 'Band'

Metro is putting on a contest to find the best amateur band in the country in connection with the campaign on 'Strike Up the Band,' forthcoming release.

A special sound-camera crew will be sent to key spots to make pictures of winning bands in as many zones, with a committee of judges later to determine the No. 1 amateur outfit. A total of eight bands will be chosen from 16 key spots, four to represent the east and four the west. This will be narrowed down to one from east and one west, with both to compete in a final competition, probably in New York. Winning band will get a week's personal appearance date in New York from Loew's and a visit to the N. Y. World's Fair.

## Taking a Dare

Des Moines, Aug. 20. Tri-States Theatre Corp., is billing 'The Man I Married' in its theatres as 'I Married a Nazi,' with the announcement:

Regardless of demands, even of threats, we insist upon advertising 'The Man I Married' for exactly what it is—a picture of a sensational story, entitled 'I Married a Nazi.'

## Twin Showings Big in Philly; 'Hawk' Great \$43,000, Disney Nice \$5,200

## 'Syracuse' Okay \$5,200, 'Nazi', 5G, in Montreal

Montreal, Aug. 20. 'All This, and Heaven Too' repeat currently will again top grosses here, with 'Syracuse' placing fair second and 'I Married a Nazi' third. Balance are mediocre.

**Estimates for This Week**  
**Palace** (RKO) (2,700; 25-45-55)—'Syracuse' (U). Pacing for okay \$5,200. Last week, 'Maryland' (20th), off at \$4,500.

**Capitol** (CT) (2,700; 25-45-55)—'Married Nazi' (20th) and 'Sailor's Lady' (20th). Liable to pick up \$5,000, fair. Last week, 'Great McGinty' (Par) and 'Ladies Live' (Par), poor \$4,000.

**Loew's** (CT) (2,800; 30-40-60)—'Heaven Too' (WB) (2d wk). Good \$6,000 in sight, after excellent \$8,500 last week.

**Divorcement** (RKO) and 'Cross Country Romance' (RKO). Should gross around \$3,000, fair. Last week, 'Gold Rush Maizie' (M-G) and 'We Young' (M-G), good enough \$2,800.

**Orpheum** (Ind) (1,100; 25-40-50)—'Turnabout' (UA) and 'Mutiny Big House' (Mono). Sighting fine \$3,000. Closed from Sunday (1st) last week for renovation, with two days of 'Our Town' (UA) repeat grossing \$700.

**Cinema de Paris** (France-Film) (600; 25-40)—'Le Capitaine' (20th) for \$1,500, good. Last week's seventh holdover of 'Paradis Perdu' down to \$600.

**St. Denis** (France-Film) (2,300; 25-34)—'Sidi, Brahmi' and 'Retour au Paradis'. Pacing for fair \$3,500. Last week, 'Nord Atlantique' and 'Mayerling', fair \$3,200.

## 'LOVE AGAIN' BIG \$20,000 IN PITT

Pittsburgh, Aug. 20. It's the Stanley across the board this week, with 'I Love You Again' headed for biggest week WB deluxer has ever had, going straight to a couple of months ago. It should have no trouble staying in front, with raves from the crits as well as follow-ups and word-of-mouth. Powell-Loy co-starring 'Love You Again' over other week will probably move elsewhere for a third.

Couple of h.o.s. doing alright, too, with 'Pride and Prejudice' galloping easily at Warner after big week at Penn, and 'They Drive By Night' clocking winning gross at Ritz, following successive stanzas at Warner and Estimates.

**Estimates for This Week**  
**Alvin** (Harris) (1,850; 25-35-50)—'Lady Question' (Col). Well-liked generally, with reviewers labeling it another summer surprise. Unfortunately, not enough going in. Looks like generally disappointing week at \$3,800 in six days. Last week, 'Man Married' (20th), very good at close to \$6,000.

**Fulton** (Shea-Hyde) (1,750; 25-40)—'Sandy Lady' (U) and 'Love, Honor' (U). Better than expected for a dual of this calibre. House sold it as 'All-Laugh Week'. Headed for around \$4,100 in nine days, which isn't bad at all for couple of minor items. Last week, 'Leopard Men' (Select), washout at \$2,000 in six days.

**Penn** (Loew's-UA) (3,300; 25-35-50)—'Captain Caution' (UA). No names to pull 'em in. Altogether a dud and will have to hurry even to crack \$8,000, one of summer's poorest stanzas. Last week, 'Pride Prejudice' (M-G), very big \$16,000.

**Ritz** (WB) (800; 25-35-50)—'Drive Night' (WB). This week for this one downtown, picture having previously played Penn and Warner and bad at both spots. Still in the money here at \$2,800 last week, 'We Are Young' (M-G) and 'Way of Flesh' (M-G), were just along for the ride, about \$1,100.

**Stanley** (WB) (3,300; 25-35-50)—'Love Agony' (M-G). Powell-Loy starrer a corker in every way, with chance of rolling up house's best straight pic figure of year. Looks close to \$20,000, sensational. That'll give it a last week, 'Safari' (Par), \$6,200, awful.

**Warner** (WB) (2,000; 25-35-50)—'Pride Prejudice' (M-G). H.o. from Penn should get at least \$5,800, excellent, and it may go into Ritz for third week. Last week, 'Drive Night' (WB), swell \$6,200.

## 'Wife' Gets Polishing

Hollywood, Aug. 20. P. J. Wolfson, former RKO producer-writer, has been signed by Columbia to do additional writing on the script for 'Our Wife.' Sam Bischoff produces.

Philadelphia, Aug. 20. Twin openings are again winning out over the higher thermometer readings. 'The Sea Hawk' is headed on bringing in \$43,000 at the pooled Boyd and Earle, topping the twinning of 'Love You Again' at the Earle and Stanley last week. Policy click will find 'Stayed for Breakfast' doubled next week at the Stanley and Earle.

Little action elsewhere around town. 'Return of Frank James' is not figured for more than \$12,500 at Fox. Karlton, however, figures on coming in with neat \$5,500 for the 'Walt Disney Revival.' 'New York Ice Revue' at outdoor Philadelphia Gardens not cutting any ice as far as picnics go, rainy nights dampening the blades.

**Estimates for This Week**  
**Arcadia** (Sablowsky) (600; 35-46-57)—'Untamed' (Par) (2d run). Just about made it worthwhile with \$700 for three days ended Sunday (18), while four preceding days were smart \$2,400 for 'Hardy Deb' (M-G), playing second week of third-run. 'Man I Married' (20th) opened yesterday (Monday).

**Boyd** (WB) (2,560; 35-46-57-68)—'Sea Hawk' (WB). Pointing for punchy \$21,000, day-and-dating with Earle. Last week, 'Pride and Prejudice' (M-G) slipped to \$9,000 after big \$15,800 first week.

**Earle** (WB) (4,000; 35-46-57-68)—'Sea Hawk' (WB). Should come out with \$22,000, big, house getting early morning shoppers. Last week, 'Love Agony' (M-G), doubling with Stanley, heavy \$14,000.

**Fox** (WB) (2,423; 35-46-57-68)—'Frank James' (20th). Not causing much excitement in this house where romance prints go best, and \$12,500 is best in sight. Last week, 'Syracuse' (U), got under \$12,000.

**Karlton** (WB) (2,560; 35-46-57-68)—'Snow White' (RKO) and Disney shorts (RKO). Clicking handsomely for \$5,200. Last week, 'Maryland' (20th), slow \$3,800 on second-running.

**Keith's** (WB) (1,970; 35-46-57-68)—'Drive Night' (WB) (2d run). Hitting just above house par with \$4,800 in sight. Last week, 'Heaven Too' (WB) continued to do second week on second running with \$4,300.

**Stanley** (WB) (2,916; 35-46-57-68)—'Love Agony' (M-G) (2d wk). Continuing alone for second week and still strong with expected \$12,000. Last week, twinning with the Earle, led the field with \$18,000.

**Stanton** (WB) (1,457; 35-46-57)—'Tom Brown' (RKO). Coming along nicely for \$4,600. Last week, 'Gold Rush Maizie' (M-G), just about scraped together \$4,400.

## B'ham Back to Normal Time; Theatre Men Best Radio Over Daylite Tiff

Birmingham, Aug. 20. Theatre managers and radio station operators fought a verbal battle before the Birmingham City Commission last week over daylight saving time, with the theatre men emerging winners.

Birmingham was the first city in the state to adopt the hiked radio schedule and was largely instrumental in influencing a governor's proclamation for daylight saving in state offices last May. Many towns throughout the state followed suit. But following protests from the rural areas, Gov. Frank Dixon last week proclaimed the 'city slicker' time abolished in state offices, and most cities dropped the new schedule.

Birmingham city commissioners held a hearing on the question at a private audience of radio and theatre men and found them sharply divided. Managers declared the early time hurt business while the radio men asserted a change at this time would mean a headache in arranging schedules.

After a private huddle among themselves, the commissioners voted in favor of a return to regular time next Sunday (25).

## 20th Ships Players To Salt Lake Preem

Hollywood, Aug. 20. Two plane loads of name players, in all, hop to Salt Lake City Friday (23) for the world premiere of the 20th-Fox picture, 'Brighton Young'.

Group consists of Tyrone Power, Annabella, Linda Darnell, Mary Astor, Brenda Joyce, Cesar Romero, Jane Withers, Nancy Kelly, Dean Jagger and Ken Murray.





## Extras' Earnings Show \$500,000 Drop; Producers Aim to Cut List to 3,000

Hollywood, Aug. 20. With earnings of extras for the first seven months of 1940 nearly \$500,000 less than for the same period last year, attorneys for the major companies are working overtime in an effort to find a legal means of slashing the extra list to 3,000. The number of atmosphere players now eligible to receive calls is approximately 5,600.

Tops in the industry agree the only way the present list can be reduced is for the producers to refuse jobs to the occasional player, many of whom work for 3 days or less each year. But, the big question is how this should be done. Present plans call for the producers to make the move, with the expectation that they will receive the support of the regular extras.

The Standing Committee, appointed to investigate the economic situation of extras, has already stated the list should be pruned to a point where those remaining can earn a livelihood from the business.

Central Casting Corp. reports that only 131,012 jobs were passed out to extras this year, as compared with 186,424 job placements during the first seven months of 1939. Total earnings for the seven months of this year amounted to \$1,475,438, while total earnings for the same period last year were \$234,220. This was \$541,458 less jobs and a drop of \$462,890 in coin.

### Daily Wage Is Higher

The decrease was more marked during July than for the previous months. Job placements for July, 1940, totaled only 21,794, as compared with 30,229 for the same month last year. Total earnings for July this year were \$234,220, as compared with \$332,569 for July, 1939.

The only bright spot in the report was that there was a decided increase in the daily average wage received by the extras. The daily average jumped from \$10.40 in the first seven months of 1939 to \$11.26 for the same period this year. Officials said this indicated fewer \$5.50 and \$8.25 calls were being placed, with more emphasis being put on the \$11 and \$16.50 calls.

The following extras have been elected to fill 15 vacancies on the Screen Actors' Guild Council: Nellie Farrell, Harry Mayo, Jim Thorpe, Bill O'Brien, Larry Sargent, Francis Kellough, Dorcas McKim, Harry Arns, Harry Evans, Charles Alvarado, Charles Graham, Paul Cook, King Lockwood, Clayton Jones and Mike Jeffers. McKim and Jones were elected for two-year terms; Arns and Jeffers for one year. The others will serve regular three-year terms.

Deal between Producers Association and Central Casting Corp. workers is expected to be set this week. The producers offered a contract calling for 54 hours for casting directors at Central, but the American Federation of Office Employees has been insisting on a 50-hour week. The minimum wage has been tentatively set at \$37.50 for casting directors and \$22.50 for clerks.

### Ad Artists Near Deal

Tentative deal has been reached between Universal and advertising artists who are now affiliated with the Moving Picture Painters Local 644. The artists demanded \$2 per hour, with the studio offering \$1.37½. It is understood a compromise was reached with artists getting same salary as painters. Present scale for Painters is \$1.50 per hour.

Studio title writers are drafting demands for presentation to the producers. While the writers have not yet decided on a minimum wage, they will ask for a five-day week of 40 hours. The title writers recently withdrew from the Society of Motion Picture Artists and Illustrators to affiliate with the Painters.

A jurisdictional fight has broken out between the studio locals of the International Alliance of Theatrical Stage Employees and the Studio Utility Employees Local 724. The IATSE claims Local 724 has been grabbing off some of its work. Local 724 allied with the IATSE during the latter organization's fight with the United Studio Technicians Guild, but since the IA won the two groups have been unable to get together on a line of job demarcation.

Producers have turned thumbs down on a request of the American Federation of Office Employees for a maximum 50-hour week for casting directors at Central Casting

## RKO Fees

Continued from page 4

\$4,000 plus \$272 disbursements. White & Case, attorneys for the committee, asked for \$35,000 and received \$22,500, plus \$453 disbursements. The Debenture Holders Protective Committee asked for \$24,500 and received \$7,000 and disbursements of \$2,295. Chadbourne, Hunt, Jaekel & Brown, attorneys for the Debenture Holders' Protective Committee, asked for \$50,000 and received \$27,500 plus \$720 disbursements. Kommel & Rosenberg, attorneys for debenture holders, asked \$15,000 plus \$1,371 disbursements, and had their entire claim disallowed. Ernest W. Stirm, a stockholder, had sought \$97,778 but withdrew his claim. Attorneys for Stirm who sought approximately \$100,000, also withdrew, with the exception of John S. Stover, who was allowed \$3,000 for his claim of \$118,225. Abraham Weber, attorney for a stockholder, received \$300 out of \$1,500 asked; Price, Waterhouse & Co., accountants, were given \$4,800, which is what they sought, and lastly, Florence Sullivan, attorney for a claimant, James Young, had his \$64,500 claim disallowed.

Prior to this time \$968,000 had been paid in the receivership and trusteeship period, which now makes a grand total of \$1,826,075 plus stock valued at \$660,000 paid out for services since the bankruptcy on Jan. 27, 1933. Irving Trust, the trustee, received \$375,000, and William J. Donovan, Irving Trust's attorney, \$650,000.

This was the last formal matter to be held in the RKO proceedings, so the longest film bankruptcy in the history of the industry now over.

## Pathe's New Shorts Group Makes Debut

Hollywood, Aug. 20. Pathe News' new series of Hollywood shorts under the tag, "Picture People," will go into release Sept. 5. First spool, just completed by Louise Rousseau, who directs, is now en route to New York, where it will be scored, with additional reels to follow at the rate of one monthly.

Briefcase deals with the Hollywood scene and off-screen activities of film personalities.

## Resent Blind Checking

Minneapolis, Aug. 20. Independents in this territory resent blind checking and they're squawking about it again. Fred M. Strom, Northwest Allied executive secretary, calls it an "offense."

Because it allegedly had induced distributors here to employ it to make a blind check of some of the Twin City independent neighborhood houses in order to learn if film prices were sufficiently high or more percentage deals should be demanded, Ross Federal was barred from theatres owned by Northwest Allied members in consequence of action taken at a convention two years ago. Some of the distributors made no bones of the fact that they were having blind checks made.

## McDonald on 'Stream'

Hollywood, Aug. 20. Frank McDonald continues as Gene Autry's director for "Old Mill Stream," making his fourth straight assignment with the singing sagebrusher. Cameras roll Aug. 26.

## U. AFTER RITZES FOR P.A.

Hollywood, Aug. 20. Universal is dickering with the Ritz Bros. to make a personal appearance with the picture, "Argentine Nights," at the Roxy, New York. Film opens there the week of Aug. 30.

Corp. Execs agreed to cut their original offer of 60 hours to 54, but are reported standing pat on latter figure.

With accord reached on most other points, AFCE had been withholding approval of contract while union officials dickered for 50-hour deal. It is reported many employees favor accepting 54-hour offer, with idea of asking for shorter work week when contract is renewed.

## Ramparts' Finis

Continued from page 7

ulation save the picture, how many liked it and why, how many people who hadn't seen it had heard of it, was the comment they heard good or bad, did they intend to see it and what did they think of the ending?

Question on the ending resulted in convincing MOT that audiences didn't want a straddle, they wanted the picture to come out whole-gore for conception and preparedness to lay off the subject altogether. Thus the decision for the switch in the film. Results generally were that the pic was liked in those towns where previous Gallup polls had shown the populace keen on conception and not so well liked in those spots which were against conception military training.

Reports emanating from Washington that present version of "Ramparts" is not the film which MOT originally intended were unequivocally denied by de Rochemont. It was said among newspaper correspondents in the Capital that an original picture was made (superior to the released version) which contained too much inflammable material and was yanked in favor of a milder edition.

## U.S. Newsreels In Europe Have Little Future

Future of American newsreels in Europe depends on the outcome of the war. Should Germany win, the U. S. companies will have no alternative but to accept the Hitler handouts, edit them as carefully as possible and try to uphold their reputations for European coverage.

Should England win, the newsreelers hope to return to the system of each company shooting its own stuff. In the meantime, they're sitting tight.

That was the summation of the situation offered last week by Arthur A. de Titta, assistant European manager for Fox Movietone, who recently returned to the U. S. from his headquarters in Paris. De Titta clipped from Lisbon after a month's trip by auto from the French capital with his wife, during which the car was repeatedly held up by roads clogged with refugees.

However, de Titta was well-supplied with gasoline as the result of careful storage from before the war, leaving Paris June 12, two days before the city fell. It took 16 hours to make the trip to Tours, which can ordinarily be made in four. All along the route, he said, he saw cars abandoned by their owners who were less fortunate about their fuel supply.

## Palace, Mpls., Reopening

Minneapolis, Aug. 20. The 1,900-seat lower loop Palace which has been dark for more than a year and which was taken over by Minnesota Amus. Co. (Paramount) on a long-term lease from its owners, the Benz Bros., will be reopened next month with a subsequent run in policy similar to that of Pan-taxes and of Elson-Seventh St., which latter now is being razed for a business and garage building.

As a result of the deal, the Benzes have withdrawn from the Twin City exhibition field and dropped a proposed conspiracy suit against Par and major distributors for allegedly preventing them from obtaining major product for the Minneapolis theatre during the recent operation of that house and subsequent runs for the Palace to be exhibited as double features for a dime. The Palace lease is said to call for a \$15,000 a year rental.

Gordon Greene, Benzes theatres manager, is said to have received a \$11,000 cash settlement of his contract.

## Enright Gets 'Consent'

Hollywood, Aug. 20. Warners handed Ray Enright the plot assignment on "Without Her Husband's Consent," which rolls Aug. 26.

Picture is on Bryan Foy's schedule.

## Showdown Between SWG and Studios Over Producers' Failure to Sign Pact

### Actors Fund

Continued from page 2

acted as judge. Starting time 8:45.

Post call was tolled by Allen Thomas and his tooters with an overflow that got everybody in a betting mood. Tipster Lyle Talbot gave the audience a winner in the first race in Jim McCloud, who ran with his banjo specialty for a track record. In the second race, Terry Lawlor, an entry from the local Piping Rock Stables, was a swell looking filly with a grand voice who ran away from the field and was easily. Another entry from the Piping Rock Stables, Beatrice and Capella, did some stepping that paid off plenty. Tipster George Jessel then started to tout the card and had 'em laughing as they were marking their programs. He gave them such favorites as Sally Eilers, who on form alone could win, but with a cute speech added, she just breezed in. Charles Coburn of the Legit Stables told some stories which started a big line for the payoff windows. The next race with Meadowbrook Cafe entry, Cross and Dunn, up on Hot Songs and Personality, had 'em yelling as they crossed the wire to a photo finish. The next race was won by a national favorite, Joan Bennett, her graceful lines had 'em aching and ohing all over the stands—won a classy race. Mervyn LeRoy, one of the best of the Hollywood trainers, was then introduced and the railbirds gave a big hand to this talented and "right" guy. Lyle Talbot then gave a tip to the mob that Uncle Dan was sitting in the front row, and Uncle Dan's heart must have purred at the ovation given to him. He made a grand speech, and this fine aristocrat of the theatre, who has done so much for the actor, sat down to another outburst of applause from the audience and the artists.

### More Show

Talbot did a swell job of "handicapping" when he picked Beatrice Kay, star of the Gay 90's radio program, to win. Doing her own songs in her own style she came in like a piece of tissue paper in a hurricane. Then Ramon and Renita, who had just finished three weeks at the Piping Rock Stables, were called from the audience as an added starter. They went on without warming up—in street clothes—and "waltzed" in a manner. The race was run by a plater, Joe Laurin, and was claimed after the race by his wife and trainer, June. It only took one chorus of "Auld Lang Syne" to empty the place.

After the show the artists were the guests of the Piping Rock club where the guest of honor for the evening was Joe E. Brown, starring in "The Show Off" at a local Hay theatre. He made a swell comedy speech and introduced all the celebs from Peggy Fears to Ted Husing. By the way, in the Piping Rock show are three youngsters that call themselves The Oxford Boys. They are the hottest tip for a "Bway show" I can give you. Play 'em to win; they can't lose.

And so the evening ended up with everybody giving each other a horse for the morrow. The Actors' Fund Benefit Handicap was a great card with star performers, too bad that a lot of the boys at Saratoga didn't hold out some more from their own machines to help in such a great cause as the Actors Fund. But those that got in the gate were very happy and those artists giving of their time and talents also were happy to help Uncle Dan Frohman and his life's work. So I guess the feeling was par-mutual.

## Appeal 'Fools' Nix

Albany, N. Y., Aug. 20. Syndicate Exchanges, Inc. of N. Y. City, has appealed to the Board of Regents from the decision of Irwin Esmond, director of the motion picture division, State Educational Department, in refusing a license for "Fools of Desire." The film, first rejected under another title more than a year ago, was thumbed down for the second time in May by the mpd. Esmond held that it was "immoral and tended to corrupt morals" within the meaning of the section of the law establishing the mpd.

Jame Bros., N. Y. City attorneys for appellant, Regents will consider the appeal in September.

Los Angeles, Aug. 21.

Showdown is skedged for tonight (Tues.) between Screen Writers Guild and producers. Writers' failure to ink proposed 1-month contract on which tentative agreement had already been reached. Unless producers are ready to ink at once, SWG will tell them to forget it and start negotiations anew on complete basic minimum agreement.

That SWG is grudge for war was disclosed last night at meeting of general membership, when body's executive committee asked its bargaining committee to take definite stand at huddle with producers. Proposal drew full support of rank and file, which adopted attitude that producers were giving SWG run-around after having once given nod to short-term pact.

SWG appointed committees to study possible labor affiliations, both national and local, and to discuss establishment of emergency fund. Transcript of previous meeting between SWG bargaining committee and producers was read to members, disclosing that producers from first had expressed desire to have contract with writers, but that they later took position it is poor time to act because of economic conditions. SWG then took time to act because of economic conditions.

SWG took studio heads by surprise by offering to sign six-months' agreement, which producers approved. They have since however raised questions as to certain of its clauses. Proposed brief term provides for 80% 'guild' shop, ban on writing on speculation, SWG to negotiate between credits, appointment of grievance committee composed of writers and producers to iron disputes.

## NW Allied's New Board Condemns a Lot o' Things

Minneapolis, Aug. 20.

Taking the position that the setup is one-sided in the producers' favor, the recently elected Northwest Allied board of governors, holding its first meeting, went on record here in opposition to the proposed consent decree. In a resolution on the subject, the board asserted that few objectives would be realized. A demand also was made for the retention of the present cancellation privilege of one in five.

By a bare majority vote, the board went on record, too, against any revision of defense admission taxes under the present 21c. A minority wished the taxes extended so as to apply to admissions as low as a dime. In a fight against the exhibition of 16 mm. films in niteries, vacant store buildings, etc., in opposition to theatres, the board will have exhibitors fill out questionnaires reporting on such activities.

Three distributors were targets for the governors' hot shots. Warner Bros. was "strongly condemned" for using pressure on contract holder to hike admission prices on "All This, and Heaven Too," after the picture has been shown in Paramount circuit houses at the regular scale. The "offer" of Warners is to "pre-release" the film to those exhibitors who will up their admissions. Northwest Allied governors claim the distributor's action abrogates contracts.

Universal again was taken to task for withholding Durbin and Dunne picture from this year's contract, while 20th-Fox selling methods came under fire.

## Grable Draws Topper In 20th's 'Beautiful'

Hollywood, Aug. 20.

Betty Grable's third picture at 20th-Fox is "Ready, Willing and Able," scheduled to start completion of "Tin Pan Alley," which goes before the lenses next Monday (26).

"Ready" is Fred Kohlmar's first production on the Westwood lot.

## AGNEW, GILLMAN ON COAST

Hollywood, Aug. 20. Neil Agnew and Robert Gillman, Paramount home office execs, are in town for a series of studio huddles with V. Frank Freeman on new production.

Fair attended the preview of the Bing Crosby starrer, "Rhythm on the River," at the Del Mar racetrack.



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**GO** with the GREATEST LINE-UP of ATTRACTIONS ever READY FOR YOU... in the history of Universal!

For Release SEPT. 6

## ARGENTINE NIGHTS

starring  
**THE RITZ BROTHERS**  
and **THE ANDREWS SISTERS**

with  
Constance Moore • George Reeves • Peggy Moran  
Anne Nagel • Kathryn Adams • Julie Duncan  
Screenplay by ARTHUR T. HORMAN, RAY GOLDEN and SID KULLER  
Original story by J. Robert Bren and Gladys Atwater  
Directed by ALBERT S. ROGELL    Asso. Producer KEN GOLDSMITH

For Release SEPT. 13

Rosalind  
**RUSSELL • AHERNE**  
**VIRGINIA BRUCE** in  
**HIRED WIFE**

with  
**ROBERT BENCHLEY • JOHN CARROLL**  
**HOBERT CAVANAUGH • RICHARD LANE**  
Screenplay by RICHARD CONNELL & GLADYS LEHMAN  
Based on original story by George Beck  
Produced and Directed by  
**WILLIAM A. SEITER**  
Asso. Producer  
GLENN TRYON

For Release SEPT. 13

**RICHARD ARLEN • ANDY DEVINE**  
in **THE LEATHER PUSHERS**

with  
**ASTRID ALLWIN • HORACE MACMAHON • SHEMP HOWARD • DOUGLAS FOWLEY • EDDIE GRIBBON**  
Directed by JOHN RAWLINS • Asso. Producer, BEN PIVAR  
Screenplay by Larry Rhine... Ben Chapman... Maxwell Shane.

For Release SEPT. 20

## THE MUMMY'S HAND

with  
**DICK FORAN • PEGGY MORAN • WALLACE FORD**  
**CECIL KELLAWAY • EDUARDO CIANNELLI**  
**GEORGE ZUCCO • TOM TYLER**  
Original Story by Griffin Jay    Screenplay by Griffin Jay and Maxwell Shane  
Directed by CHRISTY CABANNE • Associate Producer BEN PIVAR

For Release SEPT. 20

**JOHNNY MACK BROWN** in  
**RAGTIME COWBOY JOE**  
with **FUZZY KNIGHT, NELL O'DAY**  
and **THE TEXAS RANGERS**  
Original Screenplay by Sherman Lowe  
Directed by RAY TAYLOR

**GO!**  
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FOR 1940-1941!

For Release **SEPT. 27**

**Deanna DURBIN**  
in  
**Spring Parade**

with **MISCHA AUER**  
**ROBERT CUMMINGS**  
Butch and Buddy • Henry Stephenson • Anne Gwynne • Walter Catlett  
S. Z. Sakall • Samuel S. Hinds • Allyn Joslyn • Reginald Denny  
Original Story by Ernst Marischka • Screenplay by Bruce Manning and Felix Jackson

A **HENRY KOSTER** PRODUCTION  
Directed by **HENRY KOSTER** Produced by **JOE PASTERNAK**

For Release **OCT. 4**

**VICTOR McLAGLEN**  
in  
**DIAMOND FRONTIER**

with **John Loder • Anne Nagel • Philip Dorn • Cecil Kellaway**  
Original Screenplay by Edmund L. Hartmann and Stanley Rubin  
Directed by **HAROLD SCHUSTER** • Associate Producer **MARSHALL GRANT**

For Release **OCT. 1**

**DEAD END KIDS**  
and  
**Little Tough Guys**  
in  
**JUNIOR G-MEN**

**SERIAL EXTRAORDINARY II**  
with **Billy HALLOP • Huntz HALL • Gabriel DELL**  
**Bernard PUNSLY • Harris BERGER • Kenneth HOWELL**  
Original Screenplay by **GEORGE H. PLYMPTON • BASIL DICKY**  
Directed by **FORD BEEBE** and **JOHN RAWLINS**  
Asso. Producer **HENRY MACRAE**

**12**  
**EPISODES**

For Release **OCT. 11**

**MARLENE DIETRICH**  
in  
**Tropical Sinners**  
(TENTATIVE TITLE)

with **JOHN WAYNE**  
**ALBERT DEKKER • BRODERICK CRAWFORD • MISCHA AUER**  
**BILLY GILBERT • ANNA LEE • RICHARD CARLE**  
and **OSCAR HOMOLKA**

A **JOE PASTERNAK** PRODUCTION  
Produced by **JOE PASTERNAK**  
Directed by **Tay Garnett**

For Release **OCT. 18**

**HUGH HERBERT**  
in  
**Slightly Tempted**

with **PEGGY MORAN • JOHNNY DOWNS**  
**GERTRUDE MICHAEL • GEORGE F. STONE**  
**ELISABETH RISDON**

Screenplay by **Arthur T. Horman** Original story by **Max Merzin** and **Manuel Selt**  
Directed by **LEW LANDERS**  
Asso. Producer **KEN GOLDSMITH**

For Release **OCT. 25**

**A LITTLE BIT**  
of **HEAVEN**

starring **Gloria Jean** with  
**ROBERT STACK • HUGH HERBERT**  
**C. AUBREY SMITH • STUART ERWIN**  
**NAN GREY • EUGENE PALLETTE**  
**BUTCH & BUDDY • BILLY GILBERT**

DIRECTED by **ANDREW MARTON**  
A **JOE PASTERNAK** PRODUCTION

For Release **NOV. 1**

**RICHARD ARLEN • ANDY DEVINE**  
in  
**SOUTH OF SUMATRA**  
(TENTATIVE TITLE)

with **JEANNE KELLY • JAMES FLAVIN • FRANCIS McDONALD • MALA**  
An Original Screenplay by **Paul Huston**  
Associate Producer **BEN PIVAR** Directed by **Christy Cabanne**



# GO!

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FOR 1940-1941!

For Release NOV. 8

**JOHNNY MACK BROWN**  
in  
**PONY POST**

with  
**FUZZY KNIGHT • NELL O'DAY**

Original story and screenplay by Sam Robins  
Directed by Ray Taylor

For Release NOV. 22

**Meet the Wildcat**  
(TENTATIVE TITLE)

with  
**Ralph Bellamy • Margaret Lindsay**  
**Joseph Schildkraut • Allen Jenkins**  
**Jerome Cowan**

Directed by **ARTHUR LUBIN**  
Asso. Producer **JOSEPH G. SANFORD**

For Release DEC. 6

## MARGIE

with **NAN GREY**  
**MISCHA AUER • EDGAR KENNEDY**  
**TOM BROWN • EDDIE QUILLAN**  
**ALLEN JENKINS • JOY HODGES**  
**WALLY VERNON**

Screenplay by Erna Lazarus, W. Scott Darling, Paul Gerard Smith  
Original Story by Erna Lazarus and W. Scott Darling  
Directed by **OTIS GARRETT** and **PAUL GERARD SMITH**  
Associate Producer **JOSEPH G. SANFORD**

For Release NOV. 1

## I'M NOBODY'S SWEETHEART NOW

with  
**DENNIS O'KEEFE • CONSTANCE MOORE**  
**HELEN PARRISH • LEWIS HOWARD**

Laura Hope Crews • Berton Churchill  
Samuel S. Hinds • Margaret Hamilton  
ORIGINAL STORY by W. SCOTT DARLING and ERNA LAZARUS  
SCREENPLAY by W. SCOTT DARLING, ERNA LAZARUS, HAL BLOCK  
Directed by **ARTHUR LUBIN** Asso. Producer **JOSEPH SANFORD**

For Release NOV. 8

"Baby" **SANDY**  
in  
**FIREMAN SAVE MY CHILD!**  
(TENTATIVE TITLE)

with  
**STUART ERWIN • UNA MERKEL • WILLIAM FRAWLEY**  
**EDGAR KENNEDY • EDWARD BROPHY • WALLY VERNON**

Original Screenplay by Jane Storm and Sy Bartlett  
Co-Directed by **OTIS GARRETT** and **PAUL GERARD SMITH**  
Asso. Producer **BURT KELLY**

For Release NOV. 15

## Caribbean Nights

with  
**Allan JONES • Virginia BRUCE**  
**Bud Abbott & Lou Costello**  
(famed stage and radio comedians)  
**Robert Cummings • Leo Carrillo**

Based on "LOVE INSURANCE" by **EARL DERR BIGGERS**  
Directed by **A. Edward Sutherland**  
Associate Producer **Leonard Spigelgass**

For Release NOV. 29

## BACK STREET

starring  
**JOAN FONTAINE**

From the novel by **FANNIE HURST**  
Screenplay by **George O'Hall**  
Directed by **ROBERT STEVENSON**  
Asso. Producer **Leonard Spigelgass**

# GO!

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FOR 1940-1941!

Here's your complete list!\*

**SEPT. 6**—"ARGENTINE NIGHTS"  
Ritz Brothers, Andrews Sisters

**SEPT. 13**—"HIRED WIFE"  
Rosalind Russell, Brian Aherne, Virginia Bruce, Robt. Benchley, John Carroll

**SEPT. 13**—"THE LEATHER PUSHERS"  
Richard Arlen, Andy Devine

**SEPT. 20**—"THE MUMMY'S HAND"  
Dick Foran, Peggy Moran, Wallace Ford

**SEPT. 20**—"HAGTIME COWBOY JOE"  
Johnny Mack Brown, Fuzzy Knight

**SEPT. 27**—"SPRING PARADE"  
Deanna Durbin, Robt. Cummings, Mischa Auer, Butch and Buddy

**OCT. 1**—"JUNIOR G-MEN" (Serial)  
Dead End Kids & Little Tough Guys

**OCT. 4**—"DIAMOND FRONTIER"  
Victor McLaglen, John Loder

**OCT. 11**—"TROPICAL SINNERS"  
Marlene Dietrich, John Wayne

**OCT. 18**—"SLIGHTLY TEMPTED"  
Hugh Herbert, Peggy Moran

**OCT. 25**—"LITTLE BIT OF HEAVEN"  
Gloria Jean, Robert Stack, Hugh Herbert

**NOV. 1**—"I'M NOBODY'S SWEETHEART NOW"  
Dennis O'Keefe, Constance Moore, Helen Parrish

**NOV. 1**—"SOUTH OF SUMATRA"  
Richard Arlen, Andy Devine

**NOV. 3**—"FIREMAN, SAVE MY CHILD"  
Baby Sandy, Stuart Erwin, Una Merkel

**NOV. 8**—"PONY POST"  
Johnny Mack Brown, Fuzzy Knight

**NOV. 15**—"CARIBBEAN NIGHTS"  
Allan Jones, Virginia Bruce, Bud Abbott & Lou Costello

**NOV. 22**—"MEET THE WILDCAT"  
Ralph Bellamy, Margaret Lindsay

**NOV. 29**—"BACK STREET"  
Joan Fontaine

**DEC. 6**—"MARGIE"  
Mischa Auer, Nan Grey, Tom Brown

**DEC. 13**—"THE INVISIBLE WOMAN"  
Sigrid Gune

**DEC. 20**—"STREETS OF CAIRO"  
Sigrid Gune

**DEC. 24**—"THE GREEN HORNET STRIKES AGAIN" (Serial)  
Warren Hull, Wade Boteler, Keye Luke

**DEC. 27**—"THE BANK DICK"  
W. C. Fields



For Release DEC. 13

## THE INVISIBLE WOMAN

Original story by Joe May and Kurt Siodmak  
Screenplay by Kurt Siodmak, Robert Lees and Fred Rinaldo  
Associate Producer, BURT KELLY

For Release DEC. 20

## STREETS of CAIRO

starring Sigrid Gune

For Release DEC. 24

## The GREEN HORNET STRIKES AGAIN

with  
Warren Hull • Wade Boteler  
(As BRITT REID) (As MICHAEL AXFORD)  
Keye Luke • Anne Nagel • James Seay  
(As KATO) (As MISS CASE)  
Directed by  
FORD BEEBE and JOHN RAWLINS  
Asso. Producer HENRY MACRAE  
Based on the radio dramatic adventure serial of the same  
name, owned and copyrighted by Green Hornet, Inc.

15 EPISODES  
In the Year's  
Outstanding  
SERIAL

For Release DEC. 27

## W.C. FIELDS in The Bank Dick

Directed by EDWARD CLINE

READY AND WAITING FOR YOUR DATES!

\* Keep This List Handy for Reference!



# SHOW BIZ WOODS GOOD WILL

## British Ministry of Information Says Film Production Unabated

London, Aug. 20. Ministry of Information has cabled the British consulate in New York a protest to be transmitted to U. S. newspapers denying a statement by Maurice Wilson, chairman of Grand National Pictures, Ltd., that English production is about to cease. Wilson's remarks were published in an interview in VARIETY, July 24.

Protest, signed by seven English producers, states: "Undersigned British film producers carrying on production for duration. Anxious to make films projecting at this time purely British point of view for home and neutral consumption. Like to draw your attention to harmful, irresponsible statements issued by British subjects in America to American press. Refer you to interview page 3, VARIETY, July 24, given by Maurice Wilson. Interview inaccurately states British production stopped, when, in fact, every effort being made to harness films further general national effort. Wilson's statement also damaging to Anglo-American film trade relations at a time when America showing interest in our films."

Signing the statement were Associated Talking Pictures, Associated British Pictures Corp., British Lion Film Corp., British National Films, Butchers Film Service, Ealing Studios, Alexander Korda Prods., and Gaumont-British Pictures Corp.

**British Consulate's Reef**  
VARIETY received the protest from the British consulate in New York, Monday (19).

Actual remark to which the British producers are apparently taking exception was Wilson's observation that with completion of two films now in work in England, no further production can be expected until Hitler is taken care of. One of the films now shooting is Gabriel Pascal's 'Major Barbara' at Denham and the other is by Gainsborough at Shepherd's Bush Studios.

Other film men who came to the United States at about the same time Wilson did a month ago were in agreement with him that further production in the immediate future did not look likely. Since then, however, it appears that studios have taken steps to prepare themselves for the worst and work may go on.

Most recent arrival in the U. S. familiar with English production is Marion Baldwin, associated with Pascal. She declared Monday (19) that she was not surprised, over the weekend, to get very matter-of-factly cabled answers to her business queries while American newspaper headlines were screaming of the bombing of London. Just as Pascal is going right ahead, she said, so will other British producers.

A message from home-front producers that no notice was to be taken of 'irresponsible rumors that British films are folding' and that 'we can take care of Hitler and still make movies' was the substance of the note sent to the U. S.

Big schedules are being planned and fulfilled, say the producers, with new directors and new producers found to replace 'those who have fled to sunnier climes.'

Forty films are reported to have been completed since the start of the conflict. The following are said to be a state of preproduction or are being made by companies which have continued with production despite the war: Associated British, 'The Farmer's Wife,' 'Spring Meeting,' 'The Flag Lieutenant,' 'Freedom of the Seas,' 'Bulldog Drummond's Secret,' 'Cafe De Paris,' Associated Talking Pictures and Ealing Studios, 'Sailors Three,' 'Spare a Copper,' named film with an air background, 'Leave Train,' 'Murder at St. Michael's,' 'Portrait of a British Foreman,' untitled film featuring George Formby, another with Will Hay, and one with Tommy Trinder. British Lion, 'The Silver King,' an

Edgar Wallace subject; British National, 'Crooks Tour,' 'Old Mother Riley in Business,' 'This England,' a Red Cross picture, an untitled comedy with music, 'Murder in Suburbia,' 'Reporter,' 'Old Mother Riley on the Farm.'

Butchers Film Service, 'Somewhere in England,' 'Sailors Don't Care,' 'Ben,' Gaumont-British and Gainsborough, 'Girl in the News,' 'Neutral Port,' 'Gags,' 'Inspector Hornleigh Goes to L,' 'Kippis,' 'The Ghost Train,' 'The Faithful Heart,' 'Cottage To Let,' 'Paddy the Next Best Thing.'

According to the producers, these films represent a live industry making films, some of which have been breaking prewar boxoffice records. The statement is signed by F. W. Baker, Butchers Film Service; Reginald Baker, Associate Talking Pictures; Michael Balcon, Ealing Studios; John Cornfield, British National Films; Walter Mycroft, Associated British; Maurice Ostrer, Gaumont-British and Gainsborough; and S. W. Smith, British Lion.

## \$1,600,000 FOR NEW CO.'S PROD.

London, Aug. 8. Recent appointment of Francis L. Harley to chief of 20th Century Productions here has been covered by his announcement of a budget reaching \$1,600,000 for production purposes this side. Earlier, Gainsborough Pictures had indicated it was to undertake a schedule for 20th, which, incidentally, is not to be confused with 20th-Fox.

Three films listed by the Maurice Ostrer outfit are all a part of Harley's program. He indicates complete production list will be released in a few weeks. It totals seven subjects.

## London In Wartime

London, Aug. 8. Giesse Hyams, wife of Sid Hyams, off to Canada with their youngest daughter; Phil Hyams' wife took their children to America for the duration.

Stanley Wathen is not in America or Africa, as rumored. He intended to leave for one of these spots, but British government decided to return him for the duration.

Lep Young and his wife, Anita Martel, finally got permission to fulfil their engagements in Australia. But they had to promise to return in six months.

Clifford and Marion arranging to adopt English youngster for the duration, and will send him to Baldwin, Long Island, to be looked after by Marie Marion's mother.

Nesbit Bros. quitting 'Black Velvet' the Hippodrome revue, and returning to Africa with their families.

Government restrictions on use of paper for advertising by cinema trade has seen the development of a new material for billboard use. Leon Goodman, display exec, has received patent rights to a specially woven and doped fabric permitting of processing to any size and by any method hitherto applied to paper.

Cathleen Cordell, American-born, came up fast from radio dramatics inside two months. She registered first in British National's filming of 'Gaslight,' then went straight into Pascal's 'Major Barbara.' Then home to mother.

Sidney Grace, general manager for Reeves & Lampont, now private in the Royal Engineers.

## U. S., S. AMERICA IN JOINT SETUP

**Hurok Behind Move for Interchanging Acts — Dept. of State Reported Backing Idea — Broadway Revue May Go South**

### BOOKINGS SET

Buenos Aires, Aug. 20. A plan of the U. S. Department of State for conference of leading managers, impresarios and officials, which should bring about a cooperative working program of tremendous importance to the show business of North and South America, was revealed by Sol Hurok, American impresario, here upon his sailing for N. Y.

Hurok and his Monte Carlo ballet troupe arrived in N. Y. Monday (19). Hurok said confab with theatre men, governments and representatives of various groups in the countries he visited during a three-month tour of South America had convinced him there were plenty of boxoffice possibilities on this continent if things were done in the right way. Added that he, for one, intended to do something about it and had already signed up some leading South American talent for export to the States.

Further indication that he wasn't just talking was the further announcement that dough is already being spent to enlarge by 60% the stage of the Politeima theatre here. Hurok's Monte Carlo Ballet played the house and is set to return next season for a longer run.

At the same time, Ernesto de Quesada, No. 1 South American manager, informed VARIETY that negotiations were on for the South American playing next season of Vladimir Horowitz, pianist; Alex. Brailowski, pianist; Jose Iturbi, conductor-pianist; Yehudi Menuhin, violinist; and Ruth Draper, monologist.

### To Send People to S. A.

Hurok will probably try to send some of his people here, including Marian Anderson, who did a record local biz several seasons ago; Argentinita, the Spanish dancer; Mischa Elman and some of the lesser fry. In addition to the ballet, he talked of a first-rate Broadway revue with all the trimmings. Thinks it would go, despite the terrific expense and the language barrier.

Quesada has an even more unusual plan. He'd like to ship down a Shakespearean company of the starland of Maurice Evans for a tour touching Rio and Sao Paulo in Brazil; Montevideo, Uruguay; Buenos Aires; a number of provincial cities in Argentina, Santiago, Lima, Havana, Mexico City and two or three other cities in Mexico.

### Dancer Signed

Hurok had a contract signed by Carmen Amaya, whom critics here and in Spain boost as the greatest Spanish flamenco gypsy dancer. She and her family of the will go to New York in October, be recostumed and staged, and then sent out on a road tour after a 'Manhattan' debut. Strictly class for concert halls.

As to the co-op plan, Hurok asserted that he would arrange a huddle soon after arrival in New York. Because the State Department has been trying to coordinate activities of agencies supporting President Roosevelt's Good Neighbor policy, he feels he can get some sort of official blessing for the interchange idea.

### Flattery Hath Charms

Mexico City, Aug. 20. Jose Bohr, the Argentine stage-actor-producer-writer, who was boycotted by Mexican show biz folk because he cracked at Mexican picmen in a mag. article, has found favor in this land by billing himself as Mexican during his stage-radio tour of South America.

Probable that the boycott will be lifted.

## Eastern Europe Faces Film Shortage With British-French Product Stoppage

### GUATEMALA SEEKS

### U. S. EXHIBIT AT FAIR

Washington, Aug. 20. The Guatemalan government last week expressed hope that U. S. interests would be well represented at the republic's National Fair, which opens Nov. 17. The fair will last for one week.

A large building has been set aside exclusively for American exhibits, it was pointed out, and no charge will be levied for space. A 50% reduction in freight rates on all items to be exhibited has been agreed upon by the United Fruit Co. and the International Railways of Central America, and all items will be exempt from the payment of customs duties, unless they are later sold.

Guatemalan government authorities and commercial interests stress 'prestige and good will' American representation will have.

## WINNIPEG GAINS PIC LIMELIGHT

Winnipeg, Aug. 20. After many years of comparative neglect, Winnipeg and other parts of the Dominion have suddenly sprung into the film limelight. This is evidenced by the attention being focused on it by picture units and crews using this city for location stuff and also by the appearance of travelling companies.

Currently in town is 30-person unit on location for '49th Parallel,' Ormus Films production. Two units have been in town for several weeks shooting material in and around Winnipeg. Three locations have been set up, one at the Hutterite colony, some 20 miles out of town; second, front of the Winnipeg Free Press building and third, the local airport. Visit of Cecil B. de Mille, Madeleine Carroll, Gary Cooper and Robert Preston to town for opening blast on 'Northwest Mounted Police' is awaited. Initial screening of this will be tossed in Regina, headquarters of the Red Cross Mounted Police. This is tentatively set for Oct. 24. Following day blast will be let loose in Winnipeg. Local Paramount officials are already lining up their campaign, in cooperation with their Hollywood office.

Idea has already started to stand the locals on their respective ears. Papers got wind of the stunt and went for columns without any coaxing, while exhibits are all steamed up over good will it can generate between U. S. and Canada.

## Cammack Succeeds Liebeskind at RKO

Following resignation of Nat Liebeskind, RKO manager for the Argentine territory, Ben Y. Cammack has been appointed to take over distribution which embraces not only Argentina but Uruguay and Paraguay as well.

Headquarters are made at Buenos Aires. Formerly South American supervisor, Cammack returned to New York last June to attend the annual sales convention and since then has been acting as assistant to Phil Reisman at the home office. He was originally in domestic distribution.

## 'Body,' in London Bow, Needs Nourishment

London, Aug. 20. Opening at the Lyric theatre in the West End last Wednesday (14), 'The Body Was Well Nourished,' showed itself to be an innocuous comedy thriller that won't be able to stand up against critical analysis. First week's gross indicates that it's just about breaking even.

Budapest, Aug. 4. With French and British film production, reduced to nil, and imports from overseas are in a bad way, European countries east of the Berlin-Rome axis are facing acute film shortage in the coming season.

Hungary, with her schedule of 30 feature pictures to be made during the '40-41 production year,' is least worried. Local playing time will be sufficient from the imports that are either already here, being held over for next season, or are filtering through despite transport difficulties. Those countries, however, which have no production of their own to speak of, are in a bad way.

In Greece, 300 theatres are waiting to be supplied with pictures. Of this number, 100 are in Athens, but only 34 play the year round, the rest being open-air summer theatres only. The cult of the cinema very strong in Athens. A number of theatres seat over 2,000.

Of the 245 foreign features presented in Greece during the past season, 150 were American, 75 French and 20 German. Most American films shown in Greece are synchronized in French. Greek titles are simultaneously projected on separate screen below the picture screen.

Local production is next to none. In the only existing studio, one or two features are made annually, but their quality is inferior. Rather better are Greek films occasionally made in Egyptian studios, which are superior in technical equipment. Greek talent and Greek direction are employed on these films. No national newsreels are made. Recently, the government prohibited the showing of foreign newsreels touching on war subjects, in order to avoid public demonstration.

Hungarian pictures have had much success in Yugoslavia and also in Bulgaria during the past season. In Yugoslavia, according to official data, 467 American, 99 French and 136 German films were imported during 1939. These figures include newsreels and educational. In actual footage, the import of French product was greater than that of German. There is no local feature production, but some 50 newsreels, shorts and publicity cartoons were made in Yugoslavia. In Yugoslavia, 432 theatres, 35 of which have not yet been wired for sound, are asking to be supplied with films. The greatest number of theatres, not in Belgrade, but in Zagreb, capital of Croatia.

In Slovakia, the Naspur Co., which has lately produced shorts and newsreels so far, is now shooting the first Slovak full-length feature.

## LONDON EXHIBS ASKED FOR SOLDIER CONCESS

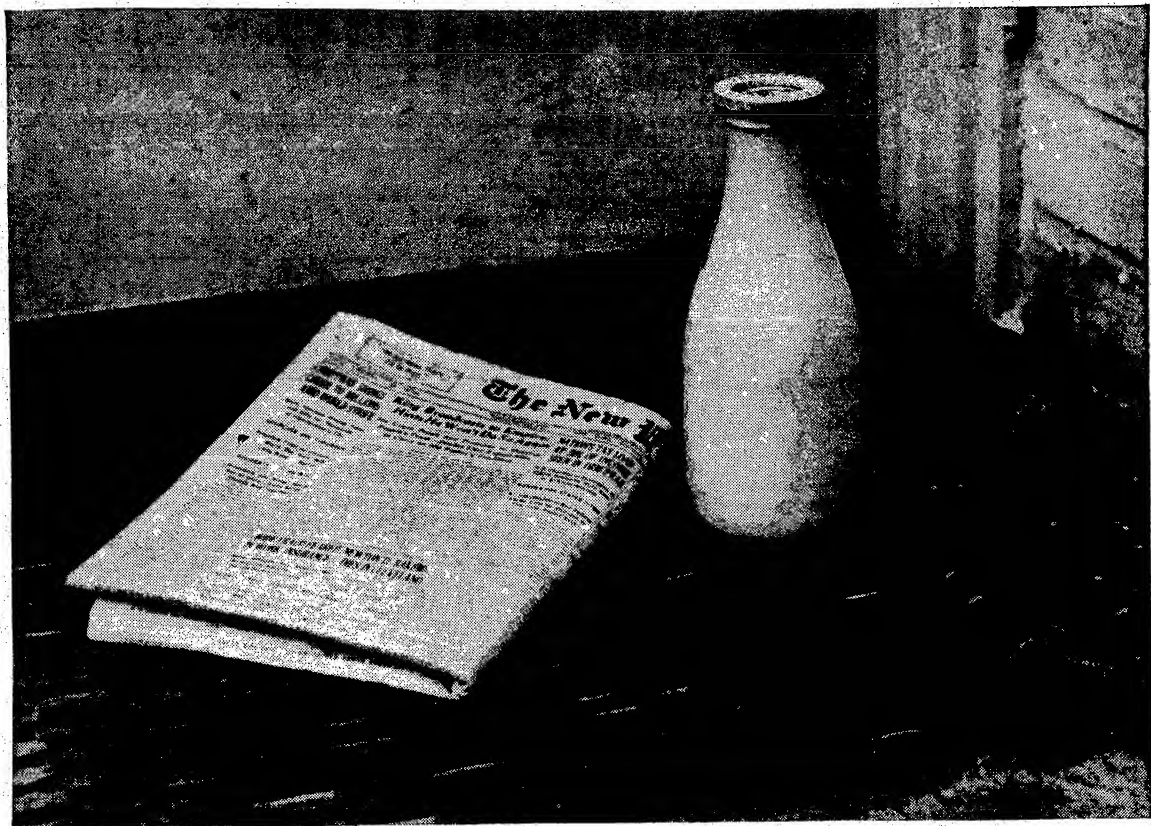
London, Aug. 8. With the nowadays constant stream into London of overseas troops, press and individuals have been approaching flimeries to open their theatres gratis to the stranger boys seeing the town on leave. Appreciating the thought, exhibs can't get the charitably-minded to see their side of the next scale on one single commercial outlet while foregoing cateries, saloons or any other place the boys go and where they are naturally expected to pay.

Film trade has already made gestures to the not-so-deep pockets of the khaki pants. When the lower-price seats are filled, uniformers, are asked to sit in the next scale on no extra charge. Many houses admit the troops at the lower-price scale anyway—they take their choice where they sit. In out-of-town areas arrangements are made for a once-a-week special screening for troops. All this is lumping the khaki suit as a unit, and not differentiating between overseas and home wearers. Much of the 'Be Kind to the Stranger' campaign is directed for the former, on the grounds he's invariably without someone to pass the time with.

company manager's dirty dealing, adds interest to what, of course, the

(Continued on page 30)





# "GOOD MORNING!"

*Here's the News!*

**"BOOM TOWN"** advanced price engagements  
**HELD** over and continuing phenomenal success  
**IN** first 9 out of 9 test engagements!  
**SECOND** week biz is so terrific that  
**THIRD** week is already announced in 4 cities!  
**"BOOM TOWN"** is the industry's front page news!  
**"PRIDE And Prejudice"** held over 3rd Week in  
**RADIO** City Music Hall summer-record run!  
**"I LOVE** You Again" fulfills M-G-M prophecy  
**HAPPY** customers — happy box-offices!  
**HELD** over 2nd week Capitol, N. Y. and  
**JOINS** the parade of M-G-M hold-over hits everywhere!  
**"STRIKE** Up The Band" is the talk of Studioland—  
**M-G-M's** Rooney-Garland musical tornado is  
**ALREADY** picked for the top grosser of 1940-41!  
**GOOD** morning, isn't it a lovely day!

# FILM BOOKING CHART

(For information of theatre and film exchange bookers VARIETY presents a complete chart of feature releases of all the American distributing companies for the current quarterly period. Date of reviews as given in VARIETY and the running time of prints are included.)

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Rev. in Var.—Reviewed in Variety. Key to Type Abbreviations: R. T.—Running Time. M—Melodrama; C—Comedy; CD—Comedy-Drama; W—Western; D—Drama; RD—Romantic Drama; MU—Musical.

WEEK OF RELEASE	Rev. In Var.	TITLE AND COMPANY	TYPE	TALENT	R. T.
6/21/40	6/26	THE CAPTAIN IS A LADY (M-G)	CD	V. Grey, B. Burke, C. Coburn	63
	6/12	THE GHOST BREAKERS (Par)	C	B. Hope-F. Goddard-R. Carlson	83
	6/19	FOR ALWAYS PAYS (RKO)	C	L. Errol-D. O'Casey-A. Pearce	65
	5/8	CHAMBERLAIN CRUISE (20th)	M	S. Toler-M. Weaver-L. Atwill	70
		I CAN'T GIVE YOU ANYTHING BUT LOVE, BABY (U)	D	J. Downs-P. Moran-B. Crawford	
	7/31	GAMBLING ON HIGH SEAS (WB)	D	W. Morris-J. Wyman	56
6/28/40	7/10	BLONDIE BEWARE (Col)	C	F. Singleton-A. Lake-L. Sims	
	7/10	RETURN OF WILD BILL (Col)	W	B. Elliott-I. Meredith-L. Walters	60
	7/10	ONE MAN'S LAW (Rep)	W	D. Barry-J. Waldo-G. Cleveland	57
	6/19	NEW MOON (M-G)	MU	J. MacDonald-N. Eddy-M. Roland	105
	7/3	QUEEN OF THE MOB (Par)	C	B. Bellamy-W. Henry-J. Cagney	60
	6/19	ANNE KELLY FOR THE MURDERERS (RKO)	RD	E. Sherry-J. P. Kelly-R. Kowles	45
	5/29	LUCKY CISCO KID (20th)	RD	C. Romero-M. B. Hughes-E. Venable	67
7/5/40	7/10	OUT WEST WITH PEPPERS (Col)	C	E. Fellows-D. Peterson	63
	7/3	ANDY HARDY MEETS DEBUTANTE (M-G)	C	M. Rooney-L. Stone-J. Garland	87
	5/29	WAY OF ALL FLESH (Par)	D	A. Tamiroff-G. George-W. Henry	52
	6/26	DR. CHRISTIAN MEETS WOMEN (RKO)	CD	J. Herschell-E. Kennedy-D. Levett	65
	7/3	SAILOR'S LADY (20th)	CD	N. Kelly-J. Hall-J. Davis	67
	6/12	PRIVATE AFFAIRS (U)	CD	H. Herbert-N. Kelly-R. Young	75
	7/3	MAN WHO TALKED TOO MUCH (WB)	D	G. Brent-V. Bruce-B. Marshall	76
7/12/40	7/10	SPORTING BLOOD (M-G)	D	L. Stone-R. Young-W. Gargan	81
	7/10	STAGE COACH WAR (Par)	W	W. Boyd-B. Hayden-B. Wood	61
	7/10	SCATTERBRAIN (Rep)	C	J. Canova-A. Mowbray-B. Donnelly	70
	6/5	MANHATTAN HEARTBEAT (20th)	CD	E. Sterling-V. Gilmore-J. Davis	71
	6/26	BLACK DIAMONDS (U)	RD	B. Arlen-A. Devine	61
		MY LOVE CAME BACK (WB)	RD	O. de Havilland-E. Albert-J. Wyman	61
7/19/40	8/7	MILITARY ACADEMY (Col)	D	T. Kelly-B. Jordan	66
		HAUNTED HOUSE (M-G)	M	M. M. Jones-J. Moran	
	7/17	WE WHO ARE YOUNG (M-G)	CD	L. Turner-J. Shelton-G. Lockhart	78
	7/17	CAROLINA (Rep)	CD	G. Aubrey-S. Burnett-J. Storey	65
	6/26	CROSS COUNTRY ROMANCE (RKO)	RD	B. Raymond-W. Barry-E. Pearce	66
	7/3	MARYLAND (20th)	RD	W. Brennan-F. Balmer-B. Joyce	90
	7/17	SOUTH OF PAGO PAGO (UA)	D	V. McLaglen-F. Farmer-J. Hall	100
		SON OF ROARING DAN (U)	W	J. M. Brown-F. Knight-B. Baker	
		LADIES MUST LIVE (WB)	W	W. Morris-R. Lane	
7/26/40	8/7	BLONDIE HAS SERVANT (Col)	C	F. Singleton-A. Lake	66
	7/31	BOYS OF THE CITY (M-G)	C	M. East Side Kids	68
	6/26	GOLD RUSH MAISIE (M-G)	C	A. Sothern-L. Bowman-V. Weidner	82
	8/21	UNTAMED (Par)	RD	R. Milland-F. Morrison-A. Tamiroff	82
	7/17	STAGE TO CHINA (RKO)	CD	G. O'Brien	51
	7/17	MILLIONAIRES IN PRISON (RKO)	M	L. Tracy-L. Hayes-V. Vale	63
	7/17	YOU'RE NOT SO TOUGH (U)	M	Dead End Kids-N. Grey	71
8/2/40	8/7	LADY IN QUESTION (Col)	C	B. Aherne-R. Hayworth-G. Ford	78
	7/10	PRIDE AND PREJUDICE (M-G)	RD	G. Garson-L. Olivier-M. Boland	117
	8/7	GOLDEN HORSE (M-G)	RD	B. Denning-B. Ray-J. Fenne	59
		THE SEA RAIDER (Par)	D	H. Wilcox-C. Landis-O. Stevens	76
	7/17	QUEEN OF DESTINY (RKO)	RD	A. Negley-A. Walbrook	76
	8/14	THE MAN I MARRIED (20th)	RD	J. Bennett-F. Lederer	76
		RANGER AND THE LADY (Rep)	RD	B. Rogers-G. Hayes-J. Wells	
		SOUTH TO KARANJA (U)	RD	C. Rickford-J. Craig-L. Desti	59
8/9/40	8/14	THE SECRET SEVEN (Col)	M	B. Bennett-F. Bright	62
	8/7	I LOVE YOU AGAIN (M-G)	CD	W. Powell-M. Ley-F. McHugh	62
	8/7	DOOMED TO DIE (M-G)	M	B. Karloff-M. Reynolds	47
	8/21	CHANGING OF THE GUARD (M-G)	M	L. Banks-L. Farrow-M. Malo	67
		ONE CROWDED NIGHT (RKO)	RD	B. Seward-D. Costello-W. Haide	67
	7/10	GIRL FROM AVENUE A (20th)	RD	J. Withers-K. Taylor-K. Aldridge	71
	8/7	STREET OF MEMORIES (20th)	CD	J. McGuire-L. Roberts	71
	8/7	CAPTAIN CAUTION (UA)	D	V. Mature-L. Platt-B. Cabot	84
	8/7	BOYS FROM SYCAMORE (U)	M	A. Jones-M. E. Byrne-E. Wray	51
	8/7	SING, DANCE, PLENTY HOT (Rep)	MU	B. Terry-J. Downs-E. Allen	72
		RIVER'S END (WB)	M	D. Morgan-E. Earl-V. Jory	
8/16/40	8/21	THE DURANGO KID (Col)	W	C. Starrett-L. Walters	
	8/21	GOLDEN FLEECE (M-G)	CD	W. Ayres-L. Johnson-V. Grey	61
	8/14	LAUGHING AT DANGER (M-G)	M	F. Darro-J. Hodges-G. Huston	61
		COMIN' ROUND THE MOUNTAIN (Par)	C	B. Burns-U. Merkel-P. Barrett	62
	7/24	STRANGER ON THIRD FLOOR (RKO)	D	F. Lore-J. McGuire-M. Tallichet	85
	8/14	RAMBLING WEATHER (20th)	CD	G. Rogers-L. Berner-B. Benches	92
		RETURN OF FRANK JAMES (20th)	RD	B. Fonda-A. Leeds-J. Cooper	92
	6/12	FOREIGN CORRESPONDENT (UA)	RD	J. McCrea-L. Day-H. Marshall	140
		ALL THIS, HEAVEN TOO (WB)	D	B. Davis-C. Boyer-B. O'Neill	
8/23/40	8/14	HE STAYED FOR BREAKFAST (Col)	CD	M. Douglas-L. Young-U. O'Connor	86
		MISSING PEOPLE (M-G)	W	W. Fyffe-L. Harding-K. Walsh	
		ARIZONA FRONTIER (M-G)	W	T. Ritter-S. Andrews-E. Finley	
	7/24	RANGE BUSTERS (M-G)	W	R. Corrigan-J. King-L. Walters	
	8/21	THE GREAT MCGINTY (Par)	C	B. Donlevy-M. Angelus-A. Tamiroff	81
	8/14	LUCKY CHARMS (RKO)	C	G. Rogers-L. Berner-B. Benches	92
		PIER 13 (20th)	D	L. Bari-L. Nolan-J. Valerie	98
		THE SEA HAWK (WB)	D	E. Flynn-B. Marshall-C. Rains	127
8/30/40		PEPPERS IN TROUBLE (Col)	C	E. Fellows-D. Peterson-R. Sinclair	
	8/21	QUEEN OF THE YUKON (M-G)	C	C. Bickford-L. Rich	
	8/21	BOOM TOWN (M-G)	C	C. Gable-S. Tracy-C. Colbert	117
	8/21	THE GREAT PROFILE (20th)	CD	J. Barrymore-M. B. Hughes	79
		BYE-BYE BIRDIE (Par)	C	B. Crosby-M. Martin-B. Rathbone	92
	8/7	DANCE, GIRL, DANCE (RKO)	M	M. O'Hara-L. Hayward-L. Ball	93
		THEY DRIVE BY NIGHT (WB)	C	G. Raff-A. Sheridan-H. Bogart	93
		OKLAHOMA RENEGADES (Rep)	W	L. Livingston-R. Hatton-D. Renaldo	
		KIT CARSON (UA)	W	L. Bari-J. Hall	
9/6/40	8/7	LIFE WITH HENRY (Par)	C	J. Cooper-L. Ernst-E. Bracken	
		CHAN AT WAX MUSEUM (20th)	C	S. Toler-S. Yung-J. Valerie	
	8/21	FUGITIVE FROM PRISON CAMP (Col)	M	J. Holt-M. Marsh	58
		DR. KILDARE GOES HOME (M-G)	M	L. Ayres-L. Johnson-V. Grey	
		UP IN AIR (M-G)	M	F. Darro-M. Moreland	
		WHO IS GUILTY? (M-G)	M	B. Lyon-B. Blair	
	8/21	ARGENTINE NIGHTS (U)	MU	Ritz Bros.-Andrews Sisters	
		RISE, TENDERFOOT, RIDE (Rep)	RD	G. Aubrey-S. Burnett-J. Storey	66
		MEN AGAINST THE SKY (RKO)	RD	B. Dix-K. Taylor-W. E. R. Benches	
		CALLING ALL HUSBANDS (WB)	C	G. Tobias-L. Frankbanks-E. Truex	
9/13/40		HOWARDS OF VIRGINIA (Col)	D	C. Grant-M. Scott	
		BAD MAN OF CARMING (M-G)	W	W. Ayres-L. Johnson-V. Grey	
		THE APE (M-G)	D	Boris Karloff	
		I WANT A DIVORCE (Par)	D	J. Blondell-D. Powell-G. Dickson	
		DREAMING OUT LOUD (RKO)	C	Lum and Abner-F. Langford	
		BRIGHT YOUNG (20th)	RD	T. Power-L. Darnell-D. Jagger	
		THE WIFE (U)	RD	B. Russell-L. Berner-B. Benches	
		NO TIME FOR COMEDY (WB)	C	J. Stewart-R. Russell-C. Ruggles	
9/20/40	8/7	WIZARD OF DEATH (Col)	M	B. Karloff-E. Keyes	
		HAUNTED HONEYMOON (M-G)	M	R. Montagu-L. Cummings	89
		THAT GANG OF MINE (M-G)	D	B. Jordan-L. G. rey	
		I'M STILL ALIVE (RKO)	RD	K. Taylor-L. Hayes-R. Morgan	
		YESTERDAY'S HEROES (20th)	CD	R. Sterling-J. Rogers-R. Gleason	
		MUMMY'S HAND (U)	RD	D. Foran-P. Moran-W. Ford	
		NIGHTTIME COWBOY JOE (U)	W	J. M. Brown-N. O'Day-K. Knight	
		THE WESTERNER (UA)	W	G. Cooper-W. Brennan-D. Davenport	

## Ride, Tenderfoot, Ride

scripts intended to be an ultimate merger, but on the square.

Again clicko, and fast rising to a position of prominence with the Republic contract ranks, little Mary Lee, moppet songstress, is the scene-stealer in "Tenderfoot," with her neat flair for acting and her clear-throated warbling. Aubrey is his standard self, tossing off a tune in able tenor, particularly the smash pop, "Woodpecker Song," which he does with Miss Lee, and the title song, in which he's joined by Miss Lee.

Miss Storey is pleasant to look at, and handles her role well enough, while Smiley Burnette, as Aubrey's comedy sidekick, is inclined to be dull with his tricked-up, standard mannerisms.

Joe Frisco, he of two-day-a-top-billing era, is given a bit scene, as a cowboy, cutting the once virginal stout Burnette. It's but slightly funny and too obviously inserted to show off the vaudeur's comedy talk, while his dancing, once a top feature, gets no chance.

## BOYS OF THE CITY

Monogram release of Sam Katzman production. Features Bobby Jordan, Leo Gorcey, directed by Leo Gorcey. Running time, 68 mins.

Two of the original Dead End Kids and a flock of extra toughies form the East Side Kids for this film, a weak runoff. Reels are crammed full with faults in photography, directed to generate an emotion, yet when caught a full house seemed to enjoy Leo Gorcey, Bobby Jordan & Co. wrangling a mystery, the reason for which is never clearly explained, to a conclusion.

Except for Dave O'Brien, cast as Bobby Jordan's elder brother, who nearly went to the chair once on circumstantial evidence, the support for the pair of deers, dem and dose actors is woefully inadequate. None of them is convincing, so it's pretty hard to make the tale convincing.

Director Taylor, as a Judge, who is finally murdered; Inna Gesti, as his ward, and Minerva Ugallo, as a leering housekeeper, are made to look like phantoms by the script demands and so-called "trick" photography. Even Vince Barnett, ostensibly in for laughs, but who eventually turns out to be the culprit of the piece, fails to generate any impression.

Story revolves around a trip to the mountains out of mischief's way for the Gorcey-Jordan gang, and a similar trip by a group headed by the bad boys, who threaten to kill the gang's bawky car to keep him from testifying against something; what it is, is never explained. Anyway, the latter group are forced by the gang's bawky car to crash into the Judge's mansion in the hills. During the evening the threat writers catch up to him and the fun begins. Inna Gesti, until Barnett is unveiled as the bogeyman murderer in a long black cape, the tough guys don't look so hot jumping out of their skins every time something or somebody bumps.

## DAD RUDD, M. P.

(AUSTRALIAN-MADE)

British Empire release of Cinecound production. Stars Bert Bailey; features Fred MacDonald, Yvonne East, Alec Kellaway, Barbara Steele. Directed by Ken G. Hall. Story, Bert Bailey and Frank Harvey. Screenplay by Ken G. Hall. Running time, 83 mins.

This one marks final to Cinecound as a producing unit until after the war. It was made with a goodly proportion of governmental coin, and the sponsors may come out on the right side of the ledger, depending upon how the pic is received in the nabes and stix. It has done little in the city.

Ken G. Hall has done a good directing job, but a similarity in yarning has completely eliminated further popularity for this type of fare, and its failure in the centre is quite understandable. However, in the nabes and stix, where hokum is still box office, this one may make out very nicely. Quite useless for U. S.; will probably appeal to Britishers if room can be found for it in wartime England, especially as Aussie troops are now located there.

Story is a mixture of dated comedy, drama, hokum chases and a

patriotic spurge, giving the impression that Hall was determined to put into the footage something to please all tastes. Yarn tells of an old rancher's fight over water conservation, his repeated failures, finally ending in a determination to become a Member of Parliament in order to protect the ranchers associated with him. How he finally gains victory is the footage basis.

Bert Bailey turns in a good performance; Fred MacDonald likewise, with the rest of the cast, including Barbara Steele, so-so. Continuity is marred by several scenes that are some solid laughs. Camera work is rich.

Rich.

## Laughing at Danger

Monogram release of Libley Parsons production. Stars Frankie Darro, George Houston, Minto Moreland. Directed by Howard Hughes. Story, Libley Parsons; adapted by Minto Moreland and Joseph West; film edited, Jack Quinn. Photography, Libley Parsons. Running time, 68 mins.

Frankie Darro, Minto Moreland, George Houston, Minto Moreland, Kay Sulton, Guy Usher, Lillian Elliott, Veda Ann Borg and Betty Compton. Running time, 68 mins.

In the quest for a murder mystery that has something different about it, Monogram has found a story of killings that occur in a beauty parlor, throwing in a colored parlor for strong comedy relief. The results are fairly successful, but not so much because Frankie Darro, smart-tongued lead actor, is teamed with minkie Lillian Elliott, in a color parlor, laid on the importance to the story.

Mantana Moreland, a colored performer originally from the stage, virtually steals "Laughing at Danger" and contributes vastly to making it an enjoyable 'B' film. He works with remarkable ease and at all times is natural.

Lindsay Parsons production, well-mixed and around, and around, beauty parlor whose operators use gossip among wealthy women customers as a means of blackmail. Conversations, however, make records of conversations, remarks and phone calls. It's a somewhat different twist on the blackmailing racket, but a little unexpected are the ends to which the means are laid in carrying out their schemes.

Two murders figure, plus a suicide, and the inclination now and then is to wonder why better police work doesn't figure in the trail down the killers. That is left, however, mostly to young Darro in order to give him sufficient prominence as a page-boy in the beauty parlor establishment.

He has Moreland, teaming up with him for laughs, largely inspired by fear. Some of the dialog is a bit tiresome, such as the scene where the boarding house mistress hands out a little advice and comfort to Joy Hodges.

Miss Hodges plays a beauty operator who is in love with George Houston, a police sergeant. As a romantic lead, Houston fails to impress. Neither does Miss Hodges, though screening suitably.

Lessers include Kay Sulton, Guy Usher, Lillian Elliott, Veda Ann Borg and Betty Compton. All are OK.

## Madre a la Fuerza

(Mother by Compulsion)

(MEXICAN-MADE)

Jose Luis Bueno production. Directed by Robert O. Quinley. At Cine Olimpia, Mexico City. Running time, 83 mins. Cast: Maria Conesa, veteran Spanish comedienne, who has acted for nearly 40 years, but is still a considerable looker. Photography is very good, but sound could be better. Local consumption is the only outlook for the film.

Pic concerns La Conesa, a sporty spinster who takes it into her head to do her doorstep, and a series of misunderstandings with her admirer, Del Diestro, a medico with a penchant for tromboning. Her partner, her nephew, and Susan Guizar, a looker, who's his sweetheart.

Pic points up a new custom here, men taking off their hats in homes only when they feel like it. Excepting La Conesa, femmes' dressing and presentation could be much improved. Direction is faulty.

## 20TH BAGS RACE SHOTS

Stockton, Cal., Aug. 20.

Twentieth-Fox camera crew, headed by Lynn Shores, is shooting harness race scenes here as background for "Golden Hoofs, the Juicy Withers starrer.

Filming starts at the studio Sept. 4.



# SAILING IN ON WAVES OF RAVES! TO OPEN PARAMOUNT'S BIGGEST YEAR!



BASIL RATHBONE

OSCAR LEVANT  
("Hollywood Reporter")

BING CROSBY

MARY MARTIN

LILLIAN CORNELL

**"RHYTHM ON THE RIVER"**  
starring **BING CROSBY** • MARY MARTIN • BASIL RATHBONE  
Oscar Shaw • Charley Grapewin • Jean Cagney • Directed by VICTOR SCHERTZINGER • A Paramount Picture

"Paramount will certainly please Bing's fans with 'Rhythm on the River'."  
—Louella Parsons, Los Angeles Examiner

"Bing Crosby goes to town for a hit in 'Rhythm on the River'. A choice piece of entertainment. One of the most entertaining and best quality films the studio has delivered in many months."  
—Daily Variety

"Rhythm on the River' his high note in Crosby shows. A most tuneful and tasty piece of Crosby musical entertainment."  
—Hollywood Reporter

"Rhythm on the River' refreshing entertainment. Winning, romantic comedy."  
—Los Angeles Daily News

"One of the best of the films with which Crosby ever has been identified. The tunes and the way they are done will go far to capture audiences."  
—Edwin Schaller, Los Angeles Times

"Rhythm on the River" sure wows 'em... but wait'll the boys cast their critical orbs on the comedy a pre-view audience has labelled the step-happiest of the year...



Joan Blondell  
Dick Powell  
in  
**"I WANT A DIVORCE"**  
with Gloria Dickson  
Frank Fay  
Directed by Ralph Murphy



And wait'll they see what SAM WOOD (who directed "Good-bye Mr. Chips") has created as the first Big Paramount Action Picture of the New Season... a picture a pre-view audience has already said will make box office history...

**"RANGERS OF FORTUNE"**  
with  
Fred MacMurray • Patricia Morison • Albert Dekker • Gilbert Roland • Joseph Schildkraut • Dick Foran  
Directed by SAM WOOD

## Films Fight Red Charges

Continued from page 2

several hours in conference with Chairman Martin Dies at his hotel suite.

Following the parley, Chairman Dies stated:

"Mr. Freeman and the other gentlemen came here to tender me their fullest cooperation to have the guilt or innocence of anyone connected with the film industry established. They agreed that those guilty of subversive activities should be exposed."

"We are a fact-finding body. We must make a report to Congress by Jan. 3, and when we have heard the evidence from both sides we will reach a conclusion on whether they are guilty or innocent. Everyone against whom charges have been made will be heard, and if they do not volunteer before the conclusion of the investigation, they will be subpoenaed. It makes no difference how big they are. If the evidence shows their guilt, that fact will be made known to the American people, because it is my duty to do so."

### Dies, Freeman Agree

Chairman Dies agreed with Freeman and Thomson that where the evidence failed to show any of those named by Leech as connected with Communist activities, they would be given a clean bill. It was agreed that no protection would be accorded those convicted by the evidence.

Humphrey Bogart, one of those named by Leech, stole a march on the other boys. Within a few minutes after Chairman Dies had moved into his hotel suite, Bogart appeared with a request that he be given an opportunity to refute the charges.

Bogart denied that he had ever been connected in any way with the Communists, insisted that he had never contributed to the party, and stated that Leech was a "plain liar." Frederic March, another of those named by Leech, appeared before Dies shortly after Bogart. March referred to Leech as an "unmitigated liar." He stated he was an American and that his sympathies were wholly American.

Leech, who had been star witness before the L. A. Grand Jury, also was called before Dies, flying here from Portland, Ore. Later Dies stated Leech had testified that he had no personal knowledge that Bogart had ever contributed to the Communist party, but that Leech did say he recalled Bogart was at the meeting in Hollywood when \$10,000 was subscribed to Earl Browder's campaign. Dies, however, gave Bogart a whitewash, stating in his investigation of radicalism in Hollywood he had never heard the actor's name mentioned.

Little attention was paid to the Leech charges before the L. A. Grand Jury until after Lionel Stander, one of those named, was dropped from cast of Republic's "Hit Parade." The Producers' Association and the SAG then apparently awakened to the fact that the charges were being circulated throughout the country and that the reaction against some of those named might be serious unless they were refuted.

### Freeman Explains Stand

After his talk with Chairman Dies, Freeman stated:

"I came here to tender the cooperation of the Producers' Association to clear up this situation. The screen industry insists that these people be either cleared or found guilty—one or the other."

Prior to going into a huddle with Dies, Freeman had released the following statement:

"That party of the motion picture industry located in Hollywood is composed of approximately 32,000 workers. These workers are not willing to yield to anyone in their true Americanism."

"There have appeared in the press of the country during the past months accusations and counter-accusations of Communism and other 'isms' leveled at certain individuals in the motion picture industry, which may possibly cast aspersions on this group of 32,000 loyal Americans. Such aspersions may not have been intentionally designed for this purpose, but, nevertheless, accusations against a few must not be allowed to reflect upon the whole."

"For this reason we welcome a complete and impartial investigation by the duly appointed body of the United States government, constituted for the purpose of making inquiries into the subject of subversive and un-American activities. It

and always has been, the desire of all loyal American workers in this industry to co-operate with the Government's representatives in aiding them in the rightful performance of their duties."

### Calls Pix People Loyal

The motion picture industry, by its very nature, is a front-page subject. But, above all, it is an American industry. If a true and impartial investigation discloses that there are those who, by their actions and conduct, have brought discredit upon this great American industry and its loyal and splendid workers, then there will be no attempt to protect such individuals or groups of individuals. However, whether such accusations, as made against any individual, are true or false, it is not to be proven and we know that, in fairness, public decision will be withheld until a complete and impartial investigation can be made of such accusations.

"It should be clearly understood that accusations involving individuals should in no way blacken the name of the entire industry; should innocent persons have their names blackened without justification. The 32,000 American workers in this motion picture industry refuse to accept any disparagement of themselves by any individual or group, either within this industry or outside of the industry."

"We therefore wish the American public definitely to understand that those who work in the industry, representative and patriotic Americans, stand shoulder-to-shoulder in our willingness and desire to give complete cooperation to the United States Government's inquiry into any matters concerning Communism or any other 'isms' or un-American activities."

"We, as an industry, are willing to hold forth to the American public our record for patriotic achievement with a complete feeling that this record is one of which the 130,000,000 Americans in this country can be and will be proud."

### Slap Back at Filts

The SAG broadcast the following statement, which it said was based on a N.Y. Times editorial:

"Eighteen Hollywood personages have received unwelcome and expensive publicity by being branded as Communists or Communist sympathizers in testimony given by John R. Leech before the Los Angeles County Grand Jury. The Grand Jury in question was investigating a five-year-old murder, with which no one charges or supposes that any of the motion picture people mentioned had even the remotest connection. The Los Angeles prosecutor announces that he does not intend to proceed against Mr. Leech's list, possibly because a political belief, however, repugnant to the vast majority, is not in itself a crime. The persons named, in so far as they have been heard from, deny the Leech accusation. Finally, Mr. Leech himself is the same Mr. Leech who testified in the Bridges deportation case and whose testimony was discredited in strong terms in the report turned in by the special trial examiner, Dean James M. Landies, of the Harvard Law School."

"All these circumstances being considered, it is hard to understand why the Leech testimony in Los Angeles was ever made public. Being made public, it became news of national interest which had to be printed. As a result, the persons named run the danger of impairment in their main property and capital—their standing in the public eye. Since no formal charge lies against them, they cannot put their cases to a jury and must count on their details to outrun the original Leech statement. In a race of that sort the lie, if any has been told, has a long head start. It would be foolish to maintain that there are no Communists or Communist sympathizers in Hollywood. All that is reasonably certain is that previous little Communist propaganda gets into commercial films. What is sinister in the present episode is not the possible drop of Communism in the vast sea of mass entertainment, but the misuse of supposedly correct legal machinery to give irresponsible witnesses a chance to smear reputations. Most of us detect and despise Communism. It is an even worse outrage to penalize those who, as in the Los Angeles case, deny they are Communists or Communist sympathizers. Yet this is precisely what happened when Mr. Leech's testi-

mony was spread for all the world to read."

### Dies to Hear Accused

In commenting further on the situation, Chairman Dies stated:

"We have testimony of witnesses who have charged some 43 actors, writers and directors are, or have been, members of the Communist party or actively participated in Communist meetings and contributed money to the party. We want to afford them an opportunity to affirm or deny these charges."

All of the actors, writers and directors named before the L. A. Grand Jury have indicated they will appear before the Dies committee to enter a formal denial.

### Caney Denies

New Bedford, Mass., Aug. 20. James Caney, interviewed at his home in Chilmarrk, Martha's Vineyard, Mass., emphatically denied any connection with the Communist party. He placed the blame for reflected charges that he and other screen players are Reds "Coast political aspirants."

Only possible way he might have been linked with the Communies, Caney said, was that he and a group of other actors, on being told of a very bad situation in the San Bernardino Valley, Cal., a few years ago, had contributed financially to the support of a large number of children who were working "the lettuce fields."

These kids were suffering from malnutrition and allied ailments, the screenplay declared. Through jealousy, he said, leaders of nearby communities that believed they also were entitled to funds dubbed the Hollywood Reds' group.

Dies said in San Francisco he expected to take statements from James Caney, Franchot Tone and Melvyn Douglas, all of whom have asked for a courtship to appear before his committee. Simultaneously, Reginald Denny filed suit in Superior court seeking to ban Communist candidates from Aug. 27 election ballot on the ground Communist party members do not profess allegiance to U. S.

## Aviation Pix

Continued from page 3

in the featured bracket. Meanwhile, the story editors of the other plants are scouring their files and scanning the markets for material in the same category. Even Republic and Monogram are in the field.

While aviation pictures are expensive at best, the three outfits assuming the lead in the flying trend—Metro, Par and Warners—have ordered the strings off the bank-rolls in an effort to give their vehicles class productions. Metro has been assured the full cooperation and equipment of the Navy in its undertaking, while Par and Warners have been pledged similar aid by the Army Air Corps.

Heads of both branches of the nation's armed service have tipped all picture companies that they're ready to go the limit in assistance on any cinematic effort that will help to increase the air-mindedness of the American people and coax more recruits in uniforms. This is a far cry from the cagey policy toward Hollywood assumed by the admirals and generals a few months back, when their attitude toward extending a helping hand was seemingly one of thumbs down.

Metro will train its cameras on "Flight Command" within a day or so, later taking a big troupe to the Navy's base at North Island, off San Diego, and later to other Navy locales. J. Walter Ruben is producing, with Frank Borzage as director.

Paramount signals lensing on "I Wanted Wings," Aug. 26, at Randolph Field, Texas, which the Army has turned over to the film unit in its entirety. Rita Hayworth has been borrowed from Columbia to play opposite Holden. Arthur Hornblow, Jr., produces, with Ted Reed at the controls.

Robert Presnell is writing the screenplay for Warners' "50,000 Flyers," with indications it will be ready for the gun around Sept. 25.

### HURRICANE'S DAMAGE

Spartanburg, S. C., Aug. 20. Roof at Victory, Charleston, S. C., ripped off during last week's hurricane. Stage exposed and considerable damage done. Prexy Albert Soffle, Pastime Amusement Co. owner, said repairs would require several days. Theatre only one damaged during week of Carolinas and high water all Carolina, Hendersonville, damaged \$5,000 by recent fire, nearly through repairs-modernization program.

## Plot Markets Off

Continued from page 5

major—including the Spanish and Japanese—Chinese squabbles, the Nazi invasion of Poland and lastly world conflict No. 2, with their resultant shriveling of foreign revenues.

The pinch was on. Story editors, who a decade ago would have considered it beneath their station to quibble over expenditure of an extra \$2500 of the company's cash, learned that new economy regulations demanded that savings be made generally if the industry was to continue to operate, and that affecting even a \$250 cut in an author's asking figure drew approving bows from their bosses.

### Demand Shows Decline

Nor is price the only thing affected. Demand, also, has shown a startling falling off. There was the case, a few years ago, of a producer who paid \$5,000 for an original that both he and his superiors well knew would never be lensed. Asked by the latter why he had put through the deal, the producer replied: "The author did me a favor way back when I was an assistant director, and I've never forgotten it."

Today it's almost impossible for a producer, story editor or higher studio officials to take care of pals or even relatives with company coin. Home offices, in most cases, have established too close a watch over studio outgo. Even the banking outfit's financing operation of the six plants have established espionage systems within the gates.

No more is the producer or story editor empowered to make plot commitments on his own. He may recommend deals for material, but that is all. Final decision usually rests with persons several notches nearer the top chair, and in cases involving important money, such as a Broadway hit, it may go the full route to the directorate itself.

Clampdown is an outgrowth of banker-guided surveys made in all studios soon after financiers sensed a slow-down in income following the shuttering of European markets. Investigation revealed that some plants had hundreds of thousands of dollars tied up in stories that weren't worth the paper on which they were written, while additional thousands had been sunk in yarns that could be utilized in part only after expensive rewriting jobs had been carried out.

### 6,000 Stories on Shelf

Excellent example of what used to be was uncovered at Universal when the Nate Blumberg administration took over the plant. On the shelves were between 6,000 and 7,000 stories, a great part of them entirely valueless, with others that were eventually converted into screen fare against the better judgment of Blumberg and his lieutenants, but which were filmed because they felt that something must be salvaged from the supply.

"We went on making crime pictures long after that style of entertainment had been outmoded, simply because we believed we had to liquidate some of that big investment," M. J. Fox, Universal v.p., said recently.

Universal, like other companies, now buys material as it needs it, always keeping sufficient on hand to safeguard against any scarcity, but that is all. An ever-spreading war and too-rapidly changing public taste have combined to make quantity buying of stories a dangerous practice; Hollywood toppers point out.

Even an indie company, such as Republic or Monogram, would rather pay more for a best-seller or a Broadway play than gamble on an untried tale. Difficulty is, however, that there are too few of these to fill the maws of the production machines.

Whether the Hollywood freelance writer of originals, who works purely on speculation, will ever come back into his own, financially speaking, remains to be seen. Studio heads say "No," but then they've been known to guess wrong before.

## Story Market in the East Slackened to Standstill

With 1940-41 programs of all companies virtually completed, the story market of a month ago has slackened to a standstill. There have been no important acquisitions of properties within the past few weeks and only possibility at present appears to be "Moonlight," novel by actor Willard Robertson, which will be published next month. In former years studios went

right on buying story material after their slates were considered full, counting on the possibility of properties being dropped because of lack of topicality, scripting trouble, star difficulties and other emergencies. With the war making the future indistinct, however, there's a hesitancy about buying anything for the shelf.

An indication of former methods is best illustrated by Metro. It bought from 100 to 115 stories every year and usually turned out 49 or 50 films, the remaining material piling up in storage. Other companies were never so free with their cash, but quite a few purchased between 70 and 80 stories to make from 40 to 50 pictures.

As a result of economies forced by loss of foreign markets, all story departments are going through excess yarns, which have been gathering dust in cupboards year after year. They are also fingering through stories already filmed for possible rewrites and remakes, Warner Bros' "Convention City" being the latest in this category. Keen competition for material from growing number of indie producers is also causing majors to thumb the records.

## Goldwyn Still Selling Stories Off Shelves

Hollywood, Aug. 20.

Samuel Goldwyn is continuing his policy, inaugurated several months ago, of selling story properties that have been accumulating on his shelves through the years. A dozen old pictures and undeveloped stories have been turned over to agencies for disposal to other studios.

Among the unproduced properties are "Hans Christian Andersen," a biography of the fairy tale writer, and "MacIntosh," a Somerset Maugham novel. Listed with the produced plays are two Eddie Cantor comedies, "The Kid from Spain" and "Palm Days," and the Sinclair Lewis tale, "Arrowsmith." The housecleaning began last winter when 20th-Fox bought "The Sweetheart of Turret One" and filmed it as "Sailor's Lady."

## No Cuffo Acts

Continued from page 1

is turned over to theatrical charities.

Report that the Theatre Authority had refused permission last week for an actor to appear free at a political rally was denied by Hoyt Haddock, American Guild of Variety Artists executive-secretary and chairman of the Four A's benefit committee. According to Haddock, the question of okaying performer appearances at benefits is the authority of the Four A's committee alone. The committee has not ruled, he said, and as chairman of the body he asserted it had issued no instructions regarding such appearances.

He also asserted that he doubted reports that such a ban had been issued by Alan Corelli, Theatre Authority executive-secretary. Explained that Corelli is away on vacation and, in any case, he has no authority to okay benefits or benefit appearances, but merely carries out the committee's instructions.

However, Haddock declared, as chairman of the committee, he would oppose any free appearances by actors at political rallies or any other except actual charity benefits—and if the work would drastically reduce the number of waivers granted them, he added. Other members of the committee also expressed views similar to those of the chairman, although they likewise said they were speaking as individuals, because the committee had not officially considered the problem.

"The reason why actors should be called upon to contribute their services to make money for Joe Doakes—and there's no reason why actors should contribute their services to gain political aggrandizement for Joe Doakes, either. From other sources it was reported that Walter O'Keefe, who participated in the Wendell Wilkie notification and acceptance ceremonies Saturday (17) at Elwood, Ind., did not contribute his services as an actor. Comedian wrote radio material for the occasion, but did not appear either on the air or in person himself, it was said."



# The Great American Showman Agrees

With MOTION PICTURE DAILY That:

## "HE STAYED FOR BREAKFAST" IS "A SURE-FIRE CURE FOR THE TROUBLED BOX-OFFICE!"

**MILTON ARTHUR**, Cabart Theatres, Los Angeles **MIKE BARD**,  
**HARRY HOLLANDER**, Colorado Corporation, Los Angeles • **CARL**  
**BUERMELE**, Co-operative Circuit, Detroit **OSCAR COBLENTZ**,  
Alpha Theatre, Catonsville, Md. **SAM DEMBOW, Jr.**, Paramount  
Theatres • **JOHN HARRIS**, Harris-Alvin Theatre, Pittsburgh **CHARLES**  
**HAYMAN**, Lafayette Theatre, Buffalo **WILLIAM HENDERSON**,  
Frank Durkee's Circuit, Baltimore **ED HINCHEY**, Warner Bros. Circuit

**BERT JACOBS**, Warner Bros., Boston **MAX LEVENSON**,  
Levenson Circuit, Boston **FRED MEYERS**, R. K. O. Theatres • **RAY**  
**MOON**, Mutual Circuit, Detroit **RODNEY PANTAGES**, Pantages  
Theatre, Hollywood **EUGENE PICKER**, Loew's Theatres, Inc.  
**I. M. RAPPAPORT**, Hippodrome Theatre, Baltimore **HERMAN**  
**RIFKIN**, Rifkin Circuit, Boston **MIKE ROSENBERG**, Principal  
Theatres, Los Angeles **MARTIN TOOHEY**, Pawtucket



**MORE ON REQUEST!**

*Just a few of the hundreds*

## PARAMOUNT, N. Y.

Cab Calloway Orch. Avois Andrews, Stump and Stumpy, Six Cotton Boys, Cozy Cole, Bert Faine; 'The Great McGinley' (Par), reviewed in VARIETY, July 24.

Everything in the way of music, dancing and general nonsense goes this week on the stage of the Paramount and the result is an hour of breezy, high-powered colored entertainment. With Cab Calloway in mood, volume and tempo. For a choice assortment of melodic pleasure there's Avois Andrews, the Grace Moore of her race. Stump and Stumpy provide the usual riot with the unique brand of eccentric hooching and clowning, and the Six Cotton Boys make the art of ensemble toe-and-heel tapping a treat for the eye and the ear.

Calloway's orchestral output can't help but please all facets of taste or inclination among the Paramount customers. 'The Great McGinley' (St. Louis Blues) is a major performance in itself. The sharp shift in mood to 'I'll Never Smile Again,' with Benny Faine doing the vocals, comes over in almost equally strong fashion and the band again sets all palms pounding when at the finale it cuts loose with its own version of the 'Chili Con Carne.' The Cab Jivers (5) slice off a substantial chunk of commendation for themselves by giving out something that's not only off the elbow but strong, swinging and accurate. Also, stand out in the Calloway troupe is Cozy Cole, who preempts several minutes for a blowout of percussion, calypso, and that sets the stage in a dizz, delight and the simple outsiders marveling at this drummer's endurance.

With Miss Andrews' appearance the cultural, general nonsense goes a wide upward arc and everything she does, whether it's 'The Man I Love,' or 'Lover Come Back to Me,' whips 'em up in huge applause. She is an endowment which reaches in many directions. Besides a magnificent voice that grows more so with the passing years, Miss Andrews has an air of the most dramatic flair which rates her away up among the current music-hall sopranos.

Stump and Stumpy dish out plenty of midsize damage in their closing spot. They get their stepping and low-jinks routine down to the point where the audience is allowed no respite from either applause or laughter. The crack, fat show all the way down the line, but by the time Stump and Stumpy are through with the payees the latter are fit for but one thing, and that's a fadeout number by the orchestra. Business at the performance caught was big. Odece.

## CAPITOL, WASH.

Washington, Aug. 18. Rhythm Rockets (16), Ken Harvey, Jack Cole Dancers (3), Fague Springman and Co., Sam Jack Kaufman House, Orch. Jack Durand; 'South of Pago Pago' (UA).

Jack Durand is headliner in Gene Ford's revue this week, but highlight of the show is 'All Points West,' with baritone Fague Springman, a local popular, as soloist.

Sam Jack Kaufman and house orchestra open the show with 'The Bridal Rose' overture, which always goes over at this theatre. Travelers open on a deep stage and lineal swing on the cowgirl and setup for fast rhythm routine. Curtain down and banjoist Ken Harvey comes close to the apron on a stool for his number. After one tune with banjo, he introduces into the show the vibraphone, mandolin affair that works by electricity. Does one number, then goes into train pulling out of station. Got deserved returns. Continues with 'place' songs, indicating travel, down south, out west, etc. Clicked solidly.

Jack Cole and two gal dancers come on for first of two numbers on the revue. First is East Indian dance, well done with effective costumes. Act is far better than usual run of vaude dancers without being over heads of their own sense.

Travelers down and Kaufman makes announcement about 'All Points West,' story of a terminal train caller, first done by Paul Whiteman at Carnegie Hall some years ago. Curtain up on train band scene, with fence and tracks in background, reproduction of local Union Station. Springman, as train caller, advances, starts singing 'train time and track numbers, interspersing it with his own thoughts about the people who go on the trains and wishing he could go for a trip on a train just once. Meanwhile various people going through gate in background, salesmen, college girls, honeymooners, soldiers, 'til a detective comes through with 'prison time' and to him, bound for Ossining. Moment later prisoner escapes and in resulting chase detective accidentally shoots train caller. He closes scene with song about his time and goes to take a trip and the track is clear. Act is too serious to evoke great immediate applause, but obviously got

through to the audience effectively. Springman drew several calls. Kaufman brings on Durant, favorite with local audience, who goes over. Gags are all about the same, but get the usual callback for more. Trick if imitating Gable or Herbert Marshall, and then doing quick flip with crack, but can Gable to this? is ready for retirement. Won three calls back, then introduces Cole and girls for 'La Conga' number, with good melody routine by the rhythm Rockets in short, red flare skirts with black trimming. Effective number which got solid hand.

Saturday (17) night show had usual big house.

## HIPPO, BALTO

Baltimore, Aug. 18. 'Ninth Anniversary Jamboree' with Andrews Sisters (3), Nan Rae and Maude Davis, Franklyn D'Amore and Co. (2), Lester, Buddy Monroe, Baltimore Rockettes (16), Phil Lampkin House, Orch. (14), 'The Lady in Question' (Col).

Departing from traditional anniversary policy of presenting a name-filled layout of more than the usual number of acts, Izzy Rappaport has on this, the ninth birthday of his theatre, leaned heavily on talent and versatility, supported by the rhythm entry, the Andrews Sisters. Move is a wise one and sure to reflect itself in the b.o., judging from favorable word-of-mouth already making the rounds.

Placing Phil Lampkin and his augmented house orch in a special set and employing the Baltimore Rockettes line of 16, previously presented and the annual scale, the only star, Revue, throughout the doings, lay-out takes on a presentation motif to good effect.

Following hoof and precision high kick number by the line, the show opens matters with his one-man band stuff. Producing instruments from the folds of his cape, he performs well, scoring with 'Flight of the Bumble Bee,' played on a harmonica via a rubber tube. Handles his instruments legitimately, raising it above a strictly gag angle.

Nan Rae on next as an inquiring reporter, serving to bring her partner, Maude Davis, up from audience. Cross fire is fresh and funny and closing double-talk vocals and comedy dance by simple-typed Miss Davis is good for a series of audible bows and a begoff via a speech introducing Franklyn D'Amore and Co. next.

D'Amore hasn't played this house for years and his business of bringing on his femme partner in a sack draws good surprise effect. Hand-to-hand play is highlighted by a propounded headbutt, but to sock proportions with his closing tick of the backend over the balanced chair.

Andrews Sisters next and socko from the line. Do 'O-h-o' 'Beguine,' 'Rhumbogie,' announced as from their recent Universal film, and 'Fuxedo Junction.' Encore with 'Bear Barrel Polka,' a persistent request from the stubholders on hand. Came back at this showing for a bit of jam, set to offbeat hand-clapping by the audience.

Another repeat from the recent 'Star Dust Revue' is the finale, a patriotic, full-stage ensemble featuring the line, a vocal of 'My Land' by the line, and a strong closing spot with the Andrews gals giving out with 'I Am an American,' all climaxed with the dropping of a big American flag.

Biz plenty good. — Burm.

## MICHIGAN, DETROIT

Detroit, Aug. 18. Jimmy Dorsey orch (15) with Helen O'Connell and Bob Eberle, Bert Heedley, with Hank Ladd and Trancetta Molloy, Winfield and Ford, Three Arnolds; 'Untamed' (Par).

The Jimmy Dorsey band, plus Bert Wheeler and Co. and the Three Arnolds, added up to balanced entertainment for this audience of predominantly young fry.

Seemingly in the mood of catering to all tastes, the show is a pattern of variety ranging from a sizzling 'John Silver' to a modulated, rich 'Cherokee.' This house, spread well into the upper tiers, liked the balance of the music; and whatever the band turned on brought big returns.

Following what at this show was well-received vocals of Helen O'Connell early with the band, Eberle comes on later to go heavily silent. He had to be off.

Cut down on time, Wheeler and Co. could have stayed on all night the way the audience went for them. Hank Ladd pulled his officious, heckling assistant-manager gag well, horse-play of Wheeler's troubles with the last stinger, 'assistant manager' going over easily, among other gags. Fitting in nicely with layout are fast-stepping team of Winfield and Ford and 'Three Arnolds,' introduced as European newcomers. Latter do amusing tumbling.

As if the hour's show isn't enough, the Michigan is providing dancing for the lobby for the standees. Six singers will be selected for a final contest with Dorsey. Pool.

## PARAMOUNT, L. A.

Los Angeles, Aug. 15. Nils Thor Grandlund (N.T.G.), Faith Bacon, Eddie Rio and Bros. (3), Elmor Troy, Betty Keane, Marilyn Hope, Linda Brent, Geri Karp, Hope DeLise, Two Flashes and a Splash, Elsie Anderson and Shemp Clark, Rudolf Friml, Jr. Orch.; 'Villain Still Pursued Her' (Par).

Nils Grandlund (N.T.G.) transferred practically his entire floor show from the Florentine Gardens, Hollywood night spot, to the Paramount stage today (Thursday), and with a couple of added vaude acts opening performance ran considerably overboard, and in spots proved very ragged. Bulk of the talent introduced is worthy, but towards the end a burlesque touch is injected which does not help the earlier proceedings.

Show is somewhat different from what N.T.G. offers nightly at the Hollywood club in which it is reported he has bought an interest, but all of the talent is being used. Every attempt is made to turn the vaude acts into a sort of musical floor, with heavy distribution of noise-makers at the start, plenty of audience participation and even to several theme plants, used for the several times. The show for tomorrow is an NTG has used for long time in theatre personnel, down to the jittersburgs.

Grandlund admitted frequently throughout the performance that it was staged without any rehearsals and portions of the offering did not belie him. Perhaps the most out-of-place turn is that of Faith Bacon, who is singing a comedy number that a pair of opera glasses are virtually necessary to find any trace of apparel. While her act is artistic, it is a standpoint of audacity, it is entirely out of place on the stage of a theatre catering to women and children.

Producer emerges all the way through and at times becomes a bit boisterous. Early in the proceedings he starts to uncork off-color stuff, including profanity, but this is soon cleared away and balance is restored. It is remarkably free of it so far as NTG is concerned, Eddie Rio and his two brothers, however, overlook no opportunity to add innuendo to their otherwise corking good comedy material.

Trio work all over the house and are on stage almost as much as Grandlund. The comedy act is of the nonsensical type, but the audience ate it up at the opener today.

Felipe De Flores, Mexican warbler, reveals an exceptionally good voice and a balance of comedy. His opening number, however, might be eliminated, with the singer sticking to 'Rancho Grande.'

Betty Keane sings a lot of difficult tap steps and an unprogrammed femme hoover, earlier in the proceedings, also displays expert dancing. Linda Brent is introduced for some comedy, in which she shines a gypsy love song.

Others who play prominent parts as the show is unreel include Elmor Troy, Marilyn Hope, Geri Karp, and a raft of beauty contest winners from up and down the Pacific slope.

Grandlund the last minute, pair of juve jittersburgs—Miss Anderson and Shemp Clark, latter with a decided southern accent—and they hoof and clown their own through a good comedy act, 'Two Flashes and a Splash,' execute some difficult gyrations, but most of the clowning including the audience plants, could well be foregone.

Rudolf Friml, Jr. and orch start the proceedings with a medley of the elder Friml's tunes, and play the end-stage stage show. The acts are all proficient musicians and what the outfit lacks in numbers it more than makes up in results.

Stage show can stand plenty of pruning, which undoubtedly will be attended to after which it should be a pleasing diversion to the screen subject, 'Villain Still Pursued Her.' \$2,000 for the week, with a split over \$20,000. Opening performance attendance did not indicate there would be any split. — Edda.

## HAMID'S PIER, A. C.

Atlantic City, Aug. 18. Stanley Bros. and 3 Byrne Sisters, Bob Easton and Ondee Odette with Doris Keyes, Hank Ladd, Elsie Anderson and Shemp Clark, Lynn, Royce and Vanya, Harry Ward's house orch (9); 'Sing, Dance, Plenty Hot' (Rep.).

After two weeks of spotty billings, the Hippodrome of George Hamid's Million Dollar Pier comes out this week with about the best show seen here this summer. It starts out with the Three Byrne Sisters doing a precision dance, which they follow with a spectacular military tap. The Stanley Bros. play a rousing stage in a comic acrobatic dance full of fast and clever antics.

Then comes Wilbur Hall with his horn-toting and fiddle-playing comedy. At one point he plays a trombone and fiddle simultaneously, letting the trombone slide actuate the fiddle.

strings. One after another come queer looking horns that Hall manages to play better or worse, and the lafts are continuous. For an encore he plays a tune on a bicycle pump.

The Harrison Sisters, in chartruese frocks, got a big return for their harmony, and the fast-talking Leo Martin, with his French accent, got spotty applause and considerable laughter. Martin polishes off the vaude dictators, but many of his concerted cracks are too sophisticated for pier crowds.

Bob Easton's act has some appeal which lies in his fatherly mannerisms in dialog with Ondee Odette, who appears at first to be a baby boy in a carriage, but turns out to be a genuinely good-looking midget.

The show ends with the slam-bang acrobatic dancing of Lynn, Royce and Vanya. It drew plenty applause. — Carter.

## CHICAGO, CHI

Chicago, Aug. 17. Yo-Yo Dinning Sisters (3), Charles Newman, Ritz Bros. (3), Dorothy Hild Ballet (16), Lou Adrian and House orch; 'My Love Came Back' (WB).

Three hard-working comedians are the Ritz Bros. They wore out themselves from work and the audience from laughing at the last show. Friday (16) After a quiet show that preceded them, they came on to tear things apart with a great display of showmanship. More and more they have pointed up their zany clowning, but they hold it together at all times and never let it get out of hand.

Their old 'Frankenstein' bit has become the 'Snow White' bit, but the dancing is used only for exit purposes in a strictly far-laughs manner, and they retain the 'Dionysus' 'Dark Eyes' warbling number by Harry Ritz. It is constant comedy, with never a letup, with the three punching at each other.

Rest of the show is meek in comparison. Charles Newman is a harmonica player who has Ravel's 'Bolero' for his big number, in which he accompanies himself on a conga drum. He maneuvers the mouth of a gan satisfactorily enough, but indicates a need for plenty of actual experience on stage. He has the basic quality of appearance and musical tricks.

Same goes for the Dinning Sisters, a harmony trio in the modern manner. Girls have appearance, sing well and indicate a bright future. They are getting a fine build-up to the radio at present and in the near future should blossom into real performers. They have fine pipes and have a good ear for harmony and are generally playable anywhere in vaude.

Yo-Yo is a horse whose rider puts him through a series of various dance steps, marches, etc. It's a novelty that is occasionally shabby. Dorothy Hild girls are on for two numbers here, their most colorful being the opening Canadian Mounted Police routine. Lou Adrian and house orchestra does a solid musical accompaniment job. — Business excellent. — Gold.

## KEITH'S BOSTON

Boston, Aug. 15. Orrin Tucker Orch. (18) with Bonnie Baker, The Stapletons (2), Ghezzi (2); 'Wildcat Bus' (U).

To reopen the vaude season here, Harry McDonald, RKO division manager, sought and found a show that would really warm up all the seats. Orrin Tucker, a Boston mob waiting to greet him on the first of five shows on opening day, and successfully kept them entertained until Bonnie Baker finally stepped out to whisper and coo to the boys. Boston fans have heretofore heard only via radio or platters. But they knew them well and applauded all her cute tricks of rock song-selling.

Like all of the show, Miss Baker's routine is wisely planned working up to the climactic 'Oh Johnny' and closing with 'Surprised Eyes.' You'd be hearing 'What Little Girls Are Made Of' and 'Playmates' are included in the buildup list of Baker vocals, but her best two are 'O.Y.' and 'My Resistance Is Low.' Quicker than a flash, she sings several numbers and a medley of three more, but there was still plenty demanded for more at the finish.

Tucker dishes out one of the best band shows ever to breeze through Boston. He treats the fans to the tunes they expect, such as 'I Can't Love You Anymore,' 'Breeze and I,' 'I'll Never Sing Again' and 'Woodpecker Song.' Tucker's vocal 'Girl and 'Imagination' to good reception. Good glee club job is done on a medley of drinking songs in which Tucker, best singer, spells out words, aided by trick lightning. Sheer hokum is a follow-up number by the boys who do a daffy line-kick routine due to the strains of RKO Boston Blues.

The Stapletons were warmly received in their comedy terps. Ghezzi did it easy going in their standard risley routine. — Biz very good opening show. — Fox.

## STATE, N. Y.

Joe Rines Orch. (13) with Del Arden and John Ryan; St. Clair and Day, Adrian; Rollini Trio, Mildred Bailey, Al Trahan and Rose Perfect; 'Ghost Breakers' (Par).

The State's show this week is long, 75 minutes, and could be cut in several spots for a tighter, more speedily packed package. Otherwise, it's a worthwhile setup backed by a picture up band led by Joe Rines, erstwhile bandleader and late director of the Club Evergreen, Bloomfield, N. J. He handles his m.c.ing neatly and at one point delivers a click novelty titled 'McNamara's Band' which he recorded recently for Varsity records under the name John Ryan.

Rines' group gets it away with a wild and blary original, showing nothing, and follows with muted arrangement of 'I'll Never Smile Again.' Both are sloppily played. St. Clair and Day, sophisticated ballroomers, initiate the specialty portion, employing four separate routines for a total of 15. First bit, somewhat but not particularly distinguished otherwise, is an unimpressive try at the four. Studded with neat lifts and spins, the other three women's number the act if it were confined to that trio.

Adrian Rollini Trio clicks handsomely with a four-act set of standards and a pair of originals. Rollini's group has little competition in its particular field as far as excellence is concerned. Rhythm flows from the strings and vibrate with precision and melody, but the ways predominant. Only drawback is that none of the numbers used is billed. Trio neatly mixes tempos.

Mildred Bailey seems to have trouble in Rines' backing, which every so often diminishes her effectiveness. Nevertheless, she has to encore the 'wide group of Vham.' 'Tootsie Riddle' by Lester and 'Rockin' Chair,' a Bailey special. Singer has to beg off with 'thank you' during which she explains it's her first time at the house.

Rollini's group's familiar comedy closes. He, too, caps his screwy antics with the info that this date. His 22d at the State. His stuff draws a good crowd, whether or not the comic pianing and general slapstick clicking easily. He gets sentimental at the bowoff, which seems slightly out of place as his audience doesn't seem to be in the mood, but seriously in view of what goes before. With partner Rose Perfect, he duos 'I'll See You Again.'

Rollini's group is a rouser. He sings 'Donkey Serenade' in a spot between Miss Bailey and Trahan and could have encored, audience response being that strong. His act is a good one, whether or not, but a bit confined in range. Wood.

## TOWER, K. C.

Kansas City, Aug. 17. Ford, Harris and Jones, Jimmy and Mildred, Maria Louise Alvarez, Edw. Kelly, Lester Harding, House Line, Herb Siz and House Orch; 'Scatterbrain' (Rep.).

Face of the bill at the Tower this week is stepped up and result is a notch higher in entertainment. 'Dude Ranch Follies' is a new act that gets girls into cowgirl and Indian costumes and put the band in fannel shirts and dungarees. Time of 43 minutes, a long one for a vaudeville bill which have not been as long.

Line girls are in cowgirl outfits to open the show. They give way to the Mulachy twosome, who do white-tie and tuxedo version of harmonica playing. Take turns at solos, going out in duets and specialize on favorites such as 'Tiger Rag' and 'Caravan of Venice,' which Jimmy Mulachy does in duet with his partner. Bit of production, with the line is indulged in here with the line backing a tambourine specialty by Maria Louise Alvarez and with Edward Kelly stepping in to replace the number with the girls. Lester Harding has an appropriate medley of ranch songs, including 'Old Faithful,' 'Last Round-up,' 'On the Range' and 'Wagon Wheels,' as his baritone contribution in addition to his m.c'ing.

In featured spot Ford-Harris-Jones trio of colored boys add considerable zip. After late arrival they went on cold to raise the customers out of their seats in the afternoon show, and reception throughout the day. The show is a good one, but the line is basically dancing, with Paul Harris featured in style all his own that matches first-class calibre. Some added vocal antics and a few woeie numbers round out act solidly.

Finale finds girls in Indian costumes doing a war dance in swing and making most of a rhythmic 'Wildcat' arrangement by Herb Siz, house's orch leader. — Quinn.



# STATE-LAKE, CHI

Chicago, Aug. 18.  
Jeanne Blanche, Paul Kirkland, The Three Moods, Don J. Wilson, Gene Sheldon, Jack Waldron, Marie Rosenbloom, Walter Davidson House Orch., 'Girls of Road' (Col.).

Plenty of show for the money, and most of it satisfactory. Marie Rosenbloom is the headliner and more or less okay. His boxoffice value in himself is practically nil, especially as far as any femme trade is concerned, but his name is at least a guarantee for the marquee. His act is some comedy crossfire with a man in the box, and singing of 'If I Only Had a Brain' tune, all of which manages to get an occasional laugh. He appears limited to just a few key city houses.

Jeanne Blanche opens the show with her clearest tap, and has been around town in vaude and niteries for some time, and has consistently stayed. Has a particularly good up-to-date act. Paul Kirkland in the mood. Don J. Wilson is standard and makes good with his comedy ladder work and his paper-comedy juggling. A No. 2 act that is suitable on any stage.

The Three Moods are a pleasant femme vocalizing group. Have a good appearance and come through with a harmony turn which will satisfy most audiences. Don J. Wilson's Margery can play niteries or vaude and satisfy with their ballroom dance work. The girl is particularly good on appearance and execution. The man can eliminate the subtlety of the first place, and handled clumsily in the second place. Jack Waldron is a nice comedian and a happyist when surrounded by tables. On a stage, he is working a medium not quite his forte. His choice of material is for nite spots, and his delivery is in the manner of a comedian who will get by with diners and winners.

Powerful and surefire Gene Sheldon, who would score anywhere with his comedy pantomime and banjo clowning. Big good at the supper show Saturday (17). Gold.

# STEEL PIER, A. C.

Atlantic City, Aug. 18.  
Arnaud Bros. (2), Barr and Estes, Ben Yost Varsity Singers (9), Frank Elliott's Modern Minstrels (10), Peggy Kraft, The Elgins (3), Jones House Orch. (14), Bill of Divorcement (RKO).

Oldtime vaude in modern dress is acted in Steel Pier's Music Hall this week.

Topped by the Arnaud Brothers, who open with a violin-playing comedy skit that went over when caught. Their biggest applause came after their bird-imitation act. In multi-colored feather costumes, they carry on a conversation in tuneful bird calls and whistles, the subtlety of which is readily understood.

Barr and Estes, in a comedy tap, are well received. Barr drew tremendous applause with his imitation of a man in a subway vainly to find a seat and read a newspaper. Ben Yost's Varsity Singers and Frank Elliott's Modern Minstrels fixture got biggest response. The latter offers cowboy songs and winds up with college tunes. Their stock-in-trade hits can be repeated on successive weeks, since only a fraction of the listeners, most of them visiting vacationers, at A. C. piers are repeat biz.

The Minstrels' new arrangement contains some snappy comedy, much of it raw, but the latter draws the biggest laughs. With Dick Wane as straight and Pink Lee as blackface, they put on a sketch of Othello and Desdemona that's a wow. Charlie Kemper's imitations of Sally Rand's fan dance rings the bell, too.

The Elgins, three men and two women, put on their familiar hat-tossing and Indian club act, and their rapid and precise teamwork earned them bows. Peggy Kraft does a fair tap.

Jimmy Jones, house orch goes over with its lusty sea songs, and also provides adequate music for the other acts.

Carter.

# 20TH CENTURY, BUFF

Buffalo, Aug. 8.  
Dixie Dunbar and the Rhythmatics, Don Rice, 7 Fredsons, 'Rags', Carol Rhodes House Orch. with Erwin Glucksmann conducting; 'Ann of Windy Poplars' (RKO).

To follow last week's 'Scandals' with an ensemble such as this is unfortunate, and the b.o. is sure to suffer from the heavy draw of the first act. Surrounding Dixie Dunbar with this collection of talent only enhances the value of one of the cutest and most engaging of current dance personalities.

House orchestra works the show from the stage, with Erwin Glucksmann conducting. Recent name bands at the house upped the locals too much to make the switch entirely acceptable. In a burst of production enthusiasm, the orch members are presently hidden behind set pieces, showing their heads showing. This, together with their trick billing as 'The 10 Syn-

copators' is supposed to be a fooler. Don Rice, having the m.c. act, works without much coherence and with a noticeable lack of audience reaction. Some of his material, like the sharpshooting bit, is plenty mild. However, the fact that he does not succeed in delivering the goods is largely the fault of the merchandise itself.

The 7 Fredsons furnish the answer to the question of what became of the oldtime tumbling Arabs. They're in again, and the Fredson's bounding and leetboard acrobatics are a page out of the two-act. For a finish they deliver the standard triple somersault into a suspended armchair, which is still good for a nice reception.

'Rags', with his corny manipulation of old clothes to depict problematic landscapes and portraits is pretty hammy for a contemporary deluxe stage show. Carol Rhodes, who is a chanteuse with gestures, makes the mistake of trying to bring a 53d street personality and atmosphere to the opera. 'Give It Back to the Indians,' is too Broadway for hinterland consumption, and strictly boite stuff. Her closing 'Valencia' is a fatal loss; this shirt-sleeve trade-even if there is still anything funny in those once-naughty French ideas.

Miss Dunbar is the brightest spot. She still is a lot of personality and distinctive terping across the foots for swell response. Backed by the 4 Rhythmatics, her contributions to the class among otherwise commonplace surroundings, and she easily runs off with the palm-smacking honors.

Business indifferent, with less than half a house opening show. Burton.

# ORPHEUM, MPLS.

Minneapolis, Aug. 17.  
Sammy Kaye's Stage, Aug. 17. Ryan, Jimmy Brown, Charlie Wilson, Dancing Debutantes (3), Criss Cross, Three Nonchalants; 'Man Who Talked Too Much' (WB).

Sammy Kaye's stage show is calculated to enhance his prestige among radio fans. It also looks like a cinch to establish him as an ace theatre attraction.

Kaye tosses in an abundance of laughs and several surefire musical novelties, suggesting the process of a stage with three vaudeville acts, each a topnotcher, the 'swing and sway' maestro provides a brand of entertainment which generates much enthusiasm. Hearns and Jones, who the Orpheum boxoffice is rolling on all cylinders this week.

A smooth, personable m.c., Kaye conducts the band ally, introduces and takes brief flings at the clarinet. He's at his best in the 'so you this is, a stage band' offering. This is, perhaps, the best assistance he has given of its novelty and the fun that it occasions.

Volunteers are sought from the audience to assist in the act. And there's no trouble in getting them. Four are used at each performance—two femmes, and two guys. Before they take their turns, Kaye interviews them on the skills or deficiencies of the would-be conductors in yielding the baton bring more laughs. A transcription is made of each number and the embryo leader receives the baton. The leader at each show receiving the most applause is chosen to compete at the full performance for \$75 in cash prizes. A man in a subway vainly to find a seat and read a newspaper. Ben Yost's Varsity Singers and Frank Elliott's Modern Minstrels fixture got biggest response. The latter offers cowboy songs and winds up with college tunes. Their stock-in-trade hits can be repeated on successive weeks, since only a fraction of the listeners, most of them visiting vacationers, at A. C. piers are repeat biz.

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Jimmy Jones, house orch goes over with its lusty sea songs, and also provides adequate music for the other acts.

Carter.

# EARLE, WASH.

Washington, Aug. 18.  
Eileen Ritter, Jimmy Rae, Eddie White, Music Masters (3), Ames and Anne, Gene Austin and Sherrell Sisters; 'They Drive By Night' (WB).

Productionist Harry Anger turns up a light, snappy show that's short on marquee value but ample in entertainment. Gene Austin and the Sherrell Sisters trade headline spot, but fell short at show caught, with the patrons obliged to get for belly laughs after seeing the flicker.

House's regular community-sing gag, 'Sing-a-Song-With-Mike,' adding for second week a recorded play-back of customer's voices, is going over so good. Roxette emcee Eileen Ritter invites 'em down to foot for solo with orchestra, then plays solo right back while victim stands and waits. Gals in for audience laughter but usually misery for soloist. Medley of 'moon' songs this week includes 'By Light of Silvery Moon,' 'Charolene,' 'I'm Gonna Get Miami' and 'Moonlight and Roses,' all done well.

Travelers open on pagoda drop and line enters, scantily red and black Chinese garb to imitate effective rhythm. 'Confucius' number. Gals fall back for ricksha entrance of Jimmy Rae, who doffs Chinese robe and enters in acrobatic dancing. Keeps up running line about brother who usually helps him with the act, which holds up as a never comedy obligato. For good, excellent applause. Travelers down and four lineups present comedian Eddie White. Act is straight solo gag patter with comedy lyrics so popular. Some doctored reception.

(Continued on page 54)

# Unit Review

## New York Ice Revue (PHILADELPHIA GARDENS)

Philadelphia, Aug. 15.  
Produced by Ray Fabiani; depicted and staged by Harry Lewis, assisted by Pat Patterson, musical director and arrangements, Jack Pfeiffer; costumes, Eaves Costume Co.; scenery, Majors and Jones Studio. Opened Aug. 14, continuing until Aug. 24. Starring Vivian Anne Hulten, Gene Theslof, Ann Taylor; features Maribel Y. Vinson and Guy Owen, who directed Sonja Henie's 'Zig and Zag' (Charles Slagle and Tommy Lee), Henry Lee, Bobby Duffy and Claire Simone, Betty Lee Bennett and Gene Giney, chorus of 16 boys and 16 girls.

This old baseball park got a \$250,000 bath by sports impresario Ray Fabiani, whose previous experience in show biz had been limited to fiddling virtuosity of Jack Benny. Always known to put on a good show, when he took the Guy Owen, groan brutes, Fabiani made no exception in dipping into the ice show field. He has uncoupled a glittering black revue.

The crowd don't go in much for the real and fancy figure-skating, but the clever hand of Hollywood made it matter little. Harry Losee, who directed Sonja Henie's screen skating, fashioned it with an optic on the kleig-lamp touch.

Feature ice throb is Vivian Anne Hulten, perpetual Vase of Honor winner, the technique, including the starring with the Coast's Gene Theslof and Ann Taylor team. Miss Hulten, a blonde with plenty of ease and assurance, turned up a 'through Life' 'I Cried for You,' 'Beguine' and the torchers' standby, 'I'll Never Smile Again.' With the aforementioned fault ironed out, and her apparent nervousness eradicated, Miss Roberts shows plenty of promise.

## ROBERTA ROBERTS Songs

Discovered by Harry Richman in his house when she was 14 years old, Miss Roberts makes her eastern debut by doubling at the Little Rathskeller and the Club Bal, both operated by the Kaliner Bros. and quite an assignment. A svelte brunet, who knows how to sell a song, Miss Roberts was pressing a bit too hard when caught at her opening Monday night (19).

With plenty of lung power and a wide range, she was a bit too loud in her early numbers but caught herself toward the end, and was giving one of her soothing 'Ayle at the windup. Among her tunes, presented in a combination song-talk style, made famous by her mentor, were 'I Cried for You,' 'Beguine' and the torchers' standby, 'I'll Never Smile Again.' With the aforementioned fault ironed out, and her apparent nervousness eradicated, Miss Roberts shows plenty of promise.

## CARLOS & CHITA Dancers

Any ballroom team has certain number of requisites; many of those are possessed by Carlos and Chita. Handsome looking team at Columbus No. 1 club, their 'International dance cavalcade' is an ultra smooth blending of musicomedy, rhumba, tango, whirlwind and novelty tunes. Experienced veterans of bistro bookings, the te... has made the international swing from the Savoy Hotel, London, to Hollywood and pictures. Were in 'Evergreen' with Jessie Matthews.

Gal is a gorgeous blonde, man an excellent double for Valentino. Strictly a class act, looking as if stepping from a fashion book, their routines vary from 'Blue Danube' to speed. Carlos tango. OK for almost anywhere.

## Butterfield's 110th

Detroit, Aug. 20.  
The Butterfield Circuit will hit the 110-theatre mark with the opening Oct 1 of two houses under construction. The pair are the Bijou in Battle Creek, completely rebuilt, and a still unnamed house in South Lansing.

# New Acts

## ANNE BARRETT Songs

7 Mins.  
Leon & Eddie's, N. Y.  
Anne Barrett is probably the strangest phenomenon in all the history of show-business plagiarism. She looks like a blonde, and sounds so much like Betty Hutton one can never be certain that it's not Miss Hutton in cognito. Miss Barrett not only does the same type of thing, she does the same thing, even to using identical songs. And wearing what looks like an identical dress.

An account of the duplication is the fact that Vincent Lopez, who discovered Miss Hutton, is likewise the Daniel Boone who unearthed her carbon copy. Having presented his No. 1 prize with a style and a buildup, he no doubt feels entitled to duplicate with No. 2. Perhaps, some day, if Mr. Lopez is lucky, the world shall see whole circuit of Betty Huttons. Who knows?

Inasmuch as Miss Hutton is already in VARIETY's New Act files, there's hardly need to review Miss Barrett. She's an equally-cute blonde youngster singing with the same enthusiasm and microphone-grabbing vim as the original. Inasmuch as Miss Hutton has enjoyed such a success, Miss Barrett should have the same—minus whatever edge has been taken off her performance as the result of having been seen before.

Herb.

## CESAR & ROSITA WITH PANCHO Dancers

7 Mins.  
Leon & Eddie's, N. Y.  
Gaily-dressed in native costume, Cesar and Rosita do the usual routine of the dance-department. They are aided by the bonga-bonga of a similarly-attired lad billed as Panchito. His work on the long drum-like instrument, in fact, outshines them.

Included in the routines by the dark-haired, dark-eyed pair are the rhumba, conga, samba and beguine. They are aided by technical skill and no doubt authentically, but a lack of showmanship seems to pervade. Dances do not get across with the same impact of some other acts of this type, making for rather uninteresting results.

Following their turn, Cesar, Rosita and Panchito lead the gals from Leon & Eddie's. They are aided by male partners from the audience, in a conga.

Herb.

## DUMAL, MERLE & LEE Comedy, Ballroom Dancing

8 Mins.  
Leon & Eddie's, N. Y.  
This is a vet turn, but missing from the New Act department are the tops in this type of routine, consisting of two men and a gal who start out seriously enough, working in tails and evening dress, but wind up doing a knock-out punch.

First tipoff after a very graceful start is when one of the guys discovers that his partner and he have switched coats. A change takes place then and there. It's followed by the usual antics of missing the gal as she dives into the arms of the men, prettily, belittles, etc.

Worked into the comedy are excellent turns and lifts that would credit a first-rate serious ballroom team. Gal, in addition, is twirled into the air by the two guys for audience-gasping results.

Herb.

## ARCHIE ROBBINS Comedy

Leon & Eddie's, N. Y.  
Archie Robbins, who's done a myriad of m.c. chores at Coast spots, is doubling at Leon & Eddie's from 'Savage' Robbins' legs at the Plymouth theatre, N. Y. It might be more accurately stated vice versa, as his stint in the play is a 20-minute affair to which the two guys for audience-gasping results.

Robbins is billed as having been a featured performer in 'dozens of Warner Bros. pictures.' Best the files indicate is two films, one for Universal, one for Republic, although there may have been more.

As an m.c., the lad is very much the usual, no more, no less. He has a pleasant personality, a glib tongue and the ordinary line of gags and chatter. Buildup of the acts is good, although the same can't be said for all the patter, lots of it having been used before, and not by Robbins.

Herb.

## DENISE ANDERSON Stripper

7 Mins.  
Leon & Eddie's, N. Y.  
Denise Anderson presents a new departure in the art of striptease. Her costume consists of men's ties, neatly girdling her epidermis. With each bump, Miss Anderson grinds off a tie. It goes to one of the fortunate spectators—for keeps. Deal by Leon & Eddie's with a cravat manufacturer assures her supply.

Aside from the novelty of the turn, the femme is a shapely type for any glim. The idea, of course, is good only for an intimate room, but she does other numbers suitable for stage, capably. One is a fortune-telling affair in which gold leaves always dangerously close to being bumped off, provide the only covering for the upper reaches. It's quite attractive.

Herb.

# What a riot of laughs and romance!

**Boxoffice says:**  
"A CINCH SMASH."

**Film Daily says:**  
"ROLLS UP HEAVY TOTAL OF LAUGHS."

**Daily Variety says:**  
"THE RONALD COLMAN-GINGER ROGERS COMBINATION A FIRST-TIME PAIRING, INSURES HEFTY APPEAL."

**M. P. Herald says:**  
"RONALD COLMAN IN THE PINK AND GINGER ROGERS SURPASSING HERSELF IN THE FIELD OF HUMOR."

**Hollywood Reporter says:**  
"B.O. HIT IN SMART LIGHT COMEDY VEIN . . . EASILY TOPPING RKO'S PROGRAM THUS FAR."



THE FIRST  
OF THE NEW  
PARADE OF  
BIG HIT SHOWS  
FROM  
RKO RADIO!



*Ronald* *Ginger*  
**COLMAN · ROGERS**  
**LUCKY PARTNERS**

WITH  
SPRING BYINGTON · JACK CARSON  
CECILIA LOFTUS · HARRY DAVENPORT · HUGH O'CONNELL  
HARRY EDINGTON *Executive Producer* · *Directed by* LEWIS MILESTONE  
*Produced by* GEORGE HAIGHT

SCREEN PLAY BY ALLAN SCOTT & JOHN VAN DRUTEN · ADAPTED FROM THE STORY, "DORNE CHANCE" BY SACHA GUNTRY



## Gov't Jockeyed on Consent

Continued from page 6

clause in the proposed Consent Decree. Kuykendall points out that the buying of a limit of 5 pictures at a time, would work a tremendous hardship upon theatre owners located away from the Exchange Center, increasing the cost of product considerably and forcing them to buy only a few days program at a time, confusing his bookings, and delay the showing of pictures.

"MPTOA President also insists this clause would put the theatre owner at the mercy of the distributor as there would be no cancellation privilege and the exhibitor would be forced to buy all 5 pictures, to secure the probable 3 or 4 he is not suitable to his company. He further states it would destroy community selectivity, about which so much has been said lately, and serve no public welfare.

"MPTOA has fought for years for a reasonable cancellation privilege in all contracts and the 5 picture block sale without cancellation would destroy all cancellation privileges exhibitors may now have, or hope to get.

"Kuykendall states he is sure the Department of Justice is trying to impartially and fairly work out the trade differences in this industry, but that unless exhibitors inform them of their positions, they cannot be expected to have a full understanding of them. Therefore Kuykendall feels the Department will welcome exhibitor opinion, particularly because of the fact that exhibitors have not been permitted to participate in the hearings to date.

"MPTOA has asked the Department of Justice, through the Hon. Thurman Arnold, that their executive committee be given a hearing before the Department, before any final decisions are made."

### Washington Officials

#### Masterminding Matter

Washington, Aug. 20.

Alternative proposals for settlement of the film anti-trust case submitted by 20th Century-Fox went out the window last week, according to a suggestion the Justice Department may make peace with some defendants and haul the rest before a legal firing squad.

The possibility that distinction may be drawn between the companies willing to yield to the Government and those asking for more than an Anti-trust Division will grant in a consent decree was strongly suggested in official quarters. No decision has been reached, D. J. spokesmen maintained, nor has the tentative truce sponsored by Metro, RKO and Warner Bros.

Demands of independent exhibitors for a veto privilege also have been rejected, though the Federal forces continue to get the views of the outsiders who are looking for relief through the anti-trust action. Official quarters last week made it plain the various exhib groups will not be given a chance to hold a mass meeting on the proposed settlement, but any comment from such sources will be given consideration.

Without disclosing all details, Justice Department sources said the 20th-Fox proposition for an automatic escape clause was wholly unacceptable. The dissenter, who had the moral support of Paramount, was told that the arrangement embodied in the plan offered by the other three members of the Big Five was as far as the Government will go. Therefore the two balkers will have to reconsider or prepare for trial at which they may be the only respondents.

#### Not Unprecedented

Singling out one or two of the parties for trial and signing an armistice with the remainder would be unusual but not unprecedented. At this stage, there is no assurance that such a thing will be done. But a reliable source said "that is one of the moves under consideration, partly in order to reduce the trial burden to a minimum, it was hinted. The Feds are not wild about going to trial, though Assistant Attorney General Thurman Arnold has asserted frequently he will not bury the hatchet without getting all the benefits that could be expected from successful prosecution. Any step that could shorten the time needed to thresh out the issues, consequently reducing the expense and lightening the load, the harassed trust-busters will be pondered sympathetically, however.

The Department is careful not to make any commitments about the

present proposed settlement. Emphasis is placed on the fact that some details still are in process of negotiation and a high official warned against any conclusion that the plan has been ratified—even only in principle—by Attorney General Robert Jackson. Still, the Government is that the talk so far shows a chance of avoiding the prolonged court proceedings but by no means warrants conclusion that hostilities will be called off.

#### No Predictions

What will happen next was a puzzle at this end. With Assistant Attorney General Arnold out of the office several days and currently up to his neck on national defense matters, there were no developments after the 20th-Fox brushoff. Inquiry at the Department of Justice brought the answer that no important holdings are on the schedule, that only the routine talks in New York are in prospect, and there's still no grounds for venturing predictions of any kind.

Meanwhile the Allied States faction has a hate on nearly everybody involved in the suit. Question is who's deepest in the doghouse, but so far Abram F. Myers, head man for the indie association, isn't indignant enough to sound off publicly. Myers is known to be sore because the D. J. does not pay him the attention he feels his clique deserves and wants to do something about it. Strategy, however, seems to be to choke back his ire in the hope some of his Government pals will come to the rescue.

Inasmuch as they supplied a high percentage of the dope on the complaint was based, the indies consider they should be consulted at every turn and are entitled to say whether the overtures of the defendants meet their desires. Since they are not receiving such consideration, they are snarling. And as it stands, the Allied high command feels the proposed settlement plan entirely deficient on several key points. What memorandums Meyers has sent the Department have not—in sharp contrast to his course of action early this spring—been revealed.

### Government Wins, Loses

#### Points in Crescent Suit

Nashville, Aug. 20.

Federal Judge Elmer D. Davies granted a motion of defendants (Wednesday) in an anti-monopoly suit filed by the Government last year against the Crescent Amus. Co. and allegedly affiliated concerns for an order directing the U. S. to supply any information it has that would complete the bill of particulars already on file.

Judge Davies struck a motion of defendants to strike a paragraph from the original bill. The paragraph follows: "The defendant exhibitors have been able to take over the operation of numerous theatres and keep other theatres closed in said Crescent town during the past five years by virtue of the control exercised by them over the licensing of feature pictures for exhibition in said town as hereinafter alleged."

Judge Davies also overruled a motion of defendants to eliminate certain sections of a bill of particulars filed by the Government several months ago.

Joining in motions disposed of were defendant motion picture exhibitors operating theatres: Tennessee, Alabama, Mississippi, Kentucky and Arkansas.

Defendant firms, in addition to Crescent and several of larger film distributors, were Loric Amus Co., Kentucky Amus Co., Nu-Strand Corp., Strand Enterprises, Inc., Cherokee Amusements, Inc., Cumberland Amus Co. and Rockwood Amusements, Inc.

The suit was filed Aug. 11, 1939, and seeks to restrain alleged monopolistic operations by the defendants.

#### DRIVE-IN'S PRODUCT SUIT

Corpus Christi, Tex., Aug. 20.

Controversy looms and a suit is talked over the product situation for the Texas Drive-In Theatres owned and operated by Pete and Nick Katis. One is located here and the other in Houston. Col. H. A. Cole is negotiating these matters for the owners.

Basis for the suit, if filed, will include a contract with RKO for this city's open-air house on which there has been no service for the past nine months. Houston house is using Universal and Monogram product.

## Exhibs Fight Church's Right to Bingo Games

Milwaukee, Aug. 20.

Although heat waves have restricted action on the bingo front, the war still goes on in the courts, and Charles W. Trampe, head of Film Service, Inc., and front man for the theatre interests—their fight against the gamblers, won a minor skirmish last week when circuit judge Roland J. Steinle upheld Trampe in his refusal to answer questions about his varied business activities when summoned before court commissioner Charles J. Orth. Trampe is plaintiff in a suit to obtain an injunction restraining the American Lutheran Assn. from permitting bingo on its premises. Church organization is defendant in proceedings by having Trampe summoned for adverse examination.

Supreme court has outlawed bingo in Wisconsin, but various organizations, many of them church societies, have refused to abide by the law.

## No Bally Beef

Continued from page 1

there is no ballyhoo any more, and everybody is hoping that from the ballyhoo: for ballyhoo will really come some ballyhoo.

Eddie Silverman of the Essaness circuit is one of the staunchest defenders of a 'going to the theatre must be made exciting again' theme. He, with others, denounces the current state of mind which allows exhibitors to rush their pictures on and off the screen with nothing done about them other than a mere newspaper announcement.

#### Lazy Exhibs

Silverman and his followers believe that out-of-the-loop exhibitors, especially, are lazy, that they're content to sit back and ride pictures as 'boxoffice' or 'non-boxoffice' by past performances, either at loop houses or out of town. He points to the record of 'Primrose Path' as indicative of what can be done with a picture rated as 'non-boxoffice.' 'Primrose Path' brooded in the loop, was given a flock of old-fashioned ballyhoo by Silverman, and played 28 Essaness houses as a winner.

He believes, however, that 'subsequent run houses can do little to rectify the present situation because most of their pictures have already been made or broken on the wheels of double feature policies by first-run houses. If, occasionally, an exploitable picture gets by these two mill first-run spots, then it is possible for subsequent run houses to go out and really exploit them."

The answer his opponents gave him to that one was to take a look at the loop first runs and see if any ballyhoo can be found. Stunts, tie-ups, dramatic selling, the implanting of a sense of excitement to a picture, are scarce.

For years the loop was looked upon as the high point of advertising, publicity and exploitation. Today, the loop goes quietly about the business of inserting an advertisement in a newspaper, yawns, and turns the button that starts the picture running through the projector. The public, looking at the ad yawns, too, because going to see a picture isn't exciting any more. But night baseball, swimming, even taking night candid camera shots are. They've been made so by ballyhoo.

## Tax-Absorbing

Continued from page 7

to 27c and added the tax of 3c to make up the admission price of 30c. In every instance where this procedure is being followed by the exhibitor, we of course, want you to make every effort to induce the exhibitor to add the Defense Tax to his usual admission price rather than use the above method.

Naturally, where this method is used and where a price is played on percentage, it means that our share of the receipts will be correspondingly decreased.

I must inform you, however, that there is no way in which we can force the exhibitor to increase his admission price, inasmuch as the law permits him to reduce his admission price not to exceed the contract minimum (10c), in order to make this new tax plus his admission price equal the price charged prior to the enactment of the law on July 1, 1940.

## 69 Out of 72 Milwaukee Indies Push Solo Pix Move By Sept. 3

Milwaukee, Aug. 20.

Although exhibitors in this territory agreed early in June to eliminate double features and go to singles en masse, starting Sept. 3, the Independent Theatres Protective Association of Wisconsin and upper Michigan wanted to have a reaffirmation of the general decision as the date approached and called a meeting for this purpose in the Variety clubrooms in the Hotel Schroeder last week when a poll was taken of the membership. Out of 72 theatres represented 69 voted to adhere to their original decision to go to single features on the date agreed upon, only three holding out for duals.

Inasmuch as the three holdouts are all small houses—Otto Meister's Whitehouse downtown and Harry Hart's Atlas and Manning Silverman's Fern in outlying districts—their position is not expected to have any effect upon the emphatic decision of the overwhelming majority, which includes all the larger houses, as well as most of the nabes. However, the meeting appointed a committee to make a further effort, concentrated upon the holdouts, to convince them of the desirability of joining the majority, and it is possible they may be won over before the deadline date.

The Parent Teachers' Association and other civic minded organizations, as well as influential individuals, are also using their powers of persuasion upon the recalcitrants. That the decision to go to singles has met a popular response is evident in a large number of congratulatory letters from people in all walks of life that have been pouring into the offices of the exhibitors' association. Exhibits feel that when the public goes to the trouble to write letters and spend its money for postage to make its approval known it really means that it is wholeheartedly behind them.

Chain houses are with the indies 100% in the move to eliminate duals and it is generally believed now that nothing can stop the drastic change scheduled to inaugurate the fall season in this district. Theatres around the state which have not been represented in local meetings have indicated their decision to fol-

low whatever move is made in the Milwaukee territory, although many of them have already gone to singles with decidedly beneficial results. A regional meeting to be held Sept. 6 in Merrill, Wis., is expected to act in conformity with the Milwaukee move for that territory.

Buying of new product is generally being held off pending the annual state convention of the indies to be held in Milwaukee Oct. 2-3. This date is a couple of months earlier than usual, but was decided upon as a measure of cooperation with the exchanges so the distributors will know just where they are at following the convention, and how the switch to single features is actually going to affect them in dollars and cents.

## Upping Admish

Continued from page 5

prices of 75c and \$1.10 evenings a trail-blazer because these advances at the b.o. were considered too steep.

Warners is sold definitely on increasing admissions where the pictures justify, however, and believes that if this is done it will encourage the making of even bigger films.

Twentieth-Fox is experimenting with upped admissions for 'Brigham Young' and is asking its accounts to tilt the prices 25% matinees and 33 1/3% evenings. The results of the 'Young' and 'Boom Town' tests, to be followed by a similar policy on other pictures on the 1940-41 season by these companies as well as probably others, may determine future vital change in the selling as well as the exhibition of pictures.

The six theatres which day-and-date the preem of 'Brigham Young' Friday night (23) were sold out by Monday (19), according to 20th-Fox. Combined seating capacity of the houses is 7,134. They are the Coral, Utah, Capitol, Paramount, Victory and Studio theatres. Opening night prices are \$1.10.

When the picture begins its regular run Saturday (24) at the Centre, the prices will be tilted 25% for matinee and 33 1/3% for evening shows.

## New York Theatres

**GONE WITH THE WIND**  
G.W.T.W. will not be shown except at advanced prices at least until 11 P.M. For Reservations Call 6-4442  
Air-Conditioned  
**ASTOR**  
ALL SEATS RESERVED  
Twice Daily 2:15, 8:15 p.m.

**State**  
Last Time Wed.  
**BOB HOPE**  
Paulette Goddard  
"THE GHOST"  
"HARKERS"  
Big Stage Show  
Starts Thurs., Aug. 21  
WHEN THE "DALTONS RODE"  
In Person  
Henry ARMETTA  
Betty HUTTON  
Ciro RIMAC  
Others

**Capitol**  
Held Over  
2nd Merry Week  
William POWELL  
"I LOVE YOU AGAIN"  
A Metro-Goldwyn-Mayer Picture  
Dr. I. S. in person every Mon. night

**MUSIC HALL**  
Held Over  
**"PRIDE AND PREJUDICE"**  
Spectacular Stage Productions

**But No Army Credits**  
Hollywood, Aug. 20.  
Ronald Reagan gets the star spot and a modern military training in 'The Tanks Are Coming,' the next preparedness short of the Warners series.  
Filming maneuvers will be held at Fort Knox, Ky.

**THERE'S A BETTER SHOW AT THE**  
**U.M.**  
**THEATRES**

**PARAMOUNT**  
2ND WEEK  
On the Screen  
**'The Great McGinty'**  
In Person  
**CAB CALLOWAY**  
and His Band  
Midnite Screen Shows

**Held Over 3rd Week**  
**ERROL FLYNN**  
In the  
**'SEA HAWK'**  
A NEW WARNER BROS. TRIUMPH  
In Person  
**PHIL SPITALNY AND HIS ALL GIRL ORCHESTRA**  
Air-Conditioned  
**STRAND**  
Broadway & 47th St.

## Growing Number of Plagiarism Squawks, Suits Causing Agencies To Completely Bar Outside Ideas

Few remaining open doors that are available among ad agencies for persons with program ideas may soon be all closed because the agency impresarios have become fed up with petty squawks and suits. One major agency which still maintains the open door is putting into effect a policy which would bar the presentation of all program ideas unless they came through an accredited agent. A list of such agents would be furnished the person seeking to submit a program.

Agencies declare that they would like to go on keeping the door wide open, but that it's not only proving too costly but is hamstringing them from offering their clients shows that have been developed within the agency's own organization. No one does one of these intra-agency programs get the green light for further development from either the heads of the agency or a client, than somebody recalls the program's idea has some kinship to an idea submitted by some outsider several months or years ago. Rather than go ahead with the thing and court an injunction or damage suit, the program is dropped there.

The open door agencies disclose that, with practically every new show put on the networks, they have to contend with anywhere from one to a half-dozen complaints about plagiarism from unknowns. Some actually bring suits, but the process of having to treat with these squawks is considered by many agencies as an annoyance not worth the trouble of finding that one gold nugget among bushels of dross.

These agencies state they would feel much safer in dealing with accredited agents. The latter, knowing the inside operations of the business, could protect the principles they represent without causing constant misgivings among the agency men.

Some agencies have made it a practice for some time to obtain waivers: all programs submitted from the outside, but this procedure hasn't immunized them from actual or threatened suits.

## MULLEN SEES 4-PLY RADIO

Hollywood, Aug. 20. Ether's "four horsemen"—radio, television, frequency modulation and facsimile—are romping around the laboratory together, preparatory to a mass bid for the public's fancy. This is the optimistic view expressed by Frank E. Mullen, v.p. and general manager of the National Broadcasting Co., during his visit last week to NBC's Hollywood plant. Just when they will hit their stride and break into the open, however, is a matter of conjecture. Mullen pointed out that they finally come, though, there will be no turn-over such as upset the motion picture business, with the dawn of sound, he declared. Instead the evolution of radio will be a natural one, which will see the four now separate arms of broadcasting coordinated into one four-plied entertainment cycle.

Mullen said the same receiver will ultimately function in picking up all four. This, he cited, is an important item, since, while the average cost of radio sets sold last year was \$20, the cheapest frequency modulation price to date is \$100. Tele receivers, in combination with standard radio of good quality, are also high-priced. Figures indicate, he stated, what economic angles are involved from the consumers' end of expected wireless expansion.

He believes the sparkplug for television will be the setting of uniform standards, which are now being formulated.

Mullen left here Wednesday (14) for San Francisco, where he planned to spend a few days before heading back to New York.

Akron.—Charles Seaman, announcer, left WJW to join staff at WMBZ, Detroit, where his former boss, Edythe Fern Melrose, is located. Larry Krupp took Seaman's place.

## Y&R. Holding Option On 'Adventure In Manhattan'

Although American Tobacco has passed up the show, Young & Rubicam, retaining its option on the mystery comedy, "Adventure In Manhattan," for the purpose of presenting it to another account.

American had been considering the serial for Half-and-Half Tobacco.

## KHJ Buys L.A. Site, Plans Big Transmitter As Power Boost Step

Los Angeles, Aug. 20.

Don Lee Broadcasting chain (Mutual) has purchased 13 acres near Venice and La Cienega boulevards as a site for a new transmitter for its key station, KHJ. When construction has been completed, KHJ will go on a 5,000-watt basis 18 hours daily, instead of the present 5,000 daytimes and 1,000 nights.

Federal Communications Commission has already approved the power boost.

New layout will include two 300-foot steel towers, a transmitter building and living quarters for the staff. Present towers atop the Don Lee buildings in downtown L.A. will be utilized for short wave broadcasts.

## ARTHUR BYRON, JR., 34, DROWNED IN MAINE

Skowhegan, Me., Aug. 20.

Heavy rain fell over the Lakewood, theatrical colony here Wednesday morning (14) after the finding of the drowned body of Arthur (Buddy) Byron, 34, radio-scriptwriting son of actor Arthur and Kate Byron, for years colonists here.

Tuesday evening young Byron, who had not evened his childhood, took a motorboat out for a solo spin around the lake. When he had not returned to his parents' cottage at a late hour, a search was begun. The motorboat was found tied to the raft in front of the cottage. Young Byron's body was discovered hanging over the side of the boat, with head in the water and his legs tangled in the engine.

Dr. Walter S. Stinchfield, medical examiner, pronounced the death accidental.

Byron's activities ranged from sculpture to ghost-writing and scripting of radio serial shows. A new one, "The World's a Stage," written with two collaborators, featured his father as presented in try-out form a few weeks ago over WLBZ, Bangor.

Besides his parents, he is survived by two sisters, Mr. Wallis Clark and Elaine Byron.

## WGR-WKBW Appeals Net Red Cross Ambulance

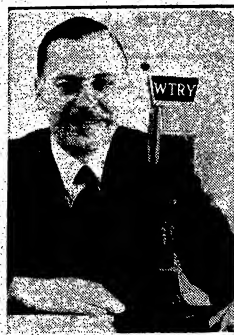
Buffalo, Aug. 20. Red Cross benefit broadcasts, which WGR and WKBW have had for several weeks, have netted about enough to buy ambulance. Almost \$1,000 in cash has been collected and pledges to cover the rest of the \$1,260 purchase price are reported.

WGR has daily 15-minute spicing urging listeners to dig deep, and two Sunday shows, using station talent, is contribution of sister station WKBW. Another is listed for this week (25). The shows with Three Treys, Bob Smith, Vera Holley and others started at 10:30 and ran until listeners stopped phoning in, in both cases after midnight.

## Nat Wolf West

Nat Wolf, who recently opened his own agency on the Coast to specialize in talent for radio, left New York by train yesterday afternoon (Tuesday) to return to Hollywood with his wife, Edna Best. Wolf expects to spend a couple of days in Chicago.

Wolf expects to appoint a N. Y. representative and open an office at that end in about six months.



ANDY KINBACHER

News editor, WTRY, Troy, N. Y., where hourly newscasts make this new station highly popular. With a background of dramatic work, newspaper training and engineering, he is highly versatile.

Further evidence of his popularity is the increasing number of sponsors who choose his broadcasts to sell their products.

## Nat'l Defense Gets Additional Radio Support

Washington, Aug. 20.

Radio's part in the National defense program last week expanded through the support of 48 additional stations making the total on Thursday (15) 603 transmitters enlisted in the "man power campaign."

Steered by the NAB, the industry is cooperating with the U. S. Civil Service Commission in raising the country for workers needed in the defense campaign. Back-pats already have been received from the War Department and the Civil Service Commission for various special programs, open forums, etc., being conducted by individual stations.

## John Charles Thomas Nixes Broadcast Of Milw. Park Concert

Milwaukee, Aug. 20.

John Charles Thomas sang to an outdoor audience of 25,000 the "Music Under the Stars" program at Washington park last Tuesday night (13), but he declined to permit the broadcasting of his concert, which it had been widely heralded would be heard over the Milwaukee Journal station WTMJ and the newspaper's F-M station W9XAO.

Don Griffin, recreational director of Milwaukee county, which sponsors the series of outdoor concerts, greeted the singer upon his arrival in Milwaukee and casually mentioned the broadcast, which had been scheduled quite the same. Others, by various artists who have appeared under the same auspices, Thomas hit the ceiling and declared emphatically that he would not permit such a broadcast, that he had radio contracts to protect and that he would call off the scheduled park concert entirely rather than go on the air.

Despite Griffin's assurances that Thomas' managers and NBC had granted permission to broadcast the concert, the baritone was adamant, so WTMJ was forced to announce at a late hour that the program would not be on the air.

The Journal, in a lengthy review of the park concert, gave Thomas a glowing tribute for his performance.

## Nino Martini to Sing For La Rosa Over MBS

Nino Martini will have a 30-minute series Tuesday nights over WOR-Mutual for 26 weeks beginning Nov. 10. He sings operatic numbers, with Alfredo Antonini's orchestra backgrounding. Sponsor is La Rosa macaroni, the fourth successive season the firm has had that type of show over Mutual.

Commercial Radio Advertising Service is the agency.

## Y&R Giving Clients New Type Personal Service Via Frank Coulter and Kusera

## Chamberlain Cosmetics Takes KOA 'Lovely Lady'

Chicago, Aug. 20.

Chamberlain cosmetic firm will originate in the "Lovely Lady" program on KOA, Denver, starting Nov. 10. Will ride on 30 stations of the NBC-red wire west of Chicago from 9:30 to 10 p.m. on Sundays.

Initial inking is for 13 weeks by the Ramsey agency of Des Moines.

## WGY, Schenectady, Sells Kid Show; May Go Into Theatre At 10c Admish

Schenectady, N. Y., Aug. 20.

WGY's Children's Jamboree, half-hour Saturday morning program m.c.d. by Tommy Marti, has been sold through Platt & Forbes agency for Peter Paul's Walnettoes (candy). Sponsorship will start Sept. 7, and a theatre rather than audience studio setup is probable. Plaza, 2,500-seater built in 1931 and now operated as a second-run by Fabian circuit, is mentioned as a possible spot.

Plan may include a 10c tap for comedy reels and shorts, plus 1r show from stage, with giveaway of candy and chances at bicycles and other prizes.

WGY has broadcast Saturday morning kid show for years. Tom Lewis, now a radio director for Young & Rubicam, was at the helm in 1933 and Roland Bradley preceded him. However, it never has been on commercial basis except for a brief time several winters ago, under aegis of a store.

Peter Paul's other candy boys are now plugged on a 15-minute breakfast program over WGY. This will be continued.

## WAIT FIVE YEARS TO ATTRACT SPONSOR

Pittsburgh, Aug. 20.

Weekly Saturday kiddie show at Enright theatre, which is broadcast through WWSW in co-op tie-up between that station and WB, owners of the house, has found sponsor. It will be bankrolled for 13-week stretch by Peter Paul, Inc., candy manufacturers, deal having been set by Platt-Forbes agency.

Saturday get-togethers have been aired five years. Every Saturday draws an average of 4,000 youngsters. They're shown three hours of screen entertainment and then put on a 30-minute entertainment, which is broadcast from 11:30 to noon. Johnny Mitchell, organist, and Walt Framer, announcer, who have worked together since inception, will continue under the Peter Paul regime.

## New Castle Broadcaster Active In Naval Reserve

New Castle, Pa., Aug. 20.

S. W. Townsend, president of local station WKST, and a lieutenant commander in the naval reserve, is now on duty at the staff headquarters, Great Lakes, Ill. He recently concluded a month of active duty, during which he recruited men for the new class naval reserve officers.

While a lieutenant in the naval reserve, Townsend served as shore communications officer for the dirigibles Akron and Macon and as communication liaison officer for the "Graf Zeppelin" on its visit to Cleveland and Akron. He was also communications officer for the stratosphere balloon flights at Chicago and Akron. His own naval reserve unit, with headquarters at Akron airport, operates the naval radio station NID, which does double duty for naval reserve training and regular navy-aircraft communications.

## Up Willard Schroeder

Pittsburgh, Aug. 20.

Willard Schroeder has been tapped to post as sales manager at station WCAE by Manager Leonard Kapner. Berth has been vacant since Les Lindow left several months ago for a mid-western station. Schroeder's place on sales staff will be filled by Tom Tomb, who moves to WCAE from the Sun Oil Co.

Young & Rubicam's time buying and station relations department has adopted a new twist to client servicing. Two members of the department, Frank Coulter and John Kusera, will now devote themselves exclusively to contacting designated group of accounts on coverage and other problems, whether these are to do with network program or spot campaigns. Through this device it is expected that Coulter and Kusera will become thoroughly acquainted with their particular clients' radio needs and grow right into the details of the account. Coulter and Kusera will report direct to Carlos Franco, head of the department.

While the procedure is novel in the agency business as far as time buying or coverage is concerned, Y & R has had a similar system in effect in its talent buying department. Each man contacts his own group of accounts on matters of talent, scripts, etc.

## 15 COMMERCIALS IN 15 MINUTES

Seattle, Aug. 20.

"Radio Parade," quarter hour Wednesdays at 6:45 p.m. on KIRO, and Sundays 7 p.m. on KOMO, sponsored by Bartell's drug store, chain outfit, has a new twist of tie-in with network advertisers of products sold through the stores. Program is produced by Robert Nichols Agency, with Nichols spelling and Bob Hillis helping with writing. Radio given gossip treatment in news style.

By using both NBC and CBS stations, scripster has leeway in dashing out info. The idea of tying in the network ad spenders is carried out by frequent mention that Bartell's, which is largest chain drug outfit in Pacific Northwest, is local distributor of the products. For instance, when Walter Winchell is mentioned, Jergens at Bartell's is slipped into the paragraph. Welch's grape juice gets a like boost if commentator has anything to say about Irene Rich. There are as many as 15 plugs in each program for the national accounts.

VARIETY is given credit all broadcasts for most of the news.

## WOR V. P. Does a Philo Vance in New Rochelle

When it comes to listener-relations, Frank Braucher, WOR v.p. president and advertising manager, is the station's No. 1 goodwill ambassador. Driving to his New Rochelle (N. Y.) home the other night, Braucher suddenly recalled that a "fan" letter received recently by the station had been from "WOR can't be heard in this neighborhood." Remembering that the writer had given a New Rochelle address, Braucher looked up the house and, taking his young daughter with him, rang the doorbell of the place. It was a modest residence and the owner, after first refusing to believe that a real v.p. would actually investigate the squawk, finally became embarrassed and explained that after writing the letter he'd discovered his upstairs radio was out of order.

"WOR comes in all right on the set in the living room," the guy admitted.

## WMIN's Pedestrian Bail

Minneapolis, Aug. 20.

Station WMIN has a tie-up with the Minneapolis Tribune on street corner interviews, which it broadcasts, whereby pictures of those interviewed are taken during the mike session and published in the newspaper the following Sunday. Tribune gives an unusual amount of prominence and space to the symposiums. Program is called "What's the Idea?" and pedestrians are asked their opinions on pertinent subjects, such as censorship. The Tribune awards \$5 each week to the person sending in the best set of questions.



# NEW SPOT BIZ GUSHER

## Weber Decries Criticism of MBS For Series Exclusivity; Points Up NBC, CBS' Grid and Fight Tieups

Fred Weber, general manager of the Mutual Broadcasting System, last week made answer to criticism directed at Mutual for exercising exclusive control over the airing of the World Series games for the second consecutive year. Weber's comeback was that the objectors must also be in favor of NBC canceling all exclusive broadcasting of prize fights and the Sugar Bowl, and of Columbia releasing the Derby and the Orange Bowl events, also exclusively controlled, so that any station not affiliated with these networks, can likewise carry the programs.

The exclusive rights to the series, which Gillette Razor has purchased, said Weber, are exclusive only in the sense that stations may serve their audiences in an unduplicated manner. This, pointed out Weber, is not network exclusivity, but a station exclusivity. Any station regardless of affiliation, stated Weber, will be permitted to air the series so long as the listeners in that territory are not served with these broadcasts by another station. If the listeners in any area, he added, do not get the series, it will not be due to Mutual's refusal to make the event available to them, but rather to NBC or Columbia's ban against their affiliates taking the series.

Weber holds that last season neither the big league interests, Gillette or any station received a listener complaint about unfavorable service, even though pressure was exerted on other network affiliates restraining them from broadcasting the games.

## BOICE GIVES UP ON TBS

Ken Boice had decided to give up trying to make a go of the Transcontinental Broadcasting System, which actually never got started. Next step is formal dissolution of the corporation. Boice, who was at one time CBS v.p. in charge of sales, has not disclosed his future business plans.

Boice came into the Transcontinental picture last March after Elliott Roosevelt had withdrawn as president of the network project. Boice had hoped to re-stimulate interest among indie stations by holding out the possibility of political business, but his proposition met with limited response.

It is estimated that the coin dropped in this venture will come to around \$300,000.

## ARMOUR TESTING RADIO FOR NEW PERK SOAP

Chicago, Aug. 20. Armour has come up with a new soap flakes product tagged Perk, and the Lord & Thomas agency has set up some ether tests to determine sales methods.

Using programs and announcements half dozen scattered towns in the midwest and southwest.

## Kate Smith's Honor

Kate Smith has been awarded the 1939-40 medallion of Pi Beta Epsilon, honorary and professional arts fraternity of Drake University. Presentation was on the basis of conspicuous contribution to America through radio not only an entertainer but as a contributor to the spirit of America through the introduction of the song, "God Bless America."

Award, which is an annual event, was announced through E. G. Barrett, director of the university's department of radio.

## IRS EXPANDING

Opening L. A. Offices to Handle WLV Account

International Radio Sales, which recently became the sales rep for WLV, Cincinnati, in the Pacific area, is opening offices in Los Angeles and engaging additional personnel to handle this account.

John Livingston is already established as IRS' manager in San Francisco.

## Barton Arranging ASCAP-Agencies Meet In Sept.

American Society of Composers, Authors and Publishers will have an opportunity to present its side of the new radio contract issue to advertising agency heads direct shortly after Labor Day. The meeting will be arranged by Bruce Barton, head of Batten, Barton, Durstine & Osborne.

After spokesmen for ASCAP have explained the details and purposes of the contract and how the terms will affect advertisers on the networks, in contrast with the opinions expressed by NBC and Columbia, the meeting will be thrown open to questions from the floor.

## BUDDY, HAVE YOU GOT A MATCH?

San Francisco, Aug. 20. How to keep in the public eye, by Arthur Linkletter, NBC's jack-of-all trades, who went through the following schedule:

Saturday morning, sail into Frisco bay aboard largest ship ever to enter port, the Washington; 10:30 a.m., do broadcast from ship; 1 p.m., address American Express luncheon at Fair; 1:45 p.m., m.c. Los Angeles Day ceremonies; 2 p.m., m.c. free show before audience of 10,000; 3 p.m., award prizes for Insurance Day group; 6 p.m., m.c. network audience participation show from Food and Beverage building; 8 p.m., m.c. 60-minute free show before audience of 15,000.

Sunday, 11:30 to 1:30 p.m., m.c. concert of 5,000 juvenile musicians in NBC broadcast before audience of 15,000; 1:45 p.m., m.c. free show featuring Edith Fellows and Linda Ware before audience of 12,000, 7:30 to 8:30 p.m., repeat, then dash to St. Francis hotel to broadcast dancefloor quiz at 9 p.m.

## Cantor Due In N. Y. To Prep New Show

Eddie Cantor is due back from Hollywood the end of this month to prepare for his new radio show. He has the Fred Allen spot for Bristol-Myers' Sal Hepatica and Ipana.

## Hiestand on Gulf Show

Hollywood, Aug. 20. Bud Hiestand has been signed to handle the commercials for the new Gulf Oil-Screen Guild air series. Program debuts Sept. 29.

## AGENCIES RUSH TO FILL SKEDS

Queries Pile Into Offices of Station Reps—18 Accounts on Last Week's Active List

## RECORD SEASON SEEN

Quest among New York agencies for spot campaign availabilities for the coming fall and winter opened full blast last week. Queries piled into the offices of station reps from all sides and the rush on the part of agencies to get their schedules set as quickly as possible was of such proportions as to indicate that the industry is in for a record season in spot broadcasting.

Following are some of the accounts that were on last week's active spot list:

Beechnut Gum.  
American Chicle Co.  
International Salt.  
Prestone.  
Ludens.  
Ballentine Ale.  
Ponds Emollient Cream.  
Nash.  
Musterole.  
Barbasol.  
Lydia Pinkham.  
Bromo Quinine.  
Sweetheart Soap.  
Pacquin's Hand Cream.  
Baum Bengay.  
Feen-a-Mint.  
Hinds H. & A. Cream.  
N. Y. State Bureau of Milk Publicity.

Three most active agencies of the week in the spot field were J. Walter Thompson, William Esty Co. and J. M. Mathes. Thompson made available Bromo Quinine (daytime announcements), Ballentine and Ponds business. Esty has Pacquin, Hinds, Baum Bengay and Feen-a-Mint, while Mathes was offering International Salt (26-week spot announcement campaign), Prestone (five markets) and Ludens (nighttime news and other programs). Also the N. Y. State Milk Publicity business. With American Chicle (Badger & Browning & Hersey) it's six announcements a week for 13 weeks.

Edwin, Wasey is again the source of Musterole and Lydia Pinkham, while the Nash announcements are being placed through Geyer, Cornell & Newell.

## ASCAP-Radio Battle May Revise Bernie's Bromo-Seltzer Quiz

Ben Bernie's musical quiz pattern for his new Bromo-Seltzer commercial starting Oct. 1 on NBC-blue may be subject to revision under radio's current tiffing with ASCAP. For the present Bernie is vacationing in Hollywood with his family before resuming his theatre and nighters tour at the Palace, Cleveland, Sept. 6.

He has been on the road all summer until taking 10 days off for a holiday, flying west over the weekend.

## FRISCO HOSPITALITY

At Nelson's Open-Door Policy, Even Includes Peddlers

San Francisco, Aug. 20. One of this town's novelties is the case with which one can walk in on one of the busiest radio execs, NBC's Al Nelson. Door to his office stands wide open at all times and even surprised shoeace peddlers have wandered in from time to time. Asked if accessibility to all comers wasn't disastrous to office routine, Nelson points out it takes no more time to see folks than to dodge 'em.

## Vick's Junking Most of \$400,000 Spot Campaign to Put 'Gone' On National CBS Hookup

## HARDY HARVEY KABC MGR.

Waymond Ramsey in As Commercial Manager

San Antonio, Aug. 20. Hardy C. Harvey, for the past six years salesman for KFJZ, Fort Worth, and recently manager of KBST at Big Springs, succeeds J. Bert Mitchell as general manager of station KABC here.

Mitchell leaves KABC to join the merchandising department of the Texas State Network in Fort Worth. Another new addition to the station is Waymond Ramsey as commercial manager. He was formerly general manager of KOMA in Oklahoma City.

## Coca Cola Will Poll Stations On ASCAP In Nov.

Coca-Cola will go on recording its 'Singing Sam' series until November before taking recognition of the controversy between radio and the American Society of Composers, Authors and Publishers over a new licensing agreement. At that time the D'Arcy agency, which handles the account, will make a survey of the 385 stations on the Coca-Cola disc list to find out which of them hold or intend to obtain ASCAP licenses. The list will be revised accordingly. Also the transcription pressing orders.

Harry Fox, agent and trustee for publishers the issuance of recording licenses, declared Monday (19) that there has been no letdown as yet in commercial transcription activities. There has been, he added, lots of inquiries from agencies about the advisability of renewing their licenses on transcriptions beyond Dec. 31, when the present ASCAP-radio contract expires.

## 'MARRIAGE CLUB' GETS SPONSOR, CBS OUTLET

Hollywood, Aug. 20. Deal is set for the takeover of Haven MacQuarrie's Marriage Club for Wonder Bread sponsorship nationally over CBS. Benton & Bowles agency is handling for Wonder, with NBC Artists' Bureau representing MacQuarrie.

Clearance was aided in the sale by Bill Peck and Eddie Holden of their interests in the program at \$12,000. Dave Davidson retains his cut.

## Conrad Nagel Back On Silver Theatre

Hollywood, Aug. 20. Young & Rubicam is sticking close to last year's personnel in lining up its production staff for the new season's takeover for the Silver Theatre air series, which gets underway over CBS on Oct. 6.

Conrad Nagel returns as director, with Glenhall Taylor again producing from True Boardman's scripts. Felix Mills bats the musical end.

## Edgley Back With NBC

Chicago, Aug. 20. Leslie Edgley has been appointed assistant continuity editor of the NBC division here. Edgley was a member of the NBC continuity staff until 1939, when he signed to write a novel, 'No Birds Sing,' and do the once work.

Decision of the Vick Chemical Co. to debut a serial version of 'Gone With the Wind' on CBS Oct. 1 may produce serious repercussions in the spot broadcasting field. As the result of the medicinal manufacturer's move to go Coast-to-Coast network, some 145 stations that were slated to carry the Vick business this season on a spot basis face in large measure immediate cancellation of either actual contracts or schedule reservations. Most of the \$400,000 that Vick had planned to spend for spot will now go for CBS time and the cost of the 'GWTW' program.

Vick executives yesterday (Tuesday) were spirited huddle going over the legal ramifications and implications of such cancellations. The contracts call for two-week cancellation notices and the question before Vicks, and one likely to arouse much controversy among the local stations involved, is whether the company would be required to go through with at least two weeks of the stipulated 26-week campaign, or reimburse the stations accordingly. The industry has never experienced a cancellation of such proportions. It comes practically on the eve of the season's opening and when most spot accounts have settled their plans. Most of the spot schedules were slated to start around Sept. 1. Vicks is figuring on salvaging some of these spot commitments to bolster the network sales coverage.

Radical switch in broadcast plans for the coming season has caused much excitement within the Vick organization itself. Jerome Patterson (Continued on page 39)

## MAXWELL WON'T RELEGATE MUSIC

Maxwell House Coffee will not change the format of its 'Good News' stanza in any way when it brings the show back to the NBC-red Sept. 5. Report had been that the account planned to broaden the comedy portion of the show to the point where the music would take minor rating. This was firmly denied by the agency on the account, Benton & Bowles.

It was also stated that the cast would again be headed by Fannie Brice, Dick Powell, Mary Martin, Meredith Willson and Hailey Stafford.

## CECIL HACKETT NEW TOP AT WNEW, N. Y.

Cecil Hackett has become director and general manager of WINS, N.Y., Hearst-owned and operated. He was formerly with WHN and WMCA, N. Y., and before that was a Wall Street broker.

Carl Kalmat, whom Hackett succeeded in the managerial post, remains with the N. Y. State network.

## NBC Adds 2 in Tenn.

NBC has added two Tennessee outlets, WOPL, Bristol, and WKPT, Kingsport, to its southeastern group. Affiliation becomes effective this Sunday (25).

## Mahdeen Bows on WFAA

San Antonio, Aug. 20. Mahdeen hair dressing will debut a 30-minute air show through the Texas Quality Network on Sept. 8. Deal has been set through the Grant Agency of Dallas. Program will originate in the studios of station WFAA, Dallas, and will be titled the 'Mahdeen Mystery Theatre'.

## Frisco Still On Upbeat

NBC's Al Nelson Doing Great Selling Job For KGO and KPO

San Francisco, Aug. 20.

Unit figures continued to climb in San Francisco, reflecting generally healthy picture of local radio. With NBC considerably out in front, CBS and Mutual are taking friendly potshots at each other for second spot, both claiming top position.

Dominance of NBC at the moment is credited in large measure to Al Nelson, who has pepped up the local staff and inspired stunts ranging from Armenian dinners to tricky window displays. This, plus cracking of the newspaper blockade, has put personality into the unit. Result has been flood of new inquiries, particularly regarding spot biz, from out of the east, while staff time-peddlers report more nibbles on local shows than at the start of any previous fall season. Recapping the so-called dull summer months, NBC's business office points to 59% jump for first seven months of '40, with July alone 92% ahead of 1939.

Both KSFQ and KFRC issued statements this week to show gains in local biz and listener popularity. CBS unit has been picking up a number of new local quarter-hours, while Lincoln Hall's recent eastern jaunt, during which he switched spot reps, has brought a harvest of new station-breakers. KFRC now making point of nighttime power boost to 5,000 watts. Let it slide for two months to see if anybody noticed difference, particularly with regard to possible "blanketing" squawks from nearby dialers. None reported.

Odd sidelight at KSFQ is fact station is sold to point where it has no use for its orchestra, which rehearses and draws paychecks but doesn't air. Ratio is now 60% commercial to 40% sustaining, reverse of normal average.

KSFQ: State Assn. of Architects, quarter-hour weekly; American Chic, through Badger and Browning & Hersey, into minutes ET's weekly, 15 weeks; Fred Benoit (furs), through Segall, 27 spots weekly; Blue Ribbon Books, through Northwest Radio, six spots; H. C. Capwell (dept. store), through Ryder & Ingram, 13 spots; Edison Shoes, six spots; Friday Magazine, through H. C. Morris, 14 one-minute ET's; C. S. Nurses, through Northwest Radio, six spots; General Motors, through Campbell Ewald, two spots; Gilmore Oil, through Botsford, Constantine & Gardner, six spots; Golden Gate Expo, six spots; Goodyear, through N. W. Ayer, eight spots; Hale Dept. Store, one year participation in Housewives Protective League; Hastings Clothes, through Brischard-Davis, six 10-minute news periods weekly; Home Furniture, through Yeomans & Foote, three five-minute spots weekly; Langendorf Bakery, through Leon Livingston, seven spots weekly; Manhattan Socks, through Franklin Bruck, three quarter-hour newscasts weekly; Marris Tires (U. S. Tires), through Yeomans & Foote, one quarter-hour weekly through April, 1941; Pauson & Co., through Allied Advertising, four spots; Perfection Stoves (Superflex), through McCann-Erickson, three spots weekly; Safeway Stores, through Lord & Thomas, five five-minute ET's weekly for Nu-Made Mayonnaise; Southern Pacific, through Lorde & Thomas, 36 announcements; Time, Inc., through Young & Rubicam, nine spots; Tom Rolph for Congress, one quarter-hour.

Aug. 17 Compared with Aug. 10

Network	Local	National	Total
Units	4,737	2,273	15,470
Spots	8,280	4,638	22,778
Units	+2.1%	+1.2%	+1.8%
Spots	+2.1%	+0.2%	+1.8%

(Included: KFRN, KGO, KJBS, KPO, KSFQ)

### Des Moines' Outlook

Des Moines, Aug. 20.

August slump apparently doesn't worry station execs here—they're all vacationing. Contracts from local and national advertisers for fall campaigns are rolling in and stations believe rise in unit count will start within the next week or so.

Aug. 17 Compared with Aug. 10

Network	Local	National	Total
Units	6,800	2,592	3,457
Spots	6,620	2,644	3,606
Units	-0.3%	-1.8%	-4.1%
Spots	-0.3%	-1.8%	-4.1%

(Included: KRNT, KGO, KJBS, KPO, KSFQ)

### SAN ANTONIO UP

Shows Slight Rise, Though Network Count Tumbles

San Antonio, Aug. 20.

Total biz up slightly the past week. Network count took a tumble when the Texas State web dropped one commercial and WOAI lopped off a few shows to make way for several special events airings.

In a tieup with Vogue Women's Store and Hutchin's Men's Shop, who bankrolled fashion broadcast from roof of Gunter hotel, KTSA's merchandising department arranged window display in Vogue store, featuring clothing described on broadcast. Window was full of KTSA and CBS banners and mikes.

KABC: Clark's Dollar Store and Nonkin's Tailor shop, announcements.

WOAI: Jardin, announcements. Johnson Beauty Academy, one-min. spots. Federal Savings and Loan, through Coulter, Mueller & Grinstead, announcements. Fall biz set to start next month includes an announcement for Buick, Plymouth, Beechum Packing Co., Crustene Shortening, Comet Rice, Fennamint, Austex Chile, and programs for Vick Chemical and Chattanooga Medicine Co.

Aug. 17 Compared with Aug. 10

Network	Local	National	Total
Units	4,811	7,653	1,940
Spots	4,948	7,471	1,939
Units	-3.7%	+2.4%	+0.05%
Spots	-3.7%	+2.4%	+0.05%

(Included: KABC, KMAC, KONO, KTSA, WOAI)

### DET. LOOKING TO AUTO COIN

Detroit, Aug. 20.

Looks like things have reached rock bottom here and ozone biz figures to start upward climb pretty soon, especially with local auto plants getting ready to launch 1941-model b.e.s. Incidentally, motor moguls are planning to spend considerably more this season than previously, with radio due for its share of the boosted outlay.

Baseball broadcasts, or rather the absence of them due to bad weather, etc., forced national spot-regional category score down in latest week under review, giving the whole week another dip. Otherwise, biz pretty quiet in the August dog days.

Aug. 17 Compared with Aug. 10

Network	Local	National	Total
Units	7,225	10,570	4,663
Spots	7,188	10,551	4,978
Units	+0.4%	+0.2%	-0.4%
Spots	+0.4%	+0.2%	-0.4%

(Included: CKLW, WJBK, WJR, WMBZ, WWJ, WXYZ)

### WHN Cuts Discs for Intl. Shoe; National Spotting

WHN transcription department has completed a series of dramatized spot announcement platters for Morse & Rogers, New York division of International Shoe.

They'll be spotted on local stations throughout the country.

Aug. 17 Compared with Aug. 10

Network	Local	National	Total
Units	8,460	4,737	2,273
Spots	8,280	4,638	2,278
Units	+2.1%	+1.2%	+1.8%
Spots	+2.1%	+0.2%	+1.8%

(Included: KRNT, KGO, KJBS, KPO, KSFQ)

### Neil Collins Joins D-Y-P Agency in Chi

Chicago, Aug. 20.

Neil Collins, formerly publicity head of artists division of WGAR, Cleveland, has joined the Davis, Young & Powell agency and some accounts. Collins will particularly concentrate on the "Wings Over Jordan" show, which is now under the agency's management.

### L. A. BIZ SLOW; BOOM STILL IN OFFING

Los Angeles, Aug. 20.

Radio sales execs in the Los Angeles area, who have been tooting optimistic horns ever since the start of the biz slump last month, have switched over to blue tunes. The boom they were so certain would come their way before mid-August has failed to materialize, and the promotion lads are now willing to admit that it must have been a mirage they saw hanging around the corner.

Biggest deal of the current week was Columbia Recording Corp.'s signing with KNX (Columbia) for 260 30-minute programs for Masterworks. But that doesn't really mean so much when it is pointed out that it is a family affair between CBS and a subsidiary.

KFWB: Ford dealers, through McCann-Erickson, Inc., 13 spot announcements. Bud Averill's Airport cafe, 30 15-minute programs.

KFI: Security-First National Bank, L. A. through Dana Jones Co., 54 announcements. Tek Toothbrushes, through Ferry Hanly Co., 26 announcements. C. H. Baker & Co., through Sidney Garfinkle Agency, five participations in "Art Baker's Notebook". Anatol Robbins Co., through Sidney Garfinkle Agency, 26 participations in Bridge Club, Manhattan Soap Co., through Franklin Bruck Adv. Corp. 39 15-minute newscasts.

KECA: Manhattan Soap Co., through Franklin Bruck Adv. Corp. 39 15-minute newscasts.

KHJ: General Household Corp., through John Rordan Co., 12 participations in "Happy Homes". P. E. Gardner, 52 half-hour religious programs. Fels Naphtha, through Young & Rubicam, 78 15-minute "Rise and Shine" programs. Carl Werz Co., through Lisle Sheldon, one half-hour program. Burton Fitts Campaign committee, through Milton Weinberg, two 15-minute programs. Bonelli Campaign committee, through Allied Advertising, three 15-minute programs.

KNX: Langendorf United Bakeries, through Leon Livingston agency, 10 time signals. Columbia Recording Co., 260 30-minute programs. Burton Fitts Campaign committee, through Milton Weinberg agency, two 15-minute programs. Schwabacher-Fry Co., through W. Austin Campbell Co., three 100-word announcements. Gilmore Oil Co., through Botsford, Constantine and Gardner, time signals. J. W. Robinson Co., through Mayers Co., nine time signals.

Aug. 17 Compared with Aug. 10

Network	Local	National	Total
Units	9,565	9,028	1,679
Spots	9,560	8,263	1,641
Units	+0.05%	+9.3%	+2.3%
Spots	+0.05%	+9.3%	+2.3%

(Included: KECA, KFI, KFWB, KHJ, KNX)

### SEATTLE BIZ OKAY

18th Consecutive Week to Show Gain; KIRO Remodeling

Seattle, Aug. 20.

Stations here are spending some coin in remodeling and they've got it to spend. This is the 18th consecutive week local stuff has shown a gain.

By attaching its 125-foot antenna wire to a nearby flag-pole, KRSC moved its high tower to new combo transmitter-studio site without going off the air for even a minute. New setup will be ready for occupancy shortly and will be in operation Sept. 1.

James Hatfield, chief engineer of KIRO, is supervising work on station's new transmitter, which is expected to be in operation by October, blasting out the recently-authorized 10,000 watts.

Aug. 17 Compared with Aug. 10

Network	Local	National	Total
Units	3,855	11,526	1,386
Spots	3,850	11,587	1,386
Units	+0.3%	+1.1%	+0.7%
Spots	+0.3%	+1.1%	+0.7%

(Included: KIRO, KOI, KRSC, KXA)

### BALTO LOOKS AHEAD TO BULLISH BUSINESS

Baltimore, Aug. 20.

Continued quiet on this front, with vacation schedules holding down any immediate activity. Considerable planning for new business at hand and general feeling all around is that it will be bullish.

WFBR put out an effective piece of direct mail tied to its recent "Home of Happiness" schedule. Novel imprint of letter from Fumell H. Gould, station manager, pointed out the results accomplished by the airings, which took a young married couple through the various steps of planning and building their home. Program followed up with the actual construction of a house in a nearby development and mailing consisted of an oversized booklet detailing the completed house and development.

Aug. 17 Compared with Aug. 10

Network	Local	National	Total
Units	7,100	4,585	2,028
Spots	7,115	4,699	1,704
Units	-0.2%	-2.0%	+18.9%
Spots	-0.2%	-2.0%	+18.9%

(Included: WBAL, WCAO, WCBM, WFBR)

### Denver Light; KOA Lauds Ralston-Purina

Denver, Aug. 20.

Sales were light for the week, with KOA making the big one for Denver of 39 quarter-hours to Ralston-Purina.

KOA: Ralston-Purina Co., through Gardner agency, 39 quarter-hours, "Checkerboard Time". Red Dot Oil Co., through Ted Levy agency, 48 announcements for Seiberling Tires.

KFEL: Hub Clothing Co. and Randolph Shoe Co., through Ted Levy agency, daily chain break, one year. Commercial Solvents (Norway Antifreeze), through Maxon agency, 48 chain-breaks. National Anniversary League, through Max Goldberg, one quarter hour.

KLZ: Friday Magazine, through H. C. Morris agency, 36 one-min. spots. Weicker Transfer & Storage Co., through Robertson agency, 27 announcements.

Aug. 17 Compared with Aug. 10

Network	Local	National	Total
Units	6,838	4,004	1,380
Spots	6,593	3,926	1,420
Units	+0.7%	+1.9%	+2.1%
Spots	+0.7%	+1.9%	+2.1%

(Included: KFEL, KLZ, KOA, KVOD)

### AIRLINE, TEA CO. BUY CHI TIME

Chicago, Aug. 20.

Airlines, infrequent purchasers of other time, are represented by WBBM, the Columbia outlet here, with an announcement schedule for the Transcontinental & Western Air company set through the Beaumont & Hohmann agency. Calls for a six days-weekly schedule of one announcement each day.

Jewel Tea Co. has also set an announcement schedule on WBBM using four announcements every day except Sunday when there will be a single plug. This was set through the McMunkin agency.

WGN has evidenced a steady climb in business throughout the year, and it is officially reported now to have jumped to a point 34% ahead of August, 1939. This is figured on the basis of local and national spot business only.

Aug. 17 Compared with Aug. 10

Network	Local	National	Total
Units	9,005	5,370	10,167
Spots	8,005	5,348	10,210
Units	+0.4%	-0.4%	-0.1%
Spots	+0.4%	-0.4%	-0.1%

\* No change.  
(Included: WBBM, WBBN, WGN, WIND, WJLB, WLS, WMAQ)

### N.Y.'S LULL UNTIL FALL

Lull continues and stations here don't expect any appreciable change up or down until fall campaigns get underway. Contracts are already signed, but starting dates are several weeks hence.

Mars, Inc. has joined the list of network advertisers which supplement their New York coverage with an announcement series on a local indie, WHN got the candy company contract through Grant Advertising, Chicago. WHN's transcription service has completed a series of dramatized announcement discs to be used throughout the east for International Show Co.

WNEW: Red Seal Motor Co., through Brenallen agency, announcements weekly. Philip Morris, through Biow, six quarter-hours weekly. "Dance Parade." United Shoe Exchange, through Klingler agency, daily ten-min. "Music Hall." Renault Wines, through Campbell-Lampe, daily quarter-hour of recorded music.

WMAA: Hudson Dealers of N. J., through Brenallen agency, announcements, 13 weeks. Caxton House, Inc., through H. C. Morris, daily five-min. program, 13 weeks. Optical Membership Plan, Inc., through Ted Nelson Associates, 18 two-min. spots weekly, 52 weeks.

Aug. 17 Compared with Aug. 10

Network	Local	National	Total
Units	630	10,202	10,215
Spots	645	10,190	10,403
Units	-2.3%	+0.1%	-1.8%
Spots	-2.3%	+0.1%	-1.8%

(Included: WHN, WMAA, WNEW, WOR, WQXR)

### K. C. IN SLUMP, BUT EXPECTS PICKUP SOON

Kansas City, Aug. 20.

August slump in full force among radio stations here. Some new contracts picked up, but for dates later in the fall.

Execs report business better than last year at this time, although maintaining seasonal characteristics. Vations of salesmen and execs, NAB convention, figured for some effect, but likely negligible and regular seasonal trend the real reason.

Situation exemplified by the uniform reply of stations when asked for this week's list of new accounts, i.e., "we'll have some next week."

Aug. 17 Compared with Aug. 10

Network	Local	National	Total
Units	6,200	4,839	6,814
Spots	6,245	5,139	7,084
Units	+0.2%	-3.3%	-3.8%
Spots	+0.2%	-3.3%	-3.8%

(Included: KCKN, KCMO, KITE, KMBC, WDAF, WFB)

### THREE MONTH TREND OF STATION BUSINESS

(For All Markets Regularly Reported by Variety)

NATIONAL SPOT				LOCAL				NETWORK				TOTALS			
Week Ending	Units	Spots	Units	Week Ending	Units	Spots	Units	Week Ending	Units	Spots	Units	Week Ending	Units	Spots	Units
June 1	62,049			June 1	91,559			June 1	94,493			June 1	248,211		
June 8	61,153			June 8	89,536			June 8	93,339			June 8	244,028		
June 15	62,101			June 15	89,130			June 15	93,619			June 15	244,850		
June 22	62,595			June 22	89,996			June 22	94,666			June 22	247,227		
June 29	62,146			June 29	90,375			June 29	90,034			June 29	242,554		
July 6	61,217			July 6	89,334			July 6	92,641			July 6	243,222		
July 13	62,054			July 13	90,015			July 13	89,929			July 13	241,998		
July 20	60,556			July 20	88,582			July 20	85,031			July 20	234,169		
July 27	56,646			July 27	87,309			July 27	87,240			July 27	231,195		
Aug. 3	56,588			Aug. 3	87,745			Aug. 3	87,756			Aug. 3	232,089		
Aug. 10	54,599			Aug. 10	86,147			Aug. 10	87,387			Aug. 10	228,133		
Aug. 17	53,957			Aug. 17	86,836			Aug. 17	87,487			Aug. 17	228,280		



# NBC BLUE 'HIDES' LAXATIVES

## Thompson Agcy. Gets Republican Acct., Nosing Out Young & Rubicam

J. Walter Thompson was assigned the Republican National Committee account last week. Its stiffest competition for the campaign ad business was Young & Rubicam.

The bid for the handling of the Republican presidential ballyhoo was inspired less for the commission involved than by the prestige that might accrue to the agency as far as the anti-Roosevelt factors in Big Business are concerned. Democratic National Committee has not decided whether it will clear its radio requirements through an agency, or do it direct.

Stanley Reser, head of the Thompson agency, is on the Republican Finance Committee. Chet LaRoche, president of Young & Rubicam, was an active Wendell Willkie man in Philadelphia during the nomination pow-wow. He had much to do with the copywriting and placing of pro-Willkie page ads in the Philly papers at the time, and was alleged to become a member of the Willkie campaign brain trust.

## Band Laid Off So Station Can Get Tune Com

Buffalo, Aug. 20.

WBEN staff band of 12 started six-week layoff this week. Station's music budget does not include funds for arrangers, so layoff is to accumulate funds to have more pretentious music scores prepared.

Four local shows and NBC 'Matinee in Rhythm' have been canceled until about Oct. 1. 'With five shows a week, we've been getting in a rut playing stock arrangements,' said Bob Armstrong, music director. Armstrong and a few of the boys have been turning out arrangements in spare time, but with 40-hour week and all it's a tough job.

Armstrong, Charlie Wulsten, pianist, and Stan Zurich, clarinetist, are staying on as 'novelty trio' for three shows a week. Part of the band is playing at Buffalo Athletic Club. Band will play together on outside dates through the layoff.

With return in October, outfit will be increased to 16 men. String section will be added.

## Grocery Chain Stresses Pledge to U.S. Flag

St. Louis, Aug. 20.

Local dealers are heaving the 29-word allegiance to the U. S. flag three times daily over three programs over KMOX that are bankrolled by the Kroger Grocer & Baking Co. The allegiance comes at the end of 'Linda's First Love,' at 1:45 p.m.; 'The Editor Daughter' at 2 p.m.; and Bob Dunham's nightly news broadcast.

A. E. Johnson, advertising manager of the grocery chain, said that the allegiance is repeated at the end of each of 55 daily broadcasts, sponsored by the company, throughout the nation.

## KIRO SCOOPS DAILIES

Reporters Didn't Know Early Was in Town Until Air Interview

Seattle, Aug. 20.

KIRO scooped the dailies when it moved equipment for a remote into the room of Stephen Early, secretary to President Roosevelt, in the Olympia hotel, where Early gave 15 minutes with Maurice Rider, station's top mickster. The quarter hour was ad libbed by both Early and Rider. Reporters did not know Early was in town until spiel over KIRO.

## Embarrassing

St. Louis, Aug. 20.

Merle S. Jones, of KMOX, copped the trophy he himself put in competition in golf tourney for the station's employees.

Several of the 30 contestants are planning to fetch a mirror to the presentation ceremony in order to enable Jones to see Jones presenting the trophy to himself.

## AKRON FEMMES OK DAY SERIALS

Akron, Aug. 20.

Despite the frequent criticism of daytime radio serials, women listeners in the Akron area held them favorites in a survey just completed by the marketing class of Professor Harry Wolfe, Kent State university. The class personally interviewed 944 women of the middle income group on what type of programs they preferred between noon and 5 p. m.

Forty percent of the women preferred serial stories. Only 7% said they did not listen at all during the afternoon hours. The average woman listens two hours during the afternoon, the survey revealed.

One of the older serials, 'Ma Perkins,' was first on the list of the favorites, with 'Mary Marlin' second, 'Vic and Sade' third, 'The O'Neills' fourth, and 'Pepper Young' fifth. 'Society Girl' finished last in the list of the serials.

The interviewers found radios in 99% of the homes visited and 55% owned two radios. One home had five sets. The survey included Akron, Barberton, Kent, Stow and Cuyahoga Falls.

## Sponsor Asks MBS To Give Williams Sustaining Warm-up

Mutual affiliates have been asked to give Wythe Williams a two-week sustaining buildup preliminary to his going on the network Sept. 10 for the American Safety Razor Co. It's at the sponsor's request.

Warm-up schedule calls for four sustaining broadcasts, with the stations asked to record them, if necessary, and rebroadcast them at the same time as, or as close as possible to, the period reserved for the sponsored Williams programs. The commercial schedule will be two periods - Tuesday and Thursday - a week, either 8 or 10:30 p.m. EDT.

## ANTI-RACKET SHOW

Amarillo, Texas, Businessmen Framing New Program

Amarillo, Texas, Aug. 20.

The Amarillo Better Business Bureau is organizing a radio 'Racket Busting' campaign. KGNC here is cooperating with the group of 25 or more local businessmen, who are meeting in the auditorium studio of the station.

Group is making plans for the coming radio campaign by writing scripts and spot announcements to acquaint Panhandle listeners with all types of rackets that might be foisted upon them.

## Cereal Renewals

Fort Worth, Aug. 20.

KOKO here got the renewal of the Campbell Cereal Co. Malto-Meal account for another year, according to Jack Keasler, commercial manager for the station.

Account handled direct from local Fort Worth distributor.

## ONLY IN HARD TO SELL PERIODS

Competitive Programs on Red and CBS Taken Into Consideration — Medicals Opposite Crosby, Benny, Bergen, Allen and Lux Theatre

## SERUTAN'S BID

In accepting laxative accounts for the blue network, NBC plans to strict its spotting to periods that it would otherwise have difficulty in selling because of the competitive strong programs on Columbia and the red. Case illustrative of this policy is the sale of the Thursday 9-9:30 p.m. period on the blue to Nature's Remedy. Bing Crosby is the opposition attraction and NBC has never been able to induce an account to go in against him on the blue.

NBC has also lent an attentive ear to a proposition from the Ray Spector agency about putting Serutan, heretofore confined to spot, on a blue hookup. Spector is interested in two quarter-hours a week.

Among those also listed by NBC as hard to sell against on the blue are Jack Benny, Chase & Sanborn's Edgar Bergen, Fred Allen and Lux Radio Theatre, and it is within these opposite periods that the network proposes to limit the scheduling of laxative accounts. NBC also explains that it intends to exercise stringent supervision over the copy of such accounts and that acceptance of the business itself will be based on this understanding.

The Nature's Remedy half-hour will follow 'The Pot of Gold' stanza on the blue Thursday nights (9-9:30), both coming from the same agency, Stack-Goble, and will offer Tommy Dorsey in amateur songwriting stunt.

Dorsey starts Oct. 3, his current summer replacement job for Bob Hope and Pepsodent going off Sept. 17. Amateur songwriting idea is the hour-long sustaining show Dorsey is now doing on NBC Saturday afternoons, but cut to half-hour. Arrangement for the commercial allows him to do the broadcast from anywhere his band happens to be during a road trip, if facilities are adequate.

## Expect Big Mudball Exchange

Republicans and Democrats Prime for Radio Battle of the Century

Washington, Aug. 20.

Knob-twiddlers who dislike political broadcasts will be in for a tough time between now and the November elections, according to indications in Washington. Fur will fly with increasing fury as the vice-presidential candidates, McNary and Wallace, shoot their acceptance speeches into the air; and, from there on, the lesser politicians will be at it.

Many of the same issues will be pounded into the ears of listeners this year that were used in the '36 campaign. 'Campaign books,' Communism, WPA, and other old favorites will be served up, plus a review of President Roosevelt since 1933. The Dems, of course, will pay their respects to Wall Street and make hay over Willkie's power trust background.

Both parties will be supplied with ample material gleaned from important happenings in the past few years. Lots of mudballs will be available on both sides, as the lesser-

## MBS Registers 1st Squawk on Political Spending; Gets Demos' Future Promise

### Greats From Iowa

Ames, Ia., Aug. 20.

Apparently the main requirement for success in radio is to be a native of Iowa and a graduate of Iowa State college. Ames Tribune's four-column story, on page 1 Saturday (17) pointing out that Harry C. Butcher, CBS vice-president in Washington; Frank E. Mullen, new NBC vice-president and general manager, and Frank M. Russell, NBC vice-pres in Washington, are all local boys and local grads who have made good.

Butcher was credited as the originator of the term 'fireside chat.' He stopped here on his way to the Willkie notification ceremonies, returning from the NAB convention in San Fran-

First network spat over the placing of political campaign business broke Monday (19), when Mutual demanded to know of the Democratic National Committee why it was passed over for the NBC-blue in the broadcasting that night of Secretary Harold Ickes' reply to Wendell Willkie's acceptance speech.

Mutual explained that it was peeved because it hadn't even been asked what time it had available for this event. It was the first paid broadcast in the current presidential campaign.

Mutual was assured that the next Democratic hookup for money would be booked with that network.

Trammell, Klauber to Meet Niles Trammell, NBC prez, and Edward Klauber, CBS executive v.p., are slated to meet this week with campaign directors for the Democratic National Committee to talk over the policies that are to be followed during the presidential ballyhoo as far as network broadcasting is concerned. Similar meeting was held recently with the Republicans.

The networks want to make sure that the two parties don't overdo the dramatic devices and do not resort to any such tricks as the Republicans pulled during the Landon campaign, when a GOP stumper debated with a recording of President Roosevelt on a CBS broadcast out of WBBM, Chicago. This event was blotted off the air by CBS before it had proceeded many minutes.

## Y. & R. TESTING BLURBS ON B.O. CURE

Before releasing a campaign Fresh (Pharm. Co., Corp.), Young & Rubicam, agency on the account, wants to find out whether stations in general might have any objections to the phrasing of the 100-word spot announcements that have already been used in spasmodic tests. Inquiry is being conducted through station reps. Later have been asked to mail copies of such announcements to their stations for comment.

Following is one of the sample pieces of copy on the deodorant:

'Nowadays no one wants to risk the embarrassment that comes from under-arm perspiration. And every one wants a really safe and pleasant way to insure daintiness. Well, here's the answer—Fresh No. 2. Fresh is a delightful new vanishing cream. It's not sticky—nor greasy—can't harm your clothes—so you can apply it immediately before dressing. Fresh No. 2 really stops odor and perspiration...not just for a few hours...but for one to three days. And there's another kind of Fresh that stops odor without stopping perspiration...Fresh No. 1. Try Fresh today. Full satisfaction or your money back. Remember the name... Fresh... F-R-E-S-H... Fresh!'

## LEVER BROS. BACK ON NBC WITH 'UNCLE JIM'

NBC has cracked the Lever Bros. account for the first time since the shift of the Lux Theatre to CBS in 1935. The blue link gets the account's 'Uncle Jim's Question Bee' in November, with the spot being the same now occupied Tuesday nights by 'Information, Please.'

Ruthrauff & Ryan is the agency on the quiz show.

**GOLDWYN**

**COOPER**

**THE WESTERN**

**Ft. Worth**

Directed by WILLIAM WYLER • Released Th



# World PREMIERE

Most widely publicised screen event of the year! Fort Worth and Hollywood Theatres, Fort Worth, September 19th, followed September 20th by day-and-date premieres in more than 100 Texas cities! Forty Texas newspapers now featuring contest to select guard of honor to welcome Gary Cooper, Doris Davenport, Walter Brennan and other star celebrities to Fort Worth as radio stations prepare to broadcast event from coast to coast. Samuel Goldwyn gratefully thanks Bob O'Donnell, Harold Robb, Ed Rowley, Julius Gordon, R. E. Griffith, Governor O'Daniel, Karl Hoblitzelle, Mayor McCrary of Fort Worth and the Chambers of Commerce of Texas for their enthusiastic cooperation!

NER

Sept. 19

UNITED ARTISTS







**DR. HARLOW SHAPLEY**  
Stars of the Summer Night!  
15 Mins.  
Sustaining  
Wednesday, 11:15 p.m.  
WEAF-NBC, New York

As so often happens when the savants try to bring their lore to the guy on the sidewalk, this spiel by Dr. Harlow Shapley, director of the Harvard College observatory, was too scholarly for general consumption. To anyone of even mild intellectual curiosity there's fascination in astronomy but while the professor's discourse may have seemed phrased in what, to him, was popular lingo, it was much too technical for the uninitiated.

Dr. Shapley tried. He likened the heavenly sphere to the face of a watch, instructed his listeners to go out and look at the starry sky and added a postscript about the coming annual August meteor display. He even tossed off a couple of scholarly little bits of astronomy, such as the fact that the universe is here on Beacon Hill, of course. But as a starter, last Wednesday night's (7) opening program was too classroomish. One of which, I learn, about astronomy might have been impelled to tune to the stanza again this week, but few dialers without a strong partiality to the subject would be likely to return—or even to stick through this opening shot.

Vocally Dr. Shapley is acceptable. He speaks clearly and easily in a professorish voice and has a fairly listenable manner, although he doesn't conceal the fact that he's merely reading his stuff from a prepared script. Series originates at WNAC, Boston. *Hobe.*

**'HOTEL AMERICA'**  
With Landt Trio, Vocalists, Ed Flynn and Gordie Randall's Orch  
30 Mins.  
Sustaining-Local  
Tuesday, 7:30 p.m.  
WGY, Schenectady

Variation on yet of funnyness to be tragedians and vice versa seems to have attacked Landts in mild form at least, on WGY's ambitious, catchily-titled summer show, 'Hotel America.' Boys have long been known on wags for their rhythmic singing-role in which they starred on WGY commercials and sustainers last winter. With present program, however, they are grabbing for laughs as much as aiming for harmony chords.

While they touched off some studio guffaws, trio overplayed puns. Saratoga background was timely, in one sense, but for dialers—number probably is large—who never saw or followed horse racing, the cracks weren't edifying. *Jaco.*

**WILL HAY and CLAUDE HULBERT**  
5 Mins.  
Sat., 7 p.m.  
BBC, London

Government has a new one for instructing the masses on their war behavior. They tie the classroom stuff to names in show business, going heavy on comedians.

Hay and Hulbert drew the assignment here, not an easy one. Getting a laugh out of telling folks to stay put in the family manse "when a few Nazis drop in here, you know" is tough going. Pair did admirably within those limits.

Will Hay was on the schoolmaster end and ribbed his colleague for hoarding food, driving through air raids, etc. Hulbert's droll inanities made it possible. They'll likely hold for some weeks, since predecessor on the 'do-as-I-do' stunt, Will Fyffe, went for six weeks before the subject moved in on him.

**'DESTROY RIDES AGAIN'**  
With Florence Desmond, Robert Beatty  
60 Mins.  
Monday (15), 8 p.m.  
BBC, London

Version of the Universal hit received quite some buildup prior to airing, space taken in the trade press advising bookers to get a load of film's potential b.o. It's likely the first time, in these parts, second runs have been saluted via the ether. Radio job held up a class standard. Florence Desmond in the 'Frenchie' part meant a life-like portrait of la Dietrich, since mimic has many times handled the caricature in her stage and screen stuff.

Young Canadian thesp Robert Beatty handled the Destroy role, a neat job, but top performer credit belonged to whoever made a stand-out of Sheriff Dimsdale.

## HOLLAND RETURNS TO BERGEN ASSIGNMENT

Maury Holland, of J. Walter Thompson's staff, left New York last Wednesday (14) to resume his producing assignment on the Edgar Bergen (Chase & Sanborn Coffee) show in Hollywood.

The program is due back on the NBC-red Sept. 1.

**'THUNDER ROCK'**  
With Michael Redgrave  
60 Mins.  
Monday, 10:15 p.m.  
BBC, London

Radio's slant on the Robert Ardrey play invested it with probably more realism than the stage, drama's ethereal quality lending itself as a natural to mike treatment. Its pointed dialog came through with impact and virility, over-riding such flaws as the seemingly second rate supporting cast from a neighborhood playhouse, but not hurdling the basic shadows of the plot.

With flimite Michael Redgrave, piece was originally presented by the private group; they came intact to the studio. Redgrave's handling of the crusade-weary Charleston lacked nothing in artistry, his work flowing through the support to provide an hour of high interest and esteem.

Play came to the pure air without whitewashing of its wordage—how is a mystery. Everything was in that nature of which Will Hays denuded John Steinbeck. Late as was the hour, there should be enough blue-noes up and around to register anguish.

While it did a Broadway skid this past season, 'Rock' as a London letter has excited much favor.

**'CORN ON THE COB'**  
With Charles Berry  
15 Mins.  
Recorded; Sustaining  
Wednesday, 8:30 p.m.  
WVO, New York

Charles Berry, a program man and announcer at WOV, has apparently been haunting auctions of estates, where he's corraled a collection of ancient records. Being a program man, he was certain sooner or later to get his trophies on the air under the guise of entertainment—and recently he made it. With shrewd showmanship, the program is called 'Corn on the Cob' and Berry incites the listeners to join in a chuckle at what was once juicy stuff. Announcing the show, he calls it an 'antidote for super-sophistication.'

Debut session included the following records: 'Cohen,' with a guy named John Ryan doing a Hebe comedy song by Irving Berlin, 'My Wife on a Diet,' with a thinner-voiced, kinda nervous, yet unmistakable Eddie Cantor; a present-day melody of satirical gems by Alec Templeton, and 'On Top of the World Alone,' a ballad with a reminiscent Maurice Chevalier. Obviously intended as an unpretentious novelty, the program is a bright sample of recent Americana and, contrary to its title, not nearly as corny as some of the self-conscious efforts around the networks. For a minor station, sustainer, it's a listenable spot. *Hobe.*

**'SATURDAY SPOTLIGHT'**  
With Edward Cooper, Sonya and Partner, Will Fyffe, Ivy St. Heller, Billy Terment Orch.  
30 Mins.  
Saturday, 7 p.m.  
BBC, London

They have a winner in this one. It's streamlined for an audience liking a bit of everything—as folk do on this side. Show was breezy and the material made novel entertainment. If they can hold the pace—this was first airing—show will earn a high listener rating.

Cooper's turn is comedy-rhyme and a piano; he's permanent on the show. Sonya, clairvoyant act, had her partner stuck in a studio some miles out of town, and stuff for doing was handed up by a committee. She called 'em all. Stunt was vouched for by BBC as to validity. Quiz fans had a musical melody to toy with; overlooking bedtime make-up of the piece, Terment's music was sweet and vocalizing ditto. Will Fyffe's contribution seemed overlong. He's been on now for some weeks, at this hour; patriotic spiel tends to get by because it's Willie. Stage-miss Ivy St. Heller aired one of her own songs, followed with a 'Cinderella' piece.

Routing of the acts might have been better, and more made of orchestral stuff, particularly at closing.

**WISHING WELL**  
With Mrs. Marshall Roberts  
15 Mins.  
STEWART DRY GOODS CO.  
Monday through Saturday, 9:15 a.m.  
WAVE, Louisville

At long last a local station has cracked the largest department store in town with a morning strip, titled 'The Wishing Well' conducted by a femme with cultured southern accent who gives the ladies a chance to win a \$50 gift certificate for the best letter on the subject, 'What You Want—and Why.' Idea is for the listener to pick out some article of merchandise and then write the letter.

Lady who does the speling is a trifle on the gushy side, who enthusiastically tells the femme listeners of the wonderful values to be had at the store. On program caught stress was made on the line of fun costs at prices in the upper brackets. Interspersed with the plugs recordings, which makes the program appear to be low cost. Hardly in keeping with the prestige of this class store.

At least it's a beginning and may presage some activity on the part of local department stores who have fitted perfectly into Vauclav's 'Bureau of Missing Business.' This is one of the towns where department stores have long been radio shy, spending the bulk of their advertising budget in newspapers. *Hobe.*

# Out Next Week!

## The Variety Radio Directory 1940-41

The radio industry's encyclopedia—again containing thousands of facts and figures, headlined once more by a feature presentation:

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## Gov. Rivers Hands Out 10,000 Lbs. Beef, 1,000 Gals. Stew at WGOV Dedication

Valdosta, Ga., Aug. 20. Marked by gustatory flourishes, 15,000 folk assembled in this South Georgia metropolis Friday (15) for dedication of WGOV, station owned by Gov. E. D. Rivers, who will finish his second term Dec. 31.

The gathering was nonpolitical, since Rivers cannot serve more than two consecutive terms under the law and has refused to run for Congress. Following dedication ceremonies, climaxed by governor's speech, 10,000 pounds of barbecued meat and 1,000 gallons of Brunswick stew were served to the milling thousands on hand for the party. Members of Valdosta Child Welfare Clinic and Junior Service League assisted in serving meal.

Rivers dedicated his broadcasting plant 'to the service' of this section and George Simpson, Georgia district governor of Kiwanis, and Valdosta's Mayor J. D. Ashley also spoke. State's chief exec. in announcing his retirement from the politico scene; has declared that he plans to return to his home in nearby Lakeland, Ga., practice law and devote his time to developing WGOV.

John F. Arrington, former owner of WCHV, Charlottesville, Va., is manager of WGOV. J. F. Mangham, Jr., Rivers' son-in-law and new to radio, is station's commercial director, and Dave Tress, formerly with WGAI, Athens, Ga., is chief engineer.

## 'ALICE BLAIR' CUTS IN N.Y.

'Career of Alice Blair,' daily serial for Daggett & Ramsdell over WOR, will again be recorded in the east beginning next month. Show was originally waxed in New York, but shifted to the Coast last spring. Martha Scott, femme lead, is coming east for the preem of Columbia's 'The Howards of Virginia' at Williamsburg, Va., and New York. Whether the recording will be done on the Coast again when she goes back, or done in New York with another actress in the part, is undecided.

Carlton Alsop, McCann-Erickson director on the series, who went to Hollywood to handle it from there, will remain in New York, but return with it in September. He'll also take over direction of 'Meet Miss Julia,' another McC-E show, at that time. Bill Spire, now directing 'Julia,' will be handed another assignment. Florence Lake, recently in from the Coast, will return to the cast of 'Alice.' She's also in the legit musical, 'Two Weeks With Pay,' slated for fall production on Broadway.

## U.S. TIRES PUTS NEW QUIZ ON WEHR, BUFF.

Buffalo, Aug. 20. New quiz bows in tomorrow (22) on WEHR in 'Put and Take' ticketed by local division of U. S. Tires for 13 weeks. Will air from She's Hippodrome Theatre stage.

Announcers Pete Krug and Harold Kolb will quiz teams from local industries. Greenfield Associates is the agency, with Ed Brown producing.

## 62% of Autos Have Sets

Amarillo, Tex., Aug. 20. Some 62% of all automobiles—the 13 leading brands—sold here this year have been equipped with radios. This fact was unearthed by Tom Kritzer, who has completed a survey for the merchandising department of station KGNC here. Additional radios, of course, are installed in cars after purchase.

Car radios are not figured in standard listening audience surveys, and the rapid growth of the radio audience on wheels is one of several phenomena that will have to be considered in determining the probable number of listeners.

## Acoustics Too Good

Representatives of AFRA and the networks, negotiating a new sustaining agreement, met one day last week in a studio of the new CBS annex, East 52d street, New York. Owing to the good acoustics of the oval-shaped, windowless room, ordinary speech sounded considerably louder. As a result, nerves became frayed and there were several acrimonious exchanges.

After the session one of the confabbers expressed the belief that dispositions have been calmer and the discussions more productive when meetings were held in quarters with open windows. Other conferee replied that if the huddles could be held in a room where the negotiators couldn't hear each other at all an agreement would probably be reached in a few hours.

## Holland Engle Quits

### Erwin-Wasey to Join Cramer-Krasselt Agcy.

Chicago, Aug. 20. Holland Engle has resigned as radio department head of the Erwin-Wasey agency here to join the Cramer-Krasselt agency in Milwaukee in charge of the ether department. He swings over on Sept. 1.

Engle has been with the Erwin-Wasey agency for several years, coming over from Columbia-WBBM, where he was program director. He was in vaudeville for several years before joining the ether biz.

## U.S. ADVERTISING AGCY'S NEW EXECUTIVE SETUP

Toledo, O., Aug. 20. Change of officers, ownership and management of the United States Advertising Corp., Toledo, has been announced. Harold Millat, former executive vice-president, becomes president and active head of the agency, succeeding Ward M. Canada, who becomes chairman of the board.

John Toigo, former v.p. of Campbell-Ewald Co., Detroit, succeeds Millat as executive v.p. and general manager and will act as creative head of the firm. George E. Piper, Chicago, research and market analyst, joins the agency as second v.p. in charge of market analysis and research.

## Ed McConnell Back

### For Acme White Lead

Chicago, Aug. 20. Smiling Ed McConnell goes on forever as far as the Acme White Lead company is concerned. Talking singer returns to the ether Sept. 7 for weekly 15-minute shot on Saturdays at 10:45 a.m.

Goes on a 30-station NBC-red chain, set through the Henri, Hurst & McDonald agency here.

## It Helps the Kiddies

St. Louis, Aug. 20. Radios in class rooms, as part of CBS' educational program, are developing discriminating taste among school children as to proper air programs according to a survey made by school execs. in St. Charles, Mo., near here. Harriett Edwards, head of the KMOX Education Dept., recently asked B. H. Jolly, supt. of schools, and Helen Hamilton, St. Charles County Music Supervisor to make a survey to determine whether classroom radios was having a beneficial effect.

The school heads reported that students attending schools equipped with radios listen to more programs at home that are recognized by both parents and teachers acceptable for children than those pupils enrolled in schools sans radios. KMOX's educational programs are being aired in many rural schools of Missouri, having received the approval of the Missouri State Superintendent of Schools.

## Vick's 'Gone'

Continued from page 29

son, Vick advertising manager, is credited with putting over the sudden coup. He is field-generating the entire works as far as the network show is concerned, assuming the direction of the attending merchandising campaign as well as the supervision of the program's casting and production.

The actual stations already given spot contracts by Vicks numbered 115, while there were 30 more that had been asked to reserve time schedules and local programs. Before tying up the radio rights of 'Gone,' Vicks had also considered 'These We Love' and 'Information, Please.'

'Gone' will be a weekly program, Tuesday, 9:30-10 p.m., with but one broadcast across the country. Stack-Goble agency handled the radio rights deal with David O. Selznick, producer of the screen version, though Vick otherwise clears its radio business through Morse International. Spot picked for 'GWTW' is opposite Fibber McGee and Molly (NBC-Red), one of the consistent top-raters on the air.

Many of the schedules handed out by Vick were for five quarter-hour periods a week. The loss of this spot biz will be deeply felt by a large number of the stations involved, but the resentment already heard is particularly bitter in the ranks of station reps, who claim that they had spent days and many dollars on telegrams to get the time required by Vicks lined up.

At the time that 'GWTW' was playing the first-run spots, Selznick was asking \$150,000 as a flat figure for the radio rights. Vicks's obligation is on the usual 13-week cycle basis, but the options for a minimum of 52 weeks.

In the addition which Vick heard, Helen Claire, who played the lead in the Broadway version of 'Kiss the Boys Goodbye,' did the Scarlett O'Hara role. Vick may use the same device as did Selznick in picking the film lead by calling upon the listening public to suggest its preference of an actress for the radio version.

### Coast Link

Vick Chemical will use the NBC-red link in the Pacific area for its fall winter campaign. It will be a hillbilly troupe on air KFBK, Sacramento, in the 7:30-7:45 a.m. slot Monday, Wednesday and Friday.

Because of the \$1,400 per month wire charge asked by NBC the series will likely originate from KPO, San Francisco, instead of Sacramento. McClatchy group will be part of the hookup.

## O'Neill's 'Wilderness'

### Sold for Serialization

Radio rights to 'Ahi Wilderness' have been sold by Eugene O'Neill to Cheryl Crawford and John Wildberg, co-producers of the Maplewood theatre. Maplewood, N. J., Edith Meiser, radio and legit author-actor, will do the scripting. Show will be done as a 30-minute weekly series, using the characters and theme of the play, but adding new situations. Harry Carey is mentioned for the part of the father, and Frankie Thomas as the son.

Miss Crawford has previously been active as a producer on Broadway, her most recent offering having been 'Family Portrait' two seasons ago. Wildberg, a theatrical attorney, has also been legit producer. Maplewood theatre, which they operated for the first time this summer, has had one of the most successful seasons of any strawhat on record.

## NEW AUDITION IDEA

Elinor Lee Goes On Excursions to Find Moppets

Washington, Aug. 20. Novel method of building up a kid program which will be produced this fall over WJWS is being employed by Elinor Lee.

Every Monday Mrs. Lee, with engineers and accountants from the station, boards a pleasure barge, running from Washington to Marshall Hall, Va. Approximately 1,000 kids tag along and are auditioned during the trip. At the end of the voyage an impromptu show is put on, with the pick of the moppets participating.

Further auditions are held at the studios each Friday and the best talent appears on Mrs. Lee's Saturday morning program, with further eliminations for the fall show.

## New Interest in Expansion of U.S. Radio Service to Latin Americas

### Russ Winnie's Record?

Milwaukee, Aug. 20. With fall football broadcast schedules now being set up, it is claimed that Russ Winnie, assistant manager of WTMJ and sports announcer, probably holds the record for consecutive seasons of football broadcasting under the same sponsorship.

This is the 12th consecutive season he has been doing these spiels, frequently making long jumps by plane to do so, and has broadcast approximately 250 games, of which 227 were under the sponsorship of the Wadham Oil Co. of this city.

## Armstrong, Bodycombe Split Up M. Spitalny's KDKA Musical Chores

Pittsburgh, Aug. 20.

New musical director setup at KDKA has just been announced by Westinghouse station manager John A. Holman, who has appointed two men to fill post formerly held by Maurice Spitalny. They're Bernie Armstrong, named to baton all popular programs, and Aneurin Bodycombe, who will conduct KDKA's salon music. Both men have been with the broadcasting outfit for several years. Armstrong as chief organist and Bodycombe as staff pianist and choral supervisor.

Armstrong isn't a novice at orchestra. He had his own dance band in 1935, following long stretches as chief organist at Stanley and Alvin theatres, and before joining KDKA. Spitalny is sticking around as a freelance maestro and also to baton his own KDKA commercial, beer-sponsored 'Ten Times' weekly, which has been renewed through next March. Doing night club work at present.

## TEXAS SCHOOL OF AIR GOES ON TQ NETWORK

Austin, Texas, Aug. 20.

The Texas School of the Air will use the facilities of the Texas Quality Network for the forthcoming school year's educational program, according to L. A. Woods, state superintendent and chairman of the executive committee of the school. Stations comprising TQN are WOAI, San Antonio; KPCC, Houston; WFAA, Dallas, and WBAP, Fort Worth.

The school, which was in operation last year for the first time, supplements schoolroom education for Texas children. Many of the programs are dramatized.

This year 1,000,000 juvenes will hear the programs five days a week from 1:15 to 1:30 p.m. Aiding the Department of Education in preparing the programs are the following Texas schools: Texas A. & M., University of Texas, all the State Teachers colleges and the Texas State College for Women.

## Hearst's WCAE Gets

### Another Pitt Store

Pittsburgh, Aug. 20. Hearst station WCAE continuing to make inroads locally into department store field, having just sold another show to combo of Gimbel's and Edgeworth Chocolates. It's a Sunday night quarter-hour labeled 'To You' and features Johnny Mitchell, organist; Howard Price, tenor, and Cliff Daniel, WCAE program director, as narrators.

Contract is for a 13-week stretch. Tee-off was at 11:15 p.m. last Sunday (18).

## KLZ's 20th Anni

Denver, Aug. 20.

Last night (19) KLZ put on an hour show as a celebration of its 20 years on the air.

A cavalcade of KLZ history was presented.

Buffalo—Eddie Manguso and Duke Hurst are new singing voices on WGR-WKBW.

Washington, Aug. 20.

Revised interest in possible expansion of U. S. radio service to Latin America is expected from the talk about good neighbor relations in conjunction with national defense. Appointment of Nelson Rockefeller as \$1-year-man to coordinate all American moves below the Rio Grande is expected to dust off that long-forgotten study of international broadcasting, once he gets his feet under the desk and learns what is in the minds of various Federal authorities.

The report of special interdepartmental committee headed by Frank R. McNich, former FCC chairman, never has been daylight, though it was promised several times two years back and McNich said this spring it could be turned in whenever asked for.

Considerable vague talk is heard about using radio to much greater advantage. Super-power issue is being revived in this connection. But nobody seems to have any concrete scheme, with the industry people wondering how they can be expected to do much more on their own hook.

Question resolves itself into who will foot the bill. Now that Congress has loosened its hold on the purse-strings for anything considered important to national defense, there is some feeling special appropriations might be obtained to compensate broadcasters who will build new short-wave plants and stage special programs. Nothing has gone beyond the speculation stage yet, while no overt move has been reported aside from the unverified rumors that WLW is trying to sell the State Department on the idea that renewal of its 500 kw ticket would fit into the program of closer camaraderie with the other members of the Pan American Union.

Related talk involves use of the press in a way that probably would affect radio. For some time Government thinkers have been impressed with the urgent need to offset dictatorships' propaganda through wider dissemination of news from the U. S. Complete, unbiased reports would be one of the most effective means of checking subversive activities and of stiffening the backbone of the Latin-American waverers, it has been noted. Both international stations and the press services may be propositioned about cooperating in a definite program to see that more uncolored news is sprayed around Central and South America.

### Limited Radio Audiences

From the radio end, the hitch is in the number of listeners. Even with strings removed on the commercialization possibilities, industry people cannot see much chance of lining up necessary sponsorship to offset costs of added operation long as the audience down below is so limited. For the same reason, nothing much has been done about suggestion thrown out many months back by the Office of Education that Americans might take the lead in establishing a co-operative rebroadcasting chain international network. Of course, if President Roosevelt should endorse over to U. S. stations or webs part of the \$750,000,000 worth of blank checks he has received for defense activities, solution would be easy. There's no suggestion yet, though, of any Government Santa Claus.

Cultural Relations Division of the State Department, set up a couple of years ago to concoct schemes of this sort, is limited by money and personnel needs. Mostly it engages in 'advising' and encouraging private enterprise and non-commercial groups. In the motion picture field it has made considerable progress, helping supply films for non-theatrical showings. Latin American countries, exchanging information and spreading the gospel. But its operations along radio lines have been unimpressive to industry people and outside observers who feel there is more idealism than practicality in the setup.

### WGN ADDITION

Chicago, Aug. 20.

Noel Gerson, WGN talent division head, has added Chester Porterfield to the talent bureau sales staff. Porterfield comes in from KMBC, Kansas City, where he was producer and program salesman.



*On which network  
will your program reach most people?*

The National Broadcasting Company gives the answer in the results of radio's most significant research project—

# Radio's First All-County Census of network listening habits

revealing the preferences of 166,000 listening families—in every county in the United States...

## WE ASKED TWO SIMPLE QUESTIONS:

1. *What radio stations do you  
listen to regularly?*
2. *Which of these stations do you  
listen to most?*

Where can you get the largest audience for your program? Every experienced time-buyer realizes that the answer to this question depends on numerous factors:

*Whom do you want to reach?  
What time is available?  
What programs are on in competition?  
What types of programs are they?*

*What program will you follow?*

*What program follows yours?*

But more important than all of these is "On which network will your program reach most people?"

## WHAT DETERMINES STATION AND NETWORK VALUES?

Network or station values are *determined* by these *equally* important factors:

1. The entertainment value of its programs.
2. The clarity and dependability with which those programs can be heard.
3. The geographical extent to which such service is available.

Such network or station values can only be *measured* in terms of the effect which programs and reception have on the listening habits of the radio families in its coverage area.

**WHAT DO PEOPLE DO?**

*Not only "Where" but "How Well"*

Advertisers not only want to know *where* a station or network *can* be heard (coverage) but where it is listened to regularly (coverage plus programs).

More important still you want to know *how much* it is listened to—how good a job it does—*how well* it compares with other stations or other networks. Which network is the best—which has the greatest audience—which one is listened to most.

**WHAT FACTS ARE KNOWN?**

Engineers have given us invaluable information, based on signal strength, as to where stations *can* be heard.

The Cooperative Analysis of Broadcasting (CAB) Reports on Program Listening and Station Listening, and the Hooper Coincidental Studies, have made major contributions to our knowledge on how much programs and stations are listened to—but only in relation to a *limited* and relatively small section of the radio audience.

These basic facts have been further amplified by NBC with exhaustive studies of audience mail.

Unfortunately these regular station and program ratings reflect conditions in only 33 cities at most—representing only 29.7% of the total United States radio audience—less than one-third of radio's mighty circulation.

**WHAT ABOUT THE OTHER 19,000,000 RADIO FAMILIES?**

These *program* ratings cannot be projected accurately to the balance of the country—since they are purposely taken where transmission and reception conditions are practically equal for all networks. And obviously the *station* ratings are limited to a study of listening habits in only 38 counties—giving no data whatsoever for the balance of 3,034 counties.

**MANY SURVEYS—BUT NO NATIONAL ANSWER**

It is true that practically every station has made a listening habit survey at one time or another—BUT such surveys have been restricted almost entirely to station cities and relatively few rural counties near station cities.

Variance in time and methods have produced conflicting and non-comparable data.

So two years ago NBC started to lay the groundwork for radio's greatest study of station and network listening habits.

After reviewing all station and network studies, including those of the FCC, the Joint Committee on Radio Research (ANA, AAAA and NAB)—in 1938-39, NBC

conducted a preliminary listening habit study in 300 urban and 600 rural counties.

**HOW CAN LISTENING HABITS BEST BE STUDIED?**

Twelve months of painstaking experimentation on survey technique and methodology finally bore fruit... 6 months of special studies by Dr. Lazarsfeld, Director of the Office of Radio Research of Columbia University, showed that mail questionnaires, properly prepared, could be depended upon to give a good measurement of the relative position of different stations in family listening habits. 37 distinct field tests then were conducted to determine important details of technique, wording of questions, type of questionnaire, etc., etc.

NBC WAS NOW READY TO CONDUCT THE MOST IMPORTANT RESEARCH INTO NETWORK LISTENING HABITS IN RADIO HISTORY... THE FIRST ALL-COUNTY CENSUS TO DETERMINE STATION CIRCULATION AND PREFERENCE—DAY AND NIGHT

## Radio's First All-County Census OF NETWORK LISTENING HABITS

On February 8th, 1940, NBC launched the most extensive census of listening habits ever undertaken. Questionnaires were sent on their way to 1,425,000 families. The answers were written by 166,000 radio listening families, in their homes, in family consultation—in every one of the 3,072 counties in the United States. Here was no study restricted to station cities—but one which for the first time in radio history probed into radio homes in every county, every part of every state—rural and urban alike—from coast to coast.

**TABULATION BY C. E. HOOPER, INC.**

Directly into the capable hands of C. E. Hooper, Inc. was placed the all-important task of tabulating the census returns—the listening habits, preferences of 166,000 radio families—involving over one million mentions of station call letters!

Never before has such a gold mine of practical, usable information on network listening habits and preferences been available to radio advertisers.



# The 4,926 post offices through which 1,425,000 questionnaires were mailed

*"Every county heard from!" reports C. E. HOOPER*



The quota from every state was equalled or exceeded—a return of 13.5% from all radio families addressed; equivalent to one out of every 168 radio families in the entire United States.

#### OVER ONE MILLION STATION VOTES CAST

Call letters of every radio station regularly heard in the United States—Canadian, Mexican, Cuban as well as United States stations—stations of every network, and independents as well, now had to be tabulated.

These one million call letters were tabulated by C. E. Hooper, Inc., separately for night and day lis-

tening. Giving each county its correct evaluation in terms of the number of radio families it contained, Hooper then translated the results into nation-wide network circulation and network preferences. Regardless of whether a family listens regularly to one, two, three or even more stations of a single network, C. E. Hooper credited that family only *once* to the network concerned.

NOW WE PRESENT HIGH-SPOTS OF  
RADIO'S FIRST ALL-COUNTY CENSUS  
OF NETWORK LISTENING HABITS...

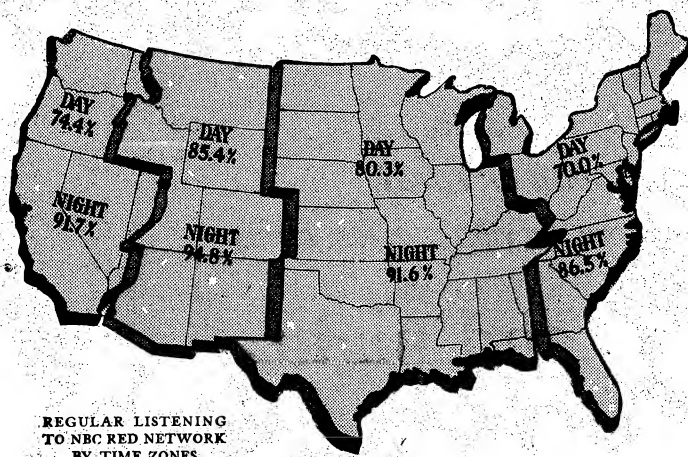
For the first time  
networks can be measured  
and compared on a scientifically  
uniform base... a major  
achievement in radio  
fact-finding history

CONSIDER THESE CENSUS-PROVED FACTS:

1. *The Red is listened to regularly by 89.1% of America's listening families.*
2. *The Red is preferred—listened to most—by 41.7% more families than any other network.*
3. *At night the superior programs and outstanding station facilities of the Red not only give it a 31.6% advantage in the cities of 100,000 and over, but a 50.5% advantage in all the rest of the country.*
4. *Daytime Red advertisers will note with no surprise that a 36.9% preference is enjoyed nationally by the Red over any other network.*
5. *Never-before available facts about network listening give conclusive proof that a program rating on the Red means a greater nation-wide audience for your program (under identical conditions of time and competition) than the same rating on any other network.*



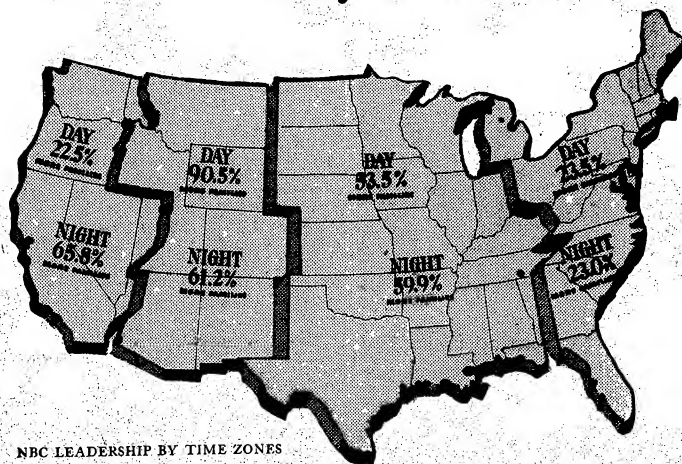
## 89.1% of evening listening families and 74.7% of daytime listening families listen regularly to the NBC Red



These figures are based on the answers to the first question—"What radio stations do you listen to regularly?" Advance research proved that answers to this question give a measure of station and network listening habits—the stations people *can* and *do* listen to.

Here is a quantitative measure showing just where networks are regularly heard, and by what proportion of the listening families they are regularly tuned in. We believe this to be the most comprehensive measurement of network circulation ever obtained.

## At night 41.7% more families listen most to the Red...in the daytime 36.9% more families listen most to the Red than to any other network



Figures on map show percentages by which NBC Red leads any other network in number of families who listen to it "most."

These figures were obtained from the answers to the second question—"Which one of these stations do you listen to most?" Here we find that important *qualitative* factor for which advertisers have been looking—a measure of the degree of preference for one network over another. Obviously the network which most listening families *prefer and listen to most* is the network which offers your program its best opportunity to build maximum audience and sales.

Preferred alike by listeners and advertisers—carrying more of the top rating programs than any other network—the Red is the network on which any program can win its greatest audience and results.

Any way you look at it...

*by geographical areas*

*by time zones*

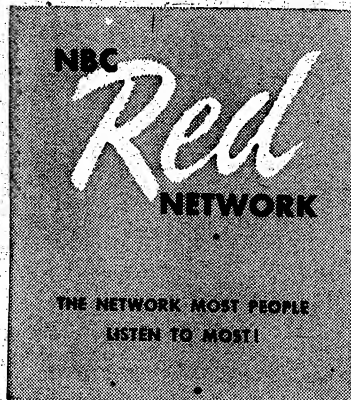
*by city size*

*by urban or rural*

*by station cities or non-station cities*

by day and night

the network that's listened to most  
by the greatest number of families  
is NBC Red



National Broadcasting Company  
A Radio Corporation of America Service



# MISSING CHECK, ACRIMONY ENLIVEN PROBE INTO '32 PATENT POOL CONSENT

**Whiteford Claims Vital \$2,500 Voucher Stolen—  
Mahaffys, Sarnoff, Davis, Smith Scored by  
Senator Tobey**

Washington, Aug. 20.

Mysteriously missing documents, unexplained ledger entries and indignant moralizing heightened the Senate's continuing investigation into settlement of the '32 radio patent pool monopoly case last week.

Hearings that started to determine fitness of Col. Thad H. Brown for further service on the Federal Communications Commission became even more of a whodunit during three additional days of digging into strange conduct of Radio Corp. of America, and the circuitous payoffs to real estate men and lawyers listed to help avoid the anti-trust trial.

End of the twisting quiz still is not in sight, though colleagues are displaying their growing impatience with the prowl being directed by Senator Charles W. Tobey of New Hampshire. To date, no effort has been made to link Brown directly to the shenanigans, although Tobey frequently remarks it is inconceivable that the veteran regulator never heard or paid the slightest attention to gossip and charges of improprieties.

The highlights of last week's testimony related directly to the payment of fees to Roger J. Whiteford, local attorney, and former Senator Daniel O. Hastings of Delaware, who were brought in through the four real estate operators to suggest means of gaining time to work out the consent decree. Tobey still is trying to satisfy himself that no cash was passed from RCA to either former Senator George H. Moses of New Hampshire or Federal Court Clerk Harry Mahaffy.

Sudden discovery that some of Whiteford's office records have been stolen, complete disappearance within 72 hours of a vital \$2,500 check, and suspicious-looking entry on one of former Senator Hastings' office accounts balked Tobey when nobody was able to give explanations which could be backed up by positive proof.

**Sarnoff, Hastings, Davis  
Get Caustic Going Over**

While chief concern was focussed on the payoff method, the committee took several side excursions. Though some had only rehearsed bearings on the RCA matter, the detours that Tobey selected resulted in discrediting and adding to embarrassment of some of the principal actors in the weird drama. The New Hampshire solon dipped again into the personal finances of Court Clerk Mahaffy, lifted the veil from past life of his nephew, Rodmond S. Mahaffy, dabbled in the other legal activities of former Senator Hastings; administered further sizzling reprimands to David Sarnoff and Manton Davis for the RCA conduct; and castigated J. Austin Smith, New York financial analyst, who authored a hostile report about RCA's condition and management.

Blunt charge that some of the RCA cash eventually went to Moses was made by Tobey and denied vigorously, but the committee still waited for convincing clincher to testimony that the missing \$2,500 check was a loan from Whiteford to Albert Hislop, partner in Portsmouth, N. H., brewery. The transaction between Whiteford and Hislop became significant in light of earlier testimony that Hislop helped arrange the secret meeting between Sarnoff and Moses.

Both committee members and spectators gasped incredulously when Whiteford Tuesday (13) said the check—which was in his hands the prior Sunday—had vanished. Repeated declarations that Whiteford searched high and low for the slip of paper provoked Tobey into admonishing the lawyer. "Don't ask us to believe you lost it or somebody stole it."

Other desired data from Whiteford's files could not be supplied, to Tobey's unceasing disgust. The lawyer reported that when he examined his records to dig out the material requested by the committee he found his 1932 firm ledger, the partnership check book for the same period, and his own checking ac-

count stubs. Telling of never-explained "footprints on the carpet" in his office months ago, he declared his only explanation is that somebody rifled the files. But he commented it would be idle to speculate when Tobey asked for an opinion as to who might have done the pilfering, or why.

The attorney firmly maintained former Senator Moses did not endorse the \$2,500 check to Hislop—mailed during October soon after the Sarnoff-Moses huddle at Concord—and that he never sought to compensate Hislop, whom he has known for years, for helping fix up the engagement. If Hislop wanted to pass any of the loan along to the ex-solon, that is "his matter," Whiteford commented, adding that if Hislop was rewarded for his efforts "I never heard of it."

Suspicion was aroused because of the recapitulation which Whiteford furnished the committee and the co-incidence of the loan at the time of the hushed-up negotiations. The lawyer reported he received altogether from RCA \$16,996 and paid out \$17,775. The remaining \$5,221 was his own fee and reimbursement of expenses, he maintained. But Tobey remained skeptical that some of the latter was not divvied.

**Hislop Backs Up Denial**

**Senator Moses Got Coin**

Hislop backed up Whiteford's account. Reporting he had made unproductive inquiries at the First National Bank of Portsmouth and had not found any corroborating data in his own files, the former mayor of the New Hampshire town—engaging in tart exchanges with Tobey—added his own denial that any of the \$2,500 went to Moses. Under hot questioning Hislop maintained "I never charged one dollar for my services," since it was "perfectly natural" for Whiteford to ask his help in fixing up the Sarnoff-Moses appointment, and elaborated "I am positive I never paid George Moses one dollar in my life, except for contributions to campaign funds." He tossed a snapper back at Tobey with naive question "What would be the idea of paying Moses? What did he do?" and reported the ex-solon said the whole idea that he was cut in on the payoff was asinine.

The other chief line of inquiry was about the way Hastings' \$7,500 fee for doing no more than asking Court Clerk Mahaffy what the status of the case was and what prospects there were for another continuance—got from his personal bank account to the firm account. After a hot session, at which Hastings testily refused to answer further inquiries, Tobey still has not learned the explanation.

One of Hastings' ledgers aroused great interest. Tobey made the point that an entry showing receipt of \$2,500 from Whiteford was out of chronological sequence. He also brought out that Whiteford's name was written in pencil while the date and amount were recorded in ink. And finally he charged that the penciled entry was in a different hand from all other notations on the sheet. Though he insisted there was nothing strange, Hastings could not account for the peculiarities and exclaimed: "For God's sake," when Tobey pointed to the difference between letters in the entries.

Hastings agreed he put the first \$2,500 payment from Whiteford in his personal checking account, but vehemently rejected Tobey's contention the records were manipulated "to cover up a payment of \$2,500 to Harry Mahaffy." He termed "a plain damn lie" testimony of C. Edward Duffy, his former legal associate, that he forked over a share of the earnings to the court clerk, but maintained that Duffy, as one of the partners, received his "proportionate" slice of the RCA fee. All financial details were handled by the firm bookkeeper, Hastings said frequently when unable to furnish all details. A financial statement supplied by Duffy—showing a notation "not paid in cash—George I. Haight \$2,000—Roger J. Whiteford \$2,500"—puzzled the committee and was not explained fully by Hastings. He said he never

saw such a statement before, though it was possible the office secretary gave them to the other two partners to help them make their income tax returns.

Relations between Hastings and Federal Judge John P. Nields of the Delaware court occupied Tobey and the committee for some time. Without making any direct accusations, the New Hampshire solon implied the former legislator was favored with fat assignments by the judge, whom he recommended for a place on the bench in 1930. Hastings said he has lost cases before Nields and has not received any unusual number of jobs in connection with bankruptcies, receiverships and such proceedings. He was directed, however, to furnish lists of his appointments and all litigation before the Federal court.

**Tobey Warns Hastings  
Of Deeper Investigation**

During the acrimonious session, Tobey warned Hastings "you're not in a very good position" and insisted the role played by the former Senator from Delaware will be investigated more deeply. "He was obviously unconvinced by Hastings' repeated denials that he paid Mahaffy, besides being exasperated, when Hastings said he was not going to try to explain anything in his (Hastings) books; if you are going to put on me the burden of showing I did not pay Harry Mahaffy, I'm not going to do it."

Bad feeling between Hastings and Duffy directed the committee for a while from RCA. Tobey went into Hastings' former assertion that Duffy had lied regarding other litigation and also made an excursion into public utility cases in which both were involved. Duffy was recalled to the stand to repeat his contentions about the miscellaneous cases and his bewilderment about the \$2,500 notation on the financial statement.

Severe reprimands were handed Sarnoff and Davis during reappearances on the stand. Particulars because they hired Smith, whose financial report they termed entirely false and inaccurate; and for continuing to keep Robert D. O'Callaghan, the lawyer who started the consent decree shenanigans, a retainer. Tobey also chided them more for engaging in devious means of gaining time to adjust the monopoly case. Resentment was displayed by all three individuals, who finally stopped pulling punches and made lavish use of sarcasm.

The RCA head continued to justify the methods employed in staving off the antitrust trial, but showed deep disapproval for the way O'Callaghan played with the real estate men who collected approximately \$8,000 in all for helping bring Whiteford into the case and doing odd jobs.

O'Callaghan never was instructed to keep Davis in ignorance of the arrangements, though there was no particular reason for informing the RCA legal head, Sarnoff insisted. The maneuvers were carried on with the consent of Gen. James C. Harbord, chairman of the RCA board, and Owen D. Young, chairman of General Electric, as well as the late Charles Nieve, head of trial counsel, he elaborated.

Commenting that there is no particular mystery, Sarnoff declared O'Callaghan's activities, which he said "incensed" him when he learned the full story. He told the Senate group that "along comes a bright young man with a bright suggestion that turned out to be anything but bright," adding that he felt O'Callaghan "used his judgment in the matter." Sarnoff also conceded he only saw the vouchers for payments to the real estate men last week.

Personal activities of Sarnoff were touched on as Tobey went off on the tangent involving the Smith report on RCA. The company head admitted his brother is interested in a firm which distributes RCA products, but denied he has personal share. The sideline, he admitted another brother writes insurance, but didn't know whether RCA was one of his clients; he maintained he has no interest in or relatives connected with Broadcasting Magazine; he testified he has increased RCA holdings in the last 10 years, now possessing 5,000 shares.

The Smith report—complaining of bad management, trick bookkeeping, unsound finances, stock rigging, and other conduct that Tobey said was criminal if true—was analyzed at

most sentence by sentence as the New Hampshire Republican voiced indignation over RCA's subsequent employment of the financial analyst. Tobey declared "it's a damn funny thing when a man like Smith blacklists RCA that you'd reach out and take him into the fold. Why does big business so often make damn fools of itself, always circumnavigate around?"

Davis was dressed down for keeping O'Callaghan under a retainer and for engaging Smith to make special studies in connection with patent litigation. But the RCA general counsel stuck to his argument that this was not improper and rebuffed Tobey in turn for drawing "many unwarranted harsh conclusions" from the testimony. He also told the Senate that before the inquiry ends "I'll expect an apology to which I'm due, or I'll write you one."

Stinging rebukes were given Smith, who defended his report as being "honest" in the light of the information available. He said the accountant, hired by P. A. Powers, retired sound equipment maker, to prepare a "hostile" study of RCA, maintained there was no obligation on him to turn out an "impartial" document, but admitted he has changed many of his opinions since obtaining "more information" about the company. He also excused his failure ever to repudiate the conclusions by explaining that Powers suddenly stopped paying him, besides pointing out several times the report had been "qualified" as only a set of "tentative findings."

**Idea of a Job With  
RCA 'Surprised' Smith**

The assailed accountant agreed he was "surprised" at the thought he might get a job from RCA after the submitting such an adverse statement. When Powers advanced the idea, Smith said it was a little hard to believe, except that "that was a time when the goose was hanging high and everybody was happy." Tobey condemned the accountant as "a carbuncle on Powers' neck," remarking that "the inference was transferred to RCA's neck," and indignantly declared "when a man makes such reports he ought to be put where he can't make them...it's a damn shame when men like you can do these things and get away with it."

Further information about the activities of the rest estate crew and the way O'Callaghan aroused their interest was supplied by Levin P. Handy, the broker, who finally was appeased with \$2,275 after threatening to sue for compensation for helping enlist Whiteford. Agreeing generally with his three colleagues, Handy related that the RCA lawyer said settlement of the case would be worth \$50,000, but without making any definite promises, and said that after the affair had been settled "I was pushed out of the picture." He added that he never heard Moses was paid and argued that "we got a postponement of the case" for which the two parties deserved remuneration.

The two Mahaffys were on the stand briefly as Tobey went further into insinuations of corruption in the Delaware Federal court. The clerk, Harry, was quizzed again about his income and present worth, while Rodmond, who was disbarred several years ago following a scandal about a receivership case, received grilling about assertions he represented himself able to "influence" Judge Nields.

Two affidavits containing the charges against Rodmond Mahaffy were sprung by Tobey. Relating an incident 1939, Kenneth Walser and Richard E. Hard, New York barristers, were quoted in sworn statements on file in the Delaware state courts as saying Rodmond claimed to have rewritten two opinions and that he could be of considerable help in getting favorable decisions. The affidavits also said Rodmond said he was making the proposition with approval of his uncle.

**2 Highballs Didn't Do**

**1 Mahaffy Any Good**

These charges were flatly denied by both Mahaffys. The uncle, Court Clerk Harry, apologized for Rodmond, remarking that "two highballs set him off," and testified "I can't see how he'd get the ideas expressed there." Rodmond said he had no recollection of ever seeing the complaining attorneys or having such a conversation, agreeing that only a few drinks made him light. He admitted some of his indiscretions, but steadfastly insisted he was not in any way involved in settlement of the radio monopoly case or postponement of the trial. He also denied he knows Judge Nields intimately, or ever was in his chambers.

In regard to the RCA matter, Clerk

# TELEVISION FRAUD CASE RE-TRIAL

Washington, Aug. 20.

New trial has been ordered by the U. S. Circuit Court of Appeals for the Sixth District, after considering the appeals of Elias T. Stone, Harold F. Stone, John G. Anderson and E. T. Shaw, each of whom had been sentenced to seven years' imprisonment after judgments of conviction on evidence brought by the Department of Justice and the Securities Exchange Commission. Court ordered the new trial on the ground that outside contracts prejudiced the jury. Government has petitioned for a rehearing.

Indictments charged that the Stones, alias Silverstein, as underwriters for the sale of the stock of Television & Electric Corp. of America, and Television & Projectors Corp., and the other defendants, who were dealers in the stock, employed a scheme to defraud purchasers. In discussing the case, Circuit Judge Hamilton, writing for the court, said, "There is evidence that the corporation possessed no practical or feasible television device or method for making one that had any capital for development in this field. It was not making radios and had no actual or prospective earnings for any return on investment in its stock."

"During the stock-selling period, it had not developed and did not own any practical television set and there was no such set in general use at any price, and it owned no patents on any television device."

# TWO TELEVISION FIRMS FILE IN OHIO

Columbus, O., Aug. 20.

Among recent incorporations announced by the secretary of state's office are the following:

Eastern Television Radio Supply Co., Steubenville, Ohio, with 250 shares of no par value common stock and \$25,000 preferred stock, principals being R. L. Levison, N. W. Guenther, E. W. Levison, and Samuel Freifeld; and Hall Television Radio Sales & Service Co., Steubenville, O., \$25,000 authorized capitalization, and 250 shares of no par value common stock, incorporators being William F. Adler, Virginia Dersting, Raymond E. Steel, and Samuel Freifeld, latter located in the Sinclair Building, that city.

Harry Mahaffy agreed with Senator Tobey that the efforts made to delay the trial were "strange procedure." The Senate denounced the "surreptitious, out-of-the-way process," but echoed prior testimony that Judge Nields on his own initiative decided to put off the proceedings because of his "physical condition." The clerk still denied receiving any pay from Hastings, though he admitted the ex-solon might have paid his expenses on the way to New York, when he consulted about the status of the matter. While he often discusses pending litigation with Judge Nields, Harry Mahaffy also denied he "assists" in writing opinions.

Next moves in the inquiry are uncertain. Tobey refused to tip his hand after implying he has some other witnesses who will spit more dirt and it was doubtful if former Senator Moses will appear to refute implications that he was paid off. The committee learned from Whiteford that Moses saw no reason for testifying, although Tobey took the view his fellow Republican should sprint down to clear himself, but no move was made to drag him in via the subpoena rule.

The scheduled Friday (16) session suddenly was cancelled without explanation, while the committee waited for the additional data that Hastings was ordered to supply and for Hislop to complete search for correspondence about the \$2,500 loan from Whiteford. No indication has been given when Col. Brown will emerge from the obscurity into which he was thrust when Tobey lifted the lid on RCA affairs, though it is certain he will be recalled to explain why he never heard anything about the machinations exposed by the Senate group the last fortnight.

## Payroll Traffic

**San Francisco**—Cued by the separation of NBC blue and red web sales staffs, Al Nelson, local v.p., has named Gene Grant head of local KGO-Blue team, and Harry Bucknell captain of KPO-Red staff. Bill Ryan carries as general, sales manager.

**El Paso**—Larry Harris, author of 'The Maverick Legion' and 400 novelettes and short stories for western magazines, is merchandising manager for KROD, El Paso. His next novel, 'The Galloping Ghost,' will be published this fall.

**J. Gordon Baldwin**, formerly with WHAM, Rochester, N. Y., has joined KROD as staff organizer.

**Willi in Jolesch**, formerly with WBAP, Fort Worth, has joined KROD as continuity editor and director of publicity.

**Sterling B. Beeson** has been transferred from the New York office of Joseph Hershey McGillivray to the Chicago office as assistant to Sil Aston. Jack Carson took over Beeson's sales spot.

**David L. Brown**, who was formerly with Pedlar & Ryan and McCann-Erickson, has resigned from Carl Byoir and Associates where he has been in an executive capacity for the past year and a half.

**Lloyd L. (Jake) Jaeger** has been appointed v.p. and general manager of KITE, Kansas City, Mo. Robert

**S. Payton** is the new commercial manager, while Wayne J. Hatchett has returned as chief engineer.

**William J. Murphy** has been made continuity editor of NBC's Chicago division. He replaces Ken Robinson, who resigned to go with the Neisser-Meyerhof agency.

**Gil Berry**, formerly with the Katz agency, is now sales manager for the NEC Central Division's spot sales department.

**Robert Ellis**, announcer-singer, has joined WHP, Harrisburg. He comes from WJSV, Washington.

**St. Louis**—Velda Krissler is new addition to WLJ blue department.

**Mason City, Ia.**—Doug Sherwin, who miked with WSOY at Bloomington, Ill., joins KGLO.

**Herb Ohrt**, now with KGLO as salesman in commercial department.

**Bob Lewis** shifted from announcing duties into KGLO commercial department as continuity scribbler.

**Lorraine Golinvaux** leaves commercial work at KGLO to join KROC, Rochester, Minn., in same work. Ditto Milo Knutson, who goes to WDSM, Superior, Wis.

**Birmingham**—Don Frank has taken leave of WAPI for spieles' job at WCAU, Philadelphia.

**Montreal**—R. M. Brophy, g.m. for Canadian Marconi, which owns and

## Convenient Scoop

**Winnipeg, Aug. 20**  
A plane crash practically its own transmitter backyard gave CJRC, Winnipeg, the beat over all other news services in town. Station flashed news and then phoned associated paper (Winnipeg Free Press).

Among first scene after crash was Vic Nielsen, complete with camera to record the event. Plane scattered around but nobody killed.

**operates station CFCH**, last week appointed Ken Paul, formerly chief engineer at CFCH, to Transmitter Development department at Marconi. Jack Gettenby, upped to c.e. at station, with J. C. Claude as transmitter supervisor and A. B. Clapp as studio supervisor.

**Denver**—Flora McQuarrie, traffic manager of KLZ, moving to Colorado Springs where her husband has been transferred for General Outdoor.

**Toledo**—Ted Taylor is new announcer at WTOL, having been heard previously from WJR, Detroit, and WCAE, Pontiac, Mich.  
Nettie Paddock, WTOL auditor, back to work after a month's illness.

**New York**—V. M. Wallace, formerly vice-president and a director of Tracy-Locke-Dawson, has joined the New York office of Roy S. Durstine.

**Chicago**—V. T. Merta, formerly Associated Distributors advertising manager, joined H. W. Kastor ad agency as account executive on Procter & Gamble business.

**New York**—Bob Becker replaced Roy Mapole as program director of WARD, Brooklyn. Dick Bell and Ted Mallie replaced Bob Harold and Myron Harris as announcers at same station.

**Salt Lake City**—KDYL has Rollo Hunter from the University of Southern California as summer relief spieles. Jim McGraw, control operator, replaces Ollie Coburn, now in Denver. Barry Gray, announcer, formerly of WMCA, New York City, now at KDYL also.

**Philadelphia**—Lillian Slater resigned from WPEN publicity. Desk still open with Miss Slater's new calling undisclosed.

**Tom Moorehead**, handling special events for WFIL, takes over the publicity desk. Hilda Kirby, checking out for Petersburg, Va., to do a women's show on WFID.

**Joe Frassetto**, WIP music chief, takes leave of absence for a month to tour his band at the Atlantic seaboard resorts.

**Franklin Lonny Starr**, up from WBEL, Wilmington, Del., joins the WPEN announcers.

**Chicago**—Gil Berry joined NBC Central Division Spot Sales Department last week to work under Maurice C. Boyd. Comes from Katz Agency, Kansas City.

**Boston**—John Cooper, for six months news editor of WBZ and formerly Transcrip, up from Portland newspaper editor, goes to KDKA, Pittsburgh, as director of publicity, news and special events.  
Georgia Mae, cowgirl songstress, from WORL to WBZ staff.

**Atlanta**—Rex B. Naugle, Jr., 'Vagabond Poet', doing series of broadcasts on WGST, came to Atlanta from WNOE, New Orleans. Program has also been heard over WIP, Philadelphia, and CFCH, North Bay, Ontario.

**Peoria, Ill.**—Chester Miller, formerly of WIRE, Indianapolis, and a free-lancer in Chicago, named continuity head of WMBD Peoria. He's a native of Portland, Ore.

**Chicago**—William W. Joyce, recently mid-western sales manager for the Texas State network, joins the sales department of the Chicago office of World Broadcasting. Before joining the Texas chain he produced programs which World recorded for M. P. Wamboldt.

**New York**—Charles Capps, who was production head at WMCA, New York, before leaving two years ago and for a time program director of WARM, Scranton, Pa., returns to WMCA as operations manager. Bob Carter, special announcer for 'Good Will Hour' and conductor of the early morning shows and sports programs for WMCA, is boosted to chief announcer at the station.

## Station Ideas

### WMCA's Cheer-Ups for British

WMCA started Monday (19) series of shortwave programs to cheer up England's civilian population. Entitled, 'Hands Across the Sea,' are being transmitted through WRUL, Boston, from 5 to 5:15 p.m. Using speakers and officials of relief organizations under auspices of British-American Ambulance Corp. Broadcasts on two shortwave beams, 11:79 and 15:25 megacycles.

WMCA has also taken up Clarence K. Streit's 'Union News' movement and will, starting Monday (26), put on a series of broadcasts plugging the formation of a union of nations by English speaking democracies. Educators, writers, economists and others will take part in the talks. Robert Sherwood, author of 'There Shall Be No Night,' will be the first speaker. Programs will be transmitted several days later to listeners in England through WRUL.

### WOC Fetes Golden Annis

Davenport.  
WOC closed its 'Golden Wedding Day' with a dinner and entertainment for couples married for 50 years or more. Mayor Jensens addressed latter at luncheon at the Mississippi Valley Fair, while Col. B. J. Palmer, press of Tri-City Broadcasting Co., did the talking honors at the evening event. Mary Louise Marshall, WOC home economist, had charge of the 'day.'

### Out of the Swamps

West Palm Beach, Fla.  
Ben Decker, of WNO's special events announcing staff, did a mote Saturday (17) from Canal Point, converted in recent years from uninhabited swamps to a winter vegetable and cane-growing area, bringing the 1,000 voices in the Everglades Midsummer Festival. Staged with the co-op of the U. S. Sugar Corp., whose 5,000 employees participated in the event. Broadcast went dafoodi at one point when Decker set his mike up on the back of a huge alligator.

### WNAX's 4-H Awards

Yankton, S. D.  
With the idea of helping the various state 4-H clubs maintain an interest in the movement until the age limit of 20 years is reached, WNAX has set up a plan for a group of annual 4-H awards. The WNAX awards will be given to 4-H club boys and girls in various counties who have finished their last year of 4-H club work and completed three of the final five years. Recipients of the award must be approved by county and state 4-H club leaders, and the presentations will be made at regular 4-H county recognition banquets.

Winners will get additional attention through WNAX's weekly 4-H broadcast, 'The 4-H Roundup.' Awards will be bronze medallions, four inches in diameter, with the 4-H clover leaf as the center and WNAX 4-H Service Award embossed in a circle around the emblem.

### Trips With Fair

Minneapolis.  
Station WCCO (CBS) will have a novel display of manual and recorded sound effects at the Minnesota State Fair opening Saturday (24). During the 10 days of the Fair there will be two demonstra-

tions daily, with the head of WCCO's sound effects department putting on the show and a WCCO announcer giving a play-by-play through the PA system. Display will include everything from marching soldiers to cow-milking. Station also will have 'Star-Journal's show, 'People Make News,' originate from the radio booth.

With station's 'Sunrises' program having a large rural following, Kay La Velle, its star, has entered her two pet leghorn chickens in the Fair's poultry contest. A transcription will be made with Miss LaVelle and her entries from the latter's cage and played on her program the following morning. WCCO.

## NOBODY WON

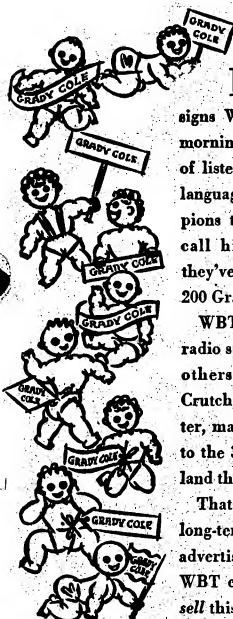
Farnsworth Labor Dispute Is Called Blank By NLRB

Washington, Aug. 20.  
Snarl-party over certification of employees of the Farnsworth Television & Radio Corp., of Marion, Ind. (International Brotherhood of Electrical Workers, Local BU160) was tossed out last week when the National Labor Relations Board threw up the sponge on discovering too much controversy in the secret ballot which was supposed to deliver the outfit to the A. F. L. local. Yaps were registered concerning an alleged 120-104 vote against the Brotherhood, when it was claimed that a 'so-called social club,' formed by employees of the company, had endeavored to block the election; also the company assembled 40 employees in its offices' one-half hour before the election to instruct them about the vote.

Examination of the squawks, however, showed 'insufficient' evidence as to employer interference, and objections to the conduct of the election.

Dismissal was ordered by the NLRB on grounds that 'no collective bargaining representative has been selected by a majority of the employees in the unit heretofore found herein to be appropriate.'

# 265 babies proudly bear his name



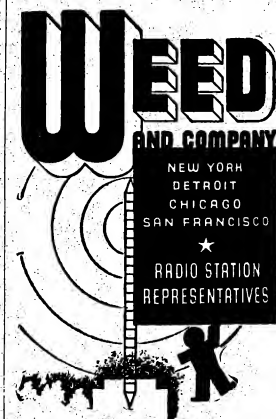
His name is Grady Cole, and he signs WBT on the air every week-day morning at the crack of dawn. The idol of listeners down here, he speaks their language, solves their problems, champions their causes. Thousands proudly call him "Friend Grady Cole." And they've named 265 babies after him... 200 Gradys and 65 Grady Coles.

WBT is closer to its listeners than most radio stations because of Grady Cole and others like him. Names like Chuck Crutchfield, Russ Hodges, William Winter, may mean little to "outsiders"—but to the 3,000,000 radio listeners in WBT-land they literally are "My Friends".

That's why so many WBT clients are long-termers. (74.5% of current WBT spot advertisers are on renewal.) Only through WBT can they easily reach, and easily sell this 65-county key marketing area of the Carolinas. We have many unusual success stories as a result—many in your line. May we show them to you?

## WBT 50,000 WATTS

CHARLOTTE, N. C. ★ A CBS STATION  
Owned and operated by the Columbia Broadcasting System. Represented by Radio Sales: New York, Chicago, Detroit, St. Louis, Los Angeles, San Francisco



Lively Showmanship  
WINS LARGER AUDIENCES  
in the  
INTERMOUNTAIN MARKET  
FOR KDYL  
The POPULAR Station  
Salt Lake City  
NBC RED NETWORK

Representative  
JOHN BLAIR  
& COMPANY



## Advertising to Reach Advertisers

### RECENT BROCHURES, ETC.

**Novelty Time Calendar**—Canadian Marconic station, CFCF, has distributed a novelty disc time calendar, "Turn the Dial," indicating station's listening outlets at every period of the day, every day of the week.

**Print 'Em Big**—CKAC, Montreal, put out a promotion volume the size of a two-sheet poster stressing newspaper ownership (La Presse) and promotion services, and including tear sheets of publicly given station programs in the daily.

**All Ears**—In its latest promotion one-sheet, WNAX, Yankton, asks the advertisers, "How often have you wished that you could talk to every prospective customer personally?" and proceeds to show how specific advertisers on the station have been able to do this successfully to 3,500-000 of them daily.

### VARIETY, ISSUE AUG. 14.

**WBBM, Chicago**—In series of cartoons described the percentage of increase of business in station's area, fact WBBM has 96% all local business on renewal basis and closed with comment "and what advertisers do for a station indicates pretty clearly what the station is doing for advertisers."

**WSAI, Cincinnati**—"Memo" layout stresses statement, "In Cincinnati WSAI is now second only to WLW in total business" and compares hours sold by itself, 5,000 watts, with local, 50,000-watter.

**KNX, Los Angeles**—Plugs its habitual audiences, "largest in west," and powerful nighttime coverage.

## MORE LAWYERS SET FOR FCC PRACTICE

Washington, Aug. 20.  
Another batch of barristers was admitted last week to practice before the Federal Communications Commission.

Newcomers are:  
Earle Clark Calhoun; Fred E. Campbell, Andrew D. Vozzeas and Arthur John Walters, all of Washington; Sidney Elliott Cohn and Easton C. Woolley, New York; H. David Epstein, Staten Island; Robert E. Goldstein, Charlottesville, Va., and William Jay Rains, Nashville, Tenn.

Others are Lucien Hilmer, of the New York Office of the Senate Interstate Commerce Committee, special counsel; David Lloyd, former assistant chief counsel of the Senate Civil Liberties Committee, special counsel; Oscar Schachter, from the Labor Department's Wage-Hour Division, associate attorney; Leo Resnick, of the field legal staff of the Public Works Administration, associate attorney; Marcus Cohn, graduate of University of Oklahoma and University of Chicago and Harvard Law Schools, associate attorney, and Philip Elman, law clerk to Circuit Judge Calvert Magruder, of the First Circuit, assistant attorney.

Hilmer was formerly in charge of the Senate ICC railroad investigation in New York. Lloyd, after gaining experience with the Civil Liberties committee, will be placed in charge of an investigation unit in the FCC's Law Department.

## 'What's New?' Gets Reply At KOIL in Omaha

Omaha, Aug. 20.  
Radio station KOIL made news rapidly recently. First of all, Hugh Van Alstine, salesman, and Luana Search, hostess, dashed to Elwood, Neb., and were married. Later the same day, Program Director Cliff Johnson became the daddy of a baby girl. Then Salesman Bill Edholm had his pockets picked of \$30 and Frank Pellegrin, sales manager, called in, hysterical from golf, to report he broke 80 for the first time in his life.

To climax a day of surprises, Isabella Stowe, office manager, was hustled to a hospital for an emergency appendicitis operation.

### New Tune Program

Nashville, Aug. 20.  
Roger Phillips, WSIX program director, has started new "Music From A to Z" show over Mutual outlet here.

Show runs 26 weeks, all recorded numbers on half hour Sunday stunt to begin with individual letters of alphabet. Phillips will worry about 'Z' when he gets to it.

## Auto Radio Licenses Decrease in Canada

Regina, Sask., Aug. 20.

Auto radio licenses issued in Canada in the current fiscal year ended March 31 totaled 35,578, as compared to 38,844 the preceding fiscal year; it was announced from Ottawa.

Increases were shown in every province but Ontario, which, however, accounted for 42% of the total.

Free radio licenses were issued to 4,699 blind persons in Canada, compared to 3,920, the preceding fiscal year.

## WGAR, Cleve., Spending \$20,000 on Face-Lifting

Cleveland, Aug. 20.

WGAR is currently spending estimated \$20,000 on a remodeling job which will have studios completely renovated in six weeks.

Work is first being done in five years, and plans call for complete make-over of all studios, new control room set-up and new master control equipment.

## Housewives Very Dramatic When They Get Chance to Massage WCCO Mikes

Minneapolis, Aug. 20.

A longing to 'act' and the chance to escape from inhibitions in that direction—consciously or otherwise—prompt the participation of a large percentage of the women who take part in radio station WCCO's Saturday morning open house kitchen quiz program here. Answering queries into the mike, according to the conclusion of a committee of psychologists, the big motive, not small cash or chance to show off domestic knowledge.

It had been noticed that many of the women, in answering the questions, put as much dramatics and histrionics into their replies as possible. This, according to the psychologists, represents an innate desire in the vast majority of women to be stage, screen or radio actresses. They

try themselves out at the mike and they revel in the chance to 'act'.

Program, running 45 minutes, has been so popular that it will be lengthened to an hour and a half. There's an overflow audience of 420 housewives in the WCCO auditorium every Saturday morning. A general invitation is extended to all housewives, who receive tickets gratis from the station. Many are turned away at each broadcast.

Three present advertisers on the program are Manka Yeast, Holsum bread and Nafsol. There's variety entertainment along with the quiz. Miss Hule Cavanaugh carries the roving mike around in the audience and launches the questions.

G. Emerson Markham, director of WGY, Schenectady, farm and science programs for General Electric, is recovering from an emergency appendectomy at Ellis hospital there.

## Muncie Merchants Say.

**"YES, ADVERTISING ON WLW MOVES MERCHANDISE OFF OUR SHELVES!"**

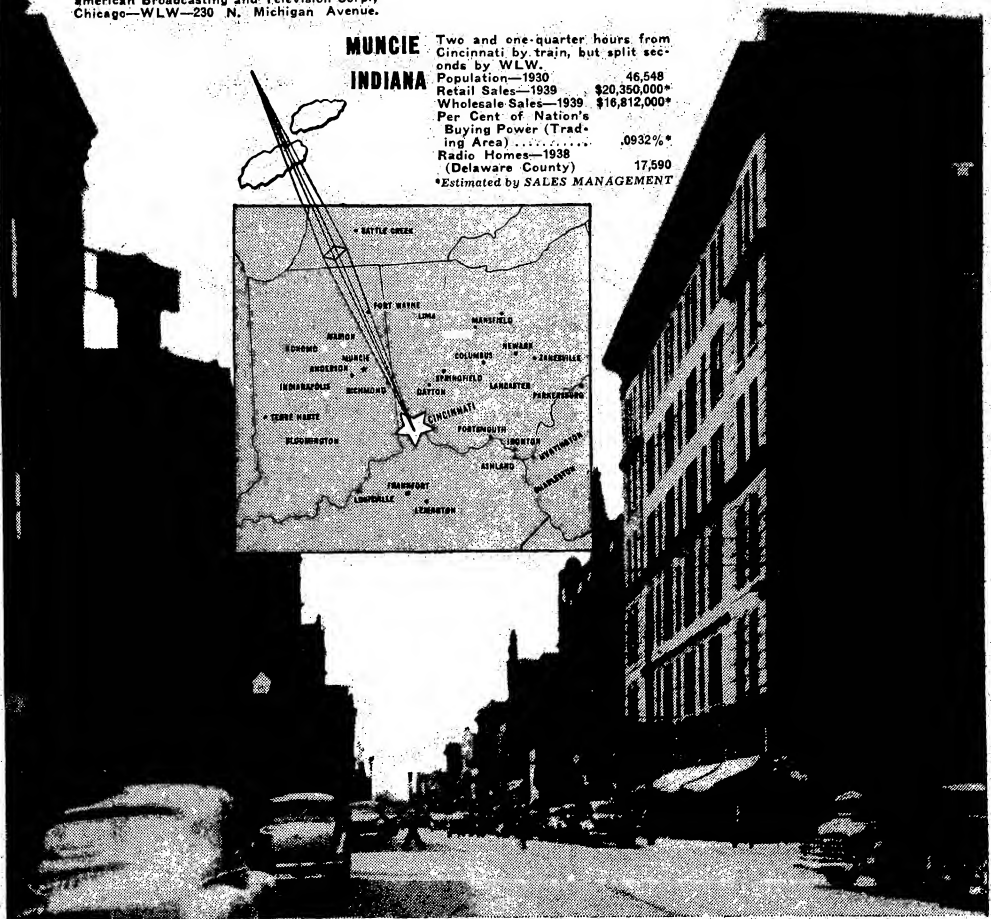
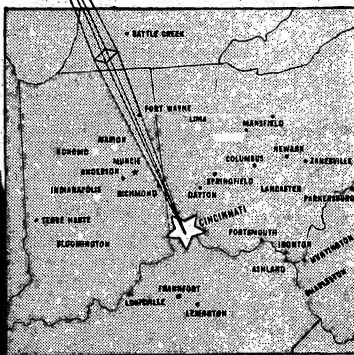
"That's a natural consequence of the fact that The Nation's Station is a regular Muncie listening habit."

Another natural consequence is that merchants in Muncie capitalize on the resulting consumer preference for WLW-advertised products, just as do merchants in the more than a score of other rich trading centers that compose WLW's primary area.

REPRESENTATIVES: New York—Trans-American Broadcasting and Television Corp.; Chicago—WLW—230 N. Michigan Avenue.

## MUNCIE INDIANA

Two and one-quarter hours from Cincinnati by train, but split seconds by WLW.  
Population—1930 46,548  
Retail Sales—1939 \$20,350,000\*  
Wholesale Sales—1939 \$16,812,000\*  
Per Cent of Nation's Buying Power (Trading Area) .0932%  
Radio Homes—1938 17,590 (Delaware County)  
\*Estimated by SALES MANAGEMENT



# WLW

## THE NATION'S

most "Merchandise-Able"

# STATION

## Inside Stuff—Radio

### English Curfew

Continued from page 2

for a bobby. In going from one town to another, the procedure was something like this:

1. Go to the police chief of the town you are in and get permission to depart.
2. Police chief says okay if you go, the permission of the chief in the town to which you are going.
3. Wire ahead to copper No. 2 for the necessary approval.
4. Take the approval wire of No. 1 to No. 2.
5. Check in with No. 2 as soon as you arrive in his town.
6. Ad infinitum.

Brisson declared he spent 18 hours in 14 days in police stations arranging traveling permission. Substitutes or secretaries are no dice with the road company Scotland Yards.

Another squawk—although Brisson kept emphasizing that this was all very friendly inasmuch as he had worked in England, steadily for the past four years and was w.k. there—that he was not allowed to drive his car. Fact is, he wasn't even permitted to have a bicycle.

#### Now Back in U. S.

Brisson, who appeared in three pictures for Paramount about five years ago and after that was in a Broadway musical, is attempting to line up assignments to keep him in the U. S. Desire to stay here results from an operation his wife had undergone at a N. Y. hospital. In the event things don't pan out, Brisson will accept dates already tentatively made for him in Australia, where he is also widely known through his English-made pictures.

Star of many English and continental musical comedies and revues, Brisson had no difficulty in coming to the U. S., but is being cramped here by his inability to get coin from either Denmark or England, in both of which he has considerable funds. (He's not certain at the moment, but much of the Danish fortune may presently be in the past tense.) All the British permit him to extract is 150 pounds a month for living expenses. Germany permitted him to have \$5,000, but the U. S. government has it tied up.

All Danish funds: this country are frozen to prevent their being grabbed by Hitler.

Brisson's prime admiration currently is the optimism of the Swedes, in the middle of a British-German-Russian squeeze play. He received a cable last week from the Vassar theatre, Stockholm, inviting him to take the lead in a presentation of 'Rio Rita' to start Christmas eve.

Mutual in a letter to its affiliated stations last week explained how the Don Lee Network came to discontinue the origination of the programs, 'Meet the Stars' and 'California Melodies'. Mutual got its explanation from Van C. Newkirk, of Don Lee.

In answer, wrote Newkirk, to your letter of July 30 addressed to Mr. Willet Brown, in which you query the reason for our killing the programs, 'Meet the Stars' and 'California Melodies', a recent survey of the logs showed a very small number of stations releasing these shows. Due, no doubt, to the difference in hours between the Atlantic and Pacific coasts. 'Because of this fact, and a desire to do a bigger and better job during the heavy listening months in the fall, we decided to discontinue with the orchestra for a few weeks. We want to take the money that we would spend for the orchestra were the show not discontinued and use it to build better programs for the near future. Feel sure you will agree with the wisdom of our course.'

Among the casualties of the recent NAB 'Tribute to Radio' program from the New York and San Francisco fairs were Norman Corwin, Burgess Meredith and a cast, who, after rehearsing a dramatic sketch, were omitted from the actual broadcast. Their bit wasn't cut; they were just overlooked in the general production hubbub.

At the request of the CBS production crew in Hollywood, Corwin agreed to direct an eight-minute spot of excerpts from his 'Seems Radio Is Here to Stay' script of a couple of seasons ago. He persuaded RKO to give him time off for the job, then got Meredith to be narrator for a nominal salary. Metro agreed to shoot around Meredith so he could accommodate Corwin and the broadcasters. Lads rehearsed the bit to halting trigger edge, then perched by the mike waiting the cue from San Francisco. But something flivved and the cue never came, the program proceeding without them.

Paramount Pictures has refused to let Victor Young handle the music for the Abbott & Costello show (Bristol-Myers) while it's on the Coast, on the ground that the maestro has too much to do as it is. The engagement on the program would have been for six weeks. Young is prevented by his contract with Paramount from taking more than one program unless okayed by the film studio. The leader handles the Friday night Old Gold show on the NBC-red, and the turnaround from Paramount came after Lorillard had disclosed that it had no objection to his assuming another radio obligation. Peter Van Steden maestroed the show from New York.

Announcement by Martin Block on his 'Make Believe Ballroom' program over WNEW, N. Y., Monday night (19) that he will give away 5,000 packages of an unnamed cigaret to the first 5,000 writing into the station drew 8,000 letters in the first mail the next morning. The next mail brought 2,000 letters. The teaser campaign is being carried on all this week in behalf of one of the Lorillard brands through Lennen & Mitchell. Block won't mention the name of the cigaret until his broadcast of next Monday. (26).

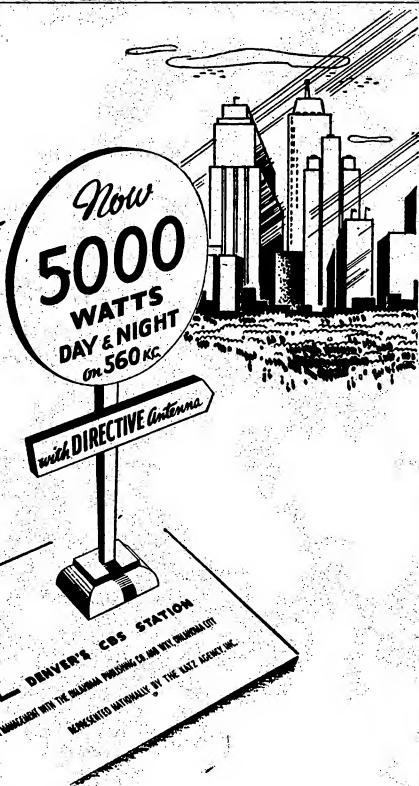
That barberchair which M. H. Aylesworth introduced as part of his office equipment when he was president of NBC has not been reinstated by Niles Trammell in the latter's redecorated office on the sixth floor of the RCA building. When asked whether he wanted the chair installed again, the new NBC prez ordered that it remain where it has been for the past few years, namely in the first aid room of the NBC headquarters. It's been used there for dental inspection.

Two CBS execs got rid of some of the company stock during June, according to latest report of the Securities & Exchange Commission. Isaac D. Levy gave away to undisclosed beneficiary 100 pieces of Class A, leaving him with 60,746, while Herbert B. Swope sold 400 in three lots, keeping 6,380. Swope also has a finger in Keewaydin Corp. which accounts for 3,000 shares and Levy has 22,819 pieces of Class B paper.

G. W. Johnstone, radio advisor for the Democratic party, was the subject of a release sent out last week by the Publicity Club of New York of which he was a member while publicity head of WOR, New York. 'Johnny Johnstone has opened radio publicity offices for the Democratic party in the Biltmore hotel, New York,' it read. 'Will welcome any tieups.'

*Pointed  
toward Sales*

KLZ's new directive antenna system combines with a five-fold increase in night-time power to provide a powerful investment for sponsors who are more interested in number of radio homes entered than in number of square miles of country covered. KLZ now applies its full force on the population centers of the Denver-Rocky Mountain region... the places where people gather, live and buy. The result: 16% more homes in the daytime... 20% more homes at night.



## From the Production Centres

### IN NEW YORK CITY

The Revuers signed by NBC for 13 more weeks and shifted to new spot Sunday afternoons on the blue network (WJZ)... Walter Scott and Letha McKinley Scott, parents of Martha Scott, making their debut on 'Career of Alice Blair' serial with her... father was on Friday (16) and mother ditto tomorrow (Thursday)... Bert Lebar, Jr., WHN sales director, was a member of the masters-team-of-four that won the championship in the American Contract Bridge League tournament last week in Atlantic City.

Alan Stratton, announcer at WOV, has been shifted from daytime to evening programs. 'Adventures of Gaby Scoops', part of Uncle Don's moppets' show over Mutual Fridays, is being adapted into newspaper comic strip form for syndication... Fred Raphael, program director; Vivian Brown, publicity, and Allan Zee, of WHN program staff, all vacationing this week... Raymond Katz and announcer William Bond back at the grind... WOV added another half-hour to its daily air time, going on at 7 a.m. instead of 7:30.

Myron McCormick playing the lead in this Friday's (23) 'Grand Central Station' script, written by Francis Winikus... Charles Paul composing original music for 'Manhattan at Midnight' series... Robert L. Cotton, production manager, and Jack Negley, announcer of WINS, appointed deputy sheriffs of Queens County... Clem McCarthy will do the sports results over WHN for Old Gold, breaking in on any shows from 2 to 6:30 p.m. with news of racing, baseball, etc. Also will handle the daily sports preview at 2 o'clock and the sports resumes at 5:30 and 6:30... Charlotte Manson ('Society Girl') has written a one-act play in which she'll appear with Philip Reed, from films, at Pinebrook theatre; Nichols, Conn., Saturday night (24). Whole evening given over to radio- and television works by strawhatter, instead of usual legit presentation.

### IN HOLLYWOOD

Carroll Carroll, who collapsed after too long a period of scripting the Kraft Music Hall, leaves Aug. 31 for New York, where he will rest for a month. Joe Bigelow, in from Manhattan, has already taken over the Kraft chore... Danny Danker, J. Walter Thompson v.p., returned from Chicago where he went to confer with Wrigley execs on the Gene Autry airer... Bill Goodwin has taken over the commercials on the Bob Crosby Camel show for duration of its origination from this point. Incidentally, Crosby may linger here beyond the duration of his Catalina band booking, two studios, Paramount and 20th-Fox, angling him for picture spots... New Screen Guild-Gulf Oil series debuts over CBS Sept. 29, getting pushoff with a heavy booking of top film talent. Set for the inaugural are Jack Benny, Claudette Colbert, Basil Rathbone, Ernst Lubitsch and Ralph Morgan... Bob Stephen, radio ed of the Cleveland Plain Dealer, in town... Ken Niles and Dick Powell have bought speed boats for entry in Southern California meets... Powell, testing his craft in Balboa Bay, drew a ticket for violating traffic regulations... Jim Beale (J. Walter Thompson agency) has bought a Beverly Hills manse... Philip Sudano has written and is producing 'Visions of 1940' which gets visio treatment over Don Lee's WEXAO Thursday (22). Offering will run 45 minutes. Janice Chambers of 'Meet the People' (left) will be featured... Wayne Miller, Richfield Reporter scripter, is in N. Y. to study news handling methods at NBC's Radio City... Jerry Schwartz, CBS staff writer, will sail for a New York vacash... Coast radio station record turners capable of filling gaps between discs with live chatter and accurate band and music 'inside' are organizing under the name of Broadcasters of Popular Music Recordings. Plan is to distinguish themselves from the straight commercial spellers handling canned entertainment. Al Jarvis, Bob Weiss and Peter Potter have been named to make BPRM a national group.

### IN SAN FRANCISCO

NBC's Athletic Association held its second annual outing at Bercford Country Club (15). After defeating the office and engineering staffs, the Announcers vs. Producers baseball teams emerged with no contest when the last bat broke while the score was tied... Bob Sneal, Earl Lee and Ivan Green ribbed everybody in a skit depicting a tour through NBC... Ira Blue snagged a cup for low net golf tally. Neil Lyons doing likewise low gross... tops in sports were Don Thompson on tennis, Florence Crowell, badminton; Ruth Sprague in swimming; Edith Kirby in ladies' putting, and Dick Bertrandias in baseball... Harry Bucknell came closest to a hole-in-one and all scored on sunburn and aching muscles... Bud Sugg, engineering staff, arranged the get-together... Judy Deane, NBC songbird, is now a vice president of the Women's Career Club... John K. Chapel, author, poet, lecturer and world traveler, has added a new title to his string. He became an announcer at KROW this week.

### IN CHICAGO

Jack Buckley and Joe De Rita, standard vaudeville comics, have set up a new two-act ether-routine... Added to 'Mary Marlin' cast is Arnold Moss, current at the Grand in the Al Jolson 'Hold On to Your Hats' musical; to 'Ma Perkins' are Helen Buehl and Arthur Peterson; to 'Guiding Light' are Jeanne Juvelier, Paul Barnes, Alma Samuels and Annette Harper... Connie Crowder joins cast of 'Woman in White', and Ed Prentiss the cast of 'Road to Life'... Dinning Sisters doubling from Chi NBC sustainers to personal at Balaban & Katz Chicago stage.

The answer to  
**"NATIONAL SPOT"**  
in **BALTIMORE:**

**RED NETWORK OUTLET**  
**GUARANTEED TIME**  
**MERCHANDISING COOPERATION**

**WFBR**

National Representative: Edward Petry & Co.



## WJBK Fails In Effort to Collect From Ex-Mayor

Detroit, Aug. 20. Common Pleas Judge O. Z. Ide has dismissed a suit for \$150 brought by WJBK here against ex-Mayor Richard Reading, ruling that there was nothing in the evidence to connect Reading directly with arrangements which had been made for the former mayor to use \$150 worth of the station's facilities. Reading is now under indictment, growing out of a recent police-tacket probe.

Edwin G. Nichols, of WJBK, said someone representing himself as Reading's secretary had engaged two 15-minute periods of station's time during the recent mayoralty campaign, and that Reading had used one period and Bland Pugh, an attorney, had used the other.

Reading testified he had nothing to do with arrangements for the radio, but had been informed before he spoke that the engagement had been prepared.

## Spartanburg's WORD Plans Sept. 1 Teeoff

Spartanburg, S. C., Aug. 20. WORD, Spartanburg Advertising Corp.'s new station, will go on air about Sept. 1, officials claim. Company will continue operation of WSPA, purchased for \$33,000 several months ago from Virgil V. Evans.

WSPA operates daytime only, 900 kilocycles, 1,000 watts. FCC has authorized modification of WORD permit to increase power from 100 watts right, 250 watts day, to 250 watts unlimited.

Negotiations for CBS affiliation also nearing completion. Walter Brown is manager. A. R. Taylor, Spartanburg capitalist, is president.

## Harwood Hull, Jr., Wins Farm News Award

Birmingham, Aug. 20. Harwood Hull, Jr., m.c. of WAPI Farm and Home Hour, received first award for farm radio news service at the annual meeting of American Assn. of Extension Agricultural Editors in Fort Collins, Colo.

Hull garnered first honors in competition with farm editors and radio program directors throughout the nation.

## WOR-MBS Shifting Several Programs In Usual Fall Revamp

Several programs on the WOR-Mutual slate will shift times during the next couple of weeks in the usual fall schedule realignment. Among the shows affected will be 'Where Are You From?', which moves from 8:30-9 p.m. spot Wednesdays to the 8-8:30 niche the same night, and 'Sleep and Goats Club,' which now has the 8-8:30 position Wednesday nights and is moving back to the 9:30-10 time the same night.

Other shifts include 'Ed Mayehoff on the Town,' moving from 8 p.m. Thursday to 10:30-11 the same night; 'Cats 'n' Jammers,' forward 15 minutes to 8:15-8:30 Tuesday nights; 'Song Spinners,' from 9:45 p.m. Sundays to 8:15-8:30 p.m. Thursdays.

## WOW, Red Outlet, Picks Up Welch Blue Show

Omaha, Aug. 20. Welch Grape Juice Co. has picked WOW as the Omaha outlet for its Irene Rich dramas, which go on by transcription for an additional 13 weeks starting Sept. 1.

This is a blue net show, but WOW, red net's outlet here, has picked up several blue net shows since KOIL left the blue for CBS.

## FCC Decisions

WOV, N. Y., Upped

New transmitter and power increase from 5,000 to 10,000 watts for WOY, New York, are expected to be in operation by late fall. Permit for both was granted last week by the FCC. Construction of the transmitter, from plans by Robert E. Study, will begin at once.

Installation of the directional antenna will involve the erection of an additional 350-foot uniform taper, umbrella antenna. In addition to the one recently put in use. These towers will beam WOY's signal toward New England.

WBEN's Grant

Buffalo, Aug. 20. WBEN last week got FCC permission to install new antenna for night use, to move transmitter and to go on 5 kw. unlimited time.

Station has been on 5 kw. daytime, 1 kw. at night.

WSPD, Toledo, Steps Up

Toledo, Aug. 20. WSPD, Toledo, owned by the Fort Industry Co., began full-time operation with 5,000 watts power Thursday (15), within 12 hours after receiving permission from the Federal Communications Commission.

The station had been using 5,000 watts power during the daytime since May, 1936, but only had 1,000 watts night power.

WDRG's Green Light

Hartford, Aug. 19. FCC has tentatively authorized WDRG to increase its night power from 1,000 watts to 5,000 watts nightly. Operates on 5,000 watts daytime. Station has already installed a directional antenna and a second tower at its Bloomfield transmitter. Complete authorization of 5,000 watts is expected to be granted in September.

Bruce Howard, construction engineer for KGKO, Fort Worth, fell from horse and broke his arm.

## FCC Clamps Down on Ex-Employees In Radio Law Practice; Affects Dempsey

Washington, Aug. 20.

Part of the teeth were restored last week to the F.C.C. rule limiting the right of former employees to engage in radio law practice. Stiffening followed whispered comments about the activities of William J. Dempsey, recently resigned general counsel.

Five applications submitted by Dempsey were put on the shelf following discussion of what constitutes 'practice' before the Commish, and notice that he still has not gone entirely off the Government payroll. Though he submitted his resignation weeks back, Dempsey still is on a 'leave' basis, using up overtime and vacation privileges that run until Aug. 22. No punishment is expected, and the cases will not be thrown out on grounds of irregularities, since they were restored to the active files Thursday (15) when Dempsey submitted a second resignation effective immediately.

Amendment to what used to be the 'two-year rule,' adopted last week largely at instance of Commissioner T. A. M. Craven, stipulates that 'no member, officer or employee of the Commission (1) whose active service with the Commission has terminated, but who is receiving pay while on annual leave, or (2) who is in any other leave status, shall appear as attorney or participate in the preparation or handling of any matter before, or to be submitted to, the Commission.'

Originally the Commish banned from practice for a two-year period any former payroller. After much heated controversy, including protests from various law associations, this was softened about two years ago so that resigned Commish help could appear so long as they did not handle matters they had been concerned with while on the Government force.

Last week's tightening up came in response to muttered criticism from

other barristers. It was noted that William J. Koplowitz, former assistant general counsel who left with Dempsey to form a partnership, had leave expiring Aug. 5, while Dempsey's accrued time off ran longer. During the time they were still technically in Government service, the two barristers—dubbed 'the Katzenjammer kids' in industry circles—set up shop and began representing broadcasters and prospective recruits. Among their clientele is WLW, Cincinnati.

## NBC Thesaurus Disks To Be Made in Canada Via Deal With Victor

Montreal, Aug. 20.

NBC Thesaurus recordings for subscribers in the Dominion will be manufactured in Canada hereafter according to reported arrangements made by NBC with RCA Victor (Canada). It's said new service will be inaugurated after Sept. 1.

Master plates will be shipped from U. S. and pressings will be turned out in this country. Understanding is that replacements will continue to be imported from Camden, N. J., because of limited production which would boost cost to prohibitive scale if made in Canada.

Approximately 25 Canadian stations subscribing to the NBC Thesaurus will be affected. New development is made possible because of 10% import tax and 11% difference in exchange. This makes up for the higher cost of production in Canada.

Cost of Canadian-made Thesaurus pressings will be slightly lower than at present, with cutting of red tape, customs delays and speedier deliveries further advantage.

**KRLD**  
**DALLAS, TEXAS**  
**50,000 WATTS**  
**CBS**

**50,000 watts...CBS...broadcasting  
eighteen hours every day, to  
the heart of the rich Southwest.**



For more information about KRLD, one of the sixteen CBS 50,000 watt stations, inquire of The Branham Company.

**THE SOUTHWEST'S PIONEER CBS STATION**

## FCC's Grant to WDGY Now Gives Twin Cities 6 Full-Time Stations

Minneapolis, Aug. 20. As result of FCC grant just made giving WDGY 24 hours a day on the air, Twin Cities now have six full-time stations. Only one station, WLB, University of Minnesota, will be part-time.

Hitherto WDGY, the Dr. George R. Young station, has been compelled to sign off at 8 p.m., daily. The new schedule will start within the next two months and the station staff is now at work on the programs. Whether it will continue to receive some of the Mutual network broadcasts has not been definitely decided.

W. E. Stone, production manager, is in New York this week gathering material for programs.

## PIRATE STATION IRKS MEXICAN OFFICIALS

Mexico City, Aug. 20. Yet another clandestine radio station, which calls itself 'The Voice of Liberty' and makes frequent and pointed broadcasts, has gotten in the hair of the Mexican government. This is a short wave station and is apparently located near this city.

But efforts of authorities to locate the station have failed. Meanwhile the government-annoying broadcasts continue.

The cops are on the trail of a pirate station, said to be Nazi-operated, that has been broadcasting queer code messages from the west coast sector.

## WBZ Adds Milner

Boston, Aug. 20. Howard Milner, comes to WBZ sales staff from WESX in Salem. Formerly account executive in radio department of Courtland D. Ferguson agency, Washington, D. C. Jack Lawrence, announcer on station of University of Florida and stations in Worcester and Providence, to WEEI in same post.

## Music for

## ELLERY QUEEN

Composed and Conducted by

## LYN MURRAY

Mgt. COLUMBIA ARTISTS, Inc.

## SECOND in PHILLY

C. E. HOOPER SURVEYS

Audience of Philadelphia Network Stations 3:15-3:30 P.M., Mon. thru Fri.—4 Mo. Ave.

WFIL 19.0%

KYW 22.1%

WCAU 8.2%

% Listeners Identifying Station and Program

2nd WITH 89 OTHER PROGRAMS

For LOWER COST Circulation BUY WFIL

## London Calling

London, Aug. 8. Henry Ainley etching again as the narrator to Thomas Hardy's 'The Dynasts.'

Commentary that air battle between Nazis and air force planes over the British Channel drew more squawks than ludus Charles Gardiner who handled the affair, is being taken to task for giving the spiel in the manner of a prize-fight or a racetrack meet.

Moss Empires Hippodrome, long the house of West End hits, being biographed on the air. Show will cover the story of Horace Edward Moss, founder of the chain, and the show parade at the Hippodrome from 1900.

Bebe Daniels-Ben Lyon-Vic Oliver radio show, 'Hi Gang,' renewed for another weeks with option.

## Canadian Radio Men in Various Armed Services

Montreal, Aug. 20. Steadily increasing flow of men from Canadian radio stations and advertising agencies into various branches of the military service is evident as Dominion's war effort gathers momentum. John MacLauchlan, from Canadian Marconi station RCFP, formerly on the Royal Canadian Naval Volunteer Reserve, is now active service. Herb Hewetson, program director at CFCF, has joined the Grenadier Guards (Non-Permanent Active Militia). Jimmy Godbehare, of CFCF, with the 79th Battery, Signal Corp.

Contingent from station CKAC includes Yves Boursassa, program director, with the Fusiliers de Mont Royal (N.P.A.M.); Flavius Daniel, traffic manager CKAC, also with the Fusiliers. Louis Leprehon, national sales at CKAC, sgt. major with the Royal Montreal regiment. Pierre Ranger, director of publicity at station CKAC, with the Canadian Officers Training Corps.

Paul Wright, free lance scripter, and Lee Payne, announcer, with the Canadian Active Service Corps overseas. Hugh Kemp, with J. Walter Thompson, has joined the Royal Montreal Regiment (N.P.A.M.). R. A. Burns, formerly with Stevenson & Scott agency overseas with the Royal Canadian Regiment. Ben Cossman, account executive (Stevenson & Scott), with the 10th Medium Battery. Syd Denman (Stevenson & Scott), with the Black Watch (Royal Highlanders of Canada). Norm Vale (Ronalds Advertising Agency), with the Royal Montreal Regiment (N.P.A.M.). Allan Miller (Associated Broadcasting), on the Royal Canadian Naval Volunteer Reserve.

List is by no means complete with considerable number of French-language as well as English authors, producers, agency men either on the reserve lists or in some branch of the service.

## Refugee Plan

Continued from page 3

refugee scribblers to the U.S. as funds build up.

Although based partially a charitable motive, the idea is not entirely altruistic. Studio heads figure they will not only be aiding these men, but, inasmuch as they include some of the world's foremost writers, they should offer an excellent source of material.

### Setup

Scheme has not been worked out in definite form and several alternatives are being talked. If the opposition of the American scribblers can be overcome, however, favored idea is for the companies to pool a fund for the writers, each man to get \$100 a week. They could work in Hollywood or wherever else they chose. All material they wrote would go into a central agency operating the fund and each company would be given equal opportunity to bid on the properties. If sold, part of the proceeds would go to the author and another good-sized slice into the fund; so that the plan might soon become self-financing. It would not only provide the weekly pay-check for those here, but funds to bring other refugees over.

Central agency scheme is figured better than companies hiring the writers independently, inasmuch as some are naturally much better equipped for film work than others. More valuable writers for films, under this plan, would aid in supporting their colleagues. It would also reduce the cost to each studio and give it a wider choice of material.

Among refugees mentioned in foreign countries who might be aided are Lion Feuchtwanger, Dr. Felix Salten (author of 'Bambi' and other kid stories), Franz Werfel, Heinrich Mann and Frederick Wolf.

Many of the refugee writers, of course, are not in need of help. Difficulty of those who do require aid is not their lack of wealth in their home countries, but their inability to bring their property to the U.S. Those in okay financial positions are men like Andre Maurois and Ferenc Molnar, whose works have had large sales in the U.S. Some of them had the foresight to leave at least part of the coin here during the palmer days and it is now coming in good stead.

## Shearer-Raft

Continued from page 2

hours before Raft Douglas sleeper plane.

With Raft on the same ship were Bud Abbott and Lou Costello headed for the Coast to make their film debut for Universal.

Most breathless passenger of the week at LaGuardia Field was blonde Ina Ray Hutton, who rushed out straight from Pennsylvania station after missing the train which took her band to Charleston, W. Va. She caught a TWA skyliner for Harrisburg where she was met by a friend and autoed to Charleston time to meet the band for the opener in a 10-day series of fill-in engagements until she succeeds Tommy Dorsey on the Hotel Astor Roof (N. Y.) Aug. 20.

Stratoliner passenger lists continued to show an impressive array of show business notables during the week.

Allan Jones and Irene Hervey flew home Wednesday night after winding up their personals at the N. Y. Paramount. Taking off with them was J. Cheever Cowdin, board chairman for Universal Pictures, en route to conferences with Nate J. Blumberg, Universal president, and Cliff Work, studio head.

George Abbott arrived on one of the four-motor gliders Thursday to whip together the road company of 'Too Many Girls,' scheduled to open in Chicago on Labor Day. He was met by Hal LeRoy and several girls from the company. Westbound STWAtoliner passengers also included Ben Bernie, Jose Iturbi and Henry Hull.

Among the spectacular private plane departures was that of Alfred Gwynne Vanderbilt, who took off Friday with Mrs. Vanderbilt in his shiny Sikorsky amphibian in time to catch the afternoon's race card at Saratoga.

Joseph M. Schenck was bon voyaged by his brother, Nicholas, when he left on a TWA plane Friday night for Chicago. He planned to stop over a day in Chicago and then continue by Stratoliner to the coast.

## Helping Troops

Philadelphia, Aug. 20. Possible foretaste of how radio stations might cooperate with the Government in event of war was provided last week by WCAU here. Station became 'the voice' of the Pennsylvania state police and National Guard in broadcasting road condition and traffic routes to follow in connection with the movement of troops taking part in summer war games.

Idea was to divert social motoring off the routes used by the military.

## MEX XEFO GRANTS

## 85% PAY INCREASE

Mexico City, Aug. 20.

Station XEFO here, mouthpiece of the Party of the Mexican Revolution, Mexico's dominant political organization, smoothed out trouble with its workers by making a work contract that allows the help such liberal concessions as an 85% increase in wages, 20 days vacation with pay a year and free medical service and medicines for the workers and their families.

The station also agreed to reinstate Henry Dorch, radio engineer, who had been dismissed.

Workers of the station had threatened a strike if their demands were not met. The station recently warned off a strike by allowing a substantial pay increase.

## Fry Sees W6XAO Step

## Quality to 525 Lines

Los Angeles, Aug. 20.

Television, as it is known to Southern California's 500 home set owners, took new meaning August 7 when W6XAO (Don Lee Television system) unveiled its stepup of tele definition from its previous 441-line to 525-line quality. James L. Fry, FCC chairman, stopped here en route to Washington from the N.A.B. session in Frisco to ogle the inaugural.

Switchover was accomplished by Harry R. Lubcke, station director, in one day, forcing the station off the lanes for only 24 hours.

Initial program consisted of 12 acts and two motion pictures. Elsa Maxwell emceed.

W6XAO is now operating 14½ hours weekly.

## Monterey's KDON on Job

Monterey Cal., Aug. 20.

KDON has only 100 watts power, but if anything happens within 50 miles, they aren't going to miss it. Tiny Monterey bay, outlet for MBS has triple studio set-up, with complete facilities permanently spotted in Salinas, Santa Cruz and Monterey, plus lines radiating from each point. Also means three copies of every new platter, discs being spun from all three cities on occasion, but trade deals take care of that. Actual transmitter, with vertical radiator, is perched on municipal pier over Monterey Bay. Once or twice stormy waves have pounded hard enough to jar needles out of grooves on transcriptions aired from control room, but perfect grounding makes this minor hazard worthwhile.

Station owned jointly by two newspapers, Monterey Peninsula Herald and Salinas Newspapers, Inc. Howard Walters manages.

## Pierre Ranger's CKAC Series

Montreal, Aug. 20.

'Micro-journal,' French-language newspaper of the air fashioned after Uncle Jonathan, is title of new sustainer over station CKAC. 'Micro-Journal' aired three times weekly as a five-minute stanza.

Pierre Ranger, station CKAC publicist, author, producer and acts as newscaster, editor and reporter. Roger Turcotte, announcing.

## URGE CANADA SET UP 50 KW. SHORTWAVE

Montreal, Aug. 20.

Movement long sponsored by military and government broadcasting officials for erection of a powerful shortwave transmitter finally reached the Senate last week when resolution was adopted urging immediate consideration of the proposal. Construction of 50,000 kilowatt shortwave station, involving expenditure of close to \$400,000 and annual maintenance cost of approximately \$100,000 thereafter, was under consideration last year and when war broke out along with plans for new CBC studios in Montreal and Toronto.

First regarded as a non-essential to the war effort the shortwave station is now recommended by the Senate War Cooperation Committee as a necessity in supplementing the British Broadcasting station and to make more secure the facilities now used from that station which are so vital to Empire cooperation and general transmission of truth throughout the world.

The War Cooperation Committee believes shortwave transmitter would be invaluable after the war for advertising and trade purposes. Indications are that strong efforts will be made to reach Continental trade channels as well as those in Western Hemisphere with programs promoting sale of Canadian goods.

Reported that Dr. Augustin Frigon, assistant general manager of the CBC, in his recommendations on the new station situation, also urged construction of the transmitter in his report to the Government.

## Renews Femme News

St. Louis, Aug. 20.

John Morrell & Co., through Henri Hurst & McDonald, Inc., of Chicago, has renewed its sponsorship of Josephine Halpin's 'Let's Discuss the News' for 26 weeks over KMOX.

The program, thrice weekly in the early p.m. to catch femme dialers, is devoted to news from a woman's angle with an occasional tele-tete with a visiting femme celeb or localities. The program ran 26 weeks before the renewal.

## SEE! HEAR! TAKE PART YOURSELF

N.B.C. Coast-to-Coast Broadcast of

## Dr. I. Q.

The MENTAL BANKER

\$1000 IN CASH

offered for correct answers from the stage of

## CAPITOL Theatre

9 P.M. Every Monday Night

Broadcast in New York by Radio Station WEA

Sponsored by

MARS, INC.

Makers of Snickers, Milky Way, Forever Yours Candy bars.

## WBAL means business in Baltimore

## TITO CORAL

INTERNATIONAL BARITONE

Now on an 8-Week RADIO Engagement In Caracas, Venezuela, South America

Direction: WM. MORRIS AGENCY

## 'THE O'NEILLS'

By JANE WEST

NOW RADIO'S MOST POPULAR

FAMILY BRINGS YOU MORE

LAUGHTER TEARS AND HEART-THROBS

Presented by Ivory Soap 99 1/2 % pure

LISTEN TWICE DAILY

NBC Red Network, 12:15 to 12:30 P.M. EDT

IN.

5:45-6 P.M., EDT

COAST TO COAST

Dir. COMPTON ADVERTISING AGENCY

MGT. ED WOLF—RKO BLDG., NEW YORK CITY



# 15 Best Sheet Music Sellers

(Week ending Aug. 17, 1940)

I'll Never Smile Again.....	Sun
God Bless America.....	Berlin
Sierra Sue.....	Shapiro
When the Swallows Come Back.....	Witmark
I'm Nobody's Baby (Andy Hardy Meets Deb).....	Feist
Fools Rush In.....	BVC
Breeze and I.....	Marks
Playmates.....	Santly
Blueberry Hill.....	Chappell
I'm Stepping Out With a Memory Tonight.....	Robbins
Six Lessons from Madame La Zongia.....	BVC
Nearness of You.....	Famous
All This, and Heaven Too (ATHT).....	Remick
When by the O-hi-o.....	Forster
Make-Believe Island.....	Miller

\*Fimusal

## Victor Slashing Popular Records To 50c, Meeting Columbia's Price

Victor Records has followed the lead of Columbia Records and lowered the retail price of its 75c Victor popular music label to 50c. Company has made the change effective immediately, slashing to a price level equal with Columbia's top; a move that will again regiment all recorded popular music under two prices, 50c and 35c. Victor's recently reduced Red Seal semi-classical issues, at 75c, will remain at that figure.

Music publishers attach little importance to the move insofar as publisher royalties are concerned. "They figure they'll gain rather than lose the adjustment of the per side royalty payoff," publishers currently draw 2c a side for a 75c platter, 1 1/2c on a 50c-center and 1 1/4c on 35c sellers. Figure with a 50c top all around two records might be sold to a buyer accustomed to purchasing one 75c-center at a time, thereby upping their cut to three cents instead of two on one sale.

Victor has long steadfastly refused to adjust its top price to meet the competition set up by Columbia's drop to the 50c mark last year. Squawks of bands and artists that the higher scale was seriously impeding sales for home consumption, and especially in the all important coin machine end, made little impression. As recently as two months ago Victor insisted on maintaining the 75c price, forcing the Sammy Kaye band off Victor and over to Eli Oberstein's 35c Variety label. Kaye didn't want to drop to Victor's 35c. Bluebird sides.

### Band's Angle

When Columbia changed its label title from Brunswick to Columbia and dropped to 50c, the slash was one of the main reasons Benny Goodman shifted over from Victor. Tommy Dorsey and Larry Clinton, both still on Victor six-bit platters, devised means of getting around it and getting their stuff into coin machines. Both leaders now cut at least one record a month for the 35c Bluebirds. Dorsey with a small combo from his big band and Clinton with his full outfit. At least one, Clinton, will continue to cut for both labels.

Reluctance of coin machine ops to insert 75c platters in their dispensers is obvious. The basic cost per record is much higher and as a rule they get only an even play with the 35- and 50c-centers. Columbia's strong click on the higher-priced platter comes along, making it worth while, but those instances are few. Tommy Dorsey's current hit, "I'll Never Smile Again" is one. There are few machines without it, though it's on Victor's 75c issues.

### Affected Royalties

Victor currently pays its recording talent some of the highest prices in the business. Drop in the retail price will effect that setup, not in the guarantee monies paid to each band but probably in royalties. Instead of beginning royalty collection, for instance, at 50,000 sales on a particular platter that figure will be hiked to give Victor some sort of a profit margin.

Record company informed its dealers and distributors of the change in price by special letter late last week and followed it up with a complete outline of the new setup in its Victor Record News, sheet distributed only to dealers. As well as listing the revised retail price scale on all issues, the News tells its go-

### Carl Ravazza III

Chicago, Aug. 20. Carl Ravazza, orchestra leader, was rushed here from a date in Kansas City and is in the Masonic hospital recuperating from kidney ailment. May have to undergo an operation.

## 34 PUBS SUE U. S. RECORD FOR \$11,148

U.S. Record Corp. was served last week with papers in a suit for \$11,148 brought by Harry Fox, agent and trustee, in behalf of 34 publishing firms. The money is alleged to represent royalties due these firms for the first half of this year. Action was filed in the N.Y. supreme court.

Sydney W. Wattenberg, counsel for Fox in the case, attached to the complaint royalty statements received by the firms from the phonograph record manufacturer.

Among the suing publishers are Irving Berlin, Inc., Shapiro, Bernstein & Co., Paramount and Famous Music Corp., the Warner Bros. group and the Dreyfus, Fox, Chappell & Co. and Crawford Music Corp.

### Mpls. Band Activity

Minneapolis, Aug. 20. Band activity hereabouts is on the pick-up.

Blue Barron outfit has a one-nighter at Excelsior Amusement park this week. Freddie Fisher's "Schnickelfritzers" continue at the Happy Hour nitery for at least another fortnight. Paul Pendarvis orch follows the Dorothy Lewis St. Regis ice show into the Hotel Nicolet Minnesota Terrace Aug. 26. Skeeter Palmer orch starts an engagement this week at the Hotel Lowry Terrace cafe.

### Coleman Into Chez Paree

Chicago, Aug. 20. Emile Coleman orchestra has been set for the Chez Paree here opening Aug. 30.

Floor show lineup not completed yet, although Danny Kaye is understood set.

### SATHERLY BOSSES DISCS

Hollywood, Aug. 20. Art Satherly, Columbia Recording v.p., has arrived from New York to supervise recording 16 sides by Gene Autry for Vocalion label. Satherly is Autry's house guest during his stay here.

between that a new return privilege, changed from 7 1/2% to 5% to be retroactive to Aug. 1. Also explains Victor will do no advertising re new prices until Sept. 15 to give dealers time to adjust their activities. New York department stores, however, heavily played up the changes in their own daily paper ads since Monday (19).

# FURTHER ANALYSIS CUES JUKEBOX TAKE NEARER \$150,000,000 A YEAR

## Musician Serving Life For 16-Yr.-Old Murder Freed After Long Fight

Cleveland, Aug. 20.

John Kosinski, Cleveland musician who served two years of a life prison term for alleged murder, was granted a parole and released from Ohio Pen last week after a long legal fight put up by his family. Former bandmaster, known professionally as Fred Guss, got his walkout papers when Governor Bricker officially agreed there was a reasonable doubt of his guilt in a 16-year-old shooting affair.

Decision added another chapter in one of the most controversial, circumstantial cases ever held here. In 1938 a jury declared him guilty of killing a bank guard in a grocery store stick-up that took place in 1924. Although accordionist-maestro maintained he was playing in New York on that date, a cousin and two witnesses had the case reopened two years ago and testified against him. Kosinski's contention that his conviction was a case of mistaken identity was upheld when recent investigations discredited the witnesses' veracity.

Ex-bandmaster, who wrote several songs while in prison, said he will form a new orchestra and continue his fight to obtain full pardon.

## NIX ON N. Y. ARMORIES HITS DANCE PROMOTERS

Buffalo, Aug. 20.

Promoters' hopes that state armories might be reopened to public affairs in time for fall season went a-glimmering last week. State officials in Albany said that the drill sheds would remain closed, even to political conventions.

The ban is expected to hit hard at using armories for big shindigs, dance promoters, who relied on many choice bookings will doubtless have to be passed up this season. In many cities and towns the armory is the biggest hall.

Locally, there's hardly a spot at present to hold a name band shuffle. The 106th and 174th armories are out, and the Broadway Auditorium is being made into an armory, too.

## Possibly Up to 550,000 Machines Snaring Nickels—Setups, Splits, Disc Selectivity — Brushoff to Slot-Machine Pix

### Symphony in Suds

Sidelight on the amazing American jukebox industry is the manner in which it has made the country's bartenders music-lovers. With tunes from the nickelodeons dining in their ears almost continuously, there's scarcely a mahogany-polisher in the business who isn't an expert on jive.

Apparently the barkeeps listen to radios in their off-hours, too, for the jukebox service man seldom comes around without finding the suds purveyor demanding his latest fave be placed on the machine.

How many nickels are tossed into coin phonograph machines every year is something the jukebox statistical department has never had time to figure out; it's too busy adding up profits. But experts in the business in New York maintain that the \$65,000,000 to \$80,000,000 figure tossed off by the prez of the jukebox operators association and quoted in Variety recently is far too conservative. Truth to tell, they admit, no one in the industry is anxious to have it publicly known how big a business it really is for such talk breeds competition and taxes.

Nevertheless, it doesn't take a tribe of CPA's to do a bit of pencil work and figure that better than \$150,000,000 a year in nickels is going through the slots in the machines; which isn't black bread and beans. The \$150,000,000 a year figure, incidentally, is also the private estimate of the experts, although its size ever scares them.

Here's the way they total it up. There are known to be between 300,000 and 400,000 machines in locations throughout the country. (Mills Novelty Co., one of the biggest makers, estimates 550,000.) For statistical purposes, the 300,000 figure is used as a minimum. Each machine, in metropolitan areas like New York, Chicago, Philadelphia and Detroit, must take in no less than \$12 a week to be profitable to the operator. In less congested areas it's less, but not below \$7. Well, 300,000 machines at \$12 would be \$3,600,000 a week or \$187,200,000 a year. And if \$7 weekly is used as the figure, it comes to \$109,200,000 a year. So, by striking an average—and it must be remembered, metropolitan areas have many more machines than the sticks—\$150,000,000 a year becomes a pretty fair estimate.

Average \$15 a Week  
Average box in New York is said to take in \$15 a week. Some have been known to garner \$50.

Sharpening the pencil again and using some more of the statistics supplied by the gray boys, some additional interesting figures can be figured up. For instance, operators declare they must replace 25% of their machines a year. Good average for the price of the boxes, table and upright models included, is \$300. Which means, using the 300,000 machines figure, that \$22,500,000 a year is spent making storekeepers and bartenders happy with new and improved models.

Now, looking into the platter situation, the boys figure they must spend 7% of a machine's income for new recordings. Which means, if the \$150,000,000 yearly take for all boxes is used, the \$10,500,000 is being spent each 12 months on raw materials for the boxes.

Automatic music machine industry is, of course, nothing new. Almost anyone can remember way back when every keebeam parlor had an old Wurlitzer chute for nickels at each table. There were no selectors on the early devices and a 5c piece might draw anything from "Old Black Joe" to "Over There"—but certainly not the Basin Street Seven or "Rubber Baby Bump." It was impetus to the industry, though, was the repeal of prohibition, when thousands of taverns, honky-tonk cafes and roadhouses blossomed so fast they made mushrooms feel like (Continued on page 60)

## 'GOD BLESS AMERICA' NEW LEGION ANTHEM

Kenosha, Wis., Aug. 20.

When the American Legion held its state convention here last week several of the taverns added to their grosses by equipping their juke boxes with some of the tearjerking recordings of World War days—My Buddy, "Till the Boys Come Home," "A Baby's Prayer at Twilight," etc. As far as the Legion is concerned, the national anthem now is "God Bless America," heard in every block of a four-mile long parade and played by everything from a one-man band to the 100-piece Blatz post championship band of Milwaukee.

## L.A. CLAMPING ON SONG SHARKS

Los Angeles, Aug. 20.

Postoffice inspectors and execs of the Better Business Bureau are once more on the trail of song sharks, individuals who promise ambitious lyric and tune writers publication of their efforts—at so much per. Revenue from these sources is claimed by those in the know to be biggest in 15 years, after authorities had managed to put a quietus on the gentry following loud wails and long investigations.

Classified columns of local dailies are the preliminary stamping ground for the "sharks," alluring promises being held out to the amateur songwriter that for a few dollars his or her composition will not only be published, but actually introduced in public.

L. Wolfe Gilbert, local vice prexy of the Songwriters' Protective Association, is co-operating with the authorities who are again trying to stamp out the racket. American Society of Composers, Authors and Publishers is also lending aid.

Jack Tiegarden will play five days on Steel Pier, A. C., beginning Monday (26).

## Buck, Paine Get Vote of Confidence From ASCAP Bd. In Radio Negotiations

In what was perhaps the longest board session in the history of ASCAP, the meeting from 11 a.m. last Thursday (19) until 7 p.m. clarified the Society's relations with radio. The board voted confidence anew. Gene Buck and John G. Paine, prez and g.m., respectively, of ASCAP, in their negotiations on the contract with the broadcasters. Buck and Paine gave an accounting of their activities in San Francisco during the National Assn. of Broadcasters convention, Aug. 5-8, from which they were barred, but during which period both got plenty of opportunity to discuss the plenty issues with the individual broadcasters in Frisco for the conclave. Buck also presided at a special ASCAP membership meeting in Hollywood the following Tuesday.

The society is proceeding with its public relations under A. P. Waxman to educate the public and industry on ASCAP's demands from commercial radio in relation to the net gross amount of billings.

Buck told the ASCAP board again that the Society's door was ever open to the broadcasters for negotiations of new contracts and he hoped that now that the excitement of NAB, BMI and the rest of it was over, the radio people would sit down and get together on terms, etc.

## Bryson Orch's Auto Crash Cancels Des Moines Date

Des Moines, Aug. 20.

Clay Bryson's Oklahoma highway crash hit Riverview Park here Sunday (18), when Bryson's band was unable to show for a week's engagement at the park's Riviera ballroom. Park got the news Saturday night and shot a rush plea to Blue Steele whose band was on a week layoff. Blue called in his band from Oklahoma, Omaha, Kansas City, Hot Springs and Cincinnati to grab the week's work.

Bryson was on hand, minus his tooters, Sunday to sing with those of Steele's aggregation who arrived in time to beat it out for the 500 patrons.

### Mel Smith Suicides

Lincoln, Neb., Aug. 20.

Mel Smith, 40, Nebraska dance band and nitery promoter who occasionally fronted his own outfit, hanged himself in the basement of his home at Fairbury.

Financial difficulties were blamed for the suicide by associates. Body was found by Smith's wife.

## On the Upbeat

Emerson Gill orchestra current at Woodward's Pavilion, Coloma, Mich.

Freddie Engel's orchestra, with Beverly Woods, singer, and Joseph Enns, pianist, and accordionist, playing at Igo's, new dine and dance spot on Albany-Schenectady Road.

Henry Busse's orch has been booked to headline L. A. Orpheum show early in September, marking Busse's first invasion of Coast in several years.

Dal Richards' orch, currently playing at the Hotel Vancouver, Vancouver, will be seen in the Canadian-made picture '49th Parallel.'

Jan Garber's orch will play the Auditorium, Vancouver, Sept. 3, under sponsorship of Guy Patrick, of the hockey Patriots.

Benny Goodman, accompanied by his mother and his sister and brother-in-law, Dr. and Mrs. Harry Winstberg, of Chicago, resting at the Banff Springs (Canada) hotel after his recent operation at Rochester, Minn.

Jan Garber is doing a four-week tour of one-nighters along the West Coast, opening at Long Beach.

Kay Kyser increased his band to 16 pieces with three additions. Newcomers are Noni Bernardi, sax; Roe Hillman, guitar, and Willard Brady, tenor-sax.

Everett Hoagland's ticket at Bill Green's, Pittsburgh, has been extended for remainder of outdoor season, which winds up around Labor Day.

Earl Mellen opened week's engagement Monday (19) at Kenneywood Park, Pittsburgh, and will be succeeded by Lawrence Welk.

Mary Klieg, without previous professional experience, won vocalist's berth with Sid Dickler orch in Pittsburgh following series of public auditions.

Joe Vilella, KQV, Pittsburgh, announcer, has picked Helen Mason and Pee Wee Johnson to do vocals with his band opening at New Penn, Pitt, Thursday (22).

Ralph Hawkins, -Artie Shaw drummer, to Ina Ray Hutton's band. Later goes into Astor hotel, N. Y., Sept. 2.

Frankie Masters band now personal-managed by Arthur Michael-Jimi Peppe. Masters currently at Taft hotel, N. Y.

Tommy Reynolds was booked into Paramount theatre, N. Y., by Milton Berger of Jack Davies office, opening in October, and not MCA.

George Berg replaced Milt Fields, tenor sax, with Will Hudson band at Lincoln hotel, N. Y.

Tommy Dorsey flies his entire band to Toronto's Canadian Exposition and back again this year. Dated

for Sept. 4-7. Dorsey is currently making wire arrangements to do his hour Saturday afternoon sustaining broadcast from the road after he leaves the Astor hotel, N. Y., Aug. 28.

Woody Herman band renewed before option time came around at New Yorker hotel, N. Y. Set now until Oct. 9.

Guy Lombardo nearly cracked up his racing speedboat, Tempo, in Northport, L. I. harbor last week. Was testing it for race when he almost tangled with a rival at full speed.

Jerry Wald, Gus Steck and Col. Manny Prager bands being handled by new Fred Williamson-Herb Gordon firm.

Hugo Monaco orchestra set for month's engagement at Hotel Van Cleve, Dayton, opening Sept. 15.

Jimmie Grier, now playing the Plantation, Dallas, is booked in for a Sept. 10 one-night stand at Hotel Texas in same city. Grier's wife, Julie Gibson, vocalist with band, is headed for Hollywood, she said last week.

Maurice Spitalay opened an engagement at the Ohio Villa, near Akron, O., Aug. 14.

Jack Meakin's orch, with Patricia Norman as vocalist, is at Yankee Lake, near Sharon, Pa. Jimmy Dorsey booked there Aug. 18 (one-night).

Gene Krupa set for a return to Dancing Campus, World's Fair, N. Y., Sept. 3 for three weeks because of strong draw on first trip.

Willard Konk and band will open at Junile hotel, Toledo, Sept. 2, coming from Gay 90's Club, Indianapolis.

Col. Manny Prager has returned to Idora Park, near Youngstown, following Rudy Bundy on the grandstand.

Richard Avonde orch is back in Crystal Beach, Ontario, ballroom.

Buddy Rogers will finally disband his orchestra after the completion of his current Cavalier Beach hotel, Virginia Beach, Va., this Sunday (25). Rogers will go west for pictures.

Gene Krupa now has a four-man trumpet section. Added Shorty Cherock last week.

George Hall band shifted from Wm. Morris agency booking to Music Corp. of America Monday (19).

Atlanta office of Music Corp. of America has been closed and Jack Wittenmore moved to MCA's New York office.

New Ionian Room of Deshler Wallick hotel, Columbus, opens formally Friday (23), with music of Jerry Blaine. Remodeling cost \$50,000, room being enlarged as well redecorated.

Louise Tobin left vocalist spot with Will Bradley band.

Alvino Ray band leaving the Biltmore hotel, New York.

Meadowbrook, Cedar Grove, N. J., undergoing a refurbishing, its outdoor summer garden giving workmen a chance to do the inside. Chatterbox, at nearby Mountainside, N. J., also will undergo repairs. It'll be enlarged.

## Eddie LeBaron Reset For Rainbow Room

Eddie LeBaron, back from Hollywood following a spring and summer dance and theatre tour, with his band, returns to the Rainbow Room, N. Y., Oct. 18 for the winter. He's more less a fixture in this spot.

Meantime, managing director John Roy okayed LeBaron's engagement for four weeks at LaConga, N. Y., opening Sept. 15.

## Band Reviews

### IKE RAGON ORCH WITH Dorothy Reid Shadow Lake, Noel, Mo.

Around 400 people make up the formal population of Noel, Mo., on the fringe of the Ozarks virtually on the Arkansas line in southwest Missouri. During the summer it enjoys something of a rep as a resort and received a strong boost by 20th-Fox, which filmed outdoor shots for Jesse James on location there. Mecca of this area is Shadow Lake with sizeable ballroom and accessory attractions.

Band in the ballroom during the tourist season has been this crew of 10 men, leader and singer. It began the season under direction of Herb Haskett, but past couple of months has been batoned by Ike Ragon, a first-class trumpeter and former arranger for Boyd Raeburn. He also brings some recording experience and a personable air to carry off some novelty vocals and m.c. Haskett continues as first trombone and takes a hand in the specialty work.

That a resort like this can support a dance nightly and a Sunday tea dance gives some idea of the trade here and reflects a degree of credit on the band itself. For this kind of work, orch is heavily laden with novelty and specialty work, and carries a goodly sprinkling of corn. Elgin Scarborough, of the brass section, is equipped to do a Popeye type of song, and Kay Montgomery does special instrumental trumpeting and assists on the arrangements. Clyde Burke completes the brass section; Hubert Hanks, Gus Meador, Bill Pickett, make up the reeds, and rhythm section has Keith Meyers at piano, Bill Greer on drums, and Don Woods on tuba. For additional vocalizing, Ragon has Dorothy Reid, who works out frequently on both ballads and novelties. Girl has an exceptionally low range and has quality worthy additional development. This is her first season on the stand. After close of the resort season, crew will shed some of its corn and be seen in indoor spots in the mid-west. Band has some corners yet to be rounded off, but calibre is surprisingly above that expected from summer spot of this type. **Quint.**

### EDDIE OLIVER'S ORCHESTRA (9)

#### Ross Fenton Farms, N. J.

Fresh from their successes in Europe (where they were almost stranded by la guerre) and Florida, Oliver's boys fit in nicely with the decor of the Farms. Like a good baseball pitcher, Oliver has a sweet change of pace shifting from the sweet swingy stuff to the congas, rumbas and sambas with ease and smoothness.

Oliver, who has a pleasant manner and rostrum presence, conducts crew a la Eddy Duchin, while pacing the gang of the pianist and reed. The band consists of three violins (two of the boys doubling on saxes), one additional sax, a trumpet, bass, steel guitar, drummer.

Hy Kittenov is the full-time fiddler. Ted Stanley and Jay Jerome double between violin and tenor sax; Harry Steinfeld, first sax; Morris Liederman, trumpet; John Shanahan, drums; Vic Harvey, bass, and Ellison Harvey, steel guitar.

Violinist-saxophonist Jay Jerome triples as male vocalist and handles the assignment nicely. Miss Judson, a petite brunette, gives the feminine touch, and is best at the forty-five test.

The aggregation plays together with the cohesion and smoothness that comes with many months of teamwork on the bandstand. This crew had its first radio shot last week via the Fitch bandwagon and has U. S. A. promise. **Shal.**

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

Following is a totalization of the combined plugs of current tunes on NBC (WEAF and WJZ) and CBS (WABC) computed for the week from Monday through Sunday (Aug. 12-18). Total represents accumulated performances on the two major networks from 8 a.m. to 1 a.m. Symbol \* denotes film song, † stage musicals, all others are pop. Parenthetical numeral after the title indicates how many weeks the song has shown up in these listings.

TITLE	PUBLISHER	GRAND TOTAL
Blueberry Hill (6)	Chappell	38
I'll Never Smile Again (10)	Sun	38
I'm Nobody's Baby (10) *Andy Hardy Meets Deb.	Feist	31
Practice Makes Perfect (3)	BMI	30
Same Old Story (3)	BMI	30
Orchids for Remembrance (7)	Miller	29
I'm Stepping Out with a Memory Tonight (10)	Robbins	27
All This, and Heaven Too (9) *ATHT	Remick	25
Can't Get Indiana Off My Mind (3)	Santly	24
Pools Rush In (12)	BVC	24
Nearness of You (10)	Famous	24
Six Lessons from Madame La Zonga (10)	BVC	23
You Think of Ev'rything (3) *Aquacade	Robbins	23
Sierra Sue (15)	Shapiro	22
We Could Make Such Beautiful Music (7)	BMI	22
Danny Boy (15)	American	20
I Can't Resist You (13)	Ager	20
When the Swallows Come Back (8)	Witmark	20
Love Lies (3)	Robbins	18
Get the Moon Out of Your Eyes (4)	Paramount	18
Mister Meadowlark (8)	Mercer	17
You're Lonely and I'm Lonely (14) *La. Purchase	Berlin	17
I Can't Love You Anymore (16)	Olmstead	16
Maybe (3)	Robbins	16
You Can't Brush Me Off (12) *La. Purchase	Berlin	14
Breeze and I (16)	Marks	13
Call of the Canyon (3)	Shapiro	13
Meet the Sun Halfway (15) *If I Had My Way	Robbins	13
There I Go (3)	BMI	13
And So Do I (3)	Marks	12
Moon Won't Talk (3)	Regent	12
One Look at You (1)	Paramount	12
True Winds (2)	Robbins	12
Hear My Song, Violetta (13)	Crawford	11
That's for Me (2) *Rhythm on the River	Famous	11
Where-Do You Keep Your Heart?	Harms	11
Cossack (1)	Shapiro	10
Down by the G-h-i-e (8)	Forster	10

## Record Reviews

Will Bradley 'In a Spanish Town'—'As Long As I Love' (Col. 35566)  
'Spanish Town' shows the solid Bradley band up better than most of its recent recordings. Sharply clear brass and strong sax and rhythm sections give the standard a jumping ride that's plenty attractive. Bradley's trombone solo, however, is a shade too long. Reverse is also a good cutting. Breaks are frequent, clarinet, trumpet, piano and the trombone being spotlighted. Ray McKinley's drums are solid underpinning on both sides.

Larry Clinton 'I May Be Wrong'—'Love Lies' (Bluebird 10801)  
Clinton currently is leading the best band he's ever had, including his peak stretch. Outfit handles this old tune, used by most colored bands as a jump standard, in fine fashion. Arrangement gives it a lifting punch with neat brass and sax coloring. Sax and clarinet take breaks. 'Love' is at a sedate pace. Though it's played well the tune shakes up as an also.

Gene Krupa 'Never Smile Again'—'Maybe' (Okeh 5643)  
Rarely, if ever, does a rival and subsequent arrangement of a tune top the original and most popular one, but this turnout by Krupa and vocalist Howard Dulaney comes closer than any to Tommy Dorsey's version. Dulaney handles the fine lyrics smoothly and neatly, and the band's backing and finishing is solid. Tempo is slow. Old barroom fare, 'Maybe,' gets a whirl on the reverse. It's well handled and vocally by Irene Day.

Lionel Hampton 'Ghost of Chance'—'Dough-Ra-Me' (Victor 26696)  
Hampton has his usual trouble following melody on 'Ghost.' It isn't until the okay vocal by Helen Forrest, following the vibe beater's opening solo, that the standard shows through. Hampton is rated tops in his line, and rightly so, but it isn't often a melody is recognizable when he's playing it; this might just as well be an original except for the identifying vocal. It's slow tempo. 'Dough' again spotlights the vibes at a hopping speed. Guitar and piano break it, too.

Tommy Dorsey 'One I Love'—'And So Do I' (Victor 26660)  
Formula of 'I'll Never Smile Again' is used by Dorsey on 'Love,' though at a faster tempo. Frank Sinatra and the Pied Pipers do a strong job on the lyrics. It's a smoothly jumping piece, the band before the finishing vocal cutting solidly. Muted trombone, better than ever, and a sax break the ensemble. Reverse spotlights a neat vocal by Connie Haines. It's a rhythmic job by singer and band, making it two good sides.

Raymond Scott 'Birdseed Special'—'Four Beat Shuffle' (Columbia 35565)  
Scott's first four recordings, which Columbia heavily exploited last winter, were made with a crack studio band. These are by his new dance group and equally good. Both sides click, 'Birdseed' being an especially good turnout. It's an aptly named piece adhering strictly to Scott's style. Brass and saxes get ample opportunity to show and turn in a good job. Neat clarinet solo breaks. Reverse is in a more modern style, also good. Trombone stands out.

Al Donahue 'Route 23'—'Southern Fried' (Okeh 5660)  
One of a rash of institutional songs, '23' was written for Donahue's recent stand at Meadowbrook, Cedar Grove, N. J. Tune's arrangement and jump playing is a far cry from Donahue's days as a society band leader. And his modernized outfit has improved to a point where it can be listed a crack group. Sax, clarinet and strong rhythm section stand out in '23.' 'Fried' is a similar piece, too close to be good contrast, but a good turnout nevertheless. Trumpet, piano and sax break it up.

**JIMMIE LUNCEFORD**  
AND HIS ORCHESTRA  
**CASA MANANA**  
CULVER CITY, CAL.  
Mgt. HAROLD OXLEY  
17 East 48th St., New York

An Outstanding New Hit by Mack Gordon and Harry Warren!

# I WOULDN'T TAKE A MILLION

from Shirley Temple's 20th Century-Fox film "YOUNG PEOPLE"

ROBBINS MUSIC CORPORATION • 799 Seventh Avenue, New York • MURRAY BAKER • LEO TALENT



## Tony Martin Tells Court Difference Between Being Singer and Maestro

Milwaukee, Aug. 20.

Tony Martin, who was docked half of his \$1,050 one-night guarantee for showing up an hour late to fill an engagement (11) at the Modernistic ballroom at State Fair park here, and now faces legal action for breach of contract in addition, was summoned before Court Commissioner Morris Stern for an examination Friday (16) and explained his idea as to what his contract called for.

Robert A. Hess and I. A. Goldberg, legal reps, respectively, for State Fair park and Martin, put the singer through a two-hour quiz on his ties in connection with his personal appearance tour with Bob Zurke's orchestra, which broke up following the trouble here.

Martin insisted his contract didn't obligate him to be on the bandstand at 8:30 sharp, as the ballroom management maintains. He said it was customary for him to make his appearance at least half an hour or so after the orchestra was on the job, and by thus keeping his audience in suspense he was enabled to make a "better entrance." He said, too, that the clamor of fans for his autograph delayed his reaching the stand; but this concession to his public was all part of his job and he didn't consider an engagement complete unless he completed with the many requests for his signature.

"I sang until my throat was sore," said Martin, "so I certainly gave the crowd its money's worth. In fact, I really sang 22 times—'I'll Never Smile Again,' eight times; 'Sierra Sue,' five times; 'Punchinello,' three times, and so on."

Regarding his failure to broadcast a half hour of his program over WTMJ, Martin said his contract didn't call for that, but that he did do one song on the air because he thought it would help business.

Martin admitted that he pulled the Zurke orch off the stand in the middle of a number 15 minutes before scheduled quitting time because 50% of his guaranteed salary had been held up on account of his tardiness, but contended the withholding of this money constituted a violation of contract and also of union rules.

Owing to the illness of C. S. Rose, manager of State Fair Park, continuance of the hearing was deferred to a later date. Half the salary for his Milwaukee engagement is still held up pending final disposition of the action against him.

### Martin's Side

While admitting that perhaps his metier isn't leading a band on a one-nighter dance tour, Tony Martin footnotes that the reports of his differences with the management of the Modernistic ballroom in the State Fair park were entirely untrue at his own demand. The singer insists that he's a singer and, as such, he sang 22 numbers during that particular engagement; that dance promoters knew he was booked chiefly to front the Bob Zurke band, but that his singing schedule was not confined to any particular hours.

This is in answer to charges that he (Martin) showed up late, which he says he could do, per contract, so long as the Zurke band was on time. However, when there was no payoff at 10 p.m. on the night mentioned a week ago, he didn't worry, but when, at midnight, the ghost hadn't walked as yet, and the management talked deducting 50% for time-out, etc., he summarily ordered the band off the stand.

Martin says he phoned the William Morris agency in New York once before that he felt the dance tour wasn't exactly for him or his talents, but otherwise the 35 days' itinerary was pleasant in its relations with the Zurke boys; that he even paid them a personal bonus and cancelled at least one 400-mile jump to Tulsa because it would have been too tough all around.

Martin was surprised at the musicians local in Milwaukee holding for the ballroom management and not protecting him when he ordered the walkout as a general protection for the band personnel, and secondly in not understanding that he was engaged to draw people into the State Fair park, which he did. It's in this regard that Martin observes that when they come to dance they prefer a Glenn Miller or a Tommy Dorsey, whereas he's best when with a picture in the quiet of a theatre.

## Iowa State Fair Repeating Ballroom Stand; Aug. 23-30

Des Moines, Aug. 20.

Nightly rug-cutting, inaugurated by the Iowa State Fair last year with moderate success, will be continued this year, A. R. Corey, fair secretary, reveals.

Griff Williams is the only repeating band. Scat Davis will open the Fair for two nights, Aug. 23 and 24. Paul Pandaris is booked Aug. 25, followed by Anson, Weeks for two nights. Williams is scheduled Aug. 28.

Louis Armstrong's trumpet and floor show are being headlined Aug. 29, while Ted Fio Rito will wind up the Fair Aug. 30.

Tables will surround the portable dance floor this year instead of bleachers. Jack Hall, one time manager of the Riverview park ballroom here, will manage the jitterbug concession.

## Rines Cashing In On U. S. Records' Purity of Output

Refusal of Eli Oberstein's United States Recording Co. to issue any more so-called double entendre records, after it was censured for releasing Johnny Messner's "She Had to Go and Lose It at the Actor," has proved quite a bonanza for band-leader Joe Rines. Latter is the John Ryan for U. S. Varsity label, and of the private John Ryan label, cut, pressed and shipped to buyers by Rines himself.

Story started quite some time ago when Ryan first began to cut the stuff he does for Variety. One of his first was a double-meaning tune tagged "She Tried It Last Night," which U. S. finally refused to release after sending out a few sample and review copies that drew many orders. Rines then thought of the idea of having 'em privately pressed and shipped under the John Ryan label. So far, the platter has sold over 50,000 copies in the U. S. and Canada and has been followed by others, most recent being the "Hope Song," a spicy piece backed up by "Have You Heard What Happened to Susie."

Though refusing to release anything similar to "She Tried It," Varsity still releases Rines' John Ryan platters as fast as he can dig out and refurbish old material like "McNamara's Band," the tune currently being used by him at the State theatre, N. Y.

Rines began his week at the State by having John Ryan, in addition to his true name Rines, billed outside the theatre. After doing the "McNamara" number one show wherein a bit of hocus pocus was worked to intro himself, the leader found that it wasn't until after the number was completed did his audience get hep that he (Rines) was the John Ryan billed outside. The alias was pulled.

## Irving Koppelman Quits Robbins' Chicago Office

Chicago, Aug. 20.

Irving Koppelman has tendered his resignation as manager of the Chicago office of Robbins Music.

He intends to leave the music business and enter the women's wear industry with his father-in-law.

## Shelton Vice Kay in Chi

Chicago, Aug. 20.

Dick Shelton's orch comes into the Blackhawk cafe on Sept. 1, replacing the current Herbie Kay aggregation.

Also on the show will be the Ink Spots, making it the first time that the niterly has ever played a name attraction other than a band.

## Back to Home Lot

Ann Richardson, band agency exec who several months ago left Consolidated Radio Artists to join General Amusement Corp. as office manager and head of GAC's contract dept., resigned from the latter outfit last week and returned to CRA Monday (19).

She assumes her old position as assistant to Charles Green, prez of CRA.

## GLEN IS. MULLS YEAR-ROUND OPERATION

Glen Island Casino, New Rochelle, N. Y., summer name band stand, is toying with the idea of breaking its 10-year "summer only" rule and remaining open all this coming winter. Operators of the spot, which currently has Bobby Byrne's band, are lining up orchestra talent, but won't attempt a winter season unless bands of sufficient b.o. strength can definitely be booked in succession and far enough in advance. Byrne closes there Sept. 8.

Winter bands will be only for short stretches in comparison to the hot month method, which uses only one band throughout. Spot will also revise its tab setup. Prices and minimum are to be lowered and the current charge for car parking eliminated.

Glen Island is considered one of the most important summer location jobs in the country by bandleaders. It has been the springboard to success for quite a number of crews. Glenn Miller's current highriding being based on his stay there last summer.

## Band Bookings

George Olsen, Sept. 5, New Casino, Indianapolis, Miss.; 7, Dunbar Cave, Clarksville, Tenn.

Will Osborne, Sept. 6, Colonial theatre, Dayton; 13, week, Palace theatre, Cleveland; Oct. 9, Chase H. St. Louis.

Duke Ellington, Aug. 23-24, Canadian National Expo, Toronto; Sept. 3, Club Trocadero, Henderson, Ky.; Oct. 11, Savoy B., Chicago.

Ted Lewis, Sept. 7, Meadow Acres B., Topeka, Kan.; 8, Turnpike Casino, Lincoln, Neb.; 15, week, Orpheum theatre, Minneapolis.

Will Bradley, Aug. 24, Lakeside Park, Barnstable, Pa.; 27, Ritz theatre, Newburgh, N. Y.

Henry Busse, Sept. 12, El Patio B., Reno, Nev.; 13, Vallejo B., Vallejo, Calif.; 14-15, Sweet's B., Sacramento, Cal.; 18, week, Orpheum theatre, L. A.; 26, six weeks, Casa Manana, Los Angeles.

## Jack Meakin 'A Grand Guy,' Says Pitt Cafe Op, Who's Sorry He Can't Pay Off

Pittsburgh, Aug. 20.

Jack Meakin, the band leader, has concluded after a Pittsburgh experience that when one cheek is slapped, a good idea is not to turn the other, but run immediately for the nearest exit. It was detailed in VARIETY's columns a couple of weeks ago how Meakin came to town with his orch, found the spot (Riviera) he had been booked into was a dilapidated, run-down place and pitched in at once with his wife (Patricia Norman), his manager, Ham Baron, and his musicians for brush-up, paint-up and clean-up of the outdoor patio so that they'd at least have a fairly respectable room in which to show their wares.

The proprietor, Carlo Pugliese, was grateful, very grateful, so much so that he wanted to make Meakin a partner, but the latter said he'd stick to his music. Meakin increased business considerably, but what he didn't know was that the Riviera was so much in the hole that tradesmen and the union, for previous

## BMI Lands 2 Among 'Most Played' Leaders, But None in 25 'Best-Sellers'

### Apology for Big B.O.

Operators of Summit Beach Park, Akron, used an unusual method to point out a successful Jimmy Dorsey one-night date there last week. Spot took an ad in an Akron paper the day following, thanking everybody who showed up and apologizing in the same breath because it was "almost impossible for some persons to dance comfortably."

Ad stated that Dorsey's 3,800 draw shattered all attendance records for the place.

Band is now at the Fox theatre, Detroit, after another record cracking week at Cedar Point, Sandusky, O.

## Shaw to Do Plenty Flying For Radio, S.F. Hotel Dates

Because the Burns & Allen broadcast, for which he provides musical background, emanates from Hollywood and his band will be working a date at the Palace hotel, San Francisco, after Sept. 12, Artie Shaw will be forced to fly the entire outfit between the two points each week. However, for the Sept. 23, 30 and Oct. 7 airings, B. & A. shift Glenn Miller's current highriding being based on his stay there last summer.

The forgotten men of the modern dance band business—string instrument players—gave Shaw quite a hassle before he found violinists, viola and cello players with sufficient sense of current dance rhythms to enable him to get the new crew in working order. Few present day dance bands use such string sections and as a result the breed had almost petered out. It proved a difficult task to unearth men capable of sawing strings in a manner to fit his ideas, and the style he wanted. Crew consists of 22 men; five brass, four saxes, four rhythm, six violins, two violas and a cellist.

Band is also set for a Feb. 1 opening at the new Palladium Ballroom, Los Angeles.

Carl Deacon Moore will play a one-night stand at the Trionton, Toledo, Aug. 22. Trionton reopened Aug. 17 after summer shutdown with Elliot Hoyt's band.

Broadcast Music, Inc., has succeeded in getting two of its tunes up among the leaders of the "most played" list. While this has caused eyebrow-lifting among the Tin Pan Alley element, the latter find some compensation in the circumstance that, out of the 50 or more tunes published by BMI, not a single one has yet rated among the first 25 best-sellers. Situation, say the Alleyites, bears out the old observation that a number can be plugged to a faretheewell, but if it isn't commercial it won't sell a copy. What still makes a hit song is the measure of its sheet sales.

Angle that has particularly aroused the attention of music men within the ASCAP fold is that BMI has been able to induce some commercial programs to play its music. But that was to be expected, since most agency producers have got into the habit of picking their repertoires from among the top-runners in the previous week's most played list. It's a practice that many publishers for years have scored as the damnation of the music business and now the evil, which other publishers fought to preserve when reforms for this "most played" list were proposed, has come home to roost and plague the established faction of the industry.

Jobbers report that while the sheet sales of the BMI catalog has so far been negligible, there was something of a pickup for this quarter last week.

There are four BMI tunes in all in the "most played list." They are "Practice Makes Perfect," and "Same Old Story," fourth and fifth, and "We Could Make Such Beautiful Music" and "There I Go," further down.

## Local 802 Will Probe Report Maria Kramer Tried to 'Buy' Brown

Controversy over the recent start and sudden exit by Les Brown's orchestra from a scheduled stand at the Lincoln hotel, New York, has reached the point where it is to be investigated by local 802 of the American Federation of Musicians. Brown's band replaced Charlie Barnett's at the hotel early this month. Because Maria Kramer, owner of the hotel, is alleged to have been unable to cut into part ownership of Brown's crew unless she first bought out the interest in it held by Joe Glaser, the band's manager, the date is reported to have been cut to one week and the Will Hudson band substituted.

Mrs. Kramer, who allegedly has an interest in four or five of the bands she has used at her hotels, the Lincoln and Edison, in the past and present, is said to have asked Brown to break his management contract with Glaser so that she could move in. Brown referred her to Glaser, who agreed to bow out of the picture if he were paid \$1,600 he had invested in the group. This was refused and the band got its notice before the week was out.

## DEADLINE PASSED FOR BMI-FEIST DEAL

Monday (19) was the reported deadline for a \$1,750,000 deal whereby Broadcast Music, Inc., was to take over the Leo Feist, Inc. catalog, separate and apart from the former \$3,750,000 negotiations by BMI for all three Metro music firms (Feist, Robbins and Miller).

Budgetitis, among other things, had kayoed negotiations by the broadcasters for the big-money deal whereupon the idea of succeeding Feist alone from the ASCAP setup was born. J. T. Abeles, copyright attorney for Metro-Robbins, handled the dicker with Sidney M. Kaye, repping the radio faction.

Paul Specht, ex-bandleader, now personal managing Russ Morgan. Latter band is at Pennsylvania hotel, N. Y.

## Night Club Reviews

### BON-AIR, CHI

Chicago, Aug. 17.

Lathrop Bros. and Virginia Lee (3), Russell, Readinger, Twining, Jane Froman, Sammy Rose Girls (16), Abe Lyman Orch with Rose Blane; \$2.50 minimum.

Bon-Air, which has been struggling earlier in the season, has come back strong at the wind-up, primarily on the current stay of Abe Lyman, whose strong personal following makes him a powerful box-office item.

Lyman's band is turning out splendid dance music and doing a bang-up job of accompaniment on a tough musical floor show. Dances such as the Readinger and a singer such as Jane Froman have highly arranged music, and it is no easy assignment to handle.

Bon-Air itself remains a treat on its own. Situated on a beautifully kept expanse of grounds, with a golf course and a swimming pool in conjunction, the general atmosphere seemingly can be matched by few spots.

Miss Froman holds over from the last show and continues to impress. Lathrop Bros. and Virginia Lee, dance duo, have been standard in vaude and nitery. Appearance is their forte and they never style is a surefire selling point. Especially effective in their closing strut number with all three in tails.

Readinger Twins reel off outstanding dance routines and have a fresh and novel approach and seemed slated for really big things.

Russell Swann is m.c. as well as comedian and magician on the show. He has a clever sense of handling a nitery audience, never letting its attention wander. His tricks are good, but his comedy manner of handling them is better. Particularly bright is his use of Max, a mechanical cobra, to pick out mystery cards. Max is a solid comedy idea basically and Swann has worked out some funny biz with the gadget. Sammy Rose girls hold over and dress up the stage. Rose Blane is the warbler with the Lyman band. She is not working in the floor show, but continues to do an excellent job of vocalizing on the ether and dance sessions. Gold.

### HURRICANE, N. Y.

Romo Vincent, Moore & Revel, Let Lahni, Jerry Kruger, Richard Carson, Eddie Bush Society Islanders (12), Chiquita's congarumba band (7); \$1.25 minimum.

This Tahiti-on-Broadway nitery, the site of the old Paradise, later the ill-fated 'Ziegfeld Midnight Frolic', has finally turned the tide under Mario's direction and with the not too secretive financial beneficence of George Raft. Not only an angel, Raft was the ideal sponsor in also making the Hurricane his unofficial hangout during recent visits to New York, with result it lent extra impetus to the room.

Prime factor, however, is the switch from indifference to sock values, revolves around the roundtomo Vincent, an uninhibited comedian who has been knocking around until suddenly he became a star in this room. He has an unique style, self-kidding his girth, and of a size and manner that's ingratiating rather than creating skepticism. The fact that he's change of pace from the usual sleek and too savoir-faire confereencers has something to do with it.

Riding the crest of the South Seas vogue, this room came in on the heels of the click by Monte Proser with his Beachcomber; and now Vincent makes no bones about his kidding-on-the-sea small talk: 'There's no room in this town for two of us, so get out of town Beachcomber.'

Moore and Revel with their hoke bolocromology are, as ever, clikky further by new bits and comedy. Their contrast of yesterday's shag to 'Turkey Trot' 'Bunny Hug' music as against the 1940 version evidences that there's really not too much difference basically. The travesty style of Miss Moore, foiled by Revel, gets over well in this large capacity room.

Let Lahni is a Tahitian ferper, Jerry Kruger a singer, who swings everything including 'Swingtime' Richards and Carson, tapsteppers, and two bands, batoned by Eddie Bush and Chiquita, round it out. Bush's combo of 14 is equally divided between U. S. and Hawaiian musicians and they give out with a brisk brand of datsipation. Bush plays the show well and foils excellently with Vincent, et al. He has a content slapper who's also a standout. The alternate congarumba band, led by Chiquita, is an equally sturdy relick aggregation. For usual, the suave Fred 'The Duke' La Grange, is at the door and handles his room well. Minimum tariff \$1.25 table d'hote; average check \$2. Abel,

### PANTHER ROOM, CHI (SHERMAN HOTEL)

Chicago, Aug. 18.

Raymond Scott Orch, Nan Wynn, Katherine Dunham Dancers (12).

From Raymond Scott's quintet has blossomed an outstanding modern dance orchestra. That modern youngsters are not just jitterbugs, but have a basic knowledge of present-day music is indicated by Scott's excellent business in this basement spot.

Much of the stuff that the Scott aggregation dispenses consists of his original instrumentals. As a composer Scott unquestionably has a fundamental grasp of values in addition to a fine twist of originality. His stuff is smart and polished, but has a wide and popular base making for an unbeatable combination.

As an orchestra the Scott band has distinction. It's not swingers, yet it plays swing. It isn't a sweet band; yet it plays sweet music. Arrangements are full of taste and vivacity, and the execution is superb. In all, the Scott band scores on its initial bow and indicates an excellent future.

Nan Wynn is vocalist with the orchestra on the floor show. A singer with okay pipes, she is the closest thing to a femme crooner. The result is ear-satisfying.

On the floor show are the Katherine Dunham colored troupe, which does ballet-type, modernistic posturing. The numbers are striking enough, especially the tom-tom routine, but the act has a limited playing potential in niteries or vaude. About the best place for the Dunham troupe is in legit. Miss Dunham was formerly with the Federal Theatre in Chicago and created a lack of numbers for the FTP production here. Gold.

### Chez Maurice, Montreal

Montreal, Aug. 19.

Edith Rogers Dahl, Pat Healey, Flying Del Rio, Bobby Rollins, House, Lina, Shouder (8), Eddie Alexander Orch (8); no cover, no minimum.

This is a clever end-of-summer bet for Montreal's ace nitery. Opening last week in mid hot spell, show brought in big good enough for average Saturday night here, largely on the heels of Hollywood headliner, Edith Rogers Dahl. She bases act on General Franco's commutation of death sentence on husband flyer, captured in Spain, and created a lack of telling her story quickly and smoothly with humorous touches that put it over. Crowd warmed to her husky contralto and neat violin and her French songs she has a couple of calls. She has personality.

Pat Healey helps Miss Dahl as piano accompanist and throws plenty zip into a snappy ivory turn, some what wacky, the edges. Works hard without adding to customers' temperatures and garners good audience reaction.

Flying Del Rio slips into a spot of acrobaticity in dive-bomber tempo that wooed crowd and looks at times like finishing in the laps of the paymaster. Shouder, who voiced emcee, handles acts efficiently and sings surefire 'England' ditty, which is pay-dirt anywhere in these billing. Yvette Dare, who's been in Chez Maurice close onto a year, is drilled to the split-second and has a snappy routine with nifty costume changes. Eddie Alexander batons show, giving good support to acts and turns out smooth hoof music. Lane.

### CHASE CLUB, ST. L.

(HOTEL CHASE)

St. Louis, Aug. 8.

Lee Sims and Irmay Bailey, Theodore and Denesha, Josephine Del Mar, Carlos Molina Orch (12); minimum, \$1.25 and \$1.75.

While Lee Sims and Irmay Bailey have trekked all over the universe doing their combo piano playing and dancing, they are entirely too new to this burg, and despite terrific opposition from outdoor spots, they are bringing 'em in steadily to this hot west end night spot. The late show, as is particularly heavily patronized. Coming directly from New York for this engagement, the pair is giving natives both quality and quantity with ringdiers' demanding more and more.

Current show is a good one, with one exception. Josephine Del Mar's tendency to bump all over the place is entirely too suggestive and too long drawn out for a place of this caliber, and before she bows off her terping wriggling has become bore-some. Mooted and shortened, it would be o.k.

After Carlos Molina and his Latin-American tooters pour out a Spanish tune, with the maestro handling the guitar, Miss Del Mar's interpretation of 'Say Si Si' and 'Cachita' are acceptably done and her backbends and smooth dance

steps are o.k. But when she goes into the torso twisting to heavy drumbeats and for no reason at all hikes the skirt of her evening gown and begins to toss vigorous bumps in the center of the small floor, it's too much, it's worth the edge off her previous good work.

What disappointment may have been generated by Miss Del Mar is quickly shaken off by Theodore a Denesha, a personable pair, who seemingly have an unlimited supply of dance routines ranging from a waltz tagged 'Dance of Tomorrow' to combo rhumba-adagio. Denesha designs and makes her own gowns, and at show tagged over an attractive head-studded flimsy blue one. The fact that she's a lightweight enables Theodore, with the physique of a varsity fullback, to handle her with considerable elat in the intricate adagio.

This put the payees a swell frame of mind for the piece de resistance, Sims and Bailey, and they don't disappoint. Miss Bailey, in a white summer gown with a gardenia done high on her head, makes a pretty picture and won the customers from the kickoff with her lyric soprano. Her first number is 'Donkey Serenade', followed by 'Wish Upon a Star'. For the first of a series of encores she warbles 'Lovely to Look At', with Sims doing some hot ivory tickling between bars. Two other tunes, with her best scores are 'Boom' and 'Gianina Mia'.

The customers demanded more, and Sims accommodated a ringsider with a piano rendition of 'Star Dust'. That was done as well as anything in the entire act. Pair indulge in polite gagging between numbers and seemingly have no set routine.

Molina, currently in his sixth week at this spot, does what little m.c.ing is required in addition to maestroing. Patronage is ahead of last summer, but talent costs have mounted and management is not about the same profit as last year. Schu.

### Leon & Eddie's, N. Y.

Archie Robbins, Anne Barrett, Denise Anderson, Duval, Merle and Lee, Cesar and Rosita with Pancho, Yvette Dare, Line (8), Lou Martin's Orch with Dolores Del Carmen.

When peelers discover new and better ways to take it off, depend on Messrs. Leon Enken and Eddie Davis to make them at once an' a cutment of their 52d street establishment for the delectation of travel-weary salesmen and not-so-very New Yorkers. L. & E. in its now show opened Friday (16), presents two ladies in two separate acts who have probably touched the height of ingenuity in achieving deshabille. When one has finished her turn it seems there can be nothing left in the act of such an unlikable as some other damsel fair to prove there is.

No. 1 in this demonstration of pulchritude unadorned is Denise Anderson, whose disrobing is more fully described under New Acts. No. 2 is Yvette Dare, who's been here before. Suffice it to say for Miss Anderson that her costume consists of gentlemen's clothing, and she moved one by one to both the visual and chattel enrichment of ringside spectators. By way of a tieup (no pun intended) with a manufacturer, these who receive the cravat from Miss Anderson have them for keeps. Miss Dare's neat shortcut to nakedness is made clear by her complete billowing 'Yvette' bodice with a Snatching Parrot. Beautiful fugitive from a taxidriver comes off its perch first to nip Yvette's bra away, then to grab the drapey that serves as a shirt. Smart hand.

M.c. in the L. & E. goes-on is Archie Robbins. (New Acts) who also doubles at the Plymouth theatre each night to do a 20-minute stint in 'Separate Rooms' legit comedy. Another one for New Acts is Anne Barrett, who makes you uncertain whether this is Betty Hutton under new tag or just a very exact carbon copy. Miss Hutton's turn as a wild-woman warbler has won her considerable favor, so Miss Barrett's may be expected to do the same.

Duval, Merle and Lee (reviewed under New Acts) as they are not in Variety's files, although a turn, well take care of comedy portions of the show. Their knock-out ballroom technique is tops. Cesar and Rosita, the Pancho and conga (New Acts), are a congarumba team.

L. & E. line, highly noteworthy as such things go for the optic-appealing quality of its members. Their dancing's not bad, either, but who cares? makes a couple of appearances to fill out the proceedings nicely. Lou Martin's orch provides background for both New Acts, dancing, and very acceptably. Dolores Del Carmen, who shakes the maracas and chirps with the band, is particularly fetching both as an object for gawdery and for her vocalizing.

All in all, the Messrs. L. & E. have devised a frothy tidbit to make the mid-summer heat something easily to get by. The show is being held, mentally, is vacationing at Saratoga, which accounts for its absence from the entertainment roster. Herb.

## Bands at the Boxoffice

(Presented herewith, a weekly tabulation, is the estimated cover charge business being done by name bands in various New York hotels, dinner, bar and lounge, not rated. Figures after name of hotel give room capacity and cover charge. Larger amount designates weekend and holiday price.)

Band	Hotel	Covers	Week	Total
Will Hudson	Lincoln (225; 50c-\$1.10)	2	300	750
Woody Herman	New Yorker (400; 75c-\$1.50)	1	1,475	2,150
Russ Morgan	Pennsylvania (500; 75c-\$1.50)	1	925	1,450
Tommy Dorsey	Astor (900; 75c-\$1.10)	13	3,300	40,525
Ray Kinney	Lexington (300; 75c-\$1.50)	14	1,275	18,148
Alvino Rey	Biltmore (300; \$1-\$1.50)	8	325	4,550

\* Asterisks indicate a supporting floor show, although the band is the major draw.

### Little Rathskeller (PHILADELPHIA)

Philadelphia, Aug. 19.  
Ralph Lewis, Betty and Bob Brown, Robert Roberts, Sally Keith, Johnny and George, Victor Hugo Orch (7); 75c minimum.

A midsummer Monday night, usually poison to the nitery biz, is just another cushy evening for the cash register at the Kaliner Bros' Little Rathskeller (capacity, 600). The secret of this phenomenon on Philly's nitery picture is answered by the show this week that offers a wide variety and is choiceful of what the Kensington millworkers want in a night out for a couple of bucks.

Leading off is Ralph Lewis, m.c. comedian, who is just rising enough to give the hefty hauftrauf something to giggle about—and they giggle plenty. After leading off with a pseudo-patriotic tune, 'Let Them Keep It Over There', he goes into his chief-stock-in-trade, double entendre, which isn't so double. Sample tune: 'I Used to Shovel for the Czar'. Wielding a broom and shovel he sings of the trials of a street cleaner who followed the Russian Imperial Cavalry. Nothing for the Academy of Music crowd, but the Rathskeller clientele loved it.

Roberta Roberts (New Acts) is also a click. A protegee of Harry Richmond, she is pleasing in her selection of tunes. She's also quite a looker in a sophisticated manner. A novelty is the dancing act of Betty and Bob Brown. After doing a couple of dead routines, a la the rube, the real show begins. The team does impersonations of Fred Astaire, Bill Robinson and Hal LeRoy after drawing caricatures of the three hoofers on a large poster pad. The art work is surprisingly good.

Sally Keith, an import from the burlesq field, is blonde with a streamlined chassis whose forte is swinging tassel clockwork and anticlockwise from various parts of her body. The tassel-swinging comes as a finale to a peeling act that is a concession to the a.k.s. down front. Johnny and George, closing act, are in their usual socko groove. Longtime faves here (they've played 12 weeks at the nearby Ball) were 'Johnny and George' and 'Hugie'. Numbers before the handclapping ceased. Among them are 'U-Do-Za' (one of their best), 'Comes Love', 'St. Louis Blues' and 'Bei Mir', a tune whose melody Hugh Lewis handles the show and datsipation assignment smoothly. The tapes were up at the midnight show Monday (19). Shal.

### S-B GET RENEWAL ON OLD FRIEDMAN TUNE

Renewal rights on the melody of 'When I Dream of Old Erin I Dream of You' have been obtained by Shapiro, Bernstein & Co. from the estate of the late Leo Friedman, the tune's composer.

Marvin Lee, the writer of the lyrics, has retained the renewal rights for himself.

### Willkie

Continued from page 1.  
ance speech of President Roosevelt, but the highest he has received on a campaign talk (Oct. 10, 1936) was 24.6. President Roosevelt's Charlottesville address (June 10, 1940) drew a record 45.5.

It was noticeable that even the strong Willkie-ites on the dailies commented Monday (19) on the Republican candidate's unfavorable radio impression. General Hugh Johnson, once a New Dealer and now columnist for the Scripps-Howard papers, which are definitely pro-Willkie, stated that Willkie is doomed to failure next November unless he greatly improves his radio stance.

Show biz in general is not greatly impressed by Willkie after hearing and reading his speech. Consensus is that he's a road-company Franklin D. Roosevelt. Herb.

### D'ARTEGA QUILTS BUFF TO HEAD OWN BAND

Buffalo, Aug. 20.  
Al D'Artega, who uses only the latter half of his tag in conducting, quits as maestro of Shea's Buffalo pit band Thursday (22) to form a dance outfit, which William Morris will handle. Expected to get underway in October in New York.  
D'Artega had the Jack Benny summer replacement spot in 1937; also Enna Jetlick series on NBC. This has been his third trip to Buffalo podium. Recently wrote the tune, 'Ask Your Heart'.

### Music Notes

Teddy Hall and Don George have written 'Concert to the Stars' with Doraine Music publishing.

Lou Comito, professional manager of Lincoln Music, weds Maybelle Rogers Sept. 8. Gus Gabriel, of Paramount Music, slated as best man.

Harry Woods and Al Dubin turning out new tunes at former's Lyme, Conn., retreat.

Curley Adams and Lolla Mont Gue, collaborating with Eddie Dowd, Fred Schwenk, Durward Brown and Jay Gordon, have placed seven numbers with Broadcast Music. Dowd, who clefted 'We Met Each Other in a Dream', is ill at the Will Rogers Memorial Hospital, Saranac Lake, N. Y.

Jimmy McHugh and Johnny Mercer collaborated on seven songs for the Kay Kyser picture, 'You'll Find Out', at RKO.

John W. Bratton and Leo Edwards wrote 'Then-Now-Forever' as the theme song for the preparedness short, 'Service with the Colors', at Warners.

Matt Dennis and Frank Kilguff sold their tune, 'Love Turns Winter Into Spring', to Vanguard Music, which is bankrolled by Fred MacMurray.

David Snell gets the musical scoring job on 'Third Finger, Left Hand' at Metro.

Edward Kay started scoring 'Up in the Air' for Monogram.

Max Steiner is set for the musical score on Warners' 'A Dispatch from Reuters'.

Mary Martin signed a new pact with Decca for a minimum of 16 song recordings in 12 months.

Julie Styne, George R. Brown and Sol Meyer have clefted four songs for Republics, 'Melody and Moonlight', 'Tahiti Hovey', 'Top of the Morning', 'I Close My Eyes' and 'Melody and Moonlight'.

Mills Music, Inc., is publishing the tunes in Edward Small's 'Kit Carson' production. Bob Wright, Cliff Forrest and Edward Ward co-wrote them.

Walter Scharrl is doing musical arrangements for 'Hit Parade of 1941' at Republic.

Gus Kahn and Nacio Herb Brown have formed a song-writing team for 'Ziegfeld Girl' at Metro.

Jack Scholl and Moe Jerome wrote three ditties for an untitled musical short at Warners. Songs are 'I Can't Get Along Little Diddle', 'The Bunk House Song' and 'Song of the Plains'.



# Italy at War Reaches Pittsburgh, With Angelo Di Palma Its Victim

By HAROLD W. COHEN

Pittsburgh, Aug. 20. Angelo Di Palma, a big, beefy, middle-aged, good-natured tenor, can blame the war for costing him what promised to be a life-time job here. Di Palma studied extensively in Milan a lot of years ago, was once a leading man in itinerant opera companies and even did a stretch in legit, although nobody out front knew it. He was the offstage voice who sang those operatic airs in "They Knew What They Wanted," with Richard Bennett and Pauline Lord.

Then about a decade back, Di Palma found himself in Cleveland, his pipes still strong and healthy but a bit below par for continued service to Bizet & Bros., so he drifted into restaurant work and stayed in one spot there for three years, another for two and still a third for one. In February, 1936, Tony Conforti brought him to Pittsburgh for a stretch at his (Conforti's) Nixon Cafe.

The big St. Patrick's Day flood followed Di Palma to town by six weeks, and at that time he had the distinction of being the only employed night club entertainer in these parts. For the Nixon had its own lighting plant and kept open, the other performers were marooned in downtown hotels and Di Palma showed up every night to sing his songs for those who dropped in to forget the catastrophe for a few hours.

## Soon Caught On

In no time at all, the burly tenor caught on and was a great asset to the Nixon Cafe inside and out. In the daytime, he used to stroll through the downtown streets trilling his "dormies" at the top of his voice; he did the same thing in department stores and film theatre lobbies, always making sure that those who stopped to listen knew in due time that he could be heard nightly at the Nixon. He became a walking advertisement for Conforti's spot, and a valuable one. His cheery countenance became as widely-known locally as the clock under Kaufmann's corner.

The years rolled on and so did Di Palma at the Nixon until he became a fixture there and the ring-siders used to crack that he went with the lease. Conforti said Di Palma could stay as long as he liked; Di Palma saw no reason why that shouldn't be forever. Last February he celebrated his fourth anniversary at the spot to hang up a run record never before equaled by any night club performer hereabouts. When he was off a week with laryngitis, by actual count nine out of every 10 customers to drop in asked for his address so they could call up and wish him a speedy recovery.

## Italian Lingo No Go

Then in May 11 Duce declared war on England. Di Palma did practically all of his numbers in his native Italian tongue. His English was only fair, and the songs he knew in English didn't quite fit the chunky, happy-go-lucky fellow's personality. Conforti's customers, the same ones who only a few weeks before were palm-pounding him back a dozen encores at every floor show, began to complain that they wanted to hear no part of the Italian language. So Di Palma switched to an all-English repertoire but he didn't sound the same. The applause him grew (Continued on page 54)

# GYPSY NINA JAILED FOR 'INDECENT' DANCE

Atlantic City, Aug. 20. Gypsy Ni toppled dancer at the local Chez Paree niteroy, on the Boardwalk, was arrested on orders of Mayor Tom Taggart Sunday (18) for overstepping the bounds of decency in her act. Miss Nina and her props were jail for 10 hours until John D'Agostina, owner of the Renault Tavern, which is near the Chez Paree, put up \$1,000 bail. Mayor Taggart had sent out a blanket order that all niteries keep their shows clean.

After several raids the city's chief exec has closed down 21 spots said to have been gambling estabs and forced Big Boardwalk bingo parlors to stop paying off in cash, thus unwittingly diverting traffic to the film theatres and the pier attractions. There's another "Gypsy Nina" in show biz, a singer, and not the stripper as above.

# AGVA Organizes Local Chapter in Youngstown

Youngstown, O., Aug. 20. Youngstown performers are being organized by the American Guild of Variety Artists. Jay Dash is local chairman, and John Pulse, deputy. Minimum rates, hours, and dressing room conditions will be among the first to be negotiated locally.

# N. Y. THEATRES WOULD LIMIT AGVA PACT

At a meeting of circuit and New York theatre representatives Monday afternoon (19) to discuss the American Guild of Variety Artists contract, which general accord has been reached, position taken was that the negotiations now being concluded would be, for the Greater N. Y. territory only, with separate negotiations to obtain for the balance of the country.

The RKO circuit, represented by Major L. E. Thompson, and the Paramount, N. Y., represented by Bob Weisman, have been particularly active in the direction of closing a contract that would cover Greater N. Y. only at this time. A meeting with AGVA will probably be set within the next few days to outline the result of the discussions held Monday.

In addition to Par and RKO, those represented in the present negotiations with AGVA include Warner Bros., Loew's, Skouras, Fabian, Brandt Bros., Roxy, Music Hall and other individual operators.

# CHARLES J. FREEMAN ARRIVES IN DALLAS

Dallas, Aug. 20. Charles J. Freeman, one of the best-known theatrical bookers and agents in show business, arrived in Dallas Sunday (18) preparatory to taking up his new duties with Interstate Circuit, Inc. According to R. J. O'Donnell, general manager of the organization, Freeman will join the Interstate booking department. His particular field will be the booking of stage attractions for Dallas and throughout the theatrical circuit. Freeman has for many years been the New York representative of Interstate in stage show negotiations. His contact with the company extends back to the halcyon days of vaudeville. Freeman's family will join him in two weeks.

# H. K. Minsky to Manage Burlesk Grand, St. Louis

St. Louis, Aug. 20. Harold Clamage, prez of the Wolverine Amusement Co., now here, has appointed H. K. Minsky, of New York, as manager of the Grand, town's second burlesk house. Minsky succeeds Sam Reider, who opened the house last fall and resigned several weeks ago. The Grand, operating at an admish scale of 25c for the early birds and 40c at night, had a successful 30-week season. Clamage said the house will probably reopen this month. The Garrick, spoke in the Izy Hirst wheel, is scheduled to relight this month with Jack Beck again the head man here.

## Niteroy Bombed

Sharon, Pa., Aug. 20. Exploded bomb badly damaged the front entrance to the Sky Club, on the Sharon-Warren road, just across the Ohio state line. Martin Letscher, owner, told officials he knew of no reason why anyone should wish to bomb the spot. No one was hurt.

# \$400,000 SUIT SETTLED ON N. Y.'S INT'L CASINO

Ted Hammerstein and Lewis H. Morris' suit over the rights to the International Casino, Inc., in which \$400,000 damages was sought, was settled and discontinued Thursday (15) out of the N. Y. supreme court. Defendants in the action were Chester H. Canning, Alex. Finn, Joseph H. Moss, National Casino, Inc., International Casino Productions, Inc., 1514 Broadway Corp., R. Baylor Knox and the City Bank Farmers Trust Co.

Hammerstein and Morris asserted in their complaint that on Jan. 20, 1939, they started negotiations with Knox, of City Bank, to obtain the lease of the International Casino, at 1514 Broadway. Moss was said to have been in the deal with the plaintiffs and Canning and Finn were claimed to have been the financiers who agreed to put up \$100,000 as a loan to get the venture under way. Hammerstein was to take charge of the amusements at \$20,000 yearly and Morris the banquet and convention department at \$10,000 yearly, the allegations continued. Profits were to be split, with 60% to the financiers and 40% to the plaintiffs and Moss. While the negotiations were pending, it is alleged that Canning, Finn, and Moss, in an attempt to eliminate the plaintiffs, secretly negotiated with Knox, secured the lease, formed National Casino, Inc., and took over the management of the cabaret.

Action sought the appointment of a disinterested receiver for the assets, and damages of \$250,000 for Hammerstein and \$150,000 for Morris.

# AGENTS UPHELD ON SWITCH FEE

First meeting of the joint standing committee of the American Guild of Variety Artists and the N. Y. Artists Representatives' Assn., held Friday (16), resulted in an important decision in favor of the agents. Committee ruled that when an act is spotted in a legit musical which later is condensed for vaude dates with the actor retained, the agent who did the original placing is entitled to continuous commissions.

Decision resulted from the complaints of agents Louis Shurr and Harry Bestry against Ben Blue and Ross Wyse, Jr., both of whom are in George White's "Scandals," currently playing picture houses. Shurr placed Blue and Bestry spotted Wyse in "Scandals" in its original legit version. They claimed the actors stopped paying commissions when the show was trimmed for pop appearances.

"Scandals" is now 100% AGVA and both acts will be forced to pay commissions, back and future.

# Music Hall's Test Suit Against U.S. Over Social Security Tax Payments

The Radio City Music Hall Corp., operators of Radio City Music Hall in N. Y., filed an unusual suit in N. Y. federal court yesterday (Tuesday) against the U. S. Government seeking the return of \$1,079 paid as a social security tax on certain employees of the house. The Music Hall claims that these employees are not permanent members of the house, but independent contractors and that it should not be responsible for payment of the tax.

The tax is for the year ending Dec. 31, 1938, at which time the Music Hall notified the Government that it classified its employees as four groups. The first of these are the regular performers, the Rockettes, and the Glee Club, who are employed for 52 weeks yearly, although not signed to contracts. The second group is performers engaged from time to time to augment the ballet, or to do the orchestra. The third and fourth groups comprise the special soloists such as Jan Peerce, Viola Philo, Edwina Easton, Robert Weede, Henrietta Schumann, et al., and special acts such as Buck and Bubbles, Eddie Peabody, Tip, Tap, and Toe, and so on. The latter three and like like, the Music Hall asserts, are nationally known vaudeville artists

# Maestro Reisman Urges Talent To Progress with the Times; Cafe Band Cues Differ Much From Vaude

By LEO REISMAN

## Roxy Sets 1st Bowes Unit To Play B'way in 4 Yrs.

First Major Bowes' unit of amateurs to play a Broadway vaudeville in four years is set to open Friday (23) at the Roxy. Last unit on Broadway played the same house, the Bowes amateurs then being at their b.o. peak.

Lou Goldberg, Bowes' general manager, set the Roxy deal.

# FABIANI SIGNED BY AGVA ON ICE SHOW

Philadelphia, Aug. 20.

The American Guild of Variety Artists, headed by chief Hoyt Haddock, took its first stride into the ice show branch by inking a closed-shop agreement with Ray Fabiani for his 'New York Ice Revue,' which opened last Wednesday (14) at his Philadelphia Gardens.

Fabiani agreed to a \$125 minimum for the show's principals and \$60 for chorus. Meant a \$10 hike for about a dozen of his 32-piece ensemble. Figures are net, skaters to pay commissions only on overage, and there's to be no docking for rained-out dates, etc. If Fabiani takes show out on road, minimum goes up \$10 for chorus.

Contract made no stipulations for rehearsal pay, show being all set to go when negotiations started, but provides train ticket for acts to point of origin. Fabiani posted \$8,000 bond covering show's fortnight here.

# HARTFORD'S STATE TO REOPEN AUG. 30

Hartford, Aug. 20.

After a 10-week summer layoff, the State, vaudeville, reopens Aug. 30. Opening bookings include Andrews Sisters and Lou Breese orch. Sam Kaplan will again direct eight-piece pit band. Number of days house will be open weekly will be determined as season progresses. First booking will run for four days through Labor Day. Sheman will again book out of New York.

Why don't the old-time vaudeville actors wake up and realize that the day of radio has created certain superiorities with which they, in their in-person performances, don't seem to be competing. What I mean is this:

The perfection of orchestral backgrounds and all trimmings and props to good performance with meticulous cueings over the air have educated the general public to well tailored performances.

The 'in person' performer in night clubs and vaudeville theatres should realize this and no longer be content to wait until the end of his engagement to get a good performance.

In radio, because there is only shot, all careful preparations are made in advance.

Radio and records, due to the large amounts of money involved, have possible and certainly always desirable a most meticulous and perfected orchestra background for vocal and script performance. This superiority is something that the public has become educated to, and when one goes into a vaudeville theatre today into a cafe and still hears the old-time, incomplete and non-musical backgrounds that were with us in the year 1919, one feels it. Hit-or-miss cueings, and all that sort of thing, that used to be acceptable once, because people didn't know any better, are no longer in the order of the day.

Also it is important that definite audible cues be established for proper functioning between the orchestra leader and the performer, since in the cafe the orchestra is usually behind the performer and therefore the leader cannot see his mouth function. In theatres, of course, the orchestra being in the pit, the performer is visible to the conductor and exact advance audible cues are therefore not quite so necessary.

## Sophisticated Audience

It has been said that most theatrical audiences are generally morose and have the age average of 12-year old intelligence. I never agreed with that, several points of view but do feel a great many laughs that have been secured in vaudeville theatres were secured from the portion of the audience that was young and/or unsophisticated.

When these same vaudeville performers step into a night club they must realize that the portion of their audience that used to respond to these obvious appeals has been eliminated, because the people that go to night clubs are generally older and certainly more experienced and sophisticated. It has been my observation that successful night club entertainment has been fairly sane and intelligent, and although some of the lyrics may be off-color the technique of presentation is superior. Since vaudeville has become, and is rapidly becoming more so, a thing of the past in the theatres, the only market left for performers will be night clubs or night restaurants.

Therefore, I feel it would be in the order of progress, and to the eventual success of a vaudeville performer if he started creating his material, and backgrounds thereto, with all these things in mind. Fore- (Continued on page 54)

# COLONIAL, DETROIT, ALL SET FOR VAUDE

Detroit, Aug. 20.

For the first time in 17 years, the Colonial, operating on a 24-hour-a-day basis several days a week, has closed. The house, operating closer to the downtown area, will undergo extensive remodeling, according to Raymond J. Schreiber, president of Midwest Theatres, Inc., operator of the Colonial.

A badly needed new cement floor will be put in, as well as new over-laid seats. Besides other general refurbishing new carpets and drapes go in.

The house, which did all right last season pioneering vaudeville downtown, will return to the policy again this fall. Date for the house's reopening has been set for Aug. 31 with the vaudeville season starting on Sept. 22.

## House Reviews

Continued from page 25

### EARLE, WASH.

for amusing version of 'Night and Day,' about his gal who eats 'night and day.'

Whole line then on for short routine to introduce 3 Music Masters, gents in tuxes with toy instruments, cardboard violin, with detachable parts, etc. One fellow tinkles piano while other two make better than average musical imitations with small buzzers placed between their lips. Imitations and effective patter sent the act to ovation.

Roxettes come on again to present Ames and Arno, comedy dancers liked locally. Addition to act this time is tall, dark and neat-looking male walk-on, providing good gags for gal and 'chance' to get a meal. Act is fast and never lags in its 10 minutes.

Miss Ritter comes out front in peach gown to introduce Austin and two gal singers at deep center mike. Austin gets under way with medley of 'My Blue Heaven,' etc. then to 'I'll Never Smile Again.' Gals come forward for fast five number and Doris Sherrell breaks into imitations of Hepburn, Jimmy Durante, etc. for good reception.

Biz S.R.O. at show caught.

### GOLDEN GATE, S. F.

San Francisco, Aug. 14. Clyde Hager, Hattie Knowles, Fetch and Deauville, Ray Vaughan, Clark and Bailey, Jed Dooley and Co., Peggy O'Neill's Girls, Charles Kaley, Orch., Anne of Windy Poplars (RKO).

Light on pic end this week. Gate is plugging vaude from 'Midsummer Carnival of Headline Hits' angle, with prominent spot also for March of Time's 'Spoils of Conquest.'

Opening footlight portion is comedy ace pair, Clark and Bailey, whose novel handstands and phony falls have clear results. To Ray Vaughan, billed as from Fred Allen's show and the British Broadcasting Corp., goes second position. Works bone-white xylophone and two sets of water-filled bottles, urging audience to hum or whistle pops with him. Little response at show caught, although audience liked act, particularly pianissimo xylo solo where Vaughan whacks slaves with bare hands only.

Trey spot occupied by Clyde Hager with his pitch routine. Moment he mouthed familiar 'G'way, 'b'other me,' ripple of recognition brought palms together, oldsters in audience particularly going for pithman patter. Gag of lathering stooge during demonstration got over nicely.

First to collect an encore at show caught was Hattie Knowles, round septa crooner who had bit in film 'Irene.' With enough voice to spill an eardrum, she puts personality into ditties like 'Funny That Way.' Does a couple of songs, then swaps gags with m.c. Kaley re her tonnage and landed solidly. Entirely aside

from talent, her hearty personality means plenty.

Jed Dooley holds down fifth slot with medley of blues, popes and gag magic, cemented together by steady flow of patter. Guy all but insults audience relevant applause or lack thereof, but they like it and pound palms. Fetch and Deauville close with fast dance routines during which they introduce acrobatic flips for healthy salutations.

Band and girls' collaboration on a nifty stunt this week. Parked in a corner in dim spot, Kaley impersonates old-time cobbler who reminisces over famed footies he's reshed. As he rames 'em, gals appear behind scrum on raised platform framed by band. Impersonated in the neat series of blackouts are Ann Pennington, Marilyn Miller, Gail Gray, Charlotte Greenwood, Dolly Sisters and Eleanor Powell.

Main floor two-thirds filled at second show.

### EMBASSY, N. Y.

(NEWSREELS)

Hum-drum is prevalent in this week's newsreels, with defense, significantly played up on both hemispheres, copping the spotlight. Most significant of the reels are the British preparations for the German blitz. Time, of course, doesn't permit anything of a more newsworthy nature and the defense moves by the Britons consequently assume a dated flavor, since the Nazi machine has already begun rolling, at least through the air.

Lack of action shots are marked by such clips as Willie again being given the spotlight, by Paramount, and the emphasis by the theatre management on the G.O.P. nominee once more lends credence to a favoritism that's pointed up by the absence of Roosevelt shots. The Elwood, Ind., favorite son is shown with Mary Pickford and General Hugh Johnson.

Some play is given to football preparations, a novelty in the sense that they get away from the usual seasonal sports. The All-Star colligations, training for their game with the National Pro champs, the Green Bay Packers, are given routine treatment by Par. Tennis gets the Pathe spot, with Bobby Riggs-Don McNeill, Alce Bratton-Helen Jacobs title matches shown. Camera treatment was particularly alert in the Riggs-McNeill match, which showed both making several spectacular plays, Riggs being the ultimate victor.

First pic (Par) of the Windsor in Bermuda have been dated by the complete coverage the wire and picture service have given their arrival. Rest of the shots on the whole are obvious publicity blurbs.

### LYRIC, INDPLS.

Indianapolis, Aug. 6. Clyde McCoy Orch (12), Bennett Sisters, Wayne Gregg, Dean Murphy, Martello and Mignon, Walton and O'Rourke, 6 Whirlwinds, 'Girl from Avenue A' (20th).

Even though the main attraction of the weekend was a few miles up the road from the Hoosier capital, mainly the Willie acceptance speech, quite a few of the locals found time to go to the shows.

Clyde McCoy orchestra is featured, most of the unit's time being spent in backing up McCoy and his trumpet.

Acts with the orch are some of the best seen around these parts in recent years. They are well balanced and go through their various tricks neatly. Show opens with the orch and McCoy doing a hot version of 'Tear it Down.' Band also does 'Want My Mama,' 'Smiles,' 'Basin Street Blues' and 'Sugar-Blues,' of course.

McCoy features the Bennett Sisters, who sing 'Six Lessons from Mine, La Zonga.' Also the gals dance, which is better than their singing. Best part of the band is Wayne Gregg, who vocals three numbers. McCoy lets him sit on the band stand for 45 minutes with nothing to do (he doesn't play an instrument) and then finally brings him up to the mike. Gregg has an easy style, a good voice and was very well received at this catching, taking four calls. Sing's 'Breeze and 'Who doesn't,' 'Never Smile Again' and 'Where Was I.' Walton and O'Rourke, two clever boys with a flock of trick marionettes, had the locals intrigued with their antics. Stripie Rosali, a marionette which struts, does good voice and puppets, one pianing, the other singing; rhumba dancers and skeletons are all very okay.

Martello and Mignon, adagio act—three men and a gal have a satisfactory turn. The six whirlwinds are just what their name implies, six young fellows on rollers who do some unusual skating in a very small space.

Highlight is Dean Murphy and his impersonations. His three best, Reid, Cavan, Eleanor Roosevelt and the President.

Biz good at third show Friday (16).

### Leo Reisman

Continued from page 53

ing laughs, waiting for them in a night club is very conspicuous and bad technique.

Joe E. Lewis Knows How. A wonderful example of the height of the night club form of technique is Joe E. Lewis who is the Heifetz in technique in the sincerity and style of his approach.

The same old vaudeville technique that I am haranguing has, on the radio, ruined some of formerly most successful performers. That is because in my opinion the technique of the radio is the personal approach of somebody sitting opposite you in an armchair, and not the approach of someone trying to shout up to the third gallery.

The sledge-hammer technique of our old-time vaudevillians may work with unsophisticates who think the publicized vaudeville actor is important and therefore what he does must be good, whether it is or not. But it does not work with sophisticated. They respond to persuasion and not to coercion.

The difference between the technique of yesterday and the technique of today, putting it as concisely as I can, is 'Don't push it. Let it ride.' But be sure that your performance is worth hearing.

### Di Palma

Continued from page 53

fainter and fainter, his encores less and less.

Last Saturday night (17) he packed his belongings and pulled out of the Nixon Cafe—after four years and a half of continuous service—this kindly, big-hearted guy who was always on tap morning, noon, or night for any and every local benefit, regardless of race, creed, color or nationality, this guy who used to sing 'God Bless America' and mean every word of it. He had no immediate plans, no future bookings, but he asked Conforti to let him go and Conforti agreed, reluctantly.

Perhaps in the not far distant future, DiPalma said, when the world has been restored to some degree of normalcy and prejudice has again disappeared, he'd like to come back to the Nixon and maybe even spend the rest of his days there singing gay and happy songs for gay and happy people. Tony Conforti, a bit saddened because things have turned out the way they have, said he could.

### H'WOOD CAFE STRIKE ENDS WITH UNION OK

Hollywood, Aug. 20. Strike at Jack's Cafe, Hollywood, ended when owners agreed to sign basic agreement with Amusement Federation Unions, Coast cooperative group of show biz unions. American Guild of Variety Artists pulled acts three weeks ago and established picket lines. AFU has a 44's tieup.

### Saranac Lake

By Happy Benway

Saranac, N. Y., Aug. 20. Frank Miller, tenor saxer formerly with the Charlie Spivak orch, is summing at his camp on Lower Saranac Lake and takes time out to serenade the bed-ridden.

Emmett Miller, who once was featured comedian with Al G. Fields Minstrels and now the top entertainer with Billroy's Comedians, gimped himself, with a pair of crutches, into the room of nearly every ozone of this colony with a handshake and a pack of smokes.

Al Pitcaithley, vaude entertainer, missed a meal to cover the Will Rogers and beside Vivian Vaughan (Vaughan Sisters), who is o.o.j. at the lodge, Lillian Mansfield, ex-Ziggy doll, is reported not feeling so hot.

Frank Kaiser, formerly Kaiser & Kaiser, Australian knife-throwers, back here after five years of ozoning in Switzerland. This column wonders why it is that more jugglers don't investigate the conditions of Harry and Charlie Barrett, who are among the fathers of vaudeville and now need little 'how-do-you-do.' Address them at 302 Broadway, Saranac Lake.

Jas. P. Brady, a Yonkers, N. Y., product, who once was connected with Ben Riley's Arrowhead Inn and known as the Dublin Irish Tenor, here ogling his brother, who is packing a mess of trouble. Bill Nelson's drug store, which once was the leading NVA pill-pounder, isn't any more; it folded.

Jack Hirsch, who tried to make the aviation gang for England, can't make it. He's got to watch his health.

(Write to those who are ill.)

### •15 YEARS AGO•

(FROM VARIETY)

WHN, New York, set precedent in reviewing legit shows immediately after their Broadway premieres. Bland Johaneson was the reviewer.

London's music-halls were succumbing to pictures. The London Hipp's capitulation marked the circle of West End halls to take on films.

Pat Rooney was to start casting of his road show, 'Sweet Rosie O'Grady.' It was to be an elaboration of the vaudeville act. Lee Shubert reported a 25% partner, with Cliff Hess and Joe Santley writing the show.

'Family Upstairs' was the newest Broadway legit hit, though a mild one. Sam H. Harris and (Al) Lewis & (Mae) Gordon were making the presentation at the Gaity.

Josef Von Sternberg and William Wellman, two of the younger director element Hollywood, quit Metro after a squabble with Harry Rapf.

Having based 'The Unchastened Woman' as comeback vehicle, Theda Bara instead renounced it upon giving it a preview. It was her first film in five years. She laid the blame on the way the film's production was handled, though absolving director James Young.

Owen Davis was to be the season's most represented playwright with five plays on Broadway.

### CHARLES NEWMAN HARMONICA VIRTUOSO

This Week CHICAGO THEATRE, Chicago

Direction: HARRY KALCHEIM

### GINGER JEAN LOU DINNING SISTERS

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"Renee and Root, a team whose grace is reminiscent of the DeMarecos or Velez and Yolanda, dance brilliantly."

—Atlantic City Press.

## LAKE TAHOE OK SPOT FOR ACTS

Lake Tahoe, Aug. 20.

Editor, VARIETY:

Lake Tahoe, situated 200 miles from San Francisco and 40 miles from Reno, is one of the most beautiful scenic spots in the world. Lying 7,000 feet high in the Sierra Nevada Mts., the Lake is 25 miles across and is cut in half by the California-Nevada State Line.

The importance of Lake Tahoe from a theatrical standpoint is evident. The swank Cal-Neva Lodge directly on the state line has a strong floor show—Eddie Carr, comedian; Everett West, tenor; Chaney and Fox, ballroom dancers; Marys Chaney Glamour Gals (8) and Archie Loveland orchestra (11) from Seattle. Gambling is legal in Nevada. The State Line runs directly through the dance floor.

The State Line County Club is next in importance, on opposite side of the Lake, and has Plucky Tomlin's orchestra, Rosita and Deno, ballroom dancers, and Jack Gwynne, magician. Tahoe Tavern has Gene Englander's orchestra (10) from San Francisco. Brockway Hotel has a society orchestra of six men headed by Uzia Berman (6th season). Bal Bijou Ballroom has pictures, an eight piece orchestra and a dance team.

These are the theatrical high points. Lake Tahoe has never been properly exploited or publicized. It is a cool haven for vacationists of the better class and many Hollywood stars fly or motor down as they can relax without being besieged by autograph hunters. Recent visitors at the Cal-Neva were Judy Garland, Nino Martini, Bruce Cabot, Tom Brown, Sol Wurtzel, Vincent Youmans. Most of the bands and shows are booked for the entire season, thus getting a good buy on desirable acts strong enough to entertain and encourage repeat business.

Chaney and Fox.

### Pitt Burley, Casino, To Get Early Start

Pittsburgh, Aug. 20.

As a result of big biz last year, when house is said to have netted better than \$100,000, Casino, town's only burlesque house, will get an earlier start than usual this season. George Jaffe, operator and owner, is reopening with Sunday mid-night show on Sept. 1, listing 'All-American Revue,' featuring Dian Rowland, Mike Sachs and Alice Kennedy as its getaway presentation.

According to Jaffe, he's lining up shows for at least a 42-week season during 1940-41, longest in some time. Ed Shafer, veteran burley man, turns to Casino as house manager. Theatre, formerly Harris, one of town's earliest vaude sites, getting semi-complete remodeling job. Policy remains same as in past, four performances daily, with hour of screen shorts, newsreels and cartoons between.

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GENERAL MANAGER  
**SIDNEY H. PIERMONT**  
BOOKING MANAGER



## N. Y., Chi Clip Joints

(Continued from page 1)

der was a brash clip on a Hollander in a midtown joint of nondescript and variable management. The visiting Lowlander was bragging about the 25 \$1,000 bills he had brought with him to America. That gave some of the hangers-on a greedy idea or two, and after the shake the cops were called in.

### Niteries Circumspect

In the main, save for the side-street spots, majority in the west-of-8th-ave. sector, the niteries have been circumspect. There will always be pubs and taverns of loose character with dances hanging around, and the 8th ave. region referred to has been under surveillance in the past for alleged 'white slave' appearances.

The established places also control their patronage via the usual wise-guy doorman who could do it even better when the 'closed' taxi cab line made it reasonably certain that known drivers would pick up customers. Since the cops ordained an 'open' taxi line, that permits any cruising cab to ease in and pick up emerging fares from cafes and eateries.

The nifty operators state that they don't care about 'open' or 'closed' line, but perhaps the recent clip-joint beefs may cause Valentine to revise his regulations in that respect, for obvious protection purposes. One 52d streeter points out how his alert cab-starter probably saved one customer who picked up a cruising cab and heard part of the conversation and the 'suggestions' for postscript entertainment.

The big paradox, of course, to the cafe men is that in the prohibition era, when the Luckys, the Chinks, the Frenchys, the Ownays and the Larrys were dominant, fingerprinting might have meant something. Now almost everything is legit and, so far as ferreting out employees hiding behind respectable fronts, that still can be gotten away with, as it has in the past.

### Chi's Investigation

Chicago, Aug. 20.

Recent revocation of license at Kitty Davis' niteries by police has brought about an investigation of night club conditions in Chicago, which, incidentally, has furnished the second-guessers with new reasons as to why business is far under that of last summer, despite fact that Chicago has solid booking of big conventions all season.

When business started its usual summer slump, operators of joints raised prices, hired hostesses with orders to go the limit as long as the chump had money, printed double menus and started courses in check-padding for waiters who were without clip experience. 'Joints,' by the way, is a term which doesn't include spots like the Colony, the Bon-Air, the Chez Paree or Hi-Hat and a few others. 'Joints' are some places which employ hostesses to hustle drinks, and, in most cases, force entertainers to do likewise.

Pay for performers in these places is notoriously low, not as low as it was before American Guild of Variety Artists entered the picture, but still the minimum, and with many

rumors circulating about kickbacks, AGVA is fighting kickbacks strenuously.

### Prices Raised

Prices have been raised this summer. It's very little, if any, cheaper to go into a joint these days than it is to a spot like the Chez Paree or the Empire Room at the Palmer House. As a matter of fact, it's cheaper to go to the latter than a joint, if the joint forces a hostess or two on the table, and a joint has had a way of doing that lately.

There are two policies in regard to hostesses. One is to keep a good girl as long as she's good (in hustling drinks, that is). The other is to change 'em often. One spot is said to change its entire list of 35 girls every two weeks. Whether that be true or not isn't important, but what does matter, in the opinion of the second-guessers, looking to see why business is bad, is that the average patron nowadays has been around enough so he recognizes at least a few of the more common methods of clip, and, if he walks into a spot that uses 'em all, and crudely, he doesn't stay long, and he doesn't come back. And these, they claim, are the reasons for business being knocked down to a starvation level.

### Not All Are Joins

Not all small niteries are the joint class, and those which aren't have been doing business. The Broad-Mont and the 16-Club, for instance, neither of which employs hostesses, nor forces entertainers to mix, have done better than their usual average all summer. They've catered to the neighborhood trade and given a first-rate show, which was formerly the policy of most spots as against the present policy of 'gimme' the visiting firemen among the conventioners, and lemme have just one sucker a night just one.

As far as the bigger spots are concerned—and most of them are clean as a whistle, without a sign even of gambling—only the Colony, the Chez Paree, the Bon-Air and the Hi-Hat are doing business; the first and second because they've plugged themselves as being swank, then having the stuff to prove it when the crowd came. The Hi-Hat has Willie Shore, who is considered an institution in Chicago, just as Joe E. Lewis was, and Romo Vincent. Shore is given most of the credit for the regular clientele at the Hi-Hat.

### 606 Club Okay

Place which is considered in a class by itself, and gets a packed house for four shows nightly is the 606 club. Catering exclusively to visiting firemen and the local boys who like to sow what they think is wild oats, Billy Carr handles a harmless enough show in a way that makes catching it feel like an adventure. So, they come back again and again. Along with Shore, Carr is one of the best known m.c.s. in this sector.

Other spots aren't doing enough business to pay the nut, which, according to agents, may be laid directly at the door of the management. Operators, according to agents, want to book direct, rather than through recognized agents, and their lack of knowledge about a show layout and talent prices gets a

show that doesn't satisfy the customers, bought at a price higher than a good one would cost.

Hotel rooms have spent the summer in experimenting. Sherman is trying Raymond Scott. Edgewater Beach, since AGVA refused to tussle with it any longer, has dispensed with a show other than a line of girls added to name orchestra policy.

## Fail to Trace Threat In Pittsburgh on Life Of Nazarro, AGVA Aide

Pittsburgh, Aug. 20.

An unidentified woman took a dangerous but certain way one night last week to inform Nat Nazarro, Jr., former musical comedy dance star and now executive secretary of AGVA, Local 7, that he'd better get out of town if he wanted to remain healthy. She called Police Radio Operator Charles Thyhurst on the phone and said 'Tell Nazarro to get out of town or he's going to be bumped off.'

Efforts to trace the call failed, and Nazarro later told detectives the caller was probably some disgruntled member of the union. Anyway, he said, he didn't intend to take her advice.

Nazarro only the night before had invaded honky-tonk niteries belt on the northside and signed two cafes in that district to AGVA closed shop contracts. They were Swartz' Cafe and the York Grill. At moment, Local 7 has landed only one downtown spot, Nixon Cafe, but expects to ink Yacht Club just as soon as new corporation papers for that niteries is okayed by State Liquor Control board.

AGVA here now working hand in hand with Musicians Union, Local 60, which, Nazarro said, is expected to facilitate signing of future contracts with cafe owners.

## Unions Map Fight Vs. Fingerprinting Of New York Night Club Employees

### Compleat Angler

Cleveland, Aug. 20.

Fishing fever got the best of Henry Leitson, niteries owner, who abruptly shuttered his College Inn and tacked this sign on its door:

'Will reopen soon. Too darn hot to work. Have gone fishing—why don't you?'

## CLEVE. OHIO VILLA UPS BUDGET; SETS NAMES

Cleveland, Aug. 20.

The Ohio Villa is nearly doubling its show budget in going after bigger name draws. Lou Holtz is in for two weeks, opening tomorrow (Wednesday), following Gertrude Niesen, who hiked trade considerably during past fortnight.

Frank Sennes, indie booker for the Villa, is spotting Sophie Tucker and George Jessel, separately, to follow Holtz, with three or four acts built around each.

Austin Wylie's band dropped by 1,000-capacity niteries, the biggest one in northern Ohio, which is giving Cleveland night spots a lacing with its high-budgeted revues. Maurice Spitalny's crew from Bill Green's Pittsburgh club moved in last week for two-month stay. Formerly pit bandmaster for local RKO Palace before heading for the Smoky City, Spitalny's last dance appearance here was at the old Mayfair Casino.

Clarence Stroud heading floor show at John's Rendezvous, Frisco, following 'Easy for Zee Zee' revival.

Unless the police department can offer convincing justification for Commissioner Lewis J. Valentine's order of last week that all employees working in New York night clubs more than 30 days must be fingerprinted, the various unions involved will oppose the regulation. Just what action they will take is uncertain, but it is hinted that injunction proceedings might be sought under the N. Y. State labor law, a provision of which is said to outlaw such fingerprint requirements.

Valentine's action, which is merely a regular police order and does not require legislative approval, would not only provide that all persons employed more than 30 days at any spot be fingerprinted, but would enforce drastic rules as to changes of ownership, and various other matters pertaining to the operation of niteries. Managements at various New York spots have professed satisfaction with the new ruling, but the American Guild of Variety Artists, the stagehands, the cook, waiters and bartenders unions and various other labor organizations have expressed violent opposition to the measure.

Phil Irving, AGVA's local executive-secretary, was quoted as saying the regulation 'would regiment our members' and that 'we won't stand for it—if they try to fingerprint our members we'll get them out of jail as fast as they're put in.' It was later explained that Irving had spoken on the spur of the moment, without consulting his national or local boards.

Both boards later considered the question and voted to oppose the fingerprinting requirement unless justification for it can be offered by Valentine.

# CAB CALLOWAY HITS...

At Frank Dailey's Meadowbrook with four successful weeks . . .

Just completed a wow first week of a two-week engagement at the New York Paramount . . .

Beginning August 29, Cab Calloway and his Cotton Club Revue open their Fall tour of the nation's leading theatres. Palace, Akron; Palace, Youngstown; Circle, Indianapolis; Strand, Syracuse

Returning to New York to open the Brandt theatres for the second successive year.



Personal Management, IRVING MILLS, 1619 Broadway  
New York City

## ICE SKATING TALENT WANTED!

### IMMEDIATE REHEARSAL

New Rockefeller Centre Theatre, New York

### ICE SHOW

Boys and Girls for Line and Ballet Skating

### ALSO PRINCIPALS

## SONART PRODUCTIONS, INC.

Rockefeller Center Theatre

NEW YORK

Columbus 5-4218

# Variety Bills

THIS WEEK (Aug. 16)  
NEXT WEEK (Aug. 23)

Numerals in connection with bills below indicate opening day of show, whether full or split week

## Loew

**NEW YORK CITY**  
State (25)  
Tomack & Reis B  
Henry Armetta  
Betty Burton  
Ciro Rincas O

## Paramount

**NEW YORK CITY**  
Paramount (21)  
Cat Calloway O  
Avis Andrews O  
Stumpy Stumpy  
Cotton Club Boys  
**BUFFALO** (23)  
Orin Tucker O

## Warner

**NEW YORK CITY**  
Strand (23)  
Phil Spill O  
**WASHINGTON**  
Earle (23)  
Gus Foster O  
Johnny Barnes  
Ben Yost O

## Independent

**NEW YORK CITY**  
State (25-26)  
Jan Pierce  
George Tapp  
June Forrest  
Ray & Trent  
Marie Grimaldi  
Jerome Andrews  
Hilda Eckler  
Robert Landrum  
Rahana Hasburgh  
Rockettes  
Corps de Ballet  
Erno Rapez Symp  
**ROXY** (23)  
Bowie Radio O  
Gus Foster O  
Paul Ash O  
**ATLANTIC CITY**  
Meel Pier (23)  
Ben Bari  
Edith White  
6 Praday O  
3 Andrews O  
**BALTIMORE**  
Hippodrome (23)  
Geo White Scandals

## World's Fair

**American Jubilee**  
Lucy Monroe  
Paul Hanson  
Ray Middleton  
Wynne Murray  
**Aqueduct**  
Vincent Lopez O  
Eleanor Holm  
Hester Crabbe  
Saxon Six  
Frank Lube  
Margot Brandner  
**Brazilian Bids**  
Romeo de Silva O  
Elsie Houston  
Ginger Rogers  
**Key Parsons**  
Dance Campus  
Les Brown O  
**Gay New Orleans**  
Joy Freeman O  
Eunice Oldfield O  
Muriel Page  
Mark Plant  
Ben Dora  
Carlos & Carita

## Cabaret Bills

**NEW YORK CITY**  
**Armando's**  
Frank Mandella O  
Maggi McNellis  
Pedito O  
**Arrowhead Inn**  
Ernie Holst O  
Iluo Mariani O  
Lover & Barret  
**Barney Gallant's**  
Ann Palmer  
Irene Barclay  
Carrie & Bowls  
Virginia Gibson  
Dorothy Blaine  
Loretta Lane  
Freda Sullivan  
Russell & Farrar  
**Beachcomber**  
Sonny Kendra O  
Chavez O  
Trant Patterson  
Rumba O  
Leah Sie  
Ramon & Renita  
El Vancos  
**Bill Bertolotti's**  
Don Sylvie O

**Gabriel Davelle**  
Lenny Leach  
Jimmy Erickson  
Jack Manning  
Sam Grass  
**Club Canavan**  
Joe Collins O  
Arthur Barnett  
Ella Rostack  
Ruth Wintor  
Chinella Venezia  
**Cuban Casino**  
Consuelo Moreno  
Los Ojeda  
Dolores Laurel  
Pichon & Ninko  
**Diamond Dances**  
Noble Steele O  
Don McGraw O  
Planchie Ring  
Gilia Gray  
Ruth Howard  
Julian Eltinge  
Harland Dixon  
Prof. Fred  
Vini Shaw  
Dave Malten  
Herman Hyde  
Dolly Carroll  
**El Chico**  
Antonio Escudero  
Maria Serale  
Mercedes Reyes  
Aurelia Celinda  
Julia Siano  
Joe Azteca  
Aldo Mayo  
Rene Ortega  
**Glen Island Casino**  
(New Rochelle, N.Y.)  
Nobby Byrns O  
Robert Byrns O  
Dorothy Clark  
Johnny Palmer  
Dorothy & Dolores  
**Greenwich Village**  
Casino  
Diana Del Rio  
Ruth Kidd  
Mary Jane Brown  
Linda Barry  
Mae McCormick  
Sylvia Barry  
**Havana-Madrid**  
O. De La Rosa O  
Raula Sanchez O  
Sergio Oria  
Erika & Papp  
Maria Serale  
Antonio Cortez  
Luis & Lopez  
Luis & Lopez  
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Luis & Lopez  
**Hotel Ambassador**  
Lorry Stry O  
**Hotel Astor**  
Tommy Dorsey O  
Dorothy Clark  
Johnny Palmer  
Dorothy & Dolores  
**Hotel Belmont**  
Flora Vestito  
**Hotel Ritz**  
Ray Middleton O  
Sunny Tufts  
London Carpenter  
**Hotel Ritz**  
Perry O  
**Hotel Ritz**  
Alvino Rey O  
Alvino Rey O  
Alvino Rey O  
Alvino Rey O  
**Hotel Ritz**  
Ernest Franz O  
Bill Barrell  
Alvin Ray O  
Vincent de Costa  
Art. L. L. L.  
Tino Donelli  
**Hotel Ritz**  
Joe Kelly O  
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**Hotel Ritz**  
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**Hotel St. George**  
(Brooklyn)  
Zinn Arthur O  
Muriel Lane  
Tommy Taylor  
**Hotel St. Morris**  
Eddie Varso O  
Marcella Hendrick  
Ella Rostack  
Gonzalo & Christine  
**Hotel St. Regis**  
Hal Saunders O  
Waldos Khumba  
Miley & Grubbs  
Rita Lupino  
Virginia Doll  
Barbara Woods  
Henri Noel  
**Hotel Tuft**  
Frankie Masters O  
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## LOS ANGELES

**Bar of Music**  
Maxine Lewis  
Bill Jordan  
George Kent  
John Hale  
Dick Winslow O  
**Billmore Bowl**  
Variety  
The Abings  
Lester & Jackman  
Lester & Jackman  
Johnny Jack  
Johnny Richards O  
**Club Hall**  
Bruz Fletcher  
Nellie Lutter  
Cocoanut Grove  
**The Roger's**  
Eddie Duchin O  
Earl Carroll  
Francis & Gray  
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## PHILADELPHIA

**Bar of Music**  
Maxine Lewis  
Bill Jordan  
George Kent  
John Hale  
Dick Winslow O  
**Billmore Bowl**  
Variety  
The Abings  
Lester & Jackman  
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Johnny Jack  
Johnny Richards O  
**Club Hall**  
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## CHICAGO

**Bar of Music**  
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Bill Jordan  
George Kent  
John Hale  
Dick Winslow O  
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Variety  
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## DETROIT

**Bar of Music**  
Maxine Lewis  
Bill Jordan  
George Kent  
John Hale  
Dick Winslow O  
**Billmore Bowl**  
Variety  
The Abings  
Lester & Jackman  
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Johnny Jack  
Johnny Richards O  
**Club Hall**  
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## CLEVELAND

**Bar of Music**  
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Bill Jordan  
George Kent  
John Hale  
Dick Winslow O  
**Billmore Bowl**  
Variety  
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Lester & Jackman  
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Johnny Richards O  
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## PITTSBURGH

**Bar of Music**  
Maxine Lewis  
Bill Jordan  
George Kent  
John Hale  
Dick Winslow O  
**Billmore Bowl**  
Variety  
The Abings  
Lester & Jackman  
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Variety  
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**Club Hall**  
Bruz Fletcher  
Nellie Lutter  
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Dick Winslow O  
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Lester & Jackman  
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Johnny Richards O  
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## Ezra Stone

Continued from page 2

opening Monday (26). However, it'll be a tryout for only Stone and the play, as the other parts will be cast from the regular company at Brattle Hall. After the week's test run, the show will be brought back to New York for recasting and two weeks rehearsal. Break-in engagement is tentatively set for the week of Sept. 15 in Baltimore, with the Broadway opening slated for Wednesday of the following week, Sept. 24, probably at the National.

Except for Stone in the leading part of a teen-aged boy, none of the permanent parts is set. Verne Toudale, mentioned for the femme lead, will not be in it. Part is said to be tough to cast. Settings are being designed by Lester Polakov. Hayman, for several seasons a stage manager for Max Gordon shows, will handle the business end of the production out of the Gordon office. Gordon is his uncle. During the weeks in Cambridge and Baltimore the Thursday performances will be omitted, Stone planning to fly to New York for his weekly 'Aldrich Family' broadcasts those nights.

Johnny Burke and Jimmy Van Heusen are clefing four songs for Paramount's 'Help Thy Neighbor.'

Minna Letha White joined Metro's music staff as vocal coach.



# EQUITY STALLS ON SUNDAY SHOWS

Question of Sunday performances, which has been the center of agitation and discussion in Equity for several years, was deferred again yesterday (Tuesday) by the council in New York. Matter is now slated as a special order of business for the next meeting Sept. 10. Expected that at that time it will be submitted, with a recommendation way or the other, to the membership for action at the general quarterly meeting Sept. 27.

Council at the same time voted not to accept a report by the committee on minimum salaries. Action is not regarded as final, but it's now figured that the council will want to give the subject further consideration. Committee report was complex, but generally favored the proposal to boost minimums to \$50 from the present \$40. Minimums of \$60 and \$75 have also been suggested. It had been anticipated that the council would approve both Sunday shows and raised minimums.

Charges by Maryverne Jones, operator of the Starlight theatre, strawhat at Pawling, N. Y., against Florence Barrett and William Bendix, growing out of a dispute while they were members of her company, were dismissed by the council. Their counterclaims for an additional week's pay were granted. Theatre now operating as a non-Equity spot.

Council also voted to circularize 1,500 little theatre groups throughout the country to urge them to avail themselves of the services of Equity members as directors and in other capacities.

Several managements made half-hearted tries of Sunday shows, but the idea never caught on. League has continued to beef about it, however, and sentiment in Equity has gradually undergone a change. Feeling among the membership now appears to be that if Sunday shows increase business they might be a good idea all around. Law stipulates that actors must have 24 hours' rest between performances over a weekend, so presumably the Monday night show would be dropped in place of the Sunday showing.

## Stagehand-Musicians Act

Actual factor that appears to have made possible the Equity okay of Sunday shows was the recent action of the stagehands and musicians in dropping their demands for the two-eighths pay for such performances.

One probable effect of regular Sunday performances will be the end of the Actors' Fund and Stage Relief Fund benefit shows, nearly all of which are held Sunday nights. Figured such benefits will now be held special matinees or not at all.

In some quarters it's doubted that the Sunday shows, when and if they become regular practice, will mean much extra coin to the box office. Pointed out that the Sunday night benefit shows rarely do more business than regular weeknight performances, although the scale is actually lower, due to the tax deduction.

Proposal of a higher minimum has been a particularly hot issue for months. Many have been agitating for a higher minimum, the proposals ranging from \$50 to \$60 and \$75, in place of the present \$40. Those opposed fear that such a move at this time might curtail what is already admittedly a slim rate of production. Also, it's claimed, minimums always tend to become maximums, so while a higher base rate might help those in the bottom salary brackets, it would seriously decrease the earnings of others—the middle and upper-middle groups.

## Olsen's Spot

Boston, Aug. 20.

Moroni Olsen, Hollywood and Broadway actor, has been appointed president of Leland Powers school here, succeeding the late Mrs. Leland Powers.

Olsen, director at the theatrical school from 1931 to 1934, will be in Boston only six weeks during the coming season because of Hollywood commitments.

# WB Contract Won By Pittsburgh Pair

Pittsburgh, Aug. 20.

It's not only a long-term contract at Warners for J. Arthur Kennedy, alumnus of Carnegie Tech drama school here, but also one for his wife, the former Mary Cheffey, a local gal and likewise a Tech graduate. Miss Cheffey accompanied her husband to the Coast a couple of months ago and when studio execs spied her on the lot visiting Kennedy, they brought her in immediately for a test and the inkling followed.

Kennedy went to Hollywood on a one-picture deal to play James Cagney's brother in 'City for Conquest' and his performance in that won him an option for a second. He's currently in 'High Sierra'.

Miss Cheffey, whose romance with the actor started on the Tech campus when both were undergraduates, had previous legit experience. She toured in one of George Abbott's road companies of 'Room Service' and had a bit on Broadway last season in 'Time of Your Life'. Kennedy first came to attention through his work Federal Theatre Project's 'Life and Death of an American'. On strength of that, Playwrights signed him for juve lead in late Sidney Howard's 'Madame, Will You Walk', which folded on road after brief tryout.

# Dies Vague On Probing Equity 'Red' Charges

Controversy about alleged Communist domination of the Equity council, raised some weeks ago by charges of Rep. William P. Lambertson in the Congressional Record, continues to simmer. However, the Equity magazine, issued last week, failed to mention the subject and Rep. Martin Dies, whose committee on unAmerican activities has been asked to probe the situation, has still not indicated whether he will do so.

Meanwhile, additional material on the subject was inserted by Lambertson in the Congressional Record, extracts from which were sent in franked Government envelopes last week to members of Equity and other persons known to be concerned. Except for copies of letters and wires recently sent Lambertson by Maida Reade, of the Equity council, and various other theatrical people and groups, the added material offered little enlightenment on the subject. It was apparent that Lambertson's dispute with Eul Mullell, Equity executive secretary, and his said by members of the original question of proof of the congressman's charges.

## 'Refused to Answer Requests'

It was learned that despite two letters from George Heller, associate executive-secretary and treasurer of the American Federation of Radio Artists, and another from the AFRA national board, Lambertson has refused to answer requests for a retraction, proof or a public hearing of Communist charges leveled at Heller. Second letter from the AFRA exec asked 'at least the courtesy of a reply'. Lambertson asserted Heller was a member of the Theatre Arts Committee, which is widely regarded as representing the 'party line'. Heller claims he was never a member of exec or organization, and is said by members of the Equity council, when he was on that body, to have fought TAC. Attitude of the AFRA national board on Lambertson's charges is one of doubt, that Heller is associated with Communist groups. The board opposed to Communist party members holding office in the union, and if Lambertson has the sense of the matter against Heller, or any other official, the board wants to know about it.

Among Equity leaders it is also felt that despite Lambertson's broadside against 'Communist infiltration', the Congressman has yet to offer specific grounds for the 'housecleaning' he has demanded. It's pointed out that although most Equity officials are opposed to Communism, there is no law against anyone being a Communist or against Communists holding membership in unions. It is claimed that there are at most only a handful of Communists in

(Continued on page 59)

# TIEUP OF SHOW BIZ THREATENED BY AGMA-AFM JURISDICTION ROW

## \$417 Profit Assures Toledo '41 Season

Toledo, O., Aug. 20.

With a net profit of \$417 for the four-week summer opera season, the Toledo Civic Opera Association announced that another season of outdoor summer musical comedy is assured for 1941.

Possibility that the Civic Opera association will change its name was seen, when association leaders said the word 'opera' kept some persons away, who confused the type of performance given.

# N. E. BARN BIZ SPOTTY

Boston, Aug. 20.

If it were not for a current, spotty pickup on the silo trade, the summer theatres of New England, generally speaking, would have to record one of their dullest seasons. Damp, cool weather and a surprising dearth of resort biz, which upset most predictions this year, cramped the style and b.o. take of every barn project in this area. This month has brought in enough tourists and long-term porch-sitters to boost the intake to a hopeful degree, but it now looks as if the total income for strawhats in New England this year would fall considerably below that of the past several summers.

There have been good weeks around the circuit where touring companies, like those of Ethel Barrymore, Tallulah Bankhead, Arthur Treacher and Edward Everett Horton, have played. Some guest stars have drawn under expectations, and the managers mostly blame it on the war jitters. Ogunquit Playhouse, Maine; Faragut Playhouse, Rye Beach; Marblehead, Cape Playhouse, Dennis, Mass.; Monomoy, Chatham, Mass.; Town Hall and Red Barn in West-brook, Mass., and the Cambridge, Mass. Summer theatre have all felt the pinch of bad biz through at least half the summer.

## Father Divine Play

Marguerite Hurter's play based on Father Divine will be tried out at Woodstock Playhouse, N. Y., week of Aug. 29. Cleon Throckmorton may do the settings. Play, which calls for an all-colored cast, was held by the Theatre Guild for months.

Guild's only colored drama presentation, 'Porgy', was a hit, show being later musicalized as 'Porgy and Bess', by George Gershwin.

# Serlin Books 'Father' Into Indie Hub Theatre, Escapes Shubert-UBO Terms

Oscar Serlin, who has been tussling with the Shuberts over booking his 'Life with Father' production on the road, put one over again this week. Seeking a house in Boston, he was blocked by upped terms on all the regular theatres, which are booked by the Shubert-controlled United Booking Office. Instead, he has set the show into the Repertory, 950-seat indie house, beginning Sept. 30. Spot is off the regular theatre area, but is described as the newest and best-equipped theatre in Boston.

Serlin's tiff with the Shuberts actually dates back to his spotting of the original 'Father' company in the independent Empire, N. Y., instead of a Shubert house. Then, when he was unable to get the Harris or Selwyn, in Chicago, at the date he wanted, he used the Blackstone, independent house which was refurbished and reopened for the engagement. 'Father' is currently in its 29th week there, playing to excellent business. After leaving the Blackstone, but before actually moving into the house, Serlin approached UBO for a Baltimore break-in engagement for the Chicago company, but couldn't get a date. So he put the show into the indie Maryland there.

According to Walter Fried, Serlin's

# Petrillo Sets Sept. 2 Deadline for Joining of Musicians Union by Instrumental Soloists — AFM Prez and Tibbett Due to Confab Today (Wed.)

According to unconfirmed report in New York late yesterday afternoon (Tuesday), Lawrence Tibbett and Henry Jaffe, who planned last night after gaining Screen Actors Guild support for the American Guild of Musical Artists, were to stop off in Chicago today (Wednesday) to meet with James C. Petrillo, American Federation of Musicians president, in an effort to settle the impending jurisdictional battle between the two organizations.

Petrillo was said at the AFM headquarters in New York to have gone to Chicago several days ago. Associates of Tibbett and Jaffe did not expect them back until tomorrow (Thursday) or Friday.

Jurisdictional dispute between James C. Petrillo, American Federation of Musicians president, and the American Guild of Musical Artists, is approaching a showdown that may involve all show business. It is the second time in less than a year that jurisdictional squabbles between American Federation of Labor unions have threatened to tie up the entire entertainment industry.

Deadline for this quarrel is set for Labor Day, Sept. 2, by which date Petrillo has demanded that all instrumental soloists must join the AFM. Nearly all such concert stars, with the exception of Yehudi Menuhin and one or two others, are now members of the AGMA, which Lawrence Tibbett and several others formed more than three years ago and of which Tibbett has been the only president. Petrillo and Tibbett are slated to confer today (Wednesday) on the situation, but despite predictions of a settlement, issued after their confab a week ago, little chance of an agreement is seen near.

Whether the battle, which now seems almost certain, will spread from the concert and opera field to radio, pictures, legit and vaudeville, cannot be predicted for certain. Before the Sept. 2 deadline is reached, however, the AGMA leaders may take steps to stymie Petrillo. For one thing, legal action may be taken to halt Petrillo from carrying out his threat of preventing Heifetz, Iturbi and other non-AFM joiners from appearing on the air or making records. Such artists have contracts with RCA-Victor or Co-

lumbia and could presumably sue the record companies, possibly naming Petrillo and the AFM in the actions if their agreements were not carried out.

## Tibbett, Jaffe to Coast

Apparently in anticipation of a breakdown in the AFM-AGMA negotiations for settlement of the squabble, Tibbett and Henry Jaffe, AGMA attorney, flew to the Coast over the weekend to attend the Monday night (19) meeting of the Screen Actors Guild board. Idea was to enlist SAG's support in case the dispute develops into an open jurisdictional battle.

Tibbett, Jaffe and Blanche Witherspoon, AGMA executive-secretary, had previously appeared at a special meeting of the Equity council and at the regular weekly meeting of the American Federation of Radio Artists national board to outline the situation and bid for support from those unions in case a fight with the musicians occurs. Equity council yesterday voted to support AGMA and SAG did the same Monday.

Despite widespread reports that AFM and AGMA were approaching a settlement of the dispute and that a satisfactory compromise had been worked out, there has apparently been no actual compromise suggested. Joseph N. Weber, who, until his recent retirement, was for 40 years president of AFM, was rumored attempting to persuade Petrillo to give up his demands to take over all concert instrumentalists, but he apparently made no progress.

## Weber Settlement

Understood the settlement which Weber was pressing on Petrillo would call for all instrumental soloists to remain in AGMA as before. Accompanists participating in orchestras other AFM-member groups would have to join AFM, but accompanists appearing with AGMA members could remain in AGMA. But since all musicians participating in AFM orchestras must already have joined AFM, the proposed 'compromise' would really be no compromise at all, but would be a clear-cut AGMA victory.

Although Petrillo is still insisting that all instrumentalists join AFM, it is widely asserted that his real goal is the Boston Symphony orchestra, which AFM has never succeeded in unionizing. However, when reached by telephone in Chicago last week, the AFM prez told the N. Y. Times that AGMA had invaded his jurisdiction.

'They went along and took the instrumentalists,' he was quoted as saying. 'They took the piano players and then they took orchestras. They stole my people and I'm going to get them. They're musicians and belong to me. Since when is there any difference between Heifetz playing a fiddle and the fiddler in a tavern? They're both musicians. They're not going to play anywhere after Labor Day.'

Question whether Heifetz, Iturbi, Kreisler and such artists are 'musicians' in the sense of having similar wage levels, working conditions or bargaining objectives as members of the AFM is apparently an open one. Not only Petrillo, but nearly all AFM members questioned in New York by Variety expressed the opinion that all instrumental artists are 'musicians' in the union meaning of the word. Several suggested that although Heifetz and other concert names might have different wage levels, etc., they at least have an 'obligation' to their fellow musicians to join the union. However, several AFM members who were questioned declared that Heifetz should be above any union, while others said the question of forcing the concert stars into AFM had not been raised until Petrillo assumed the union's presidency. Joe Weber never brought up this issue, and Joe Weber was all right for my money, one asserted.

## Confidence Expressed

Meanwhile, AGMA leaders continue to express confidence that they can successfully resist Petrillo's demands, regardless of whether their Associated Actors and Artists of (Continued on page 61)





## Philly Prospects Bright for '40-41; Jolson Show Opens Season Aug. 27

Philadelphia, Aug. 20. Prospects for Philadelphia's forthcoming legit season continue to be bright.

Latest development is announcement of the new 'Pins and Needles' revue here Sept. 9. House hasn't been mentioned but is figured to be the Locust Street, which last year didn't light until October. Forrest has week of the 9th open, but is getting Ed Wynn's 'Boys and Girls Together' on the 16th, which would limit 'Needles' to a single week—an unlikely arrangement. Then, too, Locust's stage, though not big, is plenty ample for light production like 'Needles'.

Al Jolson's 'Hold on to Your Hats', already mentioned, is season's opener, making local start next Tuesday (27). It will play two weeks at the Forrest which then gets the Wynn show and after that, probably on the 30th, Helen Hayes' revival of 'Twelfth Night'.

Four of the American Theatre Society's six subscription offerings have been named. They are 'Twelfth Night', 'Time of Your Life', 'Ladies in Retirement' and 'There Shall Be No Night', approximately in that order. The Lunts' vehicle isn't sketched until April. ATS owes subscribers two shows from last season and instead of adding a pair this season is adjusting the matter by lowering this season's subscription price in proportion.

### Pittsburgh's Sked

Pittsburgh, Aug. 20. With American Theatre Society schedule for 1940-41 just about completed and announcements of definite bookings going to subscribers and prospects, subscription for Pittsburgh season are mounting rapidly and every indication points to biggest sale of strip-tickets here in years. Penning in of Flora Robson's 'Ladies in Retirement' as an ATS attraction about 10 days ago gave orders an extra impetus and they're already nearing last year's mark with Nixon opening still more than month away.

There was some local expectancy for an early start, Al Jolson's 'Hold on to Your Hats' having been mentioned for a two-week stay here between Chicago and New York, but Pittsburgh's being passed up by that musical in favor of Philadelphia.

So far, ATS list includes, in addition to 'Ladies', the Lunts in 'There Shall Be No Night', 'Fifth Column', 'Time of Your Life' and 'Twelfth Night' with Helen Hayes. That leaves only one to fill, and makes up most attractive list offered season-pew-holders here in years. No getaway date for Nixon has been announced yet, and so far only definite weeks set are Nov. 4 'Too Many Girls', and Lunts to follow.

### Seattle Lures Lawrence

Seattle, Aug. 20. Metropolitan, local legit house, has Gertrude Lawrence in 'Skylark' booked for Aug. 26-27-28.

Mail orders show prospects of a sellout, as this is initial class attraction in this burg in some time.

### Akron Books for Fall

Akron, O., Aug. 20. Colonial, which had best legit season in years last winter with half a dozen stands, has six shows booked for next fall.

Manager Robert Rhodes promises 'Du Barry Was a Lady', Tallulah Bankhead. 'The Little Foxes', 'Hellzapoppin', 'Louisiana Purchase', Gertrude Lawrence in 'Skylark' and 'Man Who Came to Dinner'. Efforts also being made to get Lunt-Fontanne in 'There Shall Be No Night'.

### Engagements

Peggy French, 'George Washington Slept Here'.

Lucienne & Ashour, Jerry Cooper, Six Willys, Paul LaVarre and brother, 'Boys and Girls Together'.

Peter Fernandez, Arnold Moss, Byron McGrath, Charles Ellis, Jeanette Chinley, 'A Journey to Jerusalem'.

John Root designing the sets for the Kaufman-Hart show, 'George Washington Slept Here'.

## Equity Charges

Continued from page 57

Equity and, until it is shown that such persons are acting against the interests of the U. S. or Equity, there is no ground for expelling them from the association.

### Up to Membership

Regarding the question of Communists holding office in Equity, it is said that would be entirely up to the membership. Suggested that if Lambertson will either hold a hearing on his charges, or else make available his evidence, it might be presented to the membership, with the latter voting on whether the accused council members should retain office.

Reason for not including the material from the Congressional Record in the latest issue of the Equity magazine was for fear of libel action. Matter in the Congressional Record is privileged, but if reprinted elsewhere it might be made the basis for damage suits. Plan at first was to include the Lambertson material in the Equity mag, but after consultation with the Equity legal advisors it was decided not to reprint it. Entire subject was therefore ignored.

Hoyt Haddock, American Guild of Variety Artists executive-secretary, who was likewise accused of Communist activities by Lambertson, has drawn up a new letter to the Congressman, but will not send it until the AGVA attorney, Henry Jaffe, has gone over it for possible libel. Upon original publication of Lambertson's accusations, Haddock issued a blistering statement denying the charge and demanding retraction. Lambertson replied with a letter which Haddock asked in effect, for proof that he is not a Communist. According to the AGVA exec, he is under no obligation to disprove baseless charges. However, he says, he will defend himself against any alleged 'evidence'.

### Workers Alliance Again

Miss Reade's communication to Lambertson, as reprinted in the Congressional Record, referred to recent visits to Congressional committee hearings by representatives of actor groups seeking revival of some form of Federal Theatre. According to Miss Reade, her committee found Washington overrun with Workers Alliance members, the people whose tactics caused the discontinuation of the Federal Theatre before, and to the complete amazement of all of us, found them being received with the utmost cordiality by Congress. Workers Alliance has been frequently termed a radical organization in WPA. Miss Reade is generally regarded a conservative in Equity.

Her letter continued, 'I can only say that the backslapping by Congress of people of the calibre of the Workers Alliance, while possibly expedient vote-getting, aroused a feeling of nausea in me, the speaker. It seems to me it was a feeling of fear as to what the Workers Alliance might do to their representatives at election time instead of the few potential 'reds' there may be in Equity that caused us to be once more left out, and the exhibition is not inspiring.' Lambertson replied referred to previous quotations of his speeches in the Congressional Record.

## Pre-Radio Plugs

Continued from page 1

tedious procedure, it also is believed to have its compensations, through the fact that such slowly built-up hits usually sell more copiously. In pre-radio days hits went 1,000,000 or more copies; these days a hit is 100,000, killed off as fast by rapid over-exploitation by its rapid plugging.

All this, of course, stems from the present ASCAP-BMI situation; and bands with wires, hotels and nighties may be unable to plug certain ASCAP songs after Jan. 1, 1941. Berlin's idea is that the ASCAP licensing otherwise permits their usage to the actual audience.

Another exploitation channel is the records, which the music men now regard as a sizeable medium for songplugging.

### LEGIT FOR CITRUS BELT

Los Angeles, Aug. 20. Eighteen Actors, Inc., a Southern California legit organization, opens its season with the Elmer Rice play 'Not for Children'. Charles Lane is producing and Morris Ankrum directing. Route includes stops in Redlands, Ontario, Santa Barbara, Pasadena and other towns in the citrus belt.

## Visitors Up B'way; 'Dinner' Boosts To \$12,000, 'Higher' Dives, \$9,200, 'Du Barry' 17G, 'Purchase' \$32,500

### Current Road Shows

(Week of Aug. 19)

'Hold On to Your Hats' (Al Jolson, Martha Raye)—Grand Opera House, Chicago.  
'Ladies in Retirement' (Flora Robson)—Biltmore, Los Angeles.  
'Life With Father'—Blackstone, Chicago.  
'Meet the People'—Geary, San Francisco.  
'Meet the People'—Music Box, Hollywood.  
'No Time for Comedy' (Francis Lederer)—Brighton, Brighton Beach, L. I.  
'Skylark' (Gertrude Lawrence)—Curran, San Francisco.  
'Springtime for Henry' (Edward Everett Horton)—Windsor, Bronx, N. Y.  
'The Little Dog Laughed'—Shubert, Boston.  
'Tobacco Road' (John Barton)—Flatbush, Brooklyn, N. Y.  
Tonight at 8:30 (Binnie Barnes, Freddie Bartholomew, Constance Bennett, Gladys Cooper, Douglas Fairbanks, Jr., Basil Rathbone)—El Capitan, Hollywood.

## JOLSON-HATS 20½G IN 5TH CHI WK.

Chicago, Aug. 20. 'Hold On to Your Hats' will wind up here Saturday (24) and then head eastward for its New York opening. Al Jolson did remarkably well here considering the weather and the \$3.85 tariff, which is plenty stiff currently under local conditions. In addition, Jolson had a flock of personal headaches with the Ruby Keeler affair and walkout, and his foot fracture which still has his gam in a cast and keeps him hobbling.

House will open for week and open Sept. 2 with 'Too Many Girls' musical. On Sept. 9 the Selwyn will relight with 'The Male Animal' and there is talk that the Harris will get 'Ladies in Retirement' shortly.

Over at the Blackstone 'Life With Father' continues at a remarkable boxoffice clip.  
Estimates for Last Week  
'Hold On to Your Hats', Grand (5th week) (1,300; \$3.85). Perked for \$20,500, steady in view of the extreme heat.  
'Life With Father', Blackstone (26th week) (1,200; \$2.75). Pounding along at \$14,300.

### De Sylva Sets Moppet

Hollywood, Aug. 20. B. G. (Buddy) DeSylva has borrowed Joan Carroll from RKO for the moppet spot in 'Panama Hattie', DeSylva-Cole Porter musical, which goes into rehearsal around Sept. 1 for a Broadway bow in October.

Spot is one for which DeSylva angled Shirley Temple without success. Ethel Meerman will star in the title role.

### Legit Cues

Finis Farr, and Joe Bryan, 3d, writing a comedy. He's a radio scripter; Bryan recently resigned as Stavepost associate ed. Mark Hanna agenting.

Guy Robertson, plays lead Danscom Dinsmore role in 'Falcated Fever', which begins a run at the Civic Theatre, St. Louis strawhatter, Tuesday (27). 'A Church Mouse, at the Civics theatre.

George Abbott, toting a heavy sunburn, planned into N. Y. from the Coast last Thursday (15) and immediately went to the Catskills for a rest. Was due back yesterday (Tuesday) to take over rehearsals of 'Too Many Girls'.

Bert Gordon, the 'Mad Russian', boosted to feature billing with Martha Raye and Jack Whiting in Al Jolson's 'Hold On to Your Hats', currently pre-Broadwaying in Chicago.

Estimates for Last Week  
Key: C (comedy), D (drama), R (revue), M (musical), F (farce), O (operetta).

'Du Barry Was a Lady', 46th St. (37th week) (M-1,375; \$4.40). Cooler weather and the arrival of out-of-towners on vacation are credited with the general boost of grosses last week; 'Du Barry' was a shade better, over \$17,000.

'Hellzapoppin'. Winter Garden (100th week) (R-1,671; \$3.30). Olsen-Johnson uproar held its gain of the previous week, getting a bit over \$24,000 and now well on the way to a total gross of \$3,000 for the run.

'Higher and Higher', Shubert (4th week) (M-1,405; \$4.40). Resumed engagement has been a washout; nose-dived to only about \$9,200 last week and closes Saturday (24); won't tour; first unsuccessful Rodgers-Hart show in some years.

'Life With Father', Empire (41st week) (C-1,695; \$3.30). Season's straight legar climbed a bit, but there's not room for much improvement; \$17,600 estimated.

'Louisiana Purchase', Imperial (12th week) (M-1,076; \$4.40). Berlin musical still heading the \$4,400 in a few additional standees last week and the gross climbed to \$32,500.

'Man Who Came to Dinner', Music Box (44th week) (C-1,000; \$3.30). Kaufman-Hart comedy has come back, as previously indicated, topped \$12,000.

'Separate Rooms', Plymouth (21st week) (C-1,076; \$3.30). Cut-after just about held its own; \$5,900 and profitable at that figure.

'Tobacco Road', Forrest (276th week) (C-1,107; \$1.10). Long-run record show stayed open on the strength of its increased business due to closing notice; estimated nice \$5,000 and engagement now indefinite.

Suspended  
'Keep Off the Grass'. Still no date announced for reopening and now some question whether it will re-light.

'There Shall Be No Night'. Scheduled to resume Sept. 9 at the Alvin and go on tour after two more months.

## 'LADIES' STARTS NEW L. A. LEGIT SEASON

Los Angeles, Aug. 20. Biltmore opened its 1940-41 legit season (19) with two weeks' booking of Flora Robson in 'Ladies in Retirement', jumping directly from the east. Opus played one night in June Beach and two nights and a mat in San Diego before coming here.

Third and final week of British war relief benefit, presented by the group of Hollywood screen names offering Noel Coward's 'Tonight at 8:30', got under way at El Capitan last night (19), after grossing better than \$20,000 on its second week. 'Meet the People' moved last night (19) to the Music Box, Hollywood, following its long run at the Playhouse theatre. This marks the first for the true revue since it first opened Christmas Eve at the Assistance League Playhouse. Final week at Playhouse brought another \$4,000.

### Strawhat Tryouts

(THIS WEEK)  
(Opened Monday (19), unless otherwise noted)  
'Johnny Belinda', by Elmer Harris, at Garden Pier, Atlantic City.

'Safe Cracking', by Courtenay Savage, at Coach House theatre, Oceanomow, Wis.

'They That Love Best', by Jack L. Levin, at Stony Creek (Conn.) playhouse.

'Many Happy Returns', by S. K. Lauren, at Spring Lake (N. J.) Community playhouse.

(NEXT WEEK)  
(Open Aug. 26, unless otherwise noted)

'Banquets', by Sol Rosen and Henry R. Mirsky, at Garden Pier, Atlantic City.

'Sweeney in the Trees', by William Saroyan, at Cape theatre, Cape May, N. J. (opens Aug. 27).

'Out of the Frying Pan', by Francis Swann, at Hilltop theatre, Elliott City, Md. (opens Aug. 27).

'Fledgling', dramatized third by Eleanor Carroll, Chilton and Philip Lewis of the former novel, at Rye Reach (N. H.) theatre (opens Aug. 27).

'Davy Crockett', at Barter theatre, Abi-don, Va. (opens Aug. 30).

## Literati

### N. Y. Mirror's Rise

The New York Mirror quietly and by adherence to strictly orthodox publishing methods has achieved what may well be considered the miracle in Manhattan's mad newspaper competition of fighting through from a consistent loser to a major money-maker.

A comparison of ABC circulation and Media Records advertising figures for the past four and a half years reveals that the daily circulation has jumped more than 200,000 between the September, 1935, ABC figure of 554,939 and the comparable September, 1939, figure of 768,376. Sunday figures for the same period show a jump from 1,182,349 to 1,407,385. (Both have greatly increased since then.)

In that period the Mirror de-emphasized crime, sex, etc., and concentrated on news coverage, adding additional services. It is the only New York paper with AP, INS and UP. The last ABC reports showed that the Mirror was one of two out of eight New York daily newspapers which used no premiums, contests or the like.

Media Records show that the Mirror gained 1,415,043 lines between 1935 and 1939. The Mirror led all New York papers in advertising gains last year with a total gain of 473,217 lines. The 1939-40 record shows the Mirror gained a total of 1,051,129 lines while all other New York newspapers were losing from 845,673 to 2,305,956 lines.

A sample of the type of Mirror economy was cutting one-eighth of an inch off the top and bottom margins of the paper without affecting the size of the printed page, and moving the folio line and rule from the top to the outside, running it vertical instead of horizontal. This saved more than \$35,000 per year in newsprint.

**N. Y. Post Socks Pegler, Johnson**—New York Post, in a cartoon and editorial last Thursday (15), took a double swat at columnist Hugh Johnson and Westbrook Pegler. Cartoon by Rollin Kirby, captioned "The Gutter Boys," pictured the two writers sitting on a curb in tatters. Johnson was pouring liquor out of a bottle marked "Poison" and Pegler out of one labeled "Vitriol."

Editorial asserted the pair "seem determined to keep their discussion on the lowest possible plane... each man seems content to offer his readers little more than spleen, spurious logic and verbal pyrotechnics of the cheapest order."

Post compared Johnson column of Wednesday (14) with propaganda of Goebbels, in which he takes an admitted rumor and before he finishes writing about it is accepting it as fact. "Dr. Goebbels used the same device when he warned the U. S. that England planned to blow up the Ironsides," the Post stated. "The trick is effective if one is ruthless enough to employ it, for when nothing of the sort happens the propagandist can claim that his warning checked the plot, thus making himself a hero and at the same time not sick of such leadership and ready to elect Willkie."

### PM Weathering Circ Storm

After dropping two weeks ago to its low since starting to function nine weeks ago, circulation of PM, New York daily, has been receding and rising. Upturn started on Aug. 6 with a front-page editorial denouncing Lindbergh and was aided last week by strongly worded stories by Henry Paynter blasting Father Coughlin, Henry Ford and others as the United States' real Fifth Columnists.

Makeup of the paper was considerably revised with Monday's (19) edition, still further improving its readability after a rather bad tee off. One major change was to move the "Opinion" (editorial) page forward to page 2.

PM personnel has been status quo since layoff of 20 employees about a month ago.

### Anderson Buys Coast Mag

Coast Magazine, slick - paper monthly devoted to life on Pacific slope which suspended last March, has been acquired by Tom Anderson, publisher of Fanfare, radio fan weekly. First issue due in September will include an original by William Saroyan. John Hobart and Al-

fred Frankenstein, drama and music editors, respectively, of San Francisco Chronicle, will conduct similar departments in new Coast. Radio will be covered by Helene Peters, radio ed of Berkeley Gazette, only daily carrying radio col in Frisco area, who also conducts weekly interviews on NBC.

**Authors' Bulletin Aggressive**—Authors' League Bulletin, official publication of the Authors' League of America, has changed its format and adopted a definite editorial policy. First issue under the new set-up, dated Aug. 1, and mailed to the membership last week, is smaller in format and carries more pages than formerly. Also has a cover illustration drawn by Hendrik Willem van Loon, president of the Authors' Guild, one of the member groups in the League. Drawing is called "The Ivory Tower of 1940" and shows a man gazing from a half-ruined tower at a war-torn scene of destroyed homes and wrecked ships.

Lead editorial of the issue, by van Loon, tells about the writers of his native Holland, formerly dwellers in "ivory towers" and now dead, in concentration camps or refugees. He calls upon the writers of America to wake up and face the facts, and appeals for a general discussion of a subject which may mean life or death to all of us.

Issue also carries extracts from Robert E. Sherwood's anti-fascist play, "There Shall Be No Night," a reprint of Edna St. Vincent Millay's recent poem, "There Are No Islands, Any More," and a N. Y. Times editorial of June 15 titled "The Paris That Did Not Fall." New editorial stand of the sheet recalls the address of retiring-president Sherwood at the annual Dramatists' Guild meeting two years ago, in which he appealed to the playwrights to use their talents to arouse public opinion against the threat to the democratic way of life. Understood the first issue of the League Bulletin drew several critical opinions on the ground that the mag should be confined to Guild and writer craft matters rather than propaganda to excite the public.

### Editor Quits to Fight Hitler

Punching out a farewell editorial in The Southeast Alabamaian, published in Ashford, Ala., James Grant, editor of the weekly sheet, cleaned off his desk last week and set out for Canada to join the Royal Air Force and perhaps get a shot at Hitler.

Grant revealed that he has had a long standing ambition to fly and admitted that joining the RAF is not quite the way he wanted to achieve that objective, but with the RAF I might get a shot at Hitler some day.

Grant had published his weekly for more than five years and, after completing arrangements to join RAF, announced that he had sold paper to an undisclosed publisher.

### Poisonous Miss Kilkenny

Nancy Randolph, society columnist for the N.Y. News, gets the prize (probably that old beige fox piece, which she reported. Mrs. Grace Vanderbilt has finally retired) for some of the best reporting of the week. Appearing in Monday's (19) daily, the vitriol-dripping column was topped by an even more vitriolic head, to wit: "Tennis Over, Newport Back to War Relief."

"Now that Tennis Week, grand climax of the Newport season, is over," Miss Randolph reported, "the colony can settle back to the even tenor of its way. War relief work, somewhat neglected during the tennis frivolities, will be resumed. The Red Cross can have back the quarters at the Casino where meetings and classes were held until they were moved out to make room for the visiting tennis players..."

"Nancy Randolph is a department by-line. Newport story was actually written by Frances Kilkenny, the current Miss Randolph."

### N. Y. Times' Upeat

Growing forcefulness of the N. Y. Times' editorial policy, as evidenced in the paper's handling of news as well as in its editorial page, is credited in the trade to Charles Merz, who for the last 18 months has been the paper's editor-in-chief. Not only is Merz said to be largely responsible for the more outspoken editorial tone of the sheet, but he is understood to be the actual author of several of the editorials which have recently caused wide comment. However, it is against Times policy

## The Winnah!

Andre Maurois and Collier's mag last week were the winnaha in a refugee literary sweepstakes. Left in the backstreet somewhere were Jules Romain and the Satevpost.

Maurois and Romain, both recent arrivals from France, were racing to completion for the mugs stories on the causes behind the downfall of their native country. Collier's got the Maurois' tale out in the last issue.

to reveal the identity of writers of specific editorials, so this is not verified.

Instances of the paper's new policy are in its championing of conscription, of all possible aid to England, safeguarding civil liberties and sending U. S. ships to bring English children to America. Among the editorials which have drawn comment were those upon Mussolini's declaration of war against France and England, the fall of Paris, "Midnight in London" and one last week about the bombing of London. Herz himself disclaimed the responsibility of any single individual for the vilification of the Times policy. He sees it a natural result of aroused public feeling about current events.

### LITERATI OBITS

**George Walter Archibald**, 52, for 30 years publisher of the Durant (Okla.) Daily Democrat, died of a heart attack Aug. 15 in that city.

**Henry Rankin Foote**, 81, painter and author, died of a lingering illness Aug. 15 at his home in Orange, N. J. Leaves a widow and a brother.

**Franklin H. Hooper**, 78, former editor of the Encyclopedia Britannica, died in Saranac Lake, N. Y., Aug. 14, from injuries sustained when struck by a truck while walking on a highway. His widow, daughter and son survive.

**Fred J. Gould**, 83, whose poem, "Remember the Maine," coined a phrase that swept the country and fired patriotic citizens during the Spanish-American War, died Aug. 14 in Chardon, O. The poem was first published in the Youngstown (O.) Vindicator after the U. S. battleship Maine was sunk at Havana in 1898. It was published next in the Washington Star, and soon the title became a catch-phrase throughout the country. Gould won a commemoration from Congress for his poem.

**E. F. Harper**, 73, owner of the Shelby News Co., Shelby, O., for 22 years, and for several years previous circulation manager of the Cleveland Press, died Aug. 16 after a week's illness.

**Allan L. Benson**, 68, newspaper editor and author, who also ran for President on the Socialist ticket in 1916, died at his Yonkers, N. Y., home Monday (19). He had authored a number of books.

### CHATTER

**Millard F. Calhoun**, of Paris Time office, in from Lisbon.

**William W. Copeland**, UP Brazilian chief, vacationing in N. Y.

**Ed Fisch**, Chicago News airport reporter, back from Caribbean cruise. Staff of Time mag holds its first outing at the Longshore Club, Westport, Conn., Sept. 10.

**Dave Charnay**, of N. Y. Daily News, clipped in from Windsor as reporter in Bermuda.

**Henry Lenz**, an editor in Look magazine's Des Moines editorial offices, in New York to pose color pix for covers on fall issues.

**W. J. Cash**, associate editor of Charlotte (N.C.) News, author of new book, "The Mind of the South," due from Alfred A. Knopf press in November.

**Douglas Gilbert**, whose book about vaudeville will be published in October, is already gathering material for a book about the history of American popular songs.

**Bayard Veiller's** autobiography, "The Fun I've Had," starts serializing in the Aug. 31 issue of Literary Digest. Royalties & Hitchcock will publish the book at Christmas time. Sarah "Rollits" agitated.

**Glen W. Naves**, staff writer on Spartanburg (S.C.) Journal, and VARIETY mugg, elected v.p. of American Air Mail Society, international aero-philatelic association, at recent national convention in Toronto.

**Gardner (Mike) Cowles, Jr.**, of the Des Moines Register-Tribune and Look magazine publishing family, last Saturday (Aug. 17) moved across his backyard into the swanky home formerly occupied by his brother, John. Latter moved to Minneapolis three years ago to take personal charge of another Cowles property, the Minneapolis Star-Journal.

## Further Jukebox Analysis

Continued from page 49

century plants. Which means the industry, as presently constituted, is about six years old.

### 4 Majors

Four companies dominate the manufacturing field. Seeburg, Mills Novelty and Rock-Ola, all of Chicago, and Wurlitzer, whose headquarters are in North Toluawanda, N. Y.

Manufacturers work through dealers who sell the machines to the operators, who, in turn, put them out on locations, usually at a 50-50 split with the location-owner. Machines cost the operators about \$150 for a table model, \$190 for a deluxe table model, \$350 for a standard upright and \$400 for a deluxe upright. Operators are financed by the factory in purchase of new machines, similar to the manner in which cars are bought.

Life of the average machine in the U. S. is four years. That's both a fact and the result of Government taxing practice, the Treasury Department allowing a 25% a year depreciation writeoff. Not that the boxes won't go on juking after four years, but with manufacturers turning out a new model each year, tavern-keepers and other location-owners feel just the same about having a four-year-old box as they would a four-year-old automobile. Operators wisely keep circulating the location-owners so that they hammer operators for new models and threaten to put in a rival's box unless they get something prettier and fancier.

It's this demand by the location-owners, more than anything else, that accounts for the 25% replacement of machines each year. Good locations get new models as soon as they come out. Old machines are either rebuilt or exported to South America, Mexico and Europe, although this business naturally has been hurt considerably by the war.

### Chain Operators

Majority of the boxes owned by large operators, who have strings of 500 or more of them. One outfit in New Jersey has 1,600. Small indie operators usually have about 50 or so, which is said to be the minimum necessary to provide a decent living. With 50 machines they have an investment of upwards of \$15,000. Each 50 boxes it is figured, requires one man to service them. Average outfit, therefore, with 500 slotters usually has 10 servicemen, each with a car, two traveling repairmen, one shop man and two or three gals in the office.

Obtaining locations is the job of a salesmen, as the competition is plenty heavy. There's not much turnover, however. Location-owner, once he's decided, usually sticking to the same operator. Sometimes there's a signed contract between them, more often not. Considering the competitive situation, the industry has been singularly free of rough stuff. Smashing of each other's machines or threatening of location-owners has been practically nil.

In New York about the only spot in which a new machine can be placed is in one of the new restaurants and taverns which open each week. According to state licensing figures, about 30 shutter a week open and 30 others shutter in and around New York City. Operators try in every way possible to find out where bars and restaurants are starting up in order to get around to them first.

Most boxes hold between 20 and 24 records. Each one is good for between 125 and 150 plays, although many are held much longer than that. Machines have meters in the back which show how many times a record is reeled so operators quickly know which is the most popular.

Usual menu on a 20-disc machine is to have 10 of the "Hit Parade" stuff, two or three novelties, four or five old-time faves and the rest pop standards. In addition, some places require a few torch numbers and old-time mauldin stuff to attract nickels.

Biggest coin-draw of all time was "Beer Barrel Polka." "Stardust" with a steady run for five years, is no doubt in second place, with "Sweet Leilani" following. "Old Man Moses" and "Josephine" are others in the coin machine Hall of Fame. Operators are crying right now because there's nothing in the super-colossal class in sight.

Favorite warbler of the boys and gals who put the nickels in is Bing Crosby, who's disc'd by Decca, Decca, in fact, easily leads the field, more of its records than those of any other presser finding their way into the boxes. Ops say it is because

they have better bands. Platters which retail at 35c are sold to machine men at about 19c, 50c discs are about 28c and 75-centers are 47c.

Used records are disposed of by the operators to outlet stores for 2-3c each. These places sell them for 9c or a dime. One problem of the ops, of course, is the reverse side of highly popular platters. While one side is getting used up, the other is stagnating. Usual practice is to turn the etching over on the not-so-pop side for one of the fill-in numbers and put a new one in to replace the worn-out side. Record manufacturers' unfortunate habit of putting something n.s.h. on the reverse means, of course, that the discs can never actually be worn even, but that's just one of those things.

Operators naturally endeavor to keep the more popular possible tunes in their boxes as they mean more nickels. Bartenders and location-owners usually tell them, too, what they want on a couple of the discs and patrons frequently leave requests. On a 20 or 24-record machine, five selections a week are usually changed. Machines, incidentally, are serviced and collections made once a week.

### New Gadgets

Three new ideas have recently caused a flutter in the juke-box business. They are:

1. Coin-in-the-slot automatic motion pictures.  
2. Centrally-operated systems whereby patrons calls into the machine the number they want and an attendant in the main office puts on the platter.

3. Remote control boxes which, without wires of any kind, are passed up and down a bar, permitting patrons to drop in a nickel and dial a selection. Number chosen automatically starts up on a machine at the rear or hidden away in the cellar. These work by radio and are similar to remote-controlled receiving sets put out by Philco and other manufacturers.

Ideas No. 1 and 2 are brushed off lightly by old-line operators as flashes in the pan which will die away when the novelty wears off. No. 3 is important and getting a big play, because it is felt many more nickels will go into the slot when it's not necessary to leave table or bar to walk to the machine. In addition, the idea of hiding the machine away altogether and just having a speaker on the wall is popular with tavern-owners whose space problem is frequently acute. Remote control is seen by manufacturers, distributors and ops as really the next big, permanent step in coin machines.

As for the nickelodeon films, the opinion of Nat Cohn, prez of Modern Vending Machine Co., one of the largest distributers in the biz, is fairly typical.

"When you see a movie once you might like it," he says. "When you see it twice you begin to get bored. And when you must see it a third time you get up and walk out. People just won't keep putting nickels in to see the same thing over, the way they do to hear their favorite tunes five or six times at a sitting. Sure they don't have to look at the pictures, they can merely listen, but that's not human nature. If you put a nickel in and that nickel includes a movie you'll feel gyped unless you look at it. So you won't put your nickel in unless you intend to look and why look at the same thing more than once?"

Central operator system of playing recordings is treated, but more seriously, but is felt by the ops to have too many complications to be successful. It's being tried out now in Brooklyn and a few other cities. Working via telephone lines, this added expense is a major drawback. On each recording, turntable it's figured that the company gets an average of 15c, which is quite a bite out of a nickel. In addition, there must be at least 10 spots using the device within an area of one square mile to make it profitable to put in the lines. And it is impossible to pay the location-owner as much as with a plain jukebox. System novel is for the op to take out the first \$10 every week and split 60-40 after that, the location-owner getting the minor share.

Other less serious factors arise from the vocal tele-tete patrons are enabled to carry on with the gals. Already a few Brooklyn females are having trouble with freshies in bars who want to make dates, toss off uncouth wisecracks or desire the operator to plug into Joe's, four blocks over, and tell Ed Zelig that Harry Itch is in Louie's and would like to see him.



## Broadway

Leo Spitz in town.  
Glen Allan coming back into p.a. biz.

W. G. Van Schmus out of the hospital.  
Hy Daab doing exploitation for TWA.

Neil Agnew due back from Hollywood end of this week.

John McGrall, ex-Haysite, has written a play, his first.

Edith Van Cleave quit as stage director at Amherst (Mass.) straw hat.

Copley Productions chartered to conduct theatrical business in New York.

Stanley Samuels, chief of service at RKO 86th St., admitted to New York bar.

George Jessel followed Lois Andrews (Mrs. J.) back to Hollywood by a couple of days.

Leif Erickson motorcycling to the Coast after closing in 'Higher and Higher' Saturday (24).

Judge Frederick E. Goldsmith and Mrs. Goldsmith celebrated their silver anniversary Aug. 23.

Norma Shearer planned back to the Coast last Thursday (15) after three weeks vacationing in New York and Saratoga.

Wolfe Cohen, Warner district sales manager in Canada, left town conferring with Roy Haines, eastern Canadian division chief.

The Paris Repatriates, luncheon club of former Paris residents, starts a series of bi-monthly meetings at the Hotel Brevoort tomorrow (Thursday).

Gerald Goode going back as advance drum-beater for Monte Carlo Ballet Russe. Will relinquish p.a. job for 'Life with Father' to resume lerp connection.

Monroe Greenhalgh in for a big week of travel, with trips to Philly, Denver, Quebec, Montreal and the Coast scheduled. They'll be separate trips, not a route.

Ethel Black marked her 25th anni in the Universal purchasing department last week. In addition to luncheon by the staff, she was awarded a check by the company.

Clifford C. Fischer, fully recovered and back in his Beverly Hills home, due east on business shortly.

The Franco-American producer suffered severe shock during the French invasion.

An 'in memoriam' ad in last week's VAMUS erroneously listed Charles Inness, husband of the late Maude Ryan, as her brother. William T. Ryan should have received that designation.

Mrs. Marie Pons, mother of Lily clipped in from Lisbon. She'll wait at daughter's home in Silvermine, Conn., for completion of singer's Coast concert tour with husband Andre Koster.

Sixty members of the Ballet Russe de Monte Carlo company returned to N. Y. from a three-months tour of the east coast countries of South America. This was headed by S. Hurok, impresario of the ballet.

Joe Cook, after he sells his Lake Hopatcong, N. J., estate, will do a Dave Chasen and open a Long Island roadhouse featuring the famed Cook sparrows. Will call the inn Sleepless Hollow, tag of his Jersey home.

Warner Bros' annual golf tournament at Old Oaks Country club, purchased, Sept. 12. Committee on arrangements headed by Jerry Keyser includes Harold Rodner, Arthur Schachson, Leonard Palumbo, Abe Kronenberg.

Arriving by boat from Lisbon, Rene Clair, French film producer and director, acted as interpreter for ship news reporters in interview with Salvador Dali, surrealist painter. Clair told scribes he'll do one picture on the Coast, then return to France.

## Pittsburgh

By Hal Cohen

The Walter Thomases celebrated their silver wedding anni.

Phil Doyle, big agent for stagehands union, spanning the continent by car.

Harvey Gault's Pittsburgh Savoyards have set 'Pinafore' for their opener.

Ann Salvetti, 19, named Miss Pittsburgh and will compete in Western Pa. finals.

Jack Simon, Loew manager in Hartford, Conn., around visiting the old haunts.

Pines' manager Al Beger pulling out for Los Angeles to give his niece away in marriage.

Fox Chapel Playhouse closes season here next week with 'You Can't Take It With You.'

Betty Cook, new radio songstress here, a niece of Charlie Eagle, the Stanley musician.

Carl Peppercorn, RKO's new office manager, has moved his family here from Oklahoma City.

Eugene L. Connolly again named chairman of Variety Club National humanitarian award committee.

Joe Hiller and Tony Stern drove up to Cleveland for Maurice Spitz's opening at Ohio Vity.

Shavo Sherman around introducing

ing his recent bride, former Helen Goodwin, Tulsa dept. store buyer.

Ted Vichman, director of Youngstown (O.) Community theatre, here visiting folks after two months on the Coast.

Charles Danvers's column, out of Post-Gazette for two weeks, ditto Karl Krug's on Sun-Tele. They're veaching.

St. Jacobs, WB district manager, checked in Ocean City, just as Felton Pinner, circuit maintenance chief here, left.

## Threaten Tieup

Continued from page 57

America affiliates support them or not. They claim that if Petrillo moves against the instrumental stars by refusing to let AFM members appear with them he will merely injure his own ranks without seriously hurting AGMA.

It's pointed out that even if Petrillo were successful in barring AGMA artists from records and the air, those fields bring a relatively small proportion of concert stars' revenue. He could prevent their appearing with concert orchestras, but that would seriously crimp the box office draw of the orchestras, which are dependent on guest names to pull attendance.

It's seriously doubted among concert booking sources whether symphony orchestras could operate more than a short time without guest stars.

On the other hand, the concert names would presumably be able to continue with their regular concert and recital work, for which they would require only the concert halls and accompanists. Even if Petrillo lines up the support of the stagehands' union and thus ties up union halls, there are enough school and public auditoriums for the concert people to continue indefinitely. It has been proved repeatedly that concert names will draw anywhere, regardless of the type of hall or accompaniment.

Regardless of whether the affiliated Four A's unions support the expected AGMA battle against AFM, it figured almost certain they would be drawn in. Tibbitt, Irwin, Lily Pons and the various other AGMA toptoppers appear frequently on the air. If Petrillo barred AFM members from appearing with them there, AFMA would have to support them, since they are members of that union as well as AGMA.

Similar situations would doubtless arise in legit, pictures and vaudeville. However, as occurred last summer when the IATSE-Four A's battle was on the brink of tying up show business, some kind of settlement will probably be worked out to avert the actual fight.

When the Petrillo demands against AGMA were revealed last week, many dailies throughout the country carried editorials censuring the AFM move. It was pointed out by many of them that under the labor law all employees are given the right to representation by agencies of their own choosing. That would appear to cover not only the AGMA artists who have their own AFL union, but the musicians of the Boston symphony orchestra, who after a period of years have demonstrated that they want no union at all. And as various people in and out of the trade have pointed out, there is no question involved in this dispute of either the AGMA artists or the Boston symphony musicians competing with or receiving less wages for concert, radio or record appearances than the regular AFM minimums.

## SAG Votes AGMA Aid

Los Angeles, Aug. 20.

SAG board last night adopted its resolution to support AGMA in its jurisdictional dispute with the AFM. Lawrence Tibbitt and Attorney Henry Jaffe, who flew here from New York, spent several hours with the SAG board, explaining details of demands of James Petrillo that all instrumentalists join his organization. AFMA and AGMA expected to decide support now the SAG has broken the ice. Tibbitt and Jaffe conferred today (Tuesday) with Pat Casey, producer-labor contact. It is believed they asked him to intercede with Joseph Weber, former AFM prexy, in effort to reach compromise with Petrillo. Casey, Tibbitt and Jaffe plane for New York tonight (Tuesday).

## Bolle to N. Y.

O. W. Bolle, 20th-Fox manager for South Africa, sailed for U.S. Aug. 10, according to word received at the home office.

He is due to arrive in New York sometime next month for confab with W. J. Hutchinson, foreign sales chief.

## London

A. E. Abrahams has leased Garrick theatre to the government as hostel for officers.

Waddy Joyce to tour for 14 weeks with Sandy Powell's road show, contract calling for equal billing.

Stanley Haine, assistant to David E. Rose, chief head of Paramount, has quit to join Gabriel Pascal.

Sligo Sligo, son of the Marquis of Sligo, to wed Alma Warren, owner of Nut Club, bottle party layout, as soon as she gets her divorce.

Renee Houston doing resident revue at the Theatre Royal, Stratford, London, to be near her two children, who are at school in that district.

Eric Strelitz, London rep of British Empire, Sydney, Australia, has acquired entire output of Grand National Films (London) for his company.

Gabriel Pascal's 'Major Barbara' nearing finishing stages, and all though reputed to have already cost \$40,000, unmet cost will reach nearer \$700,000.

Maurice J. Wilson, head of Grand National Films (London), due here from America shortly and expected to bring back joint-managing director Jeffrey Bernard with him.

Toni Gerrard, one of the earliest to operate amateur talent competitions in vaudeville, has been signed by Associated British to play five weeks on its circuit, with options.

Firth Shepherd's new musical, as yet untitled, goes to His Majesty's theatre in September. Harry Foster has already booked Bobby Howes, Fred Emney and Adele Dixon for the show.

Brown Brown, formerly Derickson and Brown, who gave up show biz to go into the stock market, returning as partner of George Moon, former colleague of Dick Bentley, who has returned to Australia.

Naughton Wayne and Hugh Sinclair have been signed by Tom Arnold and Harry Foster to play opposite Frances Day in 'Divorce for Christ's sake,' which opens in the sticks Sept. 16, coming to the West End sometime in October.

Walter Williams, former actor and now manager of Imperial theatre, Brighton, owned by Jack Buchanan and Ralph Lynn, has lined up bank-rol and leased house for summer to produce revues with repertory company, in which he's appearing himself.

## Chicago

Jack Hess taking a flyer at radio writing.

Paul Sander now in the publishing business.

Joe Jacobson up to Wisconsin for some rest and fish.

Lloyd Lewis, Daily News sports and drama editor, in hospital for minor ailment.

Freddie Stutz's m.c. job at the Chicago last week was rewarded with a \$100 bonus from Balaban & Katz.

Lo Wolfson, of the Morris office, in town on business to supervise staging of 'St. Louis Cavalcade' show for the fremen.

Pilm colony eastern trips usually include a stopover in Chicago and a visit to the city.

Major MacKenzie, formerly of Will Hays office, hides away in his garden. He guarantees his visitors quiet. No phones, radios, no newspapers.

## Memphis

By Harry Martin

M. A. Lightman, Jr., junketing to Maine for rest.

John Tomlinson transferring from local Warner exchange to Kansas City.

Clair Noble over from Little Rock on business and Variety Club luncheon.

Little Theatre names 'Dinner at Eight' and 'Margin for Error' as first two fall plays.

Bob Johnson, Press-Scimitar drama critic, down with hay fever and other ailments.

Col. Howard Waugh taken ill in Miami during vacation. Siege interrupted Newau trip for Warner theatre manager.

## Atlantic City

Ann Corio heads next week's show at Globe baryeue.

Bankers Tavern opened last week, with Harry Stahl, m.c.

Ben Foy playing engagement at 500 Club last weekend.

Ice-Capades of 1941 to preem at Convention hall next Sunday (25).

Tola Gali, heading revue at President hotel's Round-the-World room.

Larry Clinton celebrated birthday Friday (16), while playing at Steel pier.

Peter Albani's rhumba orch. staged by Heilig's for remainder of season.

Tom Mix began week's play at Hamid's Million Dollar pier Sunday (22).

Lou Haltz toppled at Bath and Turf club for two-days engagement ended Sunday (18).

Renee and Rudi, dance team, featured in Traymore beachfronters.

Stratosphere room Saturday night (17).

Florence Sundstrom, runner-up in A. C. beauty pageant for year ago, was in cast of Johnny Belinda, which premiered here Monday night (19).

## Ann Corio

Continued from page 1

ferred me the week here, I decided to take it.

"Annie grabbed herself \$450 for the seven days of peeling. Top she's hit the barns for is \$250 and a percentage).

Unwilling to let her earlier love interfere for long with her new-found art, Miss Corio, after the final show Thursday (15), took a plane to resume playing in 'The Barker' at the Brattle theatre of the Harvard campus in Cambridge, Mass. Which is quite a sleeper jump from the Eltinge.

"I'm going to get my M.O.G.S. at Harvard," she revealed. "Master of the G-string."

With serious reviews of her legit debut surprisingly good, the striptease declared there is nothing that amazes her so much as the applause at the curtain calls.

"I can't believe it," she said. "I keep looking down to make sure I have my clothes on."

## Something for the Future

As to her future in legit, the peeler admits she holds no illusions. The serious theatre will have to wait for her. "It might be something to fall back on when I get older," she explained, "but why should I leave burlesque now? It's been too good to me. And anyway, what's the sense in giving up champagne for beer. Legit won't pay me what burlesque. Everybody knows legit is anaemic. This summer even has been a terrific financial sacrifice."

Despite the hardship, Miss Corio will go back to the strawhats next season. However, it will be for a complete tour of the burlesque circuit in single play so she doesn't have to rehearse and learn new lines each week. In the meantime, she disclosed she may find someone during the winter to give her some tip-offs on acting.

"I won't go to any dramatic school, though," she declared unequivocally. "That might take away any originality I have." And there's not a man alive who has doubted Miss Corio's distinctive attributes.

Speaking of the hardships of legit, the debaillate artist revealed that they hadn't all been financial for her. She lost 10 pounds in the five weeks in the 'hitts'.

"I knew they were just waiting to jeer me and that I had to deliver," she asserted. "It was a strain. The part I played was an emotional strain, too."

Gal who has bared herself to more wolves than Frank Buck also admitted that the excitement of knowing she was a real actress at last kept her tossing in bed until five every morning. Which accounted for at least part of the 10 pounds.

It hasn't been all in vain, however, for even if she never looks across a legit footlight in her life again, Annie thinks her experience has helped her back in the field where the dialog consists of one verse and two choruses and all the dramatic action follows.

## More Confident Peeler

"My legit experience has given me more confidence in myself," she explained.

"And truth to tell, her performance last Thursday night had seemed to be a new note. A little less shyness, a little more determination, 'ripping off her bra,' a new tone which might even be called 'Dunlike.' Its quality when, with the boys applauding like mad at the finale, she pointed to her little diamond spangle and, shaking her pretty head, said in her squeakiest voice, 'No. Not allowed.'"

When Miss Corio returns to burlesque, the fall she'll have a couple more substantial remnants than confidence as the result of her summer in stock. One is a new patter tune, written at her commission by Edwin Gilbert, kidding both her and the baryard theatres. It's called 'I Was a Hit in Legit.'

No. 2 is slightly more important and will compensate for certain financial hardships. It's a substantial raise in salary when she goes on the road as the result of publicity garnered by the summer tour. New high, it is understood, will top \$750 a week—which isn't what's usually found in baryards.

More serious part of the year's duties, at which Miss Corio is guaranteed by her manager to lose neither weight nor sleep, starts at Fay's, Philly, Sept. 12.

## Hollywood

Curtis Brown in from Manhattan. Jack Conway cruising in Mexican waters.

Hunt Stromberg vacationing in Canada.

Monica Bannister divorced Eddie Cherkes.

Red Skelton in from Broadway for a Meade Colver assist.

Larry Darmour returned from an upstate vacation.

George Sherman hospitalized with appendix trouble.

Sol Lesser took the annual Fiesta at Santa Barbara.

George Stoll bought estate in Benedict Canyon.

Helen Westberg was granted a divorce from Frank Rowley.

Sam Arnow joined the Liebling-Wood agency as an associate.

Charles Friedman is Fred Kohlman's new press chief in town from Los Angeles.

Rosita Moreno returned from a 10-week engagement in Buenos Aires.

Sterling Holloway back from his municipal opera chore in St. Louis.

Sandy Cummings checked out of the hospital after a decision over flu.

Lionel Houser to Canada for a siesta from his screenwriting chores.

Lloyd Under (NBC) in town from Denver and meeting his old radio pals.

Shickox celebrated his 17th anniversary as a cameraman at Warner.

Jeanette MacDonald threw a birthday party for husband Gene Raymond.

Mike Connolly and Freddie Fralick went into partnership as the Fralick-Connolly agency.

Rose Franken, his missus, and William Brown Meloney motoring here from their Connecticut farm.

Lee Mortimer returned to New York after three weeks of studio gandering for the Daily Mirror.

Greta Garbo will be granted a \$150 a month temporary alimony pending suit for her divorce from Max de Vega.

Charles P. Skouras was cited by the American Legion for meritorious service in relief and Americanization work.

Stanley Roberts back from a working vacation in Elmore where he finished his new stage play, 'Trio,' for California production.

Hollywood Group Theatre's second stage production, 'The Little Foxes,' authored by Dorothy Day Wendell. Kurt Robitschek staging at Troupers theatre.

## Minneapolis

By Les Rees

W. A. Steffes entering prize bull in State Fair contest.

Harry Hirsch in Chicago in connection with impending burlesque ason here.

Kaplan-Rubenstein theatre circuit gave party for employees at Oak Ridge Country club.

Mrs. W. P. Fleckenstein, nee Mildred Harris, one-time wife of Charlie Chaplin, here for brief visit.

Manager Bill Sears of Orpheum back on job after fortnight vacation motor trip in northern Michigan and Wisconsin.

Dorothy Lewis ice show to return to St. Regis, New York, after finishing engagement at Hotel Nicolett Minnesota Terrace here.

Shirley Meyer and Joe Scott, 20th-Fox branch manager at Des Moines and Omaha, respectively, here for sales conference with Moe Levy, district manager.

Joe Hand, director of Old Log (Strawhatter) theatre at Lake Minnetonka, outside Minneapolis, departing to supervise play activity at Northwestern university.

Fred Stree, Cincinnati indie exhibitor and one-time Paramount branch manager here, stopped over en route home from visit with W. A. Steffes at latter's northern Minnesota estate.

Bennie Berger, owner of one of territory's largest independent circuits, resigned from Northwest Allied, of which he was one time president, because he doesn't like the present setup.

## Kansas City

By John Quinn

Bert Knighton tripping eastward to line dates for his bands in September and October.

Variety club to sponsor annual picnic and get-together Monday (26) at Vanhook Country club.

Tom Mendonhall, Omaha Paramount exhibitor, managing in town for talkfest with boss Ralph Libeau.

Count Basie shaking hands with home folks while in town for a one-nighter at Fairland Park Saturday (17).

Russell Facchine, v.p. of MCA, chinning with Barney Jaffee at the Tower on recent biz trip through these parts.

Martha King, St. Joe native, new face in the Tower line, replacing Marlin Dingman, who took matrimonial leave.

Gloria Gipson, sponsored by the Sky-ly Road of Hotel Continental, winner of the bathing beauty contest to represent town at Atlantic City in September.

## Why They Pass Up Pix

Continued from page 1

are other reasons which sound equally unusual and unworthy of notice—until strangely enough, they begin reappearing in such far-distant communities as Portland, Ore., and Portland, Me., in Mobile, Ala., and Terre Haute, Ind. They are doubtless worth attention, and plenty of it, from an industry which should be giving itself a careful gander to learn why those 32,000,000 exist. This group, right at home, is the key to profits, regardless of what losses may be suffered in foreign spheres.

Plaint about the quality of Hollywood product far surpasses in frequency any other reason for shunning film theatres. It is offered two-and-one-half times as often as the next most important single reason, double bills; more than three times as often as the reason for shunning, and five-and-one-half times as frequently as the fourth reason, preference for radio listening.

### 'Not Enough Good Films,' A Significant Emphasis

Significant in the squawks about quality of films is that virtually no complainant states there are no good pictures, but all maintain 'there are not enough good pictures.' In other words, there appears to be a growing recognition of Hollywood's efforts to turn out better films, which is encouraging. With 'Gone With the Wind' and 'Rebecca' leading the mentions, there's less of the slam-bang condemnation of all films, which used to characterize critics of Hollywood.

Among the answers there are still, of course, quite a few like that of Charles Berry, city editor of a Wilkes-Barre, Pa., newspaper, who has seen three pictures in 10 years: 'I'm just not interested in movies.' Such die-hards may probably best be written off the books, but among those strangely recurrent reasons mentioned above for not attending films, many bear looking into with a view to correction.

#### Other Beefs

Included in the are bad air-conditioning. Hark to Fred Johnner, advertising salesman of Syracuse, N. Y.: 'I'm a twice-a-week fan in winter, but I don't go for the air-conditioning in the summer. My whole family catches cold in those damp refrigerators.' Similar voices are heard from Mobile, Ala., and Toledo, O.

'Too many trailers likewise bring beefs. Other complaints are that all good pictures come in the same weeks; pictures are too much alike; too much romance in films, not enough comedy and action; admission prices are too high, and there is too much sports material in newsreels. Last reason seems particularly unusual, yet was mentioned four times from such scattered places as Mason City, Ia., and New Bedford, Mass.

**Too Much Propaganda and War.** Among the one-of-a-kind reasons for not attending theatres, which may or may not be significant, were that there is too much propaganda on the screen and too much war. Another reason which turned up only once is rather unique in several respects. Let Ben Van Leer, 48, manager of a Terre Haute drugstore, say it himself: 'There's too much sex stuff. A person is not allowed to spoon on a park bench, so why educate young people in theatres to something they cannot do themselves.'

In the numerous replies that sports are keeping audiences from theatres, bowling easily was the leader in winter and night baseball in summer.

Typical of replies basing absence from theatres on preference for radio, is that of Clare McDermott, store proprietor of Detroit: 'Radio is more satisfying. Every night you've got your free choice of all kinds of entertainment. You switch to what suits your mood. Once you pay your money at the movies, you're hooked.'

Other replies illustrating the general tenor of answers to VARIETY's query follow:

A. G. Martin, 66, postmaster and former mayor of Fairmont, W. Va.: 'I don't especially care for the stuff offered by the movies. Once you pay a point of seeing attractions like 'Gone With the Wind' and 'Snow White', but I live some distance from the theatre and it requires something special to coax me out. I didn't take advantage of the opportunity to see the stage version of 'Tobacco Road' when it came as I like to forget the situation in which some folks are forced to live.'

Maxwell Durland, 30, music store

proprietor, Louisville, Ky.: 'I like movies, but can't get to them more than once a month, as my business ties me down.'

Phil Sandman, 28, display manager, Louisville, Ky.: 'Double-features but three-hour shows wear me out.' Henry Dries, 50, probation officer, Louisville, Ky.: 'I prefer night baseball.'

C. W. Johnson, 30, radio announcer, Louisville, Ky.: 'I like movies, but prefer chance games like bingo.'

Mrs. Nellie Smith, 65, housewife, Mobile, Ala.: 'Air rides are so beneficial and the radio is presenting such rare and versatile programs that I prefer it to pictures.'

**Radio Serials.** Mrs. Conrad Parsons, 30, housewife, Mobile, Ala.: 'I was a weekly visitor to the theatre, but along came such radio programs as 'John's Other Wife' and we rather overstay our dinner hour to listen.'

James T. Cuthbert, 50, supt. of county building, Mobile, Ala.: 'I'd rather go fishing during the day or see a ball game at night. Maybe open air theatres would attract more people in summer.'

John Browning, 30, salesman, Mobile, Ala.: 'I don't like the idea of being cool in a theatre and coming out to sweat to death.'

Elma Childress, 30, stenog, Mobile, Ala.: 'Long trailers and double features make stays in theatres too long. There should be double features on Saturdays, Sundays and holidays only.'

#### Not Missing Much, If Any

William J. Good, 35, International News Service bureau manager, Atlanta: 'I simply don't feel I'm missing much when I stay away from the movies. If I suffered fewer disappointments when I do go, I'd go oftener.'

Mrs. F. L. Matfield, 32, housewife, Atlanta: 'I'm only interested in pictures with the best stars. Incidentally, theatres are prone to be too cold in the summer.'

Edward L. Dannelly, 26, book-keeper, Atlanta: 'I work inside so I'd rather devote weekends and evenings to keeping in physical shape. I play tennis at night in the summer, bowl in the winter. I also like night baseball.'

Maudie Kline, 35, store manager, Toledo: 'I get tired of being bored by movies that insult my intelligence. And when a good one does come along, it's on a double feature with a western or class D, so that keeps me away.'

Fred Staubeck, 32, credit manager, Toledo: 'Going to the movies is a nuisance as we have to phone to find out when the main feature begins and time all our activities accordingly to miss the B. We usually have to go right after dinner or up too late. Moreover, it seems all the good pictures come the same week.'

**Pix Getting 'Worse and Worse.'** Dr. Edward J. Singer, 35, physician, Toledo: 'The pictures seem to get worse and worse. I'd just as soon catch up with my reading.'

Florence Poneman, 30, teacher, Toledo: 'I prefer to listen to the radio or read when I don't have a date. When I go out we usually go to a night club with friends.'

Jean Roddy, 21, stenog, Milwaukee: 'There's too much war on the screen. There's nothing but war in the newspapers. We tune in a dance band and war bulletins break in. We go to the movies seeking entertainment, but we are scenes and reminders are flashed before us suggesting that our own boy friends may be called next. It keeps me away from the theatres except when an especially good picture is playing.'

Roy Lester, 35, restaurant owner, Wichita, Kans.: 'There are not enough of the kind of shows I like—historical pictures and musical comedies. Also it seems they get a hit on a certain type of show and copy it until it is worn out.'

Mrs. J. H. Fugate, 35, wife of an attorney, Wichita: 'I'd rather play bridge or listen to the radio.'

John Tipper, 45, newspaperman, Birmingham: 'I just don't care anything about them.'

**'Most Pix are Alike'** John Padgett, 30, artist, Birmingham: 'Most pictures are alike. I honestly feel I've seen everything they have to show.'

Mrs. H. L. Carpenter, 50, housewife, Birmingham: 'So much propaganda has crept into pictures I don't enjoy them any more. I used to go

## Can't Top That

New Bedford, Mass., Aug. 20. Most unanswerable answer to VARIETY's 'Why I Don't Go to the Movies?' survey was provided by Manuel Sylvia, 38-year-old labor foreman here. Said Mr. Sylvia:

'Because for the same price as the movies (44c) I can get nine glasses of beer at the club, have a good evening, go home when I want and usually meet some guy who's been to the show, and tells me all about it anyway.'

to be entertained. Now they preach at you.'

Neil Peterson, 34, investigator, Burlington, Vt.: 'I select the best pictures and attend them. I've been disappointed too often casual visits to the theatre.'

Harold Mayo, 45, merchant, Burlington, Vt.: 'Other activities, work and recreation, principally bowling, keep me busy.'

Dr. Fred Brown, 35, Head psychologist, Minneapolis public schools: 'There are only about 12 pictures a year which tempt me. To attract me, they must have social content, superior quality and a strong cast. I determine my attendance by reviews and am influenced by advance publicity matter. When more adult pictures are made, more adults will go more often, in my opinion.'

Mrs. Margaret Peters, 32, stenog, Glens Falls, N. Y.: 'Pictures lack interesting plots. Themes are so light one gets tired before the picture is half over. You may see pictures with different titles, but the themes are all the same.'

Don Innes, 32, department store owner, Mass., Cal., Ia.: 'Movies have too much preamble, such as advertising, which I dislike very much.' Edith Pratt, 40, housewife, Rochester, N. Y.: 'With me it's mostly habit. When I go regularly I find pictures I like, but when I get to doing other things, I find I can get along nicely without pictures.'

Harry McGee, 50, county purchasing agent, Wilkes-Barre, Pa.: 'Shorter shows and lower admissions is the solution. A 40-minute feature with 20 minutes of shorts and newsreels would be ideal.'

#### Radio for Nothing

Melvin Pohlenz, 24, salesman, Lincoln, Neb.: 'I'd rather sit home listening to the radio for nothing than spend half a dollar for what I heard on the air last week.'

Mrs. Lucille Stern, 33, housewife, Easton, Pa.: 'Some of the pictures which are heavily advertised are so poor that I am beginning to lose confidence in the ads. I now wait until I can talk to a friend who saw the picture.'

Marjorie McCullen, 24, advertising copywriter, Albany: 'If more books and plays with which I am familiar were made into pictures I would probably go more often.'

John D. Kenney, 32, attorney, New Bedford, Mass.: 'Movies are like being served a quart of milk when you order a half-pint. You hate to waste what's left, but it takes a long time to finish everything and by the time you are through either you are sick or the milk has become sour.'

Juliet Galloway, 30, socialite, Lexington, Ky.: 'Bank nights have turned me into a picture critic. They're the greatest bore yet.'

Fred Jackson, 40, business exec, Lexington, Ky.: 'Lack of adequate user service and bad manners of theatre crowds keep me away.'

Dr. John S. Madigan, 28, podiatrist, Portland, Me.: 'Only complaint I have to offer is that good pictures often come in bunches, and just as often there are weeks and weeks when one must put up with poor pictures.'

Milt Hoffman, 28, magazine editor, St. Paul: 'I think the naves have a lot of guts to charge 35c admission for pictures which have played the loop eight months before. I know plenty of people agree with me.'

## Melbourne Suspends Home Picture Quota

Melbourne, Aug. 1.

The Victorian government has decided to suspend quota regulations covering home-brew pix. Product hasn't been sufficient to meet requirements of the Act.

Previously, Act called for 10% screening of home-brewers on all bills, but even when this Act was passed by the government there was not enough product to meet a 2% quota.

Booby Peters is currently filling an engagement at Lake Worth Casino, Ft. Worth, where he will play through Labor Day, when the resort spot goes into weekly policy.

## OBITUARIES

### GENE MORGAN

Eugene Schwartzkopf, 48, known on stage and in films as Gene Morgan, died Aug. 13, at Santa Monica, Cal., of a heart attack. Leaves mother and widow.

He started his career as an usher in the Valentine theatre, Toledo, and later, with Louis Greiner, now operator of concessions at Russell's Point, Indiana Lake, O., resort, organized a minstrel show in Toledo. It was from the success of the minstrel performances that Morgan started his career as a blackface comedian, orchestra leader, vaudeville headliner, m.c. and musical comedy star. In Toledo he was at one time treasurer of the Valentine theatre, and later associated with Burr's theatre.

He played in the film musical 'Kid Boots,' appearing in more than 35 pictures. He was under contract to Columbia at the time of his death. He had also been under contract to Fox.

### GEORGE C. PEARCE

George C. Pearce, 75, stage and screen player, died Aug. 12 in Los Angeles. Survived by widow, Helen Bray Pearce, a daughter, Lassie, and a son, David.

Deceased was born in New York, where he created the Nanki-Poo role in the original Gotham presentation of 'The Mikado.' He was at one time a Charles Frohman director. In the early days of films he divided his time between 'Tug and Biograph.'

His last footlight appearance was in L.A. in 1925, when he played the drunken doctor in 'White Cargo.' Among the films in which he played were 'The Valiant,' 'The Right to Love,' 'Six of a Kind' and 'You Can't Take It With You.'

### WILLIAM WATSON

William Watson, 55, well known in Edmonton, Alberta, theatre circles, died in Edmonton Aug. 9.

Stage manager of the old Pantages during early theatrical days in Edmonton, he was with that company until the premises were taken over by the Strand theatre. He then took over the stage duties at the Empire. Watson for the past 15 years had also served as stage manager for the Edmonton exhibition's grandstand performances.

Survived by widow, two sons and two daughters.

### FRANK WILLIAMS

Frank Williams, 58, oldtime singer, vaudeville, minstrel man and theatre manager, died Aug. 12 at his home in Milwaukee.

In the early days of films he was associated with Campbell & Danforth, operating theatres in Green Bay, Appleton, Marinette and Racine, Wis., and Calumet, Mich.

Widow, Lydia, survives.

### NICHOLAS W. COPELAND

Nicholas W. Copeland, 45, writer-actor, died Saturday (17) in Los Angeles. He had come to Hollywood in 1921 as a writer after years in vaude and musical comedy. More recent assignments have been as a character player.

Widow and son survive.

### JOHN THOMAS BENELL

John Thomas Benell, 25, stage and screen player, died Aug. 12 in Beverly Hills.

Surviving are his parents.

### ARTHUR BYRON, JR.

Arthur Byron, Jr., 34, radio script writer and son of the stage and screen actor, accidentally drowned at Lakewood, Me., Aug. 14.

George P. Haly, 62, for years ticket broker for the Philadelphia Academy of Music and recently in the same capacity at Robin Hood Dell, Philly, suffered a stroke while wading in the ocean near his summer home at Sea Isle City, N. J., and died a few hours later. Survived by a brother and two sisters.

Father, 70, of Walter Winchell, Broadway columnist, died Sunday (18) at his home in New York. A retired silk merchant, he had been in poor health for several years. Also surviving are his widow and another son, Algen.

Lieutenant Henry Claydon, 25, husband of Betty Mae Crane, one of the Crane twins in 'Hellzapoppin,' died Aug. 15 in a plane crash at Rye, N. Y.

Mother, 97, of Jules, M. M. Claude, Harry and Louis M. Rubens, of Para-

mount Great States Theatres, died in Aurora, Ill., Aug. 10. Three daughters also survive. Burial in Chicago.

Mother of Louis Pollock, Universal's eastern advertising manager, died Aug. 13 in Hollywood. Also surviving are her husband, Max, a daughter and another son.

Mrs. Clara T. Killen, 54, mother of Madlyn Killen, former vaude performer, died of a heart attack Aug. 7 at her home in New York.

Mother, 68, of Fred S. Meyer, 20th-Fox studio labor contact, died July 30 in Germany.

## Two Studios in Race With Hickok Films

Hollywood, Aug. 20.

Bill Hickok, the two-gun hossman of pioneer days, is running a race with himself at two studios to decide which half of his dual life will hit the screen first.

Columbia got away in the lead in the Hickok Derby with Bill Elliott in the saddle, but Republic is only a few lengths behind, with Roy Rogers wearing the spurs. It looks like a photo finish.

## Saratoga Niteries Seek Assessment Deductions

Saratoga Springs, N. Y., Aug. 20.

Requests for reductions in the assessed valuations of three local niteries have been made.

They are: Pipping Rock night club, from \$100,000 to \$75,000; Ben Riley's Lake House, \$80,000 to \$50,000, and Grand Union Hotel, \$260,000 to \$200,000, all filed with the Common Council sitting as a Grievance Committee.

## MARRIAGES

Margaret Muriel Holshoe to George H. Lawrence, in Regina, Sask., Aug. 12. He's announcer with CKCK, Regina.

Jane Bennetts to John D. Hix, in Bethlehem, Pa., Aug. 13. Bride's a legit actress, he's with the staff of the Bucks County Playhouse, New Hope, Pa.

Marjorie Hall to Walter A. Brown, in Alberta, Canada, Aug. 10. He is president and general manager of Boston Garden Corp.; she's secretary on WBZ, Boston, staff.

Marjorie McPherson, radio director and scripter, to Dave Crockett, KOMO-KJR, Seattle, announcer, in Coeur d'Alene, Idaho, Aug. 2.

Dorothy Applan to Charles Miller, in Pittsburgh, Aug. 11. He's with Brad Hughton.

Alene McKenna to Wallace Block, in Buffalo, Aug. 6. She's WEBR, Buffalo, singer.

Lily Rose Able to Bart Slater, in St. Louis, Aug. 10. He's the program director at WIL, St. Louis.

Betty Lusk to J. Taylor Grant, in Long Beach, Cal. He's gabber at KWK, St. Louis.

Virginia Hardy to Robert J. Richardson, in St. Louis, Aug. 3. She was secretary to salesman V. E. Carnichael at KWK, St. Louis. He's special sales rep for same station.

Eve-Zucker to Dr. Milton Klein, in Belle Harbor, L. I., Aug. 18. Bride is with Metro's scenario department.

Claudia Pierce to Myron Dutton, in Los Angeles, Aug. 16. Groom is a director at NBC.

Dorris Busick to Henry Hickman, Aug. 10, in Towson, Md. Bride is WFRB, Baltimore, receptionist; he's announcer at same station.

Josephine Key to Jimmy Bridges, in Monticello, Aug. 11. He's member of WSB, Atlanta, announcing staff.

Mary Francis to Clayton Moore, Aug. 19, Las Vegas. Bride is ex-'Scandals' dancer. Groom film actor.

## BIRTHS

Mr. and Mrs. Eddie Davis, daughter, in New York, Aug. 14. Parents were formerly in vaude as a singing and dancing act; he's not to be confused with the nitery operator of the same name.

Mr. and Mrs. Walter Zahrt, daughter, in San Antonio, Aug. 10. Father is merchandising manager for WOAI, San Antonio.

Mr. and Mrs. Larry Clinton, son, Aug. 19, New York. Father is band leader.



# WHAT THEY THINK

## Rebutting Pegler

New York.

Editor, VARIETY:

In complimenting the N. Y. Police Department for issuing orders making finger-printing of all night club performers and attaching names, Mr. Westbrooks Pegler vilifies an entire industry. In not so genial generalities he 'exposes' gambling and gangsterism—and expresses, in his usual slingshots at bigshots, his observation or opinion that the night club business is a 'rogue business infested with criminals of all kinds.'

He goes on to decry the fact that the newspaper business adds and abels these sin-infested cubicles by accepting paid advertising and glamorizing and publicizing the thousands of clubs licensed to run as such by one of the hardest-boiled censorship groups in the nation—the local liquor boards.

Having corralled Broadway news for too many years and concentrating in that field while Pegler has roamed far afield in foreign lands, I assume I'm as much qualified to class as an expert on the subject as the reporter who has been and is too busy in matters of more moment than to toy with who was seen with who dancing at what club when.

I hold no brief for night clubs. I agree with Commissioner Valentine that if there are criminals in the night club business and if finger-printing will clean them out by all means give them the finger. But I do not agree with Pegler vilifying an industry that provides a living for tens of thousands typifying all the fraternity with a case in point of a crummy little politico-underworld character painted in picturesque fashion by certain newspapers. If Peg has the evidence that will help the police clean up the industry why doesn't he come forward with the facts and be constructive in his criticism by naming names instead of name calling?

Every business has its rackets and its methods of staying with the law by utilizing velvet-covered blacklegs in some guise. Some of the most reputable newspapers in this country, built up their circulation by men who certainly couldn't be described as cutie-pies and methods that couldn't stand the scrutiny of intensive investigation. And all the while, to paraphrase Mr. Pegler, the front pages of these same papers probably clamored 'Corruption Must Go,' etc. But tricks of the trade are accepted with a 'may the best man win' point of view—and even Peg, because of isolated instances that are shameful, wouldn't want to blemish the reputation of the entire newspaper profession. So why pick on the most precarious, the most trying and the least likely to succeed of all enterprises—the night club?

Since the death of vaudeville, or at least its crippling, night clubs have been a kindergarten for movies and radio—the two great mediums of amusement for the millions. Night clubs gave Alice Faye, the Ritz Bros., Ruby Keeler, Barbara Stanwyck, George Raft, Jimmy Durante, Helen Morgan, Martha Raye, Dick Powell, Eleanor Powell, Dorothy Lamour and scores of others—people whose talents might never have survived to bask in the spotlight of day if Mr. Pegler's night club findings, which were more accurate when these stars were ascending than today, resulted in the extinction of the night club business.

If all publicity, advertising and news were limited to cream puffy milk and honey subjects not only wouldn't Westbrooks Pegler find room for his usually feeble voice, but the doings of the Mussolini-Hitler hordes and those other international gangsters would be silenced too—and the front pages of our dailies would be left with nothing but the weather forecasts and maybe they'd be eliminated, too—for they're not very accurate either.

Hy Gardner.

## Memories of Mrs. Carter

New York.

Editor, VARIETY:

You printed my signed comments on 'Lillian Russell,' as depicted in the screen version. I now read that 'The Lady With Red Hair' is about to go into production in Hollywood, described 'the life of Mrs. Leslie Carter.' I hope the movies tell more accurately than Mr. Carter, famous dramatic star of years ago, than they did with Miss Russell, who was the queen of comic opera, be-

fore such productions were called 'musical comedies.'

I not only knew Lillian Russell, and many who were associated with her, I knew Mrs. Carter, and, through many years, was honored with the friendship of her manager, David Belasco. My many rare photos of Miss Russell show her wearing a variety of costumes, in private life as well as on the stage, totally different from those designed for Alice Faye, and my rare photos of Mrs. Carter (in my internationally celebrated private collection of 10,500, my personal hobby of the last 40 years), illustrate with authenticity the costumes affected by 'The Lady With Red Hair.'

I now seem to be 'the last of the first-nighters,' and among my most vivid recollections of sensational premieres, are those starring Mrs. Carter, 'The Heart of Maryland,' 'Zaza' and 'DuBarry.' The audiences shouted and cheered.

Harold Seton.

## Letter from C. B. Cochran

Editor, VARIETY:

London.

Lots of things have happened in Europe since I last wrote but England is about the same.

It was three days ago that Hitler said he would 'pulverize' us if we didn't make peace, and Halifax said last night and Churchill the night before told him what he might do about it. Tomorrow we shall have a budget to add to our happiness, but you may believe me that the spirit here is magnificent. There is no panic, no despair, and despite their burdens the majority of people are very happy.

The roundup of aliens has been so very drastic of late that we are losing a lot of old friends. The last of mine to go was Prof. Ernst Stern, who designed for me the original production of 'The Miracle' in London in 1911. He has done a good deal of work in America, notably the film 'Congress Dances.' He is a charming man. The authorities are going to investigate a number of cases such as Stern's—men who might be useful for any war work. Stern, for instance, would be marvelous for camouflage.

I do an odd bit of radio work but not very much. There is, at the moment, a proposal before the Ministry of Information in which I figure largely. If it clicks it will keep me busy and, what is more, usefully busy.

Our mutual friend, Noel Coward, has gone to South America to tell them all about it over there. (Today I learned that he has gone to the United States).

I wouldn't want to leave London altogether, but I would like to come over and have a look at 'Louisiana Purchase,' Irving (Berlin) the tops for me, and Victor Moore my favorite comedian.

A very noticeable thing which has come out in the war is the kindness of people to one another. English people in trains, buses and at public places are no longer loafing; they get into conversation with their neighbors, help one another in carrying parcels and are generally considerate and unselfish. Certain things have become rationed a little more tightly, but we are getting pretty nearly everything we want. To take a little less sugar and butter doesn't hurt the people who are inclined to get fat, like myself.

The invasion has been so long coming that the theatres which are open have started to do really well, but to produce on any big scale is a risky business as anything might happen any day or any hour.

There are not many Americans left here, but Dorothy Dickson and Claire Luce are about everywhere and busy with war work. Vy Oliver, Ben Lyon and Bebe Daniels go on working.

Since I dictated this letter the terms of the armistice have been announced and it is going to make it a little more difficult for the theatre as the entertainment tax has been increased and I don't think it would be wise to hand the tax over to the customer for payment, which means that we shall get sixpence less out of a half guinea seat than recently.

The public considers the present price of a guinea quite high enough and psychologically there is a big difference between 10/6d (half a guinea) and 11/-. Then the cheap prices must be affected by tax being taken at the source on small wages which formerly were taxed at all. I am sure that this branch of the dramatic show business can prosper. It isn't according to common business sense.

F. J. Nyland.

getting about 1/6d in the pound to spend only. However, even that doesn't depress us unduly.

Dorothy Thompson's broadcast from Montreal the other night was perfect propaganda and represents more clearly than anything I have heard the British attitude towards Winston Churchill, who is adored by the whole country. All classes have complete faith in him. She didn't over-shoot the mark when she put Winston in the gallant company of ghosts—Queen Elizabeth, Drake, Shakespeare, Raleigh and Wellington. She struck another bull's-eye in pointing out that Winston and other big men in this country with country houses fill them with children from the London slums and live simply enough in London, whilst Hitler and his band of executioners emulate the luxuries of Versailles with their eagle's nests and castles paid for by the poor people of Germany and the grabbed territory. We know what happened to Marie Antoinette.

Remember me kindly to all old friends.

Charles B. Cochran.

## In re: Magic Exposes

New York.

Editor, VARIETY:

Last week I noted a squib in VARIETY relating to the proposed expose by Harry Green of professional magic tricks in Darryl Zanuck's production, 'The Californians,' whereupon I communicated with our society's west coast representative, Everett W. Morgan. I enclose copy of letter received by him from Harry Brand, publicity director of 20th Century-Fox, in which Brand states that the story did not emanate from the studio and that no exposure of magic appears in 'The Californians.' It is possible that the story originated with Harry Green. This is only a conjecture on my part. The zeal for publicity often causes actors to talk out of turn and it may be that in this case.

I have talked to leading theatre operators frequently and I have never met one that is not opposed to exposure of any kind in pictures. Without exception they have stated as their opinion that it is idiotic judgment and childish lack of showmanship on the part of motion picture producers to destroy the most precious of all qualities—show business—illusion and glamor—by revealing to the public backstage secrets.

Typical of the pledges against exposing received by this society is the one enclosed, sent us by Lenox Lohr, then president of NBC.

True, there are not so many vaudeville spots as there used to be in spite of this, magicians have never enjoyed more bookings, and there isn't a single city or town in the land that hasn't a thriving magic club. As you know, each member is pledged not to reveal secrets of the art, as well as to actively combat needless exposures appearing in the papers. There are many illustrious laymen who pursue the art as a hobby. Obviously any unethical producer who undertakes to expose will run into a hornet's nest in every community.

If you agree with me that it is against the best interests of the industry for one branch of show business to hurt another; if you think a group of entertainers who have devoted their lives and no little money to the perfection of their art and acts have the right to continue to exist, I would appreciate your cooperation in publishing a denial of 20th Century Fox's intention to expose, knowing full well that you have always been a vigorous and forceful opponent of unethical practices.

Al Altman.

National Chairman, Committee on Ethics and Standards, Society of American Magicians (National Council).

## Why Strawhats Flop

Troy, N. Y.

Editor, VARIETY:

Is the summer theatre idea on the way out? I have attended several of these shows during the past four weeks and have noticed only small attendance. The shows I have seen this year are poor and in no way compare with dramatic shows that I have—under tent in the old days—seen the southwest.

The whole affair of this summer theatre business seems to be that they expect people to pay and take it nicely and say nothing no matter if the show is poor. I paid \$1.10 for a poor seat in one place and the seat was a hard wooden bench at that. I can't see how this branch of dramatic show business can prosper. It isn't according to common business sense.

## Applause-Meter at S.F. Expo OK's Wealth Draft

San Francisco, Aug. 20.

A. L. Vollman collecting some extra newspaper space with installation of applause-meter at his 'Cavalcade of America' on Treasure Island. Asks pertinent questions at each performance and clocks yes-no response via palm-pounding.

Some of the statistics: 'In case of war,' should the Government draft wealth as well as manpower? Verdict was—yes, 100%. Asked whether or not they favored conscription, audience kicked up 75%. 'Yes' reading on the needle. Same percentage favored immediate sale of over-age destroyers to allies. Some 80% advocated starvation for Europe if admitting food would in any way also benefit Nazis.

## NIX BEER AT MICHIGAN FAIR

Detroit, Aug. 20.

Gov. Luren Dickinson has brought his influence to bear on the State Liquor Commission and as result there will be no beer sold at the Michigan State Fair this year.

The Commission had already issued a permit to the Fair management to serve beer, but when the WCTU and several church bodies heard of it they immediately protested. They received the full support of the governor in their protest and he called the Commission together to explain the issuance of a permit to sell liquor on State property.

Chairman Orrin De Masse explained that the Fair permits still are being investigated and are not up for final approval. They probably never will come before the Commission for action now, although members of the Commission had tentatively approved the sale of beer.

## Carnivals Go Big In South America; Borges to Tour One

Carnivals beginning to rival the bullfights in popularity among South Americans, according to Jose A. Borges, who runs both the bull ring and the only amusement park in Caracas, the capital of Venezuela. Borges arrived in New York last week (15) to look over the World's Fair amusement area and buy new carnival equipment. He particularly interested in buying merry-go-rounds, flying scooters, loop-o-planes and bumper cars for a carnival which he'll take on the road in S. A. next summer.

Carnival biz in Latin America is an untapped gold mine, Borges said. He took in \$30,000 in two months in his Caracas park, in which he had invested only \$15,000. Venezuelans have lots of bolivars to spend on amusements, Borges explained, with only films and the bullfights competing for the coin. He'll take his traveling Coney to Bolivia, Peru, Buenos Aires and Rio after buying the equipment here.

## Settle Ice Show Suit

San Francisco, Aug. 20.

Injunction suit brought by 'Ice Follies' against 'Ice Frolics,' local expo show, has been amicably settled. 'Frolics,' operated by Eddie Saunders and Art McChrystal, has agreed not to take title except for duration of expo. Shipstad and Johnson's 'Ice Follies,' winding up three-month run at Winterland auditorium on mainland, brought action last June, but matter had been continued indefinitely.

N. Y. State Fair's Centennial.

Syracuse, Aug. 20. Centennial edition of the New York state fair gets underway Sunday (25). Continues through Labor Day.

## A Nation at War To Be Theme Of Canadian Expo

Toronto, Aug. 20.

Centered around the activities of the Royal Air Force, the Army and Navy, the Canadian National Exhibition will this year present the spectacle of a nation at war. Last year the CNE took more than \$250,000 in American currency alone; officials are hoping for a repeat during the two-week annual show to be staged Aug. 23 to Sept. 7 inclusive. Expo will be formally opened by the Duke of Athlone, brother of Dowager Queen Mary.

Daily highlight will be a spectacular air show put on by the RAF in addition to a ground show permitting examination of all types of bombers and aircraft used by the British in addition to bombs and other aerial projectiles. About 2,500 airmen have been training at the 387 groups of the CNE and will remain in barracks there in such permanent buildings as have been turned over to the Department of Defense; the infantry will move out and go under canvas at Niagara.

Nightly grandstand pageant on the Lake Ontario waterfront will depict the history of British sea power from the days of Queen Elizabeth and the Spanish Armada to the victory over the Graf Spee off Montevideo. The Army's part in the two-weeks' show will be daily demonstrations of mechanized war machines, including tanks, etc.

British exhibits will be the largest in the 62 years' history of the CNE, but only three European countries will have displays; Finland, Czechoslovakia, Switzerland, Netherlands East Indies will have a large exhibit.

## RACINE COUNTY CURBS 'FLEEING' CARNIVALS

Racine, Wis., Aug. 20.

Attacking carnivals as an odorous reflection upon legitimate show business, the Racine county board of supervisors has put \$200 daily license fee on any outposts of this classification that want to play this town.

This is not a revenue-raising measure, but a barrier to keep carnivals out of Racine county, said Supervisor Roy Naleid. 'What goes on at these so-called carnivals isn't gambling; it's outright fleeing. A man hasn't chance with his money.'

Salem, O., Bans Carnivals

Salem, O., Aug. 20.

Mayor Norman Phillips of Salem, O., has banned all traveling carnivals as a result of public protests over gambling concessions which the mayor said, on one hand, had connection with a recent show here.

Chief of Police Ralph Stoffer was said by the mayor to have returned about \$1,000 to persons who said they had lost money on the gambling concessions. The city officials collected from the concession operators. Individual losses were reported to have been as high as \$140.

## Cole Bros. Only Circus On Coast This Year

Los Angeles, Aug. 20.

Only circus skedded to hit southern California this season is Cole Bros., now in the Pacific Northwest. Outfit was booked for Spokane (19) and then heads for Seattle from where southward trek will start.

Jack Grimes and Ora Parks are handling press, with J. D. Newman functioning as general agent.

## \$25,000 Ohio Fire

Akron, O., Aug. 20.

A \$25,000 fire that damaged the roller skating rink, restaurants and a portion of the boardwalk and concessions hit Russell Point, Indian Lake, central Ohio resort, Thursday (16). Cause of the blaze, which started in the rink, was undetermined.

This is second fire at resort, \$100,000 blaze having destroyed dancehall and boardwalk several years ago.

# WOODY HERMAN

## AND HIS ORCHESTRA

*The Band That Plays The Blues*  
FEATURING DILLAGENE AND THE "WOODCHOPPERS"

*Events Move Fast  
When A Band Clicks!*

THIS HAPPENED

### RECORD BREAKING ENGAGEMENTS

FEBRUARY, 1940  
HOTEL SHERMAN  
CHICAGO

MARCH  
PALACE THEATRE  
CLEVELAND

APRIL  
MEADOWBROOK CLUB  
CEDAR GROVE, N. J.

MAY  
SMASH TOUR  
COLLEGE PROMS—ONE-NIGHTERS

JUNE  
WESTWOOD GARDENS  
DETROIT

JULY  
HAMID'S PIER  
ATLANTIC CITY, N. J.

GUY HUNT'S PIER  
WILDWOOD, N. J.

THIS FOLLOWED

### Young America Selects Heir Presumptive to Swing Crown

NEW YORK, May 11.—In an effort to gauge the box-office value, either real or potential, of the up-and-coming bands trying to scale the success heights, *The Billboard*, in its third annual survey of collegiate preferences in music and papers in 40 States thruout the country, posed the following question to the editors of 108 college and university papers: "Which one of the newer crop of dance orchestras does your student body consider most promising and most likely to reach the top?" Out of the waiter of names, both nationally and merely locally known, that were offered stands that bestowed the accolade of the crown upon Woody Herman, upon whom was bestowed the title of the heir presumptive to the dance band throne, by a large majority of the colleges participating in the poll.

In the group behind these first 10, excluding *The Billboard*, Skinner, Ennis, Dick Staiger, Johnny McGehee, Hosland, Gray Gordon, Johnny Mosner.

— AND NOW THIS!

AUGUST 9  
OPEN 4 WEEKS ENGAGEMENT  
HOTEL NEW YORKER  
FIVE WEEKS OPTION

AUGUST 13  
HOTEL EXERCISES  
OPTION FOUR DAYS  
AFTER OPENING

AUGUST 28  
OVERWHELMINGLY SELECTED  
AS BAND OF 1940 TO PLAY  
NEW YORK'S ANNUAL  
HARVEST MOON BALL  
AT MADISON SQUARE GARDEN

OCTOBER 11  
OPEN STRAND THEATRE  
NEW YORK—THREE WEEKS

NOVEMBER 15  
OPEN PALACE THEATRE  
CLEVELAND—RETURN ENGAGEMENT WITHIN EIGHT MONTHS

### Woody Herman's Band Harvest Ball Choice

By WILLIAM MURTHA.  
The smoothest, smartest, swiftest band to hit New York in many a moon, Woody Herman and his orchestra, has been selected to play for the finalists in the Sixth Annual Harvest Moon Ball at Madison Square Garden on the night of Aug. 28.

It took us quite a while to make our final selection. We wanted to please every one—the spectators who will watch and the contestants who will dance. Now we know we've made the best choice that could be made.

Woody's band is young, it's vital and it's new. It has the quality that will send shivers up and down your spine. We've had some swell bands at previous Harvest Moon Balls, but in Woody Herman we think we've surpassed our own best efforts.



We're not alone in our opinion. Frank L. Andrews, president of the Hotel New Yorker, has already signed Woody for a long engagement which starts Thursday. It's only because Andrews is a Harvest Moon Ball enthusiast from 'way back that he was willing to release his prize plum for the Garden finals.

Woody has already been chosen by *The Billboard*, theatrical bible, as the coming band of the year. The prediction was made on the basis of a comprehensive poll of American colleges in which Woody far outstripped his rivals. With Woody Herman playing for the fox trot, Viennese waltz and the Lindy hop, and Oscar De La Rosa, the Latin rhythmist, furnishing the rumba, tango and conga music with

DECCA RECORDS  
Broadcasting over  
National Networks

## GENERAL AMUSEMENT CORPORATION

Thomas G. Rockwell, President  
NEW YORK • CHICAGO • CINCINNATI • HOLLYWOOD • LONDON

Our deepest thanks  
and appreciation to  
Frank L. Andrews  
and Carl Snyder of  
the Hotel New Yorker



SCREEN

RADIO

MUSIC

STAGE

# VARIETY

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VOL. 139 NO. 12

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## N.Y. LEGIT'S BIG SUMMER BIZ

### Hoss Jargon May Be Music to Film Colony, But It's B.O. Pam to Exhibs

Hollywood, Aug. 27.

Hootbeats on the hoss track may be music to Hollywood picture makers, but they are a pain in the boxoffice to exhibs, particularly in the rutabaga districts and small towns. So many protests have come from the non-horsey fans that the producers are mulling the idea of cutting down the number of films based on thoroughbred hayburners. Race-track jargon, familiar even to children in the film colony, is a foreign language in the sticks, according to the exhibs, who point to a drop in receipts whenever a drama is wrapped around a derby. Riding to hounds is even less attractive to the yokels, who have no use for the dressed-up horsemen of the hunt clubs. The dirt farmer's equipment for a fox hunt is a pair of overalls and a shotgun.

### ASCAP MAY GO ON THE RADIO VS. RADIO

The American Society of Composers, Authors and Publishers may take its fight with the broadcasters to the public via the broadcasters' own medium—radio. That's an idea now being considered more or less seriously by ASCAP on the theory that if the National Assn. of Broadcasters should take the music-radio fight into the open, the songsmiths will do likewise.

Idea would be to buy time and with the ammunition of name songsmiths, nostalgic catalogs, etc., point up how much ASCAP music means to the backbone of radio. The idea of comparing facts and figures—money costs for music vs. coin realized by the radio industry from its commercial programs—would

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### Offer 'Jersey Lily's' Kin Haven In Langtry, Texas

Langtry, Texas, Aug. 27.

This southwest Texas ranch town has offered a haven from German bombs for the daughter and granddaughter of Lily Langtry, English stage beauty, for whom the town was named. A cable was sent to Port Alloch, Kilmartin, Argyllshire, Scotland, to Lady Ivan Malcolm, daughter of the famous actress of the '90s by Postmaster Harold Dodd

(Continued on page 54)

### Struck Trenton Hotel Pretties Up Its Pickets

Trenton, Aug. 27.

A new high in cooperation between striking employees and the boss was reached here last week, when the management of the Stacy-Trent, classy downtown hostelry, objected to appearance of placards used by striking waitresses picketing hotel. Manager of hotel complained to head of union that the picket signs were not in keeping with the dignity of the hotel. He asked permission of union prez to buy pickets new signs. Union footed the bill.

### House of All Nations, In Paris, Okay Only For Nazi Customers

BUI O'Brien, ex-Fox Movietone exec in Paris, until last week assisting in official evacuation duties with the U. S. authorities abroad—he's a good friend of Ambassador Joseph P. Kennedy—states that the only legit in the ex-French capital, i.e. Paris, is Sacha Guitry in 'Pastor'. It's at the Madelon and was permitted to reopen last week. 'Folies Bergeres' was set to relight, but the Nazi authorities decided that nude shows were not de rigueur at the moment. On the other hand, the House of All Nations, long a Paris landmark, is running full blast, but—say signs in German and French—exclusively for the use of Germans. Prominent cafes like Maxim's, Fouquet's, Cafe de Paris, Colisee, Le Triomphe are open, but the stores are dark.

### SCHNOZ NOW A SAVANT AND AN ACADEMICIAN

St. Louis, Aug. 27.

Jimmy 'Schnozzle' Durante is one of the contributors to a new ninth-grade reader, a modern McGuffey, that will be used in the St. Louis public schools starting with the fall semester. Durante's contribution is an essay on laughter and is written in a straightforward fashion.

The volume, entitled, 'Reading Is Fun', is believed by a committee of 10 teachers which selected it to meet the qualifications necessary for the 15-20% of pupils classified as slow learners or 'dull normals'. Others who have written stories, none of which is more than 15 or 20 pages in length, are Col. Charles A. Lindbergh, Lowell Thomas, William H. Birnie, Dana Burnett, Sherwood Anderson and Albert Richard Wetjen. The volume also contains several O. Henry stories, a smattering of poetry by Tennyson, Christopher, Morley and Leigh Hunt.

### B.O. BULLISH RIGHT ALONG

Recent Good Weather a Break for Stage Attractions—Managers Now Regret Not Bringing In New Plays Sooner

#### B'WAY PIX OK ALSO

Broadway legit grosses, which have been soaring for several weeks this summer, took a sharp spurt again last week, with almost every show on the list feeling the upward jump. Total gross reached \$139,800 for the week, although only eight presentations are on the boards. Previous week's figure, which had been above that of the week before, was \$123,200, also for eight shows.

Compared to the week of Aug. 21, 1939, which had a gross of \$147,000, last week's take is regarded as very

(Continued on page 52)

### LONDON BLITZ SHUTS CINEMAS

London, Aug. 27.

Reaction to the strikes by German bombers on film houses in Margate on Sunday (25) and Folkestone the day before was felt severely by the large cinemas here last night (Monday). All of the picture theatres, regardless of the b.o. calibre of their wares, were virtually deserted.

Impression here today was that most, if not all, of the larger houses will close down at least until England's traditionally bad fall weather, expected in five or six weeks, comes to this tight little island's defense against the Nazi bombers.

As an indication of the socko spirit in the West End, London, amusement-seekers danced and sang at impromptu concerts last night and early today (Tuesday) in the theatres during Hitler's longest air blitz of England.

#### 3-Hour Ad Lib Revue

News broadcast from London early yesterday (Tuesday) morning disclosed that the cast of 'Black Velvet', George Black's revue at the Hippodrome, London, gave an impromptu show lasting more than three hours during the height of the six-hour Monday night raid.

Audience was held in its seats while the Nazi bombers circled over the city.

The all-clear signal was not sounded until 3:30 a.m. London time, and it was not until then that the show ended.

### 'Just Not Interested' in Films Any Longer, Major Reason for B.O. Drop

#### March's 100G Film Chore Nets Him Only \$12,000

Hollywood, Aug. 27.

Fredric March, drawing down \$100,000 for his stint in the David Low-Albert Lewin film, 'Flotsam', will net only \$12,000 on the deal after deducting Federal and state taxes and other fixed charges. Because he's already in the higher tax bracket, he is declining all picture offers until after next spring.

Meanwhile, he may do a Broadway play or some radio work.

### Warners to Survey Latin Likes, Dislikes In Matter of Films

Hollywood, Aug. 27.

Milton Krims, Warners' scripter, is being dispatched to South America by the Burbank studio to study the likes and dislikes of Latin-Americans in the matter of screen entertainment. Move is preparatory to the launching by Warners of several vehicles backgrounded against South America, in an effort to swell the company's revenues from that sector.

While other major lots are readying one or two English-language films aimed to appeal to south-of-the-border patrons, plans laid by Warners are the most ambitious yet developed in the drive for South American film trade.

Krims has just completed the script on 'A Full Life,' his final chore

(Continued on page 10)

### HOKE 'HAMLET' MAY BE BROUGHT TO N.Y.

Cincinnati, Aug. 27.

Capt. Billy Bryant, Ohio River showboat impresario who boasts that his hoke production of 'Hamlet' is the worst ever seen on land or sea, may bring the opus to Broadway in the fall. Bill Doll and Bernie Hart, who presented the Sunday evening programs by Cecilia Lotus and Elsie Janis a couple of seasons ago, would be the producers. Pair planned to Cincinnati over the week-end to discuss the proposition with Bryant.

According to tentative plans, Doll and Hart would present the Bryant showboaters at the Little, N. Y., retaining as much of the river style of production as possible. Pair would prefer to spot the show in a place like the American Music Hall, or some such house where drinks could be served. However, Bryant disapproves of the use of liquor, so that idea is out. Doll is currently publicity rep for Mike Todd, while Hart, a brother of Moss Hart, is stage manager of the original 'Man Who Came to Dinner' company.

'I'm just not interested in films.' That's the answer that turned up with alarming frequency this week as another group of VARIETY's correspondents throughout the U. S. continued to ply 'Dr. Gallup's 32,000,000' with the query: 'Why don't you go to the movies?'

Other rejoinders to the question from 15 cities follow the general pattern of those from 35 key cities which were recorded in VARIETY last week. They continue to show as principal specific reasons for shunning the b.o., in order of their importance: (1) an insufficient number of good pictures; (2) aversion to double features; (3) preference for sports; and (4) desire to stay home and listen to the radio.

Revelation by Dr. George Gallup three weeks ago that 32,000,000 persons in the United States, who are financially able, attend motion pictures less than a month started VARIETY on its q-and-a-ing of that one-fourth segment of the

(Continued on page 12)

### FDR WILL HAVE LAST WORD ON AIR

Washington, Aug. 27.

President Roosevelt, as Democratic candidate, will have the last word over the networks as far as the presidential campaign is concerned. The Democratic National Committee put in an order Friday (24) for four national hookups on Nov. 4, the eve of the election, between 11 p.m. and midnight.

The hookups that will be used are the NBC Red and Blue, CBS and Mutual.

### 5th Column Rumors Hurt U.S. Tourism in Canada

Montreal, Aug. 27.

Reported that authorities in other provinces have requested aid of President Roosevelt in combatting Fifth Column rumor-mongering the United States which has resulted in cutting down appreciably on American tourist travel towards Canada.

Among malicious libels being widely circulated in U. S. is that food in Canada is rationed and very expensive; that the better grades are being shipped abroad. (Canada has an unusually big crop of food this year, with result that prices are rather low.)

False rumor No. 2 is that gasoline is 90c a gallon. (Gas is approximately 53c.)

(Continued on page 53)

## Important Strawhat Entries This And Next Week Interest H'wood

This week and next are the most important of the waning strawhat season to film company scouts searching the barns for possible story material. There is a flock of tryouts by important writers which are drawing close attention of the snooper-outers, including three new entries by William Saroyan.

"Barney season to date has been more or less average in its spawning of possible film properties. Only one has been bought but a number of others are being eyed closely by various story departments and further action, resulting in total purchase for the season running up to three or four, may be expected."

Trio of Saroyans are "Sweeney in the Trees," which opened at Cape May, N. J., last night (Tuesday); "Something About a Soldier," which will get its tryout at the Bucks County Playhouse, New Hope, Pa., starting next Monday (2); and "The Hero of the World," which will be seen at the Milpound Playhouse, Roslyn, L. I., starting Sept. 2.

No Saroyan play has ever been bought for films, but with the growing importance of the author's name—for publicity purposes, at least, without regard to literary ability—all studios are giving him a careful gander. "Time of Your Life," which won both the Pulitzer and N. Y. Drama Critics' prizes last season, was under consideration by all companies, but was so written (Continued on page 55)

## SHOW PEOPLE ON THE WING

The week's best Dorothy Parker yarn broke at LaGuardia Field (NY) and it was not by, but about her. She and her husband Alan Campbell, booked for the Coast on Ye Biggie Hittie, Transcontinental's stratoflier, late in the week. The boys in the Press Room jotted the names down and when the early evening ship was being prepped at Gate 10, went down to look up the couple.

"Yeah, a Mrs. Campbell has gone aboard—too late to talk to her now; ship's going out in a minute," said the TWA starter.

Was it Mrs. Alan Campbell, Dor. (Continued on page 55)

## JESSEL ALL-STAR SHOW IN ST. LOU BOW SEPT. 6

Hollywood, Aug. 27. Milton Harris leaves tomorrow (Wednesday) for St. Louis to set the advance rally for George Jessel's Hollywood all-star stage show, which opens Sept. 6 at the Missouri theatre.

Supporting Jessel in the unit will be Carole Landis, Jean Parker, Steffi Duna, Isabel Jewell, Lya Lys and Lois Andrews (Mrs. Jessel).

## Brent Assigned 'Suez' As Raft Is Suspended

Hollywood, Aug. 27. George Brent has been assigned to co-star with Geraldine Fitzgerald in Warners' "South of Suez," which rolled today (Tues.). Brent goes into the spot refused by George Raft, who is now under suspension, with his name stricken from Warners' payroll until "Suez" is completed.

Brenda Marshall has the second femme lead. Lew Seiler is directing.

## Laurel-Hardy's Tour

Hollywood, Aug. 27. Laurel and Hardy, screen comics, are readying for personal tour which gets under way next month. New skit, titled "Getting a Driver's License," which they will use on the jaunt, was given a showcasing last week as part of the Red Cross benefit at Treasure Island.

James C. Morton plays a supporting role.

## N.Y. Fair Is Target Of London Vogue Buildup

London, Aug. 15. New York World's Fair is the target of a British exports drive. Board of Trade announces it views the blitzing of the Parisian fashion trade as meaning added status for London's mood, outfit—if it can be seen and admired.

The Fair affords just such an opportunity, and through the medium of a permanent selling organization, the B. of T. will stage apparel shows at the British Pavilion. Organization will also operate the drive in association with hotels and fashion houses. Coin from the venture will go into Government's Purchasing Committee; coffers for Yank plane deals.

## BOB HOPE'S METALS SIDELINE IN CLEVELAND

Cleveland, Aug. 27. As a sideline Bob Hope, who is known in his home-town as Lester Hope, has become a manufacturer of steel doors, sheet metal work and contract welding in partnership with his brother, Ivor Hope. Flying in from Hollywood last week, the screen and radio comedian stayed two days to incorporate the new company under the name of the Hope Metals Products, Inc. He's billed on letterheads as director and board chairman, with Ivor as prez and sales manager.

Hope said he was negotiating with Gloria Jean's manager to get the Universal singer to replace Judy Garland on new Peppermint series resuming Sept. 24. His next Paramount picture, with Bing Crosby, is skedded to start Oct. 15.

## Cunning Family May Adopt Mae Murray's Son

Albany, N. Y., Aug. 27. Possibility that the Cunning family of Averill Park will legally adopt Koran Mdivani, son of Mae Murray, stage star, and her ex-husband, Prince David Mdivani, came last week when the actress' custody fight was formally dropped before Supreme Court Justice Francis E. Bergan. After discontinuance of the habeas corpus proceedings brought by Miss Murray against Miss Bessie Cunning and her brothers, John and Cortland, Daniel H. Prior, counsel for the Cunnings, was asked if the boy would be adopted by his clients.

"It is possible," said Prior, refusing further comment.

Miss Murray's custody battle came to an end as result of a financial settlement made by the prince. The compromise was described as a "substantial sum," ranging from reports of \$15,000 to \$30,000.

The terms also included waiving of claim to the boy by his mother. Prior filed with the court her release which read in part that she "abandons and now and forever gives up and quits the said infant and his custody."

## WARNERS' RADIO JUVE

Detroit, Aug. 27. Joe Conti, 15-year-old son of a Chrysler auto worker here, has been signed for \$150 a week by Warner Bros. to play young John Garfield in "East of the River."

He had made appearances on radio programs at WWJ and WXYZ here.

## N. Y. to L. A.

Roman Bohnen.

Alan Campbell.

Ray Collins.

Lynn Farnol.

Joe Glaser.

Jack Haley.

Mark Hanna.

E. Y. Harburg.

Mann Holiner.

Jack Lusk.

S. K. Lauren.

Ruth Matteson.

John McClain.

Brewster Morgan.

Arthur Schwartz.

Bob Taplinger.

Alfred Wallenstein.

## 100'er's 100'er

Hollywood, Aug. 27. There were gentlemen's gentlemen in the old English comedies, and now Hollywood breaks out with an agent's agent.

Ben Carter, agent for most of the Negro atmosphere thespians on Central Avenue, has stepped into an actor's job and delegated the Lou Irwin agency to handle his agent chores while he is trouping.

## Show Biz Steals Spotlight at Rally Of Jersey Dems

Sea Girt, N. J., Aug. 27.

Mayor Frank Hague's 'Million Dollar Follies,' for which New Jersey's political czar assembled a cast that not even the old Keith's Palace in its heyday could match, drew SRO here Saturday (24), when 200,000 Democrat-inclined citizens flocked to the military reservation for a reception to the state's favorite sons.

The mammoth throngs put the shore in turmoil, disrupted railroad schedules all day and produced a show which all hands agreed surpassed anything in New Jersey's history, even the demonstrations for Alfred E. Smith in 1928 and Franklin D. Roosevelt in 1932. Carnival performers, trick cyclists, vocalists, magicians, musicians and scores of other entertainers did their stuff from the platform from which the candidates later delivered their addresses. A public address system carried the entertainment and the speeches to the farthest corners of the camp grounds and sent them winging away over rooftops and waterways to be heard in nearby towns along the shore.

## Biz Thrives

Concessionaires barked their wares from innumerable stands, and the various vendors did a thriving business. (Continued on page 53)

## Trendle Wants Trevor, 'Queen' as Air Serial

Hollywood, Aug. 27. George Trendle, Detroit radio biggie, is in town to close a deal with Frank Melford for the ether rights to the picture, "Silver Queen," to be produced for Paramount by Century Pictures. Usually Trendle sells screen rights to his radio serials to the film studios.

Deal includes a bid for Claire Trevor to repeat her screen role in the air serial.

## L. A. to N. Y.

Annabelle.

Margaret Becker.

Roberta Becker.

Ralph Bellamy.

John Bodner.

Joe Brown, Jr.

Martin Brookes.

Johnny Burke.

Bing Crosby.

Jerry Danzig.

Cecil B. DeMille.

Jacques Deval.

Max Factor, Jr.

Y. Frank Freeman.

Helen Gahagan.

Bob Gilliam.

Luc Gluskin.

Harry Goetz.

Larney Goodkind.

Theresa Helburn.

Morris Helprin.

Henry Jaffe.

Mrs. Jack Kapp.

Aurio Lee.

Otto Lovering.

Charles MacArthur.

Ward Morehouse.

William H. Pine.

Donald Randolph.

Billy Rose.

James Roosevelt.

Ben Rubin.

Joseph M. Schenck.

Joe Seidelman.

Edgar Sheerman.

Al Seckler.

Arthur Solomon.

Lawrence Tibbett.

Mabel Todd.

Ernest Truex.

Philip Trux.

Margaret Webster.

Arnold Weissberger.

Bob Williams.

## HARVARD ENCORES

Squarer for Cantor Followed by OK on Ann Corio

Cambridge, Mass., Aug. 27. Ann Corio can be perfectly at ease even when "conversing with persons of culture," this college burg learned last week. It obtained its knowledge first hand at society clamorers and hunt club luncheons which were tossed for the strippees in rapid succession by socialites who'd just as soon be seen in last year's mink cape as be caught going into a burley house.

It also learned of the peeler's propensities for perspicacity in the program notes at the Summer Theatre, on the Harvard campus, where she was appearing in "The Barker." Said the program's author.

"Miss Corio's great success has had little effect upon her character. Fundamentally sweet and wholesome, she is extremely well read, keenly interested in current affairs, and is perfectly at ease when conversing with any person of culture."

Final crack about her ability to talk with "any person of culture" burned Miss Corio's friends here as hitting a low in bad taste, although probably intended to be complimentary. It also recalled a similar Harvard boner when Eddie Cantor, a few years ago, was introduced to the boys with an assurance that "he is a gentleman."

## U SUES SULLAVAN ON 2-YEAR-OLD FILM PACT

Hollywood, Aug. 27. Universal, which for two years has had a contract with Margaret Sullavan, has gone to court in an effort to bring the actress into the U. fold. Studio has obtained an injunction order restraining her from making pictures for any other company.

Writ, a temporary one, comes up for hearing tonight in Federal Judge Emmet Wilson on U's plea that it be made permanent.

## Gracie Fields' \$10,000 From Manitoba Dates

Winnipeg, Aug. 27. Gracie Fields, currently touring Canada in the interests of the Navy League, played to approximately 27,000 people more during her four-day stay in the province of Manitoba. Opening Saturday (17) in the city of Brandon, she appeared before 4,000; Sunday Miss Fields played to 7,000 soldiers at a military camp outside Brandon. Monday and Tuesday were Winnipeg dates where she played in the Am Amphitheatre. Two complete sellouts were the Winnipeg result making the total 14,000 paid admissions. In addition to the concert in the Amph. public address systems carried the concert to the adjoining Stadium where another 3,000 were seated.

Concert bookers in Winnipeg report this to be the largest response ever accorded a single artist in the history of the city. Police state only one time they had larger crowds to handle was during Royal Visit of last year. Entire proceeds (over \$10,000) go to coffers of Navy League of Canada, Winnipeg branch.

## Jean Renoir Deals Hot

Hollywood, Aug. 27. Jean Renoir, French director, is being offered to Hollywood studios by Nat Deverich, with several prospective deals reported hot.

Pilot of "Grand Illusion," "The Human Beast" and other French hits is now in Portugal, route to America.

## Milestone on 'Swan'

Hollywood, Aug. 27. Lewis Milestone has been set by William Hawks' United Producers Corp. to direct "The Swan," with Ronald Colman starred.

Picture will be the first for United, which will release three through RKO during 1940-41.

## SAILINGS

Aug. 29 (Los Angeles to New York), Eddie Cantor (Manhattan, tan).

Aug. 24 (New York to Barbados), Ray LeStrange (America).

Aug. 24 (West Indies Cruise) Harry Joe Brown, Sally Eilers (America).

Aug. 23 (N.Y. to Rio de Janeiro) Phil Reisman, Allen Noye (Brazil).

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## H'WOOD ALL SET FOR HAPPY, SAYS BUCK

By BILL HALLIGAN

Hollywood, Aug. 27. Mr. Happy Hemmingway Palace Beach, N.Y.

Dear Happy:

I got your letter Happy and sorry you are so upset concerning war and the draft as if you had not been lying about your age for so long would not be in a jam regarding same and the draft. They is a lot of the lads out here what is getting hitched to some Jane to duck same which like jumping from the Polly Markus time to the Fanshame and Marko so beware of puttin that same hoop of despair which I have nicknamed the wedding ring on some hungry dame's third finger left hand because after all is said and done what is year in a good training camp with a lot of fellows what has never heard your routine and you would be a riot and the captains' fav as soon as they know you can hop the buck.

I have everything all set for you out here and next month I go into a picture with Dave Butler on the racetrack so I have been down to Pat O'Brien's racetrack at Del-Mar getting in the mood for same and who do you think I see but George White of the "Scandals." Remember when we played with them in Hoboken and they open the show, Ryan and White I mean, and Lew Brice, another hooper, is down there and so is Buck Mack of Miller and Mack and Donnie Kerr all playing hoops instead of theatres.

I wrote down all the fellows you no out here so when you get here you can call same up and go right to work.

Loads of Ex-Vandres here, you no Rufus LeMaire sure you do and he is at Columbia and puts actors to work so you are a cinch at Columbia, and then Billy Grady you no Billy Grady sure you do he was with Eddie Keller and you used to see him going into the Friars all the time with Van and Schenck. And then there's Brinie Fox who owns Warner Bros. and he has alls to do with the hiran and firm and you is a cinch in that spot.

Remember Eddie Mannix from Loew's 7th Ave. sure you do and worked with him one summer at Palisades Park when you got the brushoff from that blonde parasite jumper and Henry Ben was on the bill, well he is boss of M-G-M and I remembers all the boys so you can get by there like picking up sticks and Eddie Buzzell who was in Henry Edwards' birthday party act with Cantor and Jessel he is director and so is Sammy Lee, and if you don't remember Sammy he will remember you so alls you have to do is get here and you is a cinch, but bring some dough with you.

\$30 for Single Acts They going to pay 30 bucks a month in the draft for singles but they don't say how much for doubles so it will be better to go single and doubleup after with some young fellow as a stooge like you did with Bedini and Arthur when I first met you. I see Frank Orth of Orth and Fern and he was askin for you and Robert Emmet Keene and John T. Murray and George McKay. They is alls doing swell and has ranches in the Valley and Jimmy Conlin of Conlin, Steele and Carr comes over he plays the piano every night, well he is not picking walnuts and Jack Norton what worked with Jim Corbett, remember you do, well Jack is a nut on roses and all he does all day is dig em up and plant em all over again with a book in one hand and a spade in the other.

So Long Happy right soon and start to grow a beard before you leave little old Manhattan so you can go right into the Westerns when and if you get here and maybe you can do same and the draft board will not be wise that you is really a punk.

Write me a pst card when you reach Harrisburg and I will have the cot ready for you in the garage as once a pal always a pal.

Your pal Buck.



# BREAK FOR NEW DIRECTORS

## Rumbles of N. Y. Roxy's Band Revues Denied; B'way Capitol's Stageshows?

Report that the Roxy, N. Y., is considering a pit-band policy similar to that developed five years ago by the Paramount and later installed by Warner Bros. at the Strand, is denied by Jack Partington. During the past week it was said overtures had been made by the Roxy, N. Y., to the last two Hardys. Theatre is the only one in the first-run de luxe category outside of the smaller-seat Rivoli that is in straight film, with result opposition from the Music Hall, Par, Strand and Roxy has been something to contend with.

Partington stated that while a pit-band policy for the Roxy was not under consideration, as claimed, in union and other circles, the theatre had discussed booking Kay Kyser. The Par is also considering Kyser. Roxy also was dickering for the Ritz Bros. to play the house with 'Argentine Nights', in which they appear. House also wanted the Andrews Sisters, in the same picture, but the whole deal is off.

### Ritzes' Terms

Hollywood, Aug. 27. Ritz Bros. dicker for week Aug. 30, to appear in conjunction with their picture, 'Argentine Nights', at the Roxy, N. Y., it is said. High is that the boys want \$12,500 for the week—a boost of \$5,000 above the \$7,500 guarantee they got for current week at the Chicago theatre, Chicago, without their picture on the screen.

## Korda's Flying Carpet (With Arch Supports) In Not So Gala Preem

Probably no magic carpet since the first Arabian night has had such a glamorous (total cost of \$28,47) and yet so ignominious an unfolding as that given the flying floorcovering in Alexander Korda's current 'Thief of Bagdad'.

Rambling rug in question was a 24-sheet. Not any 24-sheet mind you, but the first 24-sheet on 'Thief' to go up in the Times Square area. So United Artists had an official unveiling and preview, the first preview of a poster the industry has ever held (sheep us, the UA publicity said so). It was all very glamorous—or as glamorous as anything at 48th street and Sixth ave. could be—with Powers models (four, at \$5 each), champagne (one bottle, domestic, 97¢ at Macy's) and 50 pigeons (homing variety, 15c each for the rental).

Iguominy was heaped on when the crowd of Sixth avenue unemployed departed, revealing a store-bought sign. And such a store—J. J. Keys, Mfrs. of Flexible Arches with Soft Metatarsal Pads.

A flying carpet with arch supports. Tak, tak, Mr. Korda!

## U. S. Halts Col. Shots Of Reeves Air Field

Hollywood, Aug. 27. While Uncle Sam is extending to the film companies his full cooperation when it comes to the production of pictures aimed to advance the nation's new defense program, there are some things he will not permit photographed. Sidney Salkow, directing Columbia's 'Alias the Lone Wolf', was tending footage through the Wilmington, Calif., bridge when Navy agents put in an appearance. Seems the shots would have included Reeves field, Navy air base. In the distance, so Salkow was forced to have a duplicate of the bridge constructed on the Columbia lot.

### Banjo vs. Torpedo

Hollywood, Aug. 27. Eddie Peabody is trading his banjo for a torpedo, which is less musical but more warlike. A reserve lieutenant in the U. S. submarine service, Peabody sent word from Chicago that he has checked in for actual Naval work.

## WB Execs In U.S. To Care For WB Evacuated Kids

Carrying out its plans on the q. t., Warner Bros. is evacuating the children of its own employees in Great Britain for the duration of the war. It is the first film company to take such responsibility and such action. Harry M. Warner instigated the program.

The kids are being brought to this country and through the Warner home office are being placed into the homes of executives of the film organization, to be taken care of until it is safe for them to return to their homeland. Thus they are coming into the U. S. under more direct auspices than other British refugee children.

First consignment of 25 arrived in Quebec last week, 23 of them getting down to New York Sunday night (25). Two were retained in Quebec because they broke out with chicken pox. Boat on which they were transported from England was kept a secret from WB until the kids landed, it is understood.

Another batch of 14 young sons and daughters of Warner men in Britain is due sometime next week.

## METRO SETS 'COMRADE' AS NEXT GABLE FILM

Hollywood, Aug. 27. Clark Gable's next starter at Metro is 'Comrade X', which means the temporary shelving of 'Osborne of Sing Sing' and 'Witch of the Wilderness', previously on his schedule. 'Comrade', written by Ben Hecht and Charles Lederer, was originally slated for Robert Montgomery in England, but was called off when the war became too hot.

Picture is Gottfried Reinhardt's first production assignment on the Culver City lot. King Vidor directs.

## Gelsey Gathers Material For DeSylva Collab Yarn

Erwin Gelsey, Paramount writer, arrived in New York last week to gather atmospheric material for a story which he is collaborating with B. G. DeSylva. It's understood this is to be the second picture under the two-picture producing deal DeSylva holds with Par.

DeSylva is currently engaged in reading 'Panama Hatlie', musical, for a Broadway opening in October.

## Carlson's Director-Actor Negotiations With RKO

Hollywood, Aug. 27. Richard Carlson is dickering with RKO on a director-actor deal involving his own play, 'As We Go Marching'. Currently acting in RKO's 'No, No, Nanette', Carlson has had experience as a director in stage stock.

## H'WOOD WILLING TO BE CONVINCED

Producers Decide to Go After Neophyte Pilots Same Way They Do Players—Films' Actor and Writer Ranks, Plus Radio and Little Theatres Seen as Nurturing Grounds for Future Meggers

### NEWCOMERS SCORE

Hollywood, Aug. 27. Film moguls after years of complaining about what they were wont to refer to as the 'dire need' for fresh directorial talent, have finally set out to do something about the situation. Admittedly amazed by the artistic results obtained by some of the embryo pilots uncovered during the last year, lot chiefs, in spite of the current economic pinch, are setting aside appropriations with which to finance further searches for neophytes and for their training in talker-making methods.

Plant execs, who have long labored under the impression that picture pilots are born rather than (Continued on page 55)

## WB MUSIC'S BIG FILM SEASON

Warner Bros. publishing group is having one of its biggest seasons in years, the disposition of synchronization rights to film companies. Metro leads among buyers from this source. In addition to the 'Bitter Sweet' score (Harms), it's licensed George Gershwin's 'Strike Up the Band' (Harms) and 'You Remind Me of Mother' and 'The Name of Kelly' (Witmark) for the George M. Cohan production, 'Little Nellie Kelly', adapted from Cohan's original stage version.

Universal has bought 'A Little Bit of Heaven' (Witmark) as theme for the Gloria Jean picture of the same name, while 20th Century-Fox is using 'South American Way' in the musical, 'Down Argentine Way'.

## Modified Prohibition In France May Cue Bootlegging in U. S.

Bootlegging of a sort in America, seven years after repeal, bids fair to come into force as a result of the new Petain government's decree in Vichy that the French limit their alcoholic maximums to 16%. That doesn't affect wines, but cognacs and liquors, two of France's choicest export items, if the 16% alcoholic maximum obtains for the foreign market also, will probably see themselves 'spiked' with alkyl for American consumption.

Another manifestation of the European blitz is the shortage of Heineken's (Holland) beer, for which one showman, peculiarly addicted to it, used to pay \$15 a case. One class bistro has quite a bit on hand and is willing to resell it at \$25, with \$35 a case for the beer now the market price.

### ED KAUFMAN JOINS WB

Hollywood, Aug. 27. Edward Kaufman, former producer at 20th-Fox and RKO, has joined the scripting staff at Warner. First job is 'Affectionately Yours'.

## 'Red' Charges Against Hollywood Given the Lie; Dies Okays Filmers

### Berle Wins by Nose

Hollywood, Aug. 27. Milton Berle won a 20th-Fox player contract by a bobbed nose. Actor's remodeled profile will be unveiled on the screen in 'The Great American Broadcast', which will be back-grounded against radio. Picture is slated for early winter filming with Kenneth Macgowan producing.

## John Royal Takes Sudden Trip Abroad

John F. Royal, NBC program chief, planned for Europe suddenly last Wednesday (21). He will be back in two weeks.

Reason given for his departure was that he just wanted to have a talk with the members of NBC's European staff. It was reported that the NBC staffers in England want to discuss contingency angles with Royal. There are also questions of co-ordinating the various feeding points, since the Nazi conquest of the Continent has completely disrupted the old interlinking steps.

NBC was also reported last week as having impressed upon commentators using its facilities the need for cutting out personal speculations and opinions, and sticking to the news coming over the wires from accredited news collecting sources.

## COWAN, COLUMBIA, U DICKERING TEMPLE

Hollywood, Aug. 27. Banner under which Shirley Temple returns to the screen will be decided within the next two weeks at huddles between her parents, the George Temples, and Frank Orsatti, her agent. Regardless of current bids, however, the elder Temples are insisting that the moppet will be permitted to make only one picture annually or, at the most, three over a two-year period.

Of all offers received to date, three have been singled out for first consideration. They are Lester Cowan, indie, who has had F. Scott Fitzgerald author a yarn, titled 'Cosmopolitan' with Shirley in mind; Columbia's proposal, which involves Orsatti's Lehman's original, 'June Madness'; and Universal's Joe Pasternak's negotiations.

Metro and Hal Roach have been talking on basis of long-term contracts, but these have been ruled out by former 20th-Fox moppet's parents.

## Beery Fights \$600,100 False Arrest Action

Hollywood, Aug. 27. Wallace Beery, screen star, fired the first gun in his defense against a \$600,100 suit brought in L. A. Superior court by Allen Whitney, 26, when he filed answer stating there was 'probable cause' for Whitney's detention by police. Complainant charges he was arrested without cause while in Beery's Beverly Hills home Nov. 22, 1939.

Beery also alleged in his answer that Whitney, whom he once considered adopting, had released him from all claims last Jan. 11.

Hollywood, Aug. 27. The 'Red' scare which threatened to upset the film colony after John L. Leech testified before the L. A. County grand jury that several top actors, writers and directors are Communists, apparently blew town when Chairman Martin Dies of the Congressional committee investigating un-American activities left the Coast. Several actors rushed here to make denials before Dies, but when most of them arrived the chairman had departed for San Francisco, where he tarried only two days before starting a national tour.

Humphrey Bogart, Philip Dunne, Fredric March and James Cagney managed to get to Dies' time to brand Leech, a former Communist organizer, as an 'unmitigated liar.' Dies then issued a statement giving the four a clean bill of health, stating that, in his opinion, they were not now and never had been connected with the Communists or other subversive groups.

Franchot Tone and others plan to appear before Dies when he returns to New York. However, the flurry caused by Leech's testimony appears to have passed, the net result being that Lionel Stander lost a job with Republic's 'Hit Parade', although he (Continued on page 10)

## Tone Stalls \$50,000 Roles for Chance To Tell Dies He's Loyal

Hollywood, Aug. 27. Franchot Tone is being offered to the studios for around \$50,000, with several producers interested. Hitchcock, however, is that he momentarily refuses to close any deal because of his eagerness to remain in New York until the Dies Congressional committee resumes its hearings in the east.

He wants to testify that he has no red tendencies before signing working pact.

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## Nuisance of Handling Pennies, Due to 10% Tax Levy, Will Cause Revamp of All Admiss Scales

Because of the great amount of trouble in handling pennies due to the odd amounts collectible as a result of the new defense tax, theatres this fall may rearrange scale schedules so that the tax comes out at an even amount where it is possible under the 10% levy to do this. In such cases, it is believed the average operator may step up his price a little bit rather than reduce as some have done in order to arrive at an even figure.

Cashiers of theatres are squawking plenty, it is claimed, because of the large number of coppers that have to be handled now. The cage girls report that the many odd amounts at which admissions now come to is not only driving them to nervous breakdowns but, during rush hours, is slowing the selling of tickets very noticeably. According to one operator, studying the situation for a large chain, the handling of \$10 in pennies within an hour is very common.

The danger of making mistakes is another angle to the problem with the handling of many pennies. Even the most experienced cashiers make change mistakes when it's in silver.

While an effort may be made to reduce the trouble of the coppers, it can be done only by driving them to missions but is impossible to eradicate altogether, unless there cuts.

### How It Figures

A net 27c admission to the theatre will add to an even 30c with tax. A 36c price will likewise come out at an even 40 and a 45c net to the theatre will, with the tax stock on, arrive at an even half dollar, but it can't be done with a 30 or 40c admission. This is due to the fact that the tax is 10% on each 10c or fraction thereof.

However, if the theatres seek to save themselves the burden of pennies in part and go to 27c where the price is now 25c net, to 36c where it is now 35c, or to 45c where it is now 40c, the result will be a slight increase in the average admissions charged.

Although it is impossible to step up a 30 or 40c admission a couple pennies to break even on silver money, in both cases of a theatre determines to get rid of pennies altogether cuts can be taken. In other words if a theatre now charges 30c, collecting 3c tax for a total of 33c, it can drop to 27c net, add the 3c tax and come out at 30c. Likewise but less desirable at the higher scale of 40c, if that is now collected now with 4c added, the boxoffice can drop to 36c and come out at an even 40c on each ticket.

Pointed out a theatre could drop on these two figures, while increasing on others and perhaps arrive at about the same average admission now, meantime eliminating the difficulty with coppers.

### Even Off Tax in NW

Minneapolis, Aug. 27.

Twin City independent exhibitors and those throughout the territory believe the odd pennies admission charge, resulting from the addition of the new defense tax to the basic price, hurts business and are considering a plan to eliminate them. Northwest Allied's central Minnesota group already has solved the "problem." Instead of continuing 28c, including tax, they'll go to 30c on five days and 20c on two days a week, the 30c to include the tax.

In Minneapolis and St. Paul the proposal is for the 28c spots to jump to 30c, including tax. Before making the change, however, the independents say they're waiting for Minnesota Amus. Co. (Paramount) to take the lead and to shorten clearance in the Twin Cities. It's expected that with the advent of the fall and winter season the big chain will raise their admission from 44c to 50c top, including tax, for all "A" pictures and, instead of having a fixed admission policy, even will go higher for particularly outstanding films—65c and 75c being mentioned.

Trade insists that rising operating costs call for an admission boost. The only reason they've laid off the justified boost, they point out, is because business conditions have been so far under par and the general public isn't in a position to stand the increase.

## Mary Martin Sought For New Serlin Show

Hollywood, Aug. 27.

Mary Martin is being flagged by Oscar Serlin for the top role in a stage drama, "With Loving Care," slated for Broadway production in November.

Walter Hart, who dramatized "Primrose Path," is writing the Serlin show.

## Complete U. S. Film Exit Held Near in Japan

Impounding of money and credits due American film companies maintaining distribution offices in Japan is precipitating a crisis, the probable outcome of which will be the withdrawal of all American motion picture activities from Japan and Manchuria. Nipponese government has notified representatives of American film companies that restrictions against transfer of any money out of the country have been tightened. Any funds on hand must be converted into government bonds.

Discussion of the new regulations was held at the Hays office yesterday (Tuesday) at a meeting attended by only a few officials of the foreign departments of the film companies. Effort will be made to obtain further information, with the probability that commercial agents in the Japanese embassy in Washington will be asked to intercede with their government before a break in business relations takes place.

Since the beginning of the Japanese war three years ago there has been a tightening of currency regulations affecting American film companies and other foreign industries operating in Japan.

Under threat to discontinue shipping films to Japan American film distributors more than a year ago forced an agreement by which cash earned by American companies was deposited in a California bank under an escrow agreement restricting its withdrawal for three-year period.

New demand that the film companies convert their Japanese earnings into war bonds will supersede the escrow plan.

### 'Restrictions Too Tough'

Tokyo, Aug. 9.

A day when American films no longer will be seen in Japan appears to be approaching. Present restrictions on pic distributors here are as drastic as they possibly could be short of a law actually prohibiting the import of American films.

The right major U. S. companies here have only nine unreleased films on hand, two of which have been set for release within the next few weeks. No permits are said to be in the offing now for the importation of additional pictures when these have been released.

### McNutt Ends 'Live'

Hollywood, Aug. 27.

Patterson McNutt has completed the script for Metro's "Come Live With Me," and checked off the lot. McNutt co-authored the original yarn with Virginia Van Upp.

## Power to Tophline In 20th's 'Down to Sea'

Hollywood, Aug. 27.

Tyrone Power falls heir to "Down to the Sea in Ships," vehicle in which Elmer Clifton two decades ago launched Clara Bow on her way to a film career. 20th-Fox will put it before the cameras early in September.

Meanwhile, the company has had a camera unit gathering storm footage at

## Eleanor Harris' Suit Vs. 20th's 'Brigham Young' For Pix Credit

Eleanor Harris, writer, filed suit Friday (23) in N. Y. federal court against 20th Century-Fox, seeking an injunction against the distribution of "Brigham Young" until such time as the film company gives her appropriate screen credit. The film was previewed in Salt Lake City the day the suit was brought, with the national release date set for Sept. 13.

Miss Harris claims to be the author of an original story called "Prophecy of Empire," after numerous rejections by Darryl F. Zanuck, was accepted in February, 1940. The plaintiff was given \$1,000 for an option on the story and employed as a writer. She worked on the screen play for a year and then in April, 1940, was joined for four months by Louis Bromfield. The plaintiff asserts in the completed picture, which cost in excess of \$2,000,000, she is credited with story research only; and all other screen credit goes to Bromfield. Until she is granted joint credit, she asks a court injunction on the grounds that failure to do so will seriously hurt her reputation and future.

## DALTONS WILL TAKE AN ENCORE FOR U

When the last six-shooter has fired its last projectile and the last Dalton brother lay writing on the ground in Universal's current "The Daltons," critics throughout the country remarked positively: "Well, at least there will be no 'Return of the Daltons' because there are no Daltons left to return."

They didn't count on the canniness of the studio, however, for, with the success of early engagement of "Rode," it appears very probable that at least one of the boys will be aboard his pinto again for a return engagement. Tipoff is registration with the Hays office of the titles, "Return of Bob Dalton" and "Return of Grac Dalton."

Technicality that will permit the holdover is the fact that the audience sees the boys shot full of lead but doesn't actually see them die. U figures there's nothing to prevent them from having recovered from their wounds. And the studio is backed by history, for one of the brothers, Emmett, did get well and wrote one of the two books on which U based its film, "Volume," authored in collaboration with Jack Jungmeyer, and bearing the same title as the picture, was bought from Emmett's widow, who is still alive.

Critics' comment on "Return of the Daltons" was based on sequel by 20th-Fox to "Jesse James" after that notorious man was killed at the end of the film named for him. Twentieth had his brother come back to get vengeance in "The Return of Frank James."

### Kenton on 'Dr. Christian'

Hollywood, Aug. 27.

Eric C. Kenton has been signed by Stephens-Lang to polish the first of the 1940-41 "Dr. Christian" features for RKO release.

Lee Lobo has completed the untitled screenplay. Cameras roll at General Service studio Sept. 5.

## Other News Pertaining to Pictures

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## Poor's Survey Bullish on Pix B. O.

Considerable optimism concerning the film industry earnings for the second half of 1940 is manifest by Wall Street's professional crystal gazers. Despite losses from foreign markets, Poor's Survey, dated Aug. 23, sees sufficient upturn in domestic grosses to make everything tra-la-la.

Continuance of satisfactory profits is foreseen as the result of increased theatre attendance and higher boxoffice receipts, which are expected to accompany rising consumer incomes, according to Poor's. And since production plans and film costs for 1940-41 differ little from 1939-40, an improvement in net results should be registered, the financial clairvoyants say. It is added, however, that charges will be made against earnings in anticipation of losses of foreign assets and other contingencies arising from the European war.

Further downturn in exports will be experienced in coming months, Poor's opines, but the decline will not be so sharp as first indicated. In addition, lack of competition from belligerents will enable U. S. producers to hold, if not better, their position in South American markets. On the other hand (there's always something), unsatisfactory foreign exchange, quota systems and other restrictive measures designed to foster industry in these countries, may prove adverse factors, says Poor's.

Domestic outlook is seen brighter on three premises: (1) a prolonged war absence, (2) U. S. neutrality, and (3) development of a good volume of industrial business. Improvement will offset losses from abroad, Poor's pencil-wielders find, for, even should a 50% decline in foreign film rentals be suffered, a rise of less than 7% in total U. S. boxoffice receipts and rentals would be fully compensatory.

Poor's sees as a trend worth noticing the inclination of the motion picture public to favor single bills (page Mr. Gallup). Should the industry decide that the time is ripe to discontinue the servicing of double features (it hasn't) and to concentrate on the production of fewer but better quality single-features, "its said by Poor's best reader of palms, cards, tea leaves and statistical charts, closer control operating costs might easily result. The manifest benefit to net earnings, if boxoffice tariffs remain at present levels, should go far in improving the industry's internal status, the report declares.

## \$12,817,990 in Amusement Taxes, Best First 7 Months Since 1934

Washington, Aug. 27.

### Bette, Brent Co-Star In 'January Heights'

Hollywood, Aug. 27.

Bette Davis and George Brent will be co-starring in Warner's "January Heights," which has been on and off the production slate for a year. Vehicle, originally set for Miriam Hopkins, will be Miss Davis' first after her return from her New Hampshire vacance.

Lena Horne's office is already at work on the script.

## Cowdin Back In N.Y.; U Has 15 Pix Set After Sept. 6

J. Cheever Cowdin, Universal board chairman, is back to New York after a series of battles with Nate Blumberg and other U. execs. Preceding him eastward were Joseph Seidelman, U's foreign sales head, and Al Seckler, company's Brazilian rep, who participated in the Coast confabs.

Budgets were set on several important productions now being readied for the cameras.

Hollywood, Aug. 27.

Universal has completed 15 of the 23 features scheduled for release between Sept. 6 and Dec. 27, assuring a steady flow of product until the end of the year. Three more are nearing completion and three of the remaining five go before the cameras early next month.

Among the top-bracket features ready for release are "Hired Wife," "Spring Parade," "Argentine Nights," "Diamond Frontier," and "A Little Bit of Heaven." "Seven Sinners" is nearing the end of its shooting schedule.

### Golden on Coast

Hollywood, Aug. 27.

Nathan D. Golden, head of the Department of Commerce's motion picture division, motored into town for a 10-day visit.

He has conferred with several Hays office execs, and will huddle with Will Hays before returning east.

### Bacon Pilots 'Mine'

Hollywood, Aug. 27.

Lloyd Bacon has been set by Warner to direct "Mine on Sunday."

He will put the vehicle into work as soon as he complete his current vacation.

## DIX MULLS PAR OFFER FOR 4 PIX ANNUALLY

Hollywood, Aug. 27.

Richard Dix is mulling a deal to star in four pictures annually for Paramount, where he achieved stardom back in 1923. Dicker is said to be close to the signing stage.

Actor recently finished "Cherokee Strip" and is currently "The Roundup," both Harry Sherman productions for Par release. If the deal jells, he will do more pictures under Sherman's guidance.

## Stanwyck to Do 'Sun', 'Woman' on Par Deal

Hollywood, Aug. 27.

Paramount's two-picture deal with Barbara Stanwyck provides for starring roles in "Pioneer Woman" and "Reaching for the Sun," both of which will be produced and directed by William Wellman.

"Sun" will roll first. Clements Ripley is scripting "Woman."



# EXHIBS RESENT UPPING B.O.

## Although F.D.R. Is Regarded as Cool To Amus. Biz, Film Men Are Taking No Marked Stand on the Campaign

Although in the exhibition field there is considerable activity in support of Wendell Willkie, with some theatre operators forming Willkie clubs, the industry itself is expected to remain aloof from declaring a stand.

Observers take the slant that producer-distributors like the Hays organization or leaders in the industry who are attached to major film companies, are afraid to stick out their chins in either direction in connection with the presidential campaign, but fear less declaring themselves for Roosevelt than for Willkie, if a side has to be taken. Behind closed doors it is something else again.

Film men take the position that while the Roosevelt administration has not very clearly indicated any friendliness to the industry, and Willkie, if elected, would probably regard it in a more kindly light, it would be too bad if Willkie was heavily backed and then lost. Harassed by the Roosevelt administration in many ways, not the least of which is the Government's anti-trust suit against all the majors, it is opined that if the industry came out against Roosevelt, it might regret the future should the President be reelected. However, it has never been believed in inner industry circles that Mr. Roosevelt ever had much love for show business. In 1932 when elaborate arrangements had been made to take quite a few show people to Hyde Park for a luncheon with Mr. Roosevelt, he called it off a couple days in advance without giving reasons.

NBC's Neutral Stance  
NBC employees have been requested from the top office to conduct themselves in a neutral fashion around the job on the matter of the presidential campaign. It would be preferred if candidate buttons weren't worn on the premises, and personnel, particularly those having to do with programming and production, are asked to refrain from getting into political arguments, and otherwise showing their preferences while on duty.

Network higher-ups have taken the position that broadcasting is and should be a neutral business and that care should be exercised in every way so that no embarrassing incidents can crop up.

No similar expression of neutrality has been passed out at CBS.

Hart Aids G.O.P. Campaign  
Vincent G. Hart, who was with the Motion Picture Producers & Distributors for a number of years as eastern director of the production administration, has been appointed assistant to Edwin F. Jaecle, chairman of the Republican State Committee in the Willkie campaign.

Leaving the Hays office about a year ago, Hart became a partner in the law firm of Friend, Holbrook, Reiskind & Hart. He has taken a three months' leave of absence to carry out his Willkie campaign duties. Hart was also active in assisting Herbert Hoover on the Finnish Relief work.

### Mull 4 for 'Baines'

Hollywood, Aug. 27.  
Hunt for Scattered Baines for the picture series to be made under that title by Pyramid has narrowed to four persons. They are Jess Pugh, Chicago, who plays in the 'Baines' radio serial, Guy Kibbee, Charles Winninger and Charles Coburn.

First of features, which will be for RKO release, gets the gun around Oct. 1.

## FEAR THAT IT'S TIPOFF ON PIX

Theatre Owners' Slant Is That a Regularly Scaled Film Telegraphs Its Supposed Mediocrity to Customers, Else Why Weren't the Prices Raised?

### PROS AND CONS

Exhibitor resistance to an increase in admission scales for certain outstanding pictures, with regular prices to apply for the general run of product, is threatening to develop into a lot of struggling between the theatres and distributors. Latter are determined to get more under percentage deals for their bigger and costlier films, whereas in the exhibition field considerable resentment is reported.

Metro is presently insisting on increased scales for 'Boom Town,' while 20th-Fox is seeking higher boxoffice lifts when 'Brigham Young' is played. In both cases the pictures are 1940-41 releases and exhibitors haven't yet bought Metro or 20th-Fox, considering themselves in something of a spot in connection with the demand that the scales be upped for both.

While some operators appear to have no hesitancy in shooting for a higher take per person, when a quality picture comes along, notably the larger chains, other operators are reluctant to go along.

The more radical exhibitors at the outset attack the policy on the ground that the distributors are frantic.

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## Roosevelt Quits Final Goldwyn Tie, Switches Offices to RKO-Pathé

Hollywood, Aug. 27.  
Last remaining biz tie between James Roosevelt and Samuel Goldwyn will be cut Sept. 3 when Roosevelt moves his Globe Productions from Goldwyn's studio to the RKO-Pathé lot at Culver City. Roosevelt recently stepped down as v.p. of Samuel Goldwyn Studios, Inc., a post he has held since departing Goldwyn's production organization to take up talker-making on his own.

Roosevelt feels he will be able to reduce overhead considerably by shifting to Culver City instead of making his pix in the heart of Hollywood.

Though David Selznick is now inactive, it is likely he, too, will use the RKO-Pathé plant for his future productions. His now dissolved Selznick-International was housed there for five years.

Roosevelt left Sunday (25) for New York, where he will discuss several deals pertaining to his juke box enterprise. He returns here Sept. 2.

Roosevelt is seeking a new director for 'Pot o' Gold,' owing to the serious illness of George Marshall, now under treatment following a major operation.

Pix must get under way soon, due to time limitations in the contract with Horace Heidt. Current plan is to start shooting in early October.

### Stewart in 'Pot'

James Stewart will play the lead in 'Pot o' Gold,' Jimmy Roosevelt's initial film, the producer disclosed in New York yesterday (Tuesday). 'Gold' goes into work about Oct. 1.

Roosevelt planes out of New York for Chicago today (Wednesday) and will go from there to the Coast. He came into Washington Monday (26) morning and arrived in New York that evening. Trip was on routine biz and to appear in 'Information Please' last night.

## Schenck's Statement on Selznick May Cue Latter's Future Return To Metro After His Final 2 for UA

### DE MILLE EASTS FOR 'REAP' CAST HUDDLE

Hollywood, Aug. 27.  
Cecil B. DeMille and his production aide, Bill Pine, have gone to New York for confabs with Barney Balaban and other Paramount home office execs on prospective casting for DeMille's forthcoming 'Reap the Wild Wind.'

They will also drop down to the Atlantic seaboard to survey the Carolina coast for possible location sites for the film.

## TOP PAR EXECS HUDDLE IN N.Y. AND CHI

Meeting of Paramount theatre department executives and operating associates-partners, scheduled for the past weekend, was postponed until yesterday (Tuesday) as result of Y. Frank Freeman, studio head, flying into New York Saturday (24). Freeman came on for only four days of huddling with Barney Balaban, president of Par, and other executives. He flew back yesterday (Tuesday), but is not stopping off at Chicago, nor is Balaban now going out to the conference being held there.

Leonard Goldenson and Sam Dembow, Jr., will represent Par at the Chicago sessions, which are expected to be continued for several days and concern general operating matters, buying, etc.

Those who converged on Chicago yesterday (Tuesday) included A. H. Blank and the general manager of his midwestern circuit, Ralph Branton; John J. Friedl, operator of the entire northwest for Par; Earl Hudson, head of the Detroit Par group; Harry Nace of the Public-Rickards & Nace circuit in the southwest; Tracy Barham, who operates the Ohio-West Virginia-Kentucky string for Par; and Harry David of Salt Lake City, who handled the Par properties in that region. John Balaban, operator of Balaban & Katz and Jules Rubens of Great States are also sitting in.

### Frank Freeman to N. Y.

Y. Frank Freeman, Paramount v.p. in charge of studio operations, is en route to New York for home office huddles on budgets for forthcoming product.

He will report to Prexy Barney Balaban that 22 features for the 1940-41 slate are either already completed or well along in production.

## Par, Strand and Fox, B'klyn, Pool Renewed

Under a renewal already negotiated, the three-way Brooklyn pool under which Si Fabian operates three houses in the downtown sector is extended for five years from Sept. 1. Houses concerned are the Paramount (Par), Strand (WB) and the Fox, formerly in receivership, but which went into the hands of Fabian several years ago following operation for sometime by the late Sidney S. Cohen.

The terms to govern the five-year renewal of the pooling arrangement are relatively the same, only minor changes having been made. All three houses concerned play double bills, first run, with the Strand principally used as a stiff.

Tipoff as to future plans of David O. Selznick is seen by the industry in a public statement of congratulation sent him last week by Nicholas M. Schenck, Metro prez, following dissolution of Selznick-International. Plan picking up of the latter's obligations by David O. Selznick Productions, Inc., the producer's own company. Upon completion of the two pictures which he still must make for United Artists, there's widespread belief that Selznick will return to the Metro fold.

Former v.p. and producer for Metro, Selznick further linked with the company through family ties. He is a son-in-law of Louis J. Mayer, head of Metro-Goldwyn-Mayer studio's executive board. 'Gone With the Wind' was released through Metro and ever since then there have been rumors that the producer would return to that company.

On the other hand, it is known to be Selznick's desire to operate his own company. Also the feeling by Mayer and Schenck that the producer works a bit too expensively for them and it would be more favorable all around if financing could be obtained for him from outside sources and he could continue on his own. Difficulties of obtaining pool, however, for production of the quality pictures upon which Selznick insists—as evidenced by John Hay Whitney's anxiety to exit from S-I—may overcome the other considerations.

Vote of the stockholders in dissolving S-I last Thursday (22) was not unexpected. Plans were first detailed in VARIETY two weeks ago. Final meeting, however, lasted from 2:30 in the afternoon to 2 the following morning. Almost half of that time was occupied in preparing carefully-worded two-page press statement, plus a five-page background on Selznick.

Statement declared that 'although the company's financial position was excellent, dissolution was unanimously voted because of present economic conditions brought about by the European war.' Actually, the liquidation of the company resulted from Whitney's desire to get out while the getting was good. After five years of operation, company was on the right side of the books for the first time as result of the great successes of 'Rebecca' and 'Gone With the Wind.'

Selznick's new company, incorporated in California recently, has taken over all commitments of S-I, including contracts with UA and Vivian Leigh, Ingrid Bergman, Joan Fontaine, Alfred Hitchcock, Robert Stevenson, Alan Marshall and Hattie McDaniel. Physical assets of S-I will be immediately offered for sale, with a liquidating committee in charge. This consists of Selznick, Whitney, who was chairman of the

(Continued on page 53)

## PAR MAY REFUSE PIX TO MULTIPLE THEATRE

Detroit, Aug. 27.  
Because of the policy of too many features being run at the house, Par is reportedly to be considering refusing the Times Square theatre here further service. The situation is described as purely a local one to cope with a house on the downtown fringe which offers up to four or five features, premiums, free parking and the cashier's telephone number.

The Paramount action was said to have followed an attack against the house's multiple policy by Alex Schreiber of Associated Theatres who not only condemned such things as the five-feature bill but charged that the Times Square was distributing reduced admission 'passes.'

While rumors had it that, it was the beginning of an attack against double picture bills, officials still insisted it was only a Detroit situation and had no national significance.

### LLOYD SHELDON PLANS COMEBACK AS INDIE

Lloyd E. Sheldon, former Paramount producer, is planning a return to production about the beginning of next year. With Par until 1937, his reentry into film-making will be as an indie. He's now negotiating with two of the majors, however, on distribution deals for a two-picture series.

Sheldon holds options on a number of story properties and is looking for others possibilities for filming.

## RKO AND J.L.&S. SETTLE CHI CLAIMS

Chicago, Aug. 27.  
RKO and Jones, Linick & Schaefer have arrived at a settlement of RKO claims for rental on the Palace here while house was dark this summer. Film contract moneys also figured. J.L. & S. operates the Palace, owned by RKO, and also operates the Oriental, which was taken over from B&K a couple years ago. Film rental on RKO product used at the Oriental, as well as the Palace, also was included in the RKO claim.

Terms of settlement not indicated. It was reached following conferences in New York between John Jones and RKO people.

## COHNS BACK TO OLD COLUMBIA SALARIES

Salary cuts of one-third, taken by Harry Cohn, president, and Jack Cohn, executive vice-president, in September, 1939, will be restored by Columbia, it was revealed in the company's proxy statement for the annual meeting Sept. 18, filed with the New York Stock Exchange yesterday (Tuesday).

Harry Cohn, who drew \$149,767 for the year ending June 29, 1940, would be paid \$2,500 a week, plus a \$300-a-week general expense account and 12% of the company's profits above the required dividends on its \$2.75 preferred convertible stock. Jack Cohn would receive \$1,500 a week, plus \$200-a-week expenses and 6% of the annual profits in excess of the required dividends.

Statement revealed the stipulation that the extra compensation from the profit-sharing deal would be limited so that Harry would receive not more than \$3,500 a week all told, and Jack not more than \$2,000 total, their former pay scales. Proxy statement listed Harry as beneficial owner of 74,049 shares of common stock as of July 31, and \$7,487 of the total of record. Jack owned 31,876 shares beneficially and of record.

### Extras Bullish Again

Hollywood, Aug. 27.  
Screen Actors Guild was forced to issue waivers on 237 non-members to handle calls for extras.

Biggest order came from Frank Capra for 1,500 atmospherians in 'Meet John Doe.' Many of the higher brackets picked up \$5.50 checks.

## 70 St. Louis Indies vs. F.&M. May Upset Entire Town, Cut to 10c., Go Triples, Strike on Buying, Etc.

St. Louis, Aug. 27. A film-buying strike by approximately 70 local indie exhibitors and a price war that may see the admish fee drop to 10c all over this burg is threatened as result of the breakdown of a peace powwow between a group of indie operators, headed by Fred Wehrenberg, nabbe chain owner and prez of MPTOA of Eastern Missouri and Southern Illinois, and Harry C. Arthur, Jr., v.p. and general manager of Fanchon & Marco's interests here.

The indies have several beefs against F&M. One is continuation of the triple feature program policy in some houses. Another is that the second-run houses, virtually all of which are operated by F&M, want an extension of their clearance time from 14 to 21 days. Arthur demanded an "all or none" policy for the shutting down on giveaways and triple feature programs presented by some of the indies and turned a deaf ear to Wehrenberg's offer to abandon giveaways at the Apollo, a west end nabbe, and part of the Greater Independent Circuit recently formed by Wehrenberg and Clarence Kaimann, if F&M would drop triple feature bills at the Pageant, which is in the same neighborhood. Arthur took the position that this pact would not smooth out the evils in other parts of town and delivered the "all or none" ultimatum.

The recently completed buying pool between F&M and nabbe chains owned by the Ansell Bros, Shuchart Investment Co. and a syndicate headed by Bess Schuller, gives Arthur a strong hold on the local product situation, inasmuch as the buying pool is in a position to exert pressure on major distributors as to when and where the films shall be presented. Indie operators assert that under the present setup they are compelled to wait 90 days to screen pic as the zone key theatres controlled by F&M wait 40 and 50 days before showing the screen fodder.

The indies, according to film row info, are willing to agree to the 60-day clearance for single-run features at F&M's downtown deluxer, Ambassador, but beg the new policy Friday (30), by declare that unless changes are made on other irksome situations they will not only abandon the purchase of new product but will slice their admish scale to a dime and present triple feature programs every night in the week.

## FOX THEATRES WOULD SELL PARK AVE. BLDG.

Milton C. Weisman and Kenneth P. Steinreich, trustees of Fox Theatres Corp., will apply to N. Y. supreme court on Monday for the right to demolish the building at 4180-4182 Park avenue, N. Y. The property is owned by Fox Theatres through its ownership of all the capital stock of Trepar Realty Co. which controls it.

The petition of the trustees discloses that the building is a three-story tenement house, 20 years old, which has been condemned for human habitation by the Dept. of Housing. Repairs would cost \$9,625, and the demolishing of the building \$1,260. It is claimed that since the site is not a good one, it is improbable that the premises would be rented even if fixed. The Government is owed \$784 in taxes on the property and since Trepar has a bank account of only \$3, Fox Theatres' trustees do not feel that they should bear the burden any more.

## FITZGERALD TO 20TH

Hollywood, Aug. 27. F. Scott Fitzgerald has been signed by 20th-Fox to screenplay Emlyn Williams' play, "The Light of Heart." Robert Kane takes over the associate producer task from Nunnally Johnson, who has "Chad Hanna" on the stages and "Tobacco Road" in preparation.

## RKO Gets Marie Wilson

Hollywood, Aug. 27. Marie Wilson has been signed by RKO for a topline in "How to Meet a Man." Vehicle will be the next production for the Towne-Baker unit.

## B.O. for Morpheus

Philadelphia, Aug. 27. For those who couldn't sleep during the recent stifling heat wave, the Stanley-Warner chain kept at least one of its deluxers open each night.

With the air-conditioning as a lure, hundreds of patrons took advantage, and the policy will be extended for the remainder of the summer S-W officials said.

## 300 SLOT FILMS PER ANNUM VIA GLOBE PIX

Hollywood, Aug. 27. Globe Productions, with Henry Henigson stepping on the gas, is geared to turn out 300 dime-in-slot briefcases for the Mills projecting machines during the next year. Thus far, production of tunefilms is far ahead of the turnout of projectors, but Mills Novelty Co. expects to get line manufacture under way next month.

## Schreiber's Jukebox Pix

Detroit, Aug. 27. Among those ready to enter the nickel-in-the-slot picture field here is Jake Schreiber, who formerly operated a circuit of picture houses in Detroit.

Don Kelsey has been named general manager and v.p. of Michigan Phonovision Distributors, recently incorporated with a capital of \$100,000. Other officers are John Gorsuch, president; Walter Probst, secretary, and Herb Bauer, publicity.

## Heat, Quake Jitters Combine to Shutter Cal. Valley Theatres

Los Angeles, Aug. 27. Record-breaking desert heat and earthquake jitters have combined to raise havoc with theatre biz throughout Southern California's Imperial Valley. John De Paoli's Holtville theatre in the town of the same name has already been shuttered with indications that other exhibs will follow suit until fall arrives with cooler weather.

Number of houses in the area have recently been forced to confine operations to weekend showings, tremors of last May having sent a large portion of the populace to safer points. Principal's Brawley theatre is among the situations suspending weekday screenings.

## Studio Contracts

Hollywood, Aug. 27. Republic lifted its player option on Marilyn Hare.

Randolph Scott's pact with 20th-Fox was extended to make three additional pictures in two years. Dorothy Lovett has been inked to a new three-picture deal to continue the role of nurse in Stephens-Lang's "Dr. Christian," features.

Columbia has hoisted its option on Glenn Ford, actor.

Diana Lewis draws new Metro contract.

Metro has tied Virginia O'Brien on a term deal.

Universal has set term deal for Kay Leslie, ex-Salinas (Calif.) telephone operator, who won F-WC personality contest in Frisco.

## KELLY GUIDES U 'GIRL'

Hollywood, Aug. 27. Burt Kelly has been given the nod as producer on Universal's "The Girl Who Wasn't There."

Mystery comedy is being screen-played by Robert Lees and Fred Renaldo.

## Sues on 16mm. Rights

Suit against Official Films Inc., of 729 Seventh Ave., N.Y., and Leslie Winik, by Edward Rubinstein was revealed in N.Y. supreme court Saturday (24) when the plaintiff sought an examination before trial of the defendants. Action seeks \$7,619 claiming failure to pay the full amount due under a contract.

The contract signed on Feb. 14, 1940, dealt with approximately \$50,000 worth of 16 mm. rights to various pictures. The estimated profit was \$20,000. It is claimed that outside of \$2,381 no other monies have been paid the plaintiff who was to receive 50% of the profits.

## Max D. Steuer Dead At 69, Was Prominent In Show Biz Cases

Passing of Max D. Steuer, who died of a heart attack at the age of 69 while on vacation (21) at Jackson, N. H., removes a colorful personality from the circle of prominent lawyers who from time to time engage important theatrical and motion picture litigation. Although most of his practice, one of the largest and most diversified in New York, was outside the amusement field, Steuer was intimately acquainted with prominent figures in both management and acting divisions.

Currently, he was acting as chief counsel for Samuel Goldwyn in the latter's suit for severance of his distribution contract with United Artists, an action in which the complaint was recently amended. Trial date was not set, but the belief is general that the issues will be settled some time this autumn or early winter. Goldwyn has not announced future plans for the litigation, which was being attended to personally by Steuer.

## Joe Schenck's Case

Another legal case of importance which was in Steuer's hands at the time of his death was the defense of Joseph M. Schenck for alleged income tax evasion. Trial of the case has been set for mid-October, and Steuer was preparing to appear in Federal court as chief of defense counsel, directing the examinations of Government accountants and investigators. Within the past few weeks Schenck and Steuer conferred on the litigation.

Steuer's ability in cases of this nature was best demonstrated in his defense of Charles D. Mitchell, one-time president of the National City Bank, who was acquitted of similar charges after a trial marked by a vast array of highly technical testimony. In his summing up Steuer from memory recited hundreds of figures from accountants' sheets. The jury was greatly impressed with the apparent simplicity of explanation of charges and deductions.

Lawyer's most important firm case was as chief defense counsel of anti-trust litigation instituted in 1934 against all the major companies before Judge Cox, in New York, on complaint of the late Frank J. Rembusch, an exhibitor leader from Indiana. Trial lasted three weeks when Judge Cox dismissed the case. Although it was one of the few instances when major companies have been successful in defending themselves against restraint and anti-trust charges, Steuer was not retained in connection with the pending anti-trust suit brought by the Department of Justice.

## ASCAP Counsel

On the occasion of the Government's anti-trust action against the American Society of Composers, Authors and Publishers, which did not reach trial in 1934, Steuer had been retained by Nathan Burkan to assist in the defense.

One of his most widely publicized cases was his appearance for Edith St. Clair in an accounting suit in 1915, which was initiated against Abraham L. Erlanger. It was during the progress of this suit that the feud between Steuer and Isidor J. Kresel had its beginning—a bitter rivalry which extended over a quarter of a century. Charges of unprofessional tactics were filed against Steuer with the Bar Association as a result of the Erlanger litigation. Steuer subsequently was completely exonerated by George C. Holt, referee.

Steuer also was counsel for William S. Hart in accounting litigation against United Artists Distributing Corp. Trial and appeal extended over six years with settlement in Hart's favor having been reached last spring.

## Chaplin, Disney Pix, Other Expectant Long Runs Create N. Y. Theatre Dearth

## Wishes Vs. Dishes!

Hollywood, Aug. 27. Wishful thinking has cashed \$543 for the Egyptian theatre in the last nine months. That is the amount fished up in coppers, nickels and dimes by W. C. Ricord, manager of the Hollywood boulevard house, since he installed the wishing well in the forecourt.

Coins were contributed by hopeful tourists who couldn't afford to lay two bucks on a long shot at the racetrack but figured the chances were just as good.

With at least two films certain to be coming into New York on a road-show basis in the fall, shortage of possible theatres as boisterous distributors jockeying currently going on for Broadway houses is further complicated by a number of additional pix to be shown at regular or raised admissions and which show promise of lengthy stays that will pile up product.

Two certain two-dayers are Charles Chaplin's "The Great Dictator" and Walt Disney's "Fantasia." United Artists is attempting to get the Astor for the Chaplin pic. House has had "Gone With the Wind" since last December and if it is possible to dislodge it, "Dictator" will go in.

Hal Horne, Disney's eastern rep, returned from the Coast last week and is now going over possibilities not only of established film theatres, but of legit houses which could be adapted. Inasmuch as "Fantasia" requires installation of special projection and sound equipment, there'd scarcely be more difficulty in going into a legit than a film house.

Center theatre, which has been available for road showing of films in the past, will open in the latter part of September with an ice show. This ostensibly eliminates it as a possibility, although film men are not overlooking the bet that the glades revenue may not catch on and the house will once again become available in mid-October.

Hollywooded by Warner Bros., which has been used for roadshows in the past, can be had, but isn't favored by distributors. Situated at 51st and Broadway, it is considered somewhat off the beaten path. House will probably be used, however, by James Roosevelt for N. Y. preem of his "Pastor Hall" with several weeks.

Rivoli, not used for roadshows, but with a policy permitting lengthy runs, shows prospects of being pretty well booked up for the early part of the season. "Foreign Correspondent" opened there last night (Tuesday) and another Walter Wanger picture, "The Long Voyage Home," is understood to have been set to follow it. Advance reports on the films indicate they may be able to occupy the house between them for eight to 12 weeks. This is longer than anyone wants to wait.

With a flock of big films coming, Monica Hall is making way up in bookings. Its slate currently reads: "Lucky Partners," "Ramparts We Watch," "They Knew What They Wanted," "Westerner," "Howards of Virginia," and "Thief of Bagdad." If each picture plays only two weeks, this is enough to carry the house to Thanksgiving. Inasmuch as release dates for "Howards" Sept. 17, "Westerner," Sept. 20, and "Wanted" Sept. 27, it's evident that they will have long shelving periods before Broadway sees them.

## BRANTON'S OWN DUALS POLL IN DES MOINES

Des Moines, Aug. 27. In announcing a poll here on double feature vs. single feature programs, C. Ralph Branton, general manager of Tri-States Theatre Corp., said, "We do not believe that Samuel Goldwyn (who recently wrote Statespost article blaming double features for cinema ills) speaks either for all the industry or all the patrons. We have a definite field in which the Gallup poll (which listed 57% in favor of single features, 43% for double in the national poll) does not consider—the paying patrons at the boxoffice. If Gallup is right we'll find out for ourselves."

The poll will be held at the Roosevelt, Des Moines and Paramount theatres starting this week and will continue for one week. If there is a fair majority in favor of single features at the Des Moines and Roosevelt those house will present them. The Roosevelt has had a single feature program but doubles have been used at the Des Moines, the one picture being the same as at the Roosevelt (neighboring house) and if the decisive majority at the Paramount votes for single features the house will change its double feature policy there. At the same time the votes at the three houses will be combined in a grand total for a positive view of the situation.

Tri-States operates eight houses in Des Moines.

## WEST INDIES AS NEW PROD. CENTRE

A new producing company which plans turning out English and foreign-made on West Indies soil has been formed by Harold Rogers, formerly with Hollywood Productions and other companies on the Coast. Rogers company, West Indies Films, has dispatched Ray LeStrange to look over W. I. sites. He sailed Saturday (24) for Barbados.

Plan is to make pictures for the entire Latin-American market both in English and Spanish.

## Studios Would Erase Phonies, Cut Preview Lists to Bona Fide Crix

Hollywood, Aug. 27.

Further reduction of press preview lists to eliminate kibitzers was recommended by Francis Harmon of the New York Hays office, at a meeting here of studio publicity directors. Suggestion follows a similar move by the flackeries some weeks ago, when they lopped off a number of chiselers but did not go far enough.

Usually a studio is allotted 400 seats for a preview, but the roster of non-paying guests had grown so large that it was often necessary for the producing company to buy at full price from 400 to 600 extra tickets to accommodate the mob. Generally the reviewing section is so crowded with talent agents, relatives, friends and phonies that the bona fide critics are shoved into the overflow section. Idea is to whittle the invitation list down to reviewers only. Extra chairs often cost the lots \$400 for a single screening.

Another suggestion was to take steps to thwart various magazines which publish stories and interviews detrimental to the picture industry.

## Cruze Prods.' \$1,014,673 Suit vs. L.A. Young Lingers

Detroit, Aug. 27.

More specific bills of particulars were ordered in Circuit Court here in the twin suits for \$1,014,673 filed by James Cruze Productions, grow- ing out of the old Tiffany Productions tieup. The suits are aimed against the Lay Improvement Co., alleged owner of all the common stock of Tiffany, and L. A. Young, Detroit capitalist, commonly understood to be the chief figure in Tiffany.

The bill charges that under an agreement made in August, 1930, Tiffany was to take 10 of the Cruze pictures for distribution. Of these, it is charged six were taken—"She Got What She Wanted," "Command Performance," "Hell Bound," "Race Track," "Women Go On Forever" and "Salvation Nell"—which have been distributed but are continuing to be distributed but for which no adequate accounting has been made to Cruze Productions.

It is also charged in the suit that by failing to carry out the agreement for distribution, Tiffany caused pictures to be produced elsewhere, thus inflicting a further loss to the Cruze concern.



# MUCH SELLING TO BE DONE

## Pix Biz Doesn't Like 'Consent' Terms

There is mounting opposition in the film industry against the terms and provisions of the proposed "consent decree" which has now reached final stages of agreement between the Government and the film companies and which upon approval by Judge Henry Warren Goddard, in N. Y. federal court, will end the anti-trust action against major picture companies.

So vehement are the protests from exhibitor organizations that a public hearing on the decree will be held next Tuesday (3) in Thurman Arnold's office, in the Department of Justice building, Washington. There is no precedent for a hearing by a Government agency, other than legislative, in matters of this kind. It is likely that the fate of the decree and the Government's entire program of litigation against the film industry will be affected by the general discussion.

In the great eagerness of Government attorneys to work out a consent decree with the five major defendant companies there is much in the final draft which is distinctly unpalatable to exhibitor tastes. The five-picture-group selling, which the Government attorneys have insisted upon as a substitute for blockbooking and seasonal selling, is being universally condemned as theatre operators are grasping the significance of the revised language, which permits interchangeability of pictures in the various groups.

Industry arbitration which was promised to exhibitors is discovered to contain many limitations and restrictions against alleged abuses.

It has become increasingly obvious day by day that the effort to legislate business procedure and trade practices through the operations of a consent decree is proving itself impracticable.

An amusing feature of the present status of the litigation is that the exhibitors who comprised the bulk of the complaining witnesses, and on whom the Government was depending to win the suit in court, have become the most severe critics of the terms of the out-of-court settlement.

## Universal Talking Split-Program Deals with Rivoli and Roxy, N. Y.

Deal is in discussion but assertedly not as yet near to closing under which the Universal product during 1940-41 would be split between the Roxy and Rivoli on downtown New York first-run engagements. Among details to be worked out will be whether the Roxy or the Rivoli gets first choice on the split and just what the commitments may be.

In former years the Music Hall had a selective film deal for the U pictures but last season (1939-40) the Rivoli closed a contract with U talking for a total of 21 pictures, to be chosen from the full program. Balance was sold to highest bidder as films became available, with the Roxy, among other houses, having taken a few.

Paramount made a separate deal for "Boys From Syracuse," a 1940-41 picture sent on pre-release a few weeks ago, the first the N. Y. Par has bought outside in over two years. Roxy recently bought and played "Private Affairs," a this year's film.

The M.H. has continuing deals with RKO and Columbia for 1940-41. It goes outside for the balance, with United Artists product being offered as it comes along though not under seasonal contract.

Roxy, controlled by 20th-Fox, has the choice of that company's product to form a base of supply. Rivoli has to buy entirely in the open market, with result half of the U program would form its principal background on product.

### Rep's Deals

Republic has closed a contract with Harris Amus, chain in western Pennsylvania, covering its 1940-41 program in 22 theatres. Rep also sold Warners for all of Pennsylvania, the Washington territory and New Jersey. Negotiations are on between Rep and WB also for the Warner houses in the Buffalo, Albany and Cleveland zones.

## Wurtzel Skeds Four More Pix for Starts

Hollywood, Aug. 27.

Four features comprise Sol M. Wurtzel's production schedule for September at 20th-Fox, beginning with "Romance of the Rio Grand," slated to roll Sept. 9. Others are "Private Practice of Michael Shayne," Sept. 16, and "Cornob Kelly's Benefit" and "The Last of the Duanees," Sept. 25.

Wurtzel has already completed five pictures for the current year's slate.

## 'Ramparts' at 40%

RKO is asking 40% from the first dollar on deals to cover "Ramparts We Watch," which it is distributing separately rather than making delivery under the 1940-41 contract. Picture has already played several key engagements on pre-release. National release date for the special was set at Aug. 16. Though buying the film, the Music Hall, N. Y., has not dated it as yet.

March of Time, long in getting "Ramparts" into the can, is reported to have spent \$500,000 in making it.

## Studio Jobs Off, But Hourly Pay Rate Is Higher

Hollywood, Aug. 27.

Number of wage earners in the talker studios during July, 1940, dropped 22.6% below the figure for the same month in 1939, it is disclosed through a survey made by the California division of labor statistics and law enforcement. While the report shows only 12,703 persons gainfully employed, the bureau admits the figures are estimated on the basis of actual returns from an incomplete list of studios.

Drop of 18.8% weekly payrolls, the average weekly paycheck is shown at \$44.07, a jump of 4.9% over the similar period for last year.

Average hourly earnings, bureau figures indicate, showed a slight increase, reaching \$1.282, a gain of 3.6% over July, 1939, but ¼% below the figure for June, 1940.

## Par Studio Press Dept. Under Studio Direction

Hollywood, Aug. 27.

Henry Ginsberg, Paramount studio general manager, announced today (Tuesday) that the company's Coast publicity department will become part of studio operation, switching over from distribution.

All other majors here operate press agency under studio supervision.

## EVEN TOP CHAINS IN NO BIG RUSH

Relatively Few Accounts Set on Their 1940-41 Film Requirements — Backlog of Pix Piling Up

### 'CONSENT' STALLED

The 1940-41 season here but much selling remain to be done, with all indications pointing to the probability that negotiations, either on or to be still undertaken, will not be wound up until the fall is over. Distributors are pressing its old customers as well as new ones in the hopes of getting the bulk of its business set, but on many fronts the buyers are about easy to move as a Missouri mule.

While quite a number of deals with the more prominent circuits, both producer-owned and independent, have been closed and activity on selling has speeded up a lot during August, very few accounts are completely set on their 1940-41 needs. This includes many of the biggest circuits, which have closed for a couple of distributors' programs but are yet to fill out for the year. In other cases some circuits have been stalling since last spring and seemingly are still in no rush to sign contracts for the required number of films.

The month of July was slow, not only because many buyers were simply in no hurry to negotiate deals but due to a flock of disturbing factors. The pickup during August, followed information to the trade that the consent decree under negotiations with the majors would not go into effect until the 1941-42 season. For a long time the exhibitors were in the dark concerning "consent" but the impression at first was that it would apply to the 1940-41 programs.

### Product Rolling

Because of the stalling, the time has arrived when 1940-41 product is beginning to roll. Twentieth-Fox set up its release schedule to start making "40-41" pictures available Aug. 1, whereas all other companies are away on the new season officially Sept. 1, a half-week from now.

The result is that the dilatory buyer either has a backlog of pictures he hasn't "picked up" or is being permitted to book early 1940-41 releases pending the consummation of a deal and subject to the terms arrived at under a contract when in force. It is reported various exhibitors have been intentionally "saving up" (Continued on page 21)

## RKO WILL NOT HALT 'LITTLE MEN' REISSUE

No effort will be made by RKO to halt reissue of "Little Men" by Times Pictures, although it will coincide with release of a new version by RKO's Towne and Baker unit. George J. Schaefer, RKO prexy, declared last week.

Original filmization of Louisa M. Alcott classic was made by Mascot in 1935 and starred Ralph Morgan and Erin O'Brien-Moore. Announcement of its reissue in the fall was made last week. Towne and Baker have had their film in work for several months and have set the release for Nov. 8.

## Lawrence Leaves Goldwyn

Hollywood, Aug. 27.

Jock Lawrence has resigned as assistant to Sam Goldwyn.

Joined producer six years ago as head flack and the past three years functioned as his aide.

## Basis of Settlement by 'Consent' Reached With 'Big 5'; Now Up to U.S. To 'Convince' the 'Little 3' by June, '42

### U Signs 11-Year-Old

Anderson, Ind., Aug. 27.

Chester Horn, 11-year-old Daleville (Ind.) moppet, has been signed by Universal on the basis of singing tests, and will leave for Hollywood with his family this week. The youngster was spotted during an amateur hour on the stage of the Paramount theatre here.

He later appeared at the same house as guest with Barney Rapp, Ozzie Nelson, Little Jack Little and Will Osborne bands.

## RKO NET PROFIT FOR 26 WEEKS, \$220,819

Statement of earnings for first 26 weeks of 1940, issued by Radio-Keith-Orpheum Corp. yesterday (Tuesday) reveals net profit of \$220,819. This is a sharp decline from the \$535,088 profit, which the company hung up for the first 13 weeks of the year, losses from RKO-Radio Pictures Corp. being responsible.

Radio-Keith-Orpheum is top holding company for RKO-Radio, Pathe and Keith-Albee-Orpheum, the theatre circuit operating company. Earning statement represents the first six months of business by the new outfit, which was incorporated in Delaware as of Jan. 1 after 77b reorganization of the old Maryland company.

Comparison of earnings for the first 26 weeks of the current year with those of 1939 is not strictly possible, the company was under court's supervision last year. Trustee at that time reported a net loss of \$66,070, which, on the surface, would show considerable improvement in the 1940 statement. However, there was an item of \$113,000 for administrative expenses by the trustee and \$381,555 for debts of the parent company, which should be eliminated for a more accurate comparison. This would give RKO a net profit for the first 26 weeks of 1939 of \$426,485, as against this year's \$220,819.

### Second Quarter Off

Poor biz during the second three months of this year is strongly evident from figures of earnings before provision was made for depreciation and taxes. While up to March 30, RKO had a profit of \$1,148,402, the next three months lifted this only to \$1,425,592. Pulling this latter figure way down was the \$1,058,385 allotted for depreciation and taxes, while, naturally, only half this sum must be subtracted from the three-month earning statement.

RKO officials are understood to be somewhat disappointed in the earnings, although feeling the figure is fair enough, considering the status of the world market. Although no breakdown is ever given of earnings of the three subsidiary companies in Radio-Keith-Orpheum Corp., it is well known that the circuit operating company and the Pathe are both moneymakers, while the picture producing and distributing affiliate counts for the losses.

## Ex-Pugilist Wins Top Spot in 'Li'l Abner'

Hollywood, Aug. 27.

"Li'l Abner," Vogue picture based on the newsy comedy strip, got underway at the RKO-Pathe studio with Granville Owen, former collegiate heavyweight boxing champ, making his debut in the title role.

Feature, slated for RKO release, is directed by Albert S. Rogell.

Washington, Aug. 27.

Notices were sent today by wire to exhibitor associations, and others interested in the outcome of the Government's anti-trust suit against major film companies, that a public hearing on the proposed consent decree, which will terminate the action, will be held in Thurman Arnold's office, in the Department of Justice building next Tuesday (3) at 10 a.m.

At head of the anti-trust division Arnold will preside at the hearing. His recommendation to Attorney General Jackson are likely to prevail whether the decree shall be accepted by the Government.

Public hearing on strictly legal issues of an anti-trust litigation is unprecedented outside the court where the action is pending. So many conflicting opinions and protests against the decree, as finally drafted, have been received by Arnold, however, that he feels justified in seeking further information before closing out the case.

Basis of settlement, by a consent decree, of the U. S. Government anti-trust suit inequity brought against major film companies in the N. Y. federal court in July, 1939, was reached last Thursday (22), by attorneys of the Justice Department and film companies.

Three of the defendant companies are outside of the proposed decree, which awaits final approval by Attorney General Robert H. Jackson. They are Columbia, Universal and United Artists, against whom the Government is committed to renew the suit, under amended complaint. Signatories to the consent decree will be Paramount, Loews, RKO, 20th-Fox and Warner Bros. All these have theatre affiliations, by ownership or management.

Decree does not mention divorcement of exhibition interests, although division of functions was the principal relief the Government requested in the action. Only bar to operation of the decree might be dissatisfaction with the final draft by Attorney General Jackson or Judge Henry W. Goddard, before whom trial of the suit was started on June 3, last, and subsequently adjourned during the period of consent decree negotiations. Although there is likely to be registered with both Government officials strong protest against certain features in the decree, the belief is general in the trade that the instrument will be given a three-year trial period, at the end of which the U. S. reserves the right to suspend the agreement and proceed with the original suit, including divorcement of theatres.

There remains, however, another point of uncertainty as to the effectiveness of the proposed decree. Differences of opinion among the film companies and the Justice Department lawyers maintained to the last regarding the provision for abolishing blockbooking and blind selling of feature films.

Compromise clause was the concluding topic of the agenda of the conference meeting of lawyers. As (Continued on page 22)

## RKO Gets Montgomery For Lombard Starrer

Hollywood, Aug. 27.

Deal for loan of Robert Montgomery to RKO by Metro to play opposite Carol Lombard in "Mr. and Mrs. Smith" has finally been set after several near slips. Cameras will roll about Sept. 15.

It will be Montgomery's first chore since his return from France.

## Screw Corporations for Publicity Purposes Annoy Cal. Sec'y of State

Hollywood, Aug. 27. California's Secretary of State up at Sacramento is growing weary of these screwball corporations with which Hollywood film flacks are cluttering up his official records. But there isn't much he can do about it, in view of the fact that the law provides it is his duty to accept and honor such things when they conform to the code and are accompanied by the fixed filing fees.

Latest enterprise developed in a blurb's brain is the Villains Protective Association, which is nothing more than an exploitation stunt for the Harold Franklin-RKO 'The Villain Still Pursues Her' Directors listed in the incorporation papers include Alan Mowbray, Boris Karloff, Margaret Hamilton and Marc Lawrence. George Bilson, who is named as executive secretary, is publicity director on the 'Villain,' which features Mowbray.

It's the seventh stunt of the kind to hit the State Secretary's books this year, but it's probably far from the last, because an incorporated gag is surefire for page one in the California dailies. Total cost of incorporating an organization in California, including attorney fees, ranges from \$25 to \$50, which makes it inexpensive publicity.

## PAR TO SCREEN-TEST 'HANDSOMEST ICE MAN'

St. Louis, Aug. 27. Lyston Renfro, 35, last week was chosen as the 'Handsome Ice Man' in St. Louis and qualified to compete in a national contest at New Orleans in October sponsored by the National Association of Ice Industries. The winner of the national contest will be tagged The Original Glamour Ice Man and will be screen-tested by Paramount in Hollywood.

Renfro bested 60 other local ice men. The contest was held at the Fox theatre and one of the judges was 'Mr. Fixit' radio commentator for station WIL. Renfro was awarded a pair of solid silver ice tongs and a gold trophy.

### Best Looking Truck Driver

Seattle, Aug. 27. Best looking truck driver is going to come into his own, at last, and the reward will be a loving cop in arm Sheridan. This is the new gag figured out by Jack Sampson, adv. mgr. of Sterling Chain for 'They Drive by Night' (WB) next at Palomar (Sterling).

In co-op with executive-secretary Finger of the Washington Motor Transport Assn., four pictures a day of truck drivers, selected from the motor freight haulers, will run in the Seattle Star. Readers will vote on the best looker. Sampson also is lining up a truck parade, with four of the giants in line of march.

## Or, You Don't Suspect It's a Press Stunt?

Good fight is something an Irishman can't stay out of, apparently, even if it is on the screen. Audience at Loew's State, N. Y., on Saturday (24) afternoon was startled to see a man about 30 leave his seat, rush up on the stage and begin a battle with the shadowy figure on the screen.

Ushers rushed up and dragged the belligerent one off before serious damage was done either to himself or the silver sheet. He fainted from excitement in one of the ushers' arms and had to be revived before being sent home.

Picture was 'When the Daltons Rode.'

Robbery of a New York Central mail train in manner reminiscent of the old west, on the same day 'When the Daltons Rode' opened at 11 Loew houses was being snuffed as a publicity stunt by other companies' press departments last Friday (23).

However, when a tieup by neither Loew's nor Universal materialized and New York cops and postal inspectors appeared to be really in earnest, other papers began to admit that maybe the holdup—the first such within the limits of N. Y. City—was on the level.

## 'Sneak Preview' Gag Good B.O. in Canada

Winnipeg, Aug. 27. Famous Players (Canadian) Corp., following the success of the 'sneak preview' idea at their Kerrisdale nabe in Vancouver, are planning giving the stunt a whirl in Winnipeg. Idea has never been worked locally. Picked for the scene is the deluxe nabe Uptown (1,700-seater) managed by E. A. Retallick, opening Aug. 29 with 'Sea Hawk.'

Famous planning something along the lines of 'Hollywood opening' for the event complete with canopies and carpets. Details under guidance of Don Gauld, Famous supervisor.

## CHAPLIN'S 'LIFE' SUIT OVER STILLS DROPPED

Charles Chaplin and Charles Chaplin Film Corp.'s \$100,000 suit against Time, Inc., Henry R. Luce, John Shaw Billings, Roy E. Larsen and Charles D. Jackson was settled and discontinued in N. Y. federal court Monday (26). A final consent judgment was agreed upon and submitted as a formality to Judge Vincent L. Leibel for his signature.

The judgment waives and releases any accounting for damages and profits on both sides, which eliminates the \$1,000,000 damages and a possible counterclaim by Life. The defendant, Time, Inc., publisher of Life, agrees to be permanently restrained from publishing any more prints from Chaplin's 'The Great Dictator' unless publicly released for advertising purposes after Aug. 1. Within 10 days of the signing of the order, all prints plus those of a 16 mm. caliber in possession of the defendants will be delivered to the plaintiff for destruction.

Action had sought damages, claiming that Life had published a picture of Chaplin from his picture in June, without the consent of the plaintiff. Chaplin, who claims to be looking for a \$5,000,000 gross on the picture, asserted that such prior publicity would ruin the value of his film. Besides an injunction against the issue, he sought \$1,000,000 damages. The injunction was granted, and Life was forced to yank the stills from as many of its issues as was possible. Several hundred thousand had already been distributed when the court order was issued, and these could not be recalled.

## Bernard Sobel Quits Metro to Freelance

Leaving the Loew-Metro exploitation organization after five years on special relations, Bernard Sobel is doing indie publicity. His first chore is for Metro on 'Ziegfeld Girl,' and prior thereto he is on a quick trek to Louisville and New Orleans on behalf of Walter Wanger's 'Foreign Correspondent' (UA).

As Florenz Ziegfeld's last p.a., Sobel's work on Metro's 'Ziegfeld Girl'—incidentally, he also wrote a book of that name—embraces semi-historical values.

### Mpls. Daily Rejects

### Indie's Ad on Sexer

Minneapolis, Aug. 27. Star-Journal here refused Crystal theatre's ad for 'Secrets of a Model' which was carried by Tribune and Times-Tribune. Ad describes film as 'daringly modern' and says it 'lays bare private lives of glamorous girls in glittering Hollywood' with 'a lesson for every girl and a warning for every parent.'

'Absolutely no children's tickets are sold,' according to the ad.

### \$2,000 FOR FLACK'S DEATH

Los Angeles, Aug. 27. Widow of Francis Heacock, Warner studio flack killed in an auto accident last spring, will receive \$2,000 compensation as result of a compromise following extended hearings before the State Industrial Accident Commission.

Dispute centered around the question of whether Heacock was on duty when he went to his death.

## American Flag Stickers Build Theatre Good Will

Detroit, Aug. 27. Combining patriotism with automobile is surefire stuff in this town. Associated Theatres here have given away close to 15,000 American flag stickers for automobile windshields. Alex Schreiber, of the group, reports that the idea, gaining plenty of good will since the American flags aren't being given to just theatre patrons but anybody who applies at the houses.

## Rep. Clears 'Hit' Title Rights, But Loses on Tieups

Hollywood, Aug. 27. Screen rights to the title, 'Hit Parade,' have been settled by an agreement between the Republic studio and the American Tobacco Co. Deal permits the film company to market 'Hit Parade of 1941' but prevents it from using the radio show title for any commercial tieups. Difficulty was caused by the failure of Republic to observe the time limit after producing its first 'Hit Parade' in 1937. The second picture had been scheduled for the following year but never reached the lensing stage until this season.

## 'Pastor Hall' Philly Preem a Roosevelt Family Proposition

Philadelphia, Aug. 27. 'Pastor Hall' was given its eastern premiere at the Aldine Thursday night (22) under the sponsorship of almost the entire Roosevelt family. James had produced it. Eleanor spoke the prolog. And Elliott and Franklin D. Jr., pinch-hit for brother Jimmy who was ill at the Coast and unable to attend the opening. The brothers spoke over a radio lobby interview praising the picture and urging all within the sound of their voices to come see it.

Elliott flew in from Moose, Wyo., where he is vacationing. Franklin Jr. was tanned from a two-weeks training cruise with the Naval Reserve Officers' Training Corps in which he is an ensign.

The picture, made by Charter Films and distributed by United Artists, was hailed by film critics as 'more grim and appalling than any picture made on the war.' A crowded house applauded Mrs. Roosevelt when, from the screen, she spoke the prolog written by Robert E. Sherwood.

The premiere was unmarred by picketing by the American Federation of Musicians. The union had urged Jimmy Roosevelt to take the picture to an independent house because the Warner theatres were 'unfair.' (Central City S-W houses have been picketed since last December because of a row over terms of a new contract.)

Because time was too short to make any changes, the film went into the Aldine as scheduled. Officials of the union decided not to picket the house to avoid embarrassing the Roosevelt boys.

### Hearst's Rap at Pic

'Pastor Hall,' James Roosevelt's initial presentation as a producer, came for a licking last week by William Randolph Hearst in his 'In the News' column on page one of the N. Y. Journal-American and other Hearst papers throughout the country. Publisher called it 'inflammatory,' hinted that it is Communistic, and objected to its prolog by Mrs. Franklin D. Roosevelt.

'Even the gentle first lady of the land,' Hearst wrote, 'sponsors an inflammatory anti-German picture made from the writings of Ernst Toller, who was in 1919 leader of the Communist revolution in Bavaria against the Republican government of President Ebert.'

'Publisher also mentioned suit brought by Toller estate against Grand National, Ltd., which distributed the film in England. Estate claims screen rights were never purchased to the unproduced play from which 'Hall' was made. He further declared the picture was 'produced by an English company as war propaganda.'

## 'Brigham' Preems 7 S. L. Cinemas; 'Kit Carson' in 6 Denver Houses

By ARTHUR UNGAR

Denver, Colo., Aug. 27. With Gov. Ralph L. Carr having proclaimed this Kit Carson Week, premiere of Edward Small's 'Kit Carson' opus was biggest thing Denver has seen theatrically in its history. Picture got auspicious opening at six theatres Monday night (26) capacity of which was close to 12,000, with standing room, 50c admission in all houses. Around \$6,000 was taken in last night with a single performance at all six houses.

Original plan was to use three theatres but as interest increased locally the other three were added in and the Broadway, Denver, Tabor, Aladdin, Rialto and Paramount all showed the same picture. There were only four prints on hand but the picture was bicycled successfully around the circuit of houses.

Piece de resistance for the locals were the 25 Hollywood players and execs who came by special train, arriving this morning, and including Jon Hall, Lynn Bari, Anita Louise, Olympe, Bradna, Charlie Ruggles, Carol Landis, Fay Wray, Jack LaRue, Florence Bates, Raymond Hatton, Ward Bond, William Farnum, C. Henry Gordon, Dana Andrews, Astrid Alwyn, Harold Huber, Tom Brown, Renie Riano, Sabu, Clayton Moore, John Hubbard, Richard Rowland, Val Paul and Victor Suther.

First stop heading here was at Salt Lake where local broadcast was made Sunday night (25) and autographs signed during the stop-over. Following parade of players, cowboys, bands, etc., line of march was thronged by around 100,000. Hollywoodites were guests at Chamber of Commerce luncheon where Farnum received a tremendous ovation on celebration of the 50th anniversary of his stage debut. C. Henry Gordon, alumnus of the Elitch Garden stock company, also got a great tribute as did Sabu. Cocktails were served at the Harry C. Huffman estate. Shangriha, a replica of the 'Lost Horizon' picture set where local society met the film group. Following dinner, at Hotel Cosmopolitan the players were taken for their personal appearance rounds.

At Denver theatre there was an NBC-Red broadcast arranged by Lloyd Yoder, of KOA, with cast doing its stint for half an hour. Charlie Ruggles emceed as he did on all the other theatre stages. Streets were thronged around all theatres with players being introduced before entering the house over public address system. Night wound up with 'Kit Carson' Greater Movie Season ball at Civic Auditorium, tickets having been distributed free to patrons of local theatres and more than 50,000 crowding the large structure.

Murphy McHenry, Edward Small p.a., arranged all the details for the festivities, having been here several weeks ahead, assisted by George Gumpertz, of the UA exploitation department. Town was plastered with signs, billboards, etc., galia of the Carson period was worn, and with premiere over the picture settled down to its regular run at the Denver theatre on Monday. Rick Rickelson and Harry Huffman, of the Intermountain Theatres, were in charge of local arrangements and found cooperation from everyone of the competitive film exchanges lining up and carrying out the program. Small, who produced the picture, got stage fright and esconced himself in a San Francisco hotel where half-hour telephone reports were made to him by Jake Milstein, McHenry and Val Pal. Hollywood delegation was entertained locally on Tuesday and trained home that night arriving Thursday morning. New York contingent of trade press planned out Tuesday morning with Monroe Greenthal.

World premiere of 'Northwest Mounted Police' will be held by Par at Regina, Saskatchewan, birthplace of the famed Canadian cop organization, on Oct. 21 under auspices of the studio. Details are yet to be worked out.

Par plans simultaneous openings of the film Oct. 25 in all the key cities of the Dominion.

## 'Mounted' Preem in Sask.

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Par plans simultaneous openings of the film Oct. 25 in all the key cities of the Dominion.

By BILL BROGDON

Salt Lake City, Aug. 23. The cheapest exploitation expenditure ever made by 20th-Fox should show the best returns. Reliable figures on cost of transporting 40 Hollywood personalities, including studio executives, member of the cast of 'Brigham Young,' other film names and photos, plus expenses necessary to house and feed party during brief sojourn, set studio back less than \$10,000.

In return for this expense careful campaign started three weeks ago in this Mormon town of 150,000 population will spread goodwill throughout the country and should count in creating needed 'first interest' in the saga of the leader of the Latter Day Saints outside those spots where religious sect predominates.

It is not likely that a party from Hollywood has ever before will ever again encounter more orderly crowd of star-gazers, estimated by the police department to have been in the neighborhood of 100,000. Town's turnout seemed to have been practically unanimous and police rule that no autographs be sought during arrival and parade that followed helped keep program moving off without a hitch.

For screening of 20th-Fox's picture of the founder of Salt Lake City, studio called in services of the seven theatres, seating 8,700, in the Intermountain Theatres, Inc. chain, with the Centre serving as top house. Visiting celebs congregated at latter theatre for their final personas, after a tour of four others, before joining the audience to take a look at the newest Zanuck creation themselves. Other houses included in the mass screening of 'Brigham Young' were the Utah, Studio, Capitol, Victory, Paramount and Marlo.

Morning hovers failed to dampen spirits of the gapers and rainfall during the late evening as Hollywoodites left the Centre for return to the Hotel Utah to prepare for departure to the airport didn't drive the diehards to shelter. This town had occasion for more noise than ever before in its history and screaming sirens as cars loaded with celebs darted hither and yon on the streets escorted by police kept the 'early-to-bedders' wide awake. All civic offices were closed between 1:30 p. m. and 2:30 p. m., and majority of the stores also had their doors for duration of lengthy parade.

A tired Hollywood crowd finally managed their way back to the airport to start the homeward flight aboard the two chartered United Airlines transports. Last plane, bearing Darryl F. Zanuck, Monte Banks, Mary Astor, Nancy Kelly, Jean Rogers, Gregory Ratoff, Harry Brand, various studio publicity attaches, photographers and two members of the Hollywood trade press, finally winged at 1:45 a. m. Staying over here was Tyrone Power and several others of troupe making trek. They leave tomorrow (24). First plane to get away had as passengers Mrs. Darryl Zanuck, Brenda Joyce, Cesar Romero, Mr. and Mrs. Dean Jagger, Linda Darnell, and mother of Jane Withers and mother of Mr. and Mrs. Robert Kane and members of studio's press department.

Sidney R. Kent, 20th-Fox prexy, Herman Wobber, Walter J. Hutchinson, W. J. Kupper arrived here yesterday (22) from New York to attend celebration. Louis Bromfield, who authored original story, was also on hand to help studio's reported \$2,000,000 epic be launched properly.

## CO-OP AD FOR LOEW'S, ST. LOUIS, 16TH ANNI

St. Louis, Aug. 27. The 16th anniversary of Loew's gave manager Harold D. Chick Evans and Jimmy Harris, publicity and advertising director, an opportunity to promote a full page co-op ad splashed in the Star-Times, p. 1, 160,000. In addition to a swell layout for the forthcoming 'Pride and Prejudice' and 'Turnabout,' all were plentifully garnished with photos scattered throughout the page.

Twenty merchants cooperated for the occasion.



# Chi B.O.s Go Up As Temp. Drops; 'Affairs'-Fields Orch Fine \$18,000, 'Mob'-Wheeler-Green Good \$17,000

Chicago, Aug. 27. With cooler weather, business is in good shape currently. The attraction of the open road, the beaches and sports has been considerably weakened by the dipping thermometer, and the public is hiking to the streets.

Oriental, which has been on the upswing for the past week, opened its brilliant pace this week. With Shep Fields' band on stage and 'Private Affairs' on screen, the take will be excellent. Rival State-Lake is also having a good week, especially with Bert Wheeler and Mitzi Green on the stage.

'Boys from Syracuse' on holdover at Palace, is coming through this week in continued good fashion. Also holding in the loop are 'All This, and Heaven Too' for its fourth week, 'Love You Again' for the second, and 'Drive by Night' for its third.

Estimates for This Week  
Apollo (B&K) (1,200; 35-55-65-75) —'Drive Night' (WB). Here after a fortnight in the loop, it is coming through to good \$4,500. Last week, 'Man Married' (20th), mediocre \$3,700.

Chicago (B&K) (4,000; 35-55-75) —'Frank James' (Par). Opened Saturday, looks for satisfying \$35,000, especially on the evening trade. Last week, 'Love Back' (WB) and Ritz Bros. on stage, fine \$39,500. 'Sympathy' (U) (2d wk), good \$35,000. 'Heaven Too' (WB) (4th wk). Still bright at \$3,500. Last week, smart \$4,800.

Oriental (Jones) (3,200; 28-44) —'Private Affairs' (U) and Shep Fields' band on stage. Opening for its third week in the offering for this combination at \$18,000. Last week was winner at \$15,700 with 'Earthbound' (20th) and Eddy Howard's second week on stage.

Palace (RKO) (2,500; 33-46-66) —'Syracuse' (U) (2d wk), good \$35,000. 'Brown' (RKO). Heading for top \$50,000 currently. Last week, with 'Saint Out' (U), nifty \$14,800.

Roosevelt (B&K) (1,500; 35-55-65-75) —'McGinty' (WB) and stage show. Saturday (2d) and got some good ballyhoo. Looks for okay \$10,000. Last week, 'Drive Night' (WB), finished fortnight here to okay \$7,700.

State-Lake (B&K) (3,700; 28-44) —'Queen Mob' (Par) and Bert Wheeler and Mitzi Green headlining on stage. Healthy week here at \$17,000. Last week, Maxie Rosenbloom personal and 'Girls of Road' (Col) said \$13,800.

United Artists (B&K-M-G) (1,700; 35-55-65-75) —'Love Again' (M-G) (2d wk). Holding to \$10,000, plenty good, after smackeroo \$14,400 last week.

Woods (Essaness) (1,200; 75-11-10-15-85) —'Gone With the Wind' (M-G) (31st wk). That Labor Day closing will not come off this year. Building on cool weather to \$7,500, now biz for this length of run, after taking resounding \$7,000 last week.

## 'SEA HAWK,' \$10,000, MOPS UP IN MEMPHIS

Memphis, Aug. 27. 'Sea Hawk' is clearing up Main Street as well as the Spanish Main this week. Flynn's foamy forays are packing the local Warner at all shows and shooting for a record gross of recent seasons on strength of upped admiral.

The New Male is also having a nice week with Columbia's 'He Stayed for Breakfast'. Disappointment of the late holder is 'Lucky Partners', the Colman-Rogers combine, which is definitely so-so at Loew's State, despite supposed b.o. draw here of both stars and alleged general yen for comedy.

Loew's Palace is skidding badly with four days of 'Captain Caution' and three of 'Golden Fleece'.

Estimates for This Week  
Loew's State (Loew) (2,000; 10-33-44) —'Lucky Partners' (RKO). Expected to draw heavily, especially after favorable notices, this one is extremely mild and reaction is n.s.g. Looks like sub-par \$4,500. Last week, 'Frank James' (20th), \$6,500, very good.

Warner (Warner) (2,300; 15-40-55) —'Sea Hawk' (WB). Raves from press and public, plus no square over tipped prices, leading this one for close to \$10,000, a whameroo. Last week, 'Drive Night' (WB) (2d wk) \$3,500, good for holdover.

New Male (Loew) (2,000; 10-33-44) —'Stayed Breakfast' (Col). Young-Douglas Red spooning well taken here. Should do good \$5,500. Last week, 'All This, and Heaven Too' (WB), and 'Ladies Live' (WB), three days, \$3,600, fair.

Loew's Palace (Loew) (2,200; 10-33-44) —'Captain Caution' (UA), four

days 'Golden Fleece' (M-G), three days. Trade is sagging to poor \$2,500. Last week 'Love Again' (M-G), three-day h.o., and 'Disney Festival' (RKO), four days, \$4,300, not bad.

Strand (Lightman) (1,000; 10-22-33) —'Girl Friday' (Col) (2d run), split with 'Geronimo' (Par), (2d run), Okay \$1,500. Last week, 'Fanny White' (RKO), 'One Beautiful' (M-G), split, \$1,700, good.

## 'FUNZ'-MAISIE' BIG \$17,500 IN OMAHA

Omaha, Aug. 27. Bolstered by huge matinees, large kids, Benny Meroff's 'Funzies' unit at the Orpheum, plus 'Gold Rush Maisie', is tops this week.

Omaha has second week of 'I Love You Again' and 'Sporting Goods' for better than average week. Brandeis, which brought back 'Snow White' and the Disney festival, together with 'Dr. Christian Meets Women', is okay.

Estimates for This Week

Town (Goldberg) (1,500; 10-20-25) —'One Man's Law' (Indie). 'Somewhere Sonora' (WB) and 'Madmen Europe' (Col) split three ways with 'Double Alibi' (U), 'There Goes Groom' (U) and 'Border Patrolman' (Cap), tripler, and 'Mr. Son' (UA), and 'Divorcement' (RKO). Fair \$1,200. Last week, 'Gaucho Serenade' (Rep), 'Ski Patrol' (U) and 'Saturday's Children' (WB), split with 'Black Friday' (U), 'Stage Door' (RKO) and 'Cowboy Sundown' (Mono), 'Zanzibar' (U) and 'Saps Sea' (UA), ditto.

Orpheum (Tristates) (3,000; 10-40-55) —'Gold Rush Maisie' (M-G) plus 'Funzies' (U). Will reach over \$17,500. Last week, 'Frank James' (20th) and 'We Are Young' (M-G), nice \$10,000.

Omaha (Tristates) (2,000; 10-25-40) —'Love Again' (M-G) and 'Sporting Blood' (M-G) (2d wk). Set for \$8,200, good. Last week, fine \$10,000.

Brandeis (Mort Singer) (1,500; 10-25-40) —'Snow White' (RKO) and 'Dr. Christian Meets Women'. Expected \$5,000, pretty fair figure. Last week, 'Heaven Too' (WB), good \$6,500.

State (Goldberg) (900; 10-25-25) —'Waterloo Bridge' (M-G) and 'Three Faces West' (Rep) split with 'Hot Steel' (U), 'Flight Angels' (WB) and 'Chan's Circus' (20th). Fair \$1,500. Last week, 'Four Sons' (20th) and 'Susan God' (M-G), split with 'Mothers' (M-G) and 'Saturday's Children' (WB), \$1,600.

Avenue - Military - Dundee (Goldberg) (950-600-300; 25) —'Four Sons' (20th) and 'Waterloo Bridge' (M-G), split with 'Seven Gables' (U), 'Black Friday' (U) and 'Shooting High' (20th). Fair \$1,100. Last week, 'My Son' (UA) and 'Susan God' (M-G), split with 'Chan's Circus' (20th) and 'Mothers' (M-G), good \$1,500.

## 'Love Again' Nice \$6,000 in Portland

Portland, Ore., Aug. 27. Returns about equal for all major spots, with two new pix and two h.o.s.

'I Love You Again', at the UA, looks like the best new bet.

Estimates for This Week

Broadway (Parker) (2,000; 35-40-50) —'Daltons Rode' (U) and 'Private Affairs' (U). Making average showing for \$4,300. Last week, 'Drive Night' (WB) and 'Ladies Live' (WB), big \$6,200 and moved to Mayfair.

Mayfair (Parker-Evergreen) (1,500; 35-40-50) —'Drive Night' (WB) and 'Ladies Live' (WB). Doing okay \$3,000. Last week, 'Love Back' (WB) and 'Man Talked Much' (WB), closed second week for satisfactory \$2,800.

Paramount (Hamrick-Evergreen) (2,000; 35-40-50) —'Frank James' (20th) and 'Pop Pays' (RKO) (2d wk). Holding up well for good \$3,900. First week went to big \$5,500.

United Artists (Parker) (1,000; 35-40-50) —'Love Again' (M-G) and 'We Are Young' (M-G). Will probably get nice \$6,000. Last week, 'Prejudice' (M-G) and 'Gold Rush Maisie' (M-G), second week, closed at \$4,200.

## First Runs on Broadway (Subject to Change)

Week of Aug. 29  
Astor—'Gone With the Wind' (M-G) (37th wk.).  
Capitol—I Love You Again' (M-G) (3d wk.).  
Criterion—'Gold Rush Maisie' (M-G) (31).  
(Reviewed in Variety, July 31)  
Globe—'Hell's Cargo' (Film Alliance) (31).

Muslo Hall—'Pride and Prejudice' (M-G) (4th wk.).  
Palace—'Pop Always Pays' (RKO).  
(Reviewed in Variety, June 19).

Paramount—'Rhythm on the River' (Par) (2d wk.).  
(Reviewed in Variety, Aug. 21).

Rialto—'One Crowded Night' (RKO) (27).  
(Reviewed in Variety, Aug. 21)

Rivoli—'Foreign Correspondent' (UA) (2d wk.).  
(Reviewed in Current Issue)

Roxy—'He Stayed for Breakfast' (Col) (30).  
(Reviewed in Variety, Aug. 14)

Strand—'The Sea Hawk' (WB) (4th wk.).

Week of Sept. 5  
Astor—'Gone With the Wind' (M-G) (38th wk.).  
Muslo Hall—'Lucky Partners' (RKO).  
(Reviewed in Variety, Aug. 21)

Paramount—'Rhythm on the River' (Par) (2d wk.).  
Rialto—'Stranger on the Third Floor' (RKO) (3).

Rivoli—'Foreign Correspondent' (UA) (2d wk.).  
Rox—'The Great Profile' (20th) (6).

(Reviewed in Variety, Aug. 21)

Strand—'Flowing Gold' (WB) (6).  
(Reviewed in Current Issue)

## Loy-Powell Open Cincy Grand To Smash \$15,000

Cincinnati, Aug. 27.

Main sector's cinema biz is skyking to a hotcha end-of-summer take this week due in large measure to opening of the new RKO Grand with Myrna Loy-Powell's 'I Love You Again'. Grand, occupying the site of the old Grand Opera House, and the RKO Shubert, which relined last week after summer layoff, add nearly 3,600 seats to seating capacity of major pic parlors. New Grand is three-story cinema, but built since the Albee was unveiled in 1925.

Trailing socko take of 'I Love You Again' currently are 'He Stayed for Breakfast' and 'Frank James', with comy marks for the Palace and Albee, respectively. 'Gold Rush Maisie' is n.s.h. for Keith's.

Estimates for This Week

Albee (RKO) (3,300; 39-47) —'Frank James' (20th). Fair \$5,500. Same last week with 'Boys Syracuse' (U).

Capitol (RKO) (2,000; 42-60) —'Boom Town' (M-G) (3d wk). Terrific \$8,000 and holds for another week. Last week (2d), socko \$13,000. Pic got sensational \$20,000 in first seven days.

Family (RKO) (1,000; 15-28) —'Millionaire Prison' (RKO) and 'Pop Pays' (RKO), split with 'Gambling Seas' (WB) and 'Country Romance' (RKO). Okay \$2,000. Ditto last week on 'Not So Tough' (U) and 'South Karanga' (U), divided with 'Queen Mob' (Par) and 'Haunted Gold' (WB).

Grand (RKO) (1,439; 33-50) —'Love Again' (M-G). Powell-Loy magnet and opening of this new deluxe combining for smash \$15,000. Pic remains for second week.

Keith's (Libson) (1,500; 39-47) —'Gol' Rush Maisie' (M-G). N.s.h. \$5,500. Last week, 'Blondie Servant' (Col), slow \$3,000.

Lyrie (RKO) (1,400; 39-47) —'Boys Syracuse' (U). Moveover from Albee. Dull \$3,000. Last week, 'Snow White' (RKO), revival) (2d wk), no dice at \$2,200 after nice \$4,500 on first week.

Palace (RKO) (2,600; 39-47) —'Stayed Breakfast' (Col). Okay \$10,000. Last week, 'Drive Night' (WB), very good \$12,500.

Shubert (RKO) (2,150; 39-47) —'Drive Night' (WB). Transferred from Palace. Mild \$5,500. Last week, start of season after three months of darkness, 'Married Adventure' (Col), slow \$3,000.

## BRISKIN BACK TO H'WOOD

Denver, Aug. 27. Sam Briskin, who has been at Broadmoor on vacation for the past month, returned to his Columbia post in Hollywood Monday (26).

## B'way Chilly, Biz Hot, 'Pride' \$95,000, Goes 4th Wk.; 'Hawk'-Spitalny Wow 3d Week, 40G, Shirley-Bowes 40G

Folks fled away their bathing suits during the past week and furs came out of mothballs as the weather did a terrific about-face. Cooling systems were turned off in the theatres and were still off yesterday (Tues.), but some more sunbathers and a perature is looked for by the weather man.

However, meantime August is going out and the coming week brings Labor Day, which is always big, regardless. Thus, it appears that managerial worries are over until something else like the week before Christmas gets here.

They've used a Hollywood dictionary of adjectives to describe some of the business that Broadway is experiencing. This is notably true of two shows that are currently on their third weeks and running well. These are 'Pride and Prejudice' at the Music Hall and 'Sea Hawk', plus Phil Spitalny at the Strand.

Outstanding strength is indicated by the fact that 'Pride' got \$101,000 the first week; \$98,000 last week (2d) and currently will hit around \$95,000. Equally fine staying power is being exhibited by 'Sea Hawk' and Spitalny, with figures for this bill and 'Pride' almost unbelievable for summer. Strand hit near to \$50,000 the first week, \$45,500 the second and now in its third week will be \$40,000, perhaps a little over.

The fourth stanza for both shows will carry them over Labor Day. For the fall 'Pride' will be the fourth picture to go beyond three at that theatre.

Two new pictures for the final week of August are 'Young People' (Rox) and 'When the Daltons Rode' (State). Former has a Bowes amateur unit aiding it. The gross is sturdy and should hit around \$40,000, but a holdover is planned. 'Daltons', aided by Henry Armetta, Betty Hutton and Ciro Rima's orchestra, looks a solid \$27,000, excellent. House seldom plays a picture first-run and the past when it has done so the results have not been good.

Holdover of 'I Love You Again' at the Strand is pretty good at around \$30,000 and it goes a third session, starting tomorrow (Thurs.). As occurred the first Monday night in the picture, the second Dr. L. Q. program on the stage Monday evening (26), with \$1,000 handed out, didn't break down the boxoffice. Business on the day was about the same as on the previous day, with the night take about double that of the matinee.

The Paramount went two weeks with 'McGinty' and Cab Calloway, getting plenty of profit. A rollicking \$45,500 was grossed the first seven days, while the holdover was very strong on pace at \$38,500. House opens 'Rhythm on the River' and a stage complement consisting of Ken Murray, Bill Bradley's orchestra, Ray McKinley and others today (Wed.). In darkness for most of the summer, the Rivoli will start last night (Tues.) with 'Foreign Correspondent'.

Estimates for This Week

Astor (1,012; 75-85-11-10-15-85-22-30) —'Gone With the Wind' (M-G) (37th wk.). Last week (36th) same as the prior week, \$11,000. Metro ascribes it mostly to out-of-towners.

Capitol (1,320; 25-40-55-75-11-10-12-25) —'I Love You Again' (M-G) (2d week). Against strong competition from combination operations, but holding its own well enough at \$50,000 to go to a third week. On first week, around \$38,000, nice.

Criterion (1,662; 25-40-55-65) —'Mystery Sea Raider' (Par). Nice sport this week, probably \$9,000. Last week 'Three Faces West' (Rep) fell off after a fair start, under \$6,000.

Globe (1,700; 25-35-55) —'River's End' (WB). Remake is getting nowhere, less than \$5,000 in ahead. 'Ghost Creeps' (Mono) just crept along, only \$4,000.

Palace (1,700; 25-35-55) —'Drive by Night' (WB) (2d run) and Anne of Windy Poplars (RKO) (2d run) dualled. Bracy may hit \$8,000, o. k. Last week's twain, 'Man I Married' (20th) (2d run) and 'Queen of Destiny' (RKO) (1st run), both profitable.

Paramount (3,664; 25-35-55-88-99) —'Rhythm on the River' (Par) and in person, Ken Murray, Bill Bradley, Ray McKinley, others, open today (Wed.). Two solid profitab weeks of \$45,500 and \$38,500 were drawn by 'McGinty' (Par) and Cab Calloway. House would have held \$50,000 to go to a third week. On the program previously set for Labor Day week.

Radio City Music Hall (5,980; 40-64-94-101-65-75-85-11-10-15-85-22-30) —'Pride and Prejudice' (M-G) and 'Snow White' (2d wk). Almost fantastic strength of picture will mean around \$95,000 for the third (current) stanza. This is very close to last week's gross, gross was \$98,000. First lap was \$101,000. Show holds again.

Rialto (750; 25-40-55) —'One Crowded Night' (RKO). Opened yes-

terday morning (Tues.), following a sad week with 'Golden Gloves' (Par) which only got \$4,000. Behind that, a dual revival bill, 'Baskervilles' (20th) and 'Gorilla' (20th) only four light days, \$2,500.

Rivoli (2,000; 25-40-55-75-99) —'Foreign Correspondent' (UA), on a special premiere, reopened this house last night (Tues.). Regular run begins this morning (Wed.).

Rox (3,886; 25-40-55-75) —'Young People' (20th) and Major Bowes' Am unit on stage. Combination of picture and Bowes' show drawing nice business gross to splendid \$27,000. Last week 'Ghost Breaker' (Par) and Al Trahan, Mildred Bailey, others, \$21,000, o. k.

State (3,450; 35-55-75) —'Daltons Rode' (U) and stage show. Spitalny here on first run and together with in-person talent, Henry Armetta, Betty Hutton, Ciro Rima's orch, building gross to splendid \$27,000. Last week 'Ghost Breaker' (Par) and Al Trahan, Mildred Bailey, others, \$21,000, o. k.

'Sea Hawk' (WB) (3d week). Maintaining remarkable stamina, with combo draught of film and Spitalny spelling very stout \$40,000 this week (3d). The is right on heels of \$43,500 last week (2d) and close to \$50,000 the first seven days. Holds fourth week.

## YOUNG-DOUGLAS GOOD \$11,500 IN K.C.

Kansas City, Mo., Aug. 27. Town has a couple of nice grossers in 'They Drive by Night' at the Orpheum, and 'He Stayed for Breakfast' at Midland. Former film has strong campaign behind it locally and as a result is doing well. Loretta Young-Melvyn Douglas team in the latter are getting comedy fans.

Weather has been favorable. Estimate for This Week  
Esquire (820 and 048; 10-22-44) —'Frank James' (20th) (2d wk). Full seven days will see \$5,500, okay. First week, steady \$3,400.

Midland (840; 4-101; 10-28-44) —'Stayed Breakfast' (Col) and 'Golden Fleece' (M-G). Comedy top feature getting good play for \$11,500. Last week, 'Captain Caution' (UA) and 'Blondie Servant' (Co), fair \$7,500.

Newman (Paramount) (1,900; 10-25-44) —'Flowing Gold' (WB). Average \$5,000. Last week, 'Comin' Round Mountain' (Par), ditto.

Orpheum (RKO) (1,500; 10-28-44) —'Drive Night' (WB) and 'Christian Meets Women' (RKO). Looks like good \$8,000. Last week, 'Ladies Live' (WB) and 'Ladies Live' (WB) reopened house and got light \$5,000.

Tower (Joffe) (2,110; 10-30) —'Private Affairs' (U) and vaude. Looks for nice \$5,500. Last week, 'Scatterbrain' (Rep) and vaude got same amount.

## 'Frank James' Fair \$3,500 in Lincoln

Lincoln, Aug. 27.

Lincoln stays at head of the parade, but 'I Was Adventurous' solo at the Nebraska, plus good news-parade with 'Frank James', but take is only fair.

Weather remains in favor of film row, but approaching, State Fair won't help.

Estimates for This Week  
Lincoln (Paramount-Cooper) (1,500; 10-25-34-40) —'Frank James' (20th). Looks like fair \$3,500. Last week, 'Ladies Live' (WB) and 'Ladies Live' (WB), far above expectations.

Nebraska (Paramount-Cooper) (1,236; 10-20-25) —'Adventures' (20th). First layoff, when new theatre opened, should help to fair \$2,200. Last week, 'Safari' (Par) and 'Sailor's Lady' (20th), split with 'Western Stars' (Par) and 'Queen Mob' (Par), today (Wed.), \$2,200.

Stuart (Paramount-Cooper) (1,184; 10-25-40) —'McGinty' (Par) and vaude. Good newspaper play, but one fair \$3,500 in sight. Last week, 'Man Married' (20th), split with 'Sporting Blood' (M-G) and 'Midnight in Paris' revue on stage, classy \$3,300.

Varsity (Noble-Federer) (1,017; 10-20-25) —'Ladies Live' (WB) and 'Queen of Destiny' (RKO). House is laying off heavy ballyhoo, saving for a big blow when new theatre opens Wednesday (28). Should hit \$1,600, average. Ditto last week for 'Our Town' (UA) and 'Scatterbrain' (RKO).

## 'Pastor Hall' Big \$12,000 on Fine Philly Bally; 'Breakfast' OK 27G in 2 Spots

(Best Exploitation: Aldine)

Philadelphia, Aug. 27.—Cool weather has nipped the shore-bound exodus at a time when it usually reaches its peak and is aiding to swell downtown b.o.s. Strong product and extra active hallyhoos also abetting the take.

The double-header opening stunt now in its third week here is still paying off, as evidenced by the hefty grosses being chalked up by 'Pastor Hall' (WB) and 'Breakfast for Breakfast' (M-G). Definitely in the coin class is 'Pastor Hall'. Eastern premiere coincided with the fall unshuttering of the Aldine. The opening was buttressed by some big league exploitation featured by the p.a. of Elliott and Franklin D. Roosevelt, Jr., which put the opening on the front pages, thus coupled with plenty of cello radio time and send-offs by civic and vet organizations, gave Jimmy Roosevelt's initial venture a flying start.

Estimates for This Week

Aldine (WB) (1,308; 35-46-57-68)—'Pastor Hall' (WB) Grade A ballyhoos sending this to a sock \$12,000 to mark Aldine's reopening. Will h.o. Arcadia (Sablowsky) (600; 35-46-57) 'Pride Prejudice' (M-G) (2d run). Opened yesterday (Mon.). Last week 'Man Married' (20th), profitable \$3,700.

Boyd (WB) (2,560; 35-46-57-68)—'Sea Hawk' (WB) Grade A ballyhoos the blue chips with big \$13,000. Got super \$25,000 for opener last week. Earle (WB) (2,758; 35-46-57-68)—'Stayed Breakfast' (Col.). Day-daying with Stanley in continuation of new policy and hitting good \$12,000. Not in same class, however, with great \$22,000 chalked up by 'Sea Hawk' last week.

Fox (WB) (2,423; 35-46-57-68)—'Flowing Gold' (WB). Keeping up pace of sister houses with better-than-average \$14,600. Last week 'Frank James' (20th) scored \$13,100. Karlton (WB) (1,066; 35-46-57-68)—'Love Again' (M-G) (2d run). Continuing its happy run with neat \$5,800. Last week 'Pride Prejudice' (M-G) (2d run), plus Disney Shorts, nice \$5,500.

Keith's (WB) (1,970; 35-46-57-68)—'Syracuse' (U) (2d run). B.o. \$4,300. Last week sub-par \$3,600 for second-run showing of 'Drive Night' (WB).

Stanley (WB) (2,916; 35-46-57-68)—'Stayed Breakfast' (Col.). Day-daying is still what the doctor ordered here. Solid \$15,200. Last week's second seah of 'Love Again' (M-G), fine \$13,000.

Stanton (WB) (1,457; 35-46-57-68)—'Golden Fleeing' (M-G). Just under the wire with \$4,200. Last week 'Tom Brown' (RKO) slightly better with \$4,500.

## 'SCANDALS' HOT \$17,000 IN BALTO

Baltimore, Aug. 27.

Frigid weather keeping them in town and boosting grosses all around. Attracting strong response is the combo Hipp's stage portion of George White's 'Scandals' tied to 'Millionaires in Jail'. Strong nocturnal play fattening take considerably.

Rather pleasing reaction also being chalked up by Keith's with the Walt Disney Festival of cartoon shorts wrapped around repeat of 'Snow White'.

Upped scales for Loew's Century and Warners' Stanley, both being announced for 'Boom Town' and 'The Sea Hawk', respectively, next week.

Estimates for This Week

Century (Loew's-UA) (3,000; 15-28-44)—'Captain Caution' (UA). Just fair at possible \$6,000. Last week second of 'Love Again' (M-G) added nice \$7,200 to strong opening round at \$11,900.

Hippodrome (Rappaport) (2,205; 15-28-39-44-55-66)—'Millionaires in Jail' (RKO) plus White's 'Scandals' cashing in on strong night play for fine \$17,000. Last week, anniversary lay-out of 'Lady Question' (RKO) tied to vaude headed by Andrews Sisters, good \$15,600.

Keith's (Schamberger) (2,000; 15-28-39-44)—'Disney Festival' (RKO). Surprisingly good reaction at \$6,500. Last week 'Great McGinty' (Par) sold strongly and nicely received by critx, but somewhat disappointing at \$5,800.

New (Mechanic) (1,581; 15-28-35-55)—'Man Married' (20th). Mild at \$4,000. Last week second of 'Frank James' (20th), added disappointing \$3,300 to opening round of \$5,200.

Stanley (WB) (2,380; 15-28-39-44-55)—'Drive Night' (WB) (2d wk). Consistent \$7,000, after nice initial seah to \$10,300.

## Par's Golf Tournament On Zukor Estate Sept. 19

With Adolph Zukor donating his New City, N. Y., estate for the affair and planning to participate in the event, Paramount will hold a golf tournament for company executives and employees Sept. 19. The estate includes an 18-hole golf course.

John E. McDermott, accountancy executive of the company, is chairman of arrangements.

## 'BOOM TOWN' BIG \$16,000 IN DET.

Detroit, Aug. 27.

(Best Exploitation: Palms-State)

Steady is the word for biz here, with the United Artists reopening this week, after a brief shuttering, to catch the coin with 'Boom Town'. Coming back into the picture after the shortest summer-closure in its history, the house advanced prices 5 cents for matinees to 45c, and increased at night to 75c.

The Palms-State cashed in on Joe Louis' following by plastering the town with fight posters on its 'Golden Gloves'. On top of this it made a natural tieup with the newspaper sponsors of the real article and got the A.A.U. to stage three bouts between genuine glove-glovers for the premiere.

Estimates for This Week

Adams (Balaban) (1,700; 30-40)—'Snow White' (RKO) (revival), four Disney shorts and 'South Karanga' (U). Looking for good \$5,000. Last week 'Syracuse' (U) (2d run) and 'Girl God's Country' (Rep), \$4,000.

Fox (Fox Michigan) (5,000; 30-40-55)—'Frank James' (20th) and 'Chan Wax' (20th) (2d wk). Looking for fine \$15,000, on top of big \$20,000 last week.

Michigan (United Detroit) (4,000; 30-40-55)—'Drive Night' (WB) and 'Golden Fleeing' (M-G). Fair \$14,000. Last week 'Untamed' (Par) Jimmy Dorsey band and Bert Wheeler on stage, healthy \$25,000.

Palms-State (United Detroit) (3,000; 30-40-55)—'Golden Gloves' (Par) and 'Great McGinty' (Par). Indications point to a variable \$6,000. Last week 'Love Again' (M-G) and 'Gold Rush Maisie' (M-G), moveover from Michigan, good \$7,000.

United Artists (United Detroit) (2,000; 30-45-75)—'Boom Town' (M-G). Easily leading town with fine \$16,000 coming up. House has boosted scale from 15c to 20c for kids, and as much as 50c to 75c top for adults.

## 'Dies and Reds'

Continued from page 3

was paid in full on his contract. Stander also had been named as a Communist by Leech.

Joe E. Brown's Defense

Saratoga Springs, N. Y., Aug. 28.—A strong defense of film actors, recently characterized as members of the Communist party, was laid before Rotarians at the New Worden hotel here Wednesday (23) by Joe E. Brown, the comedian.

"Concerning Communism among people in Hollywood," he said, "I know some of those people intimately and those I know have no Communist tendencies. There is one particularly to whom I refer. I have known Jimmy Cagney since he went to Hollywood seven years ago. He's a real American."

"We should all be proud," he said, "so far from that terrible situation in other lands. We should all be terribly proud we're Americans."

He declared he has started a campaign for love and laughter, asserting: "If we can forget race, color and religion, if we can forget bigotry and remember love, that will save the world. If we can start loving the other person, loving and understanding our neighbors, regardless of geographical location, we will erase that horrible word 'war' from the world. There is always a time for laughter."

## 'BREAKFAST' HEARTY \$14,500 IN PROVIDENCE

Providence, Aug. 27.

With a considerable drop in temperature, things are looking up again. 'He Stayed for Breakfast', at Loew's, is doing grosser, with others also bright.

RKO Albee reopening Thursday (28) after summer shutdown.

Estimates for This Week

Carlton (Pay-Loew) (1,400; 28-39-50)—'Frank James' (20th) and 'Windy Poplars' (RKO) (2d run). Stepping up to fair \$1,800. Last week 'Love Again' (M-G) and 'West Peppers' (Col) (2d run), so-so \$1,200. Ray's (Indie) (3,000; 15-28-35)—'Black Diamonds' (U) and 'Bad Boy' (Indie). Good \$3,000. Last week 'Crashing Through' (Mono) and 'Orphans of North' (Indie) fair \$2,500.

Nestle (Pay) (2,200; 28-39-50)—'Flowing Gold' (WB) and 'Money Woman' (WB). With cooler weather house showing pickup and looking forward to good \$7,000. Last week, 'Frank James' (20th) and 'Windy Poplars' (RKO), fair \$6,000.

State (Loew) (3,200; 28-39-50)—'Stayed Breakfast' (Col) and 'Gold Rush Maisie' (M-G). Pulling hefty for swell \$14,500. Last week, 'Captain Caution' (UA) and 'Babies Sale' (Col), sold \$8,000.

Strand (Indie) (2,000; 28-40-50)—'Coming Round Mountain' (Par) and 'Married Adventure' (Par). Not too strong and showing it in so-so \$5,000. Last week, 'McGinty' (Par) and 'Three Faces West' (Rep), skyrocketed after strong reviews and word-of-mouth to swell \$8,900.

## Ritzes 'Married' Good \$13,500 In Healthy Indpls.

Indianapolis, Aug. 27.

With Loew's holding over 'Boom Town' for a third week, coin is about evenly distributed in downtown section this week. Every house is getting its share, with each one in the black for a change.

Indiana is healthy with 'Lucky Partners' and 'Cross Country Romance', and Circle is close second with 'When the Daltons Rode' and 'You're Not So Tough'.

Larry is taking up to the bank with Ritz Bros. heading vaude and 'Man I Married' on screen. First appearance here for the trio.

Estimates for This Week

Circle (Katz-Dolle) (2,600; 25-30-40)—'Daltons Rode' (U) and 'Not So Tough' (U). Good \$5,500. Last week 'Snow White' (RKO) and Disney shorts, got only the juves for a dime admission to finish with week \$4,800.

Indiana (Katz-Dolle) (3,100; 25-30-40)—'Lucky Partners' (RKO) and 'Cross Country Romance' (RKO). Good \$9,000. Last week, 'Frank James' (20th) and 'Dr. Christian Women' (Par), fair \$1,000.

Loew's (Loew's) (2,400; 31-40-54)—'BoomTown' (M-G) (3d week). Very good \$8,000. Last week, second stanza, zooming \$12,500.

Lyrle (Lyrle) (1,900; 5-30-40)—'Man Married' (20th) and Ritz Bros. heading vaude. Good \$13,500. Last week, 'Girl Avenue A' (20th) and Clyde McCoy's orch, nice \$13,000.

## 6-PLY 'KIT CARSON' PREEM STEALS DENVER

Denver, Aug. 27.—Premiere of 'Kit Carson' ballyhoos apparently pepping things up hereabouts and all first-runs report above-average biz. 'Rhythm on the River' is turning in the best gross of any Crosby film in Denver to date and is staying over.

'Carson' premiere last night (Monday) sold out completely the Denver Paramount. Broadway, Aladdin and Rialto, all of the Fox's first-runs, besides the Tabor; subsequent, Total was 9,843 seats, by far the biggest crowd to see a film at a first-night here. Thousands blocked the streets all day.

Estimates for This Week

Aladdin (Fox) (25-40)—'Frank James' (20th), after week at Den-er, nice \$4,000. Last week, 'Snow White' (RKO), fair \$1,000.

Broadway (Fox) (25-35-40)—'Pride Prejudice' (M-G) and 'Gold Rush Maisie' (M-G) (2d wk), after two weeks at Orpheum, OK \$3,000. Last week, same figure.

Denham (Cockrill) (1,750; 25-35-40)—'Rhythm on River' (Par). Very strong \$9,000 and holds. Last week, 'Corn' Round Mountain' (Par), fair \$4,000.

Denver (Fox) (2,525; 25-35-40)—'Kit Carson' (UA) continuing alone here after its sizzling preem. Biz good. Last week, 'Frank James' (20th) and 'Blondie Servant' (Col), nice \$11,000.

Orpheum (RKO) (2,600; 25-35-40)

## Mpls. Has Its Blues, But 'Sea Hawk' Great \$10,000, 'Breakfast' Good \$7,500

Minneapolis, Aug. 27.

It's just one grief after another for the harassed film emporiums. With the roller derby out of the way after a prosperous 28-day grind at the Auditorium, there's now the 10-day State Fair for tough opposition.

In recent years the Fair has been a detriment, rather than help, to theatre biz. Most transients attracted are here only for day and pass up show houses, confining attention to exposition. Many homefolks, who might be potential theatre customers, are weaned away to the Fair.

Film lineup this week contains considerable strength. Spotlight stealers, in the order named: 'Sea Hawk', 'He Stayed for Breakfast' and 'Our Town', at the Orpheum, State and World, respectively. All are newcomers, the lone veteran being 'Pride and Prejudice', Century offering.

Estimates for This Week

Aster (Par-Singer) (900; 15-28)—'Sandy's Lady' (U) and 'Secret Seven' (Col), dual first-runs in for five days, split with 'Mystery Sea Raider' (Par) and 'West Peppers' (Col), also dual first-runs. En route to fair \$1,600. Last week, 'Lucky Cisco Kid' (20th), 'Sandy's Lady' (20th), dual first-runs, split with 'Mad Empress' (WB) and 'Stage Chimp' (RKO), pretty good \$1,800.

Century (Par-Singer) (1,600; 28-39-44)—'Pride and Prejudice' (M-G) (2d wk). The women love this. Still clicking after fine initial canto and should stretch to nice \$4,000. Last week, \$6,700, biz.

Esquire (Gillman) (200; 28)—'Boys City' (Mono). Dead End Kids no longer much of a card here, but likely to reach light \$700. Last week, 'Dark Command' (Rep), \$1,000, okay.

Gopher (Par-Singer) (988; 28)—'Golden Fleeing' (M-G). Almost lost in shuffle, make it acceptable, but hasn't qualities necessary to make it an attention stealer. Mild \$2,400 in prospect. Last week, 'Sporting Blood' (M-G), \$1,800 in six days, poor.

Orpheum (Par-Singer) (2,800; 28-39-44)—'Stayed Breakfast' (Col). Comedy seems to be the entertainment commodity in demand nowadays, and this one off to a start which should make it the loop leader. Should reach good \$7,500. Last week, 'Man Talked Much' (WB) and 'Sammy Kaye orch', \$16,000, good.

State (Par-Singer) (2,300; 28-39-44)—'Sea Hawk' (WB). Exciting rays. Helped, too, by effective advertising and exploitation campaign. Along to mild \$7,000 for six days. Last week, 'Pride Prejudice' (M-G), very sweet \$13,500.

Stillman (Loew's) (1,972; 20-35-42-55)—'Love Again' (M-G). Clearly indicates swell \$6,500 and perhaps a fourth shot, after lapling \$11,000 on second, biggest h.o. figure here since 'Another Thin Man'.

Uptown (Par) (1,200; 26-39)—'Heaven, Too' (WB). First neighborhood showing. Rating good \$4,000. Last week 'Love Again' (M-G), first neighborhood showing, \$3,500, good.

World (Par-Singer-Steiff) (350; 28-39-44-55)—'Our Town' (U). Built to order for this carriage-trade house. Recipient of much critical praise and shoving itself right to the boxoffice from \$2,500 in prospect. Last week 'Drive Night' (WB), (2d wk), \$2,000, good after nice \$6,100 first week at Orpheum.

## 'HAWK'-VAUDE BIG \$22,500, D. C.

Washington, Aug. 27.

'Sea Hawk' is smash and leading all houses here, with S.R.O. out since opening show at Earle. Overflow and rainy weekend gave all other houses a break. Second week of 'I Love You Again', at Loew's Palace, doing swell, but Loew's Capitol, with vaude, is poor third with 'Golden Fleeing'.

RKO Keith's, with 'Lucky Partners', is above average. Disney Festival holdover at Met much better than expected, and second run of 'Pride and Prejudice' (M-G), very sweet \$13,500.

Estimates for This Week

Capitol (Loew) (3,434; 28-39-44-66)—'Golden Fleeing' (M-G) and vaude. With only a little help from the stage show this one is fading in the face of competition. Result is poor \$14,000. Last week, 'Pago Pago' (UA) and vaude, fell to sub-par \$14,000.

Columbia (Loew) (1,234; 28-44)—'Pride Prejudice' (M-G) (2d run). Third week downtown getting excellent \$5,000. Last week, 'Maryland' (20th) (2d run), fine \$5,000.

Earle (WB) (2,216; 29-39-44-66)—'Sea Hawk' (WB) and vaude. Solid smash, with only slight capacity holding gross to \$22,500. Stage show, 34 minutes because of film's length. Last week, 'Drive Night' (WB) with vaude, grand \$19,000.

Keith's (RKO) (1,830; 39-55)—'Lucky Partners' (RKO). Hoping for solid \$12,000. Last week, second of 'Boys Syracuse' (U), fine \$8,000. Met (WB) (1,600; 28-44)—'Snow

## WB Survey

Continued from page 1

before taking off on the southward trek.

Not for Cliffhangers

Rio de Janeiro, Aug. 27.—Hollywood film outfits are known throughout South America not by their features, but by their cliffhanger output. Throughout the nations south of the Rio Grande it's a case of no bookings for the American outfits if there are no serials to be offered.

Envoys investigating the S.A. situation report that theatre managers demand two serials weekly. Distributors providing them have no difficulty in unloading their entire program of features. When there are no new chapter pix available, the S.A. house operators re-run the old ones.

## Lupino Draws 'Dame'

Hollywood, Aug. 27.—Robert Presnal has been sent by Warners to script 'Hard Luck Dan' a carnival story.

Ida Lupino is to be starred.

White (RKO) and shorts (2d wk). Justifying holdover with fine \$5,000. Last week, \$9,000, fine.

Palace (Loew's) (2,242; 39-55)—'Love Again' (M-G) (2d wk). Holding to great \$15,000, over \$22,000.



# Lamour Plus Divorcement' Spells Big \$23,500 in Spotty Frisco

San Francisco, Aug. 27. Personal appearance of Dorothy Lamour is grabbing the spotlight at the Golden Gate (RKO) this week. She got biggest opening since Kay Kyser played the spot a year ago. Otherwise, biz is as spotty as the weather, which has been switching from hot to cold. Weekends are hard hit by the Fair, attendance passing 100,000 mark Sundays, now that Sept. 29 closing is definite.

**Estimated Total Gross This Week**  
Fox (F-WC) (5,000; 35-40-50)—'Frank James' (20th) and 'Avenue A' (20th) (2d wk). Hopes for this one dimmed last week after nice start, triggering ending initial lap with \$16,000, okay, but not as much as expected. Staying for another week until 'Sea Hawk' (WB) comes in, and probably will pick-up nice \$9,000 in second frame.

**Golden Gate (RKO)** (2,850; 39-44-55)—'Divorcement' (RKO) and Dorothy Lamour headlining vaude. Look like big \$23,500, jolliest news here in months. Last week, Windy Poplars (RKO) and vaude hardly more than a zephyr at \$10,500 despite kind reviews.

**Orpheum (F&M)** (2,440; 35-40-50)—'Stayed for Breakfast' (Col) and 'Secret Seven' (Col). Pew-holders looking for laughs these days, which should mean \$12,500 to the house. Last week, second of 'Dance' (U) and 'Blondie Servant' (Col), wasn't helped by 'James' up the street, and went out at \$9,000.

**Paramount (F-WC)** (2,740; 35-40-50)—'Young People' (20th) and 'Golden Fleece' (M-G). Will get \$10,000, okay for this booking. Last week, second of 'Great McGinty' (Par) and 'Pier 13' (20th), splendid \$8,000.

**St. Francis (F-WC)** (1,470; 35-40-50)—'Heaven Too' (WB) (3d wk). Doing all right at pop prices. Take was better than expected \$2,000 last week, and looks like \$5,500 this lap.

**United Artists (Cohen)** (1,200; 35-53-75)—'Pastor Hall' (UA) (2d wk). Jimmy Roosevelt's optimistic view is a disappointment here, not even last two weeks. First stanza got \$7,000. Too heavy for war-weary Friscans, and bowed out Sunday night (25) with final five days picking up \$3,000. House darkened for overhaul and will relight Friday (30) with 'Papa Pato' (UA).

**Warfield (F-WC)** (2,680; 35-40-50)—'Young People' (20th) and 'Comedy continues to mop up with socks \$12,000 virtually in the bag on current stanza. Got \$14,000 in second week and \$15,000 the first.

## TEMPLE, \$2,500, DUD IN L'VILLE

Louisville, Aug. 27. Business is perking up with the approach of the Fair, and along with the main stem are of a class that bring 'em in. Both the Rialto and Loew's State, deluxers, are pulling nice trade, running about neck-and-neck with a shakedown better going to Rialto's 'Return of Frank James'. State's 'Stayed for Breakfast' is also well on the profit side.

H.O. of 'Drive by Night' at Mary Anderson, pleasing (UA) and along with Temple in 'Young People' at the Strand is bringing pretty dull returns.

**Estimated Total Gross This Week**  
Brown (Loew's Four Avenue)—'Love Again' (M-G) and 'Out West Peppers' (Col) (2d wk). Displaying very little strength on second week at this house, and third downtown stanza. Will finish around \$1,500. Last week fine \$2,800 on moveover from Loew's State.

**Bankwitz (Switow)** (1,200; 15-25)—'Bentley Estate' (Par) and 'Had My Way' (U). Spotted \$1,500, and 'U' and 'Safari' (Par). Moving along at average clip to \$1,400. Last week, 'Lillian Russell' (20th) and 'Divorcement' (RKO) (20th) and 'Loew's State' (Loew's) (3,100; 15-30-40)—'Stayed for Breakfast' (Col) and 'Gold Rush Maise' (M-G). Romping along for fine \$8,500. Last week 'Captain Caution' (UA) and 'Blondie Servant' (Col), medium \$5,500.

**Mary Anderson (Libson)** (1,000; 15-30-40)—'Drive Night' (WB) (2d wk). Doing satisfactory job on h.o. and should make okay \$9,800. Last week, swell \$5,500.

**Rialto (Fourth Avenue)** (3,400; 15-30-40)—'Frank James' (20th) and 'Pier 13' (20th). Exceptionally steady and pointing to solid \$8,000. Last week, last week 'Round Mountain' (Par) and 'Mystery Sea Raider' (Par), lightweight \$5,000. (1,400; 15-30-40)—'Young People' (20th) and 'Chan in Wax' (20th). Way down in lower brackets with Shirley Temple, proving a dud as b.o. draw. Aiming at disappointing \$500. Last week 'Tom Brown' (RKO) and 'Girl God's Country' (Rep), ditto.

## Key City Grosses

**Estimated Total Gross This Week**.....\$1,493,240  
(Based on 25 cities, 169 theatres, chiefly first runs, including N. Y.)  
**Total Gross Same Week Last Year**.....\$1,559,560  
(Based on 26 cities, 167 theatres).

## GINGER-COLMAN N. G. \$10,000 IN PITT

Pittsburgh, Aug. 27. (Best Exploitation: Fulton) There's nothing very encouraging about this week, but boys are insisting it's the usual late summer lull preceding the Labor Day getaway. Biz off generally despite some heavy pressure and okay pic with only the Stanley recording anything approaching a winner. There 'I Love You Again' in second week, is doubling usual take and moves Thursday (29) to Warner, when Stanley gets 'Sea Hawk'.

'Lucky Partners' at Penn. not up to expectations from Rogers-Colman. Ritz, which lost its first week, however, on anticipated holiday influx. Nothing big for either 'Boys from Syracuse' at Fulton, though this one is okay, and 'Young People' at Alvin, while both Warner and Ritz, with new winners, are dying. For 'Boys from Syracuse', Jules Levey sent Milt Crandall to town few days ahead, and Crandall's appearance here is always an open sesame to the editorial pages. He's a localite, and first crashed exploitation-big time here. Boys went overboard with space for his various stunts.

**Estimated Total Gross This Week**  
Alvin (Harris) (1,850; 10-25-35-50)—'Young People' (20th). Management's excellent move to grab kid trade for a kid picture, dropping admission for youngsters to 10c. Juvies came in all right at mats, but not enough of their elders at night, with Alvin while both Warner and Ritz, with new winners, are dying. For 'Boys from Syracuse', Jules Levey sent Milt Crandall to town few days ahead, and Crandall's appearance here is always an open sesame to the editorial pages. He's a localite, and first crashed exploitation-big time here. Boys went overboard with space for his various stunts.

**Fulton (Shea-Hyde)** (1,700; 25-40)—'Boys Syracuse' (U). Picture got a lot of plugging in both advertising and news columns, and may do \$6,000, okay. Holds over. Last week, 'Sandy Lady' (U) and 'Love, Honor' (U), nine days and about \$9,000, very poor.

**Penn (Loew's UA)** (3,300; 25-35-50)—'Lucky Partners' (RKO). Notices mixed for Ginger Rogers-Ronald Colman co-starrer. Maybe \$10,000, next more than \$2,800, because small-seater will have a chance with it on holiday week. Last week, 'Captain Caution' (UA), brutal \$8,000. Ritz (WB) (800; 15-40)—'Millionaires Prison' (RKO) and 'River's End' (WB). Just a twin stage-wait for this spot. Looks like \$1,200, mountain low. Last week, 'Drive Night' (WB) in third downtown week, fine \$3,200.

**Stanley (WB)** (3,600; 25-35-50)—'Love Again' (M-G) (2d wk). Still going strong. Headed for \$13,500, which is just about twice what anything ordinarily does at a first-run h.o. Good enough to get comedy third week at Warner and more than likely would double Ritz. 'Love's' opener grew \$19,000.

**Warner (WB)** (2,000; 25-40)—'Queen Destiny' (RKO) and 'Ladies Live' (WB). Dying a slow death. Not much more than \$2,800, six days, coming out day ahead of schedule for moveover of Powell-Low. Last week, 'Pride Prejudice' (M-G), excellent \$5,500 on h.o. from Penn.

## Ginger-Colman Nifty \$7,000 to Top Seattle

Seattle, Aug. 27. 'Lucky Partners', soloing at Fifth Avenue, is getting top money this week. 'Frank James' is second, stanza at Paramount. 'Ramparts' had enough to get moveover to Blue Mouse, and 'Love You Again' got third week. Music Box (RKO) and 'Sterling chain has installed new policy at its Colonial, going third run downtown, joining the Capitol in this policy. Admish prices at both these spots, \$15-30-40.

**Estimated Total Gross This Week**  
Blue Mouse (Hamrick-Evergreen) (850; 30-40-50)—'Ramparts' (RKO)

and 'Golden Fleece' (M-G). Moveover from Orpheum rating around \$1,500, mild. Last week, 'Mystery Sea' (Par) and 'Pier 13' (20th), \$1,500, poor.

**Coliseum (Hamrick-Evergreen)** (1,900; 30-35)—'Andy Hardy Debutante' (M-G) and 'Lucky Partners' (RKO) (2d run). Getting big \$3,400. Last week, 'Mortal Storm' (M-G) and 'Our Town' (UA) (2d run), \$3,200, good.

**Fifth Avenue (Hamrick-Evergreen)** (2,349; 30-40-50)—'Lucky Partners' (RKO). Rogers-Colman, plus increased newspaper lineages, landing very good \$7,000. Last week, 'Love Again' (M-G) and 'Way of Flesh' (Par), second week \$5,300, big.

**Liberty (J-VH)** (1,850; 30-40-50)—'Captain Caution' (UA). Big campaign in newspapers and window cards resulting in good \$5,300. Last week, 'Lady Question' (Col) and 'Gentleman Arizona' (Mono), \$3,800, fair.

**Music Box (Hamrick-Evergreen)** (850; 30-40-50)—'Love Again' (M-G). Moveover from Fifth Avenue getting good \$2,700. Last week, 'Queen Destiny' (RKO), did at \$1,400.

**Orpheum (Hamrick-Evergreen)** (2,600; 30-40-50)—'Round Mountain' (Par) and 'Tom Brown' (RKO). Vagant moveover from this house looks for good \$5,200. Last week, 'Ramparts' (RKO) and 'Golden Fleece' (M-G), \$4,100, fair.

**Palomar (Sterling)** (1,350; 30-40-50)—'Paces West' (Rep) plus Major Bowes' ams. Expected big \$6,200. Last week, 'Love Back' (WB) plus vaude, \$4,100, slow.

**Winter Garden (Sterling)** (800; 15-30)—'Sandy Lady' (U) and '20 Mule' (M-G) (2d run). Expect okay \$2,000. Last week, 'My Way' (U) and 'Love Case' (M-G) (2d run), \$2,800, fair.

## CROSBY, \$17,000, NIFTY IN HUB

Boston, Aug. 27. Muddling through the vacation season slump, 'Stayed for Breakfast' at Orpheum and State, and (Bing Crosby's) 'Rhythm on the River' at Metropolitan, are running about even for better-than-average tallies. Holdover of 'Frank James' and 'Man I Married', at Keith Memorial, is fair.

**Estimated Total Gross This Week**  
Boston (RKO) (3,200; 28-39-44-55)—'Babes RKO' (Col) and 'Carolina Moon' (Rep), dual, with vaude headed by Buster West, four days; 'Military Academy' (Col) and 'Private RKO' (Rep), both 2d run, last week, three days. Estimated \$6,500 gait. Last week, 'Wildcat Bus' (RKO) and Orrin Tucker-Bonnie Baker on stage, slaunch \$20,000.

**Fenway (M&P)** (3,322; 28-39-44-55)—'Comin' Round Mountain' (Par) and 'Girl God's Country' (Rep). Pallid \$4,000 promised. Last week, 'McGinty' (Par) and 'Scatterbrain' (Rep), dandy \$8,000.

**Keith Memorial (RKO)** (2,907; 28-39-44-55)—'Frank James' (20th) and 'Man Married' (20th) (2d wk). Aiming at fair \$12,000. First week of same RKO (M&P) (2,322; 28-39-44-55)—'Rhythm River' (Par) and 'Money Woman' (WB). Bing Crosby headed 'Pier 13' (20th) and 'Ladies Live' (WB) (both 2d run). Around \$4,000. Last week, 'Turnabout' (UA) and 'Sea Raiders' (Par) (both 2d run), dual, \$4,000.

**State (Loew)** (3,600; 28-39-44-55)—'Stayed for Breakfast' (Col) and 'Golden Fleece' (M-G). Look for \$12,500, okay. Last week, 'Papa Pato' (UA) and 'Gold Rush Maise' (M-G), double, \$9,000.

**Warner (WB)** (2,000; 25-35-50)—'Queen Destiny' (RKO) and 'Ladies Live' (WB). Dying a slow death. Not much more than \$2,800, six days, coming out day ahead of schedule for moveover of Powell-Low. Last week, 'Pride Prejudice' (M-G), excellent \$5,500 on h.o. from Penn.

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# L. A. Biz Boffo; Crosby-Basie Orch Big \$24,000, 'Hawk' Great \$25,000, 'Syracuse', 22G, 'James', \$20,600

## Broadway Grosses

**Estimated Total Gross This Week**.....\$307,500  
(Based on 11 theatres)  
**Total Gross Same Week Last Year**.....\$319,000  
(Based on 12 theatres)

## TUCKER-BAKER HOT \$25,000 IN BUFF.

Buffalo, Aug. 27. With only one exception, the cold-estate week of the summer is meaning hot or nothing to downtown h.o.s. Increased ticket velocity which was anticipated with the advent of lower temperatures has failed to materialize. Noticeable lack of stand-out screen fare is the probable answer. Orrin Tucker and Bonnie Baker, at Buffalo, are the exception. The combo is riding along for a soaring gross and apparently milking about all the amusement coin in town. Numerals elsewhere run from fair down to dismal.

**Estimated Total Gross This Week**  
Buffalo (Shea) (3,500; 35-40-60)—'Money Woman' (M-G) and Orrin Tucker-Bonnie Baker on stage. Looks like lofty \$25,000. Last week, 'Love Again' (M-G), towering \$16,000.

**Great Lakes (Shea)** (3,000; 35-55)—'Frank James' (20th) and 'Sing, Doo' (Rep). Showing some power here, and may get around \$7,500, okay. Last week, 'Ramparts' (RKO) and 'Golden Fleece' (M-G), on the black side with over \$7,000.

**Agate (M-G)** (2d run) and 'Pier 13' (20th). Slow on moveover, \$5,000. Last week, 'Drive Night' (WB) and 'We Are Young' (M-G) (2d run), ditto.

**Lafayette (Hayman)** (3,300; 30-40)—'Private Affairs' (U) and 'Not So Tough' (U). Fair \$6,500. Last week, 'Lady Question' (Col) and 'Island Doomed Men' (Col), \$6,000.

**20th Century (Dipson-Basil)** (3,000; 30-40)—'Queen Destiny' (RKO) and 'Cross Country Romance' (RKO). Ran into sad sag and scaramonged first five days to \$3,000. 'Lucky Partners' (RKO) rush in. Last week (35-50), 'Anne Windy Poplars' (RKO) and Dixie Dunbar on stage, \$9,000, poor.

## 'Convoy', \$6,000, Best In Quiet Montreal

Montreal, Aug. 27. Three h.o.s. and a reissue are putting the Palace in front with 'Convoy', which still shed gross good \$6,000. Last week, 'Syracuse' (U), well ahead of the balance of shows here currently.

'Lady in Question' is next best at Capitol.

**Estimated Total Gross This Week**  
His Majesty's (CT) (1,600; 35-50)—'Son of Road' (GN). Under opus may gross \$2,500, which would be good enough. Dark last week.

**Palace (CT)** (2,700; 25-45-55)—'Convoy' (Emp). Pacing for good \$6,000. Last week, 'Syracuse' (U), nice \$5,500.

**Capitol (CT)** (2,700; 25-45-55)—'Lady Question' (Col) and 'Blondie Servant' (Col). Apt to bring good \$4,200. Last week, 'Man I Married' (20th) and 'Sandy Lady' (20th) satisfactory \$4,500.

**Loew's (CT)** (2,800; 30-40-60)—'Heaven Too' (WB) (3d wk). Pointing to good \$4,000, after handsome \$2,500.

**Princess (CT)** (2,300; 25-34-50)—'Snow White' (RKO) (reissue). Good enough \$3,000 in sight. Last week, 'Divorcement' (RKO) and 'Cross Country Romance' (RKO), good \$3,200.

**Orpheum (Ind)** (1,100; 25-40-50)—'Turnabout' (UA) and 'Mutiny Big House' (Mono) (2d wk). Sighting good \$2,500, after very good \$3,500 last week.

**Cinema de Paris (France-Film)** (600; 25-50)—'Je t'attendrai' (2d wk). Local great \$1,500, after good \$1,200 last week.

**St. Denis (France-Film)** (2,300; 25-34)—'Nadia' and 'Eux et Nous'. Pointing to fair enough \$2,400. Last week, 'Sidi Brahim' and 'Retour au Paradis', nice \$2,700.

## Los Angeles, Aug. 27.

(Best Exploitation: Panatier) Bulk of the first-runs are hitting on all six currently, with business at some of the houses, best it has been in months. Top solo gross is being annexed at the Paramount, where Bing Crosby's latest, 'Rhythm of the River', is being unveiled. Along with Count Basie and orch on stage, picture should wind up with nifty \$24,000 and holds.

'Sea Hawk' has injected new life into the Warners Downtown and Hollywood, with better than \$25,000 in sight on the first week. 'Boys from Syracuse' at the RKO, Hill-street and Panatier's is sweeping for big \$22,000 and also will hold. 'Return of Frank James', at State and Chinese, heading for better than \$20,000, and 'Boom Town' on moveover, will annex around \$12,500 at the Carthy Circle and United Artists.

'Boys from Syracuse' exploitation included stunts at Hollywood American Editor and winging houts, with wrestlers, attired in 'Syracuse' costumes, indulging in horseplay. Also several chariots driven around town with driver made up in ancient garb.

**Estimated Total Gross This Week**  
Carthy Circle (F-WC) (1,518; 44-55-75)—'Boom Town' (M-G) (continued 1st run). After two groundbreaking weeks at State and Chinese, opus moved here as part of con-United Artists. Looks like okay \$5,400. Last week dark.

**Chinese (Grauman-F-WC)** (2,024; 30-44-55-75)—'Frank James' (20th) and 'Manhattan Heartbeat' (20th). Headed for okay \$8,100. Last week, 'Boom Town' (M-G), six-day hold-over, very big \$13,000.

**Downtown (WB)** (1,800; 30-44-55)—'Sea Hawk' (WB). Widely ballyhoed Orrin Flynn opus away to 'Heaven Too' and should easily hit big \$12,000 on first stanza. Last week, 'River's End' (WB) and 'Ladies Live' (WB), not very hot \$5,500.

**Four Star (UA-F-WC)** (900; 30-44-55)—'Pride Prejudice' (M-G) (2d wk). Headed for \$8,000 on second stanza, and should finish with around \$5,700, after first seven days brought lucrative \$6,800.

**Hawaii (G&S)** (1,100; 33-51-101)—'Gone' (M-G) (3d wk). Continues its merry pace, and third week headed for lucrative \$4,000, after second showed unexpected strength to finish close to the \$5,000 mark.

**Hollywood (WB)** (2,750; 30-44-55)—'Sea Hawk' (WB). Hitting merry pace for over \$13,000 on first stanza. Last week, 'River's End' (WB) and 'Women Live' (WB), weak \$4,800.

**Panatier's (Par)** (2,812; 30-44-55)—'Boys Syracuse' (U) and 'Not So Tough' (U) dual. Should set big \$11,500, aided by personals of cast and preview of 'Howards of Virginia' (Col). Last week, 'Ramparts' (RKO), just under \$9,000.

**Paramount (Par)** (3,595; 30-44-55-75)—'Rhythm River' (Par) and stage show combination of Bing Crosby on screen and Count Basie orch on stage heading for excellent \$24,000, and holds. Last week, 'Villain Pursued' (RKO) and NTG show on stage, disappointing \$13,000.

**RKO (RKO)** (2,872; 30-44-55)—'Boys Syracuse' (U) and 'Not So Tough' (U) dual. Looks like big \$10,000, aided by personals and 'Argentine Nights' preview. Last week, 'Ramparts' (RKO) and 'Country Romance' (U), just under \$8,000.

**State (Loew's-F-WC)** (2,414; 30-44-55-75)—'Frank James' (20th) and 'Manhattan Heartbeat' (20th). Running considerably ahead of Chinese (its day-dater) and looks like healthy \$12,500 for stanza. Last week, hold-over of 'Boom Town' (M-G), six days, excellent \$13,000.

**United Artists (UA-F-WC)** (2,100; 44-55-75)—'Boom Town' (M-G). Showing surprising strength on moveover after two weeks, the Nite and well and Count Basie orch on the total take. Last week, 'Over Moon' (UA) and 'Mortal Storm' (M-G), \$10,000 on six days.

**Warner (WB)** (2,296; 30-44-55)—'Over Moon' (UA) and 'Mortal Storm' (2d wk). Business on hold-over should make normal at \$4,000. First week brought \$4,800.

**'PLATTSBURG' PIC**  
Hollywood, Aug. 27. Yarn built around civilians in training camps, by Delmar Daves and Robert Hopkins, has been bought by 20th-Fox for production as a semi-musical.

Lou Edelman produces under title of 'Yankee Doodle Goes to Plattsburg'.

## Last-Minute Deflection From Plan, Where 69 of M'kee's 72 Cinemas Were to Solo Pix, Snarls Entire Zone

Milwaukee, Aug. 27. After 69 of the 72 theatres here had agreed in June to eliminate double features, and at an enthusiastic meeting only two weeks ago unanimously reaffirmed their decision to go to solo pictures in a body starting Sept. 3, the whole plan has gone haywire at the 11th hour. The Independent Theatre Protective Association of Wisconsin and Upper Michigan on Friday (24) sent out notices to its membership that the deal was off, advising them to get busy and book doubles as before.

While the notice to the exhibitors was very brief and said nothing about the reasons for the sudden about-face action, it announced that a meeting would be held later this week at which the whole situation would be thrashed over, thoroughly, and far-reaching repercussions are likely. All sorts of accusations are flying back and forth—dirty deals, double-crossing, collusion, exchange and distributor influence, and what not.

Up to Thursday (22), everything was all set for a general switch back to solo pictures starting next week. Shows were all booked and exhibitors had gone to a lot of trouble to build up attractive and well-rounded programs aimed to service the public with a change back to the form of entertainment thousands had been clamoring for. Newspapers had come out strongly in editorials boosting the switch and praising the exhibitors for their wisdom in making it. And now it's all off.

**Mirisch's Bow-Out**  
Harold Mirisch, operator of the Oriental and Tower, two de luxe nabs situated in key locations, upon his return to Milwaukee from a trip to Chicago to telephone Harry Fox, witz, business manager of the exhibitors' organization, that so far as his houses were concerned the deal to out the duals was all off. He said he had been given a legal opinion that to go through with the proposed plan might make him liable to lawsuits from various exhibitors. He also pointed out that the deal was a conspiracy charge and involvement in an action in restraint of trade. While there is doubt generally as to the actual ownership of the Oriental and Tower, they were originally the properties of M. L. Annenberg, former Milwaukeean and publisher of the Philadelphia Inquirer, who recently surrendered to authorities in Chicago to begin a three-year prison sentence for evasion of \$1,217,296 in Federal income taxes.

Mirisch's pronouncement was a body blow to the exhibitors as well as a startling surprise, for at the general meeting in the feature houses in the Hotel Schroeder a couple of weeks previously he had been one of the most outspoken and enthusiastic promoters of the change back to solos. With his announcement that his Oriental and Tower would remain double feature houses, Al Kvoel, district manager for the Warner-Saxe houses, also a strong advocate of the return to solos, said that his Garfield and Uptown would have to follow the lead of the other de luxe nabs, and this threw the whole situation wide open, and back to the old policy of every man for himself.

Facing this sudden last-minute change in plans, exhibitors generally are in a mad scramble today juggling bookings and cursing the turmoil that has been caused by the defection of the Mirisch (or Annenberg) houses, as they are frequently designated. Those who have been working hard for months to bring about the change back to single features are not only mad; they're completely disgusted.

**Annenberg Angle**  
Showmen profess to see the real reason for the breakdown of this town's widely heralded plan for a unanimous switch back to solo pictures in the filing Saturday (24) with the Register of Deeds here of mortgages for \$8,000,000 on nine properties in Milwaukee and others nearby owned by Annenberg. The mortgages were by the M. L. A. Investment Co. to the United States of America and the documents were interpreted to be Government lien on Annenberg's extensive holdings, to guarantee the payment of the \$8,000,000 he agreed to pay in settlement of civil claims when he was convicted of evading taxes.

Among the properties involved in the mortgage documents are the Oriental and Tower theatre build-

ings, both of which are large structures housing many stores and offices, in addition to the theatres themselves.

'Moe Annenberg owned all his Milwaukee holdings free and clear,' explained one showman, 'and now when he has to strain his resources to the utmost to get together the huge sum he must pay the Government he simply could not risk the possibility of any litigation clouding title in these collateral mortgages to the Government. Such litigation would become a distinct possibility were the Oriental and Tower theatres permitted to become part of a combination that might be construed as illegal.'

It is thus very easy to see why the Annenberg houses were obliged to pull out of an agreement that had not yet become legally binding. Moe Annenberg is a man of great wealth, yet he is fighting for his financial life, so he... readily be understood what he, or any other man in a similar position, would take.

### F&M's Toy In St. Louis

St. Louis, Aug. 27. Fanchon & Marco is testing this burg to determine whether a single feature screen policy, with reserved seats at an upper scale, will make the grade. Starting Friday (23) at the Ambassador, downtown deluxer, 'The Sea Hawk' inaugurated the policy with one night show, starting at 8:30 o'clock, at a 75c scale for reserved orchestra chairs and 50c upstairs. Opening performance was largely an invitation affair.

Other exhibitors are watching the experiment closely to determine whether the double and triple feature programs can be eliminated in this burg. The house is maintaining a 35c-50c scale from 10 a.m. to 6 p.m.

## WHAT ONE FAN THINKS OF PIX TITLES AND ADS

Croton Falls, N. Y., Aug. 22.  
Editor, VARIETY:

I have been reading your stories about why people don't go to pictures, and here is my two bits.

Let's start with film titles, because the less said the better, as they almost never say anything themselves. Even 'Gone With the Wind' might have been a tale of the stock market, a hurricane, a yacht race. Only the acres of publicity and the din of public comment about the book and film gave an idea what it was all about. Take 20 titles, and if more than one of them so much as suggests whether it would be worth two bits and two hours, I'll eat the film, beginning with the trailer.

Here I am, sitting at home on Thursday night. There's no radio program worth listening to. I'm tired of the neighbors, of Chinese checkers, of books, of conversation. I look up the picture ads in the papers. What do I see? You know. A big display of film names and stars; sometimes 'News and Interesting Shorts.' Few shorts are, but skip it; I go to bed early.

But the same paper has ads for other things. Take Mumbles. Are they advertised with the name in big fat type, plus the fact that they are made by Susie Mumbles, Sammy Hairoil, Joe Gloop and Abe Pencill-pusher? No. That would leave prospects wondering if they were supposed to eat Mumbles for breakfast, feed them to the dog, rub them in the hair, or dunk the false teeth in them. So Mumbles advertising tells what Mumbles will do for me and you and you. It may even tell how Mumbles do this, and more or less what's in them. It may seem unbelievable to picture people, but the public actually buys stuff that's advertised that way, buys it because of the advertising.

Pictures are merchandise, like anything else. Profitable advertising is a skillful mixture of facts and showmanship, just like profitable merchandising. Why do the world's greatest showmen use neither showmanship nor facts in their advertising, except sometimes in VARIETY? I don't know. But until they do, I'll just sit home, eat Mumbles, and go to bed early. Like tonight.

S. Ward Seely.

## Precaution

Week's most surprising answer to the query 'Why don't you go to the movies?' comes from Mrs. Dolores Keithline, 32-year-old housewife of New Haven, Conn.: 'I'm not spending a penny on anything I don't absolutely need these days. When America is invaded, our coast city will be the first to feel it, so I'm saving my money to move my family inland when that time comes.'

## NOISY DEBATE ON DUALING VIA CBS

Hollywood, Aug. 27.

Air debate on double features Saturday (24) proved more a noise-fest than anything else, with Karl Hoblitzelle, best logician among the participants, easily being out-shouted by Samuel Golwyn and others. Verbal battle was fought on CBS 'People's Platform.' Hoblitzelle, Golwyn, against duals, were aided by Mrs. Leo B. Hedges, film chairman of the California Parent-Teachers Association.

Crowding the mike on the pro side were I. E. Chadwick and Trem Carr, indie producers, and Mrs. Arthur Beck, a California housewife. Prof. Frederick Woellner of the University of California at Los Angeles, chairman, fought vainly to hold the oral clashes down to a mere three or four voices shouting into the mike at one time.

Hoblitzelle, Interstate Theatre exec, believes the future success of the film theatre biz requires the presentation of balanced programs of reasonable length. He boomed the problem down to one of simple proportions—that of how the film theatre can best serve its individual community entertainment interests. His opinion was that this resolved itself into a bill consisting of one well-chosen feature supported by a wisely selected quota of short subjects. He argued that people go to the cinema to be 'refreshed.'

**Pleads for Quality**  
Quality, not quantity, should dictate the policy of any exhib, he declared. (Continued on page 18)

## DECRIES MOTION PIX THAT LACK IN MOTION

Ottawa, Ont., Aug. 23.

Editor, VARIETY:  
I have read with much interest your recent article 'Why They Don't Go to Pix.' May I put in my 5c worth, as a mere member of the public.

Does it ever occur to your film producers that they spend far too much effort imitating their competitors—the radio and the stage—particularly in the producing of class A films. The point I want to make is that a movie is essentially a picture that moves, and the idea it has to tell should be put over in the picture and not in the sound-track. The old-fashioned silent film, as you remember, used to tell its story pictorially and captions were kept at a minimum. It appears to me that since the introduction of the talkies the producers try more and more to tell their story in the sound-track rather than the picture. So that we are now getting around to illustrating our talks rather than pictures with sound.

On the other hand, cowboy films, to which I am hopelessly addicted, still move. People do not talk, they do things. And these films still retain their popularity with small boys and fools like me.

Mr. Chaplin is of course the outstanding example of what you can do in a movie and still keep your mouth shut.

All this talking in a movie makes it too much like a radio. Why pay 35c to see Mr. Benny when you can listen to him for nothing?

This is not, of course, a specific explanation of what is wrong with the movie, but I do think it to be one of the things that is wrong. At any rate it should be easy enough for some qualified person to check and find out which are the most consistent money makers—films that are almost all action or films that are almost all talk.

O. C. Wilson.

## 'Not Interested' In Films

Continued from page 1

American public to find the reason why. Gallup discloses, with a side-light of his poll on double features, but is considered by the film industry one of the most significant facts it has learned about itself in years.

Large number of persons who gave VARIETY the 'I'm-just-not-interested' reply are representatives of a class which spells the difference between profit and loss for the film industry. How to get them 'interested' comes to the fore as the most important query before the industry today. Is it bad pictures, 'poor advertising and publicity,' as suggested by Gallup, something else again?

### 'Got Out of the Habit'

Typical of the answers in this category is that of Frank Connelly, 43-year-old salesman of Detroit: 'I don't know why I'm just going. I just got out of the habit, I guess. In the summer, I like to get outdoors, golf and things like that, and winter I catch up on my reading. I just don't care about movies any more.'

F. O. Huse, 50, railroad ticket seller of Omaha, is another 'I go about once a year,' he declared. 'I'm just not interested.' An interesting switch on this answer is that of Wallace Brown, 38, manager of a men's clothing store and owner of an apartment house in Calgary, Alberta, the only Canadian city included in the poll. Brown's reply:

'I don't know why I don't go to the movies. The last picture I saw was 'Gone With the Wind' and it was darned good. It just seems nothing draws me to the theatre and instead I work in my garden in the summer and play bridge in the winter.'

Delving more deeply into the more-or-less general answer for most potential patrons, detouring theatres, 'not enough good pictures,' reveals the actual reason just as frequently to be: 'not the right kind of pictures.' Particularly among men of middle age and over there is a desire for more comedy.

Another breakdown shows too much similarity in films, reflected in the opinion of a 15-year-old school girl, Helen Wells, of Lansing, Mich.

### Too Much Similarity

'Too many pictures,' she said, 'are the same ones I've already seen under a different title. I don't like to spend money to see something a second time. I wouldn't read the same book twice, even if it were good.'

Another Lansingite, this time at the other end of the age scale, declared: 'The thing that disgusts me most is war and shooting in movies. As if there isn't enough of that outside. Give me light entertainment.' That's from Mrs. Laura Cole, 60-year-old widow.

Sports angle as a cause for slowness at theatre wickets—particularly during the summer—is well-evident from the situation in upstate New York in the vicinity of Albany, Troy and Schenectady. Opposition to films there include professional ball games afternoon and evening, many of them aired; amateur and semi-pro baseball, twilight, night and Sundays; bowling in air-conditioned alleys, polo on Sundays, jai-alay and motorcycle races, horse racing at Saratoga (with reduced admittance this season), and other attractions.

Surprising source of complaint because of its frequency concerns conditioning in summer. There seems to be wide agreement that temperature and humidity in houses is not well-regulated and many people declare they stay away from films in the warm months because of this reason.

Other causes of absence from the theatres are parking difficulties, prices too high, all good pictures are bunched during the same weeks, too much propaganda and too many trailers.

Additional answers, chosen as being representative, follow:

Jerome T. Thompson, 40, treasurer of wholesale dry goods company, Elmira, N. Y.: 'Most pictures bore me. They lose their historical value because they are unfaithful to written versions. I favor a single show with reserved seats to avoid rushing from dinner and would be willing to pay whatever would be charged for that.'

Clifford DePuy, 50, publisher, Des Moines, Ia.: 'When I go to the movies I want to be entertained, I want to laugh. I go to New York several times a year and travel extensively the year round. I like the stage and night clubs and any diversion which

takes my mind off business worries and the war. I like heavy stuff in reading—but not on the screen. I abhor double features.'

Jessie Thompson, 28, secretary, Calgary, Can.: 'I don't get the same kick out of movies I used to and my girl friends also think films don't have the same punch anymore. I am also spending part of my time in war work and part in the girls' ambulance class.'

Vida Burnette, 45, cashier, Lansing, Mich.: 'I don't like to go in the summer because air conditioning isn't perfected and always gives me a cold. My friends complain of the same thing.'

### Pinechle

Lou Levinson, 45, merchant, Chicago: 'Pinechle is more interesting. And two features are just about as cheap as two pairs of pants.'

Gordon Wilkins, 40, engineer, Chicago: 'You can shut off a radio, but you have to walk out of a 75c movie.'

Peter Rom, 30, mail clerk, Lansing, Mich.: 'I would go more often if picture publicity didn't let me down. They have a lot of high-powered ballyhoo about how many millions this or that film cost to make, how it lined them up for blocks at Radio City, N. Y., and then you go to see it and it's some dumb thing you wish to gosh wasn't so long.'

George D. Hansman, 45, department manager for public utility, St. Joseph, Mo.: 'I don't remember the last picture I saw. I'd rather play golf.'

Harriet Lovell, 23, stenographer, Chicago: 'There are only a few stars I want to see, such as Gable, Tracy, Power and Bing Crosby. I go to their pictures. Others don't interest me.'

### Sameness

Florence Milne, 34, housewife, Bridgeport, Conn.: 'Hollywood has reached the saturation point. I used to be a regular customer, but the sameness of pictures bores me. Now I only go to outstanding ones.' Arthur Hoffman, 23, newspaperman, Anderson, Ind.: 'Twelve pictures a year is about my maximum, for two principal reasons: money and the fact I believe there aren't more than 10 or 15 worthwhile movies produced in that time.'

Mrs. Rose Uelman, 26, saleslady, Dallas, Texas: 'I would rather go dancing or watch a wrestling match.'

### Games

Mrs. A. R. Knight, 30, housewife, Philadelphia: 'It's mah jong. Since the game became popular again in our neighborhood, most of us seldom go to the movies. Particularly since they don't have games any more.'

Mrs. May Reinke, 52, housewife, Detroit: 'I think I'd go often if I hadn't been disappointed so much. I always seem to be seeing last week's picture over again with different people in it. It doesn't seem that they are making pictures for people of my age.'

### Parking

Theodore Jorder, 48, attorney, Pittsburgh: 'Parking is so difficult downtown my only chance of seeing a picture is in the neighborhood. These houses show double features and I'd rather take a licking than sit through that.'

Mrs. Anna Jawicki, 38, housewife, Pittsburgh: 'I think the radio offers better entertainment. However, I go to the movies on b n nights because if I don't like the picture I still have a chance of winning money.'

Jack Armstrong, 26, salesman, Portland, Ore.: 'I only go to movies when there's nothing else to do at night. You can have better time at the dog races. Taking a girl to the movies and sitting there for three hours is a nice rest, but not much fun.'

Harford: 'I'd rather stay home and listen to the radio. I can smoke a pipe, stretch my feet and be relaxed. I get equal enjoyment with greater convenience.'

## Arnaz Footage Padded For RKO's 'Girls' Film

Hollywood, Aug. 27.

Doran Cox, who served as assistant director, told Abbott on RKO's 'Too Many Girls,' slid into the top chair for added scenes on the picture. Abbott, already back in New York, did not want to return here for the two-day stint.

Extra footage builds up the role of Desi Arnaz.



## War Sentiment Encourages Revival Of Oldtime Legit Musicals in London

London, Aug. 15. Present war has done one thing for musicals—it has brought on a flood of revivals from the lush period of the last conflict. Managers see something in the sentimental angle, apart from the fact there seems little around these times to replace them.

Shaftesbury theatre starts a run shortly of 'The Chocolate Soldier.' Show played over 500 performances 80 years back. West End will also see 'Maid of the Mountains' again after a similar lapse. Record-breaking musical is due in the fall with Harry Welchman in the Baldassare role, 'Chu Chin Chow' is current at the Palace.

New shows for London include a Beatrice Lillie-John Gielgud partnership in a novelty, 'Words and Music,' with Sir H. Heller in support. Piece comes to the West End after out-of-town opening and tour. Fifth Shepherd bows a musical play Oct. 7, built around 'The Charm School.' Adaptation is by Greastree Newman and Clifford Grey; Manning Sherwin clefts with Eric Maschwitz on lyrics. Show is yet untitled, but intention is to cast Bobby Howes, Fred Emney, Adele Dixon and Richard Dolman.

The Neighborhood Theatre, subscription group which bowed 'Thunder Rock' for London, reopens drama cycle shortly with a play by Winifred Holtby, 'Take Back Your Freedom.' Piece has been revised by Norman Ginsbury and deals with dictatorship. Frank Allenby, Mary Glynn and Beatrice Wilson are cast.

## Will Hays Defends U.S. Film Cos. On Swiss Shipments

Hollywood, Aug. 27. Will Hays, in answer to the plea of a member of the Swiss Motion Picture Association for immediate product, published in VARIETY Aug. 14, declared that all companies are doing everything possible to get pic to Switzerland, but lack of transportation is making the task almost impossible.

'Our companies have been sending their pictures to Lisbon by boat in hope that some of them would be able to reach various points in Europe, but transportation facilities there are difficult,' Hays asserted. 'There are a few boats to Lisbon but after the picture arrives there it is practically impossible to get it across France and travel in the Mediterranean is out of the question. Distributors are doing everything they can to get their pictures into Switzerland.'

Request from Switzerland came to VARIETY from Oscar M. Lavanchy, who pointed out that although the country constituted a small market, it is one of the few remaining in Europe. He said that it is impractical for the Swiss exhibitors to wait until offices in Paris and London, which used to serve them, are re-established, and asked that product be shipped to Lisbon and then trucked to the Swiss border in a cooperative effort by all companies.

## Split on Admish Hikes

London, Aug. 15. Signs of a split develop within the film trade may provide a barrier to exhibs' go-the-limit campaign on upped admissions.

Provincial house-owners, unwilling to fall in line on the scales prescribed by London brethren, plug for a continuance of 6c and 10c seats as against the 18c minimum ready to be introduced by circuit-owned theatres. Prexy Meats of Cinema Exhibitors Assn. says latter's minimum is impossible for the subsequent, who live off the cheapie patron. His statement will do much to bolster hinterland's opposition.

**Pix Boost War Training**  
Mexico City, Aug. 27. Conscription and compulsory military training, demanded by new federal law, are to be boosted by the government with series of pic shorts being produced by Ministry of National Defense. Shorts are to be exhibited gratis.

## 'Mystery' Back of Snarl Between Daily, Cinemas

Mexico City, Aug. 27. Much speculation as to what was back of it was prompted by a row between the Mexican cinema operators' association and El Universal, prominent local daily, over a story the latter published to the effect that the four biggest pic theatres here, Olimpia, which is directly American-operated, Alameda, Rex and Iris, are at odds with the pic workers' union.

The association and operators of the four cinemas published advertisements in the other local dailies asserting that relations between them and the union are of the best and that they are at a loss to understand why El Universal would run a story saying that the four cinemas were about to break off with the union over wage demands. The four cinemas threatened to quit advertising in the newspaper unless it retracted the story. El Universal did not retract the tale and it is still running the cinemas' ads.

## AUSSIE ALLAYS EXHIB FEAR ON GOV'T CURB

Sydney, Aug. 7. With federal politicians granted complete control over local movie-making and finance, many pic execs are having headaches in trying to decide whether the government intends stepping into the pic industry. Industry received a shock when a prominent wool broker announced that the government might find it necessary to take over certain buildings, including metropolitan theatres, in which to store the new season's wool clip while awaiting its boating to Great Britain.

Probing the announcement at a governmental source, it's been learned that the government has no intention of interfering with pic affairs, especially in the compulsory takeover of any city filmsters for wool-storage purposes. Semi-official spokesman informed VARIETY that the government fully realized that entertainment must be available to the public. If, however, there happened to be empty theatres in certain suburban zones, and the owners were anxious to let such theatres, then a deal might be made in respect to wool storage, he added.

Major loop execs, including Charles Munro, Hoyts; Norman B. Rydge, Greater Union, and Sam Snider, Snider-Dean, and association with others, are doing everything within their power to aid the government in its huge war effort, and, according to official spokesmen, the government is most grateful.

That the government fully realizes the value of pic entertainment in current times is borne out by the fact that Sir Ernest Fisk, economic adviser to the government, did not suggest that product restrictions be brought down U. S. fare to conserve the dollar exchange, although U. S. distributors have 50% of their coin frozen.

## 'SINGAPORE' BEST IN GLASGOW SINCE '36

London, Aug. 15. Far's 'Road to Singapore,' Bing Crosby-Bette Hope-Dorothy Lamour starrer, grossed \$8,000 in less than a week in Glasgow, topping all takes at the theatre since 1936.

Liverpool, Swansea and other key spots report similar record grosses.

## Japs Nix 'Lion Wings'; See Chaplin Pic Banned

Tokyo, Aug. 9. Taking into consideration the pro-axis policy of the film censorship authorities, United Artists has decided to abandon bringing in 'The Lion Has Wings.' No hope is entertained for Charles Chaplin's 'The Great Dictator,' which also is anti-fascist.

## MEXICO BANS NAZI PIO Gov't Calls Olympiad Reels 'Subtle' Propaganda

Mexico City, Aug. 27. On the ground that it 'subtle' Nazi propaganda and therefore infringes on Mexico's neutrality, the federal film censors have banned the German-made picture, 'Show of the Nations,' a complete cinematographic portrayal of the last Olympiad in Berlin.

Picture of 24 reels was taken from the ill-fated liner Colonibus two days before she left Vera Cruz last December, and placed in the German legation here.

## CANCEL SCHIPA DATES IN B. A.

Buenos Aires, Aug. 27. Whether or not Tito Schipa insulted Argentina's national honor by refusing to sing at a patriotic eve celebration in provincial Parana seems likely to remain a live issue in these parts for years. Apparently due to protests by local artists, management of the municipally-owned Colon theatre here has announced an agreement had been made with the tenor cancelling his final performances.

Schipa originally protested he had intended no insult by refusing to sing at the concert in question. Petitioning singers were then rebuffed by the management but later the city ordered a probe. No results announced, but the cancellation apparently speaks for itself. Silence continues to pour in large quantities from the Colon management.

## London In Wartime

London, Aug. 15. Royal Air Force has lined up best musicians in London, former members of Ambrose, Jack Harris, Lew Stone, Jack Jackson, Jack Hayton, Brian Lawrence and Eddie Carroll bands, who are all in the RAF. Move is to form band, calling it Squadroners.

Ronald Strode working on documentary and propaganda films for the government.

War has popularized the bicycle among the femme element of show folk. Those cycling to work from their Mayfair flats are Claire Luce, Gabriel Brune, Dorothy Dickson and Ellen Pollock. Mary Ellis started the vogue.

William Pepper, manager for Wartners theatre, will spend his vacation making planes in aircraft factory of which his brother has charge.

Dagenham Girl Pipers have joined the farmgirls for the duration of the war.

Will Hay serving the Home Guard.

Diana Napier (Mrs. Richard Tauber) a driver in the Women's Transport Corps.

Claire Luce's fiancé, Wing-Commander Gillian, decorated with the Distinguished Flying Cross.

Edward Chapman aiding the plan for increased war effort from show business folk. Stars' list home addresses with authorities, and are up for attendance at nearby functions.

Project undertaken by labor groups under tag of Film Workers Assn. will utilize 16 mm. outlet as a means to instructing trade union members in propaganda and education.

Mrs. Jack Davies in the Women's Auxiliary Transport Service Corps.

John B. Myers finally accepted as pilot officer in the Royal Air Force Volunteer Reserve, and so it makes four of the directors of his company out of five with the colors. The other three are Anthony Downing, R.A.E.A. Wyard and E. H. George.

Norman Evans and Stanley Profitt's table tennis act, which has been playing around vaudeville for over a year, has had to be abandoned due to Evans being called up for the army.

## Uncertainty of Coin-Freeze Question Retards U. S. Film Prod. in England

## No Downbeat, As Yet, In Foreign Pix Into N.Y.

Albany, N. Y., Aug. 27. The war caused only a slight decrease in the number of foreign-made pictures sent to and submitted for licensing in New York State during the fiscal year ending June 30. The motion picture division of the State Education Department announced that the total was only slightly less than the 458 mark for the previous year. More than 15 foreign countries shipped pictures to New York State during the last fiscal year.

With a fee of \$3 charged for each 1,000 feet of original film offered for inspection and \$2 for each duplicate, last year's total receipts amounted to \$298,000. This year's gross will be more than \$300,000, due to greater length of feature films, it is said.

Real downbeat in foreign films will assert itself this fall and winter, it's expected in New York-distrib circles.

## BRITISH LION IN TAKEOVER OF GN DISTRIB

London, Aug. 27. Grand National Films, Ltd., will cease functioning as a distributing agency in the future, concentrating its activities on production. Distribution of four already completed pictures and all future product will be handled by British Lion. Pix which GN has in release now are 'Room for Two,' 'Pastor Hall,' 'Under Your Hat' and 'You Will Remember.' Deal involves close to \$1,000,000, with a deposit of \$300,000 being paid over today (Tuesday). Grand National offices will be consolidated with British Lion headquarters, necessitating the discharge of 70 people from GN, with about 10 to move over to BL.

Maurice Wilson, now in the United States and due here in about four weeks, remains as managing director, but Jeffrey Berner, formerly joint managing director, is out. Also Howard Welton, partially responsible for promoting GN.

## YORKVILLE PUBLICITY MAN'S MURDER SOLVED

Noblesville, Ind., Aug. 27. Mysterious disappearance in July of Walter Ebeling, 31, publicist, contact man for Nazi picture theatre in New York, has apparently been solved with the confession here by a hitch-hiker that he killed Ebeling. Sheriff Joseph Newby, of Hamilton county, declared that Richard Klawetter, 25, of Niles, Mich., had made a statement that he and Mervin Cagle, arrested with him, had been given a lift by Ebeling had robbed him of \$100 after killing him, and had tossed his body into a field.

Klawetter and Cagle were taken to South Bend yesterday (Monday) and aided police in locating Ebeling's body. New York theatre man, who disappeared July 10, was vacationing and visiting relatives at South Bend.

Ebeling worked for the Garden theatre in the Yorkville section of Manhattan. House plays Nazis films, and upon Ebeling's disappearance, there was some thought that foul play because of this reason may have entered in.

He was a naturalized American citizen of Swedish extraction and was said to have been neutral in his politics.

## Harker-Crook Clicks In London Premiere

London, Aug. 27. A new legit hit has been landed the Aldwych Thursday (22). Show is a well-constructed comedy-drama starring Gordon Harker. It was splendidly received by both critics and audiences.

London, Aug. 27. Bill Siström, RKO production chief here, when listing difficulties besetting company's British plans, emphasized uncertainty about government's coin-freeze intentions. Regulations expire in October.

Siström pointed out large-scale pictures can't go into work if the U. S. end has no indication of the future of the agreement. Plans are completed, he said, to start with on the 'Saint' team, but final go-ahead is awaited from New York.

Other Yank operatives in London confirm speedy decision on the coin freeze is essential to U. S. financing of British-made product. Metro's program of five for this side remains as nothing more than an announcement.

## 20th Abides by Quota Hollywood, Aug. 27.

20th-Fox is the only American producing company currently going ahead with its full quota of four pictures in England in spite of war conditions. First of the group, 'Inspector Hornleigh' feature, finished and the second, 'Klumps,' due to start next week. In preparation are 'Paddy, the Next Best Thing' and 'Fighter Squadron.'

Robert Kane, head of 20th-Fox overseas production, now in Hollywood, declared the company intends to keep its British organization intact, to be ready for any move in case of near-term changes. Meanwhile, Kane will produce two pictures, 'Breath of Discipline' and 'A Very Young Lady,' on the Westwood lot before returning to England.

Warners and RKO are still undecided about continuing their picture making in London, and other Hollywood companies are waiting for more favorable conditions. WB, however, has scheduled several pix at an outlay of \$300,000 each.

## Art for Art's Sake Points Up London Legit's Patriotism

London, Aug. 27. Wartime legit is on an altogether different basis to the pre-blitz days. Observation is wide open for the crack 'they got paid then,' but it wouldn't exactly give the right slant on the thing. Theatre has gone back to really being art for art's sake, with players from the stellar ranks down finding more satisfaction patriotically in just doing a show than being coin-compensated. They're not alone in this lofty principle; it covers every phase of production. Managers and theatre owners see a lighted house, if only for a couple of weeks, as more cheerful than a dark one.

If there's a comeback for legit it won't be through the financial interests. World War days were different. The money made then lingered on as the ideal and it's taken till now to slough off that idea.

Now the profess itself is responsible for what life there is in the theatre. Recalling the boom days of 14-18, and more particularly, how suddenly they came after a bleak outlook, those b.o. standards may yet return. A good stage piece still has a following, and the way production is continuing, the stage can afford to wait for the profits.

If a similar out can be found for the comedians, the stage will have done its job of looking after its own. The happy gang has been hard hit by the war, seeing its tasty beach spots and summer entertainment routes along the coasts turned into armed fortresses in the main. A scant half dozen remain out of hundreds of pier and pavilion shows.

## RKO Sets S. A. Meet

Phil Reisman, head of foreign distribution for RKO, sailed Friday (23) for Argentina, where he will hold a sales convention Sept. 13. On his way to Buenos Aires, where the meet will be held, Reisman is stopping off in Rio de Janeiro to discuss plans for a similar powwow later for Brazil.

RKO's foreign sales chief will also preside at the Brazil get-together, returning to New York in about two months.

**"BRIGHAM YOUNG"—FOLLO  
7-THEATRE WORLD PREMI  
RECORD-SHATTERING BOXO  
LAKE CITY EXTENDED RU**

SATURDAY AND SUNDAY  
GROSSES (First Two Days of Run)  
175% OF HISTORIC WEEKEND  
RECORD OF "ALEXANDER'S  
RAGTIME BAND"! MONDAY'S  
BUSINESS MORE THAN  
DOUBLES "ALEXANDER'S"!  
AND "JESSE JAMES", "STANLEY  
AND LIVINGSTONE", "THE  
RAINS CAME", ALL OTHER  
MARKS CORRESPONDINGLY  
AND OVERWHELMINGLY  
SMASHED!



**WATCH THIS SENSATIONAL RUN**



**WING ITS PHENOMENAL  
ERE SELL-OUT—IS MAKING  
FFICE HISTORY IN ITS SALT  
N AT ADVANCED PRICES!**

**THIS IS THE SCALE USED  
AT THE CENTRE THEATRE**  
[Salt Lake City]

**Matinee Prices Increased**

**25%**

**Evening Prices Increased**

**33 $\frac{1}{3}$ %**

**COMPARE THESE ATTENDANCE RECORDS!**

*Brigham Young*

*Alexander's Ragtime Band*

**Sat. 7,637**

**5,439**

**Sun. 6,154**

**5,544**

**Mon. 5,266**

**3,019**

**FOR WHAT IT MEANS TO YOU!**

by John C. Fremont and guided by Carson.

Story becomes scarcely more than a conventional three-way romance, involving a young Calaveras beauty, on her way to the family hacienda and, on her journey, the cavalry officer and the Indian guide. The latter is played by the Shoshonean, and the film picks up interest in several spots by the sheer beauty of their western scenic background.

Edward G. Robinson, as usual, is good, including the appearance of John Hall in the title part which he plays with earnestness. Other leads are handled by Lynn Bari, Paula Goddard, and William Farnum. But a cast of C. Henry Gordon. There are some stand-out bits by Raymond Hatton, as the famous Jim Bridger, and William Farnum, distinguished

But it has all been done before, and although George B. Seitz has directed some of the fighting scenes on a big scale, story interest is confined to artificial incident. 'Carson' brings very little to the fine library of screen Americana. Flin.

**FLOWING GOLD**  
Hollywood, Aug. 22.

Retaining nothing more than the title and booming oil fields background of Rex Beach's story (which was originally turned out for First National in 1924 with Milton Sillars and Anna Q. Nilsson), 'Flowing Gold' is an action meller of obvious pattern. Aided by the combo of John Garfield, Frances Farmer and Pat O'Brien for marquee dressing, picture will get by as a standard programmer for the adventurous inclined.

Pictures looks like it was rushed to catch first followup of oil industry dramas indicated by release of 'Boom Town.' In fact, the similar situation of stories, displaying the conflict between two men for the love of a woman, is repeated constantly. Although *Flowing Gold* has its share of lusty and two-fisted action, script fails to generate high spots, too frequently depending on obvious situations to carry it along. The story is set in a small town, in an oil town for a job while fugitive from a murder charge. Pat O'Brien is the head driller of the outfit; in love with the boss' daughter, Frances Farmer. Garfield and O'Brien are roommates, who, as the former takes the rough techniques of romance in, winning the girl's

hand. While this unfolds, there's the rush of getting a well drilled before the gas expires, with Garfield driving the slow, the O'Brien sustains a broken leg. The general heroics are unfolded until the well comes in, and Garfield returns to the murder charge with the girl at his side.

Garfield is grooved in a stereotyped role which he has portrayed many times before, and same goesy same goesy same goesy same goesy the romantic lead without inspiring much audience reaction, while Raymond Walburn overacts the bluster of a promoter. A lot of support is given by Cliff Edwards who teases the Gilbert in some effective character romance on the comedy side.

Direction by Alfred E. Green, cast by the same, and a melange of portions of the script to life, far above basic rating. The usual oil well fire is ignited for a climax, and nothing more than serve the purpose of picking up the picture in regulation manner. **Walt.**

## DANCE, GIRL, DANCE

(WITH SONGS)

RKO-Radio release of Irish Pantomime production. Stars Maureen O'Hara, Lucille Ball, Louis Hayward; features Virginia

RKO-Radio release of *Rich: Pomme*  
production. Stars Maureen O'Hara, Lucile  
Ball, Louis Hayward; features Virginia  
Field, Ralph Bellamy, Mary Carlisle, Kath  
orine Alexander, Edward Brophy, Walter  
Ager, Harold Huber, Maria Ouspenskaya  
Directed by Dorothy Arzner. Screenplay by

[illegible]

AKO release of Howard Benedict, producer	Release Richard Dix, Ken Sells
Edmund Lowe, director	Directed by Leslie Goodwins
Harry Redman, special effects	Screenplay by Nance
Walker, editor	Desmond Marquette, re-
leased at pictures Aug. 14, running	time, 73 MINS.
Phil, director	Richard Dix
McLean, actor	Edmund Lowe
Ray, actor	Wendy Juette
Grant, actor	Granville Frank
Flenn, actor	Dorothy Gaudier
Capt. Sanders	Selma Jackson
Capt. Wallen	Terry Belmont

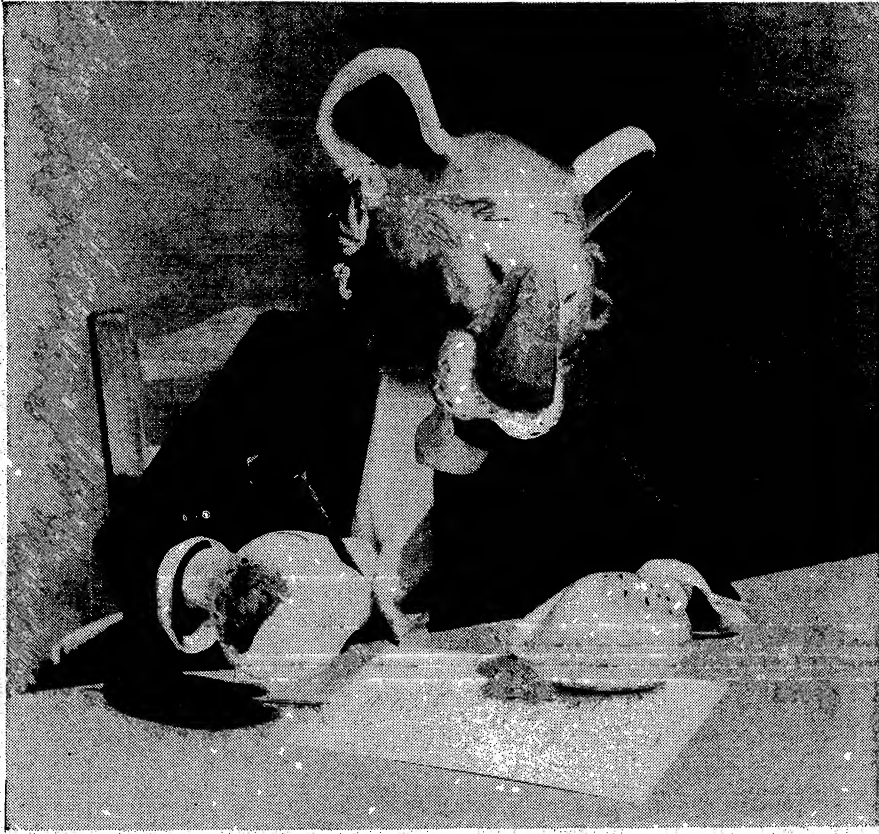
As title indicates, this is an air drama—of stunt flyers, test pilots, and the men and women who build the plane manufacturer designing a new ship for government contract. Story

(Continued on page 20)

The elusive and shadowy figure of Kit Carson has moved in the foreground of scores of western pictures, Indian scout, wagon-train guide, soldier and plainsman, his roles are as varied as the wide prairie and the mountain ranges which he traversed during the years when he covered the wagons moved westward. Now, at last, he has a film bearing his own name, and the picture is as good a hero, lover and fighter. Judged by general standards of westerns it is an ambitious outdoor production, full of action and color. The picture will like it, but despite obvious efforts to give it equal quality it remains in the groove.

It is a pity that any of his contemporaries the Carson saga is a matter of fairly accurate record, and any biographer who would attempt a screening of his career should find it necessary to go to the best sources to the facts. George Bruce hardly scarcely touched the significance of Kit's career, although he has told a long-told tale based on the incidents of his life. The transcontinental crossing of U. S. cavalry, commanded





# THE FRIENDLY WAY OF DOING BUSINESS!

To the thousands of exhibitors who have cooperated voluntarily in advancing their admission prices for "BOOM TOWN", we take this means of expressing our grateful thanks.

*Leo of M-G-M*

# Film Biz Worried Over Proposed U.S. Additional Excess Profit Tax Load

Excess profits tax legislation, presently progressing through Congressional committees at Washington, is being watched closely by major film companies, independents and theatre operating companies to learn how heavy the additional taxation load going to be. Picture industry, which is not going to benefit directly from the preparedness armament program anyway, is going to be socked on the same basis as other industrial companies, according to belief in the trade.

Only ray of light in the setup for the film industry is the recent indication that a more reasonable basis for fixing the new taxable scale may be adopted. Despite this, any new form of taxation is viewed in the trade as merely another handicap to profitable operations at a time when foreign income is way off and the theatres already have been forced to shoulder the new defense tax on theatre tickets.

Current opinion of reputable financial men is that the only cause for an excess profits tax, used in place of a further increase in the normal tax rate, is the feeling that those who benefit directly from a national defense program should bear an increased measure of its cost. This means primarily airplane manufacturers, machine tool makers, shipbuilders, munitions and armament makers, and these will be taxed most severely under this setup.

Four-Year Average or 4% However, the new excess profits proposal as it currently stands would further increase the tax load of any corporation showing an improvement in business as compared with the last four-year average (1936-39) earnings, or 4% on the invested capital, whichever is higher.

With picture companies, having large invested capital, some may be able to escape paying only a small amount, because likely showing little more than 4% on this investment. The only other alternative is to use the average earnings over a four-year period and hope that the 1940 profit does not materially exceed this. Many major producing-distributing companies probably will fall into this category. Hence, they would use this plan of figuring how much they owe under the excess profits arrangement.

But for theatre operating companies, the excess profits tax poses a tough problem. Numerous theatres likely will show better earnings this year than the average for 1936-39. And if the alternative plan is employed, their percentage earnings in many instances would be far ahead of the 4% allowable since the profit would be far in excess of this figure as compared with capital investment. Capital outlay for theatre operation is small compared with profit realizable.

Attitude of distributors as well as exhibitors presently is that they have been saddled with enough tax burdens via the Defense Tax on theatre admission tickets. Hence, they may seek an exemption from the excess profits tax arrangement.

Another thing the industry does not like about the excess profits setup as presently outlined is that it is retroactive to include this year. They are pondering how the details of the company tax report can be revised or adjusted in time to have statements ready for filing in March, 1941 especially since the legislation has not even been passed.

## N. Y. Mono Staff Jittery Over Shift of H.O. to L.A.

Monogram, which will move all of its New York home office departments, except foreign, to the Coast within 90 days, has given no indication to employees yet as to who will be let out and who will be taken west on the switch. Uncertainty about their future, has most of the help jittery and hunting new jobs. About 20 employees are involved. It is understood the only aide who has been given any assurance of being transferred is Lou Lifton, publicity and advertising head. Other members of his department, however, have been left in the dark. Final ratification of the switch, approved by the board of directors, will be made by the stockholders at the annual meeting Oct. 2 in New York.

## Pilgrimage Play' Film Deal Near Ink Stage

Hollywood, Aug. 27. Filming of a 16 minute version of Hollywood's 'Pilgrimage Play' is under negotiation, with final decision to be made some time this week. Lloyd D. Mitchell, general manager of the non-profit play organization, confirms this but refuses to disclose the name of the film company until the deal is signed.

The outdoor spectacle has been staged annually for 17 years in a hillside amphitheatre across the canyon from Hollywood Bowl. It has never been self-supporting and has been maintained partly through contributions from many churches and creeds. Organization has turned down several offers to take the play on tour.

Idea is to lens the religious drama as an 80-minute spectacle with few changes in the script.

## Republic, Warners Film Costs Soar as Brush Fires Cut Electricity

Hollywood, Aug. 27. Two valley studios, Republic and Warners, suffered peace-time blackouts when the electric power went dead and caused hundreds of extras to idle while the expenses went on. Republic paid thousands of dollars for the loss of 45 minutes of shooting time, but Warners switched to an auxiliary unit and was nicked for only a few minutes.

Blackouts were the result of brush fires in the hills which interfered with electrical transmission.

## Duals Debate

Continued from page 12

clared. He harked back to the rise and fall of vaude in backing up his argument that dualers are unwieldy and over-tiring. Vaude, in its prime, he pointed out, was a selection of a handful of acts. It headed for the discard, he said, when managers began pyramiding those few acts into 12 or 15. Combination of acts, good and bad, he averred, detracted from the general effect of the whole.

Similarly, Hoblitzelle insisted, two bad pictures, even a good and a bad picture, taint the entertainment brew.

With these arguments he met the insistence of Mrs. Hedges (the former Leah Baird, silent film star) that the public shops for bargains, and therefore wants the double bill if it can get it for a single admission. In further rebuttal, Hoblitzelle asked why, if this be true, it wouldn't be sane to insist that three or four features, instead of two, would better suit the public taste. No one offered an answer.

Mrs. Hedges opposed dualers with the approach that the film theatre is a family affair. She insisted that dualing has killed off the family audience. Mixing of adult with juvenile entertainment satisfies no one, she stated, and kept many children out of theatres, thereby destroying the family link.

### Goldwyn's Belief

Goldwyn plunged headlong into an indictment of double bills, charging that they are driving prospective ticket buyers from pictures. He said he was prepared to supply powerful evidence that box offices and public prefer singles, citing the Gallup poll to bolster his claims. He championed the short subject as a substitute for the second feature.

Chadwick charged the theatre is being taken away from the public, an evolution of the film industry, agreeing with Hoblitzelle that the picture house is community property, but declaring current practices and prices have removed screen entertainment from reach of the masses.

Carr advanced the theory that second features are necessary in schooling beginners in the film business. He also cited increases in studio employment as an argument in favor of dualers.

# FILM BOOKING CHART

(For information of theatre and film exchange bookers VARIETY presents a complete chart of feature releases of all the American distributing companies for the current quarterly period. Date of reviews as given in VARIETY and the running time of prints are included.)

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Rev. in Var.—Reviewed in Variety Key to Type Abbreviations R. T.—Running Time  
M—Melodrama; C—Comedy; CD—Comedy-Drama; W—Western; D—Drama; RD—Romantic Drama; MU—Musical

WEEK OF RELEASE	Rev. In Var.	TITLE AND COMPANY	TYPE	TALENT	R. T.
6/28/40	7/10 7/10 6/19 7/3 6/19 5/29	BLONDIE BEWARE (Col) RETURN OF WILD BILL (Col) ONE MAN'S LAW (Rep) NEW MOON (M-G) QUEEN OF THE MOB (Par) ANNE OF WINDY POPLARS (RKO) LUCKY CISCO KID (20th)	C W W MU M D RD	P. Singleton-A. Lake-L. Sims B. Elliott-J. Meredith-L. Walters D. Barry-J. Waldo-G. Cleveland J. MacDonald-N. Eddy-M. Boland R. Bellamy-W. Henry-J. Carney A. Shirley-J. Ellison-P. Knowles C. Romero-M. B. Hughes-E. Venable	66 60 57 105 66 85 67
7/5/40	5/10 7/3 5/29 6/26 7/3 6/12 7/3	OUT WEST WITH PEPPERS (Col) ANDY HARDY MEETS DEBUTANTE (M-G) GOLDEN TRAIL (Mono) WAY OF ALL FLESH (Par) DR. CHRISTIAN MEETS WOMEN (RKO) BLACK DIAMONDS (U) PRIVATE AFFAIRS (U) MAN WHO TALKED TOO MUCH (WB)	C M-G W D CD CD CD CD	E. Fellew-D. Peterson M. Rooney-L. Stone-J. Garland T. Ritter-J. Guest A. Tamiroff-G. George-W. Henry J. Hersholt-E. Kennedy-D. Lovett N. Kelly-J. Hall-J. Davis H. Herbert-N. Kelly-R. Young G. Brent-V. Bruce-B. Marshall	63 87 52 82 66 67 75 76
7/12/40	7/10 7/10 7/10 6/5 6/26	SPORTING BLOOD (M-G) STAGE COACH WAR (Par) SCANNYBRAIN (Rep) MANHATTAN HEARTBEAT (20th) MY LOVE CAME BACK (WB)	D W C CD RD	L. Stone-R. Young-W. Gargan W. Boyd-R. Hayden-B. Wood J. Canova-A. Mowbray-R. Donnelly R. Sterling-V. Gilmore-J. Davis E. Arlen-A. Devine O. de Havilland-E. Albert-J. Wyman	81 61 70 71 63 81
7/19/40	8/7 7/17 7/17 6/26 7/3 7/17 8/14	MILITARY ACADEMY (Col) HAUNTED HOUSE (Mono) WE WHO ARE YOUNG (M-G) CAROLINA MOON (Rep) CROSS COUNTRY ROMANCE (RKO) MARLAND (20th) SOUTH OF PAGO PAGO (UA) SON OF ROARING DANCE (U) LADIES MUST LIVE (WB)	D W CD W RD RD W W C	T. Kelly-B. Jordan M. M. Jones-J. Moran L. Turner-J. Shelton-G. Lockhart G. Autry-S. Burnett-J. Storey G. Raymond-W. Barrie W. Brennan-F. Bainter-B. Joyce M. McLaglen-F. Bainter-J. Hall J. M. Brown-F. Knight-B. Baker W. Morris-L. Lane	66 66 78 65 66 80 63 60
7/26/40	8/7 8/21 7/31 6/26 8/21 7/17 7/17	BLONDIE HAS SERVANT (Col) BOYS OF THE CITY (Mono) GOLD RUSH MAISIE (M-G) STAGED (Par) UNION SQUARE (RKO) MILMONAID IN PRISON (RKO) YOU'RE NOT SO TOUGH (U)	C C C KD W W C	P. Singleton-A. Lake East Side Kids A. Sothern-L. Bowman-V. Weidler R. Millard-F. Morrison-A. Tamiroff G. O'Brien-V. Vale F. Tracy-L. Hayes-V. Vale Dead End Kids-N. Hudson	66 63 82 82 51 63 71
8/2/40	8/7 7/10 6/28 8/7 7/17 8/14	LADY IN QUESTION (Col) HAUNTED HOUSE (Mono) GOLDEN GLOVES (Par) THE SEA RAIDER (Par) QUEEN OF DESTINY (RKO) THE MAN IN IRON (20th) RANGER AND THE LADY (Rep) SOUTH TO KARANGA (U)	C RD CD D RD CD W RD	B. Aherne-R. Hayworth-G. Ford G. Carson-O. Oliver-M. Boland R. Denning-J. Cagney-R. Paige D. H. Wilcox-C. Landis-O. Stevens R. A. Neagle-A. Walbrook Bennett-F. Lederer R. Rogers-G. Hayes-H. Wells C. Bickford-J. Craig-L. Desti	78 112 66 76 76 76 58
8/9/40	8/7 8/14 8/7 8/21 7/10 8/7 7/17 8/7 8/28	THE SECRET SEVEN (Col) I LOVE YOU AGAIN (M-G) DOOMED TO DIE (Mono) CHAMBER OF HORRORS (Mono) ONE CROWDED NIGHT (RKO) GIBBY (RKO) STREET OF MEMORIES (20th) CAPTAIN CAUTION (UA) BOYS FROM SYRACUSE (U) SING, DANCE, FLEETY HOT (Rep) RIVER'S END (WB)	M CD M M CD CD RD D MU MU M	E. Bennett-F. Bright W. Powell-M. Loy-F. McHugh B. Karloff-M. Reynolds L. Banks-L. Palmer-G. Malo B. Seward-D. Costello-W. Haade J. Wilbers-T. Taylor-K. Aldridge J. McGuire-L. Roberts V. Mature-L. Platt-B. Cabot A. Jones-M. Flay-J. Penner E. Terry-J. Downs-B. Allen D. Morgan-E. Earl-V. Jory	62 62 47 67 67 71 84 72 72 68
8/16/40	8/28 8/21 8/21 8/14 7/24 8/14 8/28 6/12	THE DURANGO KID (Col) GOLDEN FLEECE (M-G) LAUGHING AT DANCE (Mono) COMIN' ROUND THE MOUNTAIN (Par) STRANGER ON THIRD FLOOR (RKO) RAMPARTS WE WATCH (RKO) RETURN OF FRANK JAMES (20th) FOREIGN CORRESPONDENT (UA) ALL THIS HEAVEN TOO (WB)	W CD W C C D RD RD C	C. Starrett-L. Walters L. Ayres-R. Johnson-V. Grey B. Darro-J. Harding-K. Walsh B. Burns-U. Merkel-F. Barrett F. Lorr-J. McGuire-M. Tallohet March of Time production H. Fonda-A. Leeds-J. Cooper J. McCrea-L. Hayes-H. Vogart B. Davis-C. Boyer-B. O'Neill	64 61 61 62 85 85 118 140
8/23/40	8/14 8/7 7/24 8/21 8/21 8/14 7/24	HE STAYED FOR BREAKFAST (Col) MISSING PEOPLE (Mono) ARIZONA FRONTIER (Mono) RANGE BUSTERS (Mono) THE GREAT MCGINTY (Par) LUCIFER'S DANCERS (RKO) PIER 13 (20th) THE SEA HAWK (WB)	CD D W W C C D D	M. Douglas-L. Young-U. O'Connor W. Fyfe-L. Harding-K. Walsh T. Ritter-S. Andrews-E. Finley R. Corrigan-J. King-L. Walters C. Donlevy-M. Angelus-A. Tamiroff G. Rogers-R. Colman-F. Wray L. Baril-L. Hayes-H. Vogart E. Flynn-B. Marshall-C. Rains	86 86 88 81 86 86 127
8/30/40	8/7 7/17 8/21 8/7 8/7 8/28	PEPPERS IN TROUBLE (Col) QUEEN OF THE YUKON (Mono) BOOM TOWN (M-G) YOUNG PEOPLE (20th) RHYTHM ON THE RIVER (Par) DANCE OF DANCE (RKO) THEY DRIVE BY NIGHT (WB) OKLAHOMA RENEGADES (Rep) KIT CARSON (UA)	C D CD CD C C W W W	E. Fellew-D. Peterson-R. Sinclair C. Bickford-L. Rich C. Gable-S. Tracy-C. Colbert S. Temple-J. Oakie-C. Greenwood B. Crosby-M. Martin-B. Rathbone M. O'Hara-L. Hayward-L. Ball G. Raft-A. Aherne-H. Bogart E. Livingston-R. Hatton-D. Renaldo L. Bari-J. Hall	117 77 82 82 83 83 85
9/6/40	8/7 8/21 8/21 8/28	LIFE WITH HENRY (Par) CHAN AT WAX MUSEUM (20th) FUGITIVE FROM PRISON CAMP (Col) DR. KILDARE GOES HOME (M-G) UP IN AIR (Mono) WHO IS GUILTY? (Mono) ARGENTINE NIGHTS (U) RIDE, TENDERFOOT, RIDE (Rep) MEN AGAINST THE SKY (RKO) CALLING ALL HUSBANDS (WB)	C M CD RD M M MU W RD C	J. Cooper-L. Ernst-E. Bracken S. Toler-S. Yung-J. Valerie J. Holt-M. Marsh L. Ayres-L. Barrymore-L. Day B. Darro-M. Moreland M. Lyon-B. Blair Ritz Bros.-Andrews Sisters G. Autry-S. Burnett-J. Storey R. Dix-K. Taylor-W. Barrie G. Tobias-L. Fairbanks-E. Trutz	88 88 82 82 82 82 82 73
9/13/40	8/7 8/21 8/21 8/28	HOWARDS OF VIRGINIA (Col) FROM A-G (M-G) THE APE (Mono) I WANT A DIVORCE (Par) GIRL FROM HAVANA (Rep) COLORADO (Rep) DREAMING OUT LOUD (RKO) PUBLIC ENEMY NO. 1 (20th) HIRED WIFE (U) NO TIME FOR COMEDY (WB)	C W W D RD RD CD CD CD C	C. Grant-M. Scott W. Beery-L. Carrillo-A. Rutherford B. Karloff-L. Rich J. Blondell-D. Powell-G. Dickson D. O'Keefe-C. Carleton-V. Jory R. Rogers-G. Hayes-P. Moore L. Lum and Abner-F. Langford B. Murphy-B. Joyce-E. Maxwell R. Russell-B. Aherne-H. Bogart J. Stewart-R. Russell-C. Ruggles	76 76 82 82 82 82 82 82
9/20/40	8/7 8/21 8/21 8/28	WIZARD OF DEATH (Col) STRIKE UP THE BAND (M-G) THAT GANG OF MINE (Mono) MY STILL ALIVE (RKO) YESTERDAY'S HEROES (20th) MUMMY'S HAND (U) RAGTIME COWBOY JOE (U) THE WESTERNER (UA) CITY FOR CONQUEST (WB)	MU M M CD CD CD W W D	B. Karloff-E. Keyes M. Rooney-J. Garland-J. Preisser M. Jordan-L. Gorey K. Taylor-L. Hayes-R. Morgan R. Sterling-J. Rogers-R. Gleason D. Foran-M. Moran-W. Ford J. M. Brown-N. O'Day-F. Knight G. Cooper-W. Brennan-D. Davenport J. Cagney-A. Sheridan-F. Craven	65 65 65 65 65 65 65 65
9/27/40	8/7 8/21 8/28	ANGLES OVER BROADWAY (Col) HAUNTED HONEYMOON (M-G) RANGERS OF FORTUNE (Par) TRIPLE HUNGRY (RKO) BREW WHAT THEY WANTED (RKO) BRIGHAM YOUNG (20th) THIEF OF BAGDAD (UA) SPRING PARADE (U) EAST OF THE RIVER (WB)	C D D CD CD CD MU MU M	D. Fairbanks, Jr.-R. Hayworth R. Montgomery-C. Cummings F. MacMurray-F. Morrison-A. Dekker G. O'Brien-V. Vale C. Laughton-C. Laughton-W. Gargan C. Veldi-Sabu-J. Duprez D. Durbin-R. Cummings-M. Auer J. Garfield-B. Marshall-M. Rameau	54 54 54 54 112 54 54 54





*He makes  
it great!*

*She makes  
it greater!*

JAMES                      ROSALIND  
**STEWART · RUSSELL**

**NO TIME  
FOR COMEDY**

*Warners  
made it  
a howling  
success!*



with **GENEVIEVE TOBIN · CHARLIE RUGGLES**

ALLYN JOSLYN · CLARENCE KOLB · LOUISE BEAVERS

Directed by **WILLIAM KEIGHLEY**

Screen Play by Julius J. and Philip G. Epstein • Produced by Katharine Cornell  
and the Playwrights' Company • From the Stage Play by S. M. BERNMAN

A WARNER BROS.-First National Picture



**FROM STAGE  
TO SCREEN  
WITH A ROAR!**

## Film Reviews

Continued from page 16

## Men Against the Sky

mixes these factors to provide a good action picture of program classification which can hold its own as supporter in the key duels.

Despite the necessary inclusion of familiar ingredients that go into air yarns events are handled in a plausible manner with sufficient light touches of comedy inserted to relieve the dramatic tension. Judicious cutting keeps the air shots at a minimum, and although there are some thrilling moments provided by plane-stunting, everything is kept within required footage.

Story concerns Richard Dix, a former air celeb who winds up in a periodic drunk stunt flyer on the county fair circuit. His sister, Wendy Barrie, joins the drafting staff in the plane factory of Edmund Lowe, a breezy promoter who side-steps financial disaster to turn out a high speed ship. Dix secretly advises the girl on new ideas in plane design, with final result that the plane surpasses government tests for a big contract. Intervened is a slight romance between Miss Barrie and Kent Taylor.

Leslie Goodwin provides a smooth and speedy runway for the picture in his direction, keeping the dramatics within bounds and accenting on the comedy lines when required. Dix provides his usual competence, and Edmund Lowe is neatly spotted as the slick plane manufacturer. Kent Taylor catches attention as the head designer who carries through the girl's idea and finally wins her at the finish. Miss Barrie is competent in the femme lead, while balance of the cast includes the late Granville Bates, Grant Withers, Donald Briggs and Charles Quigley. Air photography and special effects add much to the production values of the picture. **Walt.**

## PUBLIC DEB. NO. 2

Hollywood, Aug. 23

20th Century-Fox release of Gene Markey production. Features George Murphy, Brenda Joyce, Elsie Maxwell. Directed by Gregory Ratoff. Screenplay by Karl Tunberg and Dorrell Warren; story by Karl Tunberg and Dorrell Warren. Premiered at Westwood Village, Aug. 22, 1940. Running time, 78 mins.

Alan Blake.....George Murphy  
Penny Cooper.....Brenda Joyce  
Elsie Maxwell.....Elsie Maxwell  
Graham.....Michael A. Rainer  
William.....William  
Rue Fairchild.....Ralph Bellamy  
Eric.....Marie Rossmore  
Nightingale.....Charles  
Bartender.....Franklin Pangborn  
Mr. Schiller.....Charles  
Hugh Stackett.....Lloyd Corrigan  
Pender.....Ivan Lelchett  
John.....John  
Communist.....Elsie Albani  
Layman.....Luis Alberni  
Sergeant.....Dick K. Dawson  
Legionnaire.....Hick  
Landlady.....William Frawley  
Sanford.....Addison Richards  
Directors.....Joseph Crehan  
Policeman.....Douglas Wood  
Clerk.....Walter Dunn  
Car Payment Man.....John Wilson  
Dutchman.....Herman Bing

This is a decidedly synthetic and inconsequential tale of a glamor girl who gets tangled in the Communist cause; embarks on a romance with a poor youth of capitalistic leanings, and finally discards her Red inclinations to fall into the boy's arms. Elsie Maxwell is introduced as an excuse to stage one of her famous parties, but neither the widely publicized hostess nor her sponsored affair add anything more than footage.

Picture is a minor league offering that will have to be content with lower half spots in the secondary duels. Aside from a few laughs engendered when the scripters take cracks at the Commies, there is little entertainment. Direction by Gregory Ratoff is straight and sluggish, but he probably was aware of the story deficiencies when he took the assignment.

Brenda Joyce is the heiress who continually hits the news pages for her glamor adventures. Arrested with a gang of Reds, she's released by the judge, but is widely publicized for the incident and her advocacy of Communism. Family's soup project is boycotted and, after meeting George Murphy, hire's him as pseudo-romancer for her protection and installs him as her p. p. s. After much unwinding, picture reaches final conclusion when she dumps the Reds and elopes with Murphy.

Cast is burdened by the inadequate material provided. Murphy, making his part the most plausible in the piece. Elsie Maxwell appears to be self-conscious in her several appearances, while Miss Joyce finds the script too sordid and stale. Best bit is provided by Franklin Pangborn as a bartender who slips a mickey to Miss Joyce. **Walt.**

## RIVER'S END

Warner Bros. production and release. Features Dennis Morgan, George Tobias, Elizabeth Earl, Victor Jory, James Stephenson, Charles Bickford. Based on novel by James Oliver Curwood; adaptation, Barry Trivers and Herman Blum; story, Arthur L. Todd. At Globe, N. Y., week ending Aug. 26, 40, single. Running time, 82 mins.

John Keith.....Dennis Morgan  
Andy Dillon.....George Tobias  
Elizabeth Earl.....Elizabeth Earl  
Victor Jory.....Victor Jory  
Inspector McDowell.....James Stephenson  
Chester.....Steffi Dunn  
Frank Randall.....Edward Pawley  
Constable Jeffers.....John Ridgely  
Constable Kentish.....Frank Wilcox

According to the record it was about time "River's End" was made again; that is, if 10 years between each time is the way to do it. The old James Oliver Curwood story of the Canadian woods country, a mountain was made by First National in 1920 and again by Warners in 1931. The creaky old adventure story, in its third version, is still a dreary story plotted out very obviously, but it has one strong redeeming feature. That is the performance of George Tobias.

Playing a French Canadian whose sense of livelihood is never explained, Tobias not only turns in a fine characterization but loads the picture with plenty of good comedy. His French accent never sounds phony and in addition to the laughs drawn through the gal who hounds Tobias into marrying her, powerful comedy is evoked by the barroom scene in which he is tricked into picking a fight and has trouble insulting his quarry. Later, is a suspect in the murder for which Tobias' friend, now posing as a mountie, is being convicted.

Dennis Morgan, who seems to be on the way to bigger things, plays a dual role, that of the innocent man convicted of murder and the mountie who goes out to get him. The mountie dies and Morgan, looking like his half-brother, changes places with him and through a series of circumstances that are a little hard to believe, succeeds in clearing himself.

Romantic interest is suitably spotted into the story, with Elizabeth Earl opposite Morgan on that assignment. She is a very charming young actress, but her role doesn't bring out the true stature of her histrionic prowess. Victor Jory does the heavy, while James Stephenson plays a police inspector. The rest are minor.

Exteriors are good; most of the film carries a brownish sepiatint rather than being sharp black and white. **Char.**

## GOLDEN GLOVES

Paramount production and release. Features Richard Denning, Charles Bickford, Robert Ryan, William Frawley, Robert Ryan, Directed by Edward Dmytryk. Story by Charles Bickford and Lewis R. Foster, from story by Maxwell Shane; camera, Henry Sharp; editor, Alvin Karpis. At Radio City, Aug. 26, 40. Running time, 68 mins.

Bill Crane.....Richard Denning  
Mary Parker.....Charles Bickford  
Joe Taggart.....Robert Ryan  
Wally Wolf.....William Frawley  
Emory Ball.....Robert Ryan  
Pete Wells.....George Ernest  
Jimmy.....Jimmy  
Sammy Davis.....Sammy Davis  
Mac Donald.....Mac Donald

In an obvious stab at drawing the courts and spectators of Gold Glove tournaments in New York and Chicago, Paramount has chucked together a bustling little program on the subject which is a tale of a talented but unscrupulous youngster, but could scarcely be expected to lift such a picture out of the also-ran dueller class.

About the story. Well, it seems a zealous and incorruptible sports writer organizes a simon-pure boys' boxing tournament to compete with the racket "amateur" bouts controlled by the racketish gangster. In the plot to sabotage his rival, the hoodlum bribes a pro scrapper to pose as an amateur and enter the on-the-line journey, figuring he can win and that the resulting exposure will wreck the opposition. However, the Hero Biffer is spurred to victory by our Heroine's between-rounds promise to forgive Al and become the little missus.

This tawdry little yarn isn't helped by some of the most hackneyed dialogue of the season, nor by the scenario's insistence of repeating situations. All the fights have a studio-rehearsal look, and some of the subplots must have been written with stencils. Direction and production are at least equal to the script.

With such a story and such lines to speak, young Miss Cagney can hardly be blamed for appearing pretty stilted and camera-conscious. Even so, she occasionally has moments that permit forthright acting, and then she is sincere and attractive. Under the circumstances that's

something of an achievement. Richard Denning is outstanding and direct as the Hero Socker, which is as much as could be expected. J. Carroll Nash adds a spigoty accent to his usual tooth-clenching villain. As for the lead, Robert Paige manages to seem believable as the sports writer, William Frawley strolls easily through the part of real-guy department store owner, and Edward S. Brophy gives his customary impression as the not-quite-bright gangster's henchman. **Hobe.**

## THE DURANGO KID

(WITH SONGS)

Columbia production and release. Stars Charles Starrett, Luana Walters, Kenneth MacDonald, Frances Walker, rest. Toler. The Pieters. Directed by Lambert Hillyer. Story and adaptation, Paul Frankl, Robert Taylor, and Robert Nolan and Tim Spencer; photography, John Stumar. At Radio City, Aug. 26, 40. Running time, 61 mins.

Bill Levy.....Charles Starrett  
Nancy Winslow.....Luana Walters  
Mae Ballard.....Kenneth MacDonald  
Steve.....Frances Walker  
Marshall Traylor.....Melvin Lang  
Bob.....Bob Nolan  
Pat Brady.....Pat Brady  
Sam Lowry.....Frank LaRue

Masked in mystery 'til he unmasks his father's killers! The terror of cattle thieves, the idol of thrill lovers. That's Charles Starrett, Columbia's ace of the open acres, in the manner in which the press book proclaims him in "The Durango Kid." The tall, two-fisted, gun-fanning hero of the hell country that was the west is here again in what amounts to a familiarly-tailored but meritorious six-shooter drama.

Starrett is without doubt something of an idol, as the press sheet says, even if he doesn't rate with Boyer or Gable on the romantics. He has switched from Iris Meredith, with him in a flock of westerns, to an ingratiating personality billed as Luana Walters. She is easier on the binoculars than on histrionic ability. Somewhat disturbing is her complete calm and lack of concern when she stands still in a small room, watching two men try to kill each other with guns as well as fists. She hardly bats an eyelash, let alone emit a gasp or scream. It's disturbing and almost diverts the attention from the terrific man-battle that is in progress.

Miss Walters is the daughter of a homesteader, who along with others are the victims of everything this side of being burned at the stake at the hands of a band of baddies headed by a cattleman-rustler.

Coming home at the habes of his father, as most seem to do in westerns, Starrett becomes the Robin Hood of the nesters.

Unknown to the audience but strongly suspected before it is made just too late, the villain is the famed Durango Kid, a holdup boy from Texas. While carrying out a bit of larceny against Kenneth MacDonald, the homesteader, he is also the victim of everything this side of being burned at the stake at the hands of a band of baddies headed by a cattleman-rustler.

As in most westerns, plenty of shooting figures, but the aim is bad. Some handy work with the fists is shown in an appealingly ring-fancied fight. The horses all work pretty hard, running their legs off all the time. They should have a union!

The Pioneers, cowboy singers, take time out to sing three numbers of the range and western songs of their group, and Tim Spencer. They are eased in conveniently. **Char.**

## Plenty to Distract 'Em From Milwaukee B. O.

Milwaukee, Aug. 27

One of the things that's wrong with show business in Milwaukee, so far as the theatres are concerned, was brought vividly to the attention of exhibitors in the Saturday (24) editions of the Milwaukee Sentinel. Advertising men, who can't get a club of 25 of them with attractions ranging from novelty acts, amateur shows and dance bands to floor shows with as many 10 acts, filled an entire page of the newspaper (no special edition but a weekly practice).

In contrast to this spread of nifty entertainment, the theatres only two columns of theatre advertising, with 32 houses listed.

Most of the nite spots have no cover or admission charge and beer is only 5c at either bar or tables.

## METRO GETS FLEET FOOTAGE

Hollywood, Aug. 27

Richard Rosson, second unit director on Metro's "Flight Command," has returned from Honolulu, where he spent most of his time in activities of the U. S. Fleet's planes.

Robert Taylor stars in the feature.

## Inside Stuff—Pictures

Unique situation exists on sale of screen rights to "Tobacco Road" with 20th-Fox processing rapidly on production plans while Jack Kirkland and Harry Oshrin maintain they have signed nothing transferring the rights to the company. Kirkland and Oshrin, producers of the legit version, admit they made a deal, but declare they have never received the papers from 20th, although they were due three weeks ago.

Whether this is all mere legalistic double-talk or whether a hitch may have developed is impossible to determine, although the former is thought likely. Kirkland and Oshrin refuse to say anything other than: "We have signed nothing."

Meantime, "Road" will continue to run on Broadway indefinitely. Ads read "Last Weeks," and when big drops off below profit point, show will be closed.

Eastern drama editors have learned from long experience that they have to keep a hawk eye out for the Hollywood columns whenever anything about legit or stage people is mentioned. Boys and girls east of Mississippi have discovered that Coast chatterers, with very few exceptions, know little about what's going on outside of their own backlot and that it's necessary to remain extra closely. One wk. film columnist last week had Ramon Novarro set on Broadway for this season in a "new show" by Cole Porter called "You Never Know." That was the Lupe Velez-Clifton Webb-Libby Holman musical of two seasons ago.

Amusement page copy readers have found a well-known femme chatter particularly uninformed about the theatre; she's constantly getting the wrong names in the wrong shows and knows little of legit folks' background except that which is centered in Hollywood.

One of those coincidences in real life may see both Howard J. Green and Milton Hocky, partners years ago as vaudeville authors and producers, each with an individual play of his own on Broadway coincidentally. Green's play is more advanced, titled "Beverly Hills," which Otto L. Preninger will stage and produce. Lynn Starling, like Green a reprinted scenarist, co-authored. It's a Hollywood version of "The Women," and Ika Chase, Ruth Gordon, Dennis Moore and Dorothy Hall are being talked to by Preninger. Hocky, last with Paramount shorts department in N. Y., wrote his play solo.

Incidentally, Hocky & Green's early vaude star was a kid named Milton Berle. Latter just got a 20th-Fox contract and flew in from the Coast over the weekend and is now returning to Hollywood to start his first on that lot, probably "The Great American Broadcast."

Coincidence in the naming recently of Buddy Schulberg as a "Communist" is that his father, E. P. Schulberg, has just completed a film serially tearing the breeches off the Commies. Picture is "He Stayed for Breakfast," which Columbia is releasing this week. It marks Schulberg's return as a producer after a layoff of several years.

"Breakfast," treated in the manner of "Ninotchka," casts Melvyn Douglas as Paris organizer for the party. After shooting at a banker he takes refuge from the police in the home of the man's estranged wife. Capitalistic comforts overcome his revolutionary enthusiasm, whereupon he ditches his radicalism to elope to America with the femme.

What is claimed by the Tobis Cinema, Berlin producing outfit, to be a special airplane news service sent to 10 'selected' names in the United States emerges as an indication of Nazi film propaganda. Written in a careful Anglican style by a 'Constance Drexel,' the service tells of forthcoming German-language films being produced by Tobis.

The tipoff is in the subject of one of the films, "Bismarck," which deals with the 19th century Prussian dictator and his aim to secure a 'united Germany' in which the same way employed presently.

Current Rialto, N. Y., bill includes a short of the 'grudge' bout in the south a month or so ago between Jack Dempsey and a boxer billed as Cowboy Luttrell, a wrestler. For those who recall Dempsey as the devastating slugging of the fabulous 1920s, the paunchy, ponderous, puffing Dempsey of this film is a pathetic bulk. Anything but the fast-and-furious fight described in the sound track; it's simply a gory brawl. Times Square toughies in the audience either laughed cynically or fell into embarrassed silence.

Chapter in "Willkie and American Unity," new book edited and published by Joe Mitchell Chapple, was written by Rutgers Neilson, RKO publicity chief. It's tagged "Willkie's Picture Debut" and details the presidential candidate's appearance in "Information, Please" short. RKO distributes the "Info Please" series.

James Gleason has been named chairman of a group of screen actors Guild (Coast) members who will enroll in a Candidate School for officers and non-commissioned officers in order to qualify for home defense force.

## Fear B. O. Tills

Continued from page 5

ally trying to wring more money out of this country to make up for losses abroad but are doing nothing about studio overhead and high salaries of talent, executives, etc. This wing among the exhibiting folk takes issue with what they feel is an effort on the part of the distributors to make the theatres carry the burden.

## Fearful

Exhibitors who are against stepping prices up for bigger pictures, as they come along, also look at it from a different point of view and are less resentful than fearful of any plan to make the public pay more for worther film.

A point taken by one exhibitor is that if a theatre goes above its regular admission only now and then, when something special comes along, the public may regard this as a tipoff as to the value of the pictures played and come only when the h.o. scale is upped. In other words, as expressed, the assumption would be that when the theatre is at its regular minimum or what amounts to its present standard scale, the pictures must be mediocre.

On the exhibitor side, there is also the angle that his public is getting more and more picky just because a good film was booked since John Q. had sat through a lot of films at the regular scale that weren't even worth that. "Why should he have to pay more when something worth seeing came along after he has been a sucker for a string of bad ones?" one exhibitor opines.

If the regular price is 40c and 1

think that is the right price for my public, maybe I should let 'em in for a quarter for a lot of pictures instead, this exhib adds.

## Pitt Upping Prices For 'Boom-Hawk'

Pittsburgh, Aug. 27

Both Stanley and Penn, town's two ace pix houses, have announced in advertisements that admissions will be raised slightly for "Sea Hawk" and "Boom Town" when they play those respective houses. Current top is four bits, but just how much the scale would be upped the copy didn't say. It'll mark the first time in the history of either spot that regular fixed prices have been increased for a picture.

Originally "Sea Hawk" as booked at Stanley and "Boom Town" at Penn for Labor Day week, but with both houses under same managerial control, through long-time WB-Lew pooling agreement, it was decided to stagger the two specials, particularly after the stiffer scale was agreed upon. As a result, "Sea Hawk" goes into Stanley Thursday (29) and "Boom Town" will wait until Sept. 6 to open, Penn sending in Par's "Rhythm on the River" against "Hawk."

## BUT THE FIRE DIDN'T

Lynchburg, Aug. 27

One hundred persons dived for exits of the Hillville (Va.) theatre when film jammed in projector and caught fire. Nobody was hurt, but projection equipment burned beyond repair.

Film was "Light That Failed."



## Combo Single-Double House Opened As Solution to Both Sides' Squawks

UNITED ARTISTS RIVOLI Broadway at 49th St.

# AFL Out to Control Pix Collarites, Upsets Consent Vote Via NLRB; SWG-Producers Pact Talks Go On

Hollywood, Aug. 27. The American Federation of Labor is waging a determined fight, although much of it is under cover, for control of 2,500 studio white collar workers. Agreements for consent elections at 20th-Fox, RKO and Hal Roach, were upset when the AFL appeared before the National Labor Relations Board and filed an intervenor to the petition of Screen Office Employees Guild.

The AFL immediately followed this move by filing a petition claiming jurisdiction over studio casting directors and assistants, exclusives of those having authority to hire and fire. A. H. Peterson, AFL international representative, advised Walter Spreckels, NLRB regional director, that 'we will have another one as soon as this is out of the way.'

The SOEG, with a membership of approximately 1,800, including a decided majority on most major lots, is seeking designation as collective bargaining representative for the clerical employees. Hearings before the NLRB started several days ago, but were recessed until this week to determine whether the producers and the SOEG could agree on proper bargaining units at the various studios.

**SOEG Members Arrested**  
A brief clash between the producers and the SOEG occurred at Metro, when four members distributing handbills were arrested by Culver City police after having been ordered by studio employees to disperse. They were not booked and were released when their attorney appeared and cited to police a decision of the U. S. Supreme Court permitting such distribution of circulars.

Prexy Glenn Pratt, of the SOEG, issued the following statement:

"It is evident that certain individuals, who from the start have been disruptive element on that lot, are trying to interfere with the SOEG's efforts to obtain for the office workers the things they have been denied in the past and to which they are rightfully entitled."

Threat of an open break between the producers and the Screen Writers Guild apparently has been averted by an agreement of film executives to continue negotiations on a basic minimum agreement. Following a meeting between the SWG bargaining committee headed by Prexy Sheridan Gibney, and a group of producer representatives headed by Prexy Y. Frank Freeman of the Producers' Association, Freeman issued the following statement:

"Committee representing the Screen Writers Guild met with a committee representing the producers. Further discussions were held concerning the proposed agreement between the producers and the SWG. No final agreement was reached, but progress was made, and a further meeting will be held at an early date."

**Davis Heads SAG Council**

It was disclosed that the producers are trying to push over a compromise on certain points in the proposed six month contract on which a tentative agreement was announced some time ago. Company executives have asked that junior writers and unemployed writers or those on layoff be exempt from the 80% Guild shop demanded by the screenwriters. The SWG turned thumbs down on the counter-proposal, taking the position that a film writer is a writer, regardless of whether he is senior or a junior.

Bob 'Alabama' Davis has been elected chairman of the Screen Actors Guild Council. He succeeds Larry Steers, who failed of reelection and who also was defeated when he tried to land the office of vice-chairman. Harry Mayo, a new member of the Council, was elected vice-chairman, and Adabelle Driver re-elected secretary.

A delegation from Los Angeles Chapter of the American Federation of Radio Artists plans tonight (Tuesday) for the national AFRA convention in Denver. Those in party include Laurence W. Beilenson, AFRA counsel; J. A. Kornblum, executive secretary; Fred MacKay, Ted Bliss, Georgia Fifeild, J. Donald Wilson, William Brandt, True Boardman, Norman Field, Ynez Seabury, Lucille LaPorte.

Deal has been okayed between Universal and members of its advertising artists. Workers, who are now

## Kostelanetz Set To Score Pal Initialer

Hollywood, Aug. 27. Andre Kostelanetz has been signed by George Pal to handle the musical direction, arrangements and scoring for the first of the Pal Puppets to be made for Paramount release.

Initialer, which will have a western background, is still untitled.

## Smoking in Balcony, A New Idea in Mpls., Helps the B.O. a Lot

Minneapolis, Aug. 27. Twin City houses are solving the problem of how to get customers into their balconies by permitting smoking in that section of the house. Those that have inaugurated this feature report that the balcony is now the most popular part of their theatres and fills up first.

While common in many cities, smoking in film houses is relatively a new departure here. The World, loop show-seater, started the 'innovation' by permitting smoking in the balcony and loges for which it charged a higher admission.

The St. Louis Park, de luxe indie nabe house opened nearly two years ago, was the first uptown and suburban theatre to allow smoking. It charges a 35c admission for the balcony, as compared to 33c downstairs, smoking being permitted only upstairs.

When Paramount rebuilt and reopened the Uptown here it set aside the balcony for smokers. Bill Elson is allowing smoking in the balcony of the Palace which he just reopened.

## Setting Chaplin's Selling

Lynn Farnol, United Artists past chief, planned for the Coast last night (Tuesday), to confer with Charles Chaplin on final stages of the campaign on 'The Great Dictator' prior to its release. Farnol will be west about a week. Murray Silverstone, U. A. head, Harry Gold, eastern sales manager, and Jack Schaller, western s.m., will fly out to huddle with Chaplin on exhibition policy as soon as he is finished scoring and cutting the film. It's expected that may be the end of this week.

Plan announced by Silverstone a couple of weeks ago of having Al Margolis, publicity head, Monte Greenhalgh, exploitation director, and other execs also fly out for chinning with Chaplin has apparently been abandoned.

affiliated with the Moving Picture Painters Local 644, will get a pay hike to \$1.55 per hour, the current Painters' scale. They had been averaging 85c per hour.

**Art Directors Renew Drive**

The Art Directors Guild is planning to renew its drive for a basic agreement with the producers. The guild has employed attorney Leonard S. Janofsky, and shortly will file new demands with producer representatives. First attempt to negotiate a deal fell through when the artists insisted on a minimum wage of \$300 week, and later efforts to negotiate a contract without a minimum deal also fell through.

Studio title writers are now drafting demands for submission to the producers. Writers will ask for a five-day week of 40 hours, with a substantial increase in pay. The writers have withdrawn from the Society of Motion Picture Artists and Illustrators and affiliated with the Moving Picture Painters' Local 644.

More than 600 studio utility workers turned out for the first meeting of Studio Utility Employees Local 724 since 1937. L. C. Helm, business representative; Joseph Marshall, vice-prexy, and Albert Smith, international representative, spoke. It was announced that in the future regular monthly meetings will be held.

## Consent Okayed

Continued from page 7

accepted, and passed to Washington for final approval, the clause read: 'If on June 1, 1942, no final decree shall have been entered herein requiring each of the defendants, United Artists, Universal and Columbia to trade show their features and to license them in groups for exhibition, Sections 1 and 2 of this decree shall be inoperative and of no binding force and effect upon any of the defendants consenting to this decree, as to feature clause after Aug. 31, 1942.'

'If prior to June 1, 1942, such a decree shall have been entered against United Artists, Universal and Columbia, the defendants consenting to this decree shall upon its election be relieved from further compliance with Sections 1 and 2 of this decree upon complying with all provisions in such decree requiring United Artists, Universal and Columbia to trade show their features and to license them for exhibition in groups, and an order or supplemental decree to that effect shall be entered herein upon the application of the defendant or defendants so electing. Such election may be made at any time after the entry of such a decree against United Artists, Universal and Columbia.'

## 'Escape' Clause Into

Effect June 1, 1942

Under the terms of the 'escape' clause, the companies will be free to return to blockbooking on June 1, 1942, provided the Government by that time has not obtained, through consent decree, or court order after trial, a regulation enforcing open booking on Columbia, Universal and United Artists, in the same manner as accepted by the five other major companies.

It is known that film company attorneys are well pleased with the 'escape' provision which passes to the Government the obligation of persuading the adamant companies or the courts to accept industry modification of sales methods. Threatened withdrawal of 20th-Fox and Paramount from the consent decree conferences unless the qualifying clause was made a part of the agreement, preceded the final session of conferences.

Next to the uniform sales plan in blocks not exceeding five pictures in each group, the chief remedial provisions the consent decree are those providing for the arbitration of disputes between competing theatres and between theatres and film executives.

There remains many details to be developed in connection with arbitration and a special committee, consisting of Robert Scher, of the anti-trust division, Austin Keough, Paramount, Joseph H. Hazen, Warner Bros., and John F. Caskey, 20th-Fox, is drafting the procedure following conferences with the American Arbitration Society.

Neutral arbitrators from the society's lists in 33 exchange cities will be used to pass on complaints. Certain types of cases will be appealable to a national appeals board which will be organized in Washington.

With the exception of the memorandum covering the Government's program to proceed against Columbia, Universal and United Artists, there was no further modification of any language in the proposed terms of settlement as issued on Aug. 3. This was captioned, 'Tentative Draft of Proposals' and consisted of 16 typewritten pages covering all the points in dispute and the remedies provided.

Job of recasting the agreement into legal phraseology and in the form of a court order for Judge Goddard, approved, will occupy much of the time until court resumed on Oct. 4. Judge Goddard, now on vacation, said he was available prior to the October date if needed. Chances are, according to attorneys, that his hiatus will not be disturbed.

## FLYNN DRAWS 'FOOTSTEPS'

Hollywood, Aug. 27. Errol Flynn will be starred by Warners in 'Footsteps in the Dark,' which for two years has been on and off the studio's sked as a vehicle for Edward G. Robinson.

Lester Kroll and John Wexley have completed the script.

## Lesser Preps 'Victory'

Hollywood, Aug. 27. Rose Franken and William Brown Meloney checked in at the Samuel Goldwyn studio to screenplay their own novel, 'Strange Victory,' for production by St. Lesser. Picture, starring Martha Scott, will be released through United Artists.

# SPG Putsch in N. Y.; Eastern Publicists Claim 250 Members

## Nab 3 Theatre Thugs, Recover \$300 of \$528

Sheboygan, Wis., Aug. 27.

A holdup 'by appointment,' which resulted in the theft of \$528 from the Majestic (Fox) at noon Monday (19), saw \$300 of the loot recovered by Thursday and three youthful perpetrators of the crime behind the bars. Leo Schuessler, manager of the house, got a phone call from a pseudo patron who wanted to see him about a watch he claimed to have lost in the theatre. An appointment was made for 11:30.

Shortly before that hour an apparently lone bandit locked the janitor, Gust Jaehnk, in a small basement room after tying and taping him up. When the manager arrived at his office the holdup man forced him at the point of a gun to open the safe and hand over its contents. Just then two Milwaukee men, Louis Smanietti and Raymond Gonzales, arrived in the theatre to service candy machines, so the bandit locked them and the manager up with the janitor, sped to a waiting car and apparently escaped.

Police quickly got on the trail and arrested John Zuzek in Milwaukee, finding \$300 in his room, then on his tipoff went to Muskegon, Mich., where they arrested Joseph and Lloyd Lawrence. First named man is charged with assault and robbery, the other two as accessories for driving the car in which the escape was made.

## Foil Detroit Stickups

Detroit, Aug. 27.

Police caught three burglars in the Alger theatre here, but it cost the house a new front door. Patrolman Matthew Yore had to kick it out to attract attention after he had cowed the trio in a battle inside.

He got them just as they were about to haul away the unopened safe with the weekend receipts. They had picked up 18 rolls of pennies not tucked inside.

## Folly, B'klyn, May Exam Randforce in Trust Suit

Louis Frisch and Samuel Rinzler, officials of Randforce Amusement Corp., must be examined before trial in connection with the Folly Amus. Holding Corp.'s suit against them and others, but the scope of the examination may be limited. N. Y. federal Judge Murray Hulbert decided on application of the defendants Wed. (21) that the examination may not be limited as to acts relating to conspiracy, but that only those books and records which are relative to the action need be produced. It was also decided that the price paid for product to the majors by Randforce was admissible as evidence, with Randforce given the right at the examination to object to specific questions.

Plaintiff operated the Folly theatre, Brooklyn, and claims that as a result of discriminatory acts on the part of the defendants it was forced out of business. Triple damages of \$750,000 are sought. Other defendants are all the major film companies, plus Monogram and Republic.

## Tim Holt Takes Road

Hollywood, Aug. 27.

Tim Holt, RKO's new stagebrasher star, is to be sent on a tour of key cities to contact exhibitors 'Wagon Train,' initialer in the series.

He leaves here as soon as he completed his second, 'Fargo Kid,' which will be in about 10 days.

## SHORES DIRECTS 'HOOPS'

Hollywood, Aug. 27.

Lynn Shores gets his second break as a director on 20th-Fox's 'Golden Hoops.' He recently finished piloting the location unit for the Jane Withers starrer at Stockton, and now takes over the first division.

Shores made his debut as a director on 'Charlie Chan in a Wax Museum.'

Claiming close to 250 members, the eastern Screen Publicists Guild is making its first serious move toward forcing recognition by the film company home offices. Each major received a letter from the SPG notifying them of its intentions and seeking conferences to open negotiations for discussion of a contract. The film companies took the letters under advisement and immediately began a check of their publicity-advertising departments with a view to determining whether or not their employees are members of the SPG.

Meantime, it is reported Paramount, 20th-Fox and Warner Bros. have asked the SPG for more specific information concerning the Guild, demands, etc.

A five-year contract is the asserted goal, with provisions to cover severance pay. Three different classifications among publicity workers is expected to be demanded. They will be apprentice publicists, junior publicity workers and those in the senior class, with years of service also considered.

Basis for negotiations are said to be \$45 minimum for an apprentice the first year, \$50 the second year of service and \$55 the third. Juniors will range similarly on years of service from \$60 to \$70, while minimum claimed for senior publicists will be \$125.

The executive committee of SPG, numbering five active publicists, will wash up Dec. 31, at which time election by the membership will be held to fill all offices for the coming year.

A constitution has been drafted and an executive council set up to organize the eastern publicists and artists. The New York SPG was initially known as the Screen Publicists & Advertising Guild, but since it was voted to affiliate with the Coast SPG, the name of the union was changed to conform with the western organization. Workers in the art departments of the home offices and agencies are in the eastern union, however.

Letters to the film company h.o.'s were signed in behalf of the Guild by Hyman Glickstein of the law firm of Boudin, Cohn & Glickstein. He represents other union activity and is said to be active in the American Labor Party, and has handled numerous labor cases.

More definite demands for bargaining are expected to be made by the SPG following huddles on the Coast. Two delegates went west for discussion with Coast SPG officials concerning affiliation and the formation of a national SPG, with local units to be set up in various parts of the country.

## CIO Angle

It is reported that the eastern SPG is leaning in the direction of the CIO and that a national publicists' organization might land in that labor camp.

Joe Gould, who is with United Artists at the h.o., is president of the SPG in the east. He stated that it was impossible to give an answer at this time to reports concerning the CIO and that nothing could be detailed now as to a basis for collective bargaining with the film concerns. Gould is attached to the press book department at U. A.

Gould was accompanied west by Dave Chassin, member of the art department of Warner Bros. h.o. They are scheduled to return east next Monday (21).

Following agreement of the SPG east and west to affiliate, Gould and Chassin went to Hollywood to discuss setting up plans for the drafting of a single constitution and by-laws to govern both guilds, among other things.

It is probable that a meeting of both guilds will be held shortly, probably somewhere in the middle west for the purpose of finally ratifying the amalgamation of the two unions into a national unit.

It is claimed by sources that the SPG in the east has the best representation among publicists and artists in RKO and 20th-Fox. Strong membership units are also declared to exist among Warner, U. A. and Columbia workers, while Metro is next to last and Paramount is at the bottom so far as SPG members' employment are concerned. Guild has members in Monogram, but none with Republic.



# MUSIC TIFF HITS CANADA

## NAB vs. ASCAP 'Battle Page'

In view of the diverse opinions involved in the Broadcasters vs. ASCAP situation, this marks the inauguration of a permanent 'battle page' wherein both sides can air their views.

No recriminations, no personalities, no spleen. Stick to the major issues, both sides of the fence, and this open forum may help clarify the matter during the next few months, which augur the inception of an intensive period of masterminding, maneuvering, bickering and negotiations.

Broadcasters—agencies, advertisers, station owners—and the music men—ASCAP, the individual writers and publishers—will be given reasonable space and opportunity to air their views.

## ASCAP Won't Deal Direct With Advertisers; Only Stations, Webs

American Society of Composers, Authors and Publishers has decided that in no event will it deal with advertisers directly for its performing rights should it fail to get together with the networks on a new licensing contract. ASCAP has abandoned this suggested way around a possible impasse with the networks for two reasons. One is that it wants to deal only with the wholesale user of its material. (2) that it doesn't propose to put itself in a spot where the networks can look to the commercials to furnish ASCAP music, while they themselves (the networks) escape this or any other obligations to ASCAP by filling in on sustaining programs with BMI or public domain music. Columbia and NBC last week termed as baseless the rumor heard around advertising agencies that the networks had intimated that they would assume the contract obligations on name bands should there be no agreement with ASCAP by Jan. 1, providing advertisers with such name bands agree to continue on the air with some other type of program. An official of one of the webs declared that the making of an offer of this sort had never been contemplated, and the idea's basic absurdity would be realized readily if one considered the huge financial burden that would derive from these liquidations.

General attitude among agency executives on the ASCAP situation is one of watchful waiting. They're keeping themselves thoroughly posted on the details of the controversy and the operation of BMI, but most of them are not taking sides. They figure that they still have two months to act and that there's no need of asking the networks pressing questions until Nov. 1.

They also figure that they will even then have enough time to act with regard to the future of their programs if the networks inform them that there isn't a chance of coming to an agreement with ASCAP, and that they are sticking to their plan to use no ASCAP music after Dec. 31.

## DEMOS SETTING AGCY. FOR RADIO

Democratic National Committee will within the coming week name an agency to handle its radio business during the current presidential campaign. Similar assignment on the part of the Republicans National Committee recently went to J. Walter Thompson.

G. W. (Johnny) Johnstone, the Democratic committee's radio director, has brought in E. Frederica Millet, who was with the committee in the 1936 campaign and later handled radio for the President's Birthday Ball, as an assistant. She was last on N. Y. World's Fair radio staff.

## Congoleum a Prospect

McCann-Erickson is reported to be trying to interest Congoleum in going on the air.

Several prospective shows have been lined up for presentation.

## NO ELECTION SALE

NBC Nixes Sponsorship of Returns—Calls It Public Service

NBC sales department has been informed that there will be no sponsoring of the election returns Nov. 5. This statement of policy followed the inquiry of a client on the subject. NBC proposes to continue to handle the returns as a public service.

Neither NBC nor Columbia has ever sold election returns.

## McNary, Willkie Running Mate, Burns at Radio

Portland, Ore., Aug. 27. Senator Charles McNary, Republican candidate for vice-president, is pretty much peeved at radio. When he got to his home state Saturday (24), preparatory to making his acceptance speech at Salem tonight (27), Senator McNary was met by special events broadcasters at the Portland airport, but he declined to be interviewed or introduced on the air.

McNary, according to the local broadcaster version, had asked for an hour's time tonight from NBC, CBS and Mutual, just as Wendell Willkie and President Roosevelt had received, but they limited him to a half hour. The senator wanted the 8:30-9:30 p.m. period, N. Y. time. Information, Please! has the first half of this hour on the NBC-blue.

While the special events men didn't get the candidate on the air, they did put on his wife and five-year-old daughter shortly before his plane arrived.

The Mike Interviewer asked the youngster what she thought about her father running for the vice-presidency and she answered she didn't like it. Asked why, she rejoined:

"Because he never comes home anymore."

## HOLINER TO B.&B. AS 'GOOD NEWS' PRODUCER

Mann Holiner has been engaged by Benton & Bowles as the producer of Maxwell House Coffee's "Good News" show, which resumes on NBC Red Sept. 5. He leaves today (Wednesday) for the Coast with Tom Revere B. & B's radio director.

Don Cope, who has been handling the show out of Benton & Bowles' Hollywood office, is being brought back to New York because of ill health. Holiner was formerly radio director of Lennen & Mitchell.

Ruth Howard, daughter of comedian Tom Howard, returns to WOKO, Albany, next week after winding up her summer program over WCOP, Boston.

## CAB MOVING OVER TO BMI

Canadian Performing Rights Society Also Has Been Asking Increase—Puzzling Position of U. S. and Canadian Shows Broadcast Into Dominion, and Vice Versa

## CBC INDEFINITE

By NORM CHAMBERLAIN

Winnipeg, Aug. 27.

What is the position of the Canadian broadcaster in relation to the current musical picture of America? This is a question being asked by many vitally interested in Dominion radio at the moment, for while Canada is separate from the U. S. in many respects, musically they are very much related.

Music in Canada is controlled by the Canadian Performing Rights Society, affiliated with the American Society of Composers, Authors and Publishers. Each year Canadian stations sign 52-week contracts with this organization, and each year now, for some time past, Canadian broadcasters have been complaining the rates are too high and have been seeking some method of reduction. On the other hand, CPRS has been seeking an increase.

While some negotiations have been entered into with the new Broadcast Music, Inc., by private broadcasters of the Dominion, no definite agreement has been reached to date other than an expressed desire to co-operate. As to the position of the Government-owned network, the Canadian Broadcasting Corp., things are very obscure at the moment.

Currently industry observers are asking themselves what will happen to those hush commercials, produced in the U. S. and carried in Canada, when these commercials cut out ASCAP tunes for BMI with Canadian broadcasters still committed to the CPRS? Will it mean much lost revenue through necessary cancellation of these features? Turning the page they ask what will happen to the many Canadian network shows now being fed to American networks? These programs are still using CPRS (ASCAP) tunes and thus will be denied entry to the U. S.

## CAB's Attitude

At the recent conference of western broadcasters in Calgary, Harry Sedgwick, of the Canadian Assn. of Broadcasters, brought the matter to the surface by discussing the positions of CPRS and BMI in relation to Canada.

Among other things, he asked that, in view of the present international situation, the Government be asked to repudiate the Berne Convention. The matter of a reduction in CPRS fees, of course, again received a thorough going-over. The policies and working plan of BMI were explained to the assembled delegates, with Sedgwick suggesting the new organization receive the full support of all Canadian broadcasters. This support would receive tangible form if Canadians would contribute the difference between what they now pay CPRS and what they might have to pay if the reduction goes through. Following the discussion the matter was turned over to a committee of five. These were G. Gaetz (CKCK, Regina); A. G. Murphy (CFQC, Saskatoon); Max Bell (CJCL, Calgary); George Chandler (CJOR, Vancouver) and Carson Buchanan (CHAB, Moose Jaw).

The resolution they drew up approved the action taken by the directors of the C. B. in matters concerning BMI. It was suggested that negotiations be continued so as to ensure BMI services being available to Canadian stations. It was also suggested that CAB support BMI from any money derived from the possible reduction in fees now being

## Vick's, Stack-Goble 'Gone' Debacle Amazes Trade; Attempt Underway To Salvage 400G Spot Cancellations

## Tells the Story

Blanktown, Aug. 27.

## Memo to Editor:

Please kill story about Blank getting p.a. job at station Blank. He was so busy celebrating the fact that he got the job that he was too drunk to report for work today, and was canned before he started.

VARIETY Correspondent.

## Barton Denies Bringing Agcys., ASCAP Together

Bruce Barton, head of Batten, Durstine & Osborne and a member of the U. S. House of Representatives from New York, declared last week that he had no intention of bringing a group of agency men together after Labor Day to hear ASCAP's side of the current controversy over that organization's new licensing contract for radio. Barton stated that the report he would do so was embarrassing to him, since in addition to being an advertising man he was in politics and he didn't want the network or station men, whose facilities he used in politics, to think that he was taking sides in the argument, or doublecrossing them.

Barton said that he had been at the home of Gene Buck, ASCAP prez, a couple weeks ago, but that he had had no conversation with Buck on the subject. The networks also received denials from Barton by phone last week. There was no comment from ASCAP on Barton's statement.

## Pitt WWSW Primes Self With Non-ASCAP Tunes; Claims 1,000 Programs

Pittsburgh, Aug. 27.

With ASCAP-BMI fight in mind, indie station WWSW has launched a new show called "Grandfather's Clock" featuring only tunes in the public domain. Before program was launched, Frank Smith, manager of the small-watter, had several of his research assistants dig up flock of old-time songs which aren't controlled by ASCAP and claims boys found enough of them to keep "Clock" moving at least 1,000 times.

Show presents three numbers and ties them up with dramatized historical items of years in which tunes were written. WWSW has scheduled "Clock" three mornings weekly for 15 minutes at 10 o'clock.

paid to the CPRS. This of course hinges on the great "it," as always.

Still not clear is the possible position of the Canadian Broadcasting Corp. It was thought such matters would be settled by the head office (Toronto), after which divisional offices would be notified of any change as is usually the case. At present the local office confesses complete ignorance of the whole affair. Does admit, however, that no copies of BMI tunes had been received to date. Private stations, it was learned, have been receiving them for some time in addition to the regular transcription services using BMI tunes.

In the meantime, the issue, insofar as Canada is concerned, is still pretty clouded.

Vick Chemical Co. and the Stack-Goble agency late yesterday (Tuesday) were still trying to get off the limb on which they found themselves when Metro and David Selznick announced Friday (23) that "Gone With the Wind" would not be permitted to become a radio feature. Following the issuance of the statement by the distributor and producer of the film version of "Wind," there was a blanket of secrecy thrown around the sudden blowup of Vick's deal for the radio rights, while the account and Stack-Goble frantically sought to salvage something out of the debacle. The situation was without precedence in the history of commercial broadcasting, and the question bristled around the trade was how could a tangle of such proportions develop at this late stage of the business.

The indications late yesterday were that there would be no compromise forthcoming from the picture organizations and that Vick would undertake to salvage what it could from the \$400,000 spot campaign, which it ordered cancelled after it had signed a contract with Stack-Goble for the "GWTW" program and ordered a half-hour hook-up on CBS, starting Tuesday, Oct. 1 (9:30-10 p.m.). A survey by the Morse International agency, which ordinarily handles the Vick account, indicated that between 40% and 50% of these cancelled contracts could be reinstated.

The cancellations went out by air mail last Wednesday (21) and Thursday, and the checkup to find out what was still available of these choice spots, accumulated over a period of months, went out by wire over the weekend and Monday (24). Vick, as far as spot v. v. concerned, had figured on spending for 28 weeks around \$400,000 for 137 stations, with plugs on the product obtainable from three to seven days a week. "Wind" would have cost the account about \$9,500 a week for time (87 stations) and \$4,500 a week for the show.

## What Upset the Apparent

Hollywood, Aug. 27.

Fly in the Vick Chemical—"Gone With the Wind" ointment is that someone somewhere along the line of negotiations tried to make a deal in direct violation of several of the conditions laid down by Daniel O'Shea, Selznick-International general manager. Although it's no go at the moment, new talks are under way in New York looking toward an agreement that will eventually put the show on the air under conditions more favorable to S-I and Metro, which shares with the former in the other revenues.

Vick situation had its inception here some time ago, when O'Shea discussed the matter with Alton Alexander of Ed Wolf Associates, who drafted the pact on the proposal. At the time of the talks, O'Shea not only fixed the price for the serialization, but he also attached certain strings. Later included the fact that it was to be a 15-minute program, broadcast mornings five days weekly, and that the initialer was not to roll before Nov. 15.

O'Shea also specified that "GWTW" was to be offered to only one account, but Alexander is understood to have offered it to several. Two weeks ago he notified S-I that he was ready to sign a sponsor, but that the airer would have to be an evening affair of 30 minutes' duration and would have to start Oct. 1.

Nicholas Schenck and David Selznick huddled on the matter, but held to the decision for a morning broadcast starting Nov. 15.

It was revealed here that Stack-Goble exec Dick Porter, v.p. in charge of the agency's N. Y. office, who talked with O'Shea only last week, had not been informed of the a.m.-Nov. 15 ties imposed by O'Shea.

## Atlantic to Air Penn, Temple, Villanova Football Games on 3 Philly Stations

Philadelphia, Aug. 27. The Atlantic Refining Co. will bankroll the broadcast of football games of Philly's three major colleges—Penn, Temple and Villanova. For the fifth consecutive year WCAU will handle the airing of the Penn contests, which this year make up one of the toughest schedules of any U. S. college. It has been specially arranged in conjunction with Penn's bi-centennial celebration.

The Temple and Villanova games will be divided between WIP and WFIL. Broadcast schedule follows: Penn games (WCAU): Maryland, Oct. 5; Yale, Oct. 12th; Princeton, Oct. 19; Michigan, Oct. 26; Navy, Nov. 2; Harvard, Nov. 9; Army, Nov. 16; and Cornell, Nov. 23. All games except Michigan will be played here at Franklin Field. Michigan game will be at Ann Arbor.

Temple University (WIP and WFIL): Muhlenberg, Sept. 27 (WIP); Georgetown, Oct. 4 (WIP); Boston College, Oct. 12 (WFIL); Michigan State, Oct. 18 (WIP); Penn State, Oct. 26 (WFIL); Bucknell, Nov. 2 (WFIL); Villanova, Nov. 9 (WIP); Holy Cross, Nov. 16 (WIP); and Oklahoma State, Nov. 23 (WFIL).

Villanova (WIP and WFIL): Pennsylvania Military College, Oct. 5 (WIP); University of Florida, Oct. 11 (WIP); Baylor University, Oct. 19 (WFIL); Detroit, Oct. 27 (WIP); Kansas, Nov. 1 (WIP); Temple, Nov. 9 (WIP); Manhattan College, Nov. 16 (WFIL); Duquesne, Nov. 23 (WIP); and Auburn, Dec. 7 (WFIL).

No commentators have been chosen for the play-by-play chores. Accounts handled through the N. W. Ayer agency.

## P&G BUYS 'LOVE' PACKAGE SERIAL

Hollywood, Aug. 27. The William Morris agency has bought the 'Those We Love' package serial, which will use it to exploit Dreen. Half-hour program, which was sponsored last season by General Foods, bows in Sept. 16 over CBS, traveling in two sections with a 4 p.m. starting time for the east and 8 p.m. for the west.

Morris outfit, which owns other package shows, including 'Blondie' and 'Sherlock Holmes', has organized T.W.L. Productions as the corporate setup for 'Those We Love'. Capital is fixed at 200 no-par shares. Directors include Abe Lastfogel, John Hyde, Harry Friedman, Lou Goldberg, Robert E. Kopp, M. L. Stevenson and Ann Root.

'TWL' cast features Nan Grey, Richard Cromwell, Donald Woods, Oscar O'Shea, Alma Kruger and Virginia Sale.

Kastor agency is opening a Coast office primarily to handle 'Love'. Gordon Hughes, who has been a Chicago producer on Kastor dramatic shows, shifts to Los Angeles to handle the new office.

Kastor radio chief, Bob Jennings, is also resuscitating the 'Knickerbocker Playhouse' program for Dreen on Sept. 21 over the NBC-red web, taking 8-9:30 p.m. Jennings had this program on air for Procter & Gamble two years ago.

Joe Ainley, formerly radio head of Aubrey, Moore & Wallace, and now chief of his own radio production bureau, will be in charge of production on the 'Knickerbocker Playhouse' show.

## Alka-Seltzer Retains 'Quiz Kids'; On NBC-Blue

Alka Seltzer retaining 'Quiz Kids', which has been pinching hit for Alec Templeton this summer, for its own spot on the NBC-Blue. It will be on 45 stations Wednesday, 8-8:30 p.m., starting Sept. 4.

### Y & R'S SERIAL

Young & Rubicam is reading a new five-a-week daytime serial, 'Mother of Mine', debut the end of September. Carol Irwin, the agency's daytime radio head, is personally supervising scripting and production.

Sponsor isn't revealed, but final decision on if and when the show goes on the air will be made at a meeting today (Wednesday).

## Imaginary Profits

Chicago, Aug. 27. Wags around the radio industry are telling about the fellow whose first recommendation on taking over the management of a station that had been faring badly in time sales was that the rates be 'upped'. His argument was that advertisers would have a higher regard for the station's effectiveness if the price were doubled.

'What that guy means' wisely cracked a holdover from the previous regime, 'is that the station will get twice the money for the business that it doesn't do.'

## Those Staid, Old Bankers Coming Around to Radio

Philadelphia, Aug. 27. The Land Title Bank & Trust Co., one of the most conservative institutions in Philly, last week joined the radio advertising parade. Officials of Land Title signed a contract for a series of 15-minute spots on KYW's 'Musical Clock' starting Sept. 9. The program will plug the bank's loan department.

Bankers in Philly have been wooed to radio by a series of goodwill stunts sponsored by KYW. For the past year the station has featured a round-table discussion on banking problems with executives of financial institutions allowed to go on the air gratis. Another angle that impressed the financial moguls was the 'Esso Baby' stunt of last Jan. 1, in which the Esso Co. placed \$5 in bank for every baby born on New Year's Day.

There are now at least eight banks bankrolling programs regularly in local stations. Philly financial houses have had the reputation of being the most staid and conservative in the U. S.

## COLUMBIA PROF'S QUIZ SHOW GOES COMMERCIAL

'Where Are You From' the WOR-Mutual quiz show with Dr. Henry Lee Smith, Columbia professor, goes commercial beginning Oct. 2, plugging Mission Vita water for Mission Dry Corp. Deal set by the Maxon agency is for 52 weeks Wednesday night time, remains the same.

Currently held over the network, the series will air commercially only over WOR, but will probably be recorded in New York and re-broadcast on the Coast, where the sponsor also has distribution. It may also be aired over the other Mutual stations without the commercial announcements, as is now done with Raymond Gram Swing's series for White Owl cigar. 'Where' was originated a couple of years ago by WCNW, Brooklyn, as a 15-minute stanza, with WQXR, New York, later taking it and WOR subsequently acquiring it.

## CBS GETS 2 SERIALS

General Foods 'Portia Blake' and 'Kate Hopkins' Move from Spots

Stations carrying the 'Portia Blake' and 'Kate Hopkins' serials on a spot transcription basis for General Foods have received their cancellation notices from Benton & Bowles, effective Sept. 27. Both scripts are set to go CBS.

'Hopkins' spot across the board, starting Sept. 30, will be 4:45-5 p.m., while 'Blake' moves into the 4-4:15 p.m. period Oct. 7. The first will plug Maxwell House and the other Post Toasties.

Chicago—Robert McKee added to sales staff of NBC-Blue here and Frank O'Leary to sales force of NBC-Red. McKee was formerly with the Homer McKee agency in Chicago, and O'Leary was on sales staff of Conde-Nast publications.

## CBS V.P.s Sell Stock

Washington, Aug. 27. Two CBS v.p.s are reported by the Security Exchange Commission as unloading some of their stock in July. One is Herbert V. Akerberg, 400 shares, and Melford R. Runyon, 491 shares.

Leaves Akerberg with 26 shares and Runyon with 846 shares.

## LUX STUDS AIR SHOW WITH PIC NAMES

Hollywood, Aug. 27.

Lux Radio Theatre, taking a leaf from the films, will start-stud its casts during the 1940-41 air season, using at least three screen name personalities in each production. Set for 'Manhattan Melodrama', which opens the new series on Sept. 8, are William Powell, Myrna Loy and Don Ameche. Slated for 'Love Is News', second program, are Bob Hope, Madeleine Carroll and Ralph Bellamy.

Sanford Barnett again directs for the G. Walter Thompson agency, while George Wells will write the scripts. Harry Kerr pens the commercials, which Mel Ruick will deliver.

## 'GANG BUSTERS' SET BY SLOAN'S

'Gang Busters' will be back on the air this fall, but for a different sponsor. Warwick & Legler has sold Sloan's Liniment on the idea of underwriting the cops-and-robbers show. It will be on the NBC-Blue in a 9:30 p.m. period.

Program had previously been confined to CBS and toward the end of its run for Colgate-Palmolive-Peet was the target of much criticism from parents and teachers groups.

Its new time schedule is somewhat later than it had been in the past. Since the product is usually on for but 28 weeks, the agency urged that the account buy a show that has an established rating rather than go through the process of building one up. The price quoted for 'Gang Busters' is \$3,000 a week.

## 2 Radio Men Are The Only Casualties In Army Maneuvers

Canton, N. Y., Aug. 27.

Only two persons were injured during a skirmish here last week in the U. S. army maneuvers. Both were more or less innocent bystanders—radio men covering the event.

Casualties were CBS engineers Ed Laker of WJSV, Washington, and Sid Berge of WABC, New York. Both injuries occurred while the men were riding on a truck. Laker was so engrossed in his work that he forgot to duck for a low-hanging branch, and nearly bit off his tongue. Berge fell off the moving truck. Army first aid unit thereby had its only activity of the maneuvers.

## WTRY, Troy Co-Op Show Now Full Hour

Troy, N. Y., Aug. 27.

Kay Moser's Matinees, on WTRY daily, which started as half-hour program in the spring, has increased its number of participating accounts until it now runs 60 minutes. Local advertisers had been the backbone, but nationals and regionals are now coming.

A new one is John Morrell & Co. (hams); another is United Baking Co. of Schenectady. Hour of chatter and advertising is interspersed with transcribed music.

## Inside Stuff—Radio

In reporting the listener rating (37.8) given by the Co-operative Analysis of Broadcasting on Wendell Willkie's acceptance speech, *Variety* in last week's issue added that the rating represented 21,000,000 radio homes. Latter figure, which likewise came from the CAB, was intended by the latter as an estimated projection of the rating, which, according to the CAB, would equal an audience of 21,000,000 'in the homes.' This tendency on the part of the CAB to convert the rating into actual listeners caused some eyebrow lifting in radio research circles.

The estimated number of radio homes is around 29,000,000. In terms of homes the Willkie rating would represent somewhat over 11,000,000. The CAB figure assumes that not quite two persons listened to each of these sets.

Newspapermen in the St. Louis area, who have secretly cherished an ambition to do a news commentator stint over the air are getting a chance during the vacation of Harry Flannery, who does a nightly program over KMOX. Those who are serving during the first week of Flannery's layoff are Louis LaCoss, member of the Globe-Democrat editorial staff, Tom Duffy, city editor of the East St. Louis Journal; A. Bancroft Wells, of the Globe-Democrat news staff; Clarence Keller, managing editor of the Belleville, Ill. Advocate; Richard Everett, manager of the local bureau of Transradio Press; Darby Tally, of the editorial staff of the St. Charles, Mo. Cosmos-Monitor. Another batch is being rounded up to pinchhit during the second week. Marvel Cigarettes, through the Aitkin-Kynett Agency, sponsors Flannery's quarter-hour program.

Dave Garraway, KDKA, Pittsburgh, announcer and one of the town's crack golfers, came close to grabbing off the Western Pennsylvania amateur championship at the Pittsburgh Field Club last week. Garraway, one-time Missouri state champion but a comparatively unknown competitor in local ranks, pulled the biggest upset of the tournament when in the first round he eliminated Knox Young Jr., who won the Pennsylvania state amateur championship just a few weeks ago. Knox was one of the pre-tourney picks, and Garraway's win established him as an odds-on fave. However, in the semi-final round, Garraway ran into Steve Kovach, finalist with Young in the Pa. State amateur, and dropped his match at the 15th green.

Daily broadcast schedules of international short-wave programs from Germany are now being distributed by mail by the German Library of Information, N. Y., an official Nazi propaganda agency in the U. S. Schedules are sent free 'upon request.'

Single-page schedule carries programs for a 10-day period and lists the wave-lengths, regular broadcast hours, and general classifications of programs of all Reich short-waves, plus a list of program titles by days. Angle of the hand-out is the attempt to build up 'Lord Haw Haw', Nazi propaganda broadcaster who is given a special bold-face listing, and the way a number of the 'entertainment' programs are titled to give them an American show biz sound. Schedule itself is tabbed 'Germany Calling.'

Just as her characterization on 'Easy Aces' (NBC-blue) has started to garner much listener comment, Ann Thomas will have to be written out of the script while the legi show, 'Bangalis', is getting an out-of-town try. Show is in Atlantic City this week. Goodman Acc. got a letter from a Brooklyn druggist last week stating that if the dame with the Brooklyn accent wasn't kept on the program the druggist would stop selling the product (Anacin).

U. S. hotel advertising in Canadian dailies has reached vanishing point. Same applies to spot announcements over radio. Due to government restrictions on pleasure trips to States, hotels south of the border figure advertising would not do a full-time job at the present time.

Advertising agency men here contend, however, that U. S. hotel advertising will reappear in Canadian periodicals to some extent when it becomes apparent that considerable volume is still to be expected from those Canadians going across the border on business.

Rep. John D. Dingell, Democrat, of Michigan, has introduced a bill which would set aside Aug. 26 of each year as 'National Radio Day'. Legislation calls for a proclamation by the President, designating Aug. 26 as a special 'radio day' and 'calling upon officials of the Government to display the flag of the United States on all Government buildings on that day, and inviting the people of the United States to observe the day with appropriate ceremonies.'

Lenox Lohr's volume, 'Television Broadcasting' (McGraw-Hill, \$3.50) is an extremely lucid primer in the mechanics, the art and the problems of the new medium. During Lohr's tenure as NBC president most of the spade work of experimentation, at least in programs, was inaugurated.

## SCOOP COMES TRUE

Albert Warner Predicted Hopkins' Resignation from Cabinet

Washington, Aug. 27.

Announcement by the White House Saturday (24) of the resignation of Harry Hopkins as Secretary of Commerce confirmed an exclusive prediction made Aug. 9 by Albert Warner, CBS Washington correspondent. Broadcaster had obtained the inside info from friends of the secretary.

Number of papers picked up the Warner prediction at the time, giving him credit.

## MARKS LEVINE ILL; GEORGE ENGELS SUBS

Marks Levine, head of the concert division of NBC Artists Service, has taken a three-months leave of absence because of ill health.

George Engles, NBC vice-president takes over.

## WOV's Pro Tem OK

WOV, New York, which has filed application with the FCC for a permanent 1,000-watt FM transmitter to be operated simultaneously with the regular 10,000-watt AM transmitter, has received a temporary permit for a portable FM transmitter.

Robert E. Study, the station's chief engineer, starts next week to use the temporary equipment to locate the best site for the permanent transmitter.

## CLAPP'S BABY FOOD TO NBC

Clapp's Baby Food will make its bow as a network customer this fall through the Young & Rubicam agency. It's bought the 4-4:15 p.m. strip on the NBC, Monday through Friday, for a serial, 'Mother O' Mine.'

Y & R obtained clearance of the title from Chappell & Co., publishers and copyright owners of the song of that name.

Clapp's is owned by American Home Products and had heretofore confined itself to spot broadcasting.

## Noble Plus Templeton On Alka-Seltzer Show

Chesterfield is looking around for another show and among those in which the cig account has shown some interest is Professor Quiz 'now on CBS for Teel (Procter & Gamble).

Impression around the trade is that Chesterfield has begun to scout the field for available material substitutes for its current band programs (Fred Waring and Glenn Miller) in the event the networks fail to renew their contracts with the American Society of Composers, Authors and Publishers.



# LITTLE NEW IN '40 SHOWS

## Graduating Salaries Don't Hold

Talent agents have come to the conclusion that it is futile to enter into contracts that provide for a graduating increase of salary based on the number of stations added to the commercial hookup. Invariably, they have found, the augmented stations reached such proportions that the client or ad agencies insist that the original contract with the talent be torn up and another, based on a flat salary, be substituted.

Classic case cited in this regard is that which involved a comic and a Chicago agency last season. The comic agreed to take considerably less than his previous salary when the agency stipulated that he was to receive 25% of the time rate on every station added above the original hookup of 11 stations, and in no instance was this par station clip to be less than \$25. In quick time the hookup went to 92 stations. The comic's agent was immediately informed that the contract in effect would have to be called off and another, providing for a flat salary, accepted in its place. The agent protested that the original terms of the contract had been proposed by the client and agencies themselves, but the agency's new proposition was accepted anyway.

## 'Mail Puller' Coin Makes Chi Mecca For Station Men

Chicago will become an important mecca for lots of station men from all over the country Sept. 16, when the major 'mail puller' accounts are slated to dish out their contract for the 1940-41 season. All these contracts are to take effect Sept. 30.

The expenditure of this group for time and local talent last season figured between \$2,750,000 and \$3,000,000. The 'mail pullers' operate on a sort of cooperative basis when it comes to picking time. They are also reported as functioning under an unwritten code and are given to exchanging information so that they all know pretty well what stations can be depended on to deliver.

Among the 'mail puller' accounts that will be involved in the contract distribution Sept. 8 are Peruna, Kolobak, Acland, Olsen Rug, Paul McCoy's Cod Liver Oil Tablets, Sterling Insurance, Service Insurance, Stewart's (Medicine) and Mantle Lamp Corp. of America.

## WCAU, AMERICAN LEGION CO-SPONSOR PATRIOTISM

Philadelphia, Aug. 27.

WCAU next week will inaugurate a series of patriotic programs co-sponsored by the Pennsylvania Dept. of the American Legion titled, 'Our Stars and Stripes.' The show will be written and produced by Joseph Gottlieb, writer on CBS Workshop, and will include historic playlets, patriotic music by the house band and speeches by civic and military officials.

To plug the broadcast the station is distributing 100,000 window stickers with the lyrics to the national anthem. Dr. Leon Levy, WCAU prexy, said he got the idea for the program after a survey showed that only seven out of 100 persons who passed the studio each day knew the words to the 'Star Spangled Banner.'

## Cleutt-Peabody Mulls A Network Commercial

Young & Rubicam is making a network show presentation this week to Cleutt & Peabody, the Arrow shirts and collar firm.

Account has in recent years limited itself to spot broadcasting, using participation shows and home economics, or style expert personalities.

## Sizer Quits Ayer

Lawrence Sizer has quit N. W. Ayer's radio department in New York to become retail advertising manager for Marshall Field & Co. Chicago.

Sizer originally came from the retail field.

## HELEN HAYES TEES OFF FOR LIPTON'S SEPT. 29

Helen Hayes' deal with Lipton's Tea, via Young & Rubicam, has been signed and the half-hour dramatization starts over CBS Sept. 29 on a Sunday night at 8 p.m. schedule. Playlets will be condensations of past performances, books, pictures and originals.

Terese Lewis, script editor for Young & Rubicam for the past five years, has resigned to do freelance writing.

Her first job will be that of collaborator on the Helen Hayes series for Lipton Tea.

## EDDIE CANTOR LONE EXCEPTION

Variety Shows Just as Numerous, While News and Commentators Continue Upswing—Quiz Shows Almost Numerically Same as Last Season

### DRAMATIC TREND

Types of network commercial programs at the opening of this season will fall within about the same proportions that prevailed for the September to January period last year. No new standout personalities are scheduled. Only one of this classification who wasn't one last season is Eddie Cantor (Texaco).

Variety shows dominated by name comics will be just as numerous. News and news commentators continue on the upbeat as articles of network commerce, while the noticeable trend, if any, seems to be in the direction of more half-hour dramatic shows.

The quiz program will numerically be about where it was at the opening phase of last season. A few intro-

(Continued on page 38)

## American Bar Assn. to Urge Public Prevent Gov't Control of Radio

### Wrigley Renews Autry

Hollywood, Aug. 27.

Wrigley's has lifted its option on the Gene Autry Melody Ranch show for another 13 weeks over CBS, which carries it through to the first of the year.

J. Walter Thompson agency set the deal.

### FITCH QUILTS NBC: WILL GO WITH LENOX LOHR

Walter Fitch has resigned as business manager of the NBC program department. He had been brought into the organization by the network's former prez, Lenox R. Lohr. It is understood that Fitch will join Lohr in the latter's new connection as head of the Chicago Museum of Science and Industry.

There will be no replacement in the spot that Fitch has vacated. Another Lohr man, who has handed in his resignation is Paul Massman. He was on the Blue network sales staff and had been with NBC for two years.

Philadelphia, Aug. 27. The American Bar Assn., at its annual meeting in Philly, which starts Sept. 9, will urge the general public to exert pressure on radio companies to secure the kind of programs it wants in order to prevent broadcasting from falling under Government control.

The association's committee on communications made its report public yesterday (Mon.) in a brief. The group did not indicate just how the general public could make its preference felt, but indicated the belief that 'Government is to be kept out of actual management of radio programs' only if the broadcasting companies, guided by public opinion, maintain public confidence.

'Citizens must realize that, in order for a proper condition of balance be achieved and maintained,' said the report, 'they themselves have to be alert, because no one of the three great influences which mould our radio service is in position to be wholly disinterested—neither the so-called pressure groups, nor the proprietors of the stations and networks, nor even the Government agencies.'

## Weber Looks Out For MBS; Nixes 2 NBC Series Bids

Mutual last week rejected the bid of WFIL, Philadelphia, NBC-blue affiliate, as local release for the Gillette-sponsored World Series games this October and designated WIP as the Philly outlet for these broadcasts. Also turned down was WBAL, Baltimore, another NBC-blue affiliate, with the contract for the games going to WCMB, 250-watt in the same town.

Fred Weber, Mutual general manager, in a meeting with station manager last week, declared that it would be Mutual's policy to place the series first with those stations interested in building Mutual. The series would then be added, he added, to outlets in areas where there are no regular Mutual affiliates. The Gillette-station list for the series will total 172 outlets, and this is exclusive of Canada.

Roger Clipp, WFIL manager, made the plea for the games in behalf of his station.

## CHERNIAVSKY'S DOUBLE THREAT; 2 SHOW IDEAS

Josef Cherniavsky, musical director of WLW, Cincinnati, has taken an extended leave of absence from the station to place his original musical show, 'My Lucky Break,' on the market. It was heard by over 100,000 about a year ago, being subsequently discontinued. William Morris office is agenting it.

Cherniavsky is also trying to obtain backing for his legit musical, 'The Golden Rooster Follies' (sic), which he describes as a satire on the various 'Follies' and similar tune-and-girl shows. He left New York for Cincinnati last night (Tuesday), but is due back next week.

### ADAMS ON WOR

Hans Christian Adams, former civilian assistant to the Undersecretary of War in charge of aviation, is the new aviation expert for WOR-Mutual, replacing Charles Kerwood. He will be heard alternate Wednesdays at 10:30-10:45 p.m.

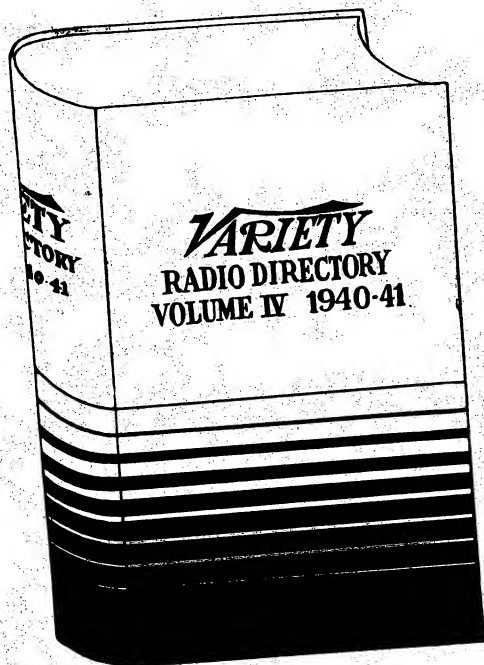
New speller is assistant to the president of the Museum of Natural History, N. Y., and as such has had considerable mine experience, much of it over WOR.

## Sponsored Programs' Starting Dates

(\* Indicates new show or change of sponsor; \*\* indicates switch in product; † indicates change in spot)

ACCOUNT	TIME AND NETWORK	PROGRAM
<b>SEPTEMBER 1</b>		
Chase & Sanborn.....	Sun; 8-8:30 p.m.—NBC Red.....	Chase & Sanborn Hour—Edgar Bergen and Charlie McCarthy, Donald Dickson, Robert Armstrong's Orch.
Andrew Jergens Company.....	Sun; 9-9:15 p.m.—NBC Blue.....	Jergens Journal with Walter Winchell—news comment.
<b>SEPTEMBER 2</b>		
American Economic Foundation.....	M; 9-10 p.m.—special hookup.....	'Wake Up America!'—question-answer forum.
<b>SEPTEMBER 3</b>		
General Foods (Sanka).....	Tu; 9-9:30 p.m.—CBS.....	'We the People.'
Campana.....	T; 8:30-8:55 p.m.—CBS.....	'First Nighter.'
<b>SEPTEMBER 4</b>		
Alka Seltzer.....	W; 8-8:30 p.m.—NBC Blue.....	†'Quiz Kids.'
<b>SEPTEMBER 5</b>		
General Foods (Maxwell House)....	Th; 8-8:30 p.m.—NBC Red.....	'Good News'—Dick Powell, M.C., Fanny (Baby Snooks) Brice, Hanley Stafford, Mary Martin, Meredith Willson's Orch., Don Wilson, announcer.
<b>SEPTEMBER 6</b>		
Miles Laboratories, Inc.....	F; 7:30-8 p.m.—NBC Red.....	'Alec Templeton Time'—Alec Templeton, Pat O'Malley, Ray Noble, chorus.
Acme White Lead and Color Works..	Sat; 11:45-12 noon—NBC Red.....	'Smilin' Ed McConnell'—songs.
<b>SEPTEMBER 9</b>		
Lever Brothers (Lux).....	M; 9-10 p.m.—CBS.....	'Lux Radio Theatre.'
J. B. Williams Co.....	M; 8:30-9 p.m.—NBC Blue.....	'True or False'—quiz program conducted by Dr. Harry Hagen.
<b>SEPTEMBER 10</b>		
American Safety Razor Company....	Tu-Th; 8-8:15 p.m.—Mutual.....	'Wythe Williams.'
<b>SEPTEMBER 12</b>		
Chrysler Corp.....	Th; 9-10 p.m.—CBS.....	'Major Bowes Amateur Hour.'
<b>SEPTEMBER 13</b>		
Nehi.....	F; 10-10:30 p.m.—CBS.....	Ripley 'Believe It or Not.'
<b>SEPTEMBER 15</b>		
Modern Food Process Co.....	Sun; 5:15-5:30 p.m.—NBC Blue.....	'Olivio Santoro — 12-yr.-old boy yodeler.
<b>SEPTEMBER 16</b>		
Procter & Gamble (Teel).....	M; 8-8:30 p.m.—CBS.....	'*Those We Love.'
<b>SEPTEMBER 20</b>		
General Foods.....	F; 8-8:55 p.m.—CBS.....	'Kate Smith Hour.'
<b>SEPTEMBER 21</b>		
Procter & Gamble (Drene).....	Sat; 8-8:30 p.m.—NBC Red.....	'Knickerbocker Playhouse.'
<b>SEPTEMBER 23</b>		
American Home Products.....	M thru F; 12:30-1 p.m.—CBS.....	'Romance of Helen Trent,' 'Our Gal Sunday.'
Brown & Williamson.....	M thru F; 6:30-6:45 p.m.—CBS.....	Paul Sullivan—News.
Cudahy.....	M thru F; 9:15-10 a.m.—CBS.....	'Bachelor's Children.'
<b>SEPTEMBER 24</b>		
Pepsodent Company.....	Tu; 10-10:30 p.m.—NBC Red.....	Variety program featuring Bud Flinn, Skinnay Ennis.
<b>SEPTEMBER 25</b>		
Pet Milk.....	Sat; 9:45-10:15 p.m.—CBS.....	'Saturday Night Serenade.'
<b>SEPTEMBER 29</b>		
International Silver.....	Sun; 6-6:30 p.m.—CBS.....	'Silver Theatre.'
Ford.....	Sun; 9-10 p.m.—CBS.....	Andre Kostelanetz and Lily Pons.
Bowery's.....	Sun; 11:05-11:30 a.m.—CBS.....	'News & Rhythm.'

(Continued on page 38)



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# DEFENSE COM HYPOS SPOT

## RECORD FALL FORESEEN IN CINCINNATI

Cincinnati, Aug. 27. With time sales on the rebound, Cincinnati broadcasters are freely predicting best-ever fall schedules. Local units enjoyed a high-striker upping last week with the opening of the 14-day annual Food Show at the Zoo. Event is Cincinnati's biggest attended of the year, with hundreds of displays by food and home appliance firms, plus free samples and a cooking school that draws 30,000 housewives and offers baskets of groceries and major electric appliances as attendance awards. Start of 16-day racing meet at River Downs also paved way for some added accounts.

WSAI last week began a series of six-a-week quarter-hour. Big Nick transcribed programs for the White Ice Cream Company, to run 13 weeks. Account through the Southern Advertising agency, Louisville. Other new business for this station included Rubel Baking Co., 15 mins. a day during Food Show, sports quiz by Dick Bray, through Frederick W. Ziv agency, local; Quarrie Corp. and John D. Scott water heater, announcements during Food Show; Coal Exposition, agency, Louisville. Sports: Derby Foods, Inc., through Stack Globe agency, Chicago, one announcement daily for 28 days; Hazel Atlas Glass Co., Wheeling, W. Va., one announcement daily for two weeks; H. & S. Pogue Co., department store, three announcements daily for two weeks; Antonio Palaxolo & Co., one announcement daily for 52 weeks.

WKRC signed the Carter Coal Company, through the Ralph H. Jones agency, Cincinnati, for the Sunday night half-hour Hermit's Cave mystery serial, originating on WJR, Detroit, for 26 weeks. Also the Townsend-West Dairy Co., and the Dorsal Flour Co., local, for daily 15-min. programs from the Food Show's cooking school (accounts through the John Bunker and Harry M. Miller agencies, Cincinnati); Falls City Brewing Co., Louisville, one 10 and one 15-min. program daily from River Downs race track; Hollywood Beauty Shop and Burger-Lowenthal, Inc., furriers, two and five minutes of announcements weekly on the station's Woman's Hour series; Townsend-West Dairy, nine minutes weekly on the Economy Kitchen series; F. Koehler Mfg. Co., on nasal filters for hay fever sufferers, five announcements weekly; 25 one-min. transcribed announcements weekly for Friday Magazine, through H. C. Morris & Co., N. Y. C.

WCPO is making six announcements daily for Hudson dealers of Greater Cincinnati on their 1941 models.

Aug. 24 Compared to Aug. 17

Network	Local	National	Total
Units	Units	Spot Units	Units
4,410	8,871	5,339	18,620
4,485	8,163	5,332	17,980
+8%	+8.8%	0.1%	+3.6%

(Included: WKRC, WKRC, WLW, WSAI)

## 'For the Ladies' Back In Mpls. via Records

Minneapolis, Aug. 27. Mary Proal Lindeke's five-a-week 'For the Ladies' series returned to the air over WTCN, Minneapolis-St. Paul yesterday (Monday), but with Miss Lindeke present only through recordings. First five programs are transcribed interviews she had in New York during the summer with Ilka Chase, Joan Blaine, Carmel Snow, Ferde Grofe and Jessica Dragonette.

Series, a 15-minute stanza, was originally conducted by Lady Sylvia Dawson, a British local resident. Upon her death, her daughter, Sylvia, took over and continued until last season, when she returned to England to drive an ambulance. Miss Lindeke replaced her. This is the third year the series has been bankrolled by Minnesota Federal Savings and Loan Assn. Luther Weaver & Associates is the agency.

## Natl. Spot Up 6%, Balto; WBAL Wooing Farmers

Baltimore, Aug. 27. No noticeable change in general setup here with figures rather static. All stations reaching out for sport expected after Labor Day.

Going after rural following in reach of its signal, WBAL has appointed John A. Zuffall ('Happy Johnny'), farm program director. Well known in adjacent agricultural sections via his airings and personal appearances of his hillbilly vocal and instrumental group, 'Happy Johnny and His Gang', Zuffall will inaugurate a series of new programs of interest to the farmer and his family. First of these new shows, 'Breakfast on the Farm', featuring typical music, guest talent, news, information and transcribed interviews with farmers in the vicinity, will start Monday (2) and will utilize weekly strip from 6 to 6:45 a.m. Survey being conducted to determine type of additional program planned to start Sept. 30.

WCAO: Goodyear Tire & Rubber Co., through N. W. Ayer, eight weekly chain breaks; Buick Motors, 26 announcements, via Arthur Kudner.

WCBM: New Mutual program of Wythe Williams, commentator, 15 min. Tuesday and Thursday for American Razor Co.

Aug. 24 Compared to Aug. 17

Network	Local	National	Total
Units	Units	Spot Units	Units
7,135	4,485	2,147	13,767
7,100	4,585	2,028	13,709
+0.5%	-2.1%	+6%	+0.4%

(Included: WBAL, WCAO, WCBM, WJBR)

## KHJ IN LEAD AS L.A. BIZ DIP ENDS

Los Angeles, Aug. 27. Sales promotion forces of rival stations cast envious eyes in the direction of KHJ, which last week stepped out and stirred business out of the slump that hit it a month ago, grabbing off several fat contracts. Other outfits, however, continued in the doldrums, still hopeful that better conditions are ahead.

KFI: Goodyear Tire & Rubber, through N. W. Ayer & Son, Inc., seven announcements; Smart & Final Co., through Heintz Pickering & Co., 39 15-min. programs (Johnny Murray Talks It Over).

KBCA: Hommand Organ Studios, 52 one-min. transcriptions; Ellis E. Patterson campaign, through United Advertising agency, one 15-min. talk and 15 announcements.

KNX: National Funding Corp., through Smith & Bull, Inc., 208 five-min. newscasts; United Bakeries, through Leon Livingston Adv. agency, 10 time signals; Alaska Pacific Salmon Co., through J. William Sheets, 312 participations in Fletcher Wiley combination; S. G. Martinelli & Co., through Brisacher, Davis & Staff, 36 participations in Fletcher Wiley combination; State Agricultural Society, two 100-word announcements; McCloskey Varnish Co., through Heintz Pickering & Co., 24 participations in Sunrise Salute.

(Continued on page 38)

## DETROIT, SEATTLE GET WAR MONEY

Radio's Biggest Year Also Helped by Political Coin and General Business Rise — Web Contracts Strong

### DEPT. STORES

Although many businessmen are complaining that the current upturn in the U. S. economic barometer is largely confined to the durable goods industries, radio has no such squawk coming. Batch of biz reports received by Variety this week shows that at least two cities—Seattle and Detroit—are reaping indirect benefits from war orders, and that this durable-goods type of contract is filtering benefits right down the line to the local retailer who, in turn, throws the coin into radio's lap.

If Seattle and Detroit are representative of other industrial centers, and there is no reason why they shouldn't be, then the broadcasters will no doubt reap a heavy local harvest this autumn, thanks to Hiller.

Political biz is, of course, also strong on the local horizon. But that is a normal expectation in a major election year, and the broadcasters' pulse is no longer being quickened by orders of this type.

More significant than the political haul is a steady—if still weak—influx of department store accounts. This fall, New York broke the department store ranks several weeks ago. This week both Denver and San Francisco bob up with more department store coin. In Denver the May Co. gave KFEL seven participating announcements per day for two years. Meantime, in Frisco, the Hale Bros. store staged its annual shirt sale campaign and used KSFO to the exclusion of the printed media. Results, reported after the sale, indicate that the event was a notable success.

Web biz is still riding its summer keel, which means a relatively low level. But fall contracts are being passed around, and, like all other forms of radio advertising, indicate a huge upbeat is in store for the cool season.

## DETROIT GIRDS FOR WAR ORDERS: UPSWING DUE

Detroit, Aug. 27. Radio biz still at a standstill here, although all classifications except national spot show a slight gain. After other week or two, with Labor Day passed, boys expect sales to shoot skyward in view of heavy National Defense work being done hereabouts.

Aug. 24 Compared to Aug. 17

Network	Local	National	Total
Units	Units	Spot Units	Units
7,367	10,680	4,852	22,879
7,225	10,570	4,663	22,460
+1.9%	+0.8%	-0.2%	+0.9%

(Included: CKLW, WJAB, WJR, WABC, WJL, WSTZ)

## Autos, Notably Buick, Giving N.Y. Spot Biz Terrific Boost

### Ballentine's Classy Pigs Back on S. C. Air

Columbia, S. C., Aug. 27. WIS gets Ballentine Packing back on the station Tuesday (3) after a two months vacation for the account. It will be the 'Ballentine Aristocratic Pigs' again.

Royal Crown Musical Quiz winds up a 13-week cycle tomorrow (28). Allyn Corris conducted the program.

## POLITICS-DEPT. STORE AID FRISCO

San Francisco, Aug. 27. Rush of political accounts filled chinks in station skeels this week. Local elections coming up today (27).

KSFO brightened its corner by finding another chunk in department store armor. Exclusive shirt-sale campaign for Hale Bros. stores carried on through Galen Drake and 'Housewives Protective League' netted enthusiastic letter from the firm agreeing that although annual event always clicks, this year's radio-only plugging sent shirts out of Hale stores in S. F., San Jose, Sacramento and Stockton faster than ever before.

KFRC is cooking up stunts in connection with an outlying grocers convention, while NBC led the vanguard for participation in a merchandising page which will appear Wednesdays in the News (S-H) starting Sept. 4. Local radio personalities will be pictured in ads endorsing various products. Stunt will be interesting check on popularity of various performers, each merchant designating the air fave have to boost his merchandise. NBC attitude that gesture places mikeseters on par with screen luminaries who plug commodities broke down initial resistance to plan in some quarters.

KROW: Hallmark Soap, through Tomaschke-Elliott, five participations weekly in 'Friendly Home-maker', four weeks; Blumert Paint Co., direct, three spots weekly; Remar Baking, through Garfield, five quarter-hour weekly, 26 weeks; Blue Ribbon Books, through Northwest, six five-min. ET's weekly, two weeks; Gardner Nursery, through Northwest, six five-min. ET's weekly, two weeks; Jackson Furniture (or Philips), direct, 12 one-min. ET's weekly, two weeks; Standard Beverages ('Far-T-Pak'), through Emil Reinhardt, 35-word news flashes 70 times weekly, 52 weeks.

Aug. 24 Compared to Aug. 17

Network	Local	National	Total
Units	Units	Spot Units	Units
8,655	4,402	1,988	15,055
8,460	4,737	2,273	15,470
+3.3%	-7%	-12%	-2.6%

(Included: KPBC, KGO, KPFR, KPFO, KMPQ)

Although the bulk of new business elsewhere in the U. S. has lately been in the local category (abetted by political aspirants), New York City is making its greatest headway in the national spot classification. A little political stuff is coming in, but it doesn't add up to much. It's the motor makers and distributors—notably Buick—who came through in the past couple of days to give the national spot picture some autumn hues. The General Motors subsidiary is releasing a spot schedule, and three of the Gotham outlets report that the Kudner agency put them on the list.

WHN: A. Schreter & Sons, Inc. (neckties), 52 weeks of station breaks through Birmingham; Castleman & Pierce; B. C. Remedy, 52 weeks of one-minute participating announcements daily through Charles W. Hoyt; Friday Magazine, 18 participating announcements weekly for a month through C. Morris; Buick, 26 station-break announcements through Arthur Kudner; Hudson Motor Dealers, 13 weeks of participating announcements daily through Brennan Co.; Jean Jorden (Zip), 14 day station break campaign through James R. Flanagan; Roky Theatre, one-week announcement campaign on the film 'Young People' through Kayton-Spiero; Old Country Trotting Assn. (harness racing), six weeks of three-a-day announcements through (Continued on page 36)

## K. C. BIZ AT LOW EBB, BUT FALL LOOKS GOOD

Kansas City, Aug. 27. Biz still on the skids for the week, but outlook improved. Will be few weeks, however, before contracts for fall show up on reports. Political money being assigned rapidly and expected parties will be good source of revenue before November coming day. This expected to be of special benefit to smaller stations which have the local time available.

Network biz is at its lowest ebb of year and looks to remain so for a few weeks.

KCMO: Sweeney Aviation School, six 15-min. newscasts weekly for 26 weeks, placed direct; Sight Brothers Chev. Co., announcement daily for 52 weeks, placed direct; Regent Amusement Co. (Regent Theatre), three 15-min. plano programs weekly for 13 weeks, placed direct.

Aug. 24 Compared to Aug. 17

Network	Local	National	Total
Units	Units	Spot Units	Units
5,690	4,679	6,578	16,945
6,260	4,839	6,814	17,913
-9.1%	-3.3%	-3.4%	-5.5%

(Included: KCMO, KCMO, KCMO, KCMO, WDAF, WJAB)

## KFEL, Denver, Gets Big Religious Contract

Denver, Aug. 27. Religious program sale to the Rev. Harvey H. Springer of the Englewood Baptist Tabernacle, (quarter hour daily for nine months) by KFEL topped the sales for the week. Balance of business for announcements and contracts.

KFEL: May Co. Department store, seven participating announcements daily, two years. Knox Co., Cystech, through Allen C. Smith agency, three announcements daily, six months.

KLZ: Hugh M. Woods Merc. Co., six announcements weekly, one year. Mrs. Tucker's Shortening, through Crook Agency, 52 chain breaks. Hilex Co., through McCord agency, 26 one-minute spots.

KOA: Gamble Stores, through Batten, Barton, Durstine & Osborn agency, four announcements weekly, 52 weeks.

Aug. 24 Compared to Aug. 17

Network	Local	National	Total
Units	Units	Spot Units	Units
8,673	4,041	1,403	12,117
8,638	4,004	1,390	12,032
+0.5%	+0.9%	+0.9%	+0.7%

(Included: KFEL, KLZ, KOA)

## THREE MONTH TREND OF STATION BUSINESS

(For All Markets Regularly Reported by Variety)

NATIONAL SPOT			LOCAL			NETWORK			TOTALS		
Week Ending	Units		Week Ending	Units		Week Ending	Units		Week Ending	Units	
June 8	61,153		June 8	89,536		June 8	93,339		June 8	244,028	
June 15	62,101		June 15	89,130		June 15	93,619		June 15	244,850	
June 22	62,595		June 22	89,996		June 22	94,666		June 22	247,227	
June 29	62,145		June 29	90,375		June 29	90,034		June 29	242,554	
July 6	61,217		July 6	89,334		July 6	92,641		July 6	243,222	
July 13	62,054		July 13	90,015		July 13	89,929		July 13	241,998	
July 20	60,556		July 20	88,582		July 20	85,031		July 20	234,169	
July 27	56,646		July 27	87,309		July 27	87,240		July 27	231,195	
Aug. 3	56,588		Aug. 3	87,745		Aug. 3	87,756		Aug. 3	232,089	
Aug. 10	54,599		Aug. 10	86,147		Aug. 10	87,387		Aug. 10	228,133	
Aug. 17	53,957		Aug. 17	86,836		Aug. 17	87,487		Aug. 17	228,280	
Aug. 24	53,656		Aug. 24	88,330		Aug. 24	87,711		Aug. 24	229,697	



MAXINE

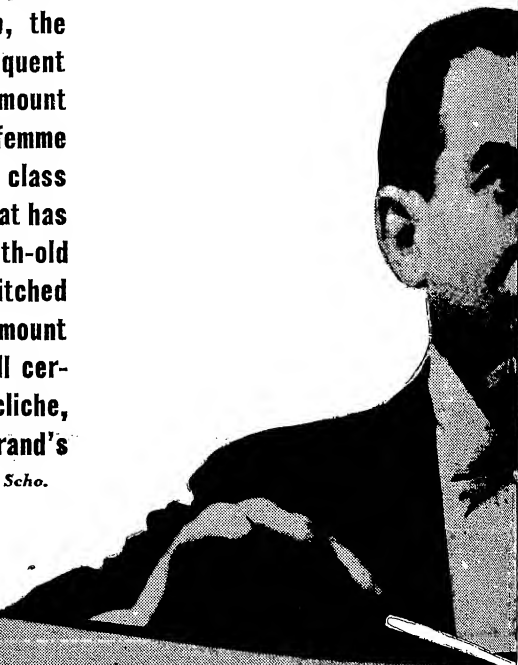


THREE L

*VARIETY* (Aug. 21) STRAND, N. Y.

This is Phil Spitalny's first appearance at WB's pithand flagship, the maestro previously being a frequent repeater at the opposition Paramount down the street, and his all-femme musical gem brings a brand of class and distinction to the Strand that has not been matched in the 20-month-old policy of the house. Spitalny switched over to the Strand when the Paramount booker reputedly failed to fulfill certain promises, and, to repeat a cliché, the Paramount's loss is the Strand's gain. . . .

Scho.



**PHIL SPITALNY**

and his

*Hour of*

*30 girl artists who*

**AMERICA'S FINEST FEMALE ARTISTS  
EACH ONE**





THE WORDS

EVELYN

Now  
**STRAND THEATRE  
NEW YORK**

**\$50,000** FIRST WEEK

**\$44,000** SECOND WEEK

**\$40,000** THIRD WEEK

**HELD OVER  
FOURTH WEEK**



**NINE INSTRUMENTALISTS  
E A STAR**

# London Wining, Dining and Dancing Under Fire Depicted In CBS Pickup

By ABEL GREEN

One of those fortuitous 'breaks,' which have attended radio broadcasts from overseas ever since the Hitler aggressions gave American radio listeners closeups of European conditions, fell to Ed Murrow's lot on this 'London in Wartime' pickup Saturday night. After the announcement had laid the plan for showing sundry facets of London's existence under the blitz, preceded by a gay organist from St. George's Hall, the mike switched to Trafalgar Square with Murrow presiding.

Just as he got on, the metropolis was being subjected to an air-raid alarm and bombing, and excitedly he relayed the coincidental fact. It was 11:30 p.m. in London then, and the fearful sounds of the air-raid sirens and the attendant excitement were picked up. Then followed several stops around London town to show what goes on and how the populace depicts itself under fire. Switching to the swank Hotel Savoy, with CBS announcer Bob Bowman at the mike, he had the chef of the hostelry on the air. The worthy Monsieur, more concerned with the obligations to Escottier than Hitler, gave out with the rather silly observation that the war hasn't affected his food, and while one struggles along with but a choice of either a fish or a meat entree, c'est la guerre, so lip-up-and-stuff and stout-fellah and all that sorta thing. (This presumably was part of the primed libretto without figuring on the untoward advent of the Stukas.)

Then the seriousness and the real dramatic elements of this broadcast proceeded, after, of course, a snatch

of Savoy hotel music, to prove that a semblance of gaiety still exists. (If anything dire ever eventuates, the critics will have this as a record of the fact that maybe the Londoners should not be dancing, dining and winning amid the seriousness of war, but enough transpired thereafter to mitigate that impression.)

Raymond Glendenny of BBC was at an anti-aircraft post and he relayed the air warning signals, military guidings, etc. Larry LeScur was back of a big apartment house in an ARP (Air Raid Precaution, or shelter) to interpret that aspect. Directions for ambulances by feminine and masculine voices of the home-defense corps were relayed, indicating emergency calls that seemingly attend all blackouts. Then for a change of pace again to the Hammersmith Palais, mass-capacity dancehall where Eric Severid was at a portable mike to show the London proletariat on the hoof was still insouciant. It's the biggest dance place. London and 15,000 attendance was claimed. Severid gave an interesting sidelight that the soldiers on leave took off their boots at the door and donned dancing pumps, loaned them by the Hammersmith Palais.

Vincent Sheehan, on a balcony of the Piccadilly hotel overlooking Piccadilly Circus, described the Times Square of London after an air-raid warning; another pickup was from a railroad terminus; and, for the finale, J. B. Priestley, the author, ended on a wistful note that this was a severe week for London; that he hoped—soon—the Londoners would look up into the skies and

see more than the anti-aircraft balloons; that London might, one Sabbath, find that the Sunday that followed was to be a peaceful day.

If the intent of this program was to interpret London's do-it-yourself behaviorism under fire it was an excellent laboratory job. The long-range view of London in closeup must command respect for the morale and sturdiness of its people. Considering how terrorizing are the sounds of those sirens, percolating through 3,000 miles of stratosphere, the stoutest imagination can conjure up how terrifying must be the war of nerves right on the scene of action. What the man-in-the-street in America says today about England—that she will emerge an even Greater Britain—is given sturdy support by a 30-minute radio transcript of this nature.

**ROBERT E. SHERWOOD**  
With Clarence K. Streit, William L. Marston  
**'Union Now'**  
15 Mins.  
FEDERAL UNION, INC.  
Mon.-Wed. Fri., 8 p.m.  
WMCA, New York  
(Sternefeld-Godley)

Robert E. Sherwood, Pulitzer Prize playwright and surreptitious song-and-dance man, made one of his rare radio appearances Monday night (26) to plead a cause in which he obviously believes strongly, Clarence K. Streit's crusade to weld all the remaining democracies of the world in a 'Union Now.' It was the first of a series of lectures sponsored by Federal Union, Inc. Dramatist had made an aggressive talk along somewhat parallel lines the preceding night (Sunday) over a Canadian Broadcasting Co. hookup from New York, but it was not heard in the U.S. He has also been making a number of lecture appearances lately to urge that help be England and speedily defense for America.

Known for his shyness and reserve, Sherwood can obviously be shaken out of those qualities when aroused, as he is plainly aroused now at what he regards as a crisis for democracy and freedom everywhere. Not attempting any of the tricks of expression or emphasis that a trained actor might use, he nevertheless achieves by sincerity and rarity an impressive degree of conviction. And with a great deal of material to crowd into the time available, he stokes through his forcefully-written script with only a few mis-enunciations. His service in the Canadian Black Watch during the first World War was mentioned in the introduction.

Following Sherwood was the originator and sponsor of the Union Now movement, Streit, whom Sherwood introduced as a former N. Y. Times correspondent at the League of Nations. He took up the argument where Sherwood had left off, and obviously trying to cram a maximum of material into the time, rather than linger for histrionics. Like Sherwood, he decided to scare his listeners with accounts of Nazi espionage or 'fifth column' activity in the U.S., or of our vulnerability to invasion if England is quickly overrun.

Announcer on the show was William L. Marston, radio advisor for the 'Union Now' drive, who appealed for contributions. Choral rendition of 'The rendition of "The Battle Hymn of the Republic" was used as the musical signature.

Programs are to be recorded and rebroadcast to South America and Europe via short-wave over WRUL, Boston.

**IDA BAILEY ALLEN**  
With Charles Fremma, Bob Carter  
Home Economics, Singing  
30 Mins.  
Dime Savings Bank of B'klyn  
Mon. through Sat., 11 a.m.  
WMCA, New York

Ida Bailey Allen, who has authored three books to tell housewives how to cook, how to save money cooking, and how to save time cooking, is back on WMCA with a half-hour program aimed strictly at the kitchen. WMCA means to make this a co-op commercial, with five sponsors the limit, but only the Dime Savings Bank of Brooklyn was included in the plugs of the initial broadcast (26).

Miss Allen is an experienced hand at this type of stuff; also a convincing, if high-pitched, talker. With her is Charles Fremma, tenor who is also classified as a gourmet. You can almost see his eyes pop with delight as Miss Bailey rattles off a dinner menu; he also sang "Smile" nicely this broadcast, and told the ladies the proper pronunciation of hors d'oeuvres.

A good part of this show's opening was taken up by a long spiel first by Bob Carter, announcer, defining its purpose, and then by Miss Bailey with virtually the same thing, only in different words. A couple of south-of-the-border guests, who spoke about food for good relationship between the U.S. and Latin America, were also included. This left little time for recipes, hints on cooking, etc., but the promise is there for an okay show for housewives.

Dime Savings Bank plugs were neat and brief. Sch.

**'ALL GOD'S CHILDREN'**  
With Paul Robeson, Eddie Green, Amanda Randolph, Eva Jessye  
Choir, Mark Warnow Orch.  
30 Mins.  
CBS FORECAST No. 12  
Monday, 9 p.m.  
WABC-CBS, New York

For a single program this symbolic musical satire-in-blackface of Christopher Columbus' discovery of America was an imaginative and interesting show, with a few genuinely impressive moments. However, it seemed a doubtful prospect for a series under commercial auspices.

Program itself used the by-now familiar, but still intriguing idea of blackface spoofing of a standard critical formula, such as 'Hot Mikado,' or of established religious belief, as in 'Green Pastures.' In this case, 'All God's Children' were the American Indians before the coming of Columbus, with Paul Robeson as Mr. Head Man running the shebang as chairman of a mock board of directors. Eddie Green was his comically-plaintive self as a seafaring Columbus, and the whole thing wound up with the Earl Robinson-John Latouche 'Ballad for Americans.'

Principal flaw was that the many and diffuse elements were not compressed into a clear theme. Writing was occasionally forceful and vivid, at other times vague and meandering. Production was superb, with Mark Warnow blending the orchestra and the Eva Jessye Choir into melodious background, and Phil Cohan's direction drew expressive performances from the cast.

As always, Robeson turned in a powerful singing and dramatic performance, with Green clicking with his usual comedy. Book was written by John Whedon, John Tucker Bates and George Pal, set with original music by Earl Robinson.

Hobs.

**'I FOLLOW THE SEALS'**  
With Ed Gardner, Beatrice Kay  
Columbia Workshop  
Sustaining  
30 Mins.  
Sunday, 8:30 p.m.  
WABC-CBS, New York

Anecdote of the heyday of vaudeville, written by Al Rinker, ex of the footlights, and Anna Marie Ewing, made occasionally state Workshop listening Sunday (25), but the whole told a convincing and entertaining story. Script rated a nod in that it was a department store mental, but rather old-fashioned theme and various events to drive home the poignant plight of vaudeville and its acrobats, animal acts, singers, etc. The simple tell-it-as-it-is method, reminding of ex-partners in a disbanded turn combined sentiment enough.

Program, run off in flashback style as the two men, the more discussed old times over a luncheon, occasionally slipped into a slow and colorless pace. On the other hand, the finale, which the one who all through the half hour has been bragging about his terrific work and 'important connections on the Coast,' clearly defined the fight and futile hope of people who no longer and things rosy.

As the dialog flashed back to distant events, clear pictures of being stranded by an absconding road manager, fighting for touring, rehearsals, and other happenings were drawn. Names and places, a great many of which are still familiar, were run into the script. Those familiar with the scene must have done some reminiscing of their own. Beatrice Kay, as the American born French singer who reveals her light when riled, and who 'followed the seals' and Ed Gardner as the braggart ex, turned in good jobs. Each gave an understanding lift to their role.

**'THE DYNASTS'**  
With Henry Arley, Arthur Evans, Alex McCrindle, Sister Murray, H. O. Nicholas, F. Bellamy  
45 Mins.  
BBC, London

Thomas Hardy's versical treatment of the rout of Napoleon, when in Hitler's position today, carried its own timely significance. Although rating more as an intellectual prize than of mere good listening, it has reached its objective in backstiffening its chosen audience, so the more (Continued on page 55)

**'BETHEL MERRIDAY'**  
With Margaret Sullivan, Howard Da Silva, Byron King  
30 Mins.  
CBS FORECAST No. 13  
Monday, 9:30 p.m.  
WABC-CBS, New York

Sincere, low-key backstage best-seller, 'Bethel Merriday' by Alexander Korda holds the screen rights, provided the basis for this sample capsule of a dramatic series for possible new sponsorship. As offered Monday night (26), it was in the usual pattern of the more pretentious dramatic serials.

Question is whether such a denarily show-business story would have sufficiently broad appeal to attract a national backer. That would appear to depend to a great extent on the adaptation, which in this case merely skimmed the surface of the heroine's character, and the cast. On the latter—Margaret Sullivan would seem an ideal choice, not only on performance, but on her name alone. Announced at the close of the program that such a series would continue the story beyond the end of the novel.

Method of presentation employed for this stanza was narrative by 'Doc' Keezer, a vet character actor and mentor of young Bethel, then fading into straight dramatization. Original story was altered slightly for adaptation, apparently for easier understanding and clarity. Writing was thin at times, but contained a few genuinely affecting moments.

Miss Sullivan's familiar quality of breathless intensity was distinctly evident, in some instances a trifle overdone, but her dramatic scenes were excellent. In her hands, Bethel was a tremendously attractive youngster about her stage mania, despite her total lack of experience in the theatre. Howard Da Silva, who plays a fast that is tough guy, who parts on Broadway in recent seasons was uneven as 'Doc,' being stilted in some scenes, but quietly persuasive in the dramatic moments with Miss Sullivan.

Norman Corwin's direction was deftly paced, while the musical bridging by Wilbur Hatch was unobtrusively effective. Script was written by Helen Deutsch, writer and former legit pa. Hobs.

**'BREAKFAST WITH BAMBERG-ER'S BASEMENT'**  
30 Mins.  
BAMBERG-ER'S DEPT. STORE  
Mon.-Sat., 7:30 a.m.  
WNEW, New York

As one of the first practical tests of a new department store advertisement, this 'Breakfast with Bamberg-er's Basement' series six days weekly will be watched carefully by the trade. Based on the idea of the morning, that no special bargains or come-ons are offered, and that the store will not otherwise advertise the particular merchandise plugged in the program, it is designed to enhance the value of the test. Certainly those angles, plus the fact that the broadcasts are over a New York City station, whereas the Newark store's ads are naturally concentrated in the Newark papers, put it up to radio the hard way.

Of course only the rashest of crystal-gazers could venture to predict the specific sales pull of any program as compared to newspaper space, particularly at such an early hour of the day. But purely from an entertainment standpoint, especially considering the outlay involved (reportedly about \$620 a week, including time charges), 'Breakfast' is a lively, diversified show of broad listener appeal and likely to prove a potent attention-getter for the sponsor. Results in comparison to newspaper space may be strongly affected by all sorts of complex factors, including the kind of merchandise plugged via each medium and the kind of copy used.

Bulk of the program is transcribed music (including recordings of 'Spotlights' by name bands or singers), with Dennis James providing intros, weather predictions, time reports and chatter, and John Flora reading AP news briefs. There are two main commercials, which combine institutional copy with blurbs for specific articles of merchandise. On the show caught—Saturday (24)—the items were men's cotton and rayon socks at 9c a pair and women's cotton house dresses at 49c each. Recorded theme is a quartet rendition of a tune titled about 'Spotlights Coming Down in Bamberg-er's Bargain Basement.' Hobs.

## PITTSBURGH has moved to Southern California!



It's a big, extra market... all yours on KNX!

SEEMS that people just can't wait to come to Southern California and take their place in the sun!

In the past ten years 784,163 men, women, and children—more people than live in the great city of Pittsburgh—have moved into this land of plenty!

Here, with three million other people, these new Southern Californians have more, earn more, and spend more! They are finding better living in one of the richest per capita markets in the nation!

It's a golden harvest for you, too.

And to reap it at its full—there's no surer, quicker, more economical way than KNX-Los Angeles. For 98% of these people live and shop and spend their money within the primary coverage area of KNX. And according to every competent audience study—more people listen to KNX, during more quarter-hours, than to any other Los Angeles station!

**KNX-LOS ANGELES**  
50,000 WATTS

COLUMBIA'S STATION FOR ALL SOUTHERN CALIFORNIA OWNED AND OPERATED BY THE COLUMBIA BROADCASTING SYSTEM Represented by RADIO SALES: New York, Chicago, Detroit, Charlotte, N.C., San Francisco

## When Beds Need Sheets

**WBNS**

**WAKENS SLEEPY BUYERS**

**WBNS** Central Ohio's Only CBS Outlet

JOHN BLAIR & CO. Representatives



## Radio Followup

Johannes Steel, who has unleashed a couple of mild stations on his New York, from time to time, scored a juicy bet Monday night (26) by getting Pierre Cot, French Minister of Aviation until the Reynaud cabinet's fall, to the mike for an interview before newspapermen or rival broadcasters could get to him. Cot had arrived in New York earlier in the day, coming by way of Canada. Former air official expressed some provocative views and offered considerable enlightenment on what may have been behind the fiasco of Flanders. However, even he didn't pretend to know all the answers. Had a strong, although not unintelligible accent, which, with Steel's own distinctive manner of speaking, provided a field day for lingual gumshoes.

Sonia Henie played a benefit for the Government Friday night (23) over WOR-Mutual, being the interviewee in a 'demonstration' of alien registration. Earl Harrison, of the Department of Justice, asked questions from the form, went through the audible motions of writing down the answers and did a bit of innocuous chatting. Actress-skater's personality and the context of the ozone, but her more-noticeable-than-usual accent and odd inflection revealed the absence of rehearsal or direction. Whoever wrote the script had inserted a few mild laughs, all of which evaporated in performance. Spiel was stilted, but probably effective for the educational purpose intended.

Bob Hawk's 'Take It or Leave It' Sunday nights is one of the fastest half-hours on the air. Now, with the speed-up via a blackboard system, the 30 minutes fly by. Instead of wasting time by audibly reprising the subjects the contestants may discuss, now they're enumerated on a blackboard and the contestant, by the time he or she reaches the mike, has already decided on what to talk about. Hawk is a bit fresh at times, but his al fresco manner, albeit a bit unorthodox in comparison to radio's heretofore circumspect manner of treating the customer always 'right,' is a relief. In fact, this may keynote the humanizing factor in 1940 radio.

'Uncle Ezra's Radio Station' (Camel) packs so much quaintness that the characters frequently take on the aspect of caricatures. If intended as such it's a job well done. Program is on the NBC-red, following the WLS Barn Dance. Last Saturday night's (24) installment produced a motley mixture of hick dialects, with the patter and songs emphasizing, as usual, backwoods nostalgia. Accompanied by the organ, the choir delivered 'O, Promis Me' and 'Silver Threads Among the Gold,' and two a.k. characters, in quavering, high-pitched voices, posing as celebrating their golden wedding anniversary, dished out a mess of platitudes on successful marriage. It's Camel's way of bringing the culture of the higher-priced cig to the rocking-chair clan.

**GENE & SYRACUSE**  
With Gene O'Haire  
Comedy  
15 Mins.

**PAUL CANDY**  
7:45 P.M., Mon. to Sat.  
WGY, Schenectady

(Platt & Forbes)

Gene O'Haire, broadcaster in many roles over the years, is double-voicing here with a Negro character that's an offshoot of Jack Benny's 'Rochester.' He has built 'Syracuse' on this and other earlier quarter-hour (for Griffin shoe polish) into a definite air personality.

Comedy naturally is not as socko as that handed to and delivered by Eddie Anderson ('Rochester'), but considering fact O'Haire writes his own dialog for 12 broadcasts weekly, and does Negro as well as straight part, it's an above average local mike contribution.

O'Haire not only handles humorous exchanges, but number announcing, advertising and time checks. 'Syracuse' is employed for some plays and time tabs. Between the two blocks and after a news period, O'Haire has a 10-minute sports-music spot for Bond Clothes. (Bob Hope uses a 'Syracuse' as a colored aide in 'The Ghost Breakers' film.) Jaco.

**IN BALTIMORE**  
**ITS WEBB**  
NATIONAL REPRESENTATIVES  
**EDWARD PETRY & CO.**  
ON THE NBC RED NETWORK

**RHYTHM RIDERS**  
With Judy Allen  
**ALPEN BRAU BEER**  
Mon.-Fri. 10:30 p.m.  
KMBC, Kansas City

One of the few programs aired over this station for a beer sponsor features a quarter-hour of modern and established pop songs by the station's versatile Rhythm Riders. They provide a listenable evening tidbit.

Highlight of the nightly music is a vocal by Judy Allen, newcomer to the station, whose only air singing chore is a solo on this program. Though a youngster of 18, Miss Allen has had some singing experience as Betty Lee Eecher at KOAM, Pittsburg, Kans., and is off to a good start at KMBC backed by this veteran instrumental quartet. She is best on romantic ballads. Like Bonnie King (now with Bob Crosby's band), whom she replaces, Miss Allen sings without formal voice training, but looks a good bet to get a steady dial following.

The Rhythm Riders are one of the station's three long established ensembles and make up a versatile group with Andy Anderson at piano, Roy Hudgens doubling on clarinet and violin, Val Tatham, guitar, and Howard Smith, on brass and string bass. Group is well equipped for solo vocals or as a quartet. Quin.

**'THIS IS MY LAND'**  
With Lowell MacMillan, Arabella Sparnon, Jerry Vogt, Gerald Inghram, Connie Gage, Rochester Community Choir  
15 Mins.  
Sustaining  
Saturday, 1 p.m.  
WABC-CBS, New York.

New Series 'conceived and written' by Charlotte Evans 'portrays the simple, small things which add to a total of friendliness and democracy... the humanness and humor expressed in American classic, church and folk music.' Produced and originated at WHEC, Rochester (N. Y.) outlet of CBS. Initial program was pumped to the regular network, but subsequent editions are scheduled to exclude WABC, New York.

Except for the musical theme, the show follows the billing. 'Classic, church and folk music' on the debut stanza Saturday (24) included 'Here in the Velvet Night,' 'Deep River' and 'Oh Beautiful,' with in-between poetic spiffs about such 'simple, small things' as sunlight, stars, wind, rain, trees, flowers, snow-covered mountains, birds, bees, etc. But for some reason not apparent, the theme is the familiar 'Finlandia' anthem from the Sibelius tone poem of that title. Composition is admittedly one of the most impressive and moving of its kind, but its use on a program of native American flavor seems inexplicable. Otherwise the stanza is

**THE WOMAN'S WORLD**  
Fashions, Foods, Homemaking  
15 Mins.  
**BLUE PLATE MAYONNAISE**  
WBT, Charlotte

Mary Davant covers all subjects of interest to a feminine audience from dentifrice to dresses, weaving in commercials with sugar-coated smoothness. Talk on new hair styles leads into wave set commercial. Show caught carried only one sponsor, whose plug on mayonnaise was blended with a cheerful salad suggestion.

Miss Davant's diction is listenable, but her voice lacks verve. Continuity is well-worded, but long silences between new items mentioned and frequent apologies for selection of subjects call for need to tighten this offering into a more closely-knit pattern. The idea is good and with proper trimming should have popular life.

Most of program's appeal lies in variety of news covered. History of old southern families, fashion forecasts, diets and menu suggestions make this an okay morning spot for femme listeners. Just.

tuneless, varied and fairly appealing. Talent includes Lowell MacMillan, narrator; Arabella Sparnon, harpist; Jerry Vogt, organist; Gerald Inghram, baritone; Connie Gage, mezzo-soprano and the Rochester Community Chorus. Ken Sparnon directs. Hobe.

**'HIPPODROME MEMORIES'**  
With Sylvia Welling, Doris Hale, Morgan Davis, Horace Percival  
55 Mins.  
BBC, London

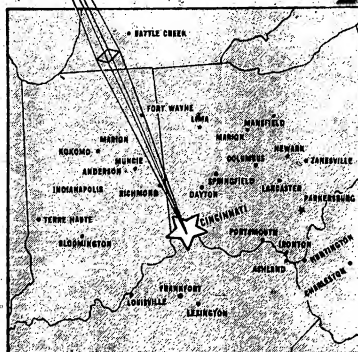
Set for a dual telling, these stanza covered growth of the Hippodrome to 25 and must've provided sentimental tonic to Londoners, though script's patterned make, and overlength rather hogged down the expected sparkle. With a large cast to sustain idea of passing years and personalities, average listener might've been more impressed—them Hippodrome's just a theatre. Circus origin of the Edward Mo house was handled surprisingly well considering handicap of radio. Morris Harvey on the narration drew credit for making it stick. De Couville's producing session, and Broadway trips for such shows, 'Hello Ragtime,' cued Doris Hale into tunes including the old 'Wedding Glide.' Sylvia Welling reprises 'Memories of the Period,' and the picked stuff out of 'Mercurial Mary,' 'Sonny,' 'Leap Year.' Show closed with 'Hit the Deck.'

Four voices to cover 25 years of a stage and a lineup of stars is a tough assignment. Doris Hale merits praise for a job calling on plenty versatility to keep from an obvious rut. Choral and orchestral touch was made little use of outside backing. Could have meant color and a rest for the vocal end.

# WLW IS A 'BUY'-WORD IN PARKERSBURG

It's a 'buy'-word among Parkersburg people because they listen regularly to The Nation's Station and are naturally partial to the products they hear advertised on it. And it's a 'buy'-word among manufacturers with goods to sell in Parkersburg and a 'buy'-word among manufacturers, merchants and consumers in the more than a score of other rich trading centers.

REPRESENTATIVE: NEW YORK-  
TRANSAMERICAN BROADCASTING &  
TELEVISION CORP., CHICAGO—  
WLW, 220 N. MICHIGAN AVE.



**PARKERSBURG, W. VA.**

Four and one-half hours from Cincinnati by train but  
15 minutes by WLW.

Population, 1930	28,823
Wholesale Sales, 1939	\$14,279,000*
Wholesale Sales, 1939	\$10,011,000*
Per Cent of Nation's Buying Power	.0671%
(Trading area)	
Radio Homes, 1939 (Weed County)	13,470

\*Estimated by SALES MANAGEMENT.

**WLW** THE NATION'S  
most Merchandise-able  
STATION

**Pittsburgh**—Pierre Paulin and Bob Merryman have been added to KDKA's announcing staff. Both are

Gene Gresham leaves sales and promotion department at KCKN to

**Philadelphia.** — William Jewett, former press agent for the Robin Hood Dell and onetime newspaperman, now in charge of the public relations department of WFIL.

Women's clubs, schools and businessmen groups will be his audiences.

A cat was made to purr for a recording and when it was replayed it sounded like an outboard motorboat.

Move is part of a deal merging the managements of the News-Leader and the Richmond Times-Dispatch, which owns and operates WRDZ. Understood that WRNL will take over most of the WRDZ employees and enlarge the former's present quarters. Also that Ed Whitlock, WRNL manager, and Mallory Freeman, WRNL program manager, will head the new setup. WRNL is on 880 k.c., while WRDZ has been operated on 590 k.c.

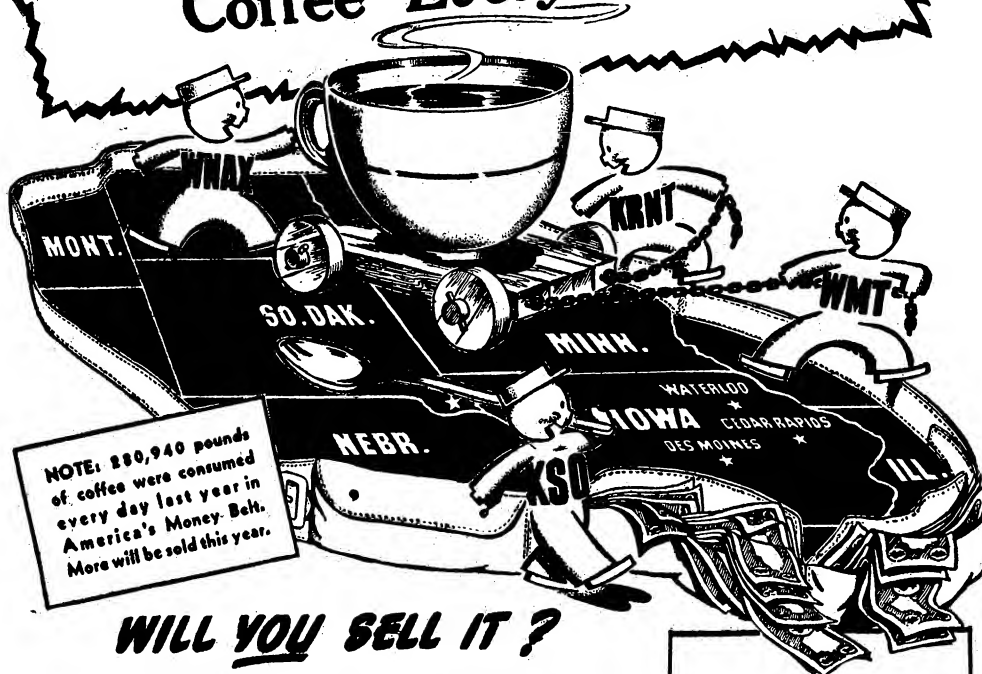
## WTMJ HUSTLES TO BE NEUTRAL

All other programs for the night are being juggled around to handle the situation satisfactorily for every-

He's been with NBC since 1937.

**WBAL**  
means business  
in Baltimore

**WANTED** ..in "America's Money Belt"  
280,940 Pounds of  
Coffee Every Day!



\* There are now 20,630 coffee outlets in "America's Money Belt."

Canned Fish .....	\$ 10,188,579.30
All Cereals .....	21,396,016.64
Canned Milk .....	27,370,565.09
Bread .....	185,643,789.87
Flour .....	64,453,291.52
Shortenings (Vegetable and salad oils) (Not including lard)	31,209,919.20
All Perfumes, Cosmetics	17,215,412.46
All Soaps .....	39,197,765.40
All Canned Fruit and Vegetables.....	47,731,971.21
Tobacco .....	85,649,799.31

**The Cowles Stations**  
**WMT** ★ **KRNT** ★ **KSO** ★ **WNAX**  
 LEAD RAPIDS WATERLOO DES MOINES DES MOINES SIOUX CITY

**Affiliated with THE REGISTER AND TRIBUNE, Des Moines, Iowa**

Represented Nationally by THE KATZ AGENCY





**Walter Winchell, July 17:** "NEW YORKCHIDS. The Raymond Paige-Frankie Hyers-Albert Spalding 'Battle of Music' on CBS."

**July 21:** "That 'Forecast' with Raymond Paige, Albert Spalding and Frankie Hyers was top-notch."

**BIRMINGHAM (ALA.) NEWS.** Turner Jordan. "CBS Forecast was a humdinger, especially the first half. This consisted of Raymond Paige's 'Battle of Music' with the classical music pitted against jazz. Raymond Paige can still get music, any kind, out of his aggregation."

**N. Y. DAILY MIRROR.** Nick Kenny. "Raymond Paige's 'Battle of Music,' sure-fire hit!"

**CLEVELAND PLAIN DEALER.** Robert Stephan. "I enjoyed especially Raymond Paige's 'Battle of Music.'"

**MEMPHIS COMMERCIAL AP.** PEAL. Robert Gray. "Forecast series Monday night was something to get excited about. The idea of comparing swing and classical music side by side, as presented by experts, was especially effective. It was a revelation to hear, for the first time, a swing band and a symphony orchestra playing together Beethoven's 'Fifth'."

**LINCOLN (NEB.) JOURNAL STAR.** Bruce Nicoll. "That was a brilliant piece of production Columbia presented in the first of the much-heralded 'Forecast' series. We particularly enjoyed 'The Battle of Music' featuring Raymond Paige's orchestra. It is to be hoped that CBS will bring 'Battle of Music' back on this series for a much-deserved encore."

forecast shows heard to date, Raymond Paige's 'Battle of Music' has excited the most favorable comment as commercial listening."

**N. Y. DAILY NEWS.** Sid Shalit. "Raymond Paige's 'Battle of Music,' involving such diverse combatants as concert violinist Albert Spalding and hot-strings man Joe Venuti rang the bell. Throughout, Paige's astute direction kept the musical portion interesting enough for sponsorial consideration."

**PITTSBURGH PRESS.** St. Steinhauser. "The which reminds us to his compliment Raymond Paige for his swell half hour of last Monday's 'Forecast'. Conducting a symphony and a swing band on the same program is quite a feat, but Raymond did it masterfully. Not every musician can change moods so quickly or accurately as did Raymond."

**DES MOINES TRIBUNE.** Mary Little. "Raymond Paige certainly demonstrated his own versatility, and that of his orchestra, during the 'Battle of Music' on the new super production, 'Forecast'. The whole made for smart entertainment and smacked of a jam session breaking in on Carnegie Hall."

**PITTSBURGH POST-DISPATCH.** Vincent Johnson. "A concert orchestra played Brahms and a dance band played what was to be expected. Then Paige put the orchestra through Temptation-type burlesque of the Beethoven Fifth Symphony that brought chuckles from the long-hairs."

**VARIETY, July 17.** "The Battle of Music' formula was concocted by Raymond Paige and its choice by CBS as lead-off program in the series may underscore a conviction—and plausible—that it's the most readily sellable package of the fourteen programs comprising Forecast. . . . It allows Paige to pivot on the podium, now directing the fine music stuff, and then the melody-destroyers."

**NEWARK STAR EAGLE.** Jack Shafer. "CBS put a 70-piece band at the disposal of Raymond Paige, added violinists Albert Spalding and Joe Venuti, tossed in singers Gordon Gifford and Fredda Gibson, topped off the combination with a clever script—then stirred well and called the resultant dish 'The Battle of Music'. It turned out to be a tasty item on the entertainment bill of fare."

**UNION, SPRINGFIELD, MASS.** Henry P. Lewis. "Radio never offered better entertainment. . . . The Battle of Music' was particularly outstanding. . . . Raymond Paige's orchestra—there were really two of them—provided an amazing picture of the two major divisions of music."

**BRIDGEPORT (CONN.) POST.** Rocky Clark. "Raymond Paige had his hands full with both the symphony and swing orchestra to conduct—but he handled the two-fold task magnificently. Performance of Beethoven's Fifth Symphony, with 'hot licks,' was something that should have been recorded for posterity. It was one of the cleverest musical arrangements we have ever experienced."

**DAYTON (O.) NEWS.** Chuck Gay. "To one who sometimes feels as if he had heard everything—that the best programs have already been presented—that nothing is new over the air, this show was a surprise, a delightful and dynamic piece of radio entertainment. But the climax of the entire program, a portion that was filled with a musical thrill a minute, was the Paige arrangement and rendition of Beethoven's Fifth Symphony—with variations. 'The Battle of Music' was definitely and decidedly delightful dialing."

**BILLBOARD.** "Forecast, debuted with a top-notch offering, 'The Battle of Music'. Presentation by Raymond Paige was strictly sock."

**TOLEDO (O.) BLADE.** Richard Phelan. "Truthfully, we found plenty of entertainment in this phoney half hour."

**AKRON BEACON JOURNAL.** Dorothy Doran. "Raymond Paige's 'Battle of Music' made interesting listening last night."

**NEWSWEEK.** "The Battle of Music' carried away the honors."

**RADIO DAILY.** "Outstanding on the initial airing was Raymond Paige, who led a symphony orchestra and a swing band with equal ease, that made the first half hour shine. The handling of the difficult musical selections was extremely adept, and Paige easily revealed why he is one of radio's top maestri."

Raymond Paige, the Best knockout in the Radio field, now for Reed Radio entertainment always. This program will. . . .

RAYMOND PAIGE'S "BATTLE OF MUSIC" WAS THE NUMBER ONE PRESENTATION ON THE NEW CBS SERIES "FORECAST" AND WAS BROADCAST OVER A COAST-TO-COAST NETWORK JULY 15  
INFORMATION AND RECORDS MAY BE OBTAINED FROM THE CBS PROGRAM SERVICE DEPARTMENT

## L.A. Dailies Ban Radio, Hail Tele As News; W6XAO Stunts Grab Space

Los Angeles, Aug. 27. Although editors of Los Angeles and Hollywood dailies, who closed their columns to ordinary radio two years ago, are still hewing to the letter of their ban, they have suddenly assumed the attitude that television is news and are treating it as such. Result is that exploitable vision stunts are grabbing off generous helpings of free space in this area.

Lowering of the bars has resulted in a field day for Mark Finley, public relations director for the Don Lee Broadcasting System (Mutual), which also owns tele transmitter W6XAO. With NBC's Coast see-hear unit shuttered for the summer, the Lee telecaster is the only combo outfit on the air in Southern California.

Finley discovered the open-door policy of the newspapers toward tele five weeks ago, when he started planting yarns about W6XAO's switchover from a 441-line to a 525-line transmitter, and lost no time giving the dailies things to write about. He got fat breaks on the inauguration of the boost, so he urged Harry Lubcke, director of television, and his staff, consisting of Wilbur Thorpe, Bill Klein, Harold Jury, Robert Pitzer and Gilbert Wyland, to get busy on stunts.

Elsa Maxwell staged and appeared in the show that teed off the 525-line, followed a few nights later by the tele marriage of Marian Fadel-Ford and Will Hazen. Next came an army recruiting program, when tinner-inners watched U. S. Army officers swear in 10 recruits. Other exploitation angles are now being set to make a continuance of the news-space grabbing possible.

W6XAO is now on a 14½-hour weekly sked, which is being maintained through the interspersing of film with live talent. In addition, pickups are being made with portable equipment from remote spots on special events. These include Sunday baseball games, rodeos, soap box derbies and the regular Friday and Monday night Legion Stadium fights and wrestling bouts.

It is estimated that there are 500 tele receivers within range of the Lee station.

## RENEWALS PILE UP WITH NBC

Chicago, Aug. 27.

NBC offices here stuffed a dock of time renewals in the files last week. Russel Seeds agency renewed the Wednesday 7:30-8 p.m. time on NBC-Red for Brown & Williamson's 'Plantation Party' show for Bugler tobacco. Renewal goes into effect Sept. 25.

Ruthrauff & Ryan agency inked for continuation of the 4-4:15 daytime strip on NBC-Red for the 'Girl Alone' serial for Quaker Oats as of Sept. 23. Pepsodent will continue the Bob Hope Tuesday half-hour at 9 p.m. on the NBC-Red as of Sept. 24. Network will be expanded an additional outlet, with the pick-up of WSPD, Toledo. Lord & Thomas agency here handled the details.

Wade agency renewed the Friday 9:30 p.m. NBC-Red half-hour for continuation of the Alec Templeton show for Alka-Seltzer, effective Sept. 6. For the same account the agency has bought an NBC-Blue web of 45 stations, taking Wednesdays at 7-7:30 p.m. for the Quiz Kids show which was used as summer replacement for the Templeton program.

## KLZ, Denver, Fetes 20th Anni and Power Boost

Denver, Aug. 27.

KLZ went on an anniversary and enlargement spree at the same time, celebrating its 20th year on the air under the same call letters, and boosting its coverage area by a third and increasing its wattage to 5,000 watts. Around \$75,000 was spent in land, equipment and labor for the increase in power, the station buying 40 acres in order to add a second 444-foot tower, giving the station a directional antenna.

The events were celebrated publicly with an hour dedicatory broadcast, with the entire staff, from owner E. K. Gaylord and F. W. Meyer, station manager, down, participating.

## BBC's Femme Orch Idea To Replace Men Cold

London, Aug. 13.

Idea of an all-femme dance orchestra projected by BBC, when it seemed their male fixture would be reduced by military draft, is no longer a thing of joy to 25 girls picked and auditioned. Radio tops found bandmen were not yet being called for war service, so tossed the ladies.

Jack Hylton, prominent orchestra leader, may still prove their special beau. He was associated with plan and picked the instrumentalists. Deal is pending whereby Hylton takes unit over—perhaps to use in some of his roadshows—and leased to BBC when need comes.

## EXPOSING 5TH COLUMN

Albert Brandt, Refugee, Conducting New WMCA Program

Exposing of fifth column activities in the United States, with names, dates and events, is the basis of a new program tagged 'Trojan Horses' which started on WMCA, New York, last night (Tuesday). Albert Brandt, a Nazi refugee since the early part of Hitler's reign, will do the naming and date calling. There's supposed to be a Nazi price on his head. With Dorothy Thompson as collaborator, he wrote the book 'Assault on Civilization.'

Program is to air twice weekly, Tuesday and Thursday 8:15-8:30 p.m.

## NO DECISION MADE ON CAN. NEWSCASTING

Montreal, Aug. 27.

Meeting of the Board of Governors of the Canadian Broadcasting Corp. here Aug. 20 at Ottawa to solve newscasting problem in Canada was adjourned without any action being taken due to sharp difference of opinion among members of the Board.

Sponsorship of news broadcasts and service by existing news agencies (transradio, B. U. P., etc.) continues indefinitely until some formula is reached whereby various elements involved can be adjusted satisfactorily. No official statement was issued by the Board upon completion of session.

Westinghouse Stations

WOWO

and

WGL

Fort Wayne, Ind.

ANNOUNCE THE APPOINTMENT OF  
THE NATIONAL BROADCASTING COMPANY  
AS NATIONAL SPOT REPRESENTATIVE

Effective September 1, 1940

THESE STATIONS REPRESENTED NATIONALLY



# A&P'S 'MUSICO' SHIFTS FROM CBS TO NBC

Boston, Aug. 27. 'Musico,' A&P Tea Co.'s radio song title guessing game, shifts from WEEL, CBS here, to NBC-Westinghouse outlet, WBZ-WBZA, tonight (Tuesday). Heard for the past 17 weeks on WEEL, the show shifts, presumably, because of the greater pulling power of the new WBZ trans-

mitter, which blasts directly at the heart of metropolitan Boston.

In addition to the Boston and Springfield outlets, with the show originating here, Musico will be carried by WJAR, Providence, and WTIC, Hartford.

The new contract, set through Parris & Pearl, of New York, is for 12 weeks. Fred Cole, staff announcer, will m.c.

As the past, the contest song titles will be judged by the Prof. Herrold Associates. He is advertising and business management professor at Northwestern University, and has set up offices here in the A&P headquarters. Other programs he judges are Libby's Cashmere Bouquet, Tums and 20 Grand.

Atlanta.—Elmo Israel, WSB writing staff, now station's publicity director.

## KOIN 5,000 WATTS NIGHTS HEREAFTER

Portland, Ore., Aug. 27. KOIN recently went to 5,000-watt power at night, in keeping with Federal Communications Commission's ruling granting such increases to stations when directionalized equipment is installed. KOIN recently completed installation of a 555-foot tower, which serves to elongate the station's signal north and south, and to restrict the wave to approximately its present service east and west. L. S. Bookwalter, KOIN technical director, designed and installed.

A special half hour program in celebration of full time use of 5,000-watt power was released to the nation-wide Columbia network.

## Third Annual AFRA Convention Set to Open In Denver Wed. (28)

### Quick Response

St. Louis, Aug. 27. KWK's recently inaugurated Automotive Hour, jointly bankrolled by a dozen used-car dealers, is definitely moving merchandise. Last week the John Dolan Motor Co. heavily plugged a used car on the early a.m. program.

Result: The car was copped off the used car lot that night and gendarmes haven't found it yet.

Denver, Aug. 27.

Third annual convention of the American Federation of Radio Artists, opening here tomorrow (Wednesday) will bring about 50 delegates. Principal matters on the agenda are reports by the national presidents or executive-secretaries of the locals, field representatives, the national treasurer, Thursday morning (28); caucus to receive the report of the national negotiators and discuss pending negotiations, that afternoon; caucus to discuss the problems of local and national expansion, Friday (30); caucus on pending negotiations for major contracts, reports of resolutions committee, consideration of the Reis report on 'one big union,' election of officers, Saturday (31).

Report of Mrs. Emily Holt, national executive-secretary, to be delivered Thursday morning, will reveal that the union's membership has now reached 10,500; that there are 32 applications for new locals on hand; that individual claims totaling more than \$15,000 have been adjusted without a single case being taken to arbitration; that AFRA has repaid \$12,500 of the loans from the Screen Actors Guild, Equity and the American Guild of Musical Artists; that AFRA's relations with the American Federation of Musicians are 'friendly and without difficulties.'

List of delegates slated to attend the conclave includes Fran Allison, Finney Briggs, Fran Carlson, Al Helus, Fred Howard, Raymond Jones, Phillips Lord, June Meredith, Virginia Payne, Dan Sutter and Sam Thompson, from Chicago; Theodore Bliss, True Boardman, William Brandt, Norman Field, Georgia Field, Thomas Freeborn-Smith, Lucille LaPointe, Frederic MacKaye, Ynez Seabury and Y. Donald Wilson, Los Angeles; Nellie Booth and Wayne Short, St. Louis; Gwen DeLany, Detroit.

Also Everett Clark, Ted deCorsi, Philip Duey, Rosalin Greene, Peg LaCentra, Alex McKee, Paul Stewart, Alan Reed and Mark Smith, New York; Jack C. Wilson, Cincinnati; Gilbert Verba, Denver; Herbert Mann, Racine; William Pennell, Miami; Theodore Hale, John B. Hughes, Theodore Maxwell and Vic Connors, San Francisco.

Two more vital stations are added to the list represented by the National Broadcasting Company beginning September 1st. WOWO and WGL, both at Ft. Wayne, Ind.

WOWO, operating on 10,000 watts at 1160 kilocycles, and WGL, 250 watts at 1370 kilocycles, provide advertisers anxious to tap the rich Ft. Wayne market with a splendid ready-made audience.

Spot advertisers make more sales when they

### PICK THESE VITAL SPOTS

WEAF	50,000 Watts—660 Kc.	New York
WJZ	50,000 Watts—760 Kc.	New York
WMAQ	50,000 Watts—670 Kc.	Chicago
WENR	50,000 Watts—870 Kc.	Chicago
KGO	7,500 Watts—790 Kc.	San Francisco
KPO	50,000 Watts—680 Kc.	San Francisco
*WRC	5,000-1,000 Watts—950 Kc.	Washington
*WMAL	500-250 Watts—630 Kc.	Washington
WGY	50,000 Watts—790 Kc.	Schenectady
KOA	50,000 Watts—830 Kc.	Denver
WTAM	50,000 Watts—1070 Kc.	Cleveland

### Westinghouse Stations

WBZ	50,000 Watts—990 Kc.	Boston
WBZA	1,000 Watts—990 Kc.	Springfield
KYW	10,000 Watts—1020 Kc.	Philadelphia
KDKA	50,000 Watts—980 Kc.	Pittsburgh
WOWO	10,000 Watts—1160 Kc.	Ft. Wayne
WGL	250 Watts—1370 Kc.	Ft. Wayne

\*WRC and WMAL will soon be operating with 5,000 watts day and night

## AFRA WINS OUT VS. KXOK, ST. L.

Washington, Aug. 27. National Labor Relations Board last week certified the American Federation of Radio Artists as sole collective bargaining agency for performers at KXOK, St. Louis. Station is owned by the Star-Times Publishing Co. Staff and free-lance actors, singers and announcers voted in an election held July 31 by the NLRB. Result was 11-0 in favor of AFRA. No objection to the holding of the election was offered by the station or the union.

About a year ago AFRA won a bitter tussle before the NLRB with another St. Louis station, KMOX. Principal issue at that time was the station's claim that actors, singers and announcers should be grouped in separate bargaining units.

## Church Relaxes After Shifting KMBC, K. C., Staff

Kansas City, Aug. 27. Arthur Church, president of KMBC, has announced list of changes in personnel. Appointment of Bob Braun as manager of the Texas Rangers was made effective Aug. 15. Rangers are singing eight-some now in Hollywood working in some outdoor films and on the Gene Autry radio show. Braun was recently with the Small Co. and with Frank W. Vincent, Inc., where he headed radio departments.

Donasue Lohmeyer takes over the 'Food Scout' program as 'June Martin,' quarter-hour formerly handled by Martha Hunter. Charles Nabor is new addition to the announcing staff, and Judy Allen new songstress with Rhythm Riders on their quarter-hour for Alpen Braun. Mary Clair Matthews leaves the post of secretary in the publicity and advertising department.



SPOT SALES OFFICES

NEW YORK  
CHICAGO  
SAN FRANCISCO  
WASHINGTON  
BOSTON  
CLEVELAND  
HOLLYWOOD  
DENVER

## From the Production Centres

### IN NEW YORK CITY

John Barnett, 22-year-old batman, subs for vacationing Alfred Wallenstein on the "Sinfonietta" series Friday night (30) over WOR-Mutual. The Charles Bernys (Yolanda D'Este), both of the WQV announcer staff, expect a child in October. Yvette, sustaining singer Sundays over NBC, playing a date at the Piping Rock club, Saratoga. Frank Black, Conrad Tibbault and Ruby Mercer planned to Detroit for the station's 20th anniversary broadcast. Mabel Todd-bled from the Coast and re-enters 'Laugh and Swing Club,' broadcast over WOR by her husband, Morey Amsterdam. Harry Salter batoning a new series, "The Song of Your Life," over NBC blue (WJZ). Fulton Lewis, Jr., pinch-hitting for Ray Tucker as author of syndicated Washington column while the latter vacations. Willis Cooper, scripter of "Short, Short Story" for Campbell's soup, has authored a new comedy show, which Leggett Brown, of the John Moses office, is agenting. Cooper originated the "Lights Out" series which later brought Arch Oboler attention. Arthur Balsam and Maria Carreras, concert pianists, are each doing recital series over WQXR during September. Peggy Scheuermann, of the Radio Writers' Guild office, returning from the Coast by train and boat. Lisa Sergio brings her daily "Column of the Air" back on WQXR Monday (2) after a month's vacation. Anne Barrett, N. Y. nitery vocalist, will appear with Vincent Lopez on Mutual's "Show of the Week." Series starts Sept. 29.

### IN HOLLYWOOD

Robert Longenecker, former CBS producer, has joined the Myron Selznick talent agency as an associate. In Republic Pictures called in Carl Herzinger and Stanley Davis, other scribblers, to dress up Vera Vague's (Barbara Joe Allen) role for "Melody and Moonlight." Emil Brisacher came down from Frisco to work out final details for the transcontinental takeoff over CBS this fall of "I Want a Divorce." Joan Blondell stars. Clearance nationally involves several sponsoring accounts which will cut in their commercials at division points. Harry Ackerman, Kate Smith's scripter, planned here from the east in search of material for the "Brigham Young" broadcast Sept. 20. Patrick Michael Cunningham is directing that new "Album of Memories" series for Don Lee's telecaster, WSKA. Harry Ackerman will be the Young & Rubicam production chief on the new Gulf-Stern Guild series. He was assistant on the same show last season. Herb Polsieles took over the reins on the Woodbury Playhouse during Bill Robson's absence in east. It's an impressive talent line-up NBC is building for the new Arch Oboler series, which debuts Oct. 4. Already set are Nazimova, Joan Crawford, Bette Davis and Norma Shearer. Substitution of Don Wilson for Warren Hull as announcer will be the only personnel change in "Good News" when it returns to the ether Sept. 5 for its fourth year under the Maxwell House flag. Dick Powell continues as m.c., with Fanny Brice, Hanley Stafford and Mary Martin making up the regular cast. Meredith Willson and orch again supply the tunes. Bob Garred, CBS newscaster, is off for three weeks of fishing in the Canadian Rockies. Deems Taylor handled the intermission commentary during the staging of the Adolph Bohm ballet last night (Tues.) at Hollywood Bowl. Lum and Abner have gone to Little Rock for a vacash, which will continue until their first screen effort, "Dreaming Out Loud," is premiered there Sept. 5.

### IN CHICAGO

Robert Hafter, CBS-WBBM producer, set by Columbia Artists to handle stage production at the Riverside, Milwaukee, which will be booked through CA starting Sept. 6. Henry Hunter added to "Bud Barton," Karel Dophelde to "Annexed," Stanley Gordon to "Backstage Wife" and Louise Fitch to "Bachelor's Children." Eddie Peabody, vaude banjoist, in the Naval Reserve recruiting service and on a speaking schedule over several Chi key stations. Al Allen, farm advisor, added to announcing staff of WJJD, coming in from WJZ, Tuscola. Carole Bowers, formerly with Blackett-Sample-Hummert agency here and recently with Benton & Bowles in New York, back in Chi and negotiating for new connection. Bill McGuineas, WGN sales chief, has set up a policy of semi-annual confabs of sales staff. At initial meeting last week top speakers were Col. R. E. McCormick, publisher, and W. E. Macfarlane, biz manager, of the Chicago Tribune. Gail Henshaw new member of the "Guiding Light" show.

## GOVT. DEFENSE COIN MEANS CAVIAR, SEATTLE

Seattle, Aug. 27. Continual growth of local business is due to hit the bandwagon stage. Sales staffs joyously announce that local concerns in making up their budgets have radio down for an increase over last year. There were no calm summer months this year as far as local was concerned. The payrolls have jumped over 40%, because of war, defense plans, and every concern is cashing in.

Beside the heavy Boeing airplane payroll, Bremerton Navy Yard, Sand Point base, nearby McChord Field and Ft. Lewis, large personnel Government checks are being distributed, with Seattle getting the big share. More payroll money is now in circulation here than since the heavy shipbuilding program during the last war. Even silk shirts are beginning to make appearances.

Aug. 24 Compared to Aug. 17				
Network	Local	National	Spot	Total
Units	Units	Units	Units	Units
4,025	11,717	1,331	17,123	
3,955	11,526	1,396	16,877	
(+1.2%)	(+1.6%)	(-4.7%)	(+1.5%)	
(Included: KIRO, KOL, KISC, KXIA)				

### CHICAGO OK

WIND Lands Snappy Local Contract—Web Biz Mounting

Chicago, Aug. 27. New business activity simmered to a quiet pace on local and national spot bookings last week, though the networks all came through with a flock of new contracts for September and October getaways.

WIND came up with a snappy local contract, when it sold a portion of its "Sports Edition" show to the Household Appliance Mart through the Robert Kahn agency. Contract calls for 30 minutes daily except Sunday.

Aug. 24 Compared to Aug. 17				
Network	Local	National	Spot	Total
Units	Units	Units	Units	Units
9,005	5,520	10,144	24,669	
9,005	5,370	10,167	24,542	
(+2.8%)	(-2.8%)	(+0.2%)	(+0.5%)	
(Included: WBBM, WGN, WGN, WIND, WJJD, WLS, WMAQ)				

\* No change.

### N. Y. Spot Biz

Continued from page 27

Harry S. Dube, Arrid, 52 weeks of station break announcements through Small & Seiffer; Okrite, eight weeks of station breaks through Calkins & Holden.

WMCA: Julius Grossman Shoes, 48 one-minute announcements weekly for a year through Sterling Advertising; Wilkie-for-President Club, announcements; Romy Theatre, announcements through Kayton-Spiro; Buick Motors, announcements through Arthur Kudner; Warren-Norge (Farnsworth radios and Norge refrigerators and washing machines); 60 announcements weekly; Farnsworth Advertising; National Motor Rebuilding Corp., 20 announcements weekly until October, through Sternfield-Godley; Old Country Trotting Assn., announcements for one month.

WNEW: Old Gold Cigarettes, quarter-hour on the "Make Believe Ballroom," Monday through Saturday, for one year, through Thompson & Mitchell; Community Opticians, half-hour daily (in two sections) on the "Make Believe Ballroom" plus an hour of Zeke Manners on Sunday and quarter-hour of Zeke Manners weekdays, plus 20 five-minute transmissions; Romy Theatre, 15 announcements for the film "Young People" through Kayton-Spiro.

W2XR: Buick Motors, 26 announcements through Arthur Kudner; Sanka Coffee (General Foods), 26 weeks of one-hour classical recordings through Young & Rubicam; Stromberg-Carlson (for F-M radio sets), three half-hours (and later four half-hours) of classical recordings weekly, through Stewart-Hansford-Casler.

Aug. 24 Compared to Aug. 17				
Network	Local	National	Spot	Total
Units	Units	Units	Units	Units
630	10,190	10,674	21,494	
630	10,202	10,215	21,046	
(-1%)	(+4.4%)	(-2.1%)		
(Included: WGN, WMCA, WNEW, WOR, WQXR)				

\* No change.

Albany—Philip Brook, until recently a WGY announcer, is now on staff of WTAG, Worcester, Mass. His place on WGY has been taken by Hugh Kent, formerly of WFBI, Binghamton.

## KHJ In Lead

Continued from page 27

KHJ: American Economic Foundation, through Bayless-Kerr Co., 26 one-hour programs; C. H. Baker Shoes, through Sidney Garfunkel, 26 15-min. programs; Bailey Hat Co. through Lee Ringer agency, eight five-min. programs; Carl Wenz, through Lisle Sheldon agency, 13 half-hour programs; F. Ballentine Sons, through J. Walter Thompson, 494 spot announcements; Buick Motor Co., through Arthur Kudner, 20 spot announcements; Los Angeles County Fair, 41 spot announcements, 15 participations in Happy Homes, and 15 participations. Eddie Albright, California State Fair, two spot announcements; Central Chevrolet Co., through Stodel Agency, 30 spot announcements; Ford Dealers, through McCann-Erickson agency, 10 spot announcements; J. W. Robinson, through Mayers Co., two spot announcements; General Household Corp., through John Riordan Co., 12 participations in Happy Homes.

Aug. 24 Compared to Aug. 17				
Network	Local	National	Spot	Total
Units	Units	Units	Units	Units
9,606	9,114	1,873	20,425	
7,225	10,570	1,663	22,458	
(+32.9%)	(-13.5%)	(-6.4%)	(-9.1%)	
(Included: KBCA, KFI, KPWB, KHJ, KNX)				

## GROCERS' ASSN. ASKS RADIO'S COOPERATION

National Association of Retail Grocers has circulated the radio industry asking for its cooperation on National Retail Grocers' Week, Oct. 21-26.

Stations are urged to put on special programs playing up the part the neighborhood grocer plays in the life of the community and selling tie-in spot announcements to local storekeepers.

## Local Sales Up 16% In Salt Lake City

Salt Lake City, Aug. 27. Local business took a mighty spurt upwards this week, due partly to political accounts and partly to a new roster of clients for KDYL. Cooler weather seemed to put sponsors in the right frame of mind for annexing some other plugging.

KDYL: Citizens Coal Co., 26 five-minute spots; Butter Crisp Bakery, 300 fifty-word plugs; L. D. S. Business College, 26 spots; Union Trust, 52 hundred-word announcements; Van Dyke Cigars, 26 quarter-hours through the Federal Advertising Agency (New York).

Aug. 24 Compared to Aug. 17				
Network	Local	National	Spot	Total
Units	Units	Units	Units	Units
6,255	2,158	1,143	9,556	
6,140	1,846	1,194	9,180	
(+1.8%)	(+16%)	(-4.2%)	(+4%)	
(Included: KDYL, KSL, KUTA)				

## Des Moines Jumps 2%

Des Moines, Aug. 27. Stations here are starting to shake the slump. Contracts now coming through point to greatest season this town's ever seen, and that's a strong statement, because Des Moines is a great radio city.

Aug. 24 Compared to Aug. 17				
Network	Local	National	Spot	Total
Units	Units	Units	Units	Units
6,630	2,863	3,430	12,923	
6,600	2,592	3,437	12,649	
(+0.4%)	(+10.4%)	(-0.7%)	(+2.1%)	
(Included: KRNP, KGO, WHO)				

## WEB AND LOCAL UNITS SPURT IN SAN ANTONIO

San Antonio, Aug. 27. With final run-off in the primary election this week, network as well as local units took a decided upward swing. Loss was noted, however, in national spot biz when Martin Block's transcribed thirty minute "Make Believe Ballroom" ended its run over KMAC.

KMAC: L. C. Martin Motor Co., transcribed announcements twice daily.

KONO: Beyer Co., five minute studio program daily.

KABC: Smith Motor Co., three 15 minute newscasts weekly. Fox Laundry and Dry Cleaners, six five minute newscasts. Travis Finance Co., a series of announcements. Two hour election returns sponsored by the Anti-Maverick Ticket. Shepard Laundries, three five-minute transcribed announcements weekly, through Pittluck. Shaw Jewlery, five announcements per day for one year, through Pittluck. Wolf-Max Store, additional announcements. Political talks for Pierce Brooks, Olm Culberson and Frank Vaughn. Station has sold the Mutual "Show of the Week" locally to Joske Bros. Store, starting Sept. 29.

WOAI: Renewal of the San Antonio Public Service Co. half hour studio program. Goodyear Tire and Rubber Co., Aug. 21 to 30, 10 announcements, through N. W. Ayer. From the Pages of Time is slated to start Thursday through the Texas Quality Network for Byer-Rolnick Hat Co. Political talks included two 15-minute spots for Judge Alexander over TQN. Three 15-minute programs for Pierce Brooks over TQN. Two 15-minute and one 15-minute local for Olm Culberson. One 15-minute stint by Judge Latimore over TQN.

Aug. 24 Compared to Aug. 17				
Network	Local	National	Spot	Total
Units	Units	Units	Units	Units
4,977	8,121	1,805	14,903	
4,811	7,643	1,944	14,404	
(+3.4%)	(+6.1%)	(-6.9%)	(+3.4%)	
(Included: KABC, KMCA, KONO, KISA, WOAI)				

## WDZ, Ill., Lands 2

Tuscola, Ill., Aug. 27. United Mushroom Co., Chicago, is running a one-minute announcement campaign on WJZ, with a book on growing mushrooms as a giveaway. Frank Steele agency placed.

Pioneer Hi-Bred Corn is another newcomer to this outlet with a similar campaign, using six of them a week for 13 weeks. R. J. Potts, of Kansas City, the agency.

## SEE! HEAR! TAKE PART YOURSELF

N.B.C. Coast-to-Coast Broadcast of

**Dr. I. Q.**

The MENTAL BANKER

\$1000 in CASH

offered for correct answers from the stage of

**CAPITOL Theatre**

9 P.M. Every Monday Night

Broadcast in New York by Radio Station WEAF

Sponsored by

**MARS, INC.**

Makers of Snickers, Milky Way, Mars, 3 Musketeers and Forever Yours Candy bars.

**DON'T MISS PALMOLIVE'S**

**"HILLTOP HOUSE"**

STARRING BESS JOHNSON

By Adelaide Marston

Dedicated to the women of America.

The story of a woman who must choose between love and the career of raising other women's children.

**WABC-CBS—10:30-10:45 A.M. E.D.S.T.**

**78 Stations Coast-to-Coast**

Direction BENTON & BOWLES, Inc.

Management ED WOLF, RKO BUILDING, New York

When you think of

# NEW ORLEANS

you think of:

Delicious CREOLE COFFEE



and

# WWL

NEW ORLEANS

**50,000 WATTS**

The greatest selling POWER in the South's greatest city

CBS AFFILIATE... NATIONAL REPRESENTATIVE... THE KATZ AGENCY, INC.



# NET USERS ADD N.Y. INDIES

## N.Y. Indie Gives More Listeners Than Web Outlets in Other Cities

Reduced to conservative mathematics, the metropolitan audience delivered by any of the leading N. Y. indie stations towers over the usual metropolitan network audience obtained in such cities as Cincinnati, Minneapolis, Dallas-Ft. Worth, Indianapolis, Kansas City, or Rochester. The latter cities are cited merely as examples. Here's how the situation figures out:

The median C.A.B. rating for network evening shows in key cities is around .10%. That means that the median families delivered in the cities listed below is as follows:

Cincinnati	..... 15,000
Kansas City	..... 13,000
Minneapolis	..... 12,877
Dallas-Fort Worth	..... 12,323
Providence	..... 12,145
Rochester	..... 10,000
Indianapolis	..... 11,587

By contrast, the New York metropolitan area has 1,726,000 radio families of which 172,800 are deliverable on the average chain show. However, if the indie station, such as WHN, can produce as much as a 1% audience (a very conservative mark to shoot at), some 17,280 families.

wrapped up into a package bigger than any of the chain packages in the cities mentioned in the chart above.

The 17,280 homes you'll get on the indie (based on the conservative one percent) doesn't tell the whole story. New York's 50-mile which is covered by the city's major spot stations, is composed of large cities—such as Newark, Jersey City, New Haven and



**CINDERELLA**

Cinderella is the gal behind the lace mask—WHN's little lady who keeps her identity secret. She wows her Prince Charming dialers with popular records and friendly talks about her sponsors' products. Starting at 11 p.m. she ends her stint in real fairy-tale fashion at the stroke of midnight.

The show is sold in fifteen-minute strips across the board, has a tie-up with Postal Telegraph so that requests for tunes pour right into the WHN studios.

Bridgeport, all of which are listed among the nation's top 30 cities—while the stations in the cities used for the comparisons above go into the rural, less densely populated hinterland.

## 26 DOUBLING ON WHN ALONE

**Top Chain Spenders Throwing Law of Averages Their Way by Multiple Shots at Gotham Audience—Believe Market Is Too Complex for Web Stations Only**

### SPOT SPONSORS DITTO

Tendency of big network sponsors to supplement their web fare in the huge New York metropolitan market with campaigns on one or more N. Y. indie stations has lately grown into the proportions of a parade. Barely two years ago this practice was an exception to the rule, but it has now expanded to such bandwagon size that the majority of the 20 top chain spenders are utilizing at least one N. Y. indie in addition to the regular web outlets. WHN, for example, has 17 NBC advertisers on its roster, as well as seven CBS spenders and two Mutual clients. Latest converts, Mars Candy, which has allotted the Loew station a hefty station-break schedule, and Old Gold, which is spotting a flock of sports flashes, results, and resumes during a two-hour period each day with Clem McCarthy at the mike.

This trend among the big chain sponsors simultaneously being

## Examples of Network Advertisers Using Spot Radio in New York

Advertiser	1939 Network Expenditure	1940 Spot Used in N. Y.
Procter & Gamble	\$8,769,135	Play-by-play baseball; announcements
General Foods	5,269,567	Hour symphony music discs
Sterling Products	3,755,811	¾ hour daily
Campbell Soup Co.	2,704,331	News; announcements
American Home Products	1,937,652	¾ hour daily
American Tobacco	2,506,141	Announcements
Brown & Williamson	2,047,536	Sports review
Liggett & Myers	1,937,652	Quarter-hours
R. J. Reynolds	1,723,574	Play-by-play baseball
William Wrigley Co.	1,304,391	Announcements
Philip Morris	1,217,166	Quarter-hours
Chrysler Corp.	950,146	Announcements

aped by the purely spot advertisers themselves. The latter, instead of confining themselves to a single station (as they do most everywhere else), are now buying multiple New York outlets. Included in this category are Peter Paul, Inc., Pepsi-Cola, Starback, Gardner Nurseries, Blue Ribbon Books, Shell Oil, J. B. Williams, and Utilities Engineering Institute.

Reason for ever-growing lineup at the indie ticket office is not hard to figure out. New York represents such a huge concentration of humans and human wealth that the burg contains 15% of the nation's buying power and 12% of all U. S. radio families. It is obvious that this huge ant-hill is not as homogeneous in structure as, say, Keokuk and environs, and obviously no one program or station can blanket the works; so advertisers are currently sifting the pay dirt by working more than one stream at a time.

This throws the law of averages their way.

To interest and entertain such a huge potential audience calls for every type of programming, and in almost every language. Whether the sponsor prefers newscasters or hillbillies, soft music or washboard dramas, kid shows or comedians, it's an even money bet that at least one of New York's 20 stations is carrying such a choice at this minute.

Thus, with the wide divergence of program preference, and with the great number of stations coming into the metropolitan area, agencies figure that a second or third station is not duplication of coverage, but rather hitting a different type of audience entirely. This is especially true when advertisers use a program designed to appeal to an income group lower—or higher—than the network show aims at.

# No wonder they call it the "one-station network"

—when so far in 1940 more national advertisers have used it than have used any of the coast-to-coast networks.

—when there are more listeners, more sales, greater buying power in its primary area than there are, for example, in the three Pacific Coast States.

—when its affiliation with Loew's theatres and Metro-Goldwyn-Mayer assures top showmanship.

Offices and Studios:  
1540 Broadway  
BRyant 9-7800

# WHN

NEW YORK

Chicago Office:  
360 N. Michigan  
Randolph 5254

## WLW INDICATES RADIO'S USE TO ARMY

Cincinnati, Aug. 27.

Feasibility of a radio station tying in with military forces during an emergency was demonstrated last week when the largest of Crosley's six mobile units made a dozen 15-minute and half-hour recordings of the First Army maneuvers near Ogdensburg, N. Y. It was the most distant point yet reached by one of the WLW-WSAI-WLWO mobile units.

This special events series was directed by Jerry Branch, technical advisor to Jim Shouse, general manager of Crosley stations, with Joe Ries, educational director, doing the descriptive miking. Recordings were aired during the day and night last week on all three Crosley stations.

They gave accounts of dive bombing, construction of pontoon bridges under gunfire, roaring attacks by fleets of tanks, and the mechanized, streamlined division's capabilities. Test series was gratifying from the Army's standpoint by proving that radio mobile units can operate in conjunction with it in case of national emergency.

## U. of Minn. Expands Radio Script Course

Minneapolis, Aug. 27.

University of Minnesota extension division has expanded its course in radio script writing to include a year-and-a-half instruction, with courses for beginners, advanced students and experimenters in new forms. Radio scripting course was established in 1936.

Luther Weaver, St. Paul advertising executive, is again in charge.

## FIRST in PHILLY C. E. HOOPER SURVEYS

Audiences of Philadelphia Network Stations 3:45-4:30 P.M., Mon. thru Fri.—Mo. Ave.

WFIL	21.4%
KYW	17.3%
WCAU	13.1%

% Listeners Identifying Station and Program FIRST WITH 46 OTHER PROGRAMS

For LOWER COST Circulation BUY WFIL

## Music for ELLERY QUEEN

Composed and Conducted by

## LYN MURRAY

Mgt. COLUMBIA ARTISTS, Inc.

## Sponsored Programs' Starting Dates

(Continued from page 25)

(\* Indicates new show or change of sponsor; \*\* indicates switch in product; † indicates change in spot) **TIME and NETWORK** **PROGRAM**

Libby-Owens-Ford	Sun; 5-5:30 p.m.—CBS	*'Design for Happiness'
Mennen	Sun; 5:30-6 p.m.—CBS	Col. Stoopnagle's Quixidoodle.
John Morrell & Co.	Sun; 3:45-4 p.m.—NBC Red.	Bob Becker's Chats About Dogs.
(Red Heart Dog Food)		
Regional Broadcasters' Assn.	Sun; 7:30-7:45 p.m.—NBC Blue	*Dorothy Thompson—news comment
(Miscellaneous Products)		
Grove Laboratories, Inc.	Sun; 8:30-9 p.m.—NBC Blue	'Sherlock Holmes'—dramas starring Basil Rathbone and Nigel Bruce.
(Bromo Quinine)		
Knapp-Monarch Co.	Sun; 11:45-12 noon—NBC Blue	*'Ahead of the Headlines'—expert news analysis by editors of News-week.
(Electric Shavers)		
Howard Clothes	Sun; 6:30-7 p.m.—Mutual	'Show of the Week'—Vincent Lopez; Buddy Clark; Loretta Clemons, guest stars.
		Helen Hayes' Theatre, radio adaptation of well-known drama.
Lipton Tea Co.	Sun; 8-8:30 p.m.—CBS	

### SEPTEMBER 30

Florida Citrus Comm.	M thru F; 3:15-3:30 p.m.—CBS	Mary Margaret McBride.
Octagon	M thru F; 4:30-4:45 p.m.—CBS	*'Women of Courage.'
General Foods	M thru F; 4:45-5 p.m.—CBS	*'Kate Hopkins.'
(Maxwell House)		
Continental Baking	M thru F; 5:30-6 p.m.—CBS	'Pretty Kitty Kelly.'
Standard Brands, Inc.	M; 8-8:30 p.m.—NBC Blue	I Love a Mystery—drama.
(Fleischmann's Foll Yeast)		

### OCTOBER 1

S. C. Johnson & Son, Inc.	Tu; 9:30-10 p.m.—NBC Red	'Fibber McGee and Molly'—variety featuring Jim and Marion Jordan.
(Floor Wax)		
Emerson Drug Co.	Tu; 8-8:30 p.m.—NBC Blue	*Ben Bernie—musical program with audience participation.
(Bromo Seltzer)		
Richfield Oil Corp.	Tu, Th, Sat; 7:30-7:45 p.m.—Mutual	'Confidentially Yours' with Arthur Hale.

### OCTOBER 2

Texas Co.	W; 9-10 p.m.—CBS	*Fred Allen, Al Goodman.
Lever Bros. (Lifebuoy)	W; 7:30-8 p.m.—CBS	'Meet Mr. Meek.'
E. I. DuPont de Nemours Co.	W; 7:30-8 p.m.—NBC Red	'Cavalcade of America'—historical dramas.

Bristol-Myers Co.	W; 9-9:30 p.m.—NBC Red	*'Time to Smile'—variety program featuring Eddie Cantor; Dinah Shore, vocalist.
(Ipana and Sal Hepatica)		1940 World Series.

Gillette Safety Razor Co.	Oct. 2 to conclusion—Mutual	
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### OCTOBER 3

Penn Tobacco	Th; 7:30-8 p.m.—CBS	'Vox Pop.'
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### OCTOBER 4

Procter & Gamble	F; 9:30-10 p.m.—NBC Red	*'Everyman's Theatre'—plays by Arch Oboler with Hollywood casts.
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### OCTOBER 5

Colgate-Palmolive-Peet	Sat; 8:30-8:55 p.m.—CBS	Wayne King.
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### OCTOBER 6

Gulf	Sun; 7:30-8 p.m.—CBS	'Screen Actors Guild.'
General Foods (Jell-O)	Sun; 7-7:30 p.m.—NBC Red	Jack Benny, Mary Livingston; Phil Harris, Orch., Dennis Day, Don Wilson, announcer.

Wheeling Steel Corp.	Sun; 5-5:30 p.m.—Mutual	Musical Steelmakers with Ardenne White, Dorothy Ann Crowe, Singing Millmen, The Old Timer, Steele Sisters, Orch.
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### OCTOBER 7

Best Foods	M thru F; 4:15-4:30 p.m.—CBS	'We the Abbotts.'
General Foods (Post Toasties)	M thru F; 4:45-5 p.m.—CBS	*Portia Blake.

### OCTOBER 9

Lever Bros. (Rinso)	W; 8-8:30 p.m.—CBS	'Big Town,' with Edward G. Robin, Ona Munson.
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### OCTOBER 13

Hall Brothers, Inc.	Sun; 4:15-4:30 p.m.; Tu & Th, 1:15-1:30 p.m.—NBC Red	*'Tony Wons Radio Scrapbook'—songs.
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### OCTOBER 20

Sherwin-Williams	Sun; 5-5:30 p.m.—NBC Red	'Metropolitan Opera Auditions of the Air'—official opera auditions; Wilfred Pelletier, musical director.
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### OCTOBER 27

Quaker Oats Co.	Sun; 5:30-6 p.m.—NBC Red	*Variety show—cast not yet set.
Lutheran Layman League	Sun; 1:30-2 p.m.; 4:30-5 p.m.—Mutual	Lutheran Hour with Dr. Walter A. Maier.

### OCTOBER 29

Pet Milk	Tu; Th; 11-11:15 a.m.—CBS	Mary Lee Taylor.
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### NOVEMBER 12

Lever Bros. (Spry)	Tu; 8:30-9 p.m.—NBC Blue	*'Uncle Jim's Question Bee'—quiz program conducted by Jim McWilliams.
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La Rosa & Co.	Tu; 8:30-9 p.m.—Mutual	*Antonini Concert Series with Nino Martini, Alfredo Antonini, Orch.
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### NOVEMBER 15

American Tobacco Co.	F; 8:30-9 p.m.—NBC Red	'Information Please'—quiz program conducted by Clifton Fadiman; board of experts composed of John Kieran, F. P. Adams and guest.
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(Lucky Strike)		
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## TIME MAG BASIS OF NEW TQN COMMERSE

San Antonio, Aug. 27.

News and editorial comment fresh from the pages of Time, weekly news mag, form the basis of a new weekly program series produced and originated in the Dallas studios of the Texas Quality Network and to be heard WOAI here; KPRC, Houston; WBAP, Fort Worth, and WFAA, Dallas, beginning Thursday (28).

Titled 'From the Pages of Time,' program will be aired on the eve of the appearance of Time on the newsstands. Material for the broadcasts will be furnished by the editors of Time. Sam Adheson, of the editorial staff of the Dallas News, will condense it into narrative form and the program will be transcribed for radio by Robert J. Roth, producer of the series.

New program is not to be confused with 'The March of Time,' produced on national networks in the past. The format of the new program, for which exclusive permission has been granted the sponsors of the WFAA series, will be different from that of the web series. The background and significance of the news of the week will be presented in narrative form by three commentators, rather than in dramatic episodes.

Broadcasts will be sponsored by the Byer-Rolnick Co., makers of men's hats.



## A HUNDRED GRAND!

• That's what CKAC spent this Spring to provide better service to the clients who buy 68% of its time.

• A brand new transmitter, two new studios, another floor of office space—the better to reach the richest single market in Canada.

"Only One of Its Kind in America"

## CKAC MONTREAL

"Canada's Busiest Station"

A CBS Affiliate

U. S. Rep.: JOSH. H. MCGILLIVRA

## Little New

Continued from page 25

duced meanwhile have fallen by the wayside, but the original members of the clan, such as Jim McWilliams, Professor Quiz, 'Information Please' and 'True or False,' are still collecting weekly from advertisers.

Ken Murray is missing from the comedian list, but his spot for Texas co will be filled this fall by another of the clan, Fred Allen, who, in turn, has been replaced on the Bristol-Myers payroll by Cantor. Quaker Oats will be back with another variety show, this time in a Sunday afternoon niche on the NBC-Red.

In the category of dramatic names, Orson Welles is absent completely and the advent of Helen Hayes for Lipton's Tea represents merely a new check signator. Last year she did a series with Welles for Campbell Soup. Newcomers to the sponsored dramatic roster include 'Everyman's Theatre' (Procter & Gamble), 'We the Abbotts,' (Best Foods), and 'Kate Hopkins' and 'Portia Blake' (General Food).

Of the programs specializing in heart-on-sleeve exhibitionism, the

only two survivors are 'We the People' and 'Good Will Hour.' Among the absentees from this class is Dave Elman's 'Hobby Lobby.' Number of daytime serials will be greater than ever.

BBC chimes were ruled out by war measure banning use of bells. It's been using a ticking clock in face of much opposition from listeners, ribbing the sound as like someone driving nails in a coffin. A committee has been sitting to decide on what'll replace. One was suggested they borrow Metro's Leo.



## WBNX

Now!  
**5000  
WATTS**  
DAY and NIGHT

YOUR BEST NATIONAL SPOT BUY  
A NEW APPROACH TO THE NEW YORK MARKET

Lively  
**Showmanship**  
WINS LARGER AUDIENCES  
in the  
**INTERMOUNTAIN  
MARKET**  
FOR  
**KDYL**

Representative  
**JOHN BLAIR  
& COMPANY**The POPULAR Station  
Salt Lake City**NBC  
RED  
NETWORK**



## F.C.C. Decisions

Washington, Aug. 27. Application of WHJB, Pittsburgh Radio Supply House, Greensburg, Pa., was designated for further hearing by the FCC to give transmitter a last chance to prove that its operation on a proposed new assignment would be in the public interest. Coincidentally, a change in frequency and power boost for WROL, Knoxville, Tenn., was approved, and WTMJ, Milwaukee, was given a lift from 1 to 5 kw.

WHJB had asked for full time operation with 1 kw., instead of merely daytime operation with 250 watts. This, however, would cause a tangle with the other two stations. Several other stations, including KQV and WJAS, Pittsburgh, would be affected by WHJB's full-time operation, it was pointed out. In addition, the operation of WHJB would preclude the operation of WROL in the public interest; and the operation of WTMJ would preclude the operation of WHJB. WROL and WTMJ, however, could both operate simultaneously without adversely affecting the public interest.

In permitting the Knoxville transmitter, WROL, to move from the 1,310 kc. ribbon to 620 kc. and giving it 1 kw. days and 500 watts nights, in place of its present assignment of 250 watts, an 'improved technical service' will be made available in the Knoxville area, Commish declared. Limitation of a proposed new station at Syracuse (Sentinel Broadcasting Corp., licensee) would occur to the new transmitter's 6.8 millivolt per meter contour, however, through WTMJ's promotion to 5 kw.

In handing down the three-way decision, Commish pointed out WJMB might want to be heard on matters which were 'not in issue' at the hearing on WHJB's application. The grant to WROL and WTMJ 'will not in itself necessitate the ultimate denial' of WHJB's request, it was explained, and if the applicant can show that operation as proposed would be in the public interest the FCC would be 'compelled' to grant the request. This would be true, the

Commish said, 'even though such action might require a future modification of the action taken on the WROL and WTMJ applications.'

### CBS Gets Okay

New York, Aug. 27. CBS has been granted a construction permit for a new international station at Brentwood, N. Y. It's to use 50,000 watts.

### Monocacy Finally Wins

Frederick, Md., Aug. 27. WFMD, owned and operated by the Monocacy Broadcasting Co., has won its two-year fight before the Federal Communications Commission for an increase of power and hours of operation on 900 k. It's to be full time and at 500 watts, with a directional antenna. Station filed its original application in October, 1938, and in the interim faced opposition from WBEN, Buffalo; WJAX, Jacksonville, and WKY, Oklahoma, all of whom either sought increased power on the same band, or demurred on the ground of interference.

### Texas Station Upped

Lubbock, Texas, Aug. 27. KFYO, owned and operated here by the Plains Radio Broadcasting Co., was granted a nighttime power boost by the FCC. Station heretofore operated with 250 watts daytime and 100 night on 1,310 kilocycles. Will have 250 watts unlimited by the FCC decree.

### Muffs Political Try

New Bedford, Mass., Aug. 27. Earle D. Wilson, news editor at WNEB, filed papers for Republican nomination as Bristol county clerk of courts, but missed getting his name on the ballot by 25 signatures. Democratic candidate, the incumbent, through a slip-up, now has no Republican opponent in a territory nominally a G.O.P. stronghold. Reports have it Wilson will seek to get the Republican nomination on stickers in the September primary.

# SENATOR TOBEY CHARGES FCC MEMBERS ACCEPTED GIFTS, FAVORS FROM RCA

## AKRON'S NEW WAKR IN LAVISH QUARTERS

Akron, Aug. 27. Studio and offices for Akron's first NBC station, the new WAKR, will be the most elaborate in town. Station will be located in First Central Tower and will occupy 5,200 square feet, with entrances from three downtown main streets.

Construction work already is underway and S. Bernard Berk expects to have his station on the air by Oct. 1. There will be three studios, one to accommodate an audience of 50.

Station will be a basic Blue network outlet for NBC and will operate on 1,530 kilocycles with 1,000-watt power. The transmitter is being constructed south of the city.

## Upstate N.Y. Brewery Heavy on Air Plugs

Troy, N. Y., Aug. 27. Fitzgerald Brewing Co. is conducting an extensive radio campaign.

Concern is sponsoring Roy Shudd, of Troy Record Papers, in a 15-minute 'Five Star Final of Sports' six evenings weekly, for one year, over WTRY. In addition, company, through Hevenor Agency of Albany, is using five-minute combinations of sports and music, three times weekly, over WSLB, Ogdensburg; five-minute late-evening music transcriptions, three times weekly, on WIBX, Utica; five-minute sports and news blocks at 5:30 p.m., several days each week, over WGN, Newburgh, and 50-word announcements immediately preceding and following chain broadcasts of Boston major league baseball games via WBRK, Pittsfield. Contract on Massachusetts station runs until Oct. 12.

## Congressional Probe of Radio and FCC Likely as Hearings on '32 Patent Pool End—Col Brown Completely Lost Among Sensational Accusations

Washington, Aug. 27. The Senate Interstate Commerce committee's prolonged whodunit concerning the alleged RCA fix of the Federal court at Wilmington came to a close Friday (23). When the smoke had cleared away, it seemed probable that the radio industry and the FCC face the long-agitated congressional investigation.

When charges and counter-charges regarding settlement of the 1932 radio patent pool monopoly case had stopped bouncing off the walls of the committee room, Senator Charles W. Tobey, of New Hampshire, introduced a resolution calling for the probe. At the same time he charged that he had received information that some members of the FCC 'have in the past received perquisites, gifts, favors or emoluments of one kind or another from one or more of the radio systems of the Radio Corp. of America.' This assertion was made in a formal letter which Tobey wrote to each member of the Commission.

The probe would be undertaken by the Senate Interstate Commerce committee, of which Senator Burton K. Wheeler, Montana Democrat, is chairman.

Introduction of the investigation resolution came about as a result of sensational accusations during the hearing just concluded, which began innocently enough as an inquiry into the qualifications of Col. Thad H. Brown for renomination to the FCC, but which ended with Brown a forgotten figure and the RCA very much out front and very red in the face. A long parade of witnesses told the committee of various angles of the RCA's successful effort to secure postponement of the Justice Department's anti-trust suit before

the Delaware Federal Court in October, 1932, and left RCA under suspicion of having engineered the postponement through two former United States Senators.

So serious were the implications of a fix that it is possible that there will be further congressional investigation of the Delaware Federal Court.

### J. Austin Smith Heard

At the final session of the hearing, the Committee heard J. Austin Smith, New York accountant, defend himself against charges that he was 'a crook and a dishonest man.' Smith once wrote a report for some minority stockholders in RCA, which he criticized the corporation, then at a later date he was employed by RCA and at that time revised his statement and termed RCA a 'wholly sound and completely honest' organization.

Some idea of how far the hearing strayed from its original intent may be obtained from an observation by Senator Neely, of West Virginia, at the final session.

'I have been here for the last three sessions of this hearing,' he said, 'and I don't think I have heard Col. Brown's name mentioned once.'

The committee is scheduled to meet in executive session this week to act on the renomination of Brown.

### Plugging the Staff

Des Moines, Aug. 27. WHO will distribute some 20,000 booklets telling about the program and personnel setup of the station at the Iowa State Fair in connection with its operation of WHO's crystal studio on the fair grounds. It will be the seventh consecutive year for fair studios.

Booklet is thickly studded with pictures of WHO and NBC-red mike personalities.

**WBT**  
**CHARLOTTE, N. C.**  
**50,000 WATTS**  
**CBS**

**DOMINATING** four of the six  
largest cities of both Carolinas



For more information about WBT, one of the sixteen CBS 50,000 watt stations, inquire of Radio Sales: New York, Chicago, Detroit, St. Louis, San Francisco, Los Angeles

COLUMBIA'S STATION FOR THE CAROLINAS

## Michigan State Fair Sours on Name Bands Which Put It in Profit Class

Detroit, Aug. 27. They're giving the Michigan State Fair here back to the farmers, and the jitterbugs don't like it. Putting the emphasis on prize bulls, pumpkins, farm machinery, trotting races and such, the Fair officials may have pulled a prize themselves, but in reverse English. It may bring in the farmers from around the State, but the fair has been paying off by its pull on more than 1,500,000 urbanites here.

No slight part of the lure for the city folks and their youngsters were the amusements, particularly the name bands paraded in rapid succession. Last spring, after several seasons of bringing in the biggest combos in the country, the fair chilled on them. It seems the 1939 fair wound up \$3.10 in the red. A. C. Carton, Deputy Commissioner of Agriculture, claimed that they lost \$25,000 last season through the name bands.

This was peculiar in view of the past history of the bands in building the Fair up on attendance. In 1936, the last year without bands, the Fair played to 204,000 admissions. The following year, Frank Isbey took over and put Wayne King in the Coliseum for 10 days. The Fair played to 421,000 paid admissions and wound up with a profit of \$62,500, chiefly due to the Coliseum show.

The real splurge came in 1938 with a 16-day run during which, on two and three-night stands, Rudy Vallee, Benny Goodman, Guy Lombardo, Buddy Rogers and Kay Kyser came in. After the regular show's close, dancing from 10 p.m. to 12:30 a.m. was featured. Business was a smash. There were 728,000 admissions and a profit of \$120,000, credit being given to the bands for hauling the folks through the gates.

Last year the Fair, starting to charge admissions, paraded Benny Goodman, Wayne King, Bob Crosby and Glen Gray across 10 days. There were plenty of tough breaks: an infantile paralysis scare which made folks stay out of crowds and the outbreak of the war in Europe. Still, the fair pulled in 407,000 customers.

But the blast was put on the bands. This year they have been moved out of the big Coliseum to a new 'moonlight dance arbor' (only 7,000 square feet) and Shep Fields, Dick Jurgens, Ted Fiorito and Wayne King will be spread over 11 days. The bands are being played down in the ballyhoo and the Coliseum turned back to the farmers for the showing of livestock.

No matter what the attendance figures total, it is felt that the bands aren't getting a fair break this year in which to display what draw they have and will eventually be eased out by the present administration.

## JENNY DISBANDS TO JOIN ARTIE SHAW

Jack Jenney disbanded his orch Thursday (22) and left New York by plane to take a place in the trombone section of Artie Shaw's new band. Leader had been the recipient of several offers by Shaw before he decided to accept. His move was sudden, as his crew was scheduled for a date at the Million Dollar Pier, Atlantic City, all this week beginning Sunday (25).

Anita Boyer followed Jenney coastward to join Shaw Sunday (25) and handled the vocals on Shaw's broadcast with Burns and Allen the following night.

## GAC Lands Breeze In Beverly Hills, Ky., Spot

Cincinnati, Aug. 27. First General Amusement Corp., booking for Beverly Hills, Ky., swank Kentucky nitery, opposite Clucky, was landed last week by Bob Weems, manager of GAC's office recently opened here. Contract is for a fortnight's engagement by Lou Breeze's orch, opening Sept. 13. MCA has handled most of the spot's band bookings thus far.

Weems also signed the Netherlands Plaza for a band to start off its Pavilion Caprice season Oct. 24. Ork not as yet decided upon.

## British Best Sellers

(Week Ending Aug. 3, 1940)

### (Sixpenny Numbers)

Singing Hills.....Connelly  
Arm in Arm.....Wood  
Tiggerly Boo.....Maurice  
Dreams Grow Old.....Feldman  
Old Mill.....Sun  
Oh Johnny.....Day  
Don't Pass Me By.....Gay  
You Made Me Care.....Norris  
This Year's Roses.....Wright  
Round-Up Song.....Day

### (Shilling Numbers)

Nightingale Sang.....Maurice  
Beguine.....Chappell  
Woodpecker Song.....Sun  
Fall in Love Again.....Maurice  
Man Paint Fence.....Prowse

## Silver Takes Over Lincoln; Spitzer, G. M.

Abner Silver has brought the Lincoln Music Corp. from Artie Shaw and the latter's lawyer, Andy Weinberger. The purchase price is \$26,000. Henry Spitzer will join the new Lincoln setup as general manager. Spitzer, states Silver, will have no financial interest in the firm. He was the former g.m. for Chappell Music.

Silver will continue his partnership with Mayfair Music Co. (formerly Joe Davis Music Co.) with Willie Horowitz. Under the original plans, Larry Spier was to have an interest in the Lincoln catalog with Silver, but this is now out.

Shaw's stock ownership in Lincoln amounted to 75%. Silver-Spitzer's first release under the Lincoln banner will be 'There Shall Be No Night.'

## 'I Am American' Moves Into Best Seller Class Despite Networks' Ban

Mercer & Morris' 'Shout Wherever You May Be, I Am An American' has moved into the best-seller class, making it the only other patriotic tune, outside of 'God Bless America' and 'Ballad of an American', to have clicked with Americans since the outbreak of the present World War. 'I Am An American' represents another instance of a song getting over despite the restraints put on its performance by the networks.

The number has been plugged in band presentation houses and around summer resorts. Also on records.

While it discourages the airing of the same tune over its network, Columbia Broadcasting has decided to put a special campaign behind the anti-war ditty, 'Goodbye, Mother,' as far as its phonograph recording subsidiary is concerned. The ballyhoo will revolve around the record of the tune made by Dick Jurgens under the Okeh label.

## Des Moines Spot Extends

Des Moines, Aug. 27.

Although Riverview amusement park here will close officially Labor day with a dawn dance and fireworks, the Riviera ballroom in the park will continue operating for a fall season. Ted Lewis' band and floorshow will open the hall room's autumn program Sept. 4. Plans call for regular Saturday and Sunday dances with name band mid-week attractions when available. Possibility of heating the ballroom for dancing through the winter is reported being discussed.

With his signed contract, Lewis enclosed a note suggesting that the park management reinforce the ballroom floor. During Lewis' last appearance at the park several years ago, the floor of the old ballroom collapsed under the weight of dancers crowded around the bandstand.

## Jack Harris' Debut

New band under Jack Harris, the American-English maestro who has been forced to remain on this side by the war, will put up its first band next month, opening at the Stork Club, New York, Sept. 17. Band has been in rehearsal for the past couple of months.

Though on the other side for a number of years, Harris retained his U. S. citizenship and N.Y. local 802 musician membership.

## GLASER QUILTS CRA; FRICTION WITH GREEN

As a result of friction between Joe Glaser and Charlie Green, head of Consolidated Radio Artists, over the Les Brown booking at the Lincoln hotel, New York, Glaser has split with CRA and will shift to a new office. Break is effective Sept. 1. Lawyers currently at work preparing the necessary legal papers. CRA ceases booking Glaser's bands Friday (30).

Glaser was vice-president of Consolidated and president of the second outfit set up to control the combined workings of the two men, which was incorporated under the title of Glaser-Consolidated. Beside handling Les Brown, Glaser fronts Louis Armstrong, Andy Kirk, Eddie South, Billie Holiday, Roy Eldridge, Hot Lips Paige and Glenn Garr, the only other white band he has besides Brown.

## Dorsey 'Picketed' By Writer Who Claims 'Never Smile Again'

Tommy Dorsey is currently being plagued by a chap who claims to have written the lyrics of 'I'll Never Smile Again,' the hit tune published by Dorsey's Sun Music Co. Both melody and lyrics were written by Ruth Lowe, former pianist with Ina Ray Hutton. Plaguer is Ernie Marshall of Brooklyn, who says he sold the lyrics of the click to Dorsey for \$15.

Marshall was forcibly ejected from the Astor hotel, N.Y., recently for bracing the leader on the bandstand and subsequently was the subject of handbills that were passed out along Broadway advertising his claims. The printed form is strangely worded and gives rise to the thought that the whole thing has a colored boy in the woodpile. It says: 'Lost Cause Bulletin. Is Ed Sullivan to (sic) friendly with Tommy Dorsey to print the truth about who wrote the lyrics of 'Smile.' It then goes to say, 'With sworn statements to verify as to the actual writer of the lyrics, Ernie Marshall swears that he wrote and sold the lyrics to Tommy Dorsey for \$15.' Thing then becomes inconsistent by continuing, 'If Ruth Lowe claims the lyrics, ask her if she saved any money for her efforts, or is it possible that Ruth Lowe, out of kindness, gave the song to Dorsey gratis.' Signed Rocco.

As a matter of fact, Dorsey didn't hear the tune until long after it was written. It first came to his attention when one of the members of his band heard it on the air as played by Percy Faith's band in Toronto last September, while Dorsey's crew was playing a date at the Canadian National Exposition. An off-the-air record of the number was made and Dorsey brought the platter back to New York. He had it several months before publishing it and cutting his Victor record version, which has gone far toward popularizing the writing.

## 802's Ball Nov. 19

Fourth annual Medical Ball benefit to help the medical dept. of New York local 802 of the American Federation of Musicians is set for Nov. 19. It'll be staged again at Manhattan Center, N. Y., and run identical with last year's shindig.

Flock of bands will donate services in relays under the m.c.ing of Martin Block, while WNEW, N. Y., airs it all night in place of its 'Milkman's Matinee.'

## Bands at the Boxoffice

(Presented herewith, as a weekly tabulation, is the estimated cover charge business being done by name bands in various New York hotels, dinner business (7-10 P.M.) not rated. Figures after name of hotel give room capacity and cover charge. Larger amount designates weekend and holiday price.)

Band	Hotel	Weeks Played	Room Capacity	Covers	Total
Will Hudson	Lincoln (225; 50c-\$1)	3	225	975	
Woody Herman	New Yorker (400; 75c-\$1.50)	2	1,500	3,050	
Russ Morgan	Pennsylvania (500; 75c-\$1.50)	2	1,025	2,475	
Tommy Dorsey	Astor (900; 75c-\$1)	14	3,575	44,100	
Ray Kinney	Lexington (300; 75c-\$1.50)	15	1,300	18,450	
Alvino Rey	Biltmore (300; \$1-\$1.50)	9	275	4,825	

\* Asterisks indicate a supporting floor show, although the band is the major draw.

## Inside Stuff—Music

Guy Lombardo's band has been taking it pretty easy this past summer. On the average the outfit has been doing two one-nighters a week and a broadcast rehearsal and broadcast, vacationing the rest of the time. Leader accepted only two location dates since early summer, the current stand at Jones Beach, L. I., and a five-day bit at the Totem Pole B., Boston.

Before going back into the Roosevelt hotel, New York, next month, the outfit will play a couple of weeks in theatres and a couple of one-nighters. Band will fly from N. Y. to a date at a Tobacco Festival at South Boston, Va., Sept. 6, and fly back to another single date at Atlantic City the following day (7).

Per custom, Santly-Joy-Select and Famous Music split the score of 'Rhythm on the River' as they do on all Bing Crosby's Paramount pictures. Johnny Burke and Jimmy Monaco co-authored, with one interpolation, 'I Don't Want to Cry Any More,' by director-songsmith Victor Schertzinger, who merged the film. Famous Music publishes that also, along with three of the six Burke-Monaco tunes. A flip of the coin determines which numbers go to what firm.

Incidentally, Crosby's outside pictures (as for Universal) are 100% published by Santly-Joy-Select.

Teddy Powell is currently rehearsing the new band he will take into the Famous Door, N. Y., middle of September. Powell has leased the Door and after a run with his own band will continue to operate it with other crews on the stand.

New outfit retains only two of the men from his old band. It's now staffed by Gene Zanoni, Harry Davis, Phil Oliviero, Lenny Hartman, saxes; Jimmy Morille, Jerry Neely, Lou Ruggiero, trumpets; John Grassi, Tony Rego, trombones; Buddy Weed, piano; Farnum Fox, drums; Buddy Christian, drums, and Van Lake, guitar.

Pennsylvania hotel, New York, telephone operators have answered a number of calls during the past few weeks made by dialers who are curious about the song 'Pennsylvania 6-5000.' Title of the tune represents the hotel's actual telephone number.

Tune, a jump thing similar to 'Tuxedo Junction,' was written by the Glenn Miller band last spring while the outfit was located in the Penn's Cafe Rouge. In addition to '6000,' Miller had another tune he tagged 'Cafe Rouge,' name of the grillroom in the Hotel Pennsylvania.

Robbins, Feist and Miller Music royalties for the first six months of 1940 amounted to \$120,476, an increase of 22% over the same period in 1939. The royalty to writers' earnings were divided among the three firms as follows: Robbins, \$63,678; Feist, \$46,388; Miller, \$10,410. Payments to writers were made on more than 1,800 statements.

During the first six months of 1939, royalty figures totalled \$97,000 for the three music firms.

As well as passing out bandleader batons by the hundreds each week, in connection with his 'So You Want to Lead a Band' rag, Sammy Kaye now is carting around smoking pipes which are given to all stage hands in the theatres he plays in lieu of tips. They are assertedly good briars.

Leader also has a contest running, with a \$50 first prize, for the theatre p.a. doing the best publicity job on his theatre stands.

One of the strangest selling records currently is a six-month-old cutting by the Charloettes, a harmony singing group, of 'The Gaucho Serenade.' Cut and released late last March, the platter has been climbing steadily in sales and at the moment has become Columbia Record's third best seller. The tune itself has long since passed into oblivion as a popular number.

A gesture that floored a flock of song pluggers was made last week by Abe Lyman, who now has his orchestra in the Bon-Air, Chicago. Song reps tossed a birthday party for Lyman, and when the entire thing was over and the check was called for, the boys were told that there wasn't any check because Lyman had already reached for it.

Robbins Music holds the renewal rights to the lyrics of 'When I Dream of Old Erin, I Am Dreaming of You.' It obtained them from the writer, Marvin Lee. Shapiro, Bernstein & Co. recently acquired the renewal rights to the song's melody from the mother of the late Leo Friedman, its composer, which makes both firms eligible to publish the same number.

Max Mayer, of Paul-Pioneer Music Co., has protested to the Warner Bros. music group about the publication of 'Devil May Care,' whose melody he claims is similar to that of 'Kiss and Remember,' tune which Mayer put out last year. 'Devil's' melody was written by Harry Warren, while the composer of 'Kiss' was Natalie Mayer, Max Mayer's sister.

Milton Diamond of New York played Santa Claus with part of his Decca Records stock during June. Latest Securities and Exchange Commission report shows he gave away 100 shares of common, in two 50-share bundles, but still has 6,471 pieces.

'I'll Never Smile Again' (Sun) has to date sold around 160,000 copies of sheet music. The weekly turnover is 20,000 copies. Record sales on the tune are figured to have gone over the 500,000 mark, with Tommy Dorsey's version (Victor) alone expected to do 200,000.

Casa Loma band's version of 'No Name Jive' (Decca) has sold to date over 200,000 records. The number was composed by boys in the unit and is published by the outfit's own firm, Plymouth Publishing Co.

Because a radio announcer got his tongue twisted Bobby Byrne's trombone group is now called the Four Trombones. It was liked so much the tag was kept.



# MUSIC PUBS ALIBI N. G. BIZ

## BMI's 'Practice' Moves Up

Broadcast Music's 'Practice Makes Perfect' tied for first place with 'I'll Never Smile Again' in network performances for the past week. Also for the first time since the song was introduced, the sheet sales on 'Practice' started Monday (26), according to jobbers, to show they were going some place. Calls from retailers were strong and this, the jobbers figure, may have largely been attributable to the dealers' inclination to stock up on something that was getting top plugs. It's too early, say the jobbers, to tell whether the tune has hit possibilities.

'Practice,' likewise, made the Lucky Strike Hit Parade (CBS) last weekend. It was given ninth place. Obviously this was based almost entirely on its performance rating, since the tune's sheet sales hadn't got underway, or its phonograph record versions released. The Lucky Strike compilations are supposed to take all three factors into consideration.

## Oberstein In Middle of Fight For Stock Control of U.S. Record Corp.

Difficulties in which the U. S. Record Co. is now involved are described within the phonograph record and music publishing trades as strictly due to the fight which two factions are waging for control of the organization. On one side are the New York bankers, on the other is the group which owns the Scranton plant which does U.S.'s pressing. Caught in the middle is Eli Oberstein, the operating head of the company, and the \$300,000 of his money that he has invested in the company.

The New York bankers in U. S. Record of the opinion that the project would make much more of a profit if it didn't have to pay such a big proportion of the operating costs for pressing, while the Scranton group of stockholders in U. S. wants the price to remain as is and the work to be continued at that plant. Meanwhile one faction has been trying to freeze out the other.

While this attempt at freezing out has been going on, Oberstein has been holding conversations with J. C. Stein, of the Music Corp. of America, on the subject of the latter coming into the venture as a major stockholder. If this deal goes through there may result one of the most drastic realignments of band affiliations that the phonograph record industry has ever experienced.

As for the suits for back royalties recently brought by 34 music publishing firms against U. S. Record, the music industry knows that U. S. Record is thoroughly solvent, but it figured that court action might not only serve to protect its accumulated royalties, but precipitate a solution of the intra-organizational fight which would, in turn, put an end to the present freezing of U. S. Record's funds in the bank.

## BUNNY BERIGAN AGAIN OUT OF DORSEY CREW

Bunny Berigan and the Tommy Dorsey band have parted again. After being on notice once or twice before, Berigan was let go last Tuesday night (26) following the Dorsey unit's broadcast for Pepsodent. Understood Berigan will again attempt a band of his own. He disbanded his last one when he rejoined Dorsey several months ago.

Shortly after he came back, Dorsey began paying a certain percentage of Berigan's salary each week to the musicians' union to go toward paying off debts Berigan accumulated when operating a band of his own. He was the trumpeter on Dorsey's arrangement of 'Song of India,' which, backed up with 'Marie,' was the stepping stone to success for the Dorsey band five or six years ago.

## Pollack Repeats in Ky.

Chicago, Aug. 27. Ben Pollack's orch has been set for a return engagement at the Trocadero, Henderson, Ky., starting Sept. 4 for an indefinite stay. Pollack's band played there earlier this summer. Before returning, Pollack will do a week's stand at the Tunetown ballroom, St. Louis.

## BANDLEADERS, JOBBERS ON PAN

**Claim Orch Men With Publishing Sidelines Are Chief Sore Spot — Either Chiefly Plug Own Tunes, or Log-roll Other Maestros' Songs**

### OVER-ARRANGING

Traditionally, when business is bad, the music publishers take stock of themselves and seek the solution for it all. They have several alibis at the moment.

Major sore spots are the bandleaders who are also music publishers and, when not plugging their own tunes, logroll the other maestros in exchange for reciprocal plugs.

The music jobbers are also on the pan for allegedly cutting into the pubs by featuring their own copyrighted reprints. The mechanical men also are charged with having a 'piece' of this that indie music firm, or band, of 'backing up' hits with their own 'dog tunes,' etc.

When a ballad hit is created, just to name one more peeve, the publishers squawk that the leaders so over-arrange or distort the original melody it quickly kills off the tune. It's for that reason that they endorse what Irving Berlin did by restricting his 'God Bless America' in order that this anthem shouldn't be distorted by syncopation or other 'special' arrangement. On the other hand, a limited percentage of tunes can be so 'restricted' under the ASCAP license.

## Fred Guss, Freed On Murder Rap, Coralling New Flying Orchestra

Cleveland, Aug. 27. Paroled recently from Ohio State penitentiary, and exonerated of a murder charge, Fred Guss, ex-bandmaster, is going back to his former trade by organizing a 11-piece orchestra patterned after his old outfit. The Cleveland musician directed a troupe of 'Musical Aviators' up to 1938, when he was involved in a 16-year-old shakeup murder by which a constabulary evidence that was later discredited.

In 1929, Guss, whose real name is John Kosinski, sold the idea of a flying band to boost aviation to Casey Jones, prez of Curtis-Wright. Jones became the angel of his unit which toured the RKO circuit and played at Park Central hotel, New York, for about 18 months in 1931-32, with a Columbia hook-up.

While fighting his case from behind prison bars for two years, Guss spent his time composing, getting in touch with his former bandmen and advertising for new ones. Seven of his original men will form the nucleus of his new 'Musical Aviators,' said the leader, who plans to streamline the band to glorify America's national defense spirit and the U. S. flying corps.

An expert flyer himself, one of his novel requirements is that every member of the outfit must be a trained and licensed pilot. So far he has 10 applicants. Guss is now holding musical auditions and grabbing off some publicity space by staging flying tryouts for them at Cleveland Airport next week. After five weeks of rehearsals he intends breaking in his cloud-jumping band. Also shopping for a large cabin plane to replace his old Cador, which carried his original unit until it was wrecked in a crash.

Robbins publishing the 'Ice-captades' and new Sonja Henie-Arthur Wirtz ice revue' scores. Former written by John Latouche and Peter DeRose.

## Important Copyright Test Case May Develop From WB vs. Fisher Over Rights to 'When Irish Eyes'

### Cleve. Local Asks Boost

Cleveland, Aug. 27. Hotel execs are going into a huddle next week with LeRoy Repp, head of local musicians' union, to discuss latter's request for a raise in scale for hotel musicians. At present they are scaled at \$2 per hour for first twelve hours and \$1.50 for every hour after that.

## OLD-TIME TUNES HOT IN AUSSIE

Sydney, Aug. 7. Current war has brought a yen from the public for made popular around World War 1. Community sings, both on the air and in theatres, only maintain their complete popularity with the masses by the presentation of such oldtime numbers as 'Memories,' 'This Is the Life,' 'St. Louis Blues,' 'Pack Up Your Troubles,' 'Pretty Baby,' 'Roses of Picardy,' 'Oh Johnny,' 'Indiana,' 'Alice Blue Gown,' 'Long Long Trail,' 'Tipperary,' 'Keep the Home Fires Burning' and 'Sylvia.'

Next in favor are such numbers as 'I'll Pray for You,' 'Wish Me Luck,' 'There'll Always Be an England' and 'If a Grey-Haired Lady.' Most popular local efforts appear to be 'We're Marching On' and 'The Bold Bad Boys of Ingleburn.'

In this sector there is a community concert every day and night of the week. These managements have started audience singing prior to start of regular film bill, and in every instance the old songs carry the most appeal. Even dance managements are having band leaders dress up in 1940 style the numbers of yesteryear.

## DASH-CONNELLY'S NEW CORPORATION CHARTER

Albany, Aug. 27. Dash-Connelly, Inc., has been chartered to conduct a general music publishing business in New York. Capital stock is 100 shares, no par value. Bernard L. Miller was filing attorney.

Irwin Dash and Reg Connelly were partners in England. Dash, who is an American citizen, came over here several months ago to set up a business with Connelly as partner. They have purchased the catalog of the Superior Music Co., the nucleus of this new setup, which will publish current releases of Connelly's British firms as well as American tunes.

## Chester Shakes Up Crew; 4 Going Out

Bob Chester orchestra is currently undergoing a shakeup of personnel. Four of the crew's men, some of whom have been with the band since it started last year, are on notice. Only one spot so far has been filled. Al Stuart, trumpeter and novelty singer; Garner Clark, trumpet; George Brodsky and Ed Scali, sax men, those being let go. Mario Mariani, sax and clarinet, replaces Brodsky. Chester is currently at the Dancing Campus, New York World's Fair.

Important test case on an interesting phase of copyright renewals may develop from the controversy now going on between the Warner Bros. publishing group and the Fred Fisher Music Co. over the rights to 'When Irish Eyes Are Smiling.' Mills Music, Inc., may also be named by WB in the litigation, which would primarily be based on a power of attorney which Warner claims was signed by George Graff, Jr., one of 'Eyes' writers, 13 years before the right to renew became effective.

On the advice of John Schuman, who is also counsel for the Songwriters Protective Association, Graff in 1939 assigned his right of renewal to Fisher. WB charges that this assignment violates the 1917 power of attorney under which Graff granted the original publisher, Witmark, authority to take out a renewal. The original term of the copyright expired this month.

Graff wrote the lyrics of 'Eyes' with Chauncey Olcott, and WB holds a similar power of attorney from the latter's estate. The song's melody was written by Ernest R. Ball and the renewal rights to it were obtained from the latter's widow by Mills Music.

Warner now also argues that Mills had no right to take out a separate renewal in behalf of Ball, since the latter's name was not on the original copyright registration card, and that, if anything, Ball's widow must look to an accounting on the song from Graff, who registered the copyright in 1912. It has been indicated that WB will move to restrain both Fisher and Mills from publishing their own versions of the number.

**Controversial Theories** Underlying this controversy are two legal theories which have caused considerable argument among industry lawyers. One faction of attorneys has held that a writer has no right under the law to assign his renewal rights before they become due, while another faction contends that these rights may be assigned at any time and that the only change the assignee takes is on the survival of the writer at the time the renewal becomes due. The renewal otherwise belongs to the writer's estate. The former legal faction also takes the position that it was the intention of the U. S. congress which passed the 1909 copyright law to prevent the writer from disposing of the heritage of his mature years while still enjoying the flush of youth. In other words, the writer was not to be permitted to transfer something that wasn't legally his until the end of 28 years, and by virtue of such restraint he might on the renewal get a better break than had been his during the run of the original copyright.

## BENNY GOODMAN DUE BACK INTO ACTION

Benny Goodman will begin to rehearse for his return to the band business about the end of September. He and his reformed band will in all probability resume operations at the Sherman hotel, Chicago, Oct. 4, a stand into which he's been set for some time.

Goodman has given up the idea of a mixed band entirely. However, he'll continue to use colored Charley Christians on electric guitar and Teddy Wilson, who left him last year to form his own band, may return. Lionel Hampton will definitely have his own crew, though no action has as yet been taken toward getting the group under way.

Leader, after recuperating at Banff, Canada, from the effects of the operation performed on him at the Mayo Clinic, is back in New York.

## Duchin, Kyser Land N.Y. Waldorf Hotel Dates; Several Spots Indefinite

Eddy Duchin and Kay Kyser orchestras get the two Waldorf-Astoria hotel, N. Y., band jobs this fall, Duchin in the Sert Room opening Oct. 10 and Kyser in the Empire starting Oct. 12. Duchin goes into the Waldorf's Starlight Roof Sept. 6, replacing the current Xavier Cugat, remaining there until Oct. 9. Booking of Kyser keeps his group in N. Y. for a fair stretch at least, idea that probably meets with the approval of the sponsors of his Lucky Strike broadcasts.

However, with the two Waldorf spots set for musical talent, the N. Y. hotel band picture isn't all clear. There are several spots not yet set for the first half of the season, notably the Plaza, Biltmore and New York. Biltmore gets Ray Heatherton's new band, fresh from the Rainbow Room, N. Y., tonight (Wednesday) in place of Alvino Rey. Plaza spot is to be filled soon, but the New Yorker has no idea who will follow the current Woody Herman. Later's option was picked up last week keeping him there until Oct. 9. Guy Lombardo returns to the Roosevelt, his usual winter stand; Sammy Kaye swings back into the Commodore Oct. 1 for his third season, and Glenn Miller heads back into the Pennsylvania's Cafe Rouge Oct. 6 for his second term, a booking that had been set since Miller left the place last April.

Lincoln and Edison hotels are clear, for a time at least. Blue Baron again succeeds the current Gray Gorton at the Edison, and Tony Pastor's comparatively new group goes into the Lincoln about Oct. 15. Charlie Barnet is supposed to return for a short stretch before Pastor, replacing the current Will Hudson. Date is not definite, however. Frankie Masters has been renewed at the Taft until October. Nothing set to follow.

### Krupa to Glenn Is.

Gene Krupa band will tee off the Glen Island Casino, New Rochelle, N. Y., winter policy. Marks first time the spot has succeeded in going through with winter plans though such an idea had been broached the last several seasons. Krupa will play two weeks, at least, starting Oct. 2. Bobby Byrne's band will holdover till Oct. 1, though scheduled to close originally Sept. 6. Byrne has been there since May 15.

## Grady Hotel, Atlanta, Books Non-Union Crew

Atlanta, Aug. 27. With Henry Grady hotel branded as unfair by the American Federation of Musicians, hostelry Saturday (24) opened with non-union Don Alvorre and his crew in its Spanish Room, town's only summer dine and dance spot.

Action of AFM is outgrowth of quarrel between Henry Grady and Atlanta Federation of Trades, stemming from alleged dismissal by hotel of two union employees. James C. Petrillo, prez of AFM, gave hotel until Aug. 24 to settle its differences with union, but there was no settlement. Use of non-union musicians in Spanish Room has cut off rental pickups by WATL, Mutual outlet here.

Atlanta Variety Club has its quarters in the Grady and those members of tent who carry union cards are being forced to stay away from club.

## SEVERAL BAND BOOKER SHIFTS

Series of shifts in one-night booking departments of New York band agency offices last week moved Billy Shaw out of Consolidated Radio Artists and over to Music Corp. of America. He'll book under the supervision of Harry Moss, while Moss concerns himself more with setting location dates. Moss has been increasing active of late on location work and the idea is for him to partly help fill the gap left open by Sonny Werblin and Willard Alexander. Alexander is now with Wm. Morris agency. Werblin is still hospitalized by kickback of a previous illness.

Shaw's place at CRA was taken Monday (26), when all changes went into effect, by Bob Bundy, who had headed the Charles & Cy Shribman agency in N. Y. Who will replace Bundy for Shribman has not yet been determined. Shribman main office is in Boston.

Al Turner band has started sixth consecutive year at exclusive Bachelor's Club in Pittsburgh.

## Stage Bands Again Faves in Australia

Sydney, Aug. 7. Stage bands are right back into popularity in the ase pic houses throughout Australia. Although no overseas names are available, nevertheless local talent finds plenty of work on tap from major pic loopers, keen to keep pace with the public's desire for more melody with pic fare.

Apparently, with so much wax stuff coming over the radio nowadays, public looks for something different when seeking entertainment elsewhere. Top baton twirlers hooked by Hoyts, Greater Union and Carroll-Musgrave for extended dates include Jimmy Davidson, Will Quintrell, Bert Howell, Daniel Mas, Ned Tyrrell, and Tony Douglas.

Try is also being made in city houses to rebuild organ popularity.

## Zig Elman's Jam Session With T. Dorsey in Bunny Berigan's Chair Wows A.C.

Atlantic City, Aug. 26. Editor, VARIETY:

When man beats son ('I'll Never Smile Again'), local boy makes good, and prodigal son (wasting only lung power) returns: that's triple news in music circles.

Tommy Dorsey and his orchestra, the organization responsible for the daily atmospheric inundation of 'I'll Never Smile Again,' played a one-nighter at Steel Pier, Atlantic City, Sunday (25) sans the services of star trumpet and former bandleader, Bunny Berigan, for reasons (?).

Ziggy Elman, local boy, who was discovered by Benny Goodman at this entertainment mecca, under similar circumstances, while playing in Alex Bartha's band a few years ago, took Bunny's chair for the engagement, and history was made.

At 10:45 the band appeared, and the first number, 'Swingtime Up in Harlem,' suddenly soared to a screaming trumpet finish as Ziggy took the floor. Recognizing him, the crowd shook the Pier with their ovation. Showman Tommy got his Pied Pipers up to the mike almost immediately afterward to deliver the nation's favorite song—their number. But the climax was still to come.

A few minutes later, the band went into a free rendition of 'Dear Old Southland.' Tommy gave Ziggy's trumpet the spotlight in a jam session, which featured the maestro and Buddy Rich (former Artie Shaw drummer). Elman was superb, and the crowd, realizing that they were hearing one of the best spontaneous musical exhibitions in years, gave him full vocal credit.

Playing with the Dorsey crew for the first time, Ziggy Elman's horn was silent for the most part of a subsequent broadcast, in which special arrangements were used, but when 'Rumbogie' and 'Old Black Joe' came along, he stopped his impatient fidgeting and gave the radio audience a surprise treat, holding the music in his left hand at first, but throwing it down to give forth with perfect improvising as he felt the mood. He even joined the band's choral background in the former.

After this, it was Elman's night. His screaming finish to a swingaroo started an unabating roar. Tommy had to change his plans, and they went into 'And the Angels Sing,' a number Ziggy made famous with Goodman's band. The 'Smile' reception was pure in comparison to the spontaneous outcry for Elman, which was reminiscent of the Republican convention in Philly.

He soloed with the drums on his famous 'Bublitchee,' and Dorsey wisely featured him for the remainder of the evening, despite the fact that he had to improvise each ride, including the famous 'Marie' lick.

Dorsey's band has been immortalized by his famous arrangements, but it made history last night. An underrated musician peered at these numbers for the first time, and then delivered his conceptions perfectly without the aid of written sheets. Tribute is necessary for this accidental milestone. I hope some credit will be given.

Herb Hendler.

Buddy Rogers was forced away from leading his band at Cavalier Beach Club, Virginia Beach, by death of a sister at Olath, Kans., Thursday (22). Crew disbanded Sunday (25) as per previous plans.

## 15 Best Sheet Music Sellers

(Week ending Aug. 24, 1940)

I'll Never Smile Again.....	Sun
Sierra Sue.....	Shapiro
When the Swallows Come Back.....	Witmark
Blueberry Hill.....	Chappell
God Bless America.....	Berlin
Foils Rush In.....	BVC
I'm Nobody's Baby ('Andy Hardy Meets Deb').....	Feist
I'm Stepping Out With a Memory Tonight.....	Robbins
Six Lessons from Madame La Zonga.....	BVC
Breeze and I.....	Marks
Playmates.....	Santly
Nearness of You.....	Famous
Down by the O-hi-o.....	Forster
Shout, I Am an American.....	Mercer
All This, and Heaven Too ('ATHT').....	Remick

\*Film musical

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

Following is a totalization of the combined plugs of current tunes on NBC (WEAF and WJZ) and CBS (WABC) computed for the week from Monday through Sunday (Aug. 19-25). Total represents accumulated performances on the two major networks from 8 a.m. to 1 a.m. Symbol \* denotes film song, † stage musicals, all others are pop. Parenthetic numeral after the title indicates how many weeks the song has shown up in these listings.

TITLE	PUBLISHER	TOTAL
Practice Makes Perfect (4).....	BMI	38
I'll Never Smile Again (11).....	Sun	36
Love Lies (4).....	Feist	34
When the Swallows Come Back (9).....	Witmark	32
Foils Rush In (15).....	BVC	28
All This, and Heaven Too (10).....	Remick	27
Orchids for Remembrance (8).....	Miller	27
Sierra Sue (16).....	Shapiro	25
Blueberry Hill (7).....	Chappell	24
I'm Nobody's Baby (11).....	Feist	23
Nearness of You (11).....	Famous	22
Mister Meadowlark (9).....	Mercer	21
Same Old Story (4).....	BMI	21
Danny Boy (16).....	American	20
Breeze and I (17).....	Marks	19
We Could Make Such Beautiful Music (8).....	BMI	19
Get the Moon Out of Your Eyes (5).....	Paramount	18
I Can't Resist You (14).....	Ager	18
Maybe (4).....	Robbins	18
That's for Me.....	Famous	18
Call of the Canyon (4).....	Shapiro	17
Six Lessons from Madame La Zonga (11).....	BVC	17
Trade Winds (3).....	Harms	17
Can't Get In Love With My Mind (4).....	Santly	16
I'm Stepping Out with a Memory Tonight (11).....	Robbins	16
There I Go (4).....	BMI	16
One Look at You (2).....	Paramount	14
Crosstown (2).....	Shapiro	13
Never Took a Lesson in Love (1).....	ABC	13
You Think of Everything (4).....	Robbins	13
It's a Lovely Day Tomorrow (6).....	Berlin	12
You Can't Brush Me Off (13).....	Berlin	12
You're Lonely and I'm Lonely (15).....	Berlin	12
Down by the O-hi-o (9).....	Forster	10

## Noble Plus Templeton On Alka-Seltzer Show.

Chicago, Aug. 27. Ray Noble's orch goes on the Alec Templeton show Alka-Seltzer starting Sept. 8. With Pat O'Malley also on the program, it will be an all-English show.

Wade agency here handling the account.

Alfred Newman is scoring 'They Knew What They Wanted' at RKO.

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## Saratoga Niteries Taking a Beating; Meadowbrook, Kelly's Doing Okay

By JACK PULASKI

Saratoga Springs, N. Y., Aug. 27. With the thermometer hovering low, the Spa is taking the worst beating since the lid was clamped on the game rooms three years ago. The night spots are all closing heavily in the red and the performers wonder how they are getting paid off. Here and there sneak gambling goes on and the cops have been raiding the joints.

Only clubs doing anything like real business are the Meadowbrook and Mother Kelly's, and even there the customers have been attending only on late week nights. An audience of 50 is regarded as okay during chilly August. So few people have been on hand at other resorts that no performances given there some evenings.

Arrowhead drew the biggest one-night house Thursday (22), the occasion being the turf writers' annual affair, but on Saturday (24) the club folded up. Race writers thought their party was easily the top first year of mutuels here, but it was a sellout regardless. All entertainers appeared, including Eddie Davis, a fugitive from 52d street, town for the races.

Turf writers party was handled by Frank Ortel of the N.Y. World-Telegram, Charles W. (Chuck) Connors of Racing Form, and the late Tony Betts of the N.Y. Post and Freddie Capaselli, an announcer.

Cross and Dunn, faves in Saratoga, warbling at Meadowbrook, and the titian-haired Terry Lawlor at Kelly's Lake House are easily the top performers at the resort. Duo's songs, "We're Two of Three Men on a Horse" and "Lydia" (the tattooed girl), are their standouts, and both excellent. Eddie Weber is at the tavern for Cross and Dunn. Spot has Howard Lally's band, the dance team is Rodrigo and Francine, while Norman Mendelsohn is the emcee. He is who prefers to earn living that way and not depend on his father's wealth. In the grill are the Four Freshmen, instrumentalists and warblers.

Arrowhead cut expenses and dropped Josephine Huston, subbing with Wilma Cox, Holland and Hart also being there, along with the Holts' band. They named a horse after that leader, and it was supposed to be a good thing first time out. But the nag ran out of the money. At Piping Rock, where the "French girl from Brooklyn" is the principal entertainer, along with the Four Oxfords and Ted Straeter's band, which, with 11 men, is the largest in town. At Lake Lodge, were Ramon and Renita, The Nelsons, Deane Janis, but the show was dropped, though Al Jahn's band is giving out the track to you. He is an Albany lad and so is Francis Murphy, who conducts at Kelly's. Murphy was with the Si Fabian outfit and also played at the Ten Eyck hotel, Albany.

Kelly's has been sporting a line of girls, the only cafe in town with chorines. Club Felix, which was the Villanova last year, is generally flue, but the place closed abruptly after the first week of the month. At Newman's Lake House the entertainment consists of Bernie Collins' band. Attendance at the track is good on Saturdays. Back stage, where the tote is computed for the mutuels, is one of the most interesting sights at generally. It is well known that the betting odds are figured on paper much the same as when bookies operated, despite the maze of electric gadgets that make up the mutual system. Up to yesterday (Monday) \$67,092.394 was state's share, being over \$3,228.274. This doesn't include the Commission's share of \$6,701,680, nor the state's share of breakage, which is \$348,888.

There are stories around about broken-hearted jockeys. Unable to ride any longer, they are trying to drown their sorrow at various bars, then attend the races. It would seem that they like the roar of the crowd when coming in, and the stretch and though several are known to be well off, they are carrying the torch for what they prefer to call a profession, but one at which they can no longer excel.

This season has been unusual in one way—there are very few Hollywood people at the Spa.

### OHIO VILLA, CLEVE.

Cleveland, Aug. 24. Norman and McKay, Lee Bartell, Virginia Manck's Dancers (6), Lou Holtz, Maurice Spitalny's Orch.

Every sort of record the Ohio Villa ever had is being knocked down by Lou Holtz, whose phenomenal power in drawing crowds twice as large as the seating capacity (1650) is overworking the waiters into a state of physical collapse.

Holtz had 'em selling standing room the first three days, with enough turnouts to fill the spot again. By jamming

every inch with tables, at minimum of \$3.50, they hit a top attendance of 950 on third night.

Dialectician, not seen here for years, doesn't have to sell himself. From the first orange-juice gag he has them laying down their silverware quickly, a rare compliment here at the dinner hour. He takes advantage of it by stringing out his yarns with much seegar-juggling business, but socking the point of windy anecdote with hilarious finesse. Since they go big for Yiddish dialect humor in this oasis for heavy-spenders, Holtz puts it on thick and expertly in racy quips for their satisfaction. Two song parodies he does are well worn but the stinging twists he puts into them, are what count most.

Bartell and her high swing-time voice are nicely grooved for this type of revue, aided by her forceful personality. Ballroom terping travesty of Norman and McKay is a curious combo of cleverly grotesque pantomime and horseplay that isn't always well timed. Gal perhaps mugs it too hard, and her work is their Indian cymbal dance burlesque. Six Virginia Manck dancers do more than okay in vivifying the rising stage with smart costumes, semi-ballet numbers and neat game.

Maurice Spitalny band, back from Pittsburgh to supplant Austin Wylie's band, cues show as sharply as any day, and bills at Pat here. In dancapation, it's rich-toned, smooth with neat orchestrations. Pullen.

### Hawaiian Blue Room (ROOSEVELT HOTEL, N. O.)

New Orleans, Aug. 18. Hal Kemp's Orch, Judy Starr, Bob Allen, Pancho and Dolores, Floretta and Boyette, Robbins Bros. and Margie, Jack LeMaire, Janet Blair.

Town's top niteries continues to dish out first-rate entertainment. Both band and show rate highly in their 60-minute turn.

Hal Kemp and his musical crew scored hit with both youngsters and oldsters on first night by dishing out a restrained type of evening. On brass section, while large, is kept as well under control one is never painfully aware it's dominating the show. Kemp aggregation also adds a great deal of the entertainment to the show proper. Bob Allen is featured singer and registers with several tunes, principally "Remember Me" and "Never Smiling Again." Femmes go for his warbling in big way.

Jack LeMaire, also of the band, assumes a falsetto and wig to bring laughs in several comedy numbers. He gives out the show, can sing as well as she looks, which is plenty. Judy Starr, wife of one of the band members, volunteered her services closing night of Phil Harris' engagement here. Seymour Weiss, of the hotel's management, heard her and promptly signed her for new show. Petite singer drew plenty of palm-pounding from crowd, contributing group of six new tunes.

Unusual and clever are Floretta and Boyette, mind-reading stunt which had 'em guessing. Male tours the table of his blindfolded partner—describe objects he points to. She also calls names. Gal is looker. They offer free champagne cocktail if they live on customers.

Pancho and Dolores are smooth ballroom dance team. Got several encores. The Robbins Bros. and Margie drew no response for their whirlwind acrobatic dancing. Show, despite the many in it, is not too long and stepped up to a fast tempo. Niteries should do big business for next few weeks until it is closed after Labor Day for redecoration. Liuzz.

### NIXON CAFE, PITT

Pittsburgh, Aug. 23. Al Marsico Orch. (8), Raul and Eva Reyes, Winter Sisters (3), Bob Carter.

Tony Conforti has finally gotten around to the idea that quality is more desirable than quantity in niteries entertainment. In the past his floor shows have run more than an hour, and invariably half of them were dead wood. This one clocks just 34 minutes and it's probably the best package he's ever wrapped up for his Nixon customers.

There are only two acts and Bob Carter, band's featured singer who also doubles as m.c., but the pair of tunes are hoaxes and they break up their appearances in two acts to give layout a look of variety. In Raul and Eva Reyes, Nixon has probably the best conga-rumba team ever to turn up in a floor show in these parts. Last time here they were at Stanley, WB deluxer, with Xavier Cugat, whom they'll rejoin in October for a theatre and hotel tour. Couple have everything, looks, appearance, talent and personality.

Gal's a sex-appealing little dark-skinned beauty and Raul has enough to give the ringsiding femmes pitty-pats. Their stuff is all class and they have a pack of novelties that's in the conga groove. The Reyes rumbas are clickity routine, and they have a Cuban version of "Be-guine" that's mighty near the tops in this sort of thing. For encores, they have several briefs, with "Shoein the Wild Mare" and "Cranking the Ford," both sexy, but in excellent taste, their best. Nixon crowd couldn't get enough of them and the Reyeses could have stuck around ad infinitum.

Other turn, Winter Sisters (New Act), is also in the top line, but almost entirely on the acrobatic end. Three blondes hold up their part of the show neatly with some back-breaking stunts. Carter, who does the introductions, picks a good midway spot for his platter of songs and sells a flock of ballads in fine style. Al Marsico's band continues to dish out dancapation. Nixon Cafe fashion, which means the old straighter-on-and-very little hot, and does a great job on the show, even satisfying the Reyeses, who claim nobody but Cugat can play their music.

Click of current layout will keep Conforti on same policy, he says, throughout season, with possibly another act or two being added with opening of fall and winter season. Chorus are out, and he's going to use only featured turns along present lines. Cohen.

### Band Bookings

Tommy Dorsey, Aug. 30, Salem, N. H. 31, Lunenburg, Mass.; Sept. 1, Old Orchard, Mass. 2, Neponset, Mass.; 4-7, Canadian, Exposition, Toronto; 8, Lake Compounce, Bristol, Conn.; 11, Carrolltown, Pa.; 12, Edsel Ford Party, Detroit; 13, Youngstown, O.; 14, Columbus; 15, Cleveland; 18, Rochester, N. Y.; 19, Harrisburg, Pa.; 20, Roseland B. N. Y.; 21, Pottstown, Pa.; 22, Savoy B. N. Y.; 23, Astor Hotel, Long Beach, Calif.; 24, Astor H. N. Y.; 27, Johnson City, N. Y.

Al Donahue, Aug. 31, Lakewood Park, Mahanoy City, Pa.; Sept. 1, Pleasure Beach, Bridgeport, Conn.; 2, 6 days, Totem Pole B., Auburn, Mass.

Gene Krupa, Sept. 3, three weeks, Dancing Campus, World's Fair, New York.

Bill Carlsen, Aug. 22-Sept. 2, Elitch Gardens, Denver.

Lou Breese, Sept. 6-8, Meadowbrook, Cedar Grove, N. J.; Sept. 13, two weeks, Beverly Hills C. C. Newport, Ky.

Henry Busse, Sept. 9, Civic Aud., San Jose, Calif.

Del Courtney, Sept. 13, Aud., Paris, Tenn.

Duke Ellington, Aug. 31, Lake Shore C. C., Chicago; Sept. 12, Club Dunbar, Gary, Ind.

Claude Hopkins, Sept. 22, 20th Century Club, Cambridge, Md.

Joe Reichman, Aug. 30, State Lake, Chicago.

Bill Roberts, Sept. 7, Broadmoor hotel, Colorado Springs.

John Kirby, Sept. 9, Hipp, Baltimore.

Jack Meakin, Oct. 6, indef., Blue Gardens, Armonk, N. Y.

Jack Teagarden, Sept. 7-8, Manhattan Beach, N. Y.

Pancho, Sept. 26, indef., Beach-comer, N. Y.

Casa Loma, Sept. 7, Sunnybrook B., Pottstown, Pa.

Mike Riley, Sept. 12, three weeks, Dancing Campus, N. Y. World's Fair.

Harry James, Sept. 13, Eastwood Gardens, Detroit; Sept. 27, indef., Brunswick hotel, Boston.

Mitchell Ayres, Sept. 21, indef., Chatterbox, Mountaineer, N. J.

Guy Lombardo, Sept. 27, Steel Pier, Atlantic City; 13, Chicago theatre, Chicago; 20, Palace theatre, Cleveland.

### Music Notes

George Dunlap clefted two pop tunes for the Kay Kyser orch. Ditties are "Why Cry, Baby" and "Trees Turn Green."

Raul Krashaar drew the musical director assignment. "Melody Ranch" at Republic.

Ben Feld, musical director, and Joel Stovall, music arranger of the KMOX, St. Louis, orch, have had their first song, "Lovely As You Are," published by M. M. Cole Co., Chicago.

Johnny Noble, Hawaiian song-smith-maestro, due in Los Angeles from Honolulu Sept. 6.

Victor Young doing the musical score for the Wesley Ruggles picture, "Arizona," at Columbia.

## Record Reviews

Mitchell Ayres "Go to My Head"—"Deep In Heart, Dear" (Bluebird 10914) Ayres treats "Head" to several tempos, a novel method, before settling into an attractive slow tempo arrangement of the crack tune. His writing is a neat job, well played. Reverse is nothing to speak of; laggy material that rouses no enthusiasm.

Benny Goodman "Dreaming Out Loud"—"Can't Resist You" (Col. 35574) One of the last two sides cut by Goodman before the leader's forced temporary retirement, "Resist" is almost all an excellent vocal by Helen Forrest. Rest of the arrangement apparently got little attention. Outside of the leader's clarinet and one or two short bursts of click stuff from the band, little is shown. Same can be said for the reverse. Band starts solid but fades sharply. Poor sides by Goodman are few and far between, but here's two.

Glenn Hardman Trio "Shades Twilight"—"Once in Lovetime" (Col. 35579) Vocalist Alice O'Connell, with Glenn Hardman's organ and muted trumpet, push "Twilight" to click proportions. She's the sister of Helen O'Connell, vocalist, with Jimmy Dorsey, and a singer with a warm and interesting voice. She occupies most of the side. Reverse, at slower tempo, shows her off better and gives the instruments more chance. Hardman gets in a neat lick.

Alec Templeton "Body and Soul"—"Mary Had a Little Lamb" (Victor 26668) Johnny Green, a pianist, wrote the lasting standard "Body and Soul" and Templeton plays it in a manner hard to equal. Player varies the tempo in different choruses, taking off in concert and popular style. Either way is highly acceptable. Reverse is a novelty arrangement of the same tune; it's labeled a musical caricature. Pianist plays and sings it in hilarity, German and rumba style. Smart stuff.

Red Nichols "Meet Miss B. Beat"—"Overnight Hop" (Okeh 5648) "Miss B. Beat" is a sizzling bit of boogie-woogie driving by the clean and brisk playing Nicholas band. It's a good side, but coupled to a piece grooved in the same tempo, second running through sock clarinet and trumpet breaks and finishing under muted brass. Makes a nice impression, too.

Duke Ellington "Dixie Roadside Diner"—"Greatest Mistake" (Victor 26719) One of the too infrequent pops cut by Ellington, "Dixie" side gets the full benefit of his arranging. It's a colorful job, at good tempo and the usual objection to an Ivie Anderson vocal splitting its stuff can't be made as strong as in some past performances. Solid ensemble is broken by sax and trumpet. Muted trombone and sax, especially the former, stand out on the reverse, an equally crack job.

John Kirby "Temptation"—"Jumpin' in Pump Room" (Okeh 5641) Kirby continues to market smart sides. This arrangement of "Temptation," set at slow tempo, neatly trades the melody-full tune. Clarinet and sax bits make the small combo sound full size. "Pump Room" is speedier, listenable portion of jive.

## On the Upbeat

Emerson Gill and his orchestra set for Aug. 24 through Labor Day at the Palomar, Lansing, Mich.

Jan Savitt's orch will play three-day date at Hamid's Million Dollar Pier, Atlantic City, starting Saturday (31).

Paul Reedy's orch filling a return engagement at the Centennial Terrace, near Toledo.

Glen Gray and Casa Loma band playing a full week at Cedar Point, Lake Erie resort near Sandusky, O. Opened Friday (23).

George King back for an indefinite stay at the Mansion, near Youngstown.

Earl Williams' orch playing at the newly opened Cocoanut Grove near Toledo.

Henry Busse opens a week at the Orpheum, Los Angeles, Sept. 18, moving later to the Palace hotel, San Francisco.

Eddy Duchin moved out of the Cocoanut Grove, L.A., for a tour of one-nighters along the Pacific Coast.

Jack Teagarden band set for its first stay at the New York Paramount. Opening date not definite, but probably last week in September.

Jim Peppe, manager of Sammy Kaye, spent few days in New York hospital last week driving off bronchitis attack.

Ray Demaris band, which recently finished stand at Battle House, Mobile, Ala., dis-banded.

Ray Heatherston band, replaced at the Rainbow Room, N. Y., last week by the returning Eddie LeBaron, gets another shot at the spot, in turn replacing LeBaron in January.

Ben Eaton's band remains in grill of Buckwood Inn, Shermanside-Delaware, Pa., until October. Florida spot in offing for winter season.

Willard Schillinger's music closes the season at the Tennis Club of The Inn, Buck Hill Falls, Pa.

Lou Breese band set for a three-day stay at Meadowbrook, Cedar Grove, N. J., Sept. 6-8. Follows

with two weeks at Beverly Hills C. C., Newport, Ky., Sept. 13.

Eddie Regrato's orch from Philly continues until October at the Glenwood Hotel, Delaware Water Gap, Pa.

Glenn Miller and his band move into a featured spot on the next Jack Votian-Sam Coslow production for RKO.

Lawrence Welk orch opened eight-day engagement at Kenywood Park, Pittsburgh, Monday (26). He'll wind up spot's season.

Howard Becker, who went into Pines, Pittsburgh, for two weeks in May and stayed the entire summer, will close there Sept. 7.

Joey Simbs' band into West View Park, Pittsburgh, for Labor Day weekend, curtain ringing down there after that.

Max Adkins Stanley theatre crew in Pittsburgh has lost first violinist Charlie Riley to KDKA, and trumpet player Johnny Marino to Nixon (legit) house band.

Pleasure Beach, Bridgeport, Conn., closes season Sunday (1) with Al Donahue one-nighter.

Tommy Reynolds band, winding up this week at Playland, Rye, N. Y., one-night Sunday (1) at Lake Compounce, Bristol, Conn.

Jack Meakin band replaces the McFarland Twins outfit at Blue Gardens, Armonk, N. Y., Oct. 5 or 6.

Rollo Bundock leaving the bass job with Glenn Miller.

Ray McKinley, drums; Freddie Slack, piano, and Doc Goldberg, bass, form a new singing and instrumental combination from within the Will Bradley band.

Luna Park, Coney Island, N. Y., name band concession folded and went into bankruptcy. Meeting of creditors Sept. 20.

Ernie Florida succeeded D'Artega as conductor at Shea's Buffalo theatre, Buffalo, with WEBB series.

George Saplenna rumba band at Sagamore hotel, Rochester, with WHAM wire.



## Drop Petition for Dissolution of AFA Death Benefit Fund, Reach New Accord

Application of Frank E. Lynch, as one of the four trustees for the dissolution of the death benefit fund of the American Federation of Actors, for a New York supreme court order authorizing him and Ralph E. Whitehead, as executive secretary of the AFA, to dissolve the fund, and after payment of all expenses, to divide the remaining assets pro rata among members, was dropped after a five-month court fight Thursday (22). An agreement for the settlement of the controversy was worked out between Harold Koenigsberg, attorney for Whitehead, and Sidney E. Cohen.

The agreement reached provides for the appointment of three trustees, former judge Joseph Padway, U. S. senator Robert F. Wagner and Sidney E. Cohen. The fund will be kept intact and payments will be made as deaths occur. An order to this effect, with further legal additions, will be presented to justice Ferdinand Pecora later this week.

The original application for the dissolution of the fund had been presented on March 29 to justice John E. McGehean, and was opposed by affidavit from Alan Corelli, executive secretary of the Theatre Authority, and member of the defunct AFA council.

### Corelli Changes

Corelli asserted among his charges that the trustees named were not qualified to dissolve the fund, that the necessary 75% vote of the AFA had not been obtained and that neither Gus Van nor Rudy Vallee, the other two trustees, had been notified. The court fight began when Whitehead, incensed at Corelli's action, released a statement attacking Corelli's action as a means of keeping the money from the actors. Corelli immediately retorted that he was solely interested in members of the AFA getting back their money and wanted the court to appoint an impartial trustee.

The fund was created in 1936, with the trustees being Lynch, Whitehead, Vallee, Van and Sophie Tucker, who subsequently resigned. Members paid \$1 each to set up the fund, and 25¢ thereafter for each death. The payments in case of death were not to exceed \$300. Now there is approximately \$17,500 in the fund.

In November, 1939, it was decided to dissolve the fund and members were notified. About 10,000 letters were sent out with 682 voting for dissolution and 69 against. Having failed to thus secure a 75% vote to dissolve the fund, the trustees in February, 1940, obtained an order from justice Bernard L. Shientag in N. Y. supreme court directing Lynch to notify all others of the planned court action to secure the dissolution, and for those opposing to appear. Corelli was the only one to oppose, and after a battle since March 29, the settlement of the controversy was finally reached.

## 40 IN NET AS MPLS. COPS RAID NITERY

Minneapolis, Aug. 27.

Police department has launched campaign against all-night, non-licensed liquor niteries with raid on Harlem Breakfast club, black-and-tan establishment.

Caught in the net were 17 Negroes, 14 white men and nine women who were fined \$5 each in municipal court. The Negro proprietor received the maximum sentence of 90 days in the workhouse.

### Fay's Vaude Out

Providence, Aug. 27.

Fay's last stronghold of vaudeville here, has finally given up the ghost. Edward M. Fay, owner of the house, decided to make play for the juve trade at the summer's beginning and instead of closing down as usual, switched from vaudeville to double-features.

## Take Over Philly Spot

Philadelphia, Aug. 27.

The Anchorage, swanky East River Drive rendezvous closed by Federal agents about six weeks ago, will unfold the middle of September under new management. The new operators are Harry Drob, formerly proprietor of the local 21 Club, and Isabelle Hackett. Shows will be booked jointly by Music Corp. of America and Tony Phillips office. Local bands are now being auditioned by Drob.

Spot was formerly operated by Arthur H. Padula and was shuttered because Padula failed to pay \$3,000 in back social security taxes. The new owners have assumed that obligation.

## BURLESQUE UPS TO 3 HOUSES IN ST. LOU

St. Louis, Aug. 27.

For the first time in the history of this burg three burlesque houses will be in operation this season. Two standbys are in the downtown district and the third, the newcomer, will start operation in midtown. Sam Reider, localite, who opened the Grand, downtown, for the Wolverine Amusement Co. last fall, is the new operator in the local field. He has obtained a lease on the Shubert, 1,600-seater in midtown that has been used for legit and talkers, and expects to open about Sept. 15 with a house line and traveling principals. The admish scale and number of shows per day will be announced later.

The Grand under the management of H. K. Minsky, New York, opened the local burlesque season Friday (23) with a two-day policy and 30-50c scale. The Garrick, the oldest burlesque house in town, will fire its opening gun next week. This house on the Izzy Hirst wheel will present traveling shows on a two-day basis. The Grand is operating on a policy similar to that to be used by the Shubert, a house line, traveling principals and vaude acts booked independently. None of the houses will show talkers.

### Mpls. Burley

Minneapolis, Aug. 27.

Harry Hirsch and Harry Katz, who have been at the helm of burlesque here some 20 odd years, are moving from the Gayety, for many decades the local burlesque home, into the Alvin, one of the city's most beautiful theatres in the heart of the loop and which, at various times, has housed legit roadshows and Bainbridge dramatic stock.

Pair will present Western wheel shows, modified and refined as musical revues with augmented vaudeville, house line of 16 girls plus films. Policy will be continuous at 55c. Opening scheduled for Sept. 13.

### Youngtown's Burley

Youngtown, O., Aug. 27.

Winter burlesque season opened at the Grand, Youngtown, Aug. 23, with Jack Kane as manager.

Continuous vaudeville performance will run from 4 to 5 and from 7 to 11 p.m., with midnight show Saturday.

## A Much-Needed Rest

Marilynn and Michael, terp team at the Rainbow Grill, N. Y., for two and a half years, start a four-week vacash next Tuesday (3).

Femme planes to the Coast while Michael will rest on his brother's Massachusetts tobacco farm.

## RENEE and ROOT

800 CLUB... Atlantic City, N. J.

"Renee and Root, a team whose grace is reminiscent of the DeMarcos or Velox and Yolanda, dance brilliantly."

—Atlantic City Press.

## Proser Mulls Cotton Club As Pan-American Nitery

Monte Proser is mulling the Cotton Club site on Broadway as a spot for a Pan-American nitery, embracing all facets of Latin music and entertainment.

International motif would embrace the Madrid, Havana, Mexico City, Rio de Janeiro and Buenos Aires type of characteristic melodies and dances.

## Cleve. Hotel Spot Sets Cugat As Forerunner In Name Policy Switch

Cleveland, Aug. 27.

Statler's Terrace Room, which tried series of medium-priced midwestern bands last season with only moderate results, is changing its tune by reopening first week in October with Xavier Cugat's crew. Intent also to import better-known dance teams for floor shows on extended dates.

Cugat was originally booked for a vaude week at the RKO Palace here this winter, but as result of his prior date at hotel, theatre is dropping band from its calendar.

August jitters are being felt badly by other downtown dance spots, which made some over-night musical changes lately. Economizing Hotel Carter dropped Don Bari's band and pushed Jack Kurkitz's Rollickers into its Petite Cafe last week. Bob Opitz and Versatilians have been brought back for second visit of season by Monaco's Cafe, replacing Ernie Taylor. Henry Leitson re-engaging Hy Baron's ensemble to take shutters off his College Inn, closed for a spell for likker violations.

## WOOLWORTH'S ON SITE OF CASA MANANA, N.Y.

Former Casa Manana, at 50th street and Seventh avenue, New York, now being ripped down, will be converted into a two-story taxpayer with a bowling alley in the basement, stores on the street level and possibly a restaurant on part of the second floor.

Haring & Blumenthal, real estate operators in charge of the property, refused to divulge who will operate the ten-pin parlor as the deal has not been signed yet. Principal store will be an F. W. Woolworth jlt-and-dinery.

Casa Manana was originally the Earl Carroll theatre but met its greatest success under the production aegis of Clifford C. Fischer who called it the French Casino. Louis F. Blumenthal and Jack Shapiro were his backers and for three seasons it set the pace for cabaret-theatre entertainment.

Fischer later did a revue at the International Casino which has since become the site of Bond's, largest retail clothing store in America, thus marking the finale to that type show.

Filipe de Flores moved into Hollywood La Conga as m.c.

## Kelly Fired as Chief of Philly AGVA By Haddock Though Bd. Votes For Retention; Charge Mismanagement

### Kramer Seriously Ill

Max Kramer, vet hotel man, is rather seriously ill at his Circleville, N. Y., summer home, and Maria Kramer, his wife, who actively manages the Hotels Lincoln and Edison in N. Y., has been in regular attendance over long weekend periods.

Kramer is 68 and an asthmatic condition has been particularly tough during the summer months.

Another flareup in the American Guild of Variety Artists, occurring last week, centered in Philadelphia, where Hoyt Haddock, national executive secretary, exercised the plenary powers given him by the union and summarily dismissed Thomas Kelly, exec sec of the Philly local. Haddock's personal dismissal of Kelly came after the Philly local board had voted to retain Kelly at least until Sept. 17, when a general membership meeting of that AGVA branch scheduled.

Kelly was fired last Tuesday (20) immediately after the board had voted against such action by a narrow margin. Haddock had warned them that he would fire Kelly regardless, and so he did, but then showed that his action was long premeditated by handing Kelly a paid in full check dated Aug. 12, or eight days previously and made out in New York.

Matter is made further mysterious by the fact that on Aug. 13, one day after Haddock and acting treasurer Billy Glasco signed the check, Haddock and Dewey Barto, national president, went to Philadelphia to attend a local board meeting on the Kelly matter. Barto seemingly was not told about Haddock's intention to dismiss Kelly and, after hearing the pro and con evidence submitted at that board session, he told the board that Kelly was evidently okay. Barto left for New York secure in the belief that the situation would be adjusted amicably; he was 'surprised' when informed in New York yesterday (Tuesday) that Haddock had dismissed Kelly. He was also 'puzzled' when Kelly showed him a photostatic copy of the check Haddock had given him.

### Barto Promises Review

Barto promised that he would take the matter before AGVA's national board for a complete review; also that the board would hear Kelly's defense against Haddock's charges. Barto indicated he would call the board meeting as soon as possible.

Kelly accuses Haddock of entering into a conspiracy with Lee Traver, who was fifth v.p. of the (Continued on page 46)

## GRACE McDONALD SET FOR N. Y. PAR, LEGITER

Grace McDonald, who makes her picture debut in Paramount's forthcoming release, "Dancing on a Dime," goes into the Paramount, N. Y., with the next stageshow, probably opening Sept. 11. She's also set for the lead in the new Hardie Albright play, "Private Confusion," which Sidney Hirsch hopes to put into rehearsal in October. She played her first straight part in the show when it was tested this summer at Rye Beach, N. H.

Miss McDonald has no other picture commitments. Her contract with Paramount called for one picture.



## CIRO RIMAC

### AND HIS LATIN AMERICAN BAND

Presenting His "Pan American Revue"

## ALZIRA CAMARGO

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Direction: HARRY ROMM, General Amusement Corp. R. K. O. Bldg. New York



ALSO Charley Boy Marquita Estrellita and Felipito

## Competitive Ballroomology Developed By Murray to Its Peak Year in Resorts

Ballroomology on a competitive country club basis has been developed to its peak year this summer by Arthur Murray, the mail-order dancing master, who has spotted dance teams in the most exclusive retreats from Maine to California. It's on a three-way split among the hotel, the team and Murray. The hotel or resort inn gets a dance act gratis (all have dance bands nowadays), so this rounds out a miniature floor show, besides offering an instructive diversion for the summer guests who might want to take ballroom instruction in the latest steps.

The dance team cuts in on the lessons, and Murray, as general instructor, gets the other third.

The resorts, of course, supply suitable studio space for the afternoon dancing classes. Music is via phonograph to a special library of records all Murray dancers tote with them.

Among the top grosses in that country club circuit are Helen Fleming and Pat Magill, teamed at the Crawford House, Crawford Notch, N. H. A weekly bulletin is posted showing the boxscore of the sundry dance teams around the country, and the local resort usually asserts itself in sending this or that team over the top to get into first, second, or third place, etc.

Tony DeMarco, who is planning to retire actively as a dancer and prime younger hoofers for cane and production work, has been talking to Magill to be among the first of his proteges in this new field.

Incidentally, in spotting these dance teams in the sundry resorts—and many of them travel with the seasons over the establishments of w.k. chains—a major requisite that's always relayed to Murray is that ballroomology is the secondary factor. Firstly, the team must deport themselves as lady and gentleman, with special emphasis on knowing when not to mix; not to be too flirtatious or gabfests at the bars, etc.

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### Organize Cleve. AGVA

Cleveland, Aug. 27. Halford C. White, formerly of Major Bowers' units, is organizing a Cleveland branch of the American Guild of Variety Artists and signed 300 members in the first two weeks of its existence.

Board members elected at first meeting with Whites as local president were Charles Nelson, executive secretary; Frank Cipolla, first v. p.; Alfredo Jackson, second v. p.; Pat Muligan, third v. p.; Arthur L. Dick, fourth v. p.; and Duke Rohrbacker, fifth v. p.

## LYNCH SLASHES PHILLY BUDGET

Philadelphia, Aug. 27. Jack Lynch, whose nitery atop the Hotel Walton has heretofore featured big names, is dropping that policy this season to concentrate on production numbers. His shows will now feature a line of 20 showgirls plus a few medium priced acts welded together in musical comedy style.

Heavy nut of big names while trying to carry on with a no-cover-no-minimum policy—blamed by Lynch for change. Production-type policy is similar to the one that Lynch followed when he operated the Cafe Marguery at the Hotel Adelphi several years ago. The new setup goes into effect with the fall season, opening Sept. 9. Show will be produced by Midge Fielding and will be tagged 'Wine, Women and Song'. Personnel includes Bob Russell, m.c.; Paul Sydel and Spotty, a dance team not yet set; Patricia King, terper; Dora Maughn, sophisticated songstress; a group of conga dancers, Neil ('Sonny') Fontaine's orch is being held over.

Lynch's decision leaves Philly without a showcase for topflight variety-personalities. Only other spot in town which brought big names here was the Stanley-Warner Earle theatre, which has been without the in-persons since last December because of a dispute with the musicians union over a new contract.

### HATCHECKERY TO NITERY

San Francisco, Aug. 27. Margaret Peterson, who formerly had hatcheck concession at defunct Club Modern, has opened spot of her own called Melody Lane. Larry Lawson is partner in venture.

Latter also interested in Westward Ho drinkery.

Marie Frey succeeded Elinor Troy in the NTX show at Florentine Gardens, Hollywood.

### Kelly Fired

Continued from page 45

Philly local, of conspiring to oust him from his position, with intention of having Traver take charge of the Philly local. Kelly, who came to N.Y. with Dick Jones, a member of the Philly board, pointed out that it was significant that Traver resigned his office last Tuesday, same day that Kelly was fired, and was immediately appointed to the paid position of national representative. Meanwhile, Haddock is in Philadelphia running that local, stating, according to reports, that the local board had asked him to do so until a new executive secretary is appointed.

The Haddock vs. Kelly matter and the factionalism within the Philly board first became evident July 1 when Haddock went to Philadelphia with intentions of firing Kelly because he was allegedly an alien (Australian). He brought it before the board, which then voted to oust Kelly. Later, meanwhile, had rushed to city hall for a copy of his birth certificate showing that he was born in Philadelphia. He brought it back to the board and laid it before them. Haddock, according to Jones, then said to the board: 'You needn't accept that as conclusive proof.'

Jones, defending Kelly, then asked Haddock if he expected Kelly to bring his mother. 'If you do,' Jones declared, 'he'll have to dig her up, because she's dead.'

### Takes Second Vote

The board then took second vote and reversed its decision. Since then Haddock preferred other charges, claiming Kelly disregarded actions of the local board; unduly influenced decisions of the local board; mishandled the financial accounts and other AGVA affairs; created a feeling that 'AGVA is irresponsible'; was 'grossly negligent and incompetent'. These charges in just this bare phrasing are included in a letter Haddock has sent all members of the Philly local. The letter, Jones and Kelly state, was also sent on Haddock's own authority, despite the fact that the local board had voted against such move because it might undermine the respect of the Philly members for their union.

Kelly was the Philadelphia head of the United Entertainers Assn., which was a branch of the American Federation of Actors, disaffiliated last summer. When AGVA was formed, Kelly operated the UEA as an independent organization, finally bringing it into the AGVA fold four months ago. He was also instrumental in organizing that city for that purpose by Haddock.

It is also significant that in his letter to the Philly members, Haddock stated that the decision to fire Kelly had been made by the national board. The national board did not vote on the matter, according to Barfo, who has attended every meeting of that body before and since becoming president.

As fortification in the battle to reinstate Kelly, Jones has been circulating petitions in Philadelphia. Up to Monday (26) he had already acquired over 100 signatures.

### The Philly Angle

Philadelphia, Aug. 27. Hoyt S. Haddock, national executive secretary of the American Guild of Variety Artists, descended on Philadelphia last week bent on straightening out the tangles which threatened to wreck the Philly AGVA unit. His first act was to fire Thomas E. Kelly, executive secretary and business agent of the local, on charges of 'gross negligence, incompetency and mishandling the financial accounts of the unit.'

Kelly, biz agent of the local since its inception, has long been a stormy petrel in Philly actor-agent circles. He formerly ran the United Entertainers Association, indie performers outfit, which amalgamated with the now defunct American Federation of Actors.

Since then Kelly has been engaged in a controversy with the Entertainment Managers Association (bookers) on the question of AGVA contracts. Last week the agents wrote to Haddock severing all relationships with AGVA as long as Kelly had any connection with the union. It was this development battle that sent Haddock here.

Haddock also charged that Kelly's 'mismanagement' had caused a steep drop in the union's revenue, which he said, had decreased from \$700 in April to less than \$150 for the first 15 days of July.

Haddock said he had the support of most of the members of the board in his ouster of Kelly.

## Kemp Reveals 9 Solid Vaude Weeks Thru Southeast Booked By Southern

### \$700 for Pat West

Hollywood, Aug. 27.

More than \$700 was netted at the benefit staged by film and light personalities in the Jim Jeffries barn for the benefit of Pat West.

Veteran vaudeville actor, who has been critically ill in the Sawtelle Veterans' hospital, has shown considerable improvement in the last few days.

## RAINBOW ROOM IN LATIN SWITCH

The Rainbow Room, N. Y., goes 100% Spanish Oct. 16 when Eddie LeBaron's band returns to the Rockefeller nitery, augmented by Vicente Gomez, guitarist; Elsie Houston, the Brazilian songstress, and Jack Cole's Dancers, who will switch from their Balinese to fandango terms.

New R. R. show preems tonight (Wednesday), with Ben Cutler succeeding Ray Heatherton's band. Cutler, like LeBaron, a periodic returner to this nitery. Elvira Rios, Mexican songstress, holds over, and Monna Montes-Jose Fernandez, Spanish ballet dancers are also on a return engagement. Whittson, Bros. Gomez, guitarist; Elsie Houston, the Brazilian songstress, and Jack Cole's Dancers, who will switch from their Balinese to fandango terms.

### Rebuild Houston Cafe

Houston, Aug. 27.

Rebuilding of the Plantation night club, destroyed by fire several weeks ago, has been started. Opening scheduled for Sept. 18.

Project is expected to cost \$45,000. Dick Wheeler, Dallas, is the operator.

### •15 YEARS AGO•

(From VARIETY)

The 'separation' of the Rudolph Valentinos was revealed as nothing more than a publicity stunt to puff the actor's two forthcoming pictures.

Al Jolson was resuming 'Big Boy' with the stipulation that the show play but 15 weeks. The temperamental star declared that he loses his punch after prolonged engagements.

Radio performers organized in Chicago as the Radio Broadcasting Artists Assn. They were set to force the stations to pay for their services instead of playing 'glory' performances.

Mary Miles Minter was under the care of a doctor for the purpose of losing weight part of a stage comeback. Several Broadway producers were reported interested.

Reported reading scripts and ordering negotiations for the film rights to several stage hits, William Randolph Hearst was said to be returning to film production.

David Belasco was working on his autobiog. It was to be syndicated through the Cosmos Syndicate.

Bessie Love left Los Angeles for New York where she was to have the lead femme role opposite Adolphe Menjou in 'The King of Main Street.' Monte Bell was directing at Paramount's Astoria, L. I. studios.

Charlie Chaplin's 'The Gold Rush' was doing smash biz, its more than \$72,000 for a week being tops for anything ever piled up on Broadway. It was playing the Strand there.

Charlotte, N. C., Aug. 27.

T. D. Kemp, Jr., manager of Southern Attractions, reveals his circuit through the southeast this season is booked solidly through Christmas week. Southern offers the longest routing—nine weeks—of any agency in the country, he avers.

'This is the best circuit we've ever had,' Kemp says. 'We're offering nine straight weeks with only five lost days in the entire period. In December we'll have 11 weeks, when we add the Sparks circuit in Florida.'

Principal towns in the southeast in which Kemps books units, in order of routing, are: Clarkburg, Beckley, Logan, and Bluefield, W. Va.; Harrisonburg, Anville, Lynchburg, and Richmond, Va.; Winston-Salem and Durham, N. C.; Newport News, Va.; Rocky Mount, N. C.; Norfolk, Va.; Raleigh and Charlotte, N. C.; Augusta, Ga.; Asheville, N. C.; Charleston, Spartanburg, and Greenville, S. C.; Atlanta, Ga.; Knoxville, Tenn.; and Anniston and Birmingham, Ala. This is the regular routing in house with set policy. It is supplemented by smaller houses along the route.

Kemp said units, which would carry from 30 to 35 persons, will carry line of eight or 10 girls, a five or six-piece band, which will be augmented by eight or 10 local musicians; one or two comedy acts, novelty tunes, acrobatic act, one or more singers, and one or two girl specialties.

Units already booked include Sollie Child's 'French Follies,' Mike Tolan's 'Temptations of 1941,' Frank Tracy's 'Three Cheers,' Nick Boila's 'Gay Nineties Revue,' Howard Bruce's 'Hollywood Parade,' Frank Taylor's 'Glamor Revue,' Harry Clark's 'Pan American,' Anton Scibilia's 'Broadway Passing Show,' Harry Biben's 'Twentieth Century Revue,' Dan Piche's 'World of Pleasure,' Nick Boila's 'Candid Camera Revue,' DeWolfe and Page's 'Midnight Miami,' Stan Zucker's 'Beauty Parade' and Boila and Roberts' 'All-Girl Revue.'

**IN THE SUPREME COURT OF ONTARIO**  
The Master—Wednesday, the 26th day of June, 1940.

### BETWEEN:

THE CANADA TRUST COMPANY, Plaintiff, and CHARLES BARKWORTH, PHOTODUPT, WILLETTE (WEYMER), BARE HILLTON, DOROTHY OLIVE NEWMAN, ROBERT H. RAMSAY, FRED E. RAMSAY, ERNEST A. WRIGHT, JR., CAMILLA BARK, ETHEL WRIGHT, GLEN, ERNEST CHEESEBROUGH, THOMAS GEORGE BARKWORTH, JOHN VILIS BARKWORTH, ERNEST F. WRIGHT, THE SHERBORN STREET UNITED CHURCH OF CANADA, and MISS BARE (WALLIE COUGHLIN).

Defendants.

UPON the application of the Plaintiff, upon reading the proceedings here in and the two affidavits of Richard Augur released, and the affidavit of Marcus Smith and the affidavit of counsel for the Plaintiff, for Charles Barkworth, for Dorothy Olive Newman and for the Sherborne Street United Church of Canada, Defendants, the Defendant, Miss Babe (Wallie Coughlin) of the Orders herein of the Honorable Mr. Justice Makins dated the 16th day of November, 1939, as amended, and the 25th day of January, 1940, and of the Notice of Trial herein, by publishing this Order together with the Notice thereon endorsed, once a week for three successive weeks in 'The News-Sentinel,' a daily newspaper published in the City of Fort Wayne, Indiana, U. S. A., and in one issue of 'Billboard' publication published in Cincinnati, Ohio, U. S. A., and in one issue of 'Variety,' a publication published in New York City, New York, U. S. A., shall be deemed good and sufficient service of the said Orders of the Honorable Mr. Justice Makins and the Notice of Trial herein.

AND IT IS FURTHER ORDERED that the said Defendant, Miss Babe (Wallie Coughlin) do, within thirty (30) days of the last publication of this Order, and the Order together with the Notice thereon endorsed, once a week for three successive weeks in 'The News-Sentinel,' a daily newspaper published in the City of Fort Wayne, Indiana, U. S. A., and in one issue of 'Billboard' publication published in Cincinnati, Ohio, U. S. A., and in one issue of 'Variety,' a publication published in New York City, New York, U. S. A., shall be deemed good and sufficient service of the said Orders of the Honorable Mr. Justice Makins and the Notice of Trial herein.

"F. H. Barlow," Master, S. C. O.

NOTICE  
The Plaintiff's claim in this action is for the determination of the validity of testamentary documents of William John Wright, late of the City of Toronto, in the County of York, Plumber, deceased, dated and made on or about October, 1921, the 19th day of June, 1922, and the 3rd day of November, 1923, in which the beneficiary named is Miss Babe—or Miss Babe (Wallie Coughlin).

"F. H. Barlow," Master, S. C. O.

CAROL MACEO  
**CHILTON and THOMAS**  
Now ORIENTAL THEATRE, Chicago  
Dir.: Chicago — WILLIAM MORRIS OFFICE — New York





**GOLDEN GATE, S. F.**

see this show got Tom Mix and his circus and Art Jarrett's orchestra in elsewhere on the Pier. Carter.





vinces as her husband. Marjorie Lord is pert and pretty, but talks too fast. Other players are good enough. Settings by Watson Barratt are excellent. *—Gaiter.*



## Theatre Guild's Road Schedule Most Promising in Its History; Adds 4 Cities

Theatre Guild's road schedule for the coming season is the most promising in the organization's 21-year history. Besides having its strongest lineup of touring shows to date, the Guild has added four road cities to its subscription list, bringing the total to 10. New towns are Detroit, Cincinnati, Columbus and Buffalo. Detroit will get full-week bookings, while Cincinnati and Columbus will probably divide a single week between them and Buffalo will get a split-week. Cities already on the list are Chicago, Philadelphia, Boston, Washington, Pittsburgh and (added last season) Baltimore.

Shows to tour for the Guild will include 'There Shall Be No Night,' 'The Philadelphia Story,' 'The Fifth Column,' 'Twelfth Night,' 'The Time of Your Life' and 'Ladies in Retirement.' One other show will be selected later, to fill out the Guild's American Theatre Society list. Only new production of the above will be 'Twelfth Night,' with Helen Hayes, which will be produced in association with Gilbert Miller and brought to New York after a preliminary road-tour opening early in October, probably in Philadelphia or Boston.

### Some Dates Set

'Night,' Robert E. Sherwood's play with the Lunts, resumes at the Al. N. Y., Sept. 9, and will play there for about eight weeks before touring. 'Story,' with Katharine Hepburn back in the lead, will open its road tour with a return date in Philadelphia beginning Sept. 30. 'Column' also starts its tour about Sept. 30, while 'Time of Your Life' plays a return engagement in New York before going on the road. 'Ladies in Retirement,' currently playing on the coast with Elora Robson, comes east and opens the Guild's season in Chicago Sept. 30, then proceeds east.

In addition to 'Twelfth Night,' the Guild possibilities for Broadway this season include 'Marie-Adelaide,' by Bertram Bloch and Isabel Leighton; 'Turn Again Home,' by Morley Callaghan; 'Battle of Angels,' by Tennessee Williams; 'First Stop Heaven,' by Norman Rosten, and 'Limbo,' by Edith Garber and Toby Sagalyn. Organization owes its subscribers an extra show from last season's short-changed list, but whether an extra production will be added to make up the needed seven or an arrangement made for the subscribers to be credited for the missing show isn't decided.

## 'SKYLARK' TO OPEN L'VILLE LEGIT SEASON

Louisville, Aug. 27. Memorial Auditorium, \$2300 opens Nov. 13 with Samson Raphaelson's 'Skylark,' starring Gertrude Lawrence. Katharine Hepburn is booked for Nov. 18-19. 'Philadelphia Story.'

Others to follow are: the Lunts in 'There Shall Be No Night,' Dec. 3; Florence Reed in 'Shanghai Gesture,' Dec. 31; 'Pins and Needles,' Jan. 6; 'Man Who Came to Dinner,' Jan. 15, and 'Separate Rooms' with Alan Dinahart, Glenda Farrell and Lyle Talbot, Jan. 20.

Tallulah Bankhead is scheduled to bring her 'Little Foxes' to town Feb. 18, and John Barrymore is set to wind up the season on May 5 with 'My Dear Children.' Other dates may be added as plays become available.

## 'Hats' Gets Rewrite

Hollywood, Aug. 27. Joseph P. Watson has joined Al Jolson for a rewrite of Jolson's legitier, 'Hold On to Your Hats,' now in Philly.

Watson, summoned by phone, planned to Chicago last weekend, moving east with the troupe. He will remain with Jolson until after 'Hats' opens in New York.

## STRAWHAT ENCORE

Stiano Braggiotti and Nicholas Joy, both of whom played in 'Madame X' last week at the Casino theatre, Newport, R. I., last week, return there this week in 'The Marquis.'

## Sell Old Opera House

Hornell, N. Y., Aug. 27. Old Shattuck Opera House, for years an important upstate legit stop visited by most of the oldtime stars, has been sold for \$41,283 as a site for a store. House had been closed since 1930, Warners having a lease to 1955 to prevent use by competitors.

Sale was made for the Harriett Shattuck Coughlin estate by Senator Edward J. Coughlin and the Steuben Trust Co., administrators.

## 80G Earmarked By St. L. Charity Group for Epoch

St. Louis, Aug. 27.

Between \$80,000 and \$90,000 has been earmarked by execs of the St. Louis Pension and Charities Assn., Inc., headed by Mayor Bernard F. Fickmann, for the 'St. Louis Cavalcade,' to be produced by the William Morris Agency in the \$7,000,000 municipal auditorium Sept. 18-29. Profits of the undertaking will be turned over to the pension fund for city firemen and also used for underprivileged kiddies.

Lou Wolfson, who will produce for the Morris outfit, states that the enterprise embodies a new entertainment idea for auditoriums and already managers of municipally owned buildings in Cleveland and other midwestern cities are making inquiries about the show with the idea of presenting similar ones in their locales. The 'St. Louis Cavalcade' will be a combo circus-rodeo-musical revue with an historical and dramatic theme, a canny effect and radio technique used for controlling the entire show.

### Use Convention Hall

The convention hall in the auditorium, with its seating capacity upped to \$,000 by the installation of seats on the stage, will be used and the sked laid out by Wolfson calls for continuous action except for a short intermission during the two-hour show. Some of the acts already booked include Tom Mix, John A. Guthrie, Oklahoma rodeo producer; Walter Cassel, warbler, who clicked in 'East Wind' at the local Municipal Theatre, Forest Park, and at the Chase Club here several weeks ago; the Christian troupe, the Hustler Family, The Great Lela, Five Fearless Flyers, Roscoe Armstrong and Co., a line of 24 from the St. Louis Municipal opera chorus and many clowns. Approximately 400 persons will participate.

Historical events of St. Louis to be presented include the 1904 World's Fair, the great fire of 1849, an Indian attack on Fort St. Louis in 1870, St. Louis under three flags, the famed pony express ride, the annual cowboy roundup, Mississippi river Showboat, Jesse James' gang, the inauguration of railroads in Missouri, the Jefferson National Expansion Memorial projects.

Wolfson is being assisted by Lem Ward, New York, director; Lionel Newman, Los Angeles, musical director; Marc Daniels, New York, stage manager, and Monroe Hackett, New York, electrical supervisor. 'Cavalcade' replaces the annual horse show which the firemen sponsored. Two performances will be held daily and the house will be scaled from 50c to \$2.

## PHILLY ADVANCE BIG FOR JOLSON SHOW

Philadelphia, Aug. 27.

Cold and rainy weather has enlivened the advance sale for Al Jolson's 'Hold On to Your Hats,' which opens tonight (Tuesday) at the Ford and Tilden. Martha Raye arrived in the city yesterday (Monday) and the dailies all gave them a break.

Next skedded opening is 'Pins and Needles,' which comes into the Locust on Sept. 9 for two weeks.

## Strawhat Tryouts

(THIS WEEK)  
(Opened Monday (26), unless otherwise noted)

'Your Loving Son,' by Abby Merchant, at Brattle hall, Cambridge, Mass.

'Ardent is the Word,' by Ruth Welty and Gene Renouf, at Skaneateles, N. Y. Summer theatre.

'Secret Weapons,' by Bayard Veiller, at Hershey, (Pa.) Community theatre (opened last night—Tuesday); at Eagles Mere (Pa.) playhouse (opened last night—Wednesday—through Saturday—31).

'Sweeney in the Trees,' by William Saroyan, at Cape theatre, Cape May, N. J. (opened last night—Tuesday).

'Out of the Frying Pan,' by Francis Swann, at Hilltop theatre, Elliott, Md. (opened last night—Tuesday—and continues through Sept. 7).

'Fledgling,' by Eleanor Carroll Chilton and Philip Lewis, from former's novel, at Rye Beach, N. H. (opened last night—Tuesday).

(NEXT WEEK)  
(Open Sept. 2, unless otherwise noted)

'The Hero of the World,' by William Saroyan, at Millpond playhouse (non-Equity), Roslyn, L. I.

'Something About a Soldier,' by William Saroyan, at Bucks County playhouse, New Hope, Pa.

'In My Opinion,' by Samson Raphaelson and Philip Lewis, at Berkshire playhouse, Stockbridge, Mass.

'A Policeman's Lot,' by Philip Goodman and Mrs. Lilly C. Goodman, at Ivoryton playhouse. 'The People's Rest,' by Stuart Worthington and Robert McKill, at Parrish Memorial hall, Southampton, L. I. (opens Sept. 4).

## CLEVE. TO BOW IN MEDICO'S COMEDY

Cleveland, Aug. 27. Bill Blair's Hanna, the town's one legit house, is teeing off Sept. 5 with 'Zone of Quiet,' a new comedy of hospital life by Leon H. Denbo.

Author is new to the stage, but knows his hospitals, being one of Cleveland's more prominent medics. Local influential doctors and his friends are bankrolling the tryout and dickering with New York producers. Cast is chiefly composed of home-town talent that's had professional experience. Barclay Leathen is handling rehearsals. Director, head drama coach at Western Reserve U., returned last week from making a national survey of country's little theatres for Rockefeller Foundation. Hanna's second autumn show, after three-week gap, is to be Tallulah Bankhead in 'Little Foxes,' week of Sept. 30.

Theatre again will be subsidized by Chamber of Commerce-sponsored Playgoers, Inc., which guaranteed \$2,600 last year for each one of 20 plays advance sales. Membership campaign so far has resulted in 650 subscription renewals and good prospects of reaching a goal of 1,500 members.

### Balto Announces

Baltimore, Aug. 27. Considerable activity on the legit front here, with both the United Booking Office's Ford's and the indie-booked Maryland announcing bookings. Former house is under direction of John Little, conducting another subscription season of six plays to be given under American Theatre Society and Theatre Guild auspices, and announcing as one of the plays promised Helen Hayes in 'Twelfth Night.' Also listed is a return of 'Pins and Needles.'

The Maryland, lone responsibility of Leonard 'Chum' McLaughlin now that the Auditorium has been sold for film purposes, being rescaled and further embellished with new carpeting and general decoration. Has booked debut of third 'Life with Father' company, due next month. Cracked a house record last year with preems of both New York and Chicago versions of 'Father' prior to runs in those cities.

Kenneth White, who recently resigned from the film department of P.M. to Bangor, Me., to work on a play.

## NBC and CBS Concert Managements Being Forced Into Middle of AGMA And Petrillo Jurisdictional Mess

### Allen Reps Coast Group

Charles Allen, New York agent, has been named by the Hollywood Group Theatre, cooperative outfit operating in much the same way as the New York Group Theatre, as midwest and eastern rep.

He's looking for plays which the group would present in Hollywood at the Trouper Theatre and, if meritorious, on Broadway.

## Shuberts Mull 4 Barn Tryouts For Broadway

The Shuberts, who made a small profit last season on 'The Weak Link' and are still operating 'Separate Rooms,' at the Plymouth, N. Y., in the black, are set to bankroll a number of straight plays during the coming season. Among the probable entries are 'White Pony,' which was tried out at Woodstock, N. Y.; 'Second Helping,' and 'Carriage Trade,' tested at Stamford, Conn. They may also do 'The Great American Family,' which they've had under option for some time.

None of the four tryouts was particularly well regarded by out-of-town critics, but each is figured to have a potentially profitable angle. 'Carriage' is believed to have possibilities on the strength of its risqué theme, while 'Helping' and 'Pony' are thought to have chances for Hollywood buys. All can be produced on modest budgets.

### Both Famed

In the cases of 'Separate Rooms' and 'Weak Link,' both comedies drew critical panings, but the former has had a profitable run at the Elliott, Mansfield and Plymouth on its picture name leads (Alan Dinahart-Glenda Farrell-Lyle Talbot) and the risqué word-of-mouth. 'Link' played briefly at the Golden, but was bought for pictures. Both shows were intensively cut-rated.

In addition to the above shows, the Shuberts still are ostensibly planning to reopen 'Keep Off the Grass,' which recently suspended at the Broadhurst, N. Y. Jake Shubert also would like to do a musical version of 'Tonight or Never.' There is likewise talk of a new Shubert production of 'The Follies,' which they must do every couple of years to retain the title rights. They were purchased from the Ziegfeld estate. With a string of theatres under operation, the Shuberts must either book shows by other managements, or produce their own; else, the houses remain dark and involve a heavy loss.

## Current Road Shows

(Week of Aug. 26)

'Banglials' (Hugh O'Connell)—Garden Pier, Atlantic City.

'Crazy With the Heat'—Brighton, Brighton Beach, L. I.

'Hold On to Your Hats' (Al Jolson, Martha Raye)—Forrest, Philadelphia.

'Ladies in Retirement' (Flora Robson)—Biltmore, Los Angeles.

'Male Animal' (Elliott Nugent)—Maplewood, Maplewood, N. J.

'Margin for Error'—Flatbush, Brooklyn, N. Y.

'Meet the People'—Geary, San Francisco.

'Meet the People'—Music Box, Hollywood.

'Skylark' (Gertrude Lawrence)—Metropolitan, Seattle (26-28); Strand, Vancouver (29-30); Royal Victoria, Victoria (31).

'Tobacco Road' (John Barton)—Windsor, Bronx, N. Y.

'Tonight at 830' (Name cast, for British War Relief Fund)—El Capitan, Hollywood.

Shuberts have renewed their option on 'The Great American Family' by Robert Chapin and Charles King, which was tested at Pasadena and San Francisco a couple of seasons ago.

With matters between the American Guild of Musical Artists and James C. Petrillo, president of the American Federation of Musicians, rapidly nearing a flareup, the concert managements of the two major radio networks are already being forced into the middle. Petrillo has notified the two major concert bureaus, both of which are network-owned, not to book instrumental artists who fail to obey his ultimatum that they join his union by Labor Day. However, both bureaus have numerous contracts with the leading concert names, so they are almost certain to be caught in a jam.

Columbia Concerts Corp., subsidiary of CBS, apparently seeking to sidestep the issue, or at least stall for time. It has not yet announced a schedule of concerts for the fall and winter; neither has it made any move to break its contracts with the artists it handles. A number of artists booked by the Concerts Division of NBC Artists Service have received letters advising them that the agency has been notified by Petrillo that AFM members may not appear with non-AFM instrumentalists after Labor Day. Communications have in all cases concluded with the statement: 'Please notify us what you intend doing to clear up this matter.'

None of the artists or the agency standing by to await developments, but one NBC-booked instrumentalist has replied that he expects the agency to carry out its contracts with him. He wrote that he will appear scheduled for each contracted concert and will expect to be paid as agreed. He has received no reply to his letter.

Meanwhile, rival agencies, some of which have long cast greedy eyes at the virtual monopoly in the lush concert field enjoyed by CBS and NBC, are reported making plans to try and grab off some of the concert names if the two network subsides are maneuvered out of their commanding position as a result of the AFM-AGMA struggle. At the same time, a group of wealthy music lovers in the east, aroused by the threat to the concert field, are understood to be planning an independent concert office to book instrumental artists without orchestras, possibly in non-union halls and school auditoriums. Proposed to raise a fund of \$1,000,000 to carry out the project has been advanced.

With Petrillo conceded to have an excellent chance of winning his battle against AGMA, there is intense behind-the-scenes activity in the Associated Actors & Artists of America to line up support for the concert union. Although they have passed resolutions of support, the extent to which Equity and Screen Actors Guild will go is uncertain. However, the American Federation of Radio Artists, which is closely allied to AGMA, is likely to go to bat all the way for its affiliate. Whether that will extend the jurisdictional tieup to broadcasting is an open question.

Lawrence Tibbett and Henry Jaffe, AGMA president and attorney, respectively, planned in Thursday morning (22) from the Coast, where they obtained pledges of support from SAG. But Petrillo, with whom they have conferred about settling the quarrel, left for Chicago without seeing them. There was no meeting in Chicago, as had been anticipated.

## L. A. 'DRUNKARD' SUED AS \$34,000 NUISANCE

Los Angeles, Aug. 27. Eight-year run here of 'The Drunkard' may have come to an end in the bank for Galt Productions but it's been a plain pain in the neck to owners of property abutting the theatre housing the melodrama. This was disclosed in superior court, where Adolph Bries, apartment house operator, filed suit demanding the abatement of the 'nuisance' as well as \$34,000 damages.

Bries alleges he has been unable to sell his realty holdings because of the presence of the play in the neighborhood.

Walter Wagner, the stage manager, has bought a 200-year-old house at Redding, Conn.

## N. Y. Legit's Big Biz

Continued from page 1

okay, as there were 11 shows running at this time last season.

Broadway business customarily goes up during August, as compared to the June-July slump. Principal reason given for the bullish business is the unusually cool weather for the last couple of weeks, climaxed by the frigid evenings over the weekend. That diagnosis is borne out by takings at Broadway film houses, also enjoying a boom. Business started off strongly last week, and continued to climb throughout the week. Matinees were bullish, particularly 'Man Who Came to Dinner,' which has the Thursday afternoon to itself.

With business bouncing up even more than expected for the season, managers who had planned to hold off new productions until the end of September or October, are beginning to regret not getting started early to participate in the rich takings believed due for early September. As it is, the coming season will apparently be even later than the already tardy starts of recent semesters. Only a handful of shows are on the way and late August, which ordinarily sees a rubbub of activity in legit, finds 44th and 45th streets virtually dead.

First opening of the new season will be William A. Brady's revival of his production of five seasons ago, 'Kind Lady,' with Grace George in the role she created. It relights the Playhouse next Tuesday (3). Actress has been guest-starring in the thriller this summer at various strawhat theatres.

Only shows due within the next few weeks are 'Jupiter Laughs,' 'Bangtails,' 'There Shall Be No Night' (resuming), 'Hold On to Your Hats,' 'Time of Your Life' (resuming), the Sonja Henie ice show (without the skater in the cast), 'Big Story,' 'Old Acquaintance,' 'Boys and Girls Together,' 'Journey to Jerusalem,' 'George Washington Slept Here,' 'White Haired Boy,' 'Panama Hattie,' 'Beverly Hills,' 'Two Weeks with Pay,' 'Arsenic and Old Lace' and a half-dozen or so other entries. Usually the shows being readied in late August number a couple of times that.

### Estimates for Last Week

Key: C (comedy), D (drama), R (revue), M (musical), F (farce), O (operetta).

'DuBarry Was a Lady,' 46th St. (58th week) (M-1,375; \$140). Took a hefty jump to an estimated \$21,500. Ethel Merman left the cast for a rest before going into 'Panama Hattie,' Betty Allen replacing.

'Hells-a-Boppin',' Winter Garden (101st week) (R-1,871; \$330). Another juicy rise was registered here, with standees at several performances; around \$24,000.

'Higher and Higher,' Shubert (15th week) (M-1,405; \$440). Rodgers-Hart musical folded brief return engagement Saturday (24); some improvement due to closing \$12,000.

'Life With Father,' Empire (42d week) (C-1,095; \$330). Back to standees for all performances and the gross climbed to \$18,000; Howard Lindsay and Dorothy Stickney out of the cast for two weeks vacation, Stanley Ridges and Dorothy Gish

subbing between rehearsals with the Boston company.

'Louisiana Purchase,' Imperial (13th week) (M-1,450; \$440). Also boosted the standee attendance and registered \$24,000, far below the best weeks of the run.

'Man Who Came to Dinner,' Music Box (45th week) (C-1,102; \$330). Laugh show has climbed way back, getting \$14,500 last week.

'Separate Rooms,' Plymouth (22d week) (C-1,107; \$110). Some improvement here also, but not up as much as some of the other offerings; \$8,000 estimated.

'Tobacco Road,' Forrest (27th week) (C-1,107; \$110). Long-runner also riding the general boom to hold its recent gain; about \$5,000.

### Suspended

'Keep Off the Grass,' May returned in a few weeks.

'There Shall Be No Night,' slated to relight Sept. 9 for a limited stay before touring.

## 'SKYLARK' SOCK 17G IN FRISCO; FAIR AIDS

San Francisco, Aug. 27

'Skylark' wound up its fourth week at the Curran here with around \$17,000. Pointing to \$75,000 intake for Georgette Lawrence opus during 28-day stand, Eddie Cook, advance man, opined that Frisco Fair helped this one rather than hurt it. 'Expn brought a lot of visitors to town, which meant heavy window-sale for us, as much as 15% of the audience being strangers last week,' Cook pointed out. Road company now in Seattle, where three-day stand opened last night (Monday). With 'Meet the People,' but around \$9,000 in fifth week of the show. Advertising 'last week' but will stay two more for total of seven. Co-operating venture doing so well here that Portland and Seattle deals now being talked, and United Booking Office reportedly trying to find a spot for the novelty revue in Chi.

## Shows in Rehearsal

'Life With Father'—(Boston company) Oscar Serlin.

'Jupiter Laughs'—Bernard Klavans.

'Too Many Girls'—(Road) George Abbott.

'Boys and Girls Together'—Ed Wynn.

## Jolson 'Hats' Tuneful 25G In Chi Finale

Chicago, Aug. 27

Cool weather was meat-and-drink for the two legit shows here last night. Al Jolson and his 'Hold On to Your Hats' wound up a snappy six-week stay in the Grand to a resounding gross, the best of the run, and 'Life With Father,' passing the half-year mark at the Blackstone, bounded back to near-capacity trade in the off-the-steps Blackstone.

Grand darkness for a week and re-opens on Labor Day with 'Too Many Girls' musical. On Sept. 9 the Selwyn gets 'Male Animal' and the Harris has been underlined for 'Ladies in Retirement' on Sept. 30.

### Estimates for Last Week

'Hold On to Your Hats,' Grand (6th-annual week) (L-3,300; \$3,850). Finished tryout stay here in a blaze of hotcha at \$25,000. Goes to Philly for a short bow before heading into N. Y.

'Life With Father,' Blackstone (27th week) (L-2,000; \$2,750). Bounded up nearly to capacity business on the thermometer aid, \$17,000. House and cast already planning special Christmas celebration here.

## Friml in Far East

Tokyo, Aug. 9

Rudolf Friml, the composer, who has been visiting here, has sailed for Honolulu, where he plans to spend some time before returning to the U. S.

He has just returned from an extended tour through the Orient.

## Saga of Bird Millman

By DIXIE WILLSON

Hollywood, Aug. 27

For some weeks theatre programs and newspapers have spoken of the serious illness of Bird Millman, of circus fame, asking contributions for her medical care. 'Miss Millman died on Aug. 5. Here is the story, a unique one since she is the only American-born circus performer ever to reach international stardom.

Born in Colorado, hers was not a circus family. But her father, with an unexplained understanding of ropes and rings and bars, routined a triple trapeze act for himself and his young wife and baby daughter. Half seriously, half as a lark, they presented it for the manager of a wagon show, were promptly engaged, and thus the Millman name came into show business.

Soon the trio was appearing in tricks so daring that even yet they have never been duplicated. And when the littlest member of the troupe was eight years old she was taught tight wire, for which she proved to have an uncanny talent. When she was 12, William Morris saw her in a carnival in Canada, put her under contract, sent her abroad, and on her 14th birthday the name of Bird Millman topped the bill at the London Alhambra, Bird delivering the greatest performance on a tight wire which the world had ever seen.

She was a very little girl, very dainty, with an unforgettable charm and piquant elfin beauty. Utterly fearless she was a little aerial whirlwind, had conceived the unusual idea of utilizing the rhythm and graceful bound of the wire as a medium for dancing rather than for merely the customary tricks of un-natural balance, such as bending over backward to grasp a handkerchief in the teeth. Departing also from the accepted circus dress of gaudy satins and spangles, she appeared in the briefest of pale tulle skirts edged with swansdown, a type of costume with which, ever since, she has been particularly associated.

### A Star at 16

Soon she was playing command

performances for royalty, then at 16 returned to America to appear in Madison Square Garden with the 'Big Show,' as one of the three greatest circus performers of all time, the other of this great trio being Beitzel, Bohemian aerialist, and May Wirth, the Australian wizard of bareback. The performances of the three are still unequalled.

The next year, and for several years thereafter, Bird, touring with the circus through the summer, was featured the rest of the year in Ziegfeld's famous New York 'Midnight Frolic,' along with Fannie Brice, Will Rogers, Leon Errol and Marilyn Miller. Later John Murray Anderson presented her from coast to coast in 'Greenwich Village Follies' with Joe E. Brown, Ted Lewis and Irene Franklin, in which company she fell in love and left the stage to marry. With Joseph O'Day, a young chap from Harvard, she lived happily in Boston until his death in 1931.

In 1937 she returned for a brief time to Broadway. Her wire performance, quite as lovely as ever, Bird still the only dancer in the world to deliver her own particular performance, and still under the management of William Morris, she signed a contract to appear in Broadway's smartest night club, when on the eve of her new debut, the illness of her mother called her back to Colorado. And there she remained.

Nine months ago came her first awareness of an unusual pain in and about her shoulders. In April, X-ray pictures disclosed cancer of the spine, without doubt the result of a circus fall in Des Moines, 1919. Bird herself never knew the story those X-ray pictures told, nor that she could not recover. The report given her was that a broken vertebra demanded complete quiet and rest... until the pain would have finished.

### London Nixes Sunday Legit

London, Aug. 15

Slidestepping Sunday legit, authorities tagged 'scheme as too controversial for wartime debate.' So they shelved it.

## Armitage

Continued from page 50

the week of Sept. 16. Louis Hector, Helen Craig and Horace McNally are the lead.

'Bangtails,' new racetrack comedy by Henry Mirock and Sol Rosen, with Hugh O'Connell in the lead, began week's tryout at Garden Pier last night (Monday).

### Mrs. Jones Gets \$250 Refund

Maryverne Jones, who has been waging a sporadic feud against Equity this summer, obtained return of \$250 of her bond from the association last week. Manager of the Starlight theatre, Pawling, N.Y., notified the dailies that the refund resulted 'through court action,' but Equity officials assert the coin was returned when they discovered that a check for the amount had been advanced by an Equity actor at the strawhat. Explained the coin went to him, as the original check had never been cashed.

According to Mrs. Jones, she is continuing suit for the 'balance' of the bond she posted at the beginning of the summer. However, Equity execs say that, besides the \$250 check, some of the actors employed at the strawhat had previously been returned. Only 'balance' remaining, amounting to \$40, has been set aside for payment to Florence Barrett, a member of the Starlight troupe, for one week's salary claim against Mrs. Jones, the association heads declare. As an outgrowth of the Starlight-Equity dispute, the strawhat has been operating for several weeks as a non-Equity spot.

### Strawhat Prize-Winner

Oconomowoc, Wis., Aug. 27

Muriel Roy Bolton's 'Very Liberal Arts' was the winner of the Marjorie Montgomery Ward Baker prize for the best comedy of the strawhat season at the Coach House summer theatre, Oconomowoc, Wis. Runner-up was 'Summer Heat' by Everett Glass. Prize coin was \$300.

Thoda Cocroft, director of the Coach House theatre and American Theatre Society rep in Chicago, announces another \$300 prize play contest for 1941, with entries deadline on Jan. 10.

### Aldrich Denies Poor Biz

Boston, Aug. 27

Richard Aldrich, producing director of the Cape Playhouse, Dennis, Mass., denies his house is one of the New England strawhats reported to have done spotty biz this season. In rebuttal to a story appearing in last week's VARIETY, Aldrich claims 'the Cape Playhouse has not only done as well as last year, but the business we have been doing the last two weeks we expected to have the most profitable season in the history of this theatre.'

## 'LITTLE DOG' WHINES AT 12G IN BOSTON TRY

Boston, Aug. 27

Tryout of 'Little Dog Laughed,' the new Eddie Dowling musical, slated for two weeks, ran seven performances last week and closed Saturday (24). Now at the theatres are dark here. 'Little Dog' will return to N. Y. for rewriting and recasting of some principals, then goes out on the road again, according to present plans. Show received bad press here.

Opening without opposition, musical attracted hefty balcony biz, but otherwise so-so. Tallied around \$12,000.

## Flora Robson Draws Slim \$8,500 in L. A. 'Ladies'

Los Angeles, Aug. 27

Despite flattering press notices and an all-around outstanding performance, Flora Robson in 'Ladies in Retirement' is playing to disappointing biz at the Biltmore, where she opened the new 1940-41 season a week ago. 'Ladies' on first week, garnered a slim \$8,500, and will fare little better on second and final stanzas.

At El Capitan, Hollywood, Southern California Theatre Guild is repeating currently first bill of three Noel Coward 'Tonight at 8:30' plays for benefit of British war relief. Film games have predominated in the various casts, with the fund enriched around \$75,000 to date. Six nightly performances are given each week, with each show running around \$4,000 in take. 'Noël' is doing fairly satisfactorily at its new stand, Hollywood Music Box, after long run at the Playhouse.

## Rain Washes Out Preem Of St. L. 'Waltz'

St. Louis, Aug. 27

The 13-week season of the Municipal Theatre Assn., sponsor of all fresco entertainment in Forest Park, swung into the final lap last night (Monday), but rain washed 'The Great Waltz' off the boards after the 10, drew the best opening-night biz of the season, an estimated \$5,000. This was the first time during the current season that a performance was rained out.

Several thousand paid \$1 each to stand on the lawn on either side of the reserved sections.

The first act was presented during a light rain, but at intermission the heavens opened up and after a 45-minute wait the performance was cancelled. Because of the washout and the extremely heavy advance which virtually assures SRO for the balance of the seven-night run, the management set a precedent by announcing a midnight performance for Saturday (31).

The piece, which opened the 1937 season with a 10-night stand and drew \$200,000 in payees, features some of the original Broadway cast. Helen Marshall and Arthur Kent, in the romantic roles, warble through several numbers but despite the excellent amplifying system the rain deadened their voices. Lead roles are assigned to Glady's Baxter, Joseph Macaulay, Stanley Harrison, Ruth Urban and Vivien Fay, the latter a ballerina soloist. In support are Robert K. Shaffer, Douglas Leavitt, Frederic Persson, James Gillis and Bob Lawrence.

Guy Robertson, who created the role of Johann Strauss, Jr., in St. Louis currently, but has the top role in 'Petticoat Fever' at the Civic Theatre, a strawhat, is playing that role, with Macaulay as the elder Strauss.

Because of the European fracas, difficult to obtain production rights in obtaining production rights from Vienna, but Max Gordon, New York producer, and Louis Dreyfus, of London, prez of the International Play Bureau, Inc., added in smooth fashion. Gordon presented 'Waltz' in N. Y.

Presentation is on the scale called for in the original production, with the fireworks, huge chandeliers, moving bandstand and elaborate sets. The revolving stage is again utilized for the eight scenes.

Local debut of 'Babes in Arms,' with Audrey Christie (Mrs. Guy Robertson), Harry Stockwell, Joseph Macaulay and Jay and Lou Sellar seeking acting stardom, was checked by the weather on four nights of run that ended Sunday (25). 52,000 payees laid an estimated \$30,000 on the line, below average.

## Legit Cues

Olsen and Johnson, whose 'Hells-a-Boppin' is approaching the two-year mark at the Winter Garden, N.Y., have been hosting groups from the Actors Fund Home, Englewood, N.J., at the revue. Parties include dinner and transportation both ways.

Leonard Leslie is production manager of the cooperative company at the Irving, N.Y.

Irene Lewisohn, director of the Neighborhood Playhouse School, will offer an exhibition of costumes, costume designs, photographs, stage models, playbills and posters at the Museum of Costume Art, N.Y., from Sept. 20 through Oct. 5.

Ruth Matteson motoring to Coast for vacation.

Roberta and Margaret Becker back from Montana and San Francisco. Former returns to the Maurice Evans office.

Richard Clark giving tennis lessons at Westport, Conn., to 14 Lawrence Langners (Armina Marsh and the two children of John and Carly Wharton).

Jack Haley, who closed Saturday (24) in 'Higher and Higher,' will star in a revival of 'Charlie's Aunt' at Maplewood, N. J. Idea is to bring it to Broadway if it looks promising.

Betty Field, who just completed 'Victory for Paramount' and will next do 'Squadron of the Hunt' for the same studio, is due back in New York about Oct. 1.

Desti Aranz, who'll tour with 'Too Many Girls,' remained on the Coast several extra days, and joins the company in Chicago for final rehearsals and the Saturday (31) opening.

Robert Ardrey has wound up his writing commitment at RKO and leaves for the east in a couple of weeks. Will motor by easy stages, with several extended stopovers and intends arriving in New York about Nov. 1.



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## Broadway

St Fabian's illness has cost him 40 pounds.  
Mary (Stewart) and Martin to *Sambo*.  
Paul Reisman, RKO foreign chief, bound for Rio.

Jim O'Connor, Albany cafe man, under doctor's orders.  
Jim Boyle of RKO down on the Jersey shore for a week.

George Freedley new dramatic critic for *Morning Telegraph*.  
Leo Spitz has a financial interest in Jules Levey's picture, *Boys From Syracuse*.

Dan Healy and Helen Kane's Club *Evans*, on the site of Mon. Paris, opening around Sept. 15.

Harry Joe Brown and wife, Sally Eilers, off on second cruise of the Americas to West Indies.

New Broadway crowd, via Harlem, in 'What's cookin'?' switch on 'what's new or what's up'.

Allen Noye, director of Columbia Pictures of Brazil, headed south after American visit with Mrs. Noye. Mitchell I. Koppel, formerly with Alexander Film, has joined Emerson York's industrial film company.

Max A. Cohen, indie chain exhib., in New York angling 'Bangtails', legit production of Ben Boyar Associates.

W. G. Van Schmus, recuperating at his home at St. James, L. I., expected back at the Music Hall about Sept. 15.

George J. Schaefer and Leon Nettles, among those who were exhib. at Schroon Lake, N. Y., as guests of Herman Robbins.

William H. Lawrence, Par really executive, nursing a broken rib, a dented schnitzel head, cuts as result of an auto accident.

Humphrey Doulsen, visiting duopians Vronsky and Babin at their Santa Fe ranch, due back at Columbia for a concert at the Music Hall.

Joe Philipson, in charge for Joe Cooper at the Paramount h.o., due back from a tour of the Cooper-Par houses in the Midwest the end of this week.

Jack Kapp, Decca Records prez, 'profiled' in current New Yorker by Howard Whitman of the N. Y. News. Russell Moloney did an assist, but unbilled.

Uncle of Tony Betts, race handicapper, was an actor, with David Belasco attraction, his name having been Salvatore Zito, who specialized in Spanish parts.

In celebration of his 89th birthday Thursday (22), Daniel Frohman was guest of honor at a dinner attended by only himself and his friend of many years, Fannie Hurst, at Sardi's.

E. W. McClellan, manager of technical section of RKO's foreign department, on his way to Iceland to supervise installation of projection equipment in two theatres at Reykjavik.

Ray Royster, executive assistant to Leonard Goldenson and Sam Dembow, Jr., Par theatre biggies, returns tomorrow (Thurs.) from huddles in Detroit with Earl K. Hudson and others.

Mark Hanna, the agent, accompanying John McClain to the Coast tomorrow (Thurs.) by plane, for a week. Latter, returning to Metro; Hanna's aunt is seriously ill in Culver City.

William Gargan, who was leaving off the weekend for Washington, postponed until today (Wed.), when he, the missus and two kids going from there to Chicago on the way to the Coast.

Walter Wanger and wife, Joan Bennett, heading for Canada following the opening of 'Foreign Correspondent' at the Rivoli. Producer will start his exploitation speaking tour after Labor Day.

Bob Powers, who has secretariat for more execs, from Adolph Zukor down, in Paramount than a computer will add up, is now doing it for Benny Goldenson and Sam Anderson, meantime, has shifted to shorthand notes for Walter B. Cokell.

## St. Louis

By Sam X. Hurst

Jimmy Grier band and Walter Cassel, warbler, held over at the Chase Club.

Maury Davis, manager of the Will Rogers, west end, nabbed by molar trouble.

Tony Scarapello, literary operator, in New York lining up acts for opening at new home on Broadway.

Rungling circus makes three-day local stand starting Sept. 6. It will be first visit in three years.

Bope Manning, songbird click in 'Roxie', trekked back to New York via Chicago and Pittsburgh.

A 'Willkie March', composed by Mrs. Benjamin W. Fry, Jr., localite, has been dedicated to the Republican national convention.

Jay and Lou Seltzer, who scored in 'Babes in Arms' at the Forest Park all-fresco playhouse last week, open engagement at Radio City Music Hall Sept. 28.

Meadowbrook County Club shutters all fresco nitro Labor Day. Forest Park Highlands, major amusement park here, also closes majors on same day.

Arnold Berger, manager of the Drive-In theatre, DesPeres, Mo., is inviting invalids, shut-ins and under-

privileged youngsters for cuffio shows once a week.

Ernest Truex paused here en route to New York, where he will appear in the Kaufman-Hart piece, 'George Washington Slept Here'. Truex is a native son of St. Louis.

Former Mayor Henry W. Kiel, prez of the Municipal Theatre Assn., will toss annual shindig for personnel of organization and entire cast of 'The Great Waltz' Thursday (22).

Half of take at Fanchon & Marco's downtown deluxer, Ambassador, of one night's performance of 'The Queen of Adeline' was given to the Women's Allied War Relief Assn.

Supporting cast to Guy Robertson, who plays lead in 'Petticoat Fever' at Civic theatre, St. Louis County strawhat, includes Frances Buss, J. Scott Robertson, Gordon Ashley, Vincent Vernon, Jean Hempel, John Todd, Jr., and Sheila Shelp. Piece opened last nite (Tuesday).

## Philadelphia

Ira Walsh now handling press relations for W. P. A. at the W. P. A. Lou Fisher, WCAU gabber, has joined the U. S. Naval Reserve.

Benedict Gumbel, Jr., WIP prez, on a flying jaunt to New England. WIP 'Dawn Patrol' celebrated the completion of 2,500 consecutive hours of broadcasting.

Hedgerow Theatre bringing back G. B. Shaw's 'Major Barbara' with Audrey Ward in title role.

Lambert Bewuicks, Bob Cottingham, Jim Aull, John Thorpe, Don Heyworth and Janet Millman, all of KYW, vacationing.

Laura May Sturt, pilot of the 'For Women Only' program on WCAU, back from a 7,000-mile junket aboard an American Air Line plane.

Fatsy King, nitery warbler, was chosen runner-up to 'Miss Philadelphia' at beauty contest sponsored by Variety Club at Jack Lynch's Walton Roof.

Dick Todd booked into the State-Lake for Labor Day week.

Johnny Jones back from New York booking trip for the Oriental stage.

Charley Kallen has a new song, 'I'm So Cute', published by the Sam Ewing music firm.

Bob Hope is going into business with his brother, manufacturing a new product called Sani-Metal.

Larry Puck in from New York to confab on first Columbia Artists' booked shows for the Riverside, Milwaukee.

Van Nomikos, Chi theatre circuit executive, has been elected supreme president of the American Hellenic Educational and Progressive Assn.

## 5th Column

Continued from page 1

materially the same price here as in U.S.A.).

Report that all foreigners, including Americans, are under surveillance at hotels, etc., is a myth.

Contrary to Fifth Column reports, Americans can take back any funds they do not spend while in Canada.

Provincial authorities have checked further on alleged 'inconvenience' in crossing border, and find that it takes exactly seven seconds to clear an American car at the border entering Canada.

No birth certificates, passports or documents other than a car driver's license are required.

Above all, the American dollar buys \$1.10 worth goods in Canada because of the difference in exchange.

It has been suggested by Canadian officials that President Roosevelt might be able to offset false rumors by devoting a few words to the matter, his next fireside chat.

## Harris U. S. Biz. Too

Efforts are being made to remove Canadian-Minnesota border passport restrictions killing theatre business in such Minnesota border towns as International Falls, which draws considerable of their theatre patronage, particularly on Sunday.

Canadian showhouses are closed, from nearby Canadian communities. Grosses are off as much as 50% in these Minnesota border towns and they're seeking relief from the film exchanges here.

The restrictions were put into effect by Canada as a war measure and virtually prevent its citizens from coming into the U. S. even for a few hours at a stretch.

Pair of all-male bands led by female batoneers will be on Broadway at the same time next month. Ina Ray Hutton replaces Tommy Dorsey at the Astor hotel, and Ann Dupont clarinetist leader, goes into Arcadia Ballroom.

## London

Jack Davies operated on.  
Gabriel Pascal has rented Conrad Vitzthum's flat in Denham.

David Kaye (Morton and Kaye) wed Daphne Benabo, non-professional.

Pathe production setup here will go into the plan for six children. Tees off with 'This Man Is Dangerous'.

Sydney Gilliat and Frank Laundette, signed to scripting chores on 20th's 'Kipps' from the H. G. Wells novel.

'Ladies in Retirement' starts provincial tour with Mary Clare in her original role and Griffiths Jones in only male part.

Michael Balcon's Ealing studios, on a temporary layoff from feature production, will handle five briefs for government's propaganda outlet.

Earl St. John, general manager for Odeon's Paramount-Astorias, wed Cecile Petrie, formerly one of the Carlyle Cousins, onetime radio news anchor.

'Divorce for Christabel' the Arnold-Foster play, which stars Frances Day in her first straight part, opens at Lyric theatre middle of the month.

Billy Bleach, formerly book for Sir Oswald Stoll, back from Australia and New Zealand, where he worked for Tom Arnold and the Williamson's. Goes over to Arnold's local office.

Jean Hyams, daughter of Syd Hyams, wed Dr. Bernard Lewis, lecturer on Oriental languages at Cambridge University. Couple will while former was at Cambridge studying economics.

After touring when West End theatres were closed at the outbreak of the war, Doris Smith's 'Dear Octopus' has returned to London with practically original cast. It was warmly received at July 27 preem.

Associated British, John Maxwell's outfit, production chief Walter Mycroft, started cameras on 'The Farmer's Wife', Eden Philpotts' one-time stage hit. Leslie Arliss and Norman Lee co-direct, guiding Wilfrid Lawson, Basil Sydney, Nora Swinburne, Betty Warren and Enid Stamp-Taylor.

## Minneapolis

By Les Rees

Ted Mans, Oxford theatre owner, mourning death of infant son.

Al Stern, RKO office manager, back from a Canadian motor jaunt.

Bill Evidon, Columbia office manager, executive secretary, candidate for state legislature.

Martie Braverman, former Garden theatre owner, opening new indie post-exchange theatre.

Gabriel Mailfronte, Universal home-office supervisor, flew in to explain revised booking system.

Bill Evidon, Columbia office manager, vacationing with the missus in Fargo, N. D., where wife's parents reside.

Sherman H. Dryer, University of Chicago radio station director, here visiting his dad, Harry, local indie exhibitor.

Palace reopened under Bill Evidon's management with 'His Girl Friday', replacing 'subsequent-run' single features at 15c.

June Lang stopped over en route to Hollywood after visit with her mother, returning from operation at Rochester, Minn.

Grand Rapids, Minn., hear here, negotiating for personal appearance of Judy Garland, onetime resident, for town's Golden Jubilee celebration in fall.

Moe Levy and Joe Polodoff, 20th-Fox district and branch managers, respectively, and a number of local exhibitors, will tour for territorial banquet tendered Levy by Tri-State circuit.

Chief Barker Ben Blotky of Twin City Variety club announced net receipts from recently sponsored baseball game sufficient to buy 30,000 quarts of milk for local needy children and mothers.

Bernd Stuenkel, onetime Bridge stock director and more recently in Hollywood, signed as assistant director of Henry Adrian's Minnesota stock company, which will tour for territorial banquet tendered Levy by Tri-State circuit.

Minnesota towns ensuing fall and winter.

## Pittsburgh

By Hal Cohen

Exhib Archie Fineman hospitalized for several days with tick-knee.

Low Mercur up from Florida to spend a few weeks with his folks.

Manos manager H. C. Bondurant of Ellwood City, Pa., father of a girl.

Mother of Eddie Klein, long-time nitro operator, will tour for territorial banquet tendered Levy by Tri-State circuit.

Catholic Theatre Guild will open its season in October with 'First Legion'.

Fred Burleigh due in Sept. 15 to give Pittsburgh Playhouse season under way.

The Al Mercur celebrated their 24th wedding anniversary in the whip.

Syd Magidson to New York in audition for Benny Davis' new 'Standard' revue.

Variety Club resuming its monthly

shows at Veterans Hospital in Aspinwall on Sept. 4.

Dancing Callahan Sisters, also whizzes on skates, turned down offer to join 'Icecapades'.

The Chester Storrs back home from a three-week tour of the New England straw hat circuit.

Raul (and Eva) Reyes and Al Lopez, Pirate catcher, are former school buddies from Denham.

Concert impresario May Beegle touring the Coast and taking in Hollywood and the Frisco Fair.

Republic's Jimmy Grainger in town to work with Jim Alexander on deals with WB and Harris circuits.

Director Bob Gill playing Grandpa Vanderhoff in Fox Chapel Playhouse's finale, 'You Can't Take It With You'.

The Mark Browns back from Ivytown, Conn., and a visit with their son, Herbert, in the acting company there.

The Perry Nathans—he's with National Screen Service to New York for the marriage of their son to a Rye, N.Y., gal.

## Australia

By Eric Gorrick

Biz still high with U.S. film fare. Snider-Denar extending chain in western stix.

All Sydney newspapers intend upping advertising rates.

Vaude-revue swung into Adelaide last month for the Wagsmans.

'Rebecca' (UA) maintaining strong biz pressure for Hoyts in Sydney.

Continental pix have faded throughout Aussie following the European upset.

'Ice Follies' 1940 flop in Melbourne for Williamson-Tait. Gilbert-Sullivan followed.

Night spots continue brightly despite new tempo, and indications are that biz will build further during the spring.

Billy Maloney, manager of Mayfair, Sydney, scripting for commercial radio. Maloney also scribbles for Aussie mag.

Wallace Parnell expects to make U.S. trip shortly on a looksee for Tivoli talent. Parnell replaced late Errol Reid as producer and director of Tivoli.

Petrol-rationing swings in here in September. Pic managements huddling with transport authorities to maintain extra transportation for the nabs to the city in order to keep up biz.

## Jersey Rally

Continued from page 2

Local businessmen reported the biggest turnovers in Sea Girl history and eating places for miles around turned away hungry motorists.

Obviously, the reception was to honor President Roosevelt, Charles Edison, Democratic candidate for governor, and James H. R. Cromwell, husband of Doris Duke and candidate for United States Senator. But when the Broadway mob put in an appearance at the scene, Edison, Cromwell, et al., were just so many more Democrats so far as the crowds were concerned.

Politics, which Hague had hoped to make the business of the day, was relegated to the background from the moment Joe E. Lewis started things humming.

When Russ Morgan and his orch stepped up to the platform for some specially arranged, only to be promptly drowned out by the roar of an 18-police motorcycle squad escorting dignitaries across the field, it was the intrusion of the dignitaries that was resented by the mob rather than the orchestra.

Richman Panicked 'em. Harry Richman panicked 'em. The 200,000 loved every minute of it, and if Richman had said, 'which he didn't, I want every one of you to go out and vote for Roosevelt, Cromwell and every body else Hague wants you to vote for, the chances there, wouldn't be a single "traitor" in the ranks on Nov. 5. The fact remains that Richman, Sophie Tucker, Gilda Gray, Jerry Lester, Belle Baker and Pat Rooney had a better way of telling the throngs to vote Democratic' than anything the candidates could have said or did say. And if they didn't say it point blank they mentioned a lot of things that tickled 'Boss' Hague and made the audience of 200,000 feel pretty proud about being a Democrat. Most of all, it was the way they said it that tickled with the crowds.

Nothing could quench 'Boss' Hague's good humor. Not even the charge of Clayton E. Freeman, Republican State chairman, who attacked the Sea Girl rally as a \$200,000 demonstration of the 'regimentation inherent in the Jersey City machine when the boss cracks the whip.'

Hague merely shrugged. 'I'd like to see the Republicans put on a show like this,' he said.

## Hollywood

George Seitz on sista at Del Mar. The Mischa Avers adopted a baby girl.

Frankie Albertson bought a valley horse.

Wally Ross pulled out of the Lou Irwin agency.

Katherine Albright joined Metro's publicity staff.

Tony Sanford rejoined the J. Walter Thompson staff.

Greta Keller was granted a divorce from John Sargent.

Simone Simon applied for U.S. citizenship in Los Angeles.

Signe Hasso in from Sweden to report for her RKO contract.

Anna May Wong to Orwingsburg, Pa. for straw hat engagement.

Mitzi Gouled filed suit for back alimony from her former husband, Dave.

James Stewart flew to the old Pennsylvania homestead in his own plane.

Tom Reed ordered to pay Louis L. Goldman \$563 in an assault and battery suit.

Stanley Fields starts a four-week personal tour Sept. 13, opening in Cleveland.

Robert M. Haas to Irvington, N. J., for the 60th wedding anniversary of his parents.

Maurice Geraghty back at his Republic story desk after Carmel, N. Y., vacation.

Smiley Burnette, in from the east over the weekend, headed back home for further personal.

Robert M. Haas making his home in Hollywood after five years in Australia and New Zealand.

Y. Frank Freeman is having a conference room built to connect with his Paramount office.

Robert Gessner, gandering the studios to pick up ideas for his motion picture classes at New York University.

## Atlantic City

Sonny James' orch staying over at Renalax, here for another (the fourth) week.

Glenn Gration toppled in revue at Bath and Turf Club for three days ended Sunday (25).

Block and Sully plus Estelle Taylor headlined at the 500-Club three days ended Sunday (25).

Abe Abrams, who had been at Garden Pier theatre all summer, returned to Forrest theatre, Philby.

Former Mayor Jimmy Walker of N. Y. vacationing here with the missus, former actress Betty Compston.

Beavel and Tova, Spanish dancers, head revue at Traymore Stratosphere Room supper dances. Bill Madden's orch plays.

Paul Armstrong, manager of the Shelburne, started ball rolling in campaign for erection of an intimate theatre for legit tryouts in A.C.

Kay Thorne, who came to A.C. with the Mae Desmond Players last month, has joined WBAB as woman's page and amusements announcer.

Art Jarrett orch began week's engagement at Hamid's on Sunday (25), and after a short rest will join Sally Rand's show at the Flatbush theatre, Brooklyn.

Schuykill County Master School Bus made up of musicians, took Potville, Pa. and nearby towns, gave good-will concerts Saturday and Sunday (24-25) at Hamid's Pier.

## Stroudsburg, Pa.

By John Bartholomew

Back Hill Players called it quits with 'Call It A Day'.

Bobolink Players disbanded following close of Allentown summer season.

Bea Wain (Mrs. Andre Baruch) defeated Mrs. Fred Waring in Shawnee's invitation golf tournament.

Former showman William Blumenberg, proprietor of Ye Saylor's Inn at Saylor'sburg, admitted to General Hospital.

Importance of Being Ernest closes season for the Berkley Players, Aug. 27-30, at the Haubert theatre, Newfoundland. William K. Fletcher has been the director.

## Westport, Conn.

By Humphrey Doulsen

Al Trahan at Cobbs Mill.

Reuben Maury bound west. John Fearneyback after summer down.

Alma Archer back from Lake Placid.

Phyllis Brooks here. Ditto Judy Graves.

Corleone Smith in after Berkshire Festival.

Germaine Schnitzer housewarming her new farm.

Geraldine Farrar motoring through eastern Canada.

Country Playhouse darkened (25); earliest closing in history.

Mary Luescher, daughter of late Mark Luescher, will be married here Sept. 7 to Jervis Olson.

# OBITUARIES

## DR. PAUL NIPKOW

Dr. Paul Nipkow, 80, pioneer television inventor, conceived the idea of picture transmission more than 50 years ago, died of a heart attack Aug. 24 in Berlin. Observing his 80th birthday last Thursday (22), he fell during the festivities. Removed to a hospital to examine his injuries more thoroughly, he fell victim to a heart attack two days later.

Nipkow's invention—a scanning disc which scrambled a picture at the point of transmission and later reproduced it at the receiving end—was developed from an intensive study of the mechanical principles of Bell's telephone. While he was granted a patent on his invention it became relatively unimportant when the cathode ray and vacuum tube later proved a much more practical means of transmitting pictures.

However, Nipkow did lay the basic groundwork for television. He evolved a means for transmission of images before Marconi had even in-

there. After a few years of stock he came to the United States with a company headed by Lily Langtry. He was seen on Broadway in such plays as 'The Christian' and 'The Two Orphans.' He had been inactive in recent years.

Surviving are his widow, Katherine, and a daughter, Mrs. Tanar Holden.

## ERNEST LAWRENCE THAYER

Ernest Lawrence Thayer, 77, author of 'Casey at the Bat,' died Aug. 21 in Santa Barbara, Cal., where he had lived for 26 years.

Son of a wealthy woolen manufacturing family in Massachusetts and graduate of Harvard, Thayer had a brief writing career on the San Francisco Examiner, for which he wrote 'Casey' in 1888. The lyric was taken up by De Wolf Hopper, who recited it so many times on the stage that it became baseball classic.

Surviving are his widow, two nieces and two nephews.

## MRS. STELLA QUALTERS

Mrs. Stella Quarters, 48, showgirl of the early '20s, died of a cerebral hemorrhage in Receiving Hospital, Detroit, Friday (23). Since 1923 she had made her home in Detroit with her husband, Joseph Quarters, local radio tenor.

Together with her sister-in-laws, Catherine (Pat) Quarters, Gertrude and Margaret Quarters, the four women were in the 'Ziegfeld Follies' of '20 and '21. In 1922, Mrs. Quarters was in 'The Passing Show.' She leaves her husband, her mother, Mrs. Philomena Carpenter, and a brother, Joseph Carpenter. Burial in Detroit.

## JOHN A. LOESCHE

John A. Loesche, 49, an assistant director and producer for the Columbia Broadcasting System, died Aug. 22 at his home in Palisades, N. J. He had been confined to his bed for several weeks with a paralyzed side.

A native of Newark, N. J., he was with the Thomas A. Edison Co. for 24 years before joining CBS. He handled auditions for the Kate Smith program some 10 years ago and in the past decade was program producer for several of the larger CBS accounts.

Widow, May M. Loesche, and a son, Paul, survive.

## CARL A. STAHL

Carl A. Stahl, 55, an organizer and manager of the first radio station in Terre Haute, Ind., the old WRPI, which was later reorganized and re-

## Charles B. Dillingham

Aug. 30, 1934

"Gone, but not forgotten"

R. H. B.

named WBOW, died at his home recently in that city following a six-week illness.

One of the leading industrial leaders of the city, his enthusiasm for radio gave the city its first station when he and Dr. Carl Wischniemyer, of Rose Polytechnic Institute, worked together in perfecting the old WRPI station.

## JAMES QUINN

James Quinn, 55, veteran screen character actor, died Aug. 22 at his home in Hollywood. Survived by widow and two sons, James, Jr., and Louis.

Deceased quit the stage for Hollywood 1919. Five years later he was featured with Billie Sullivan in a series of racetrack pictures made by Universal. Ill health recently forced him out of the race for a seat in the California legislature. He was struck while working Metro's 'Little Nancy Kelly.'

## SHIRLEY DE ME

Shirley De Me, 42, legit performer, died in Petoskey, Mich., Aug. 18 following an abdominal operation. Before she became ill she was in the cast of 'Life With Father' at the Blackstone, Chicago.

She appeared in numerous stock companies and had played vaude with Bert Lytell. Appeared in New York's 'Old Maid,' 'Star Wagon,' 'Conra,' etc.

Widower, John Ravold, and sister survive. Burial in St. Louis.

## DICK FERGUSON

Dick Ferguson, 59, who appeared in vaude in song-and-dance act

known as Ferguson and Sunderland, died of a stomach ailment Sunday (25) in the French hospital, New York. In recent years he had been employed on the Federal Theatre Project.

Funeral services were held in N.Y. under the auspices of the NVA.

## EDNA WALDRON

Edna Waldron, 27, screen actress, died Aug. 24, in Hollywood, as a result of burns sustained in an attempt to save the life of a child whose clothing had been ignited by an explosion of cleaning fluid.

Trying to beat out the flames, Miss Waldron's own clothes took fire.

## EMILIE H. MILLER

Emilie Henning Miller, 47, concert contralto and frequent broadcaster on radio programs from Schenectady and Philadelphia, died at her home, Upper Darby, Pa., last week. Burial was in Saratoga Springs, where she was born.

Survivors include her husband, two sisters and a brother.

## HERBERT O. GLANTON

Herbert O. Glanton, 65, veteran showman and former manager of the Tivoli filmery, Huntington, Ind., died from a throat infection last week in Huntington. His wife died two years ago. He broke into show biz as an impersonator in his youth.

## BEN P. MCCORMICK

Ben P. McCormick, 60, exhibitor operating in Canon City and Florence, Colo., and Hot Springs, N. M., was killed when a plane which he recently bought crashed as he was soloing.

Widow and three sons survive.

## EUGENE A. PHALEN

Eugene A. Phalen, 64, owner of the Allis theatre, Milwaukee, died Friday (23) at his home, West Allis, Wis., where he was active in civic affairs and president of the fire and police commission for years.

## ETHAN ALLEN

Ethan Allen, 58, died Aug. 21 in Hollywood after a long illness. He was on the New York stage from 1905 until 1920, when he moved to the Coast to enter pictures.

Survived by widow.

## ALBERT METZ

Albert Metz, 54, retired stage and screen actor, died Aug. 20 at his home in North Hollywood, Cal., following a long illness.

He was a brother of Richard Talmadge, screen director-actor.

## JOHN W. LEWIS

John W. Lewis, 51, orchestra leader from Texas, was found dead in his automobile Aug. 20 in a canyon near Los Angeles.

Police called it suicide by carbon monoxide.

## VIRGIL OLIVER STAMPS

Virgil Oliver Stamps, 48, died Aug. 19 of a heart ailment in Dallas.

Deceased was leader of the Stamps Quartet, heard over radio stations throughout the southwest and several border stations in Mexico.

Henry Leid, 62, chief mechanical engineer of Loew's Theatres and for 14 years a member of the Loew construction staff, died of a heart attack Aug. 22 in New York. Funeral services were held Saturday (24) from his home in Yonkers, N. Y.

Dr. Elias Gluskin, father of Lud Gluskin, CBS musical director in Hollywood, died Aug. 23 at his Brooklyn, N. Y., home.

Mrs. J. M. Simpson, 52, mother of Stark Bishop, actor, died Aug. 19 in Hollywood.

Mother of John Reber, J. Walter Thompson agency's radio head, died Aug. 22 at her home in New York.

Father, 67, of Fran Striker, 'Lone Ranger' author, died Aug. 18 in Buffalo.

## ICE RINK, BANKRUPT

Los Angeles, Aug. 27. Hollywood Amusements Corp., which has operated an outdoor ice rink in Westwood Village (suburb) for past year, has gone into voluntary bankruptcy.

Concern lists debts of \$113,088, assets totalling \$50,099.

Martin Gabowitz, pianist in KYW, Philly, houseband, and Eddie DeLange, bandleader, have collaborated on a new tune, 'I Reached Too High,' being published by G-Z Arts Musical Arts Co.

# Literati

## Stage Mag Bows With New Issue

New Stage mag monthly starts publication with the November issue, due on the stands on or about Oct. 28. Alexander Ince, formerly a legit and film producer and a publisher in Budapest and repertuistative for Gilbert Miller on the continent, is publisher. Alexander King, formerly with Life mag, is editor. Each issue will contain the complete text of a current Broadway hit (first will be 'The Man Who Came to Dinner'), plus various departments and articles contributed by theatrical names.

Mag will have correspondents in the leading radio cities and will devote space to little theatres and new talent on Broadway. Will sell for 25c an issue. Old Stage mag folded about a year ago.

Ince was Ince Sander in Hungary.

## Editor Appeals for Release

Thomas E. Thorpe, formerly publisher of the Ohio Indicator at Troy, O., has filed a plea with the Ohio Supreme Court for release from the London Prison Farm where he is serving a two to five-year sentence for criminal libel.

Thorpe's conviction followed publication of a story which he charged that Cleitus Roetzler, Akron attorney, exerted pressure on the Works Progress Administration to have a road paved to his Portage Lakes home. He was sentenced on Oct. 2, 1939.

## 14 Oboler Radio Plays in Book

Fourteen of the best-known radio plays of Arthur Oboler have been collected by Random House and will be published in book form next month. They will be preceded by an introductory chapter by Oboler entitled, 'The Art of Radio Writing,' and a foreword by Lewis Titterton of NBC.

Bennett Serf, Random House prez, is also making another stab into the radio field. He'll publish the 1941 edition of 'Information Please,' containing 50 quizzes. It'll have a foreword by the radio show's board of experts.

## Beth Brown on Wax

Beth Brown, authoress, will have some of her works transcribed into the wax via a series of Decca record albums. Frank Luther will narrate the first, 'The Adventures of Minnie, the Tired Trolley Car,' published by Doubleday and reprinted in the Macmillan Anthology of best short stories of the year.

Miss Brown's second album will be 'Busybody' Bros., followed by others.

## LITERATI OBITS

Henry O'Keefe, 62, sports editor of the Fitchburg (N. Y.) Sentinel, died in that city Aug. 20. He had been a Sentinel employee for more than 35 years.

William Elwood Hazen, 68, founder of the Shadron (Pa.) Daily Telegraph and former industrial editor of the Wall Street Journal, died Aug. 21 after a brief illness at his home in Norfolk, Conn.

Thomas M. Whiteman, 63, publisher and editor of the Latrobe (Pa.) Daily Bulletin, died suddenly at his home there Aug. 22. Whiteman founded the paper in 1902.

## CHATTER

Lillian Barkley sold her novel, 'Three Brothers,' to Lippincott.

Jack Lait, editor of the New York Mirror, in Hollywood for a month's stay.

Joe Cummiskey, sports editor of PM, in the N. Y. Eye and Ear Infirmary with a strep infection.

Stefan Zweig, who came to the U. S. from Europe several weeks ago, has departed on a lecture tour of South America.

Mildred Cram sold 'Rattlesnake Under the Beet-Top' to the Saturday Evening Post, and 'No Honeycomb' to Good Housekeeping.

'The Prairie Farmer,' farm trade publication, celebrates its 100th anniversary, with an Historical Centennial Number next Jan. 11.

Mickel Novak, former Hal Roach scripter, has started a new Hollywood column in the Philadelphia Bulletin, which plans its syndication.

New York Post has added a Saturday column on popular music. It's done by Michael Levin, who writes similar pillars for the Boston Globe, Cleveland News and the Harvard Crimson (undergraduate daily).

Dick Clegg has resigned from the N. Y. Times to join the publicity

division on the Republican campaign which is headed by Clarence Budington Kelland. On the Times 11 years, O'Brien was assistant radio editor at the time he left.

## Lily Langtry

Continued from page 1

who cabled that 'Langtry's 200 citizens' would be god-parents to you (Lady Ivan) and Lady Mary Bartless of London.' Our Judge Roy Bean, who was the 'Law West' of the Pecos named the town in honor of your beautiful mother and he would have wanted us to offer refuge to the daughters of the actress he so admired.

Judge Bean never met the actress but kept an active correspondence with her. It was id that the walls of the famed saloon where the Judge dealt out his legal decisions were virtually covered with her pictures.

When Lily Langtry came to this country in 1905 she stopped her transcontinental train for a 10-minute visit here with the Judge but he had died two years before.

The famous saloon and courtroom, named the Jersey Lily, today is a state museum.

## MARRIAGES

Dawn Rolland to Charles Wright, in New York, Aug. 15. Bride a dancer; he's bandleader at the Stock Club, N. Y.

Nathalie Hall to Theodore Jones, Aug. 20, at Haverhill, Mass. Groom is actor-son of Maryverne Jones, manager of Starlight theatre, Pawling, N.Y.; bride, non-pro, not to be confused with Natalie Hall, prima.

Marcelle Rogez to Wesley Ruggles, in Las Vegas, Nev., Aug. 17. Bride is a French film actress; groom is a producer-director at Columbia.

Jean Edwards to Harlan Hobbs, in Hollywood, Aug. 17. Groom is Voco Productions' publicity director; bride is secretary to actress Gail Patrick.

Angela Coidan Mulinos to David Clarke, Aug. 14, in Los Angeles. Bride is film actress; groom is stage player.

Mildred Stern to Mac Benoff, in New York, Aug. 23. He's a radio writer.

Marjorie Hall to Walter A. Brown, in Calgary, Alberta, Canada, Aug. 10. She was sec to plant manager D. A. Myer of WBZ, Boston; he's general manager of Boston Garden.

Barbara Denny to James Simmons, in Los Angeles, Aug. 25. Bride is screen actress and daughter of film actor Reginald Denny; groom is a scribe on the L. A. Examiner.

Kay St. Germain to Jack Carlson, in Los Angeles, Aug. 21. Bride is a radio singer; groom's a screen actor.

Irene Neubauer to Eddie Fitzgerald, New York, Aug. 24. Bride is with Bregman, Vocco & Conn, music publisher.

Carol Wyman to Otto Kornthuer, in Port Chester, N. Y., Aug. 24. He's with the engineering staff of WHN, N. Y.

Marie Morris to Robert Johnson, in Miami, Aug. 17. He's drama critic of the Memphis Press-Scimitar.

Dorothy Weldon to George Rogers, in Tia Juana, Aug. 24. Both with Rogers Dancers, stage and vaude.

Eugene Werner to Campbell Meiklohn, in Glendale, Cal., Aug. 24. He's Paramount caster.

## BIRTHS

Mr. and Mrs. Donald S. Stein first twins (boy and girl), in Pittsburgh, Aug. 22. Father's music critic for Post-Gazette there.

Mr. and Mrs. Harry Browsky, daughter, in Pittsburgh, Aug. 10. Father's a Pitt. film theatre owner.

Mr. and Mrs. Howard Price, in Pittsburgh, Aug. 21. Father's a Pittsburgh radio singer.

Mr. and Mrs. Johnny Broderick, daughter, in Detroit, Aug. 26. Mother is Charlotte Arren, who, with her husband form the vaude act of Arren and Broderick.

Mr. and Mrs. Barton Kreutzer, in Hollywood, Aug. 24. Father RCA Coast recording head.

Mr. and Mrs. Robert Brewster, daughter, in Los Angeles, Aug. 26. Father is producer of Kraft Music Hall radio show.

Mr. and Mrs. James Hurlbut, son, in Washington, Aug. 24. Father is on the news staff of WJSV, Washington.



## Break for New Directors

Continued from page 3

made, have suddenly come to a realization that such is far from the truth. Because of the success of newcomers, producers are now making on their own writer and actor divisions and radio and little theatres in recent months, celluloid's top men have determined to inaugurate organized forays into these fields, hopeful of even heavier hauls.

Present activity in the drive to swell Hollywood's piloting ranks is motivated by a twofold purpose: (1) eagerness of producers to get away from stereotyped directorial slants, and (2) unbending the biz of the high salaries now demanded by established topflight pilots, which, according to studio cash box custodians, are out of line with modern revenues.

**How Sturges Got a Start**  
Heralded in major circles as the 1940 director 'finds' are Paramount's Preston Sturges, Warner's Kurt Bernhardt, 20th-Fox's Irving Reis and Edward Kelly. Now being poised for a start in the race is W. Zolly Lerner, who has been directing for the Resident theatre, Kansas City, and who has just been brought to Hollywood by 20th-Fox, which will give him a six months' production prep course before handing him a director assignment.

Although company heads are making no secret of their roundup of director possibilities, they sometimes make it difficult for candidates for such berths to get an opportunity.

Outstanding example of this is Sturges, to whom Par biggies now listen with eager ears, but who had to sell those same higher-ups the original script for \$10 before they claimed that he had directorial ability even got a hearing. Sturges, after authoring and stage-managing several legiters, crashed the films as a writer, optimistic that someone would offer him a pilot's seat.

When, after several years of bumping out, successful screen plays openings toward direction failed to come his way, he propositioned Par with the gift of the 'McGinty' original and screenplay in return for permission to pilot the vehicle.

Sturges now has a contract calling for his services as a director-writer, and since 'McGinty' he has wrapped another feature, 'Something to Shout About,' for which he did the original and script as well as direct. He is now working on the script for his third as a pilot, 'Lady Eve.'

**Bernhardt Seen As Gamble**  
Bernhardt, graduate of the German film factories, where he had both produced and directed, came around Hollywood for more than a year, before he got his American 'break,' direction of 'My Love Came Back.' Burbank powers looked upon the whole thing as pretty much of a gamble until the critics were heard from, after which Bernhardt became the fair-haired lad, with direction of William Hopewell in 'The Lady With Red Hair' as his second effort. He, too, now has a term pact.

Irving Pichel had been a legit thesp and director; had even guided some Hollywood 'quickness,' but the more important Hollywood studios saw him only as an actor. That was until a little outfit named theatrical film made a \$100,000-budgeted picture, 'The Great Commandment,' which Pichel directed, with 20th-Fox buying the finished negative for around \$200,000. Included in the deal was Pichel, who has since guided 'The Man I Married' for the Westwood lot, and who is now handling the same company's 'Hudson's Bay.'

Traube, also, new monicker on the 20th-Fox directorial roster, has shown he has what it takes to make a pilot, although his start under Darryl Zanuck has not been quite as auspicious as that of Pichel. Traube had done some legit directing in the east before coming to Hollywood, where he picked up the piloting reins on a pair of pictures carrying six-day shooting skeps. Next he became a production assistant at Republic, where he also did some writing. He landed his 20th-Fox deal when he sold producer Lucien Hubbard on the idea that he was familiar with the script for 'Street of Memories,' which he had 'sat in' with the writers.

**Two Brought From Radio**  
Woodruff and Reis crashed the film directorial gates via radio writing and direction. For five years the former had piloted the most important screen personalities on the Lux Theatre of the Air show, while struggling for a foothold in

pictures. Since he has directed RKO's 'Curtain Call,' 'Cross-Country Romance' and 'Wildcat Boy,' Reis, formerly successful as scripter-director, detoured through Par as a writer before hitching on as a director for RKO, where he has done 'One Crowded Night' and 'I'm Still Alive.'

'Kelly was long an assistant director in the studios before the way to a directorship opened for him when illness overtook his superior, providing him with an opening. Fate had steered him to RKO, where he was aide to director David Howard on the George O'Brien westerns. Howard suffered a stroke on the eve of starting O'Brien's 'Stage to China,' and Kelly took over. When O'Brien's deal washed up after one more sagacious, Kelly was picked as pilot on the new 'Tim Holt' series, for which he has completed 'Wagon Train' and is now filming 'The Fargo Kid.'

Warners lifted Terry Morse and Noel Smith from the cutting-rooms two years ago. They, too, have made the grade as directors. Hugh Bennett, veteran Par cutter, lost out on his big moment, when, after being selected to direct 'The Biscuit Eater,' he suffered a heart attack, and was forced to give way to Stuart Heisler, former Samuel Goldwyn location director, who won a Par directorial contract as a result. With the shuttering of its B picture department, Par dropped director Edward Dmytryk, who also had come up from the editor ranks.

Not all cutters want to be directors, though. There's the strange case of Otho Lovering, who now carries the title of editorial assistant to Walter Wagner.

Plucked from the cutting-rooms by Par as a decade ago, Lovering piloted a few films, then requested that he be sent back to his former spot. Asked why, he said:

'I'd rather have lesser job in making an outstanding feature than be the whole cheese on a B.'

## Radio Previews

Continued from page 30

knowledgeable can now go out and pass the standard down the line. Henry Finley's success, 'Clothed in thesp's dramatic tones, subject matter seemed to take on special spirit, even above its wordage. His side piece, developed with little actual dialogue, the few instances being capably handled for character and impact.

Much of Hardy's phrasing carried that ring of present-day application, peculiarly apt in the political intrigue and public lethargy back of eventual defeat of Napoleon's threatened invasion, and the line on England 'saving Europe by her example.'

**FREDERICK T. BIRCHALL**  
Talk (Transcription)  
10 mins.  
BBC, London

Anti-Hitler spiel was waxed at the time of his Canadian airing and shipped here. A staff correspondent of N. Y. Times, Birchall was previously located in Europe. He apparently had a personal acquaintance with Hitler.

Sparing nothing in his blast, listeners were treated to a door-mat ribbing of the dictator and his aides. For any who might have wondered what a rank was up to, Birchall spoke effectively of his continuance as a British subject after 40 years in America. Thus he spoke as a 'British' flaying the decadence and degeneration of Hitler's regime. He revealed some telling dope on behind-the-scenes Nazi acts, gathered as Berlin correspondent, then applied it to the present. For punishment, hasn't been equaled on this side.

**'LOVE AT ARMS'**  
Edith Evans and Michael Redgrave  
Dramatic  
15 mins.  
BBC, London

BBC's again broke out in this too much of too good a thing. No matter what the thesp's professional standing, 40 minutes over the air on the radio with such selective material as Shakespeare and Congreve was bound to run them out. Having it would have meant a prize airing; this vertiginous launch was a rabbit with dramatic producers.

Show aired around 'As You Like It,' 'Much Ado' and Congreve's 'Way of the World'—the three plays of the decade of the pair's career. Edith Evans held superbly to the triple characterization called for, but that running-time got her in the final piece and sent her pith flutery.

Former Althea Redgrave, now a legit-er via West End appearances with 'Beggars' Opera' and current 'Thunder Rock,' seemed hazarding something of a quick skip into the specialized radio realm. If he wasn't aware of it then critical listeners would be—and Shakespeare's aimed at critical listeners.

**'SATURDAY SERENADE'**  
With Shea's Buffalo Theatre Orch.  
Meyer Balsom  
30 mins.  
Sustaining  
Saturdays, 7:30 p.m.  
WEER, Buffalo

Neat combination of pop and semi-serious stuff is served up weekly by pit hand from Shea's Buffalo theatre mezzanine. Harry Slick, batoning session Saturday (24), ran the gamut from 'Adios, Muchachos' to hit list. His selection was a simple swing highlight from broad-sweeping fiddies to high hot trumpeting by Americo Bono, who, as Richard Bono, gave up his own band a few months back.

Meyer Balsom, in deep bass voice, gave up nice 'Sierra Sue,' and Norm Wullen added fancy piano fingering. Series once lacked both imagination and production, but that's since been changed. The orchestra caught a nice pace, with a Cal Janis-arranged medley as a pop tidbit.

**'TODAY'S CHILDREN'**  
Transcription  
PERCIE  
M-T-W, 7:45 p.m.  
2-GM, St. Louis

Directed by Harvey Adams, former William-Fair legitler, this one may catch a few family ears on three-weekly schedule. There's nothing new in presentation; acting is so-so, and the layout doesn't stand a chance outside this sector.

Just yarn about children of today, or maybe yesterday. Smacks very much of British twopenny novels popular with a certain class, but far removed from the masses in genuine appeal. Sponsors may, or may not, be successful in getting their sales chatter into the right quarters.

Governmental nix on U.S. waxes to conserve dollar exchange is paying the way for homebrewers to crash into the market nowadays, but better programs will have to be laid out if the idea is to be successful.

**JACK BUCHANAN**  
'Monte Carlo' with  
Maggie Teyte  
60 mins.  
BBC, London

Either version of this one-time Lubitsch hit, although difficult to follow as scripting job, still provided its star with something he hasn't had in a long time—a vehicle. 'Monte Carlo' repeated its medicine for Buchanan after this, he might try buying up those recordings where he 'whispers' and go his future vocaling as at his airing. On occasions only the engineers kept him from topping Maggie Teyte, who sopranoed the Jeannette Macdonald role.

Production was handled at nice pace, although it's never a safe bet that these captions of filmisels are sound fare for drama. For the listener they tend to drag, and the visio angle hard to put over.

## Strawhats

Continued from page 2

that it would have necessitated too many changes to make it practical, although it still may sell. If any of the three shows in layout shows possibility at all it is fairly certain it will be snapped up.

Other important openings from a motion picture viewpoint are Samson Raphaelson's 'In My Opinion' at Stockbridge, Mass., next Monday (2); 'Out of the Frying Pan,' by Francis Swann, which opened at the Hilltop theatre, Elliott City, Md., last night (Tuesday); and 'Goodman,' by Eleanor Carroll Chilton and Philip Lewis of the former's novel, 'Follow the Furies,' which opened last night at Rye Beach, N. H., and 'The Big Story' by Alan Cranston and Lee Falk, which will open on a date still undecided at Maplewood, N. J.

Single buy, this season has been 'Four Cheers for Mother,' a comedy by Philip Dunning and L. G. Lighton, for which Warner Bros. paid \$10,000. It tried out at the Red Barn theatre, Locust Valley, L. I.

Activity on several plays which Paramount has its glims on—as well as on other story material, including novel and original—may be expected this week with arrival from the Coast of Y. Frank Freeman, p. in charge of production. One of principal reasons for Freeman's visit, it is understood, is to go over a flock of these potential properties which have piled up on the desks of Richard Mastrand, eastern story editor and Hyman, head of the play department.

## Show People On Wing

Continued from page 2

othy Parker, persisted the reporters; what did she look like, was she tall or short?

'I don't know if it was Dorothy Parker or not, but I do know she was wearing the goshdangiest looking outfit I've ever seen.'

Chorused the reporters: 'That was Dorothy Parker all right.'

### First Hop

No Red himself, but seeing red, Jimmy Cagney set out on his first journey Monday (19) on the TWA 4-motor job, so anxious was he to reach California and yell his innocence of the Communist label for Rep. Martin Dies. Cagney had been vacationing as Martha's passenger, Mass., when he interrupted to testify for the Dies committee. At LaGuardia field, he told reporters he had made an agreement with his wife a long time ago to fly unless she was with him. 'Time went on, as it always does,' said the actor with a grin. 'Finally I decided that I'd been outsmarted. My wife never intended to fly, and so I never would be able to either. This damned repetition of me being tied up with the Reds got us both so mad, she told me I could take a plane out to the Coast and testify so as to end these nasty insinuations for good.'

### Scramble

Bob Taplinger hustled back to Warners on the same plane and George Jessel was another passenger, although he narrowly missed missing it. Jessel had cancelled the reservation he originally held, and then his studio had applied for a seat for him, at the usual scrip discount. With a waiting list of 40, TWA had already disposed of the seat Jessel gave up, and had to scramble to find room aboard for him. Alfred Walenstein joined the straitluster list Tuesday (20).

Milton Berle came Lochinvaring out of the west on an American airliner-Thursday night. Elliott Roosevelt hopped AA Friday night to Fort Worth and Juan Trippie, Pan-Am amx, continued on the same plane to L.A. after his jump-off on Pan-Am's official inspection flight to New Zealand.

George J. Schaefer, Jr., 23-year-old son of the head of RKO-Radio Pictures, climbed into the straitluster Friday night embittered over the imminent end of his career in the industry before it begins. He graduated from Princeton this June, spent a few weeks in R.O.T.C. camp upstate, and expects to be called for active service any time. He wants to go into the business end of the celluloid biz, but I don't know when I can get started.

Irving Berlin shook Manhattan dust from his patent leathers Wednesday night. He went to L. A. by TWA.

Nat Benchley, son of Bob, and his beautiful wife were at Gate 10 promptly at 11:30 the other morning. The Worcester writer-humorist-critic-actor had dropped a line a week before saying he'd be coming in on the straitluster. 'Something happened, I guess, but that's not unusual,' opined young Benchley as his father failed to show up.

### Benny Goodman Fit

Looking as healthy as a sun-worshiper just home from a Caribbean cruise, Benny Goodman arrived Friday from the Coast. Protected by TWA's green uniforms, Goodman wanted no publicity was carefully ignored by the Press Room.

Lady Mendl, the former Elsie De Wolfe, is undergoing a 10-day rest cure under care of Dr. Hauser in L. A., 'because I'm not feeling tip-top,' as she said before boarding the California plane. She was accompanied by Miss Douglas, her secretary. After the rest period, Lady Mendl will go to Pickfair for a visit. She denied that she was planning a trip to Nassau to supervise the redecorating of the home of the Windsors. 'Remember the Duchess is one of the world's best interior decorators,' she said. 'Her taste is exquisite.'

Gerald Freeman, managing director of the Anglo-American Film Corp., Ltd., of London, hopped for home on the Clipper Friday afternoon with nine other passengers. Freeman had been in New York more than three months arranging novel and original material for films. They are 'Contraband' starring Conrad Veidt, and 'Gas Light' starring Diana Wynyard.

With a little 24-hour slipup on the calendar, LaGuardia field might have been the scene of the settlement of the dispute over instrumental solos that now has the AFM and the CIO entertained in the CIO's offices. The two leaders in the wrangle were

on precisely the same spot of pavement at the field, one having just landed and the other making ready to depart, but they were a day apart. Lawrence Tibbett, head of the American Guild of Musical Artists, flew in by TWA straitluster Thursday (22), after gaining the support of the Screen Actors Guild in California. On Friday (23), James Petrillo, AFM head, boarded the straitluster for Chicago. Petrillo told reporters he did not want to talk about the jurisdictional fight until he had seen Tibbett. He said he expected to confer with the singer the middle of this week.

He held out hope that there will not be any sudden tie-up on Sept. 2, his deadline, by declining to state firmly when asked that he would resist delays. Petrillo was more willing to talk about his week-end activities in Chicago. He said he was to stage his regular Grand Park open-air concerts for the benefit of new reels that will be shown all over the country. He was to fly back to New York Monday.

## Selznick

Continued from page 5

board of the old company, and Francis Altrock, personal financial adviser to Whitely, understood it will serve for two years.

### Lowell Calvert Out

Major member of the personnel of S-I to be let out as result of the changes is Lowell V. Calvert, sales manager, who it is understood, will be released after liquidation of present exhibition contracts. Widely-known and respected in the industry for many years, Calvert, however, was a Whitney appointee and he and Selznick never were close.

Remaining with the new Selznick outfit will be Daniel T. O'Shea, v.p. of S-I who will serve as general manager; Kay Brown, eastern story editor (who purchased 'GWTW' and 'Rebecca' for Selznick), and Val Lewton, Coast production exec.

During the liquidation, E. L. Scanlon, S-I treasurer, will serve as fiscal agent on the Coast, acting in cooperation with Raymond A. Kluge, company vice president, and manager, Leonard R. Case, former assistant treasurer, will serve as fiscal agent in the east.

Principal S-I stockholders were Whitney, Selznick, C. V. Whitney, Myron Selznick, Mrs. Charles S. Payson, Norma Shearer, Robert Lehman and John Hertz. Their entire subscribed investment of \$2,900,000 was represented by debentures, which have been retired in full, together with annual interest at 6%. Company's financing beyond this was done through bank loans, all of which have been repaid in full, according to the dissolution statement.

### Resumes in Mid-Winter

Selznick declared he has not yet decided on the two stories to be made for UA. There is no time limit in which the production of UA films is produced, but they cannot go to any other company than UA. Selznick told VARIETY two weeks ago that he will probably start on the first in mid-winter.

Statement by Nick Schenck on the Selznick switch declared: 'I have read the announcement of Selznick International Pictures and the formation of David O. Selznick Productions, Inc. I wish Mr. Selznick success. He has shown great creative ability, as evidenced by 'Gone With the Wind,' and I look forward to continuation of this quality in future productions.'

Selznick served his apprenticeship in the picture industry under his father, Lewis J. Selznick, who died in 1933. After several years in films, he joined Metro as assistant story editor, becoming an assistant producer and associate producer of westerns. He went to Paramount as head of the writers' department, stepping up to associate producer and executive assistant to the g.m. He joined RKO-Radio in 1931 as exec. v.p. in charge of production, and left to become a producer and later v.p. of Metro.

## METRO STAR-STUDS SHORT

Hollywood, Aug. 27. While Mary Treen and Sally Payne will topline Metro's miniature, 'Rodeo Dough,' they'll have a supporting cast made up of dozens of name personalities.

Briefie, which is woven around the annual Palm Springs rodeo, will be a series of sketches showing the stars on the sidelines.



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